

T-10370

T-10370

TEMPORARY

Name Timothy & Suzanne Kreder

By _____

Address 1301 NE Hwy 99W #163McMinnoille OR 97128503 864-2077 503 559-8077Change in POY

Date filed _____

Date of hearing _____

Place of hearing _____

Date of order 5-31-07 Vol. 72, page 248

Date for application of water _____

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream unnamed Stream/Reservoir/WellTrib. of W F Palmer County of YamhillUse ST IR

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 1990In name of same

_____ Adjudication, Vol. _____, page _____

App. No. 520397 Per. No. 551073 Cert. No. 80059612138 611103 80061

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>4/13/07</u>	<u>250⁰⁰</u>	<u>87105</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

NOTED/CWREYamhill County 535 N Evans McMinnville, OR 97128RLO: Goodrich PO Box 466 Dayton, OR 97114

Susan

Return by 5:23-07

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

Reference Transfer #: 10370

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

- ☐ The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on

_____, tributary to _____, Because,
(Stream)

(Please attach any available supporting information.)

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

B. Please check one of the following four boxes related to requiring a fish screen and/or by-pass device pursuant to ORS 540.525 or 540.532:

- ☐ 1. The new Point of Diversion (POD) requires a fish screening and/or by-pass device and is currently equipped with an appropriate fish screening and/or by-pass device.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device.

Condition: The water user shall maintain and operate a fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

- ☐ 2. The new Point of Diversion (POD) requires a fish screening and/or by-pass device prior to water being diverted. The diversion may be eligible for cost share assistance under ODFW's cost share program.

Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is

*Please return all 4 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1271*

The electronic version of this form is available at: <http://www1.wrd.state.or.us/msword/ODFWScreen.doc>.

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selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

Condition: Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

- ☐ 3. The new Point of Diversion (POD) requires a fish screening and/or by-pass device. However, the diversion may be used for up to two years pending a determination of whether cost share assistance under ODFW's cost share program is available.

If Option 3 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. Except in extraordinary circumstances, Option 3 should NOT be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. If extraordinary circumstances are present, please explain:

Note: This option will yield the following:

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

Condition: Within two years after the date of this order, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. The water user may withdraw water at the new point of diversion without screening or by-pass devices until two years after the date of this order. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

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- ☒ 4. The new Point of Diversion (POD) does not currently require a fish screen and/or by-pass device, however, the permittee may be required in the future to install, maintain, and operate fish screening and/or by-pass devices.

Note: This option will yield the following:

No change in POD
Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screening and/or by-pass device may be required in the future at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device.

Condition: Within one year after receiving written notification from the Oregon Department of Fish and Wildlife (ODFW) that a fish screening and/or by-pass device is required, the water user shall install a screening and/or by-pass device, as appropriate, at the new point of diversion. The fish screening and/or by-pass device must meet ODFW's design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria. Once installed the water user shall maintain and operate the fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

Danette L. Ehlers

Signature

Danette L. Ehlers

Printed Name

Asst. District Fish Biologist

Title

(971) 673-6013

Phone

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

Transfer # 10370

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

- ☐ Fish screening and/or fish by-pass devices are required as a condition of this transfer. The fish screen and/or by-pass device must meet ODFW's design, construction, operational and maintenance standards. Fish screening prevents fish from entering the diversion, while a by-pass device safely transports fish back to the body of water from which the fish were diverted.

Pursuant to ORS 498.306, cost share funds may be available to assist in the installation of fish screening and by-pass devices at diversions.

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

ODFW staff name: _____

Address: _____

City/State/Zip: _____

Phone: () _____

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

ODFW staff name: _____

Address: _____

City/State/Zip: _____

Phone: () _____



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

June 1, 2007

TIMOTHY & SUZANNE KREDER
1301 NE HWY 99 W 163
MCMINNVILLE OR 97128

Reference: Temporary Transfer 10370

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

The change shall be effective at the end of the 2006 irrigation season. The use shall revert to the authorized place of use at the end of the 2007 irrigation season.

Sincerely,

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #16

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10370, Yamhill County	)	TEMPORARY CHANGE IN PLACE OF
	)	USE

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of appropriation authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

Timothy and Suzanne Kreder
1301 NE HWY 99W #163
McMinnville OR 97128

Findings of Fact

Background

1. On April 13, 2007, Timothy and Suzanne Kreder of Trico Farms Partnership filed an application to temporarily change the place of use under Certificates 80060 and 80061 for a period of one year. The Department assigned the application number T-10370.
2. On May 10, 2007, the applicants submitted a revised map and application identifying 75.0 acres for transfer.
3. The portion of the first right to be transferred is as follows:

Certificate: 80060 in the name of Timothy and Suzanne Kreder (perfected under Permit S-51073)

Use: IRRIGATION of 75.0 ACRES

Priority Date: JUNE 6, 1990

Rate: 0.94 CUBIC FOOT PER SECOND (cfs)

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. 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 either 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: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre during the irrigation season of each year from direct flow and storage.

Additional Limit: Use of water from direct flow is limited to the irrigation season prior to June 1 of each year.

Source: UNNAMED STREAM AND A RESERVOIR (perfected under Permit R-11247), tributaries to WEST FORK PALMER CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	3 W	WM	31	SW NE	660 FEET SOUTH AND 500 FEET EAST FROM THE NW CORNER OF THE SWNE OF SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	3 W	WM	31	NW NW	10.0
4 S	3 W	WM	31	SW NW	7.5
4 S	3 W	WM	31	SE NW	32.0
4 S	4 W	WM	36	NE NE	11.0
4 S	4 W	WM	36	SE NE	14.5

4. Application T-10370 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	4 W	WM	36	NW NE	8.4
4 S	4 W	WM	36	NE NW	19.6
4 S	4 W	WM	36	NW NW	1.6
4 S	4 W	WM	25	SW SW	1.1
4 S	4 W	WM	25	SW SE	23.0
4 S	4 W	WM	25	SE SW	21.3

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

Certificate: 80061 in the name of Timothy and Suzanne Kreder (perfected under Permit G-11103)

Use: SUPPLEMENTAL IRRIGATION of 75.0 ACRES

Priority Date: JUNE 6, 1990

Rate: 0.94 CUBIC FOOT PER SECOND (cfs)

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre during the irrigation season

Source: ONE WELL, tributary to WEST FORK PALMER CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	4 W	WM	36	NE NE	100 FEET SOUTH AND 990 FEET EAST FROM THE NW CORNER OF M. JEFFRIES DLC 57

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	3 W	WM	31	NW NW	10.0
4 S	3 W	WM	31	SW NW	7.5
4 S	3 W	WM	31	SE NW	32.0
4 S	4 W	WM	36	NE NE	11.0
4 S	4 W	WM	36	SE NE	14.5

6. Application T-10370 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	4 W	WM	36	NW NE	8.4
4 S	4 W	WM	36	NE NW	19.6
4 S	4 W	WM	36	NW NW	1.6
4 S	4 W	WM	25	SW SW	1.1
4 S	4 W	WM	25	SW SE	23.0
4 S	4 W	WM	25	SE SW	21.3

7. Notice of the application for temporary transfer was published on April 10, 2007, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
8. Water has been used within the last five years according to the terms and conditions of the rights, and no there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
10. The proposed change would not result in enlargement of the rights.
11. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(6) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

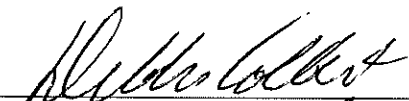
The temporary changes in place of use as proposed in application T-10370 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The changes in place of use proposed in application T-10370 are approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2007 irrigation season.

3. The use shall revert to the authorized place of use at the end of the 2007 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 80060 and 80061 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 80060 and 80061.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
9. The use of the remaining water rights described by Certificates 80060 and 80061 shall continue to be in accordance with the terms and conditions of Certificates 80060 and 80061.

Dated at Salem, Oregon this 31ST day of May 2007.


Phillip C. Ward, Director

Mailing Date JUN 04 2007

Water Right Transfer Checklist

Transfer T-10370

Transfer Specialist: Sue

Transfer Type: Temp

Applicant Name/Address: Timothy + Suzanna Kneider % Trico Farms Partnership

Agent Name/Address: _____

CWRE Name/Number: _____

Rec Landowner Name/Address: _____

Irr. District Name/Address: _____

Affected Gov'ts Name/Address: _____

Commentors: Name/Address: _____

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☐	☐	S 70397	S 51073	80060	☐ Yes ☒ No	NA
☐	☐	G 12138	G 11103	80061	☐ Yes ☒ No	NA

Key Dates & Initial Actions

Rec'd: <u>4/13/07</u>	Proposed Action(s): POU	
Fees Pd: 250.00	WM District: <u>16</u>	ODFW District: <u>✓</u>
Initial Notice: <u>4/17/07</u>	WM Review sent: _____	ODFW Review sent: <u>yes</u>
Acknowledgement Letter Sent ☒		GW Review sent: _____

Processing Dates & Actions

Deficiency Contacts: letter - 4/30

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

PD Mailed: _____

PD Weekly Notice: _____

Affid of Pub Rec'd: _____

Last Day Published: _____

Affidavit Reminder Sent: _____

Reminder Deadline: _____

Preliminary Determination

☐ Electronic Files uploaded

☐ PD Cover letter

☐ PD Notice

☒ File Assigned/ ModPod updated

☐ Preliminary Determination

☐ Fee Refund Due

☐ Remaining Rights

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: <u>MBP</u>
Date: _____	Date: _____	Date: <u>5/30/07</u>
Coordinator: _____	Coordinator: _____	Coordinator: <u>MBP</u>
Date: _____	Date: _____	Date: <u>5/30/07</u>
Comments/Special Issues: <u>Δ pou - 75 acres primary + supplemental</u>		

Special Order Volume: Vol 72 Pages 248

Final Order Signature Date: 5-31-07

Notice of FO email'd to processors Susan

Susan



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10370

Review Due Date: 5/23/2007

Applicant Name: Tim Kreder

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

Reviewer(s): M Mccord

Date of Review: May. 21, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. 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: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☒ No ☐ N/A If "Yes", explain: It could, and will be checked to make sure that it is not.
8. For POU or USE changes, 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: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If "Yes", explain: _____

10. What alternatives may be available for addressing any issues identified above: _____
11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☒ May be required in the future.
Headgates	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☐ May be required in the future.

Transfer Processing Log (Div 380)

Reviewer's Name: GylDate: 4/30/07

temp 1 year

Transfer #: <u>10370</u>	Type of Change: <u>ΔPOU</u>
Originating Certificate: <u>80059</u> <u>80060</u> <u>80061</u>	(Appl #: <u>8-70397</u> Permit #: <u>8-11247</u> <u>8-12138</u> <u>8-51073</u> <u>8-11103</u>)
Date filed: <u>4/13/07</u>	County: <u>Yamhill</u> WM District: _____
Applicant's Name & Mailing Address: <u>Timothy & Suzanne Kredler</u> <u>1301 NE Hwy 99W #163</u> <u>McMinnville, OR 97128</u>	
CWRE: <u>na</u>	<u>503-864-2077(h)</u>

IPN
4/17/07Transfer Workflow Maintenance: Has file been assigned to me? Y ☐ N ☐ (If No, Update Transfer Workflow.)

Check Application

- ☒ Type of change indicated clearly? POU - need def. on # acres ≠ OK
- ☒ Signed by applicants? Timothy & Suzanne
- ☒ Are fees due or to be refunded? OK if 75 acres ☐ If to be refunded, generate Request for Refund to be sent to WRD with Final Order.
- ☒ Does the land use form match affected tax lots and is it signed by proper official? etc
- ☐ If a ditch company or district is involved, send them a copy of the application and map.
- ☐ If a POD is moving to a ditch owned by a company or organization, applicant may need to show permission from the ditch owner.

