T-10380

TEMPORARY

Name Dan Hammelman			FEES PAID	
Address 14477 Daminic Rd	DESCRIPTION OF WATER RIGHT	5/1/07	202.06	Receipt No.
Wount Angel OR 97362	Name of stream Butteck			
503 845-6883	Trib. of Pudling R. County of Marton	MOMAT		
Change in POU POD	Use Te	TOTAL	Cert. Fee	
Date filed	Quantity of water No. of acres			
Date of hearing	Name of ditch		FEES REFUNDED	
Place of hearing	Community Date of priority 1943 1953 1961 Richard Idavris	Date	Amount	Check No.
Date of order 7-13-07 Vol. 72, page 613	In name of Lawrence McCracken			
Date for application of water	519896 Adjudication, Vol. page			
Proof mailed	App. No. \$28277 Per. No. \$-27352 Per. No. \$27352			
Proof received	Certificate cancelled — 52/332 34612			
Superseeding 7-27-07 V. 72p.783	Notation made on record by			
	SO3 632-5016	*		
Agent: Pacific Hydro-Geology/ Greg K	upillas 18487 J. Valley Vista Rd Mulind, ORG	17042		
NOID/CURE				
Marion County Planning Dest. 70 box 14	4500 salem OK 97309			
10: 1 lene, Harris (cert 26311 & 34692) and Jake (4110 (Cert 17119)			
18:219 x 17879 Mt. Angel Scotts N	Tills Huy Silverton OR 97381			
RIO: Jake Kyllo 17879 Int. Angel:	Scotts Mills Huy Silverton OR 97381			



Water Resources Department

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

July 31, 2007

Dan Hammelman 14477 Dominic Road NE Mt. Angel, Oregon 97362

Re: Correcting and Superseding Final Order

Enclosed is a copy of Special Order Volume 72, Page 783, signed by the Director of Oregon Water Resources Department correcting and superseding the order recorded at Special Order Volume 72, Page 613 to 617.

If you have any questions please contact the transfer section at 503-986-0883. Sincerely,

Sarah Henderson Executive Support

cc:

Watermaster #16

Pacific Hydro Geology

ah Henderson

Jake Kyllow Arlene Harris

Enclosures

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	SUPERSEDING FINAL ORDER
T-10380, Marion County)	APPROVING A TEMPORARY
)	CHANGE IN POINT OF DIVERSION
)	AND PLACE OF USE AND
)	CORRECTING A PREVIOUS ORDER

Authority

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

Applicant

Dan Hammelman 14477 Dominic Rd. NE Mt. Angel, OR 97362

Agent

Pacific Hydro-Geology Inc. Attn: Greg or Malia Kupillas 18487 S. Valley Vista Rd. Mulino, OR 97042

Findings of Fact

Background

- 1. On May 7, 2007, Dan Hammelman filed an application to temporarily change the place of use under Certificates 17119 and 26311 and to temporarily change the place of use and point of diversion under Certificate 34692 for a period of two years. The Department assigned the application number T-10380.
- 2. On May 31, 2007, amendments to the application and map were received by the Department. The amendments changed the location of the proposed point of diversion.
- 3. The first right to be transferred is as follows:

Certificate: 17119 in the name of Lawrence McCracken (perfected under Permit S-15475)

Use: IRRIGATION of 4.7 ACRES **Priority Date:** APRIL 23, 1943

Rate: 0.059 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

Source: BUTTE CREEK, tributary to PUDDING RIVER

Authorized Point of Diversion:

	Twp	Rng	Mer	Sec	Q-Q	DLC
6	SS	1 E	WM	16	NW NE	Mitchel Whitlock DLC 39

Authorized Place of Use:

IRRIGATION									
Twp Rng Mer Sec Q-Q DLC Acres									
6 S	6 S 1 E WM 16 SW NE Mitchel Whitlock DLC 39 4.7								

4. Application T-10380 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 E	WM	16	SW NE	39	2.8
6 S	1 E	WM	16	SE NW	39	0.3
6 S	1 E	WM	16	NE SW	39	0.2
6 S	1 E	WM	16	NW SE	39	1.4

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

Certificate: 26311 in the name of Robert F. Cook (perfected under Permit S-22233)

Use: IRRIGATION of 4.4 ACRES Priority Date: APRIL 6, 1953

Rate: 0.05 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 of each year

Source: BUTTE CREEK, tributary to PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
6 S	1 E	WM	16	NW NE	Whitlock DLC 39

Authorized Place of Use:

			IRRI	GATION		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 E	WM	16	SW NE	Whitlock DLC 39	1.2
6 S	1 E	WM	16	SE NE	Whitlock DLC 39	3.2

6. Application T-10380 proposes to change the place of use of the right to:

	IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	
6 S	1 E	WM	16	NE SW	39	0.5	
6 S	1 E	WM	16	NW SE	39	3.9	

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

Certificate: 34692 in the name of Richard D. Harris (perfected under Permit S-27352)

Use: IRRIGATION of 16.1 ACRES Priority Date: APRIL 24, 1961

Rate: 0.20 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 of each year

Source: BUTTE CREEK, tributary to PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
6 S	1 E	WM	16	NW NE	Whitlock	4030 FEET NORTH AND 1580 FEET WEST
		L			DLC 39	FROM THE SE CORNER OF SECTION 16

Authorized Place of Use:

		IRR	[GAT]	ON		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 E	WM	16	SW NE	39	1.8
6 S	1 E	WM	16	SE NE	39	1.6
6 S	1 E	WM	16	NE SE	39	7.2
6 S	1 E	WM	16	NW SE	39	5.5

8. Application T-10380 proposes to change the place of use of the right to:

	IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres		
6 S	1 E	WM	16	NE SW	39	1.7		
6 S	1 E	WM	16	NW SE	39	14.4		

9. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Application T-10380 proposes to move the authorized point of diversion approximately 300 feet downstream from the existing authorized point of diversion to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
6 S	1 E	WM	16	NWNE	Whitlock	4150 FEET NORTH AND 1880
					DLC 39	FEET WEST FROM THE SE CORNER OF SECTION 16

- 10. Notice of the application for temporary transfer was published on May 22, 2007, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
- 11. 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.

- 12. On July 13, 2007, the Department issued a Final Order approving Transfer Application T-10380. The order was recorded at Special Order Volume 72, Pages 613 through 617. The order contained an error in the inclusion of language in Condition #8 of that order that required the submittal of a Claim of Beneficial Use.
- 13. This order is issued to supersede the previous order recorded at Special Order Volume 72, Pages 613 through 617, and to correct the error in Condition #8 of that order.
- 14. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 15. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10380.
- 16. The proposed change would not result in enlargement of the rights.
- 17. 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 point of diversion and place of use proposed in application T-10380 are consistent with the requirements of ORS 540.523 and OAR 690-380-800 and the error in Special Order Volume 72, Pages 613 through 617 should be corrected in the record.

Now, therefore, it is ORDERED:

- 1. The order entered at Special Order Volume 72, Pages 613 through 617 is withdrawn and of no further force and effect, and is superseded by this order.
- 2. The changes in point of diversion and place of use proposed in application T-10380 are approved.
- 3. The former place of use **shall not** be irrigated as part of this water right during the 2007 and 2008 irrigation seasons.
- 4. The use shall revert to the authorized place of use at the end of the 2008 irrigation season. The authorization to use the new point of diversion shall be terminated concurrently.
- 5. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
- 6. A subsequent application for permanent transfer of Certificates 17119, 26311 and 34692 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.
- 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 17119, 26311 and 34692.
- The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
- 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. The water user shall maintain and operate the fish screen and/or bypass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.
- 10. Prior to diverting of water at the new point of diversion, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. 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.
- 11. The use of the remaining water right described by Certificates 17119, 26311 and 34692 shall continue to be in accordance with the terms and conditions of Certificates 17119, 26311 and 34692.

Phillip C. Ward, Director

Mailing Date: AUG 0 1 2007

			Water	r Right Transfe	r Checklist			rion co 2 yr ten	
Transfer '	Т- <u>10380</u>			Trans	fer Specialis	t:Susan		Lim Co	
Transfer '	Туре: <u>Тет</u>	porary					Ma	ric. ton	
Applicant	t Name/Ad	dress: <u>Dan</u>]	Hammelman; 14	1477 Dominic Re	oad; Mt Ange	el OR 97362	۷.	2 ur	
Agent Na	me/Addres	s: Pacific H	lydro Geology;	18487 S Valley	Vista Rd; Mu	lino OR 97042	19	7 0	
CWRE N	ame/Numb	er:NONE							
Rec Land	owner Nan	ne/Address:	Jake Kyllo; 178	879 Mt Angel So	otts Mills Hy	wy; Silverton OR	97381		
Irr. Distri	ct Name/A	ddress: <u>NO</u>	NE						
Affected	Gov'ts Nar	ne/Address	Marion County	/ Planning Depa	rtment; PO B	ox 14500; Salem	OR 973	09	
Comment 97381	tors: Name	/Address: <u>C</u>	urrent Landown	er; Arlene Harri	s; 18269 Mt	Angel Scotts Mill	s Rd; Si	lverton OR	
1-01 675	ights Affec	27.00							
Records Marked	Records	2.2	No. or Decree	Permit No.	Certificate	RR/CR Ne	eded	RR/CR Nos.	
Marked	Copied 🖂	S 19896	Name	S 15475	No.	☐ Yes	No	20	
		S 28277		S 22233	26311	☐ Yes	No No	NO , W	
\boxtimes				S 27352	34692	Yes	No	temy	
		Substitution of the substi		B 27332	34072	103/	1110	V	
Key Dates & Initial Actions									
Rec'd: <u>05</u>	<u>/07/07</u>		Proposed Acti	on(s): POU PO	D HST APO	OD USE OTHER	R: POU/	POD	
Fees Pd: 2	202.00		WM District:	<u>16</u>		ODFW District: <u>D</u>	Danette I	<u>Ehlers</u>	
Initial No	tice: 05/22/	07	WM Review s	ent: <u>05/22/07</u>	(ODFW Review se	ent: <u>05/2</u>	2/07	
Acknowle	edgement L	etter Sent [⊠			GW Review sent:	NONE		
Deficiency DPD Mail ODFW PD Maile	led: V contact sl	5.24 t	th DPD, or \(\Bar{\Bar{\Bar{\Bar{\Bar{\Bar{\Bar{	N/A L	not require affid of Pub R ast Day Publ	tec'd: ished: inder Sent:	-		
	ry Detern				,				
	Electronic PD Cover PD Notice	Files uploa letter		☐ Fe	reliminary De ee Refund Du emaining Rig	ie			
DPI	Review (Optional)		PD Review (Sal	em)	Final Orde	r Revie	w (Salem)	
Reviewer: Date:	Reviewer: Reviewer: Reviewer:								
Coordinate	or:		Coordina	ator:		Coordinator:	Sto		
Date:			Date:			Date: 7/24	6/07		
Comments	s/Special Is	maal	for 50	rec'd reening my fit w	OOFU or incu	revieu ludes ve	rkic	107.	
abon	+ col	34. 83	hisdoes	my fit w	tempo.	8W		U	

Special Order Volume: Vol 22 Pages 6/3 Notice of FO email'd to processors

Final Order Signature Date:

Transfer Processor Checklist last revised 5/10/2007

· 6	119 11	sex.	
Application The type of change is clearly indicated.	in all char	O	
The two of demands deaded also	1000		
The application is appropriately significant	ited. A pour Apar		
	Carried Title) (1 D 1	'4 FO
Appropriate fees were paid.		Refund Request to be sent w	
Land use form matches affected tax			
Ditch company, district and/or BO	R, sent a copy of the application	ation and map, if appropriat	te.
All required attachments received.			4 (V)
Water right subject to transfer			175 2
Certificated right or Proof accepted			25/00
The right been exercised according		ertificate.	175.20
Delivery system has the capacity to	170 D	f the right.	200
No information in record that sugg			0
No conflicts identified on the plat of	A1 1000 1000		
Affidavits prepared for rights that r	eed to be canceled or dimin	nished.	
Application Map			
The map has an original CWRE sig	nature.		
The map size and scale accurate an	d appropriate per OAR 690	-380-3100(1)(b)(c)&(d).	
All authorized and proposed POD's	/POA's and POU's shown	and clearly labeled.	
Metes and bounds for the POD's/Po	OA's are properly described	on the map.	
The POD/POA dimensions & 1/4 1/4	on map match the transfer a	application and certificate d	escriptions.
Map acres match the tabulation on	he certificate.		
Have final proof maps/decree maps	for the rights. Applica	tion map matches certificat	te FPS.
Have necessary aerial photos.			
Determining the "From" and "To" L	ands (make working copy	of application and certifica	ites to mark on)
Only the authorized POD's/POA's	and POUs to be transferred	are listed.	
Application & certificate tabulation			ections needed)
Marked on certificate the acreage b			
Ownership	,	<i>3</i> - <i>y</i>	
The deed/ROLI matches the "from	lands (Dan't need to she	ak "to" landa)	
Have current tax lot map. (If transf		TO DEC. 1981 I THE CONTROL OF	oMaa)
The applicant is the owner of the "f	The state of the s	ars oiu, comact assessor s i	ojjice)
All owners on the deed/ROLI have			
If necessary, there is a notarized, sign		rom landowners other than	annliaant
If necessary, there is a copy of writt			
Agent has authorization to make de		noider identified on ROLL	-
Evaluation (materials needed for peer			
application complete map	▼ FPS	evidence of use	land-use form
deed/ROLI certifi	cate fees paid	well logs	plat card
audit dpd	, Acres		OW.
Reviews/comments/conditions received		ODFW	
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Transfer Processor Checklist last revised 5/10/200	11 11/10		

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

n the Matter of Transfer Application)	FINAL ORDER APPROVING A
Γ-10380, Marion County)	TEMPORARY CHANGE IN POINT OF
)	DIVERSION AND PLACE OF USE

Authority

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

Applicant

Dan Hammelman 14477 Dominic Rd. NE Mt. Angel, OR 97362

Agent

Pacific Hydro-Geology Inc. Attn: Greg or Malia Kupillas 18487 S. Valley Vista Rd. Mulino, OR 97042

Findings of Fact

Background

- 1. On May 7, 2007, Dan Hammelman filed an application to temporarily change the place of use under Certificates 17119 and 26311 and to temporarily change the place of use and point of diversion under Certificate 34692 for a period of two years. The Department assigned the application number T-10380.
- 2. On May 31, 2007, amendments to the application and map were received by the Department. The amendments changed the location of the proposed point of diversion.
- 3. The first right to be transferred is as follows:

Certificate: 17119 in the name of Lawrence McCracken (perfected under Permit S-15475)

Use: IRRIGATION of 4.7 ACRES Priority Date: APRIL 23, 1943

Rate: 0.059 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 of each year

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.