63 system

Check Ownership

- ☐ Check that deed/lot book report matches the "from" lands.
- ☐ Get current tax lot map. (If transfer application is several years old, contact assessor's office for current landowner)
- ☐ Is the applicant the owner of the "from" lands? (Update mailing address of applicant/owner if needed)
- ☒ Have all owners on the deed/lot book report signed the application?
- ☐ Is there a notarized, signed statement of consent from any landowners other than applicant?
- ☐ Is there a copy of written notification of transfer to each lien holder identified on deed/lot book report?
- ☐ Verify agent authority if applicant has not specifically signed a statement giving authorization for agent to work on his behalf.

Check Application Map

- ☐ Does it have an original CWRE signature?
- ☒ Is the size and scale accurate and appropriate as per OAR 690-380-3100(1)(b)(c)&(d)?
- ☒ Are all authorized and proposed POD's/POA's and POU's shown and clearly labeled? 75 vs 85
- ☒ Do the metes and bounds for the POD's/POA's properly describe the location on the map?
- ☒ Do map acres match the tabulation on the certificate?
- ☒ Pull final proof maps for the rights. Does application map match certificate FPS maps?
- ☒ Pull aerial photos, if needed (and available).
- ☒ Do the POD/POA dimensions match the location on map?
- ☒ Do the POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions?

Def.

To acres = 85
From acres = 75sent
4/30/07amendments
received
5-10-07

Is Application complete?

- | | | | |
|--|---|---|---|
| ☒ application form | ☒ map | ☒ evidence of use | ☒ land-use form |
| ☒ deed | ☒ certificate | ☒ fees paid <u>OK</u> | ☒ well logs |

Reviews/comments received?

☒ Watermaster ☒ ODFW ☐ GW

When required

Determining the "From" and "To" Lands (make working copy of application and certificates to mark on)

- ☐ Are *only* the authorized POD's/POA's and POUs to be transferred listed?
- ☐ Do application & certificate tabulations match? (*check off on application and certificate copies and note corrections needed*)
- ☐ Mark on certificate copy which acreage is being transferred and what will remain in each ¼ ¼.

Is right valid and subject to transfer by applicant?

- ☐ Certificate _____ -or- Proof accepted "to the satisfaction...." _____
- ☐ Has the right been exercised according to terms & conditions of certificate?
- ☐ Compare delivery system capacity against with the rate/duty of the right.
- ☐ Print plat card report. Are there conflicting water rights? _____
- ☐ Is newspaper notice required? If so, generate a draft of the notice.
- ☐ Are there any rights that need to be canceled or diminished to supplemental? If so prepare an affidavit.

Deficiencies to be resolved:

☐
☐

Injury Determination

- | | | |
|--------------------------------------|---|---|
| ☐ Watermaster | Injury: Y ☐ N ☐ | Conditions: Y ☐ N ☐ |
| ☐ ODFW | Injury: Y ☐ N ☐ | Conditions: Y ☐ N ☐ |
| ☐ GW | Injury: Y ☐ N ☐ | Conditions: Y ☐ N ☐ |

- ☐ Will the "from" lands be able to be dried up? Yes ☐ No ☐
- ☐ Use Interactive Mapping to check for intervening PODs: No ☐ Yes ☐ _____
- ☐ Check relation to instream water rights: ☐ Moves into or within ISWR ☐ No problem
- ☐ Check movement related to reduction of flows to junior rights

- Determination: Enlargement? ☐ Yes ☐ No
- Injury? ☐ Yes ☐ No
- ☐ Approve -or- ☐ Reject

Conditions requested:

- Measurement devices: ☐ Required prior to use -or- ☐ "When in the judgment..."
- ☐ Fish screen (*see ODFW comments*)
- ☐ Other:

Remarks:



Oregon

Theodore R. Kulongoski, Governor

April 30, 2007

Timothy and Suzanne Kreder
1301 NE Hwy 99W #163
McMinnville, OR 97128

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

REFERENCE: Temporary Transfer T-10370

We are examining your water right transfer application. There is a problem that needs to be resolved before we can continue processing your application.

1. The number of acres you propose to move "off"/"from" totals 75.0 acres. The number of acres you propose to move "on"/"to" totals 85 acres. The number of acres on the "to" and on the "from" should equal one another. Please amend the appropriate pages of the application (by crossing out the old figures, dating and initialing them and inserting new figures or by submitting new pages) and amend the effected area of the maps.

The application and map list the following "from" lands:

Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	3 W	WM	31	NW NW	10.0
4 S	3 W	WM	31	SW NW	7.5
4 S	3 W	WM	31	SE NW	32.0
4 S	4 W	WM	36	NE NE	11.0
4 S	4 W	WM	36	SE NE	14.5
Totals					75.0

The application and map list the following "to" lands

Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	3 W	WM	36	NW NE	10.0
4 S	3 W	WM	36	SW NW	28.0
4 S	3 W	WM	36	NW NW	1.6
4 S	4 W	WM	25	SW SE	23.0
4 S	4 W	WM	25	SE SW	21.3
4 S	4 W	WM	25	SW SW	1.1
Totals					85.0

Please submit the revised application and transfer map by **May 30, 2007** to Susan Douthit, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you have any questions, please call me at 503-986-0858 or contact me via email at Susan.M.Douthit@wrdd.state.or.us.

Sincerely,

Susan Douthit
Water Rights Transfer Specialist

cc: Mike McCord, Watermaster, District 16
enclosures



Oregon

Theodore R. Kulongoski, Governor

April 30, 2007

Timothy and Suzanne Kreder
1301 NE Hwy 99W #163
McMinnville, OR 97128

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

REFERENCE: Temporary Transfer T-10370

We are examining your water right transfer application. There is a problem that needs to be resolved before we can continue processing your application.

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4 S	4 W	WM	25	SE SW	21.3
4 S	4 W	WM	25	SW SW	1.1
Totals					85.0

Please submit the revised application and transfer map by **May 30, 2007** to Susan Douthit, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you have any questions, please call me at 503-986-0858 or contact me via email at Susan.M.Douthit@wrdd.state.or.us.

Sincerely,

Susan Douthit
Water Rights Transfer Specialist

cc: Mike McCord, Watermaster, District 16
enclosures

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer
 (NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
	4 S	3 W	W M	36	NW ¼ NE ¼		10.0
	4 S	3 W	W M	36	NE ¼ NW ¼		28.0
	4 S	3 W	W M	36	NW ¼ NW ¼		1.6
	4 S	4 W	W M	25	SW ¼ SE ¼		23.0
	4 S	4 W	W M	25	SE ¼ SW ¼		21.3
	4 S	4 W	W M	25	SW ¼ SW ¼		1.1

Remarks: _____

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WATER RESOURCES DEPT
 SALEM, OREGON

1 10370

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

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Certificate Number or other identifying number: 80061

APR 13 2007

T 10370



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

April 24, 2007

TIMOTHY & SUZANNE KREDER
1301 NE HWY 99 W #163
MCMINNVILLE OR 97128

Reference: Temporary Transfer 10370

On April 13, 2007 we received your water right transfer application requesting a change in place of use for use of water from UNNAMED STREAM, tributary to WEST FORK PALMER CREEK. The application was accompanied by \$250.00. Our receipt 87105 is enclosed.

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

Pursuant to OAR 690-380-8010, the lands from which an irrigation water right is to be transferred and the land to which the right is to be 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.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Watermaster #16
Danette Ehlers, ODFW
Eunice Goodrich

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

**Notice of Application for
Water Right Transfer, Temporary Transfer, or Permit Amendment
04/17/07**

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice.

County: YAMHILL
Transfer: 10370
Water Right: CERT 80059, 80060, 80061
Priority Date: 1990
Name: TIMOTHY & SUZANNE KREDER
Address: MCMINNVILLE OR 97128
Change: POU
Source: UNNAMED STREAM/RESERVOIR/WELL
Authorized POU: T4S R3W 31
T4S R4W 36
Proposed POU: T4S R3W 36
T4S R4W 25

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice. Comments should be sent to the Transfers Section at the Department's Salem office.

TRANSFER CHECK OFF LIST

TRANSFER FILE # 10370
DATE RECEIVED 4-13-07
DATE MONEY SLIPPED 4-13-07
DATE RECEIPTED 4-13-07
VALID WATER RIGHT? X Yes No
TEMP ALT AC **IRR DIST** **PERM AMEND** **DIV 15**
TEMP Div 15 X **ISWR**

LETTER FROM ATTORNEY YES (PUT INFO ON FRONT COVER) X NO

FOLDER FILLED OUT* yes

ENTERED IN DB yes

CONTENTS MARKED yes

COLOR CODED X Yes

4 COPIES MADE & STAMPED yes

CERTIFICATE MARKED yes

CERTIFICATE COPIED yes

PULL APPLICATIONS yes

APP FOLDER MARKED yes

FINAL PROOF MAP COPIED yes

PERMIT MARKED no

PERMIT COPIED

PERMIT MAP COPIED

DECREE MARKED

DECREE COPIED

ADJUDICATION MAP COPIED

ENTRIES CHECKED **CHECKED BY** **INIT FOLDER**

PUBLIC NOTICE DATE 4-17-07 (PREPARED & COPIED) yes

LETTER SENT yes **Irrigation District** no (copy of app & map)

COPY TO WM yes

BLUE FORM TO WM yes Orange Perm Amend/Yellow Temp/Gru Dist/Lav Alt Acr/pink his

COPY TO GW no POA, APOA, or [SW TO GW ONLY(as POD)]

BLUE FORM TO GW no Orange Perm Amend/Yellow Temp/Gru Dist/Lav Alt Acr/pink his

COPY TO CWRE no

BTTTER TO ODFW yes ALL Surface water POU/USE (POD and APOD FISH SCREENS)

ANSFER SENT TO: Susan SW --- NCR --- SCR --- ER

SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER



Oregon

Theodore R. Kulongoski, Governor

April 30, 2007

Timothy and Suzanne Kreder
1301 NE Hwy 99W #163
McMinnville, OR 97128

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

REFERENCE: Temporary Transfer T-10370

We are examining your water right transfer application. There is a problem that needs to be resolved before we can continue processing your application.

1. The number of acres you propose to move "off"/"from" totals 75.0 acres. The number of acres you propose to move "on"/"to" totals 85 acres. The number of acres on the "to" and on the "from" should equal one another. Please amend the appropriate pages of the application (by crossing out the old figures, dating and initialing them and inserting new figures or by submitting new pages) and amend the effected area of the maps.

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4 S	3 W	WM	31	SE NW	32.0
4 S	4 W	WM	36	NE NE	11.0
4 S	4 W	WM	36	SE NE	14.5
Totals					75.0

No Change

The application and map list the following "to" lands

Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	3 W	WM	36	NW NE	10.0
4 S	3 W	WM	36	SW NW	28.0
4 S	3 W	WM	36	NW NW	1.6
4 S	4 W	WM	25	SW SE	23.0
4 S	4 W	WM	25	SE SW	21.3
4 S	4 W	WM	25	SW SW	1.1
Totals					85.0

*8.4 } OK
19.6 }
Zach C. Hersh
5-8-07*

Please submit the revised application and transfer map by **May 30, 2007** to Susan Douthit, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you have any questions, please call me at 503-986-0858 or contact me via email at Susan.M.Douthit@wr.d.state.or.us.

Sincerely,

Susan Douthit
Water Rights Transfer Specialist

cc: Mike McCord, Watermaster, District 16
enclosures

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MAY 10 2007

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SALEM, OREGON

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer
 (NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
	4 S	3 W	W M	36	NW ¼ NE ¼		8.4 ^{10.0}
	4 S	3 W	W M	36	NE ¼ NW ¼		19.6 ^{28.0}
	4 S	3 W	W M	36	NW ¼ NW ¼		1.6
	4 S	4 W	W M	25	SW ¼ SE ¼		23.0
	4 S	4 W	W M	25	SE ¼ SW ¼		21.3
	4 S	4 W	W M	25	SW ¼ SW ¼		1.1

Remarks: _____

Revised by Tim Krader
5-8-2007
[Signature]

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WATER RESOURCES DEPT
 SALEM, OREGON

Supplemental Form A

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MAY 10 2007

WATER RESOURCES DEPT
 SALEM, OREGON

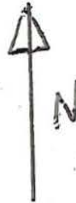
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 36 T4S R4W W.M.
YAMHILL COUNTY

4 4 36

Scale 1"=1000'

To Area



TO:

Location of primary point of diversion is 660
Feet south and 500 feet east from the NW corner
The SW 1/4 NE 1/4 Section 31

Location of the supplemental point of appropriation is a
Well located 100 feet south and 990 feet east of the NW
Corner of the Jeffries DLC 63

Section 25 T 4S R 4W WM SW 1/4 SE 1/4	23.0 acres
Section 25 T 4S R 4W WM SE 1/4 SE 1/4	21.3 acres
Section 25 T 4S R 4W WM SW 1/4 SW 1/4	1.1 acres
Section 36 T 4S R 3 W WM NW 1/4 NE 1/4	10.0 acres
Section 36 T 4S R 3 W WM NE 1/4 NW 1/4	28.0 acres
Section 36 T 4S R 3 W WM NW 1/4 NW 1/4	1.6 acres
	75.0 acres

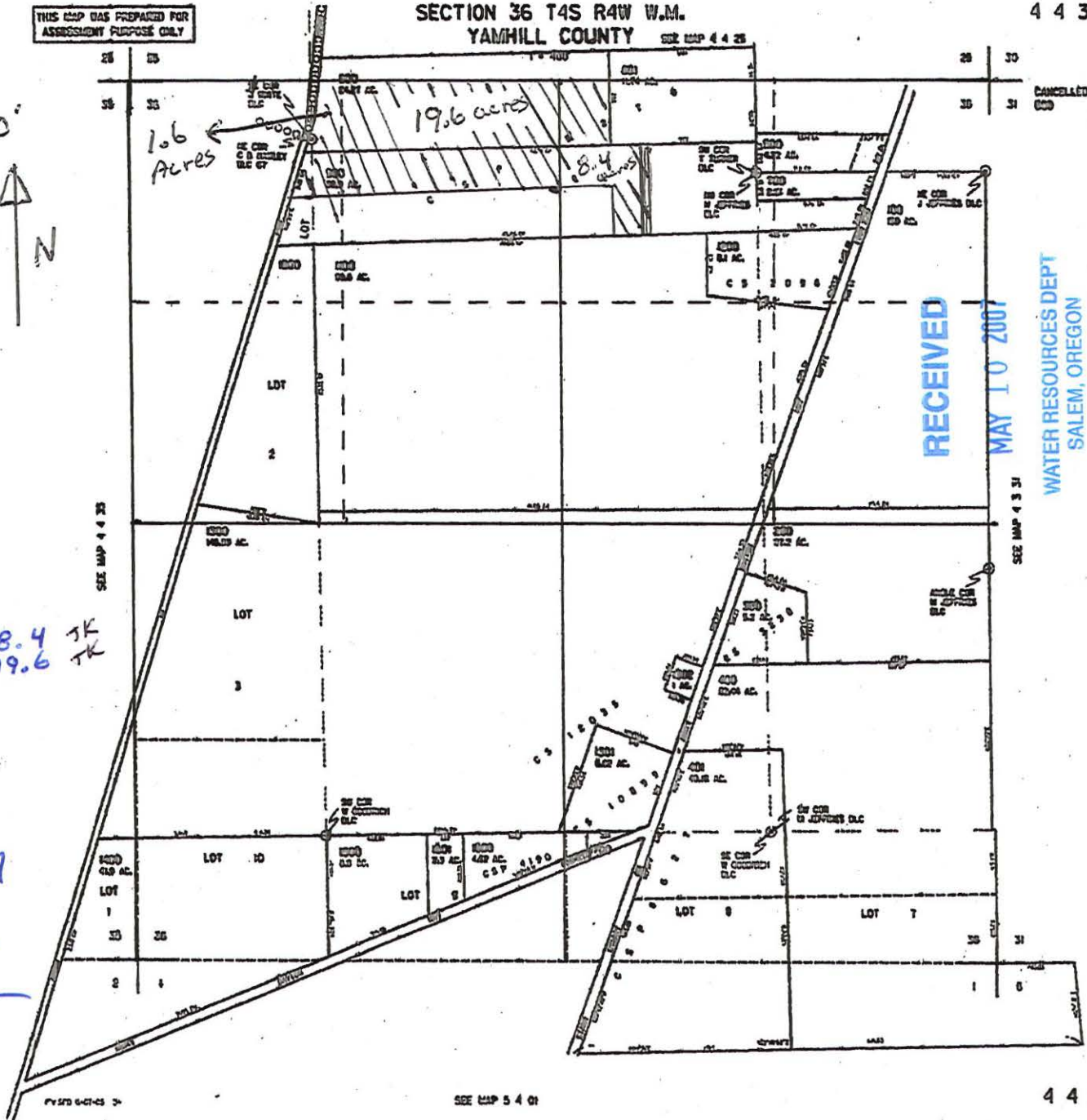
8.4 TK
19.6 TK

Revised

Map

Tim Kreader
5-8-2007

[Handwritten signature]



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MAY 10 2007
WATER RESOURCES DEPT
SALEM, OREGON

4 4 366

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **87105**

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

INVOICE # _____

RECEIVED FROM: Timothy C Kredner
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-10370

CASH: ☐ CHECK: # 1085 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 250.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____
0205 TRANSFER \$ 250.00

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **87105**

DATED: 4/13/07

BY: Karl H. DeBor



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

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one

- | | |
|--|--|
| ☐ Permanent Transfer | ☐ Instream Transfer |
| ☒ Temporary Transfer | ☐ Permanent |
| • total number of years: <u>1</u> | ☐ Time-Limited |
| (begin year: <u>2007</u>) | ☐ Drought Transfer |
| (end year: <u>2007</u>) | ☐ Other |

2. APPLICANT INFORMATION

Name: Timothy and Suzanne Kreder
 First Last

Address: 1301 NE Hwy 99W #163

McMinnville Oregon 97128
 City State Zip

Phone: (503) 864-2077 (503) 559-8077 (503) 550-7489
 Home Work Other

Fax: (503) 864-2077 E-Mail address: hajji@onlinemac.com

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: _____
 First Last

Address: _____

 City State Zip

Phone: _____
 Home Work Other

Fax: _____ E-Mail address: _____

- If an agent is listed above, please check one of the following:

- ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
- ☐ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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SALEM, OREGON

1 10370

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.			80059
2.			80060
3.			80061
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - ☒ Place of Use ☐ Point of Diversion ☐ Additional Point of Diversion
 - ☐ Character of Use ☐ Point of Appropriation ☐ Additional Point of Appropriation
 - ☐ Instream Transfer ☐ Surface Water source to Ground Water source
- Reason(s) for change(s): crop rotation and irrigation of leased land _____

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

75 horse power pump with 3 inch, 4 inch sprinkler pipe and 8 inch, 6 inch, and 5 inch mainline

- System capacity: .63 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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SALEM, OREGON

T 10370

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is 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? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

Yamhill County

535 N Evans

McMinnville, OR 97128

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WATER RESOURCES DEPT
SALEM, OREGON

10370

8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☐ Yes ☒ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): Eunice Goodrich _____
First Last

Address: PO Box 466 _____

Dayton OR 97114
City State Zip

- Check one of the following:

- ☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
- ☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.
- ☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

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APR 13 2007

WATER RESOURCES DEPT
SALEM, OREGON

I 10370

9. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☒ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☒ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- ☐ *Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☒ *Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- No TR 4-12-07*
☒ The application is for a change in point of ^{use} appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☐ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

- ☐ Enclosed; *or*
- ☒ Not Required if all of the following are met:
- ① In EFU zone or irrigation district,
 - ② Change in place of use only,
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ④ Irrigation only.

Fees:

- ☐ Amount enclosed: \$ _____
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☒ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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APR 13 2007

T 10370

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for **all** named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

10. SIGNATURES

- Check **one** of the following, as appropriate, and sign the application in the signature box below:

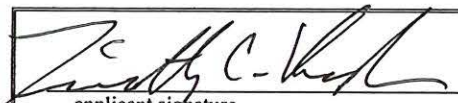
N/A ☐ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to **all** lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is **not** the applicant, a **notarized statement consenting to the transfer** (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

☐ I (we) affirm that 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. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.)

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

 applicant signature	Timothy C. Kreder name (print)	4-13-07 date
 applicant signature	Suzanne Kreder name (print)	4-13-07 date

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WATER RESOURCES DEPT
SALEM, OREGON

T 10370

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 80059 _____

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☒ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT.
SALEM, OREGON

10370

Description of Proposed Change(s) to a Water Right

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	80059	
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
☐ Permit for which Proof has been Approved		
	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed		
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Timothy and Suzanne Kreder
- County Yamhill
- Authorized Use(s) to be Affected by Transfer: irrigation
- Priority Date(s): June 6, 1990

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: An unnamed stream, a tributary of West Fork of Palmer Creek, in a Reservoir.

Tributary to:

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there Other Water Rights, Permits or Ground Water Registrations associated with this land?

☒ Yes ☐ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? 80060, 80061

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

- Certificate Number or other identifying number: 80059

The following information **must be provided** only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Yamh 7883	Reservoir, June 6, 1990	4 S	3 W	W M	31	SW ¼ NW ¼		

- Does the water right being transferred involve a ground water source(s)?

☒ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

- Certificate Number or other identifying number: 80059

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3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☒ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and **clearly label** the corresponding well log(s) for each proposed well, **or** if well log(s) are **not** available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

- Certificate Number or other identifying number: 80059 _____

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

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WATER RESOURCES DEPT
SALEM, OREGON

10370

Description of Proposed Changes to a Water Right

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer
 (NOTE: Complete this table *only* if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
	4 S	3 W	W M	36	NW ¼ NE ¼		10.0
	4 S	3 W	W M	36	NE ¼ NW ¼		28.0
	4 S	3 W	W M	36	NW ¼ NW ¼		1.6
	4 S	4 W	W M	25	SW ¼ SE ¼		23.0
	4 S	4 W	W M	25	SE ¼ SW ¼		21.3
	4 S	4 W	W M	25	SW ¼ SW ¼		1.1

Remarks: _____

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 WATER RESOURCES DEPT
 SALEM, OREGON

Supplemental Form 10370

Description of Proposed Change(s) to a Water Right

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 80060 _____

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ Only a <u>portion</u> of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☒ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	80060	
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
☐ Permit for which Proof has been Approved		
	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed		
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Timothy and Suzanne Kreder
- County Yamhill
- Authorized Use(s) to be Affected by Transfer: irrigation
- Priority Date(s): June 6, 1990

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: An unnamed stream, a tributary of West Fork of Palmer Creek, in a Reservoir.

Tributary to:

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☒ Yes ☐ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? 80059, 80061

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

▪ Certificate Number or other identifying number: 80060

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WATER RESOURCES DEPT
SALEM, OREGON

T 10370

Description of Proposed Change(s) to a Water Right

The following information **must be provided** only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Yamh 7883	Unnamed Stream and Reservoir, June 6, 1990	4 S	3 W	W M	31	SW ¼ NE ¼		660 feet south and 500 feet east of the NW corner of the SW ¼ NE ¼, section 31

- Does the water right being transferred involve a ground water source(s)?