Use: IRRIGATION of 16.1 ACRES Priority Date: APRIL 24, 1961

Rate: 0.20 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 of each year

Source: BUTTE CREEK, tributary to PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
6 S	1 E	WM	16	NW NE	Whitlock	4030 FEET NORTH AND 1580 FEET WEST
	1				DLC 39	FROM THE SE CORNER OF SECTION 16

Authorized Place of Use:

	IRRIGATION									
Тwр	Rng	Mer	Sec	Q-Q	DLC	Acres				
6 S	1 E	WM	16	SW NE	39	1.8				
6 S	1 E	WM	16	SE NE	39	1.6				
6 S	1 E	WM	16	NE SE	39	7.2				
6 S	1 B	WM	16	NW SE	39	5.5				

8. Application T-10380 proposes to change the place of use of the right to:

	IRRIGATION									
Тwр	Rng	Mer	Sec	Q-Q	DLC	Acres				
6 S	1 E	WM	16	NE SW	39	1.7				
6 S	1 E	WM	16	NW SE	39	14.4				

9. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Application T-10380 proposes to move the authorized point of diversion approximately 300 feet downstream from the existing authorized point of diversion to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
6 S	1 E	WM	16	NWNE	Whitlock DLC 39	4150 FEET NORTH AND 1880 FEET WEST FROM THE SE CORNER OF SECTION 16

- 10. Notice of the application for temporary transfer was published on May 22, 2007, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
- 11. 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.
- 12. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

Source: BUTTE CREEK, tributary to PUDDING RIVER

Authorized Point of Diversion:

-	Twp	Rng	Mer	Sec	Q-Q	DLC
-	6 S		WM	16	NW NE	Mitchel Whitlock DLC 39

Authorized Place of Use:

	IRRIGATION									
Twp Rng Mer Sec Q-Q DLC Acres										
6 S	l E	WM	16	SW NE	Mitchel Whitlock DLC 39	4.7				

4. Application T-10380 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 E	WM	16	SW NE	39	2.8
6 S	1 E	WM	16	SE NW	39	0.3
6 S	1 E	WM	16	NE SW	39	0.2
6 S	1 E	WM	16	NW SE	39	1.4

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

Certificate: 26311 in the name of Robert F. Cook (perfected under Permit S-22233)

Use: IRRIGATION of 4.4 ACRES Priority Date: APRIL 6, 1953

Rate: 0.05 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 of each year

Source: BUTTE CREEK, tributary to PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
6 S	1 E	WM	16	NW NE	Whitlock DLC 39

Authorized Place of Use:

	IRRIGATION										
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres					
6 S	1 E	WM	16	SW NE	Whitlock DLC 39	1.2					
6 S	1 E	WM	16	SE NE	Whitlock DLC 39	3.2					

6. Application T-10380 proposes to change the place of use of the right to:

	IRRIGATION									
	Twp Rng Mer Sec Q-Q DLC Acres									
6 S	1 E	WM	16	NE SW	39	0.5				
6 S	1 E	WM	16	NW SE	39	3,9				

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

Certificate: 34692 in the name of Richard D. Harris (perfected under Permit S-27352)

- 13. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10380.
- 14. The proposed change would not result in enlargement of the rights.
- 15. 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 point of diversion and place of use proposed in application T-10380 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

- 1. The changes in point of diversion and place of use proposed in application T-10380 are approved.
- 2. The former place of use shall not be irrigated as part of this water right during the 2007 and 2008 irrigation seasons.
- 3. The use shall revert to the authorized place of use at the end of the 2008 irrigation season. The authorization to use the new point of diversion shall be terminated concurrently.
- 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 17119, 26311 and 34692 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 17119, 26311 and 34692.
- 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. 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.
- 9. Prior to diverting of water at the new point of diversion, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. 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.
- 10. The use of the remaining water right described by Certificates 17119, 26311 and 34692 shall continue to be in accordance with the terms and conditions of Certificates 17119, 26311 and 34692.

Dated at Salem, Oregon this	Bh day of	July	2007.
		II = II	

Phillip C. Ward, Director

Mailing Date: _____



Water Resources Department

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

July 16, 2007

DAN HAMMELMAN 14477 DOMINIC RD NE MT ANGEL OR 97362

Reference: Temporary Transfer 10380

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 2008 irrigation season.

Sincerely,

Sarah Henderson Doug Parrow

Matural Resource Specialist

DP:sh

cc:

Watermaster #16

Pacific Hydro-Geology Inc.

Jake Kyllo Arlene Harris

Enclosure



Water Resources Department

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

May 21, 2007

DAN HAMMELMAN 14477 DOMINIC RD NE MT ANGEL OR 97362

Reference: Temporary Transfer 10380

On May 7, 2007 we received your water right transfer application requesting a change in place of use, point of diversion for use of water from BUTTE CREEK, tributary to PUDDING RIVER. The application was accompanied by \$202.00. Our receipt 87466 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
Marion County Planning Department
Arlene Harris, Landowner
Jake Kyllo, Landowner
Greg Kupillas, Agent

enclosure

Indicate in this column whether or not the item is satisfied.

Applicant's Name:

<u>Temporary Transfer Application – OAR 690-380 3000 & 3100</u> Completeness Checklist

Completeness Checklist

(Form last revised: March 13, 2007)

	Section A – Status of Right	
	Is this a Water Right that can be transferred?	[OAR 690-380-0100(14)]
	NOTE: The Department can accept a Transfer application fo1) an adjudication with a court decree; or2) a certificate that is not cancelled; or3) a transfer that's been approved & A COBU has been	
	If the subject right does not fall into any of the above categories, RETUR	N the application & fee to the applicant.
	Section B – Type of Change	
	Is the proposed change(s) allowed under the Temporary T	ransfer process? [ORS 540.523]
	NOTE: Only <u>POU</u> changes are allowed on Temporary Trans. UNLESS POA/POD change is necessary to convey water to OR - Character of Use of storage right (R-xxxxx) OR - In the Deschutes Basin, a change in Use from irrigation If the application proposes a change <u>other</u> than those listed above, RETU	the new temp place of use. to municipal is allowed.
	Section C - Fees	and the approximent where to the approximation
	Have the appropriate fees been paid?	Total Required Fees:
	Fee Schedule – ORS 536.050(1)(i) \$175 - Base (1 st CFS of water)	Total Fees Paid:
	 + \$ 1 Per acre of land irrigated + \$ 75 For each cfs or fraction thereof beyond the 1st cfs for non-irrigation 	Fees Due (if any):ted land
		Refund Due (if any):
-	If the applicant has NOT submitted the total fees required, RETURN the	application & deficient fee to the applicant.
	Section D – Completeness	
Indicate in this column	Is the Temporary Transfer application complete?	
whether an	All required elements necessary for a complete temporary tran-	
item is incomplete, and if so,	Indicate whether or not the applicant has answered and/or address each of the following items. If any one of the items i incomplete.	supplied attachments to adequately s deficient, then the application is
identify the deficiency.	NOTE: For reference, the application page number upon w	
	If the application is NOT complete, RETURN the application & fee to the	
	Type of transfer application clearly marks Temporary and indicate	es the number of years. (Page 1)
//	• Applicant's name, mailing address and contact information.	(Page 1)
	• Agent's name, mailing address and contact information, if applica-	ible. (Page 1)
	• Are the water rights to be affected by this temporary transfer listed	d? (Page 2)
	If there are multiple water rights listed The applicant must supply a <u>sepa</u> water right to be transferred.	arate "set" of Supplemental Form A for each

	Checklist for Supplemental Form A – (Attachments)	
	• Certificate # filled in on each page?	(Page 1)
	• Type of change(s) proposed clear?	(Page 1)
	• Current Water Right information is complete?	(Page 2)
	• If for a change in POU	(Page 2)
	Are there any "layered" irrigation rights, permits, or GR registrations appurtenant to the same place of the water right proposed to be transferred? YES NO	
	If YES the other "layered" water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).	e
	ORapplicant indicates supplemental right will not be exercised on "From" lands	
	Are they included in application? If not, contact applicant or agent.	
	• Location description of the authorized POA/POD to be changed.	(Page 3)
	NOTE: Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map.	
	Additionally, if the existing authorized source is ground water (POA), the applicant must either: 1) supply a copy of the well log(s), <u>or</u>	
	2) if well logs are not available, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.	
	• Location description of the existing authorized POU and associated acres (if applicable).	(Page 4)
	NOTE: Ensure that the location and number of acres listed per 1/4 1/4 in the application match those illustrated on the application map.	
	Location description of the proposed POA/POD.	(Page 5)
	NOTE: Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map.	
	Additionally, if the proposed source is ground water (POA), the applicant must either: 1) supply a copy of the well log(s), <u>or</u>	
V	2) if well logs are not available <u>or</u> the well is not yet constructed , describe the construction of the well(s) in the table provided on page 5 of the application.	
	• Location description of the proposed POU and associated acres (if applicable).	(Page 6)
	NOTE: Ensure that the location and number of acres listed per 1/4 1/4 in the application match those illustrated on the application map.	
5	Return back to Page 2 of transfer application	
	• The type of change(s) being proposed.	(Page 2)
	• Reason for the temporary transfer.	(Page 2)
	Description of current water delivery system.	(Page 2)
	System Capacity.	(Page 2)
	Checklist for Supplemental Form B – (Attachments)	
	• Is there a box checked in #1?	(Page 1)

/	• Is there a box checked in #2?	(Page 1)
	• Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3?	(Page 1)
	• In question #4 and #5 are they filled out.	(Page 2)
	• Is there a box checked in #6?	(Page 2)
	• Is the #6 supporting documentation included with application?	(Page 2)
	• Is there an original signature of the notary and notary stamp?	(Page 2)
	Return back to Page 3 of transfer application	22
	 Affected districts and local governments. If within a district/local government jurisdiction, ensure that name & mailing address is provided. And agreement with district to deliver water to "To" lands 	(Page 3)
	 Is the applicant the Landowner of the "from" and "to" Lands? YES NO If NO The applicant must list current landowner name & address. And include a notarized statement granting consent to the transfer from each landowner. 	(Page 4)
	 Who will be responsible for completion of the changes? Is a box checked? If no box is checked the applicant or agent must be contacted. 	(Page 4)
	 Map if more than 3 rights are included in transfer, is there a separate map for each water right? If larger than 8 ½ X 14 - then 3 copies of map is needed & an electronic pdf of map north arrow size & scale other: authorized acreage per ½ ¼ matches the water right authorized POD/POA and POU (clearly shown, labeled & matches application listing) point plotted for the authorized POD/POA agrees with location coordinates on supplemental form proposed POD/POA and/or POU (clearly shown, labeled & matches application "proposed" listin location coordinates accurately describe the point identified as the proposed POD/POA 	
_	 Land Use form, if applicable. Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance and off of land originally inv 	(Page 5)
_	• If a groundwater right is involved, are the well logs or a description included.	(Page 5)
	Is a copy of the current deed included for the From lands?	(Page 5)
	Signature(s) of applicant(s): Are one of the boxes checked? (not needed for Temporary Transfer)	(Page 6)
WRD Cor	All applicants listed on page 1 of the application must sign the application. mpleteness Reviewer's Name: Date: 5	7-07

Water Right Transfer Supplemental Form A <u>DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT</u>

List only <u>one</u> water right per page. A <u>separate Supplemental Form A</u> must be completed for <u>each</u> 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: <u>Certificate 17119</u>

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 not be used for the portion of the water right affected by the transfer.) Additional (Both the old and 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 instead of the old point of diversion. The old point of diversion will not 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
	11	

2. CURRENT WATER RIGHT INFORMATION

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

\boxtimes	Certificated Right	17119	S-15475
<u></u>		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, o County: <u>Marion</u>	r Decree: <u>Lawrence McCr</u>	acken
	County. Marion		
-	Authorized Use(s) to be Affect	ed by Transfer: <u>Irrigation</u>	of 4.7 acres
•	Priority Date(s): <u>April 23, 194</u>	3	
	If there are multiple Priority Les provided on pages 3 through to associated with each of the autoppropriation and places of us Source(s) of Water to be Affect	of this form must identify horized and proposed point e.	which priority date is ts of diversion or
	Tributary to: Pudding River		
	If there are multiple Sources land pages 3 through 6 of this form the authorized and proposed pages.	must identify which source	is associated with each of
	For applications proposing a	Change in Place of Use or	Character of Use:
=	Are there Other Water Right with this land?	s, Permits or Ground Water	Registrations associated
	☐ Yes No □ N	/A-No Change in Place of U	Ise or Character of Use
	If "Yes", what are the Permit,	Registration or Certificate	Numbers?
	Pursuant to ORS 540.510, <u>any</u> <u>a primary right proposed for to</u> cancelled, except as provided t	<u>ansfe</u> r must be included in	ight that is supplemental to the transfer or be