☒ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

- Certificate Number or other identifying number: 80060 _____

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WATER RESOURCES DEPT
SALEM, OREGON

Supplemental Form A 10370

Description of Proposed Change(s) to a Water Right

Description of Proposed Change(s) to a Water Right

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☒ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and **clearly label** the corresponding well log(s) for each proposed well, **or** if well log(s) are **not** available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

- Certificate Number or other identifying number: 80060 _____

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

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WATER RESOURCES DEPT
SALEM, OREGON

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Description of Proposed Change(s) to a Water Right

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer
 (NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
	4 S	3 W	W M	36	NW ¼ NE ¼		10.0
	4 S	3 W	W M	36	NE ¼ NW ¼		28.0
	4 S	3 W	W M	36	NW ¼ NW ¼		1.6
	4 S	4 W	W M	25	SW ¼ SE ¼		23.0
	4 S	4 W	W M	25	SE ¼ SW ¼		21.3
	4 S	4 W	W M	25	SW ¼ SW ¼		1.1

Remarks: _____

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 Supplemental Form A
 WATER RESOURCES DEPT
 SALEM, OREGON

T 10370

Description of Proposed Change(s) to a Water Right

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 80061 _____

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☒ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT
SALEM, OREGON

Supplemental Form A 10370 1

Description of Proposed Change(s) to a Water Right

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	80061	
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
☐ Permit for which Proof has been Approved		
	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed		
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Timothy and Suzanne Kreder _____
- County Yamhill _____
- Authorized Use(s) to be Affected by Transfer: irrigation _____
- Priority Date(s): June 6, 1990 _____

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer Waters of one well _____

Tributary to: _____

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?
☒ Yes ☐ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? 80059, 80060 _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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SALEM, OREGON

▪ Certificate Number or other identifying number: 80061 _____

The following information **must be provided** only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Yamh 7883	One Well , June 6, 1990	4 S	4 W	W M	36	NE ¼ NE ¼		100 feet south and 990 feet east of the NW corner of M. Jeffries DLC 57

- Does the water right being transferred involve a ground water source(s)?
☒ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
■	■	■							
■	■	■							
■	■	■							

■ Certificate Number or other identifying number: 80061 _____

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WATER RESOURCES DEPT
SALEM, OREGON

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

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3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☒ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and **clearly label** the corresponding well log(s) for each proposed well, **or** if well log(s) are **not** available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

- Certificate Number or other identifying number: 80061

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

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Description of Proposed Change(s) to a Water Right

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer
 (NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
	4 S	3 W	W M	36	NW ¼ NE ¼		10.0
	4 S	3 W	W M	36	NE ¼ NW ¼		28.0
	4 S	3 W	W M	36	NW ¼ NW ¼		1.6
	4 S	4 W	W M	25	SW ¼ SE ¼		23.0
	4 S	4 W	W M	25	SE ¼ SW ¼		21.3
	4 S	4 W	W M	25	SW ¼ SW ¼		1.1

Remarks: _____

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WATER RESOURCES DEPT
 SALEM, OREGON

1 10370

WATER WELL REPORT

(as required by ORS 537.765)

(START CARD) # 19843

(1) OWNER: Well Number: _____
 Name Tim Kreder
 Address 15010 Kredor Rd. SE
 City Dayton, State OR Zip 97114

(2) TYPE OF WORK:
☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD
☐ Rotary Air ☐ Rotary Mud ☐ Cable
☒ Other Reverse circulation rotary

(4) PROPOSED USE:
☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes ☐ No ☒ Depth of Completed Well 224 ft.
 Explosives used Yes ☐ No ☒ Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
32	0	224	Concrete	0	18+	14 cu. yd.

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other Tremied

Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from 18+ ft. to 224 ft. Size of gravel 1/2 - 3/4

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	* 12	+2.5	224	.250	☒	☐	☒	☐
	6	+2	25	.250	☒	☐	☒	☐
	*except at screens and							
	97' to 118' is .375 wall							
Liner:					☐	☐	☐	☐

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:
☒ Perforations Method Torch* and Mill**
☒ Screens Type Louvred Material Mild steel

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
*97	118	3/8X6	240			☒	☐
138	158	.25	FF	12	PS	☐	☐
**165	175	1/4X3	228			☒	☐
195	211	.25	FF	12	PS	☐	☐

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Time
800	28		1 hr.
1000	47		2nd hr
1250	55		3rd hr
1500	84		4th hr

Temperature of water 55°F Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____
 Did any strata contain water not suitable for intended use? ☐ Too little

(9) LOCATION OF WELL by legal description
 County Yamhill Latitude _____ Longitude _____
 Township 4S Nor S. Range 4W E. _____
 Section 36 NE 1/4 NE 1/4
 Tax Lot 1400 Lot _____ Block _____ Subdivisin. _____
 Street Address of Well (or nearest address) 10500 SE Lafay
Dayton, OR 97

(10) STATIC WATER LEVEL:
 _____ ft. below land surface. Date 4/2
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found _____

From	To	Estimated Flow Rate
Probably most	all sands and/or	see (i
gravels		

(12) WELL LOG: Ground elevation Approx 150

Material	From	To
See attached		

Date started 11/5/91 Completed 4/23/91

(unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my knowledge and belief.
 Signed Tim Kreder WWC Number 1
 Date 5/3/91

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment of this well during the construction dates reported work performed during this time is in compliance with Oregon construction standards. This report is true to the best of my knowledge and belief.

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Start Card No. 19843

by Schneider Drilling Co.

<u>From</u>	<u>To</u>	<u>Description</u>
0	2	Top soil
2	7	Clay, grey, soft
7	10	Clay, grey & brown, soft, a little silty
10	19	Clay, grey & green, soft, a little silty
19	38	Clay, grey, soft
38	44	Clay, grey, sandy
44	51	Sand, black, medium fine
51	53	Sand & gravel, small, cemented, hard
53	64	Clay, greyish green, soft, silty
64	69	Clay, grey, soft, sticky, silty
69	73	Sand, green, medium, some small gravel
73	75	Clay, green, sandy & gravel, cemented, some wood
75	84	Clay, greyish green, sandy, fine & wood
84	86	Gravel & sand & clay, green
86	90	Clay, grey, medium hard
90	100	Clay, green, some sand & gravel, medium hard
7 100	107	Gravel, 2" minus & coarse sand slightly cemented <u>Screen</u>
107	124	Clay, grey, sandy, silty with wood
11 124	135	Gravel & coarse sand, cemented
135	140	Clay, grey, medium
16 140	156	Gravel & coarse sand, cemented <u>Screen</u>
156	166	Clay, grey, a little sand, soft
6 166	172	Gravel & coarse sand, cemented <u>Screen</u>
172	189	Clay, blue-grey, medium, sandy
2 189	191	Gravel & coarse sand, cemented
191	195	Clay, greyish green, sandy, medium
5 195	200	Gravel & coarse sand, cemented <u>Screen</u>
200	207	Clay, greyish green, sandy with wood
4 207	211	Gravel & coarse sand, cemented
211	224	Clay, grey, a little sandy with wood

Depth
to
water
?

Note: "cemented" means some cementation was present

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WATER RESOURCES DEPT.
SALEM, OREGON

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WATER RESOURCES DEPARTMENT
SALEM, OREGON

Oregon Water Resources Department
PUMP TEST COVER SHEET



Well Owner:

Name Tim Greder
Address 15010 Greder Rd SE
City, State, Zip Dalton, OR 97114
County Lamhill

Well Location:

Township 4S (N or S), Range 4W (E or W)
Section 36 1/4, 1/4, 1/4 NE NE
Well Depth 224 Date Drilled 4/23/91
Owner's Well No. (if any) _____
POD-ID _____

Water Right Information:

Application No. G-12138 Permit No. G-11103 Certificate No. _____
Is this well used for more than one water right? _____ (Y/N) If Yes, fill out numbers below:
App. No. _____ Permit No. _____ Cert. No. _____
App. No. _____ Permit No. _____ Cert. No. _____

Pump Test:

Test conducted by Tom Schneider/Rick Wintercorn Well Owner? N (Y/N)
Company Schneider Equipment, Inc.
Address 21881 River Road NE Date of Test 7/29/93
City, State, Zip St. Paul, OR 97137

Method of Discharge Measurement Flowmeter
Method of Water Level Measurement Electric Water Level Measuring Tape
Depth of Air Line (if used) _____
Pump Type (Turbine, Submersible, etc.) Lineshaft Turbine
Was pump test conducted during normal use of the well NO (Y/N)

Description of point from which water level was measured Top of 3/4" PVC Probe Tube
Is measuring point above or below ground level? above
Distance between measuring point and ground level (correction factor) 4.3 Ft.

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? N (Y/N) If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test _____

Is there a lake, stream or other surface water body within 1/4 mile of the tested well? _____ (Y/N)
If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head: Approximate distance _____
Approximate elevation difference _____
Is well elevation above or below the surface water body? _____

Static Water Level Measurements: (Three measurements at least 20 minutes apart are required in the hour before pumping begins):

Time: <u>8:20 am</u>	Depth to Water: <u>11.5 ft (7.2 ft Cor)</u> (ft/in)
Time: <u>8:41 am</u>	Depth to Water: <u>11.5 ft (7.2 ft Cor)</u> (ft/in)
Time: <u>9:01 am</u>	Depth to Water: <u>11.5 ft (7.2 ft Cor)</u> (ft/in)

Discharge Measurements: (A discharge measurement is required at the start of pumping and once an hour during the test):

Time: <u>9:07 am</u>	Discharge Rate: <u>880</u> (gpm)
Time: <u>9:11 am</u>	Discharge Rate: <u>900</u> (gpm)
Time: <u>9:55 am</u>	Discharge Rate: <u>900</u> (gpm)
Time: <u>11:25 am</u>	Discharge Rate: <u>902</u> (gpm)
Time: <u>12:40 pm</u>	Discharge Rate: <u>898</u> (gpm)

Pump turned on: Date: 7/29/93 Time: 9:02 am Pump turned off: Date: 7/29/93 Time: 1:04 pm
Total pumping time: 4 hours, 2 minutes.

Note: Well must be idle for at least 16 hours prior to the test.

T 10370

Oregon Water Resources Department
PUMP TEST FORM COVER SHEET

Well Owner:

Name: Tim Kreder
Address: 15010 Kreder Rd SE
County: Yamhill
City: Dayton State: OR Zip: 97114
Original owner (from well log): _____

Well Location:

Township: 45 (N/S) Range: 4W (E/W)
Section: 36 1/4: NE 1/16: _____
Well depth: 224 Date drilled: 4-23-91
Owners well no. (if any): _____
POD ID: _____

Water Right Information:

Application: G-12138 Permit: G-11103 Certificate: _____
Is this well listed on more than one water right? ☐ Yes If yes, list additional water rights below:
Application: _____ Permit: _____ Certificate: _____
Application: _____ Permit: _____ Certificate: _____

Pump Test:

Test Conducted by: David Ferguson Well Owner? ☐ Yes
Company: Ernst Hardware Co.
Address: PO Box 38 Date of Test: 8-25-05
City: St Paul State: OR Zip: 97137
Daytime phone: 503-633-4111

Method of discharge measurement (see our brochure for acceptable methods): McGrometer Flow meter
Method of water-level measurement (pick one or enter other method used): Electric sounder
Length of air line (if used): _____

Pump type (pick one or enter other method used): 75hp Turbine pump

Was the pump test conducted during normal use of the well? ☐ Yes Note: NO

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? ☐ Yes Note: NO

If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test: _____

Is there a lake, stream or other surface water body within 1/4 mile of the tested well? ☐ Yes If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head. Approx. distance: _____ ft Approx. elevation difference: _____ ft

Well elevation is _____ surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) 1 1/2" steel sounding
shoot on east side of well.

Measuring point distance above land surface 12" feet.

Static water level measurements: (A minimum of three measurements are required in the hour before pumping begins at no less than 20 minutes apart):

Time	Depth to water below meas. point	Depth to water below land surface
<u>7:00 AM</u>	<u>47' 3"</u>	<u>46' 3"</u>
<u>7:20 AM</u>	<u>47' 3"</u>	
<u>7:40</u>	<u>47' 3"</u>	

Discharge measurements: (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

Time	Discharge Rate	Discharge Units (e.g. gpm, cfs, etc)
<u>8:00 AM</u>	<u>900</u>	<u>6PM</u>
<u>9:00</u>		
<u>10:00</u>		
<u>11:00</u>		
<u>12:00</u>		

Time pump turned on: _____ Date 8-25-05 Time 8:00 AM
Time pump turned off: _____ Date " Time 12:00 PM
Total pumping time: 4 hours _____ minutes

Note: Well must be idle for at least 16 hours prior to the test.

Additional forms can be obtained from our web site at: <http://www.wrd.state.or.us>

OWRD 2/9/2000

Required Signature: _____

7-59CPI

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PUMP TEST DATA SHEET

Page ____ of ____

Application: G-12138 Permit: G-11103 Certificate: _____ Pod_Id: _____

All water-level measurements must either be in feet and inches, or feet and decimal fractions.

Drawdown Data

Recovery Data

Date	Time	Time Since Pump Started (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	Comments	Date	Time	Time Since Pump Stopped (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	Comments
8-25-05	8:00 AM		47'3"	46'3"	900 GPM	8-25-05	12:00 AM		138'		
	8:02		67'10"				12:02		97'5"		
	8:04		84'6"				12:04		94'3"		
	8:06		89'8"				12:06		77'8"		
	8:08		94'8"				12:08		75'4"		
	8:10		99'6"				12:10		68'8"		
	8:15		103'5"				12:15		63'10"		
	8:20		110'7"				12:20		60'7"		
	8:25		111'				12:25		58'1"		
	8:30		111'5"				12:30		56'2"		
	8:45		119'				12:35		54'8"		
	9:00		123'2"								
	9:15		124'3"								
	9:30		129'2"								
	9:45		131'2"								
	10:00		133'1"								
	10:15		133'4"								
	10:30		134'10"								
	10:45		135'9"								
	11:00		136'								
	11:15		137'1"								
	11:30		137'4"								
	11:45		137'11"								
	12:00 PM		138'								

Additional forms can be obtained from our web site at: <http://www.wrd.state.or.us>

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SALEM, OREGON

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SECTION 36 T4S R4W W.M.
YAMHILL COUNTY

4 4 365

CANCELLED
600

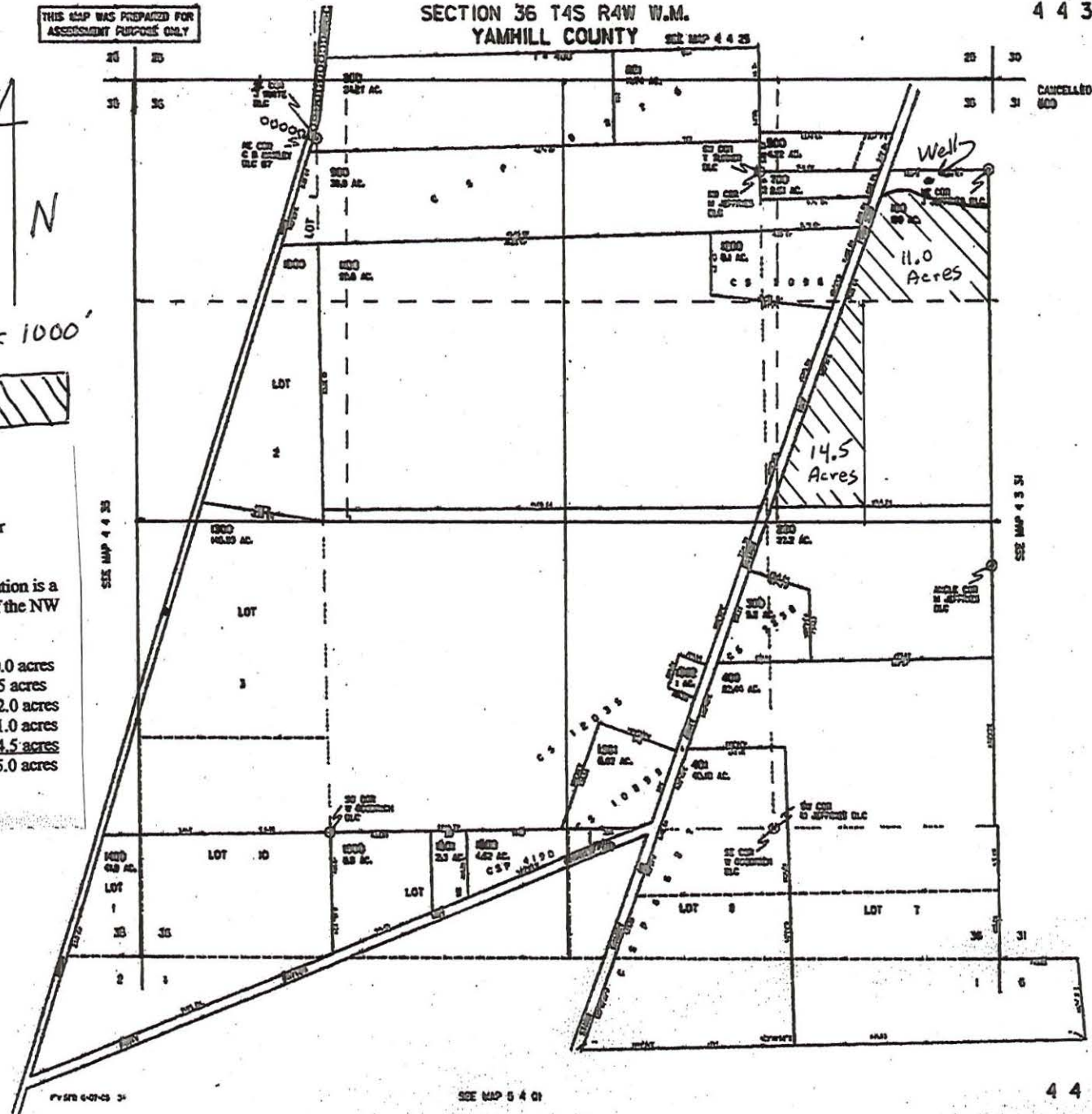
Scale: 1" = 1000'
From Area 

FROM:

Location of primary point of diversion is 660
Feet south and 500 feet east from the NW corner
The SW 1/4 NE 1/4 Section 31

Location of the supplemental point of appropriation is a
Well located 100 feet south and 990 feet east of the NW
Corner of the Jeffries DLC 63

Section 31 T4S R3W W.M. NW 1/4 NW 1/4 10.0 acres
Section 31 T4S R3W W.M. SW 1/4 NW 1/4 7.5 acres
Section 31 T4S R3W W.M. SE 1/4 NW 1/4 32.0 acres
Section 36 T4S R4W W.M. NE 1/4 NW 1/4 11.0 acres
Section 36 T4S R4W W.M. SE 1/4 NE 1/4 14.5 acres
75.0 acres



4 4 366

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SECTION 31 T4S R3W W.M.
YAMHILL COUNTY

4 3 31

Scale: 1" = 1000'

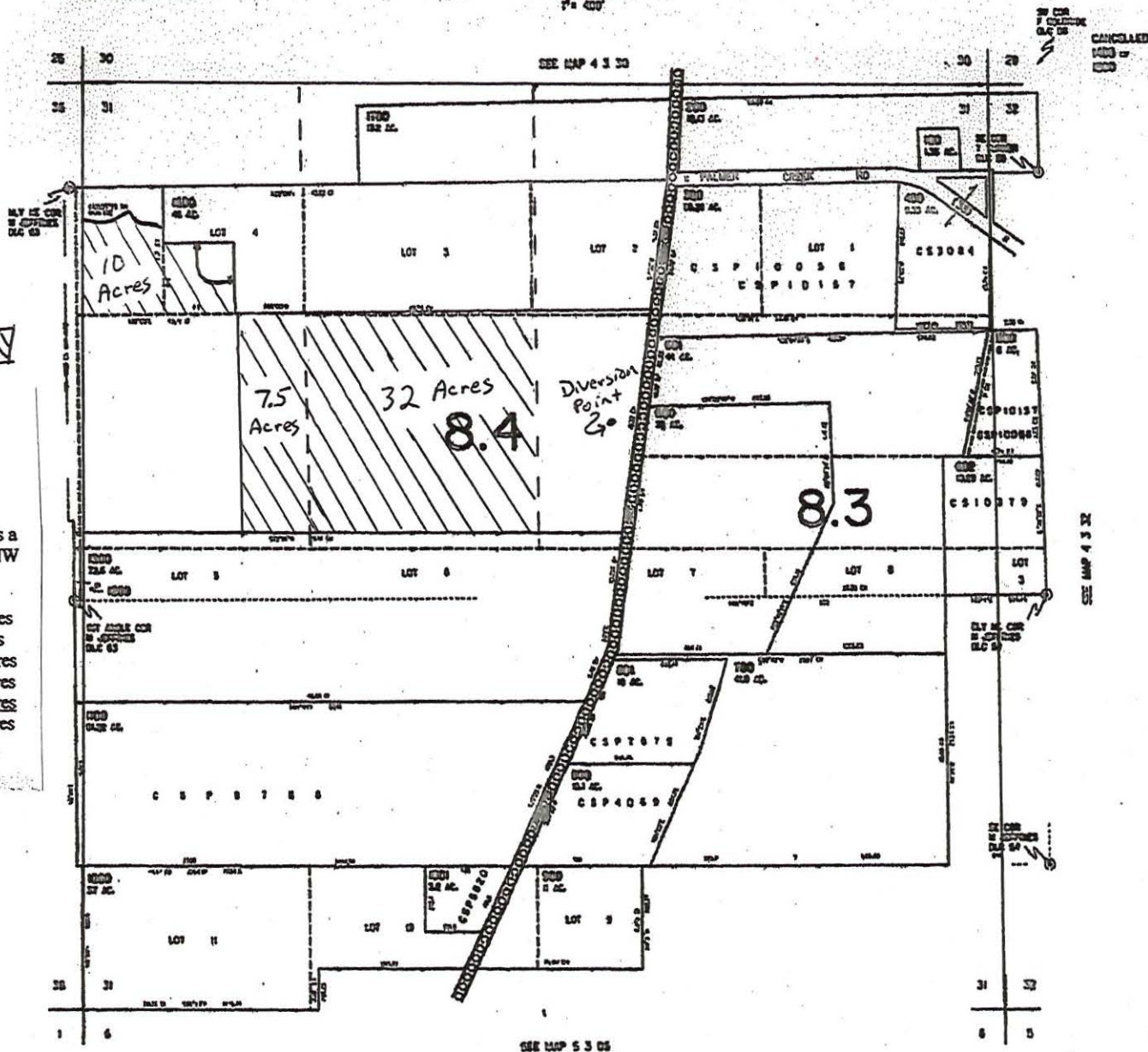
From Area 

FROM:

Location of primary point of diversion is 660
Feet south and 500 feet east from the NW corner
The SW 1/4 NE 1/4 Section 31

Location of the supplemental point of appropriation is a
Well located 100 feet south and 990 feet east of the NW
Corner of the Jefferies DLC 63

Section 31 T4S R3W W.M. NW 1/4 NW 1/4 10.0 acres
Section 31 T4S R3W W.M. SW 1/4 NW 1/4 7.5 acres
Section 31 T4S R3W W.M. SE 1/4 NW 1/4 32.0 acres
Section 36 T4S R4W W.M. NE 1/4 NW 1/4 11.0 acres
Section 36 T4S R4W W.M. SE 1/4 NE 1/4 14.5 acres
75.0 acres



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SECTION 36 T4S R4W W.M.
YAMHILL COUNTY