Certificate Number or other identifying number:	Certificate 17119	_
		•

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	Y4Y4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
						-		
:								

 D 	oes 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 <u>each</u> point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (<u>NOTE</u>: 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 <u>not</u> 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 <u>no</u> 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: Certificate 17119

The following information must be provided only for those places of use that are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer</u>.) 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 Place of Use to be Affected:

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

Source and Priority Date	Township	Range	Mer	Sec	14 14 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek April 23, 1943	6S	IE	W	16	SW NE	DLC 39	4.7
			3			The state of the s	

De: Sur	scribe pr	3	lumber or	SED C	CHAN(GES TO	O THE	E WATI	ER RIG	HT on and/or	r approprio	ation.
асо	companys Locatio (i.e., the ":	ing applion on of Pro TO" point(s	cation map posed Poi of diversion	p. Attac int(s) of or approp	ch addi f Divei priation)	itional pa rsion or	<i>iges as</i> • Appr □	necessar opriatio] N/A — In	ry. on: istream Wa	ater Right		
	ource	Township		Mer	Sec	¼¼ Section		Fax Lot, DLC or iov't Lot		Survey C linates from	Coordinates a recognized : rner)	
	well listed If "I well, the t	(s) alread d above. Y es ", atta , or if we. able belo	roposed pody construction of the construction	cted? [early lai re <u>not</u> a <u>':</u> You ma	□ Yes bel the vailab	e corresp ole, descr	□ No pondin ribe the	⊠ ng well la e constr	N/A - No log(s) for ruction of	o proposi e <u>ach</u> pro f the well	ed well(s) oposed l(s) using	
	0.11	No", desc wing tab	cribe the ai le:	nticipat	ed cor	ıstructio	n for t	he prop	osed wel	ll(s) in th	e	
Wel	ll numbers	in this list	Proposed ing must be ving applicat	clearly ti	ied to co					ed in the t	table above a	nd
Well already built? (Yes/No)	If an ex well, O Well Log (or Well No. L-	WRD ID No. ID Tag	Diameter	Type and size of casing	fee	et of ca	itervals using is rforated in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
						WANTED TO THE PARTY OF THE PART						

H	Certificate Number or other identifying number: Certi	ficate 17119
		110000 17117

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.

Location of Proposed Place of Use: (i.e., the "TO" lands) \[\sum 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	14 14 Section		Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek	6S	1E	w	16	SW	NE	DLC 39	2.8
Butte Creek	6S	1E	W	16	SE	NW	DLC 39	0.3
Butte Creek	68	1E	W	16	NE	SW	DLC 39	0.2
Butte Creek	6S	1E	W	16	NW	SE	DLC 39	1.4
							· · · · · · · · · · · · · · · · · · ·	
				,.,.				
					Y			
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								······

Remarks: We propose to use the point of diversion authorized under this Certificate
(17119) for this transfer. Therefore, the change in place of use for Certificate 17119 does
not include a change in point of diversion.

Water Right Transfer Supplemental Form A <u>DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT</u>

List only <u>one</u> water right per page. A <u>separate Supplemental Form A</u> must be completed for <u>each</u> 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.

Ħ	Certificate Number or other identifying number:	Certificate 26311	

1. TYPE OF CHANGE(S) PROPOSED

(Check all that apply.)

	` 11 7 /	
Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation	☐ <u>All</u> of the right will be exercised at a different	Proposed new use:
will <u>not</u> be used for the portion of the water right affected by the transfer.)	location than currently authorized (Use of water at	☐ Irrigation ☐ Municipal
Additional (Both the old and new points of diversion	the current location will be discontinued.)	☐ Quasi-municipal
or appropriation will be used for the portion of the water	☑ Only a <u>portion</u> of the right will be exercised at	☐ Commercial
right affected by the transfer.) Historic Point of	a different location than currently authorized (Use of water at the current	☐ Industrial ☐ Instream (complete and
Diversion or Appropriation Change	location will be discontinued.)	attach Supplemental Form C)
(Unauthorized point of diversion or appropriation used for more than 10 years.)		☐ Domestic (indicate number of households)
☐ Surface Water to Ground		Other
Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not be used.)		☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.)
☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.)		☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)
Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)		

2. CURRENT WATER RIGHT INFORMATION

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

\boxtimes	Certificated Right	26311	S-22233
		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
T	Name on Permit, Certificate, o	or Decree: Robert F. Coo	k
•	County: <u>Marion</u>		
=	Authorized Use(s) to be Affec	ted by Transfer: <u>Irrigatio</u>	n of 4.4 acres
=	Priority Date(s): <u>April 6, 1953</u>	3	
	provided on pages 3 through of associated with each of the auappropriation and places of us Source(s) of Water to be Affect	thorized and proposed poi se.	ints of diversion or
	Tributary to: <u>Pudding River</u>		
	If there are multiple Sources l pages 3 through 6 of this form the authorized and proposed p	must identify which sour	ce is associated with each of
	For applications proposing a	Change in Place of Use o	r Character of Use:
	Are there Other Water Right with this land?	s, Permits or Ground Wate	er Registrations associated
	☐ Yes ☑ No ☐ N	I/A – No Change in Place o	f Use or Character of Use
	If "Yes", what are the Permit,	Registration or Certificat	e Numbers?
	Pursuant to ORS 540.510, <u>any</u> <u>a primary right proposed for to</u> cancelled, except as provided	<u>ransfe</u> r <mark>must be included</mark>	right that is supplemental to in the transfer or be

	Certificate Number or other identifying number: Certificate 26311
e fo	ollowing information must be provided only for those points of diversion or appropriation

The following information must be provided <u>only</u> for those points of diversion or appropriation that are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer.</u>) 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	% %	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	ı							

 Does the water right being transferred involve a ground water source(s)? 		Does the v	vater right l	being transfe	rred involve a	ground v	water sou	irce(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 <u>each</u> point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (<u>NOTE</u>: 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 <u>not</u> 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 <u>no</u> 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: <u>Certificate 26311</u>

The following information must be provided only for those places of use that are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer.</u>) 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 Place of Use to be Affected:

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

Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek April 6, 1953	6S	ΙE	W	16	SW NE	DLC 39	1.2
Butte Creek April 6, 1953	68	1E	W	16	SE NE	DLC 39	3.2
						The second secon	
			To provide the second s			The Continues of the Co	
							.,,,,,

Sur acc	scribe pr vey coor companyi	oposed ch	PROPO nanges to escribed l ation map	SED C the wat below si b. Attac	HAN ter rig hould th addi	GES ght inv accur	TO TH volving rately c	HE WAT point(s) o correspond as necessa	ER RIG of diversion of to the p ry.	HT on and/or	r approprions	dion.
(NC	(i.e., the "	TO" point(s)	of diversion	or approp	oriation) <u>n Poir</u> 		$\prod N/A - Ir$	nstream Wa <u>Appropria</u>	<u>ition</u> is be Survey C linates from	Transfer ing propose cordinates a recognized : mer)	
	_											
	well listed If "I well, the the	ere are pro (s) already d above. Yes", attac , or if well able belov //www.wrd No", descr	y construct ch and cle l log(s) and w. (<u>NOTE.</u> l.state.or.u	cted? [early last ee <u>not</u> a : You ma	☐ Yes bel the vailal ay sear	e corr ble, de rch foi	□ N respond escribe r well lo	No 🔯 ling well l the constr ogs on the l	N/A - N log(s) for ruction o Departme	o proposo e <u>each</u> pro f the well nt's web p	ed well(s) pposed (s) using page at:	
Wel	Constru	wing table action of I in this listin accompanying	Proposed	clearly ti						bed in the t	able above a	nd
Well already built? (Yes/No)	If an ex well, O Well Log (or Well No. L-	cisting WRD [1] (ID No. ID Tag	Diameter	Type and size of casing	fee	o. of et of sing	Interval casing i perforate (in feet	is Seal ed depth	Est. depth to water	Est, depth to water bearing stratum	Type of access port or measuring device	Total well depth

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.

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

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek	6S	1E	W	16	NE SW	DLC 39	0.5
Butte Creek	68	1E	W	16	NW SE	DLC 39	3.9
		- 		<u></u>			
				444			
				<u></u> _			
		-					

Remarks: We propose to use the point of diversion authorized under this Certificate

(26311) for this transfer. Therefore, the change in place of use for Certificate 26311 does
not include a change in point of diversion.

Water Right Transfer Supplemental Form A <u>DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT</u>

List only <u>one</u> water right per page. A <u>separate Supplemental Form A</u> must be completed for <u>each</u> 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.

R	Certificate Number or other identifying number:	Certificate 34692
---	---	-------------------

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 not be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old and 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	☐ 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 Supplemental Form C) Domestic (indicate number of households)
appropriation will be used instead of the old point of diversion. The old point of diversion will not 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		□ 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.)

2. CURRENT WATER RIGHT INFORMATION

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

\boxtimes	Certificated Right	34692	S-27352
	Commodica ragin	Certificate Number	Permit Number or Decree Name
П	Adjudicated,		
	Non-certificated Right	Name of Decree	Page Number
П	Permit for which Proof has		
	been Approved	Permit Number	Date Claim of Beneficial Use Submitted
$\overline{}$	Transferred Right for which		
	Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
		D D'I ID II '	
•	Name on Permit, Certificate, o	or Decree: <u>Richard D. Harri</u>	<u>S</u>
•	County: Marion		
_			0161
×	Authorized Use(s) to be Affec	ted by I ransfer: <u>Irrigation o</u>	or 16.1 acres
•	Priority Date(s): <u>April 24, 196</u>	51	
-	provided on pages 3 through associated with each of the au appropriation and places of us. Source(s) of Water to be Affection	thorized and proposed points se.	s of diversion or
	Tributary to: <u>Pudding River</u>		
	If there are multiple Sources a pages 3 through 6 of this forn the authorized and proposed p	n must identify which source	is associated with each of
	For applications proposing a	Change in Place of Use or	Character of Use:
	Are there Other Water Right with this land?	ts, Permits or Ground Water	Registrations associated
	☐ Yes ⊠ No ☐ N	N/A-No Change in Place of U	lse or Character of Use
	If "Yes", what are the Permit,	Registration or Certificate	Numbers?
	Pursuant to ORS 540.510, <u>and</u> <u>a primary right proposed for a cancelled</u> , except as provided	<u>transfe</u> r <mark>must be included in</mark>	

	• (Certificate Number or other identifying number:	Certificate 34692
--	-----	---	-------------------

The following information must be provided <u>only</u> for those points of diversion or appropriation that are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer.</u>) 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	WW.	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
NA								

=	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 <u>each</u> 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 <u>not</u> 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 <u>no</u> 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: <u>Certificate 34692</u>

The following information must be provided <u>only</u> for those places of use that are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer</u>.) 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 Place of Use to be Affected:

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

		O		23	, , ,	2	
Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek April 24, 1961	6S	1E	W	16	SW NE	DLC 39	1.8
Butte Creek April 24, 1961	6S	1E	W	16	SE NE	DLC 39	1.6
Butte Creek April 24, 1961	6S	1E	W	16	NW SE	DLC 39	5.5
Butte Creek April 24, 1961	6S	1E	W	16	NE SE	DLC 39	7.2
					1		
							¥

Sur	vey coor	oposed ch	nanges to t escribed b	the wate elow sh	er right in ould acci	urately cor	oint(s) oj respona	f diversion I to the p	on and/or	r appropria own on the	tion.
(NC	(i.e., the "	n of Prop TO" point(s) inplete this	of diversion of	or appropi	riation)		N/A - In	stream Wa	uter Right i	Transfer ing proposed	l.)
So	ource	Township	Range	Mer		ection	Tax Lot, DLC or lov't Lot	(coord	inates from	Coordinates a recognized su mer)	irvey
But	te a	uK- 415	auti 0'N	honz	ud p 188	od o	, SI	± 24 = ,	,311 (16	E)	1
	welle listed If "Y well,	(s) already d above. Y es ", attac or if well able below	y construct ch and clea l log(s) are v. (<u>NOTE:</u>	ted? arly lab e <u>not</u> av You may	Yes el the corvailable, a	□ No respondin lescribe th	⊠ ng well lo	N/A - No og(s) for uction of	o proposi <u>each</u> pro f the well	(s) using	
		//www.wrd.		1							
	<u>http:/</u> If "N	<u>//www.wrd.</u> N o ", descr wing table	ibe the an	rticipate	ed constri	ıction for ı	he prop	osed wel	l(s) in th	e	
Wel	http:// If "N follo Constru !! numbers	No", descr wing table	ribe the an	Point(s)) of Appi	ropriation	or Wel	ll(s)	, ,	e able above an	d

Certificate Number or other identifying number: Certificate 34692

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.

Location of Proposed Place of Use: (i.e., the "TO" lands) \[\Boxed 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	¼¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek	6S	IE	W	16	NE SW	DLC 39	1.7
Butte Creek	68	1E	W	16	NW SE	DLC 39	14.4
'							
			,				
		-					

Remarks: We propose to use the point of diversion authorized under Certificate 36311
for this portion of the transfer. Therefore, the change in place of use for Certificate 34692
also includes a change in point of diversion to a location downstream of the authorized point
of diversion.



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

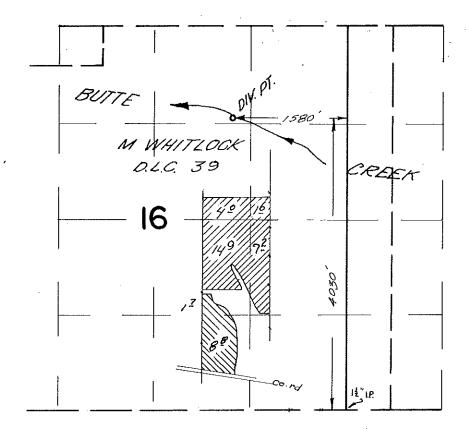
Trai	nsfer Applic	ation:	T- <u>10380</u>		Revie	ew Due Date:	<u>6/20/07</u>
App	olicant Name	e: <u>Da</u>	n Hammelma	<u>n</u>			
Proj	posed Chang	ges:	⊠ POU	⊠ POD	POA	USE	☐ OTHER
Rev	viewer(s): <u>N</u>	<u> Мсс</u>	<u>ord</u>		Date	of Review:	May. 31, 2007
1.	Yes	⊠ No 1 affida	If "Yes", do	escribe the inf	water rights ma ormation and in I time to detern	idicate if you	o forfeiture? intend to file a ellation affidavit
2.	has involve characterize	d the rethe fi	ight and down	nstream water ny regulation o	hat serves the r rights? X Yes or explain why r Sr, rights every	s	
3.	from the cu	rrent u	ise of the righ	t? 🔲 If you	er rights benefit theck the box, a and list the wat	generally char	acterize the
4.	Are there u Yes most affect	⊠ No	If "Yes", de	that would be escribe how th	affected by the e rights would	e proposed cha be affected an	ange? Id list the rights
5.	old and nev	v PÕD	s or within the	transfers, che e proposed ins ate the losses:	tream reach?	are channel lo	osses between the ck the box,
6.	other water	rights	that would no				n regulation of was maximized?
7.	For POU cl source?	Yes					er from the same be checked during
8.	For POU or diversion of If "Yes", ex	f more	water than ca	ld use of the e in be used ben	xisting right at eficially and wi	"full face valu ithout waste?	ne," result in the ☐ Yes ⊠ No

Transfer Application: T-10380 Are there other issues not identified through the above questions? X Yes "Yes", explain: If approved, the transfer will combine the POD for a relatively junior water right that most likely will be regulated with a relatively senior right that most likely will not be regulated. Based on this I believe that a measuring device should be required to ensure that the amount of water being diverted is only the authorized amount for the senior right. 10. What alternatives may be available for addressing any issues identified above: See # 12 11. Have headgate notices been issued for the source that serves the right? \(\subseteq \text{Yes} \) 12. What water control and measurement conditions should be included in the transfer:

Watermaster Review Form

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.

T,6 S. R.I E. W.M.



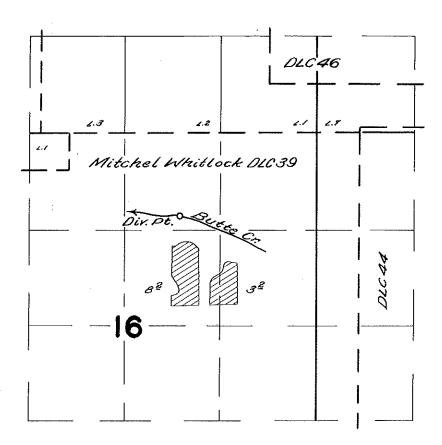
FINAL PROOF SURVEY

34843 27352VIIIIIIA Application No. 37602 Permit No. 28042

RICHARD D HARRIS

Surveyed Aug. 16. 1966, by V. GARNER.

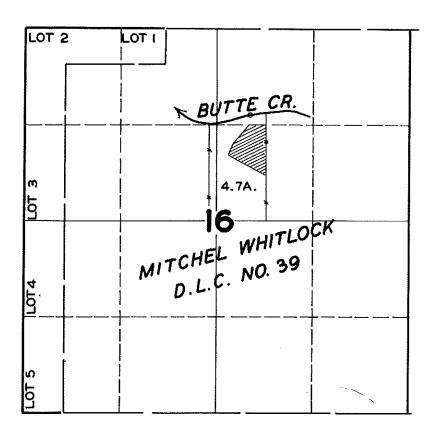
T.6S. R.IE.W.M.



FINAL PROOF SURVEY

Application No. <i>28277</i> Permit No. <i>22233</i> IN NAME OF	
Robert F. Cook	
Surveyed April 21 1958 by P.C. Rosella	

T.6S.R.1E.W.M.



FINAL PROOF SURVEY

UNDER

Application No. 19896 Permit No. 15475 IN NAME OF

LAWRENCE MC CRACKEN

Surveyed SEP. 30, 1948, by JAS. E. BUNNELL

STREAM LAKE ETC. TAX LOT BOUNDARY STREAM, LAKE, ETC. NON-BOUNDARY

SUBDIVISION BOUNDARY

PARTITION PLAT BDY.

TAX CODE BOUNDARY

EASEMENT

SYMBOL TYPES

D.LC

0

CONTROL POINTS SURVEY MONUMENTS

1/16 SEC

NUMBERS TAX CODE NO. 000 00 00 0

ACREAGE - ALL ACREAGES EXCLUDE ANY PORTION THAT MAY LIE WITHIN THE INDICATED PUBLIC RIGHT OF WAYS.

TICK MARKS - WHEN A TICK MARK IS INDICATED ON THE EXTENSION OF TO THE TICK MARK, GENERALLY THIS IS USED WHEN DIMENSIONS GO INTO PUBLIC RIGHT OF WAYS.

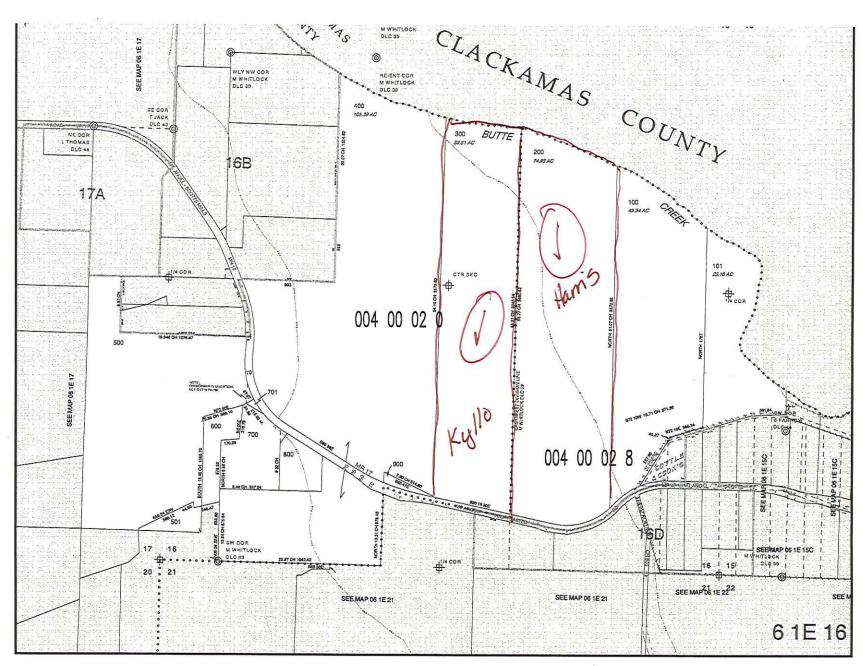
ARROWS ARE USED WITH DIMENSIONS IN AREAS OF GREATER COMPLEXITY.

NOTICE: This map was created for Assessor's Office use ONLY.





SCALE 1" = 400' or 1::4800 Plot file created: March 13, 2007



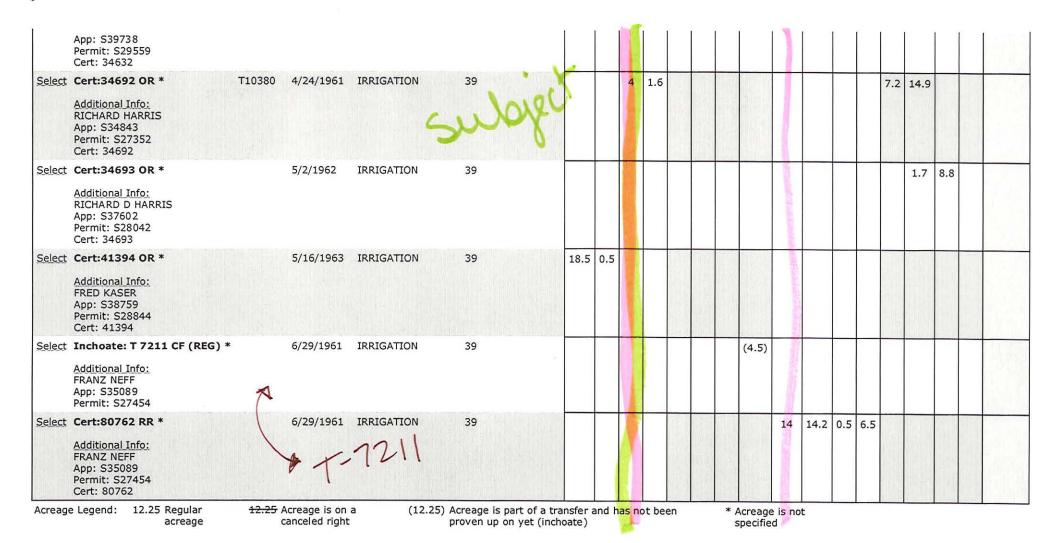
Water Rights Platcard Report



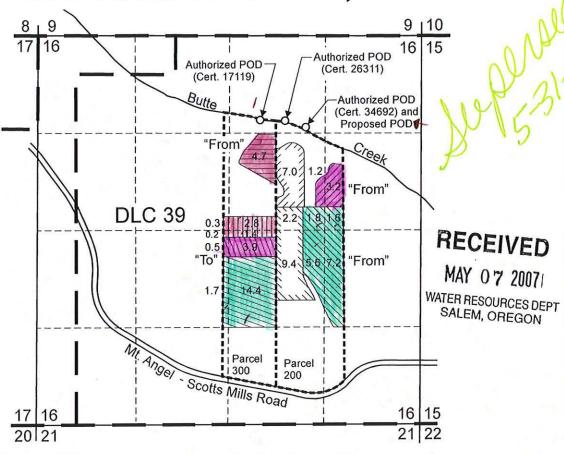
Meridian: WILLAMETTE - Township: 6 South - Range: 1 East - Section: 16 - Records per Page: 100 Search

	Water Right Changin Xfers	^g Priority	Use	Use Status DL	C Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkow QQ
Select	Permit:G 13208 CN Additional Info: MITCHELL TEENEY App: G12718 Permit: G13208	11/29/1991	IRRIGATION	CN													4						
Select	Permit:S 34953 CN Additional Info: DR JOHN JAMES App: S47023 Permit: S34953	6/1/1970	IRRIGATION	CN							₹	20	7.5		Part of the second								
Select	Cert:11414 OR CN Additional Info: L W MAGEE App: S9569 Permit: S6323 Cert: 11414	6/7/1924	IRRIGATION	CN					÷										5	9			
Select	Cert:14372 OR * Additional Info: L R LIMA App: S16018 Permit: S11846 Cert: 14372	8/29/1935	IRRIGATION		2							2			The state of the s								
Select	Cert:17119 OR * T10380 Additional Info: LAWRENCE MCCRACKEN App: S19896 Permit: S15475 Cert: 17119		IRRIGATION	39 \o j	eć	t			4.7	,			*										
	Cert:22003 OR * Additional Info: ALOIS IMPER App: S24282 Permit: S19050 Cert: 22003	11/22/1949	IRRIGATION	39							9.2			0.8									
Select	Cert:22047 OR *	8/14/1951	IRRIGATION	39							1 - 1			25.2	16.8								

	Additional Info: ALOIS IMPER App: S26316 Permit: S20655 Cert: 22047					1														
	Cert:22226 OR * Additional Info: JAMES NICHOLSON App: S27394 Permit: S21559 Cert: 22226		6/27/1952	IRRIGATION	39												7.1	*	0.1	
	Additional Info: JAMES NICHOLSON App: S28115 Permit: S22131 Cert: 22234		2/17/1953	IRRIGATION	39												2.8			
,	Cert:22250 OR * Additional Info: JAMES NICHOLSON App: S29478 Permit: S23192 Cert: 22250		9/17/1954	IRRIGATION	39												8		4.5	
	Additional Info: ROBERT COOK App: S28277 Permit: S22233 Cert: 26311	T10380	4/6/1953	IRRIGATION	39			8.2	3.2											
	Cert:29333 OR * Additional Info: HARVEY KASER App: S32865 Permit: S25959 Cert: 29333		1/21/1959	IRRIGATION		22.4	17	- confidential	9	1.1										
	Cert:33326 OR CN Additional Info: ALOIS IMPER App: S35089 Permit: S27454 Cert: 33326	T7211	6/29/1961	IRRIGATION CN	39			-			#		14	14.2	0.5	11				
	Cert:34632 OR * Additional Info: JAMES H NICHOLSON		4/14/1964	IRRIGATION	39				6.4								6.9			



T.6S. R.1E. Section 16, W.M.



Authorized POD (Cert. 17119) is located in the NW 1/4 NE 1/4 of Section 16.