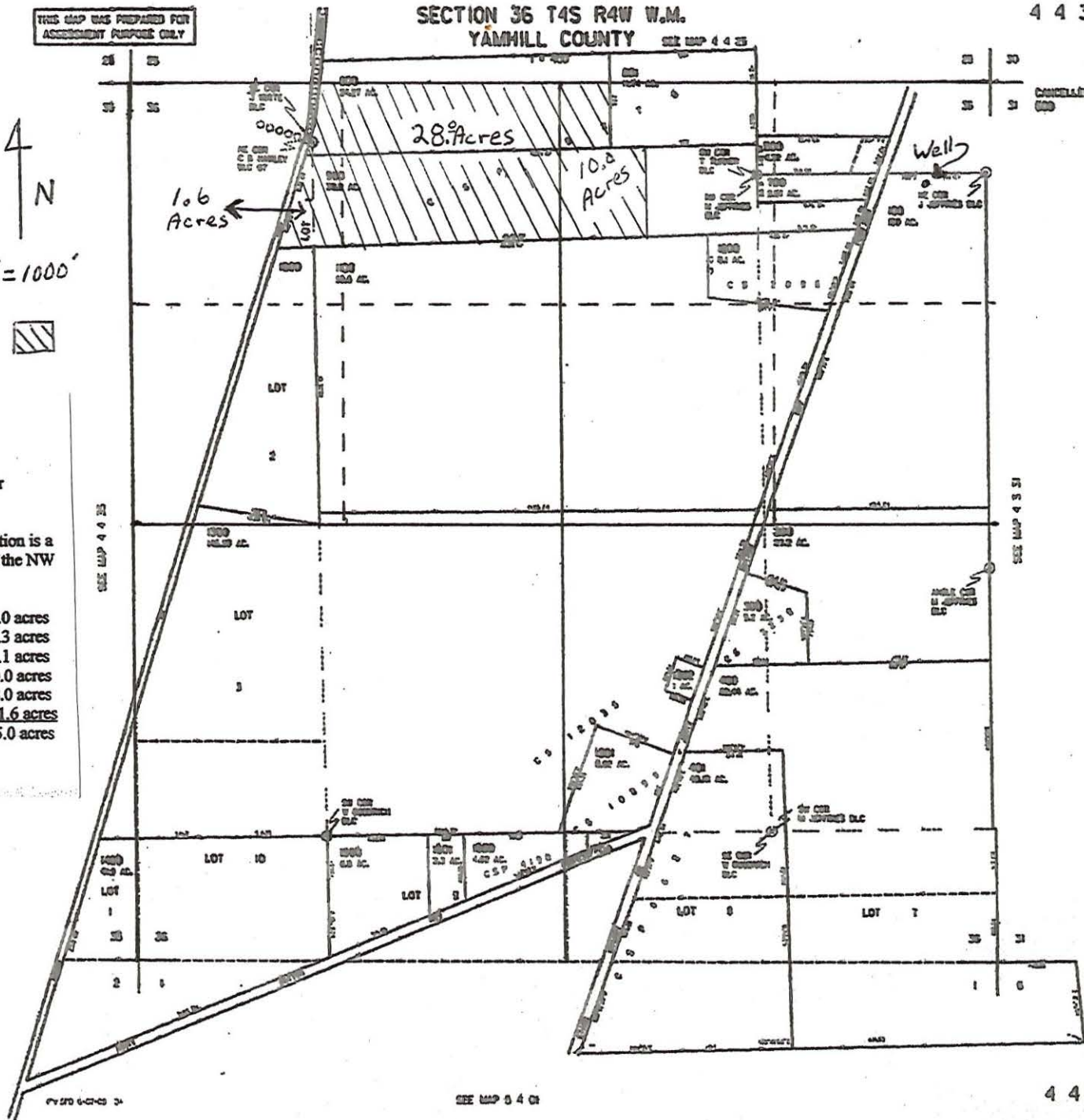
4 4 36

↑ N
Scale: 1" = 1000'
To Area 

TO:
Location of primary point of diversion is 660
Feet south and 500 feet east from the NW corner
The SW 1/4 NE 1/4 Section 31

Location of the supplemental point of appropriation is a
Well located 100 feet south and 990 feet east of the NW
Corner of the Jeffries DLC 63

Section 25 T 4S R 4W WM SW 1/4 SE 1/4	23.0 acres
Section 25 T 4S R 4W WM SE 1/4 SE 1/4	21.3 acres
Section 25 T 4S R 4W WM SW 1/4 SW 1/4	1.1 acres
Section 36 T 4S R 3 W WM NW 1/4 NE 1/4	10.0 acres
Section 36 T 4S R 3 W WM NE 1/4 NW 1/4	28.0 acres
Section 36 T 4S R 3 W WM NW 1/4 NW 1/4	<u>1.6 acres</u>
	75.0 acres



4 4 36

SECTION 25 T4S R4W W.M.
YAMHILL COUNTY
T. 403

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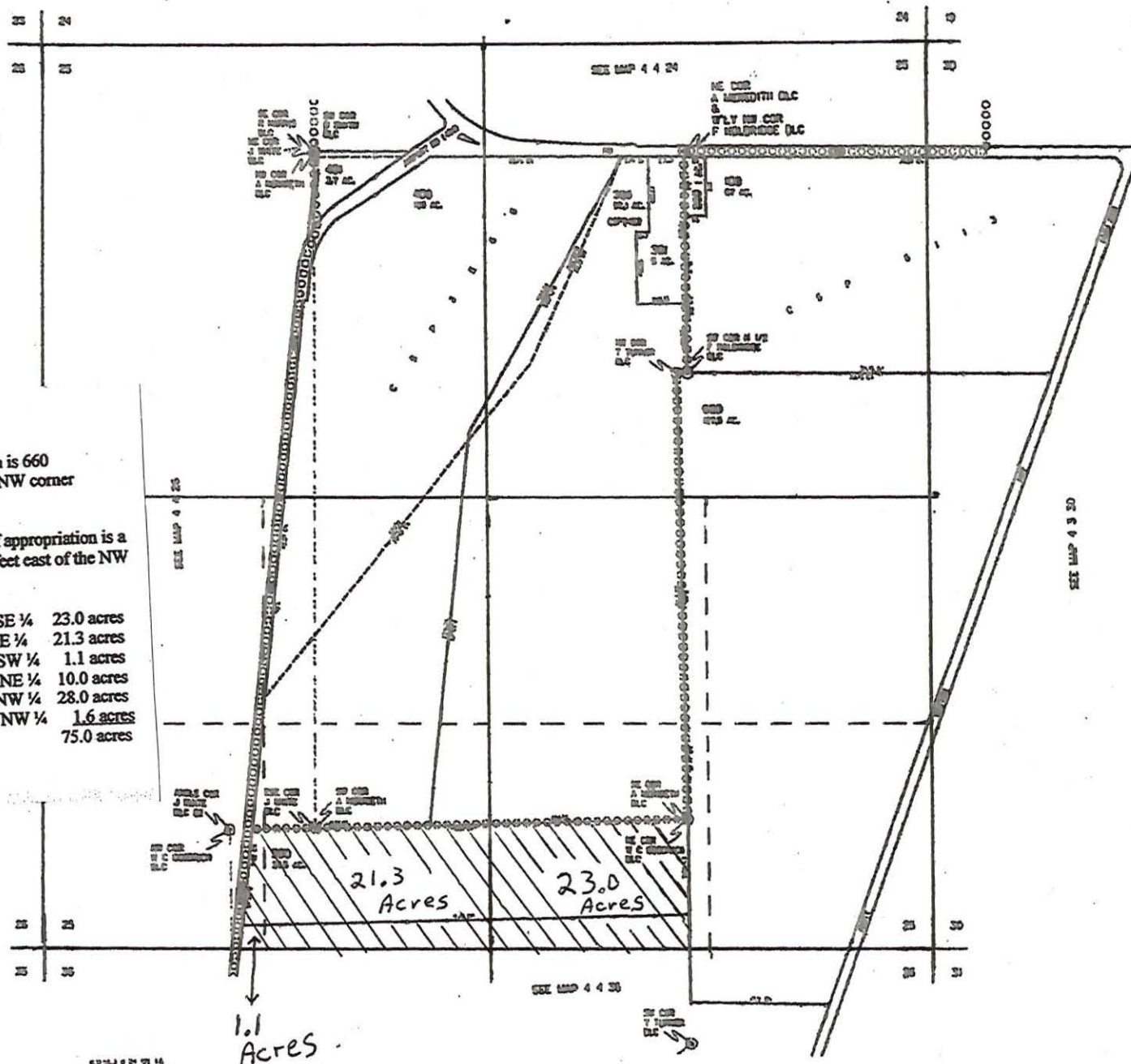
CANCELLED

Scale: 1" = 1000'
To Area 

TO:
Location of primary point of diversion is 660
Feet south and 500 feet east from the NW corner
The SW 1/4 NE 1/4 Section 31

Location of the supplemental point of appropriation is a
Well located 100 feet south and 990 feet east of the NW
Corner of the Jeffries DLC 63

Section 25 T 4S R 4W WM SW 1/4 SE 1/4	23.0 acres
Section 25 T 4S R 4W WM SE 1/4 SE 1/4	21.3 acres
Section 25 T 4S R 4W WM SW 1/4 SW 1/4	1.1 acres
Section 36 T 4S R 3 W WM NW 1/4 NE 1/4	10.0 acres
Section 36 T 4S R 3 W WM NE 1/4 NW 1/4	28.0 acres
Section 36 T 4S R 3 W WM NW 1/4 NW 1/4	1.6 acres
	75.0 acres



STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TIMOTHY AND SUZANNE KREDER
1301 NE HWY 99W #163
McMINNVILLE, OREGON 97128

confirms the right to store the waters of AN UNNAMED STREAM, a tributary of WEST FORK PALMER CREEK, in A RESERVOIR, appropriated under Permit 51073, for IRRIGATION.

The right to store these waters was perfected under Reservoir Permit R-11247. The date of priority is JUNE 6, 1990. The amount of water entitled to be stored each year under this right is not more than 4.66 acre-feet.

The reservoir is located as follows:

SW 1/4 NE 1/4
SECTION 31
TOWNSHIP 4 SOUTH, RANGE 3 WEST, W.M.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

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WATER RESOURCES DEPT
SALEM, OREGON

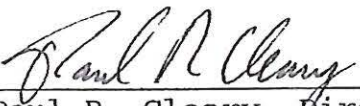
Certificate Number 80059

Attachment

T 10370

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued May 9, 2003


Paul R. Cleary, Director
Water Resources Department

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WATER RESOURCES DEPT
SALEM, OREGON

Recorded in State Record of Water Right Certificates Number 80059.

R-70398.SB

Attachment

T 10370

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TIMOTHY AND SUZANNE KREDER
1301 NE HWY 99W #163
McMINNVILLE, OREGON 97128

confirms the right to use the waters of AN UNNAMED STREAM AND RESERVOIR CONSTRUCTED UNDER PERMIT R-11247, tributaries of WEST FORK PALMER CREEK, for IRRIGATION OF 124.5 ACRES.

This right was perfected under Permit 51073. The date of priority is JUNE 6, 1990. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.56 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:

SW 1/4 NE 1/4, SECTION 31, TOWNSHIP 4 SOUTH, RANGE 3 WEST, W.M.;
660 FEET SOUTH AND 500 FEET EAST OF THE NW CORNER OF THE SW 1/4
NE 1/4, SECTION 31.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage. The use of water from direct flow is limited to the irrigation season prior to June 1 of each year.

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

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

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WATER RESOURCES DEPT
SALEM, OREGON

1 10370

70397.SB

Additional Attachment

Certificate Number 80060

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

SW 1/4 NE 1/4	0.5 ACRE
NW 1/4 NW 1/4	10.0 ACRES
SW 1/4 NW 1/4	38.0 ACRES
SE 1/4 NW 1/4	32.0 ACRES

SECTION 31

TOWNSHIP 4 SOUTH, RANGE 3 WEST, WM.

NE 1/4 NE 1/4	11.0 ACRES
SE 1/4 NE 1/4	33.0 ACRES

SECTION 36

TOWNSHIP 4 SOUTH, RANGE 4 WEST, W.M.