Authorized POD (Cert. 26311) is located in the NW 1/4 NE 1/4 of Section 16.

Authorized POD (Cert. 34692) is located 4,030 feet North and 1,580 feet West from the SE Corner, Section 16.

Proposed POD is located 4,030 feet North and 1,580 feet West from the SE Corner, Section 16.

From" area (4.7 Acres) under Permit S-15475, Certificate 17119.

"From" area (4.4 Acres) under Permit S-22233, Certificate 26311.

"From" area (16.1 Acres) under Permit S-27352, Certificate 34692.

"To" area (4.7 Acres) under Permit S-15475, Certificate 17119.

"To" area (4.4 Acres) under Permit S-22233, Certificate 26311.

"To" area (16.1 Acres) under Permit S-27352 Certificate 34692.

3/2007

Remaining right under Permit S-22233, Certificate 26311.

Remaining right under Permit S-27352, Certificate 34692.

Tax lot boundary



EXPIRATION DATE: 6/30/07

Scale: 1" = 1,320'



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.

Temporary Transfer Application Map

Dan Hammelman Tax Map 6 1E 16, Parcels 200 and 300

Pacific Hydro-Geology Inc.

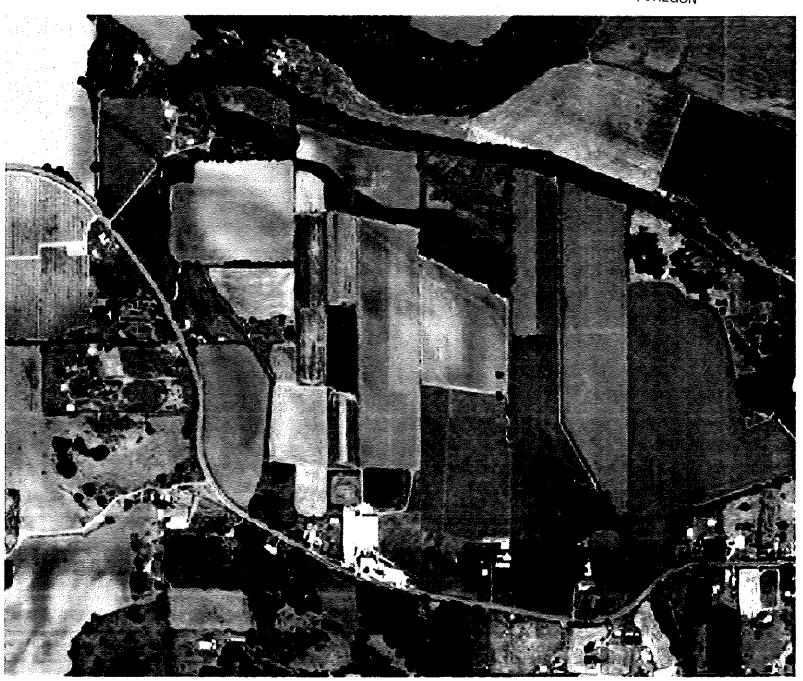
ic Hydro-Geology Ilic.

DHammelmanTempTransfer07Map.cdr

RECEIVED

MAY 07 2007

WATER RESOURCES DEPT SALEM, OREGON



2004 Photograph per Lee Ko, NRCS/USDA Oregon City, Oregon

Water Right Transfer Supplemental Form A <u>DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT</u>

List only <u>one</u> water right per page. A <u>separate Supplemental Form A</u> must be completed for <u>each</u> 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:	Certificate 17119	
 certificate Number of other identifying number.	Certificate 1/119	

1. TYPE OF CHANGE(S) PROPOSED

(Check all that apply.)

Thydic So So Bad Bad Street	· ·	T
Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of	⊠ <u>All</u> of the right will be	Proposed new use:
diversion or appropriation will <u>not</u> be used for the	exercised at a different location than currently	☐ Irrigation
portion of the water right affected by the transfer.)	authorized (Use of water at the current location will be	☐ Municipal
Additional (Both the old	discontinued.)	☐ Quasi-municipal
and new points of diversion or appropriation will be used	☐ Only a <u>portion</u> of the right will be exercised at	☐ Commercial
for the portion of the water right affected by the transfer.)	a different location than	☐ Industrial
☐ Historic Point of Diversion or	currently authorized (Use of water at the current location will be	☐ Instream (complete and attach Supplemental Form C)
Appropriation Change (Unauthorized point of diversion or appropriation	discontinued.)	Domestic (indicate number of households)
used for more than 10 years.)		☐ Other
Surface Water to Ground		5
Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not be used.)		Substitution (A supplemental ground water right will be substituted for a primary surface water right.)
☐ Point of Diversion		☐ Supplemental Use to
Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.)		Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)
☐ Exchange (Water from another source will be used in		RECEIVED
exchange for supplying an equal amount of replacement		MAY 3 1 2007
water to that source.)	W	ATER RESOURCES DEPT

2. CURRENT WATER RIGHT INFORMATION

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

\bowtie	Certificated Right	17119	S-15475				
		Certificate Number	Permit Number or Decree Name				
	Adjudicated,		£				
2	Non-certificated Right	Name of Decree	Page Number				
П	Permit for which Proof has		(- 1				
	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, o	r Dagrage - Laurenga McCre	nakan				
	ivanie on i cinni, cerinicale, o	i Decree. Lawrence McCia	acken				
н	County: Marion						
	Authorized Use(s) to be Affect	ed by Transfer: Irrigation of	of 4.7 acres				
	Priority Date(s): April 23, 194	5 200 200 200	33				
ş	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.						
H	Source(s) of Water to be Affect	ted by Transfer: Butte Cree	ek				
10	Tributary to: Pudding River						
	If there are multiple Sources land pages 3 through 6 of this form the authorized and proposed po	must identify which source	is associated with each of				
4	For applications proposing a	Change in Place of Use or (Character of Use:				
	Are there Other Water Rights with this land?	s, Permits or Ground Water	Registrations associated				
	☐ Yes ☐ No ☐ No	/A – No Change in Place of U	se or Character of Use				
	If "Yes", what are the Permit,	Registration or Certificate 1	Numbers?				
	Pursuant to ORS 540.510, <u>any</u>						
3	a primary right proposed for tr cancelled, except as provided i	ansfer must be included in OAR 690-380-2240(5).	the transfer or be				
			MAY 3 1 2007				

WATER RESOURCES DEPT SALEM, OREGON

н	Certificate Number or other identifying number:_	Certificate 17119
---	--	-------------------

The following information must be provided <u>only</u> for those points of diversion or appropriation that are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer.</u>) 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	V4 V4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	*							
	4							

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

<u>or</u>

B. If a well log is <u>not</u> 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 <u>no</u> 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.

		i i		
		0	 RECEIVE	D
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			W/	MAY 2 4 7

SALEM, OREGON

Certificate Number or other identifying number: <u>Certificate 17119</u>

The following information must be provided only for those places of use that are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer</u>.) 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 Place of Use to be Affected:

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

	332220000000000000000000000000000000000						
Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek April 23, 1943	6S	1E	W	16	SW NE	DLC 39	4.7
						_	
					ij		
						B	ECEIVED
							Y 31 2007
							RESOURCES DE EM, OREGON

Sur acc	vey coord ompanyi Location (i.e., the "I	oposed condinates and application of Property point (s)	hanges to lescribed cation ma posed Po of diversion	the wate below sh ip. Attach int(s) of I	er right in ould acc addition Diversio piation)	urately co al pages as n or App	oint(s) o rrespond necessal ropriati] N/A — In	of diversi d to the p ry. on: ostream W	on and/or	r appropria own on the Transfer ing proposed	
	urce	Township	Range	Mer	Sec	1/4 1/4 ection	Tax Lot, DLC or Gov't Lot		Survey C linates from	Coordinates a recognized s	
	well(listed If "Y well, the to http://	(s) alread l above. les", atta or if wel able belo /www.wra	y constructs and change of the	learly lab re <u>not</u> av L: You may	Yes el the con ailable, of search f	□ No rresponding describe the sor well logares uction for	ng well l ne constr	N/A - N log(s) for ruction o Departme	o proposo e <u>each</u> pro f the well ont's web p	(s) using page at:	
Wel	l numbers	in this listi		clearly tie		ropriation ponding we			bed in the to	able above ar	ıd
Well already built? Yes/No)	If an exi well, OV Well Log (or Well I No. L-	WRD ID No.	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
								RE	CEIVE		
								MAY	3 1 200	7	

Certificate Number or other identifying number:	Certificate 17119

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.

Location of Proposed Place of Use: (i.e., the "TO" lands) \[\Bigcup 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	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek	6S	1E	W	16	SW NE	DLC 39	2.8
Butte Creek	6S	1E	W	16	SE NW	DLC 39	0.3
Butte Creek	6S	1E	W	16	NE SW	DLC 39	0.2
Butte Creek	6S	1E	W	16	NW SE	DLC 39	1.4
				ν		2	
						RECEI	VED
						MAY 3 1	2007
					W	ATER RESOU	
100						SALEM, OF	EGON
	11						

Remarks: We propose to use the point of diversion authorized under this Certificate

(17119) for this transfer. Therefore, the change in place of use for Certificate 17119 does

not include a change in point of diversion.

Water Right Transfer Supplemental Form A <u>DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT</u>

List only <u>one</u> water right per page. A <u>separate Supplemental Form A</u> must be completed for <u>each</u> 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.

н	Certificate Number or other identifying number:	Certificate 26311
	, 8	

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	☐ <u>All</u> of the right will be	Proposed new use:
diversion or appropriation will <u>not</u> be used for the	exercised at a different location than currently	☐ Irrigation
portion of the water right affected by the transfer.)	authorized (Use of water at the current location will be	☐ Municipal
☐ Additional (Both the old	discontinued.)	☐ Quasi-municipal
and new points of diversion or appropriation will be used	☑ Only a <u>portion</u> of the right will be exercised at	☐ Commercial
for the portion of the water right affected by the transfer.)	a different location than currently authorized	☐ Industrial
☐ Historic Point of Diversion or	(Use of water at the current location will be	☐ Instream (complete and attach Supplemental Form C)
Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.)	discontinued.)	☐ Domestic (indicate number of households)
☐ Surface Water to Ground		Other
Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not be used.)		Substitution (A supplemental ground water right will be substituted for a primary surface water right.)
☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.)		☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)
□ Exchange (Water from	15	RECEIVED
another source will be used in exchange for supplying an equal amount of replacement		MAY 3 1 2007
water to that source.)		WATER RESOURCES DEPT
		SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

\boxtimes	Certificated Right	26311	S-22233				
	Certificated Right	Certificate Number	Permit Number or Decree Name				
	Adjudicated,						
	Non-certificated Right	Name of Decree	Page Number				
	Permit for which Proof has	Descrit Manual and	D. Cl. CD C. LV				
5	been Approved	Permit Number	Date Claim of Beneficial Use Submitted				
П	Transferred Right for which						
	Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted				
	Name on Permit, Certificate, o	r Decree: <u>Robert F. Cook</u>	6				
	County: <u>Marion</u>	8					
	Authorized Use(s) to be Affect	ed by Transfer: Irrigation	of 4.4 acres				
	Priority Date(s): April 6, 1953						
5	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: Butte Creek						
	Tributary to: Pudding River						
	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 with this land?	s, Permits or Ground Water	Registrations associated				
	☐ Yes ☐ No ☐ No	/A-No Change in Place of U	lse or Character of Use				
9	If "Yes", what are the Permit,	Registration or Certificate I	Numbers?				
9	Pursuant to ORS 540.510, <u>any</u> a primary right proposed for tr cancelled, except as provided i	ansfer must be included in					

MAY 3 1 2007

Certificate Number or other identifying number:_	Certificate 26311	

The following information must be provided <u>only</u> for those points of diversion or appropriation that are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer.</u>) 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	1414	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
				90				

 Does the water right being transferred involve a ground water 	r 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 <u>each</u> point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (<u>NOTE:</u> You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)

<u>or</u>

B. If a well log is <u>not</u> 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 <u>no</u> 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
								RECEIVE	ED
		:						MAY 31 2	007
							WA	TER RESOURCE	ES DEPT

Certificate Number or other identifying number: <u>Certificate 26311</u>

The following information must be provided only for those places of use that are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer</u>.) 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 Place of Use to be Affected:

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

Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek April 6, 1953	6S	1E	W	16	SW NE	DLC 39	1.2
Butte Creek April 6, 1953	6S	1E	W	16	SE NE	DLC 39	3.2
						(9	
						R	ECEIVED
						M	4Y 3 1 2007
						WATER	RESOURCES D

SALEM, OREGON

Sur	vey coord	posed ch linates de	anges to escribed	the wate below sh	r right ir ould acci		oint(s) o respond	f diversion I to the p	on and/or	r appropria own on the	ition.
	(i.e., the "TO	" point(s)	of diversior	or appropr	iation)		N/A - In	stream Wo	ater Right ' ation is be	Transfer ing proposed	d.)
		Township		Mer	Sec 1	ection	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)			urvey
	well(s	already	_	oint(s) of cted? □	7 7	ation (wel ☐ No				ve, are the ed well(s)	
	If "Ye well, e	o r if well	log(s) a	re <u>not</u> av	ailable, a	rrespondin describe th or well logs	e constr	ruction o	f the well	(s) using	
	http:// If "No	www.wrd	ibe the a	us)	•	iction for i				Version Version	
Wel	Construc	tion of I	Proposedig must be	clearly tied		ropriation ponding wel			bed in the t	able above ar	ıd
Well lready built? 'es/No)	If an exis well, OW Well Log II (or Well II No. L-	ting /RD D	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
									REC	EIVED	
										0007	
									MAY	3 1 2007	

ж	Certificate Number or othe	er identifying number:	Certificate 26311	
			Continuente Bobin	

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.

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

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek	6S	1E	W	16	NE SW	DLC 39	0.5
Butte Creek	6S	1E	W	16	NW SE	DLC 39	3.9
	1		<i>8</i> 3				
					4)		
							and the Head size.
						REC	
						MAY	3 1 2007
		55 85 84				WATER RE	SOURCES DEP A. OREGON

Remarks: We propose to use the point of diversion authorized under this Certificate (26311) for this transfer. Therefore, the change in place of use for Certificate 26311 does not include a change in point of diversion.

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:	Certificate 34692	
certificate realiser or other racinity ing number.	Cortificate 5 1072	

1. TYPE OF CHANGE(S) PROPOSED

(Check all that apply.)

		1
Point of Diversion or Appropriation	Place of Use	Character of Use
□ Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.) □ Additional (Both the old and 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	☐ 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 Supplemental Form C) Domestic (indicate number of households)
appropriation will be used instead of the old point of diversion. The old point of diversion will not 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.)		□ 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.) **RECEIVED** MAY 3 1 2007 WATER RESOURCES DEPT**

2. CURRENT WATER RIGHT INFORMATION

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

∇			
		34692	S-27352
—		Certificate Number	Permit Number or Decree Name
	Adjudicated, Non-certificated Right	Name of Decree	Dec. Marie Control
		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, o	r Decree: Richard D. Ha	arric
	vanie on remint, certificate, o	Decree. Kichard D. 11a	41115
	County: <u>Marion</u>		
	Authorized Use(s) to be Affect	ted by Transfer: <u>Irrigatic</u>	on of 16.1 acres
	Priority Date(s): April 24, 196	51	
İ	If there are multiple Priority I provided on pages 3 through (associated with each of the au appropriation and places of us	6 of this form <mark>must identij</mark> thorized and proposed po	fy which priority date is
•	Source(s) of Water to be Affect	eted by Transfer: <u>Butte C</u>	Creek
	Source(s) of Water to be Affect Fributary to: Pudding River	eted by Transfer: <u>Butte C</u>	Creek
		isted on the water right, a must identify which sour	ny information provided on ce is associated with each of
	Tributary to: Pudding River If there are multiple Sources longes 3 through 6 of this form	isted on the water right, a must identify which sour oints of diversion or appr	any information provided on rce is associated with each of copriation and places of use.
	Tributary to: Pudding River If there are multiple Sources loages 3 through 6 of this form the authorized and proposed p	isted on the water right, a must identify which sour oints of diversion or appr	any information provided on rece is associated with each of copriation and places of use.
	Tributary to: Pudding River If there are multiple Sources less as through 6 of this form the authorized and proposed poses are there Other Water Rights with this land?	isted on the water right, a must identify which sour oints of diversion or appr	any information provided on ree is associated with each of copriation and places of use. Or Character of Use: er Registrations associated
	Tributary to: Pudding River If there are multiple Sources less as through 6 of this form the authorized and proposed poses are there Other Water Rights with this land?	isted on the water right, a must identify which sour oints of diversion or appr Change in Place of Use on the constant of the of the constant wat Market of Change in Place of the constant wat Market water	any information provided on tree is associated with each of tropriation and places of use. The Character of Use: The Registrations associated of Use or Character of Use
	Fributary to: Pudding River If there are multiple Sources It there are multiple Sources It there as through 6 of this form the authorized and proposed positions proposing a contract there Other Water Rights with this land? □ Yes □ No □ N	isted on the water right, a must identify which sour oints of diversion or appr Change in Place of Use of Use of the constant of Ground Water of A — No Change in Place of Registration or Certificant of Captificant o	any information provided on ree is associated with each of copriation and places of use. Or Character of Use: The registrations associated The or Character of Use The Numbers? The right that is supplemental to in the transfer or be
	Tributary to: Pudding River If there are multiple Sources It pages 3 through 6 of this form the authorized and proposed poses For applications proposing a contract the Permit of "Yes", what are the Permit, The primary right proposed for the proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, and the Pursu	isted on the water right, a must identify which sour oints of diversion or appr Change in Place of Use of Use of the constant of Ground Water of A — No Change in Place of Registration or Certificant of Captificant o	any information provided on ree is associated with each of copriation and places of use. Or Character of Use: The Registrations associated If Use or Character of Use The Numbers? The right that is supplemental to in the transfer or be
	Tributary to: Pudding River If there are multiple Sources It pages 3 through 6 of this form the authorized and proposed poses For applications proposing a contract the Permit of "Yes", what are the Permit, The primary right proposed for the proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, any apprimary right proposed for the Permit of Pursuant to ORS 540.510, and the Pursu	isted on the water right, a must identify which sour oints of diversion or appr Change in Place of Use of Use of the constant of Ground Water of A — No Change in Place of Registration or Certificant of Captificant o	any information provided on rece is associated with each of copriation and places of use. Or Character of Use: Or Registrations associated If Use or Character of Use The Numbers?

•	Certificate Nur	mber or oth	er identif	ying n	umber:	Certifica	nte 34692	
that ar		n e transfer (as necessar)	(i.e., <u>list o</u> v.	nly the	<u>portion</u>	of the wat	er right you j	or appropriation propose to transfer.)
	if the information of Existing A	on is reflected uthorized]	on the exis	sting was	ersion o	or Approj	oriation to l	oe Changed:
	owed point(s) of dive " point(s) of diversi			ed on the	water rig	ght that will b	e affected by the	proposed transfer,
and Water, Well Log	Source and	Township	Range	Mer	Sec	1/4 1/4	Tax Lot,	Survey Coordinate

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L)	Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
NA								
								e .

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:

- 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)

B. If a well log is <u>not</u> 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
								RECEIV	ED
							10	MAY 3 1 2	10.7
							WAT	ER RESOURCE SALEM, OREGO	SDEPT

Certificate Number or other identifying number: <u>Certificate 34692</u>

The following information must be provided <u>only</u> for those places of use that are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer</u>.) 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 Place of Use to be Affected:

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

Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek April 24, 1961	6S	1E	W	16	SW NE	DLC 39	1.8
Butte Creek April 24, 1961	68	1E	w	16	SE NE	DLC 39	1.6
Butte Creek April 24, 1961	68	1E	W	16	NW SE	DLC 39	5.5
Butte Creek April 24, 1961	6S	1E	W	16	NE SE	DLC 39	7.2
							RECEIL
						M	RECEIVE
						SAL	RESOURCES DE EM, OREGON
							GON

acco	vey coor ompanyi Locatio (i.e., the "I	oposed control of the	changes to described cation ma posed Po of diversion	the wate below sh up. Attach int(s) of n or approp	er right in ould accu andditional Diversional Diversion	urately cor al pages as a n or Appr	oint(s) o respond necessar opriatio N/A – In	f diversion I to the p y. on: ostream We	on and/or oints sho		
Sou		Township		Mer	Sec	1/4 1/4 I	ax Lot, DLC or ov't Lot		Survey C inates from	oordinates a recognized s	
	28										
1	well listed If "I well, the the http://	(s) alread d above. Ves", atta or if we able belo //www.wr	ly constru ach and ca ll log(s) a ow. (<u>NOTI</u> d.state.or.	learly lab tre <u>not</u> av E: You ma us)	Yes yel the convailable, on search for	ation (well No In	g well l e constr on the l	N/A - No og(s) for cuction of Departmen	o propose <u>each</u> pro f the well nt's web p	pposed (s) using page at:	
	follo	wing tab	le:	-		<i>iction for t</i> ropriation	•		ll(s) in the	e	
	numbers	in this list		clearly tie					bed in the t	able above a	nd
	If an ex	WRD	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated	Seal depth	Est. depth to water	Est. depth to water bearing	Type of access port or measuring	Total well
	well, O Well Log (or Well No. L-			casing	· · · · · · · · · · · · · · · · · · ·	(in feet)			stratum	device	depth

• Certificate Number of other identifying number: <u>Certificate 34692</u>		Certificate Number or other identifying number:	Certificate 34692	
--	--	---	-------------------	--

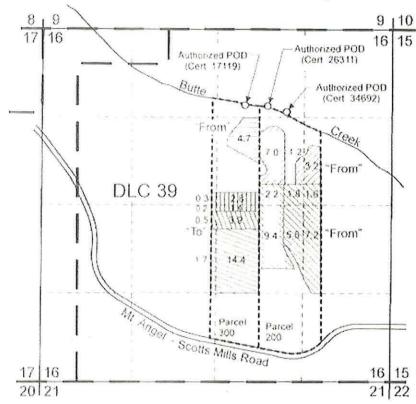
Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

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

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek	6S	1E	W	16	NE SW	DLC 39	1.7
Butte Creek	68	1E	W	16	NW SE	DLC 39	14.4
			*				
						.4.	
		#F				RECEI	VED
						MAY 31	2007
<u>ş</u>					WA	TER RESOUR SALEM, ORE	CES DEPT
						-Lin, OHE	GON

Remarks: We propose to use the point of diversion authorized under Certificate 36311
for this portion of the transfer. Therefore, the change in place of use for Certificate 34692
also includes a change in point of diversion to a location downstream of the authorized point
of diversion.





Authorized POD (Cert. 17119) is located in the NW 1/4 NE 1/4 of Section 16 (unchanged for this transfer). Authorized POD (Cert. 26311) is located in the NW 1/4 NE 1/4 of Section 16 (unchanged for this transfer), Authorized POD (Cert. 34692) is located 4,030 feet North and 1,580 feet West from the SE Corner, Section 16 (changed to authorized POD for Cert. 26311 for this transfer)

"From" area (4.7 Acres) under Permit S-15475, Certificate 17119.

"From" area (4.4 Acres) under Permit S-22233, Certificate 26311.

"From" area (16.1 Acres) under Permit S-27352. Certificate 34692

"To" area (4.7 Acres) under Permit S-15475, Certificate 17119.

"To" area (4.4 Acres) under Permit S-22233, Certificate 26311

"To" area (16.1 Acres) under Permit S-27352 Certificate 34892.

Remaining right under Permit S-22233, Certificate 26311

Remaining right under Permit S-27352, Certificate 34692.

Tax lot boundary

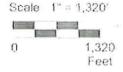


EXPIRATION DATE. 6/10/07

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2007



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.

Temporary Transfer Application Map

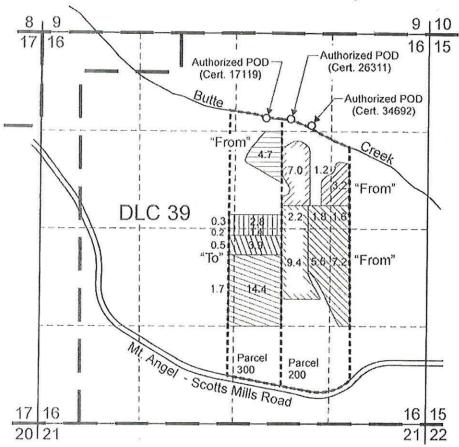
Dan Hammelman Tax Map 6 1E 16, Parcels 200 and 300

SALEM, PREGOIPacific Hydro-Geology Inc.

Rvsd 5/2007



T.6S. R.1E. Section 16, W.M.



Authorized POD (Cert. 17119) is located in the NW 1/4 NE 1/4 of Section 16 (unchanged for this transfer). Authorized POD (Cert. 26311) is located in the NW 1/4 NE 1/4 of Section 16 (unchanged for this transfer). Authorized POD (Cert. 34692) is located 4,030 feet North and 1,580 feet West from the SE Corner, Section 16 (changed to authorized POD for Cert. 26311 for this transfer).

"From" area (4.7 Acres) under Permit S-15475, Certificate 17119.

"From" area (4.4 Acres) under Permit S-22233, Certificate 26311.

"From" area (16.1 Acres) under Permit S-27352, Certificate 34692.

"To" area (4.7 Acres) under Permit S-15475, Certificate 17119.

"To" area (4.4 Acres) under Permit S-22233, Certificate 26311.

"To" area (16.1 Acres) under Permit S-27352 Certificate 34692.

Rvsd 5/2007

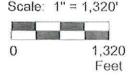
Remaining right under Permit S-22233, Certificate 26311.

Remaining right under Permit S-27352, Certificate 34692.

Tax lot boundary



EXPIRATION DATE: 6/30/07



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.

Temporary Transfer Application Map

Dan Hammelman

MAY 31 2007

Tax Map 6 1E 16, Parcels 200 and 300

WATER RESOURCES DEPT

Pacific Hydro-Geology Inc.