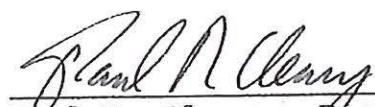
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued May 9, 2003



Paul R. Cleary, Director
Water Resources Department

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T 10370

WATER RESOURCES DEPT
SALEM, OREGON

Recorded in State Record of Water Right Certificates Number 80060.

70397.SB

Attachment

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TIMOTHY AND SUZANNE KREDER
1301 NE HWY 99W #163
McMINNVILLE, OREGON 97128

confirms the right to use the waters of ONE WELL in the WEST FORK PALMER CREEK BASIN for SUPPLEMENTAL IRRIGATION OF 124.5 ACRES.

This right was perfected under Permit G-11103. The date of priority is JUNE 6, 1990. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.56 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NE 1/4, SECTION 36, TOWNSHIP 4 SOUTH, RANGE 4 WEST, W.M.;
100 FEET SOUTH AND 990 FEET EAST OF THE NW CORNER OF M. JEFFRIES
DLC 57.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with an usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

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T 10370

Certificate Number 80061

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

SW 1/4 NE 1/4	0.5 ACRE
NW 1/4 NW 1/4	10.0 ACRES
SW 1/4 NW 1/4	38.0 ACRES
SE 1/4 NW 1/4	32.0 ACRES

SECTION 31

TOWNSHIP 4 SOUTH, RANGE 3 WEST, WM.

NE 1/4 NE 1/4	11.0 ACRES
SE 1/4 NE 1/4	33.0 ACRES

SECTION 36

TOWNSHIP 4 SOUTH, RANGE 4 WEST, W.M.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued May 9, 2003


 Paul R. Cleary, Director
 Water Resources Department

Recorded in State Record of Water Right Certificates Number 80061.

G-12138.SB T 10370

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WATER RESOURCES DEPT
 OREGON

Water Right Transfer Supplemental Form B

AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
 County of Yamhill _____)

I, Timothy Kreder _____, in my capacity as landowner/operator,
 mailing address 1301 NE Hwy 99W #163 McMinnville, OR 97128
 telephone number (503) 864-2077 _____, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **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.

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

☒ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section		Gov't Lot or DLC	Acres (if applicable)
4	S	3	W	WM	31	NW ¼	NW ¼		10.0
4	S	3	W	WM	31	SW ¼	NE ¼		0.5
4	S	3	W	WM	31	SW ¼	NW ¼		38.0
4	S	3	W	WM	31	SE ¼	NW ¼		32.0
4	S	4	W	WM	36	NE ¼	NE ¼		11.0
4	S	4	W	WM	36	SE ¼	NE ¼		33.0

(continues on reverse side)

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

Supplemental Form B

Affidavit Attesting to the Use of Water

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WATER REC
SALEM

T 10370

Township	Range	Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):
irrigation _____

5. The water delivery system used to apply water as authorized by the right is described below:

75 horsepower turbine pump with 3 inch, 4 inch sprinkler pipe and 8 inch, 6 inch, 5 inch
aluminum portable mainline _____

6. One or more of the following documentation supporting the above statements is attached:

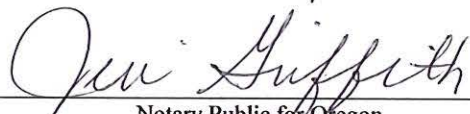
- ☒ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,
- ☐ Other: _____


Signature of Affiant

4-12-07
Date

Signed and sworn to (or affirmed) before me this 12th day of April, 2007.




Notary Public for Oregon

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

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Supplemental Form D

APR 13 2007 10370

WATER RESOURCES DEPT

My Commission Expires: 10/26/2010

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APR 13 2007

WATER RESOURCES DEPT
SALEM, OREGON

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

Supplemental Form D 10370

3

Affidavit Attesting to the Use of Water

BARGAIN AND SALE DEED - STATUTORY FORM

THIS SPACE RESERVED FOR RECORDER'S USE

Grantor: Timothy C. Kreder

Grantee: Timothy C. Kreder

Until a change is requested, all tax statements shall be sent to the following address:
Timothy C. Kreder
Suzanne E Kreder
11700 SE Amity-Dayton Highway
Dayton OR 97114

After Recording return to:

Timothy C. Kreder
Suzanne E Kreder
11700 SE Amity-Dayton Highway
Dayton OR 97114

Escrow No. 853813 JDR
Title No. 853813

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK



\$31.00

00211486280500202430020020
200520243 10:17:59 AM 9/15/2005
DNR-DDMR Cnt=1 Str=3 KENTV
\$10.00 \$10.00 \$11.00

TIMOTHY C. KREDER, Grantor, conveys to TIMOTHY C. KREDER AND SUZANNE E KREDER, AS TENANTS BY THE ENTIRETY, Grantee, the following described real property situated in Yamhill County, Oregon, to wit:

See Attached Legal Description.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$0.00. (Here comply with the requirements of ORS 93.030).

Dated this 14 day of September, 2005.

Timothy C. Kreder

State: OR
County: Yamhill

The foregoing instrument was acknowledged before me this 14th day of September, 2005 by:

Timothy C. Kreder



Notary Public
My Commission Expires: 1-23-07

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WATER RESOURCES
SALEM, OREGON

1 10370

 TICOR TITLE INSURANCE COMPANY

YAMHILL TITLE PLANT

829 N. Hwy 99 West
P.O. Box 267 • McMinnville OR 971280267
(503) 472-6101 • FAX: (503) 434-5311

REFERENCE ORDER NUMBER: 853813

PARCEL 1: Part of the Mary Jeffreys Donation Land Claim No. 54 Section 31, Township 4 South, Range 3 West and Claim No. 63 in Section 36, Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows:

BEGINNING at a point in the center of the County Road, said point being North 89° East, 11.75 chains from the Northwest corner of said Mary Jeffreys Donation Land Claim; thence North 89° East 14.93 chains to the Northwest corner of tract conveyed by M. C. Goodrich, by Deed recorded August 8, 1895 in Book 31, Page 320, Deed Records; thence South along the West line of said Goodrich tract, 11.21 chains; thence North 89° East along the South line of said Goodrich tract, 43.75 chains to the center of County Road; thence South 8° West along the center of said County Road, 19.325 chains to the Northeast corner of tract conveyed to A. L. Holdredge and wife, by Deed recorded May 23, 1929 in Book 101, Page 163, Deed Records; thence South 89°56' West along the North line and continuation thereof, of said Holdredge tract, 70.12 chains, more or less, to the center of County Road; thence North 20°30' East along the center of said County Road, 31.85 chains, more or less, to the point of beginning.

PARCEL 2: A tract of land in Section 31, Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows:

COMMENCING at the Southwest corner of tract conveyed to Sarah Ann Goodrich by Deed recorded March 9, 1946 in Book 133, Page 625, Deed Records; thence East along the South line of said Goodrich tract 416 feet; thence North 416 feet; thence West 416 feet to the West line of said Goodrich tract; thence South along the West line of said Goodrich tract, 416 feet to the point of beginning.

LEGAL DESCRIPTION
TICOR TITLE INSURANCE COMPANY
1629 SW SALMON
PORTLAND, OR 97205-1787
(REP05)

PAGE 1

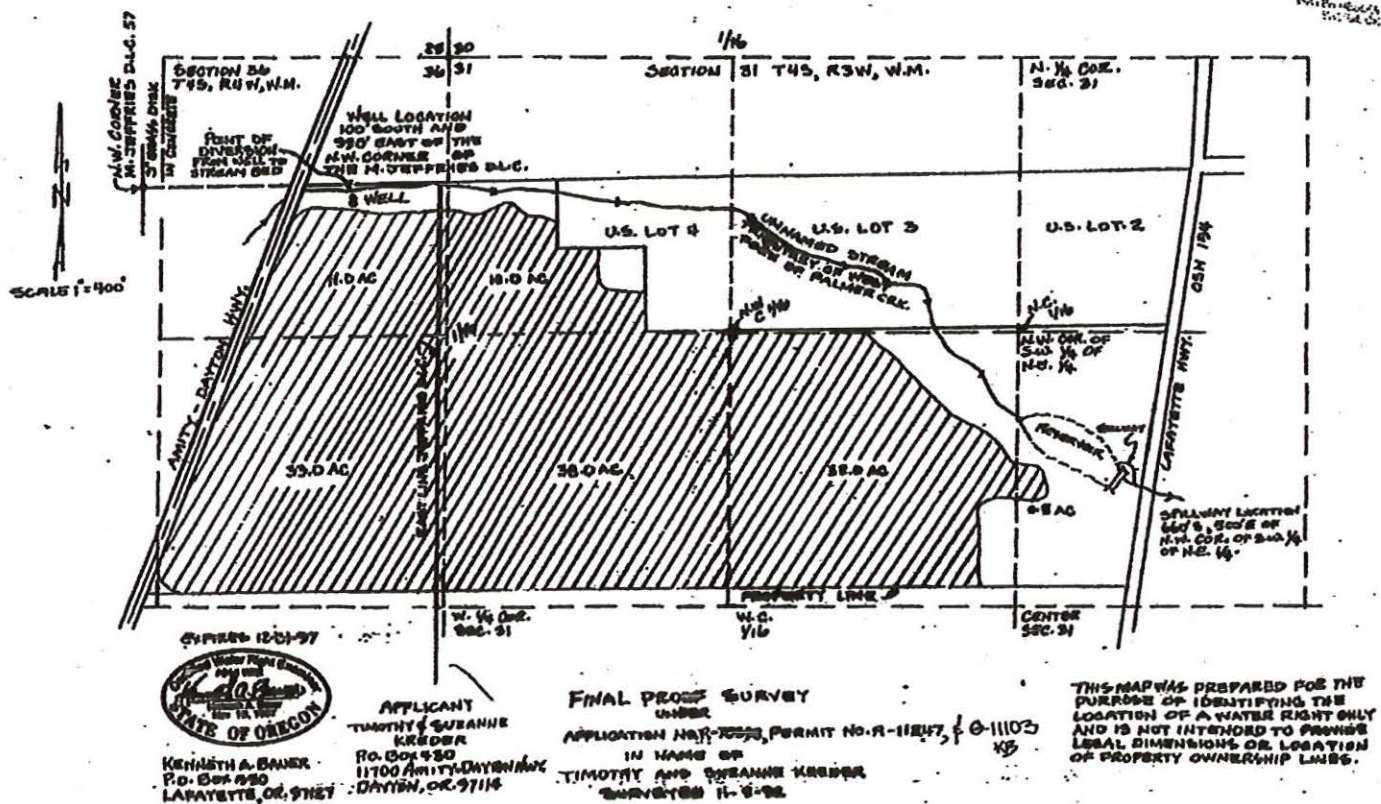
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WATER RESOURCES DEPT
SALEM, OREGON

T 10370

SEP 23 1996
FBI - NEW YORK



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WATER RESOURCES DEPT
SALEM, OREGON

T 10370

ORR07932044JKL

BARGAIN & SALE DEED

DONALD GOODRICH also known as DONALD C. GOODRICH and EUNICE GOODRICH also known as EUNICE M. GOODRICH, Husband and Wife, hereinafter called Grantor, conveys an undivided one-half (1/2) interest as a tenant in common to DONALD C. GOODRICH and EUNICE M. GOODRICH as Trustee of the Donald C. Goodrich Trust, executed the 4 day of August, 1993, and an undivided one-half (1/2) interest as a tenant in common to EUNICE M. GOODRICH and DONALD C. GOODRICH as Trustee of the Eunice M. Goodrich Trust, executed the 4 day of August, 1993, Grantees, the following described real property situated in Yamhill County, State of Oregon:

For description see Exhibit "A" attached hereto and by reference made a part hereof.

The true and actual consideration paid for this conveyance is the mutual covenants and conveyances contained herein, which are for purposes of estate planning, and consist of value wholly other than of cash.

"THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES."

IN WITNESS WHEREOF, the Grantor has duly executed this instrument this 4 day of August, 1993.

Donald C. Goodrich

Donald C. Goodrich, Grantor

Eunice M. Goodrich

Eunice M. Goodrich, Grantor

STATE OF OREGON)
) ss.
County of Marion)

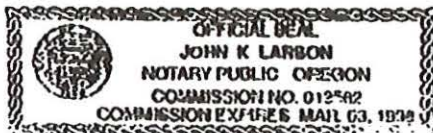
Personally appeared before me this 4 day of August, 1993, the above-named and identified Donald C. Goodrich and Eunice M. Goodrich, and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon
My Commission Expires: Mar 3, 1996

Until a change is requested,
send tax statements to:

No Change

After recording, return to:
Donald C. Goodrich
11800 Amity-Dayton Hwy
Dayton, OR 97114-8000



010903

10:30
10:00
20:00

STATE OF OREGON)
) ss.
COUNTY OF YAMHILL)



T. Miller
CHARLES STERN,
COUNTY CLERK

Bargain and Sale Deed

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APR 13 2007

WATER RESOURCES

1 10370

ORR07932044JKL

EXHIBIT A

PARCEL 1: Beginning at a 1" iron pipe and stone at the NE corner of the William Goodrich DLC in T4S, R4 W, W.M.; thence along the east side of said William Goodrich DLC S 01° 10' 45" W, 563.82 feet to a 1-1/2" x 24" rebar; thence N 89° 37' 07" W, 2708.28 feet to a RR spike in the County Road; thence N 08° 00' 30" E, 569.33 feet to a 1-1/4" pipe in the County Road; thence S 89° 33' 40" E, 1086.01 feet to a 1" pipe; thence S 89° 38' 22" E, 1554.55 feet to the point of beginning, containing 34.60 acres. Except that portion in the County Road. Except easement to Northwest Natural Gas Company.

PARCEL 2: Beginning at the NE corner of the William Goodrich DLC in T4 S, R4 W, W.M., in Yamhill County, Oregon; thence along the east side of said William Goodrich DLC, S 01° 10' 45" W., 563.82 feet to a 1-1/2" x 24" rebar; thence N 89° 37' 07" W, 900.00 feet to the point of beginning; thence S 01° 10' 45" W, 567.89 feet to a point; thence N 89° 35' 00" W, 1917.02 feet to a RR spike in the center of the County Road; thence along center of County Road N 19° 34' 30" E., 201.62 feet to a 1" x 18" iron pin; thence N 08° 00' 30" E, 379.59 feet to a RR spike in the center of County Road; thence S 89° 37' 07" E, 1808.82 feet to the point of beginning containing 24.08 acres. Except that portion within the County Road.

PARCEL 3: Beginning at the NE corner of the William Goodrich DLC in T4 S, R4 W, W.M.; thence along the east side of said William Goodrich DLC, S 1° 10' 45" W, 563.82 feet to a 1-1/2" x 24" rebar, the point of beginning. Thence S 1° 10' 45" W, 568.44 feet to a screw jack 1-1/2 feet below ground; thence N 89° 35' 00" W, 900.00 feet to a point; thence N 1° 10' 45" E, 567.89 feet to a point; thence S 89° 37' 07" E, 900.00 feet to the point of beginning, containing 11.74 acres.

PARCEL 4: Beginning at a brass disk set in a concrete monument at the Northwest corner of the Mary Jeffreys DLC in T4 S, R4 W, W.M.; thence S 01° 10' 45" W., 352.05 feet to an iron shaft; thence N 89° 54' W, 296.93 feet to an iron rod; thence N 89° 48' 58" W, 2,451.58 feet to a 1" x 36" axle; thence S 89° 41' 37" W, 252.40 feet to a Railroad spike set in the County Road; thence N 19° 34' 30" E, 581.88 feet to a Railroad spike set in the County Road; thence S 89° 35' 00" E, 2,817.02 feet, to a screw jack 1-1/2 feet below ground; thence S 01° 10' 45" W, 182.72 feet to the point of beginning containing 36.13 acres. Except that portion within the County Road.

PARCEL 5: Beginning at a brass disk set in a concrete monument at the NW corner of the Mary Jeffreys DLC in T4 S, R4 W, W.M. Thence N 01° 10' 45" E, 234.21 feet to a 1-1/4" axle and stone; thence S 87° 32' 00" E, 853.30 feet to a RR spike in the center of State Highway; thence along State Highway S 21° 37' 45" W, 231.52 feet to a RR spike on the north side of the Jeffreys DLC; thence N 88° 40' 38" W, 772.18 feet to the point of beginning. Containing 4.22 acres. Except that portion lying within the State Highway.

PARCEL 6: Beginning at a brass disk set in a concrete monument at the NW corner of the Mary Jeffreys DLC in T4 S, R4 W, W.M. Thence along the North side of the Jeffreys DLC S 88° 40' 38" E, 772.18 feet to a RR spike in the State Highway; thence along State Highway S 21° 37' 45" W, 170.65 feet to a point in the State Highway; thence N 89° 35' 35" W, 712.62 feet to a 1-1/2" x 24" rebar; thence N 01° 10' 45" E, 171.41 feet to the point of beginning. Containing 2.82 acres. Except that portion lying within the State Highway.

PARCEL 7: From a brass disk set in a concrete monument at the NW corner of the Mary Jeffreys DLC in T4 S, R4 W, W.M. S 01° 10' 45" W, 171.41 feet to a 1-1/2" x 24" rebar, the point of beginning; thence S 89° 35' 35" E, 712.62 feet to a point in the State Highway; thence along State Highway S 21° 37' 45" W, 189.90 feet to a RR spike in the State Highway; thence N 89° 54' W, 646.29 feet to an iron shaft; thence N 01° 10' 45" E, 180.64 feet to the point of beginning. Containing 2.79 acres. Except that portion lying within the State Highway.

Bargain and Sale Deed

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APR 13 2007 10370

Oregon Department of Water Resources
725 Summer Street NE Suite A
Salem, OR 97301-1271
(503)986-0900

Re; Temporary Water Transfer

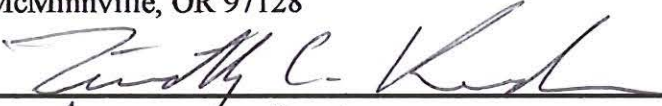
To who is may concern;

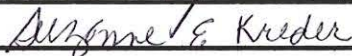
This is to acknowledge that there is a lease between the parties signed for the 2007 crop year.

We the undersigned also agree to a temporary water right transfer to irrigate a portion of Eunice Goodrich and Donald Goodrich Trust farm as described in the attachment.

Lessees:

Timothy and Suzanne Kreder
1301 NE Hwy 99W #163
McMinnville, OR 97128





Date 4-12-07

Lessor:

Eunice Goodrich
PO BOX 466
Dayton, OR 97114



Date 4-12-07

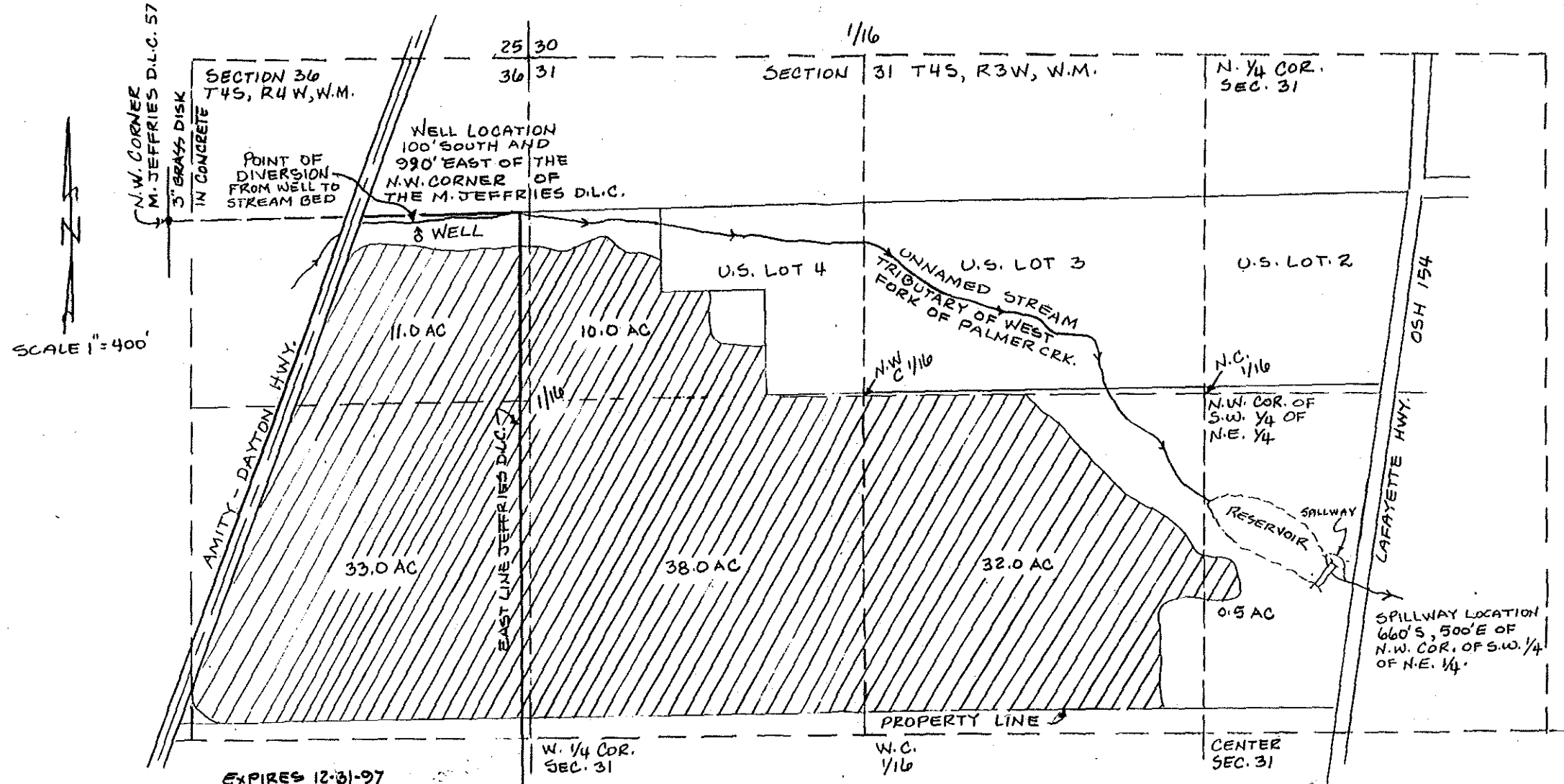
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APR 13 2007

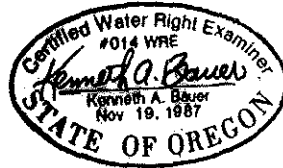
T 10570

SECTION 31, T4S, R3W and SECTION 36, T4S, R4W, W.M.

SEP 28 1999



EXPIRES 12-31-97



KENNETH A. BAUER
P.O. Box 930
LAFAYETTE, OR. 97127

APPLICANT
TIMOTHY & SUZANNE
KREDER
P.O. Box 430
11700 AMITY-DAYTON HWY.
DAYTON, OR. 97114

FINAL PROOF SURVEY
UNDER
APPLICATION NO. R-70398, PERMIT NO. R-11247, & 0-11103
IN NAME OF
TIMOTHY AND SUZANNE KREDER
SURVEYED 11-5-92

THIS MAP WAS PREPARED FOR THE
PURPOSE OF IDENTIFYING THE
LOCATION OF A WATER RIGHT ONLY
AND IS NOT INTENDED TO PROVIDE
LEGAL DIMENSIONS OR LOCATION
OF PROPERTY OWNERSHIP LINES.