T10380 Map Rvsd.cdr

SALEM, OREGON

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIPT # 87466

725 Summer St. N.E. Ste. A SALEM, OR 97301-4172

INVOICE #_

(303) 366-0300 / (303) 366-0304 (Iax)		
RECEIVED FROM: Pacific Hydro-Geology	APPLICATION	
ıv:	PERMIT	
2460	TRANSFER	T-10380
CASH: CHECK:# OTHER: (IDENTIFY)	TOTAL REC'D	
□ ≥ 3203 □ □	TOTAL HEC D	\$202.00
1083 TREASURY 4170 WRD MISC CASH AC	СТ	
0407 COPIES		\$
OTHER: (IDENTIFY)		\$
0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245	Cons. Water	
4270 WRD OPERATING AC	CT	
MISCELLANEOUS		
0407 COPY & TAPE FEES RECEIVED		\$
0410 RESEARCH FEES OVER THE COU	NTER	\$
0408 MISC REVENUE: (IDENTIFY)		\$
TC162 DEPOSIT LIAB. (IDENTIFY)		\$
0240 EXTENSION OF TIME		\$
WATER RIGHTS: EXAM FEE		RECORD FEE
0201 SURFACE WATER \$	0202	\$
0203 GROUND WATER \$	0204	\$
0205 TRANSFER \$ 202.00		
WELL CONSTRUCTION EXAM FEE		LICENSE FEE
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	IC NUMBER	
0233 POWER LICENSE FEE (FW/WRD)	and the second s	\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
		\$
HYDRO APPLICATION		
TREASURY OTHER / RDX		
FUND TITLE		
OBJ. CODE VENDOR #		
DESCRIPTION		\$
DECOMP HON	77	
97466	1)	1.11
RECEIPT: 87466 DATED: 5/7/07 BY:	di ale	

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



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.

	I. TYPE OF TR	ANSFER APPLICATI	ION
	Ple	ase check one	
	☐ Permanent Transfer ☐ Temporary Transfer • total number of years: 2 (begin year: 2007) (end year: 2009)	☐ Instream Tra ☐ Perman ☐ Time-L ☐ Drought Tra ☐ Other	ent MAY 07
	2. APPLICA	ANT INFORMATION	
Name:	Dan First	Hammelman Last	
Address:	4477 Dominic Road		
,	Mount Angel City	OR State	97362 Zip
Phone:		(503) 845-6883	Σip
1 Hone	Home	Work	Other
Fax:		E-Mail address:	
	3. AGEN listed is authorized to represent the lic Hydro-Geology Inc. / Greg		ng to this transfer application.)
Address: 18	487 S. Valley Vista Road		
Access to the con-	Mulino City	OR State	97042 Zip
Phone:	(503) 632-5016 Home	(503) 632-5016 Work	Other
Fax: <u>(503)</u> (ohggek@bctonline.com
Please	nt is listed above, please check e send all correspondence to Agen e send all correspondence to Appl	t. Send copies of correspond	

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.	S-19896	S-15475	17119
2.	S-28277	S-22233	26311
3.	S-38483	S-27352	34692
4.			
5.			RI
6			1

	3.		RFOR.
	6.		RECEIVED
	Check all proposed char	nge(s) included in this transfer	MATOR
	X Place of Use	X Point of Diversion	r application: WATER RESOURCES DEP SALEM, OREGON
	☐ Character of Use	☐ Point of Appropriation	☐ Additional Point of Appropriation
	☐ Instream Transfer	☐ Surface Water source to	Ground Water source
i i	Reason(s) for change(s):	I wish to irrigate ground that	at is not currently covered by wate
	rights.		
		5. WATER DELIVERY S	SVSTEM

Describe the *current* water delivery system <u>or</u> the system that *was in place* at some time <u>within the last 5 years</u>. 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.

Certificates 26311 and 34692: A 25 Hp pump withdraws water from Butte Creek and conveys it through a 5" aluminum mainline to either 3" aluminum laterals with high pressure sprinklers or a Big Gun traveler. Certificate 17119: A 10 Hp pump delivers water through a 4" aluminum mainline to 3" aluminum laterals with high pressure sprinklers.

System capacity: _0.55 cfs total _ cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

Certificate 17119: 0.059 cfs; Certificate 26311: 0.14 cfs; Certificate 34692: 0.35 cfs

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 SALEM, OREGON

 WATER RESOURCES DEPT

 detail to establish location and date of the photograph; or
 - ► If the right has <u>not</u> 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? \square Yes \boxtimes No
Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? \square Yes \boxtimes 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? \square Yes \boxtimes No
If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:
Not applicable
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).
Marion County Planning Department, P.O. Box 14500, Salem, Oregon 97309

10380

8. LAND OWNERSHIP

Does the applicant own the lands \mathbf{FROM} which the right is being transferred? \square Yes \boxtimes No								
If "No", provide the following information. For Temporary Transfers, also include a <u>notarized statement granting consent</u> to the transfer from <u>each</u> of the landowners:								
Names of Current Landowner(s): Arlene Harris (Certificates 26311 & 34692); and Jake								
Kyllo (Certificate 17119)								
Address: 18269 and 17879 (respectively) Mt. Angel Scotts Mills Hwy.								
Silverton O		MAY 0 7 2007/						
City Sta	ate Zip	WATER DE 7 2007						
Does the applicant own the lands TO which the rig		OREGON						
☐ Yes ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS								
If "No", provide the following information:								
Names of Receiving Landowner(s):	Kyll Last							
Address: 17879 Mt. Angel Scotts Mills Hwy.								
	R 9738	1						
City	не Др							
Check <u>one</u> 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 compoure should continue to be sent to the sent t								
□ N/A. (Not applicable, Application is for an Ins	stream Water Right Trai	ısfer.)						

9. ATTACHMENTS

Check each of the following attachments included with this application.

The application will be returned if all required attachments are not included.

Description of Proposed Change(s) to a Water Right
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): The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well diversion works, delivery facilities, other structures, and Irrigation only. RECEIVE Amount enclosed: \$ 700.00 WAILEH HESOURCES DE WWW.Wrd.state.or.us or call (503) 986-0900 PEGON See the Department's Fee Schedule at ENDOURCES DE Www.wrd.state.or.us or call (503) 986-0900 PEGON See the Department's Fee Schedule at ENDOURCES DE Www.wrd.state.or.us or call (503) 986-0900 PEGON See the Department's Fee Schedule at ENDOURCES DE Www.wrd.state.or.us or call (503) 986-0900 PEGON Instream Water Right Transfer Complete this form to describe the desired nature and attributes for the proposed instream water right. Temporary Transfers, also include: 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
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 prepared by a Certified Water Right Examiner. Mater Well Report(s)/Well Log(s):
 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 prepared by a Certified Water Right Examiner. ✓ Water Well Report(s)/Well Log(s): The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well ✓ Supplemental Form C –
Change A map meeting the requirements of OAR 690- 380-3100 must be included but need not prepared by a Certified Water Right Examiner. Water Well Report(s)/Well Log(s): □ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well Imporary 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
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

0	Ans	nswered each question completely.		
	Incl	cluded all the required attachments.		
•	Pro	rovided original signatures for <u>all</u> named deed holders, or other partie	s, with an interest in the water	er right.
•	Incl	cluded a check payable to the Oregon Water Resources Department f	or the appropriate amount.	RECE
		10. SIGNATURES one of the following, as appropriate, and sign the application accordance with OAR 690-380-3000(13)(a), I (we) understan	и	MAY 07
Che	eck <u>o</u>	one of the following, as appropriate, and sign the application	on in the signature box b	elaw RESOURCE
	appr for the	accordance with OAR 690-380-3000(13)(a), I (we) understand proval of a permanent transfer and upon my receipt of a draw the proposed transfer, I (we) will be required <i>[pursuant to following landownership information and evidence demonstant to pursue the transfer:</i>	aft Preliminary Determi <i>OAR 690-380-4010(5)]</i> to	nation
	(a)	A report of ownership and lien information that has been the last three months;	prepared by a title compa	nny within
	(b)	A copy of written notification of the proposed transfer proholders on the subject lands unless the report of ownership water right conveyance agreement has been recorded for the conveyance agreement has been recorded for the subject land identification of the owner of the lands at the time the agree submitted; and	and lien information show a subject lands. If a water ads, a copy of the agreeme	vs that a right ent and
	(c)	If the landowner identified in the report of ownership and lie a notarized statement consenting to the transfer (attached identified in the report or an authorized representative of the water right has been conveyed as identified in a water right documentation demonstrating that the applicant is authorize absence of the consent of the landowner.	d) signed by the landowne e entity to whom the intereconveyance agreement or	er est in the other
	right 3000	we) affirm that the applicant is a municipality, as defined in the is in the name of the municipality or a predecessor. Ther 10(13)(b), the applicant is <u>NOT</u> required to provide the above do information.	efore, pursuant to OAR 69	90-380-
	acqui conde There above	we) affirm that the applicant is an entity with the authority of the property to which the water right proposed for the demnation. Documentation is provided with this application is erefore, pursuant to OAR 690-380-3000(13)(c), the applicant is even described report of ownership and lien information. (NOTE, ansfer under this subsection if it has filed a condemnation action	ransfer is appurtenant be supporting this statement. NOT required to provide Such an entity may only	the apply for
I (w	e) aff	affirm that the information contained in this application is t	rue and accurate.	
	applicar	and fammelne Dan Hammelma	5-5- date	07
a	applicar	cant signature name (print)	date	

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

Last revised: October 13, 2006

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.

MAY A separate Supplemental Form A as needed to describe other certificates.

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: Certificate 17119

1. TYPE OF CHANGE(S) PROPOSED

(Check all that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
Appropriation	Place of Use	Proposed new use: Irrigation Municipal Quasi-municipal Commercial Industrial Instream (complete and attach Supplemental Form C) Domestic (indicate number of households) Other
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		Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)
water to that source.)		

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to		17119	S-15475				
Certificated Righ	t	Certificate Number	Permit Number or Decree Name				
Adjudicated,							
Non-certificated	Right	Name of Decree	Page Number				
Permit for which	Proof has	đ					
been Approved		Permit Number	Date Claim of Beneficial Use Submitted				
Transferred Right			R				
Proof has been Fi	led	Previous Transfer Number	Date Claim of Beneficial Use Submitted				
			WATER				
Name on Permit, C	Certificate, o	r Decree: <u>Lawrence M</u>	1cCracken WATER SAL				
County: Marion							
Authorized Use(s)	to be Affect	ted by Transfer: <u>Irriga</u>	tion of 4.7 acres				
Priority Date(s): April 23, 1943							
If there are multiper provided on pages associated with each	3 through 6 ch of the aut	of this form must iden horized and proposed p	vater right, any information tify which priority date is points of diversion or				
If there are multiped provided on pages associated with each appropriation and	3 through to ch of the aut places of us	of this form must iden horized and proposed p	tify which priority date is points of diversion or				
If there are multiped provided on pages associated with each appropriation and	3 through 6 ch of the aut places of us to be Affec	of this form must iden Thorized and proposed p e.	tify which priority date is points of diversion or				
If there are multiple provided on pages associated with each appropriation and Source(s) of Water Tributary to: Pude If there are multiple pages 3 through 6	3 through to ch of the aut places of us to be Affect ding River le Sources la of this form	of this form must iden thorized and proposed p te. ted by Transfer: Butte isted on the water right must identify which so	tify which priority date is points of diversion or				
If there are multiple provided on pages associated with each appropriation and Source(s) of Water Tributary to: Pude If there are multiple pages 3 through 6 the authorized and	3 through to ch of the aut places of us to be Affect ding River le Sources la of this form proposed per sources de proposed per sources de sour	of this form must iden thorized and proposed p te. ted by Transfer: Butte isted on the water right must identify which so	tify which priority date is points of diversion or Creek any information provided on purce is associated with each of propriation and places of use.				
If there are multiple provided on pages associated with each appropriation and Source(s) of Water Tributary to: Pude If there are multiple pages 3 through 6 the authorized and For applications p.	3 through 6 ch of the aut places of us to be Affect ding River le Sources la of this form proposed po	of this form must identhorized and proposed page. Ited by Transfer: Butter Sisted on the water right, must identify which so to the coints of diversion or appropriate the coints of	tify which priority date is points of diversion or Creek any information provided on purce is associated with each of propriation and places of use.				
If there are multiple provided on pages associated with each appropriation and Source(s) of Water Tributary to: Pude If there are multiple pages 3 through 6 the authorized and For applications pages 4 Are there Other We with this land?	3 through to ch of the aut places of us to be Affect ding River le Sources la of this form proposed por roposing a Cater Rights	of this form must ident horized and proposed page. ted by Transfer: Butter isted on the water right must identify which so oints of diversion or appearance in Place of Uses, Permits or Ground W	tify which priority date is points of diversion or Creek any information provided on purce is associated with each of propriation and places of use.				
If there are multiple provided on pages associated with each appropriation and Source(s) of Water Tributary to: Pude If there are multiple pages 3 through 6 the authorized and For applications pages 4 there Other Way with this land? □ Yes □	3 through to ch of the aut places of us to be Affect ding River de Sources la of this form proposed por proposed por contract and the contrac	of this form must ident horized and proposed page. ted by Transfer: Butter isted on the water right must identify which so oints of diversion or appearance in Place of Uses, Permits or Ground W	tify which priority date is points of diversion or eCreek any information provided on purce is associated with each of propriation and places of use. The or Character of Use: The actual actual associated expression of the expression and places of the expression associated expression associated.				
If there are multiple provided on pages associated with each appropriation and Source(s) of Water Tributary to: Pude If there are multiple pages 3 through 6 the authorized and For applications pages 3 through 6 the authorized and Yes If "Yes", what are Pursuant to ORS 5-	3 through 6 ch of the aut places of us to be Affect to be Affect ding River le Sources la of this form proposed per roposing a Cater Rights No \text{No} No	of this form must ident horized and proposed page. Ited by Transfer: Butter isted on the water right must identify which so oints of diversion or appearance of Uses, Permits or Ground Ward A – No Change in Place Registration or Certification o	tify which priority date is points of diversion or cerek The Creek The Cree				

Attach a Location (i.e., the allo	owing informa involved in the dditional pages Government lo if the informati of Existing A wed point(s) of diversi "point(s) of diversi	te transfer as necessar and donatio on is reflecte uthorized ersion or appre	(i.e., <u>list o</u> y. n land clai d on the ext Point(s) ppriation list	m number isting wa	portion ers must eter righ ersion	of the wat be included t. or Approp	in the tables or	below only M WATE be Changed?	AY 07 200 R RESOURCES LEM, OREGO
If Ground Water, OWRD Well Log D No. (or Well ID Tag No. L)	Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4	Tax Lot, DLC or Gov't Lot	(coordinates	Coordinates from a recogniz ey corner)
JA .	Butte Creek April 23, 1943	6S	1E	W	16	NW NE	DLC 39	NONE GIVEN CERTIFICAT	
	If " Yes ", for <u>e</u> A. Supply a labeled a accompa	No (Surface ach author copy of the and associa	ce water s ized point well log ted with t ication m	ource of t of app (s) for <u>e</u> he corr ap. (<u>N</u> 0	nly.) propria pach po espond OTE: Y	tion (well) pint of app ding well i ou may sea ute.or.us)	involved, y ropriation in the table in the for well	you must either that is clearly above and on t	

Certificate Number or other identifying number:_	Certificate 17119

The following information must be provided only for those places of use 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 RECEIVED the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

WATER RESOURCES DEPT (i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands EM, OREGON

Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek April 23, 1943	68	1E	W	16	SW NE	DLC 39	4.7
80		-			-		

Survey coo accompan Locati	oroposed condinates of the con	described cation ma posed Po of diversion	the wat below supp. Attac int(s) of	er rig hould h addi Dive	tht invol accurat itional po rsion or	wing po ely corr ages as r • Appro	int(s) o respond necessar opriatio N/A – In	f diversion d to the p ry. on:	on and/or oints sho	r appropria own on The MAY (WATER RES Transfel EM, ing propose	PIVE 07 201 OURCES OREGO
Source	Township	Range	Mer	Sec	1/4 1/4 Sectio	, I	ax Lot, DLC or ov't Lot	(coord	inates from	Coordinates a recognized s rner)	urvey
Butte Creek	68	1E	W	16	NW N	NE D	LC 39	The second secon	ROM SE	H AND 1580 CORNER,	FEET
we list If " wei the http If " foll Constr Well number shown on the	II(s) alreaded above. Yes", atta II, or if we table below INo", description of the control of the control of the control of the control of	dy construction and characteristic construction and characteri	cted? [learly langue in the mode of the m	Yes bel the vailable ay sear	e correspond	□ No ponding ribe the ell logs on for the	g well le construit on the le prop	N/A - No log(s) for ruction of Department posed well	o propos <u>each</u> pro f the weli nt's web p	l(s) using page at:	<i>nd</i>

Certificate Number	or other identifying	number: Certificate 17119	

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.

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

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek	6S	1E	W	16	SW NE	DLC 39	2.8
Butte Creek	6S	1E	W	16	SE NW	DLC 39	0.3
Butte Creek	6S	1E	W	16	NE SW	DLC 39	0.2
Butte Creek	68	1E	W	16	NW SE	DLC 39	1.4
					RECE	IVED	
						7 2007	
						URCES DEPT	
					SALEM,	OREGON	
						3	
	-						

Remarks: We propose to use the point of diversion authorized under Certificate 34692

for this transfer. Therefore, there is also a change in the point of diversion associated

with the change in place of use described here for Certificate 17119.

Water Right Transfer Supplemental Form A DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

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

Attach additional copies of Supplemental Form A as needed to describe other certificates, MAY 0 7 2007/
permits, decrees or other rights involved in this transfer.

WATER RESOURCES DEPT
SALEM, PREGON

Certificate Number or other identifying number: Certificate 26311

1. TYPE OF CHANGE(S) PROPOSED

(Check all that apply.)

☑ Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.) ☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☐ Irrigation ☐ Additional (Both the old discontinued.) ☐ Quasi-municipal	Point of Diversion or Appropriation	Place of Use	Character of Use
and new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ✓ 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.) ☐ Industrial ☐ Instream (complete and attach Supplemental Form C) ☐ Diversion or Appropriation Used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not be used.) ☐ Other ☐ Point of Diversion Change due to ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Point of Diversion Change due to ☐ Supplemental Use to Primary Use (Primary wate	 ☑ Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old and 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 instead of the old point of diversion. The old point of diversion will not 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 	☐ 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	☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach Supplemental Form C) ☐ 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

2. CURRENT WATER RIGHT INFORMATION

Wa	ter Right Subject to Transfer (c	heck and complete <u>one</u> of the fo	ollowing):					
\boxtimes	Certificated Right	26311	S-22233					
	Certificated Right	Certificate Number	Permit Number or Decree Name					
П	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 BLECE IVED Submitted MAY 0 7 2007					
			MAY 07 2007					
	Name on Permit, Certificate, o	r Decree: Robert F. Cook	WALER RESOURCES					
	County: Marion		SALEM, OREGON					
	Authorized Use(s) to be Affect	ted by Transfer: <u>Irrigation o</u>	f 4.4 acres					
•	Priority Date(s): April 6, 1953							
1	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: Butte Creek							
	Tributary to: <u>Pudding River</u>							
	If there are multiple Sources land pages 3 through 6 of this form the authorized and proposed p	must identify which source i	is associated with each of					
	For applications proposing a	Change in Place of Use or C	Character of Use:					
	Are there Other Water Rights with this land?	s, Permits or Ground Water R	Registrations associated					
	☐ Yes ☑ No ☐ N	/A-No Change in Place of Us	e or Character of Use					
	If "Yes", what are the Permit,	Registration or Certificate N	Tumbers?					
9	Pursuant to ORS 540.510, <u>any</u> <u>a primary right proposed for tr</u> cancelled , except as provided i	ansfer must be included in t						

Location (i.e., the allo	lowing informate involved in to additional pages. Government logifishe informate of Existing Appropriate of Existing Appropriate of the information of Existing Appropriate Oxide Ox	ot and donation is reflected withorized persion or appropriately	n land claid d on the exi Point(s) opriation list	m numbe isting wa of Dive	ers must ter righ ersion	be included t. or Approp	in the tables to	below only MATE SA be Changed:	AY 07 200 R RESOURCES LEM, OREGO
If Ground Water, DWRD Well Log D No. (or Well ID Tag No. L)	Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4	Tax Lot, DLC or Gov't Lot	(coordinates	/ Coordinates from a recogni- vey corner)
IA	Butte Creek April 6, 1953	6S	1E	W	16	NW NE	DLC 39	NONE GIVE CERTIFICAT	
	labeled (copy of the and associa anying appl	well log ted with t	(s) for <u>e</u> he corr ap. (<u>N</u> 0	each pe espon OTE: Y	oint of app ding well i ou may sea	ropriation in the table in	that is <mark>clearly</mark> above and on	
Constructi Wells in thi	Departm or B. If a well authoriz	log is <u>not</u> a ed point of al copies as g Authorize clearly tied to	approprio necessar ed Point(correspon	ation by y. s) of A	, comp pprop	leting the i	table below Only needed i	. Attach f <u>no</u> well log is a	

Certificate Number or other identifying number: Certificate 26311

wing information must be provided only for those places of use

(i.e., list only the portion of the water right you propose to transfer.) Attach additional pages ary.

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.

**MAY 07 2007/*
SALEM, OREGON** lands) The following information must be provided only for those places of use 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.

Location of Existing Authorized Place of Use to be Affected:

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

Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)	
Butte Creek April 6, 1953	68	1E	W	16	SW NE	DLC 39	1.2	
Butte Creek April 6, 1953	6S	1E	W	16	SE NE	DLC 39	3.2	
10380								

	estatur 1 militari		n e median		40-F - DI-			1 2				
	Cer	tificate No	umber or o	other id	entify	ing nu	ımber:_	Certifica	ite 26311			المحلي ا
		3	. PROPO	SED C	HAN	GES	то тн	E WATI	ER RIGI	HT		A
			-		0.75.4		901	¥ 0286			mappropries WAY WATER RESO ing propose	1 my na
	urce	Township		Mer	Sec	1/4	½ tion	Tax Lot, DLC or Gov't Lot	the state of the	inates from	Coordinates a recognized s rner)	
Butte	Creek	6S	1E	W	16	NW	NE	DLC 39	The complete processing and a	ROM THE	H AND 1580 E SE CORNE	No. No. and Control of the State of the Stat
(Weli	well liste If " well the http: follo Constr I number:	l(s) alreaded above. Yes", attall, or if well table below www.wr. No", descoving table table table below wing table ta	ly construction and class of the construction	cted? [early la re <u>not</u> a re <u>not</u> a re you mand re nticipal	☐ Ye. bel the vailage sea sea sea content co	ne corr ble, de wch for onstruc	□ N responda rescribe to well log retion for	ing well lithe constrigs on the lithe prop	N/A - No log(s) for ruction of Departmen posed wel	o propose each prof the well nt's web p	l(s) using page at:	ınd
Well already built?	well, C	existing OWRD og ID No. 1 ID Tag	Diameter	Type and size of casing	fe	lo. of eet of asing	Intervals casing is perforate (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing	Type of access port or measuring	Total well depth

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
							S			

Certificate Number or other identifying number: Certificate 26311

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 companying application map. Attach additional pages as necessary.

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

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek	6S	1E	W	16	NE SW	DLC 39	0.5
Butte Creek	68	1E	W	16	NW SE	DLC 39	3.9
						S.	

Remarks:	We propose to use the point of diversion authorized under Certificate 34692
for this tran	sfer. Therefore, the change in place of use for Certificate 26311 also includes
a change in	point of diversion.

Water Right Transfer Supplemental Form A DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only <u>one</u> water right per page. A <u>separate Supplemental Form A</u> must be completed for <u>each</u> 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.

1. TY	(Check all that apply.)	OSED MAY 07 WATER RESOURCE SALEM, ORE
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 instead of 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	□ 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

exchange for supplying an equal amount of replacement

water to that source.)

2. CURRENT WATER RIGHT INFORMATION

wai	S ,	check and complete one of the	<u> </u>
\boxtimes	Certificated Right	34692	S-27352
		Certificate Number	Permit Number or Decree Name
П	Adjudicated,		
	Non-certificated Right	Name of Decree	Page Number
\Box	Permit for which Proof has		
Ш	been Approved	Permit Number	Date Claim of Beneficial Use Submitted
	Turn formed Dialet for which		
	Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
	Name on Permit, Certificate, o	or Decree: <u>Richard D. Harr</u>	MAY 07 2002
	* * * * * * * * * * * * * * * * * * * *	4 - 1 1 - T f I i i	
	Authorized Use(s) to be Affect	ted by Transfer: <u>Irrigation</u>	of 16.1 acres
•	Priority Date(s): April 24, 196	51	
- 1	provided on pages 3 through (
	associated with each of the audappropriation and places of us	thorized and proposed poin se.	ts of diversion or
•	appropriation and places of us	thorized and proposed poin se.	ts of diversion or
	appropriation and places of us	thorized and proposed pointse. Seted by Transfer: Butte Cressisted on the water right, any must identify which source	eek y information provided on e is associated with each of
	appropriation and places of use Source(s) of Water to be Affect Tributary to: Pudding River If there are multiple Sources lepages 3 through 6 of this form	thorized and proposed pointse. Seted by Transfer: Butte Cress Sisted on the water right, any must identify which sources oints of diversion or approp	eek y information provided on e is associated with each of priation and places of use.
	appropriation and places of use Source(s) of Water to be Affect Tributary to: Pudding River If there are multiple Sources less through 6 of this form the authorized and proposed p	thorized and proposed pointse. Seted by Transfer: Butte Crestisted on the water right, any must identify which source to ints of diversion or approp	eek y information provided on e is associated with each of priation and places of use. Character of Use:
	Source(s) of Water to be Affect Tributary to: Pudding River If there are multiple Sources I pages 3 through 6 of this form the authorized and proposed p For applications proposing a Are there Other Water Right with this land?	thorized and proposed pointse. Seted by Transfer: Butte Crestisted on the water right, any must identify which source to ints of diversion or approp	eek y information provided on e is associated with each of priation and places of use. Character of Use: Registrations associated
	Source(s) of Water to be Affect Source(s) of Water to be Affect Tributary to: Pudding River If there are multiple Sources I pages 3 through 6 of this form the authorized and proposed posed proposed pages 3 through 6 of this form the authorized and proposing a Are there Other Water Right with this land?	thorized and proposed pointse. Seted by Transfer: Butte Crestied on the water right, any must identify which source oints of diversion or appropriate of the control of th	ts of diversion or eek y information provided on e is associated with each of priation and places of use. Character of Use: Registrations associated Use or Character of Use

Certificate Number or other identifying number:	Certificate 34692	

The following information **must be provided** <u>only</u> for those points of diversion or appropriation that **are involved in the transfer** (i.e., <u>list only the portion of the water right you propose to transfer</u>.) 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	1/4 1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
NA							×	
								RECEIVE

	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: OREGON

A. Supply a copy of the well log(s) for <u>each</u> point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (<u>NOTE:</u> 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 <u>not</u> 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 <u>no</u> 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
, (0								

Certificate Number or other identifying number: Certificate 34692

The following information must be provided only for those places of use 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 vector in the 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)

Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek April 24, 1961	68	1E	W	16	SW NE	DLC 39	1.8
Butte Creek April 24, 1961	68	1E	w	16	SE NE	DLC 39	1.6
Butte Creek April 24, 1961	68	1E	W	16	NW SE	DLC 39	5.5
Butte Creek April 24, 1961	68	1E	W	16	NE SE	DLC 39	7.2
. 0							

Loca	proposed of proposed of coordinates of the proposed of the pro	posed Poir	the wate elow sh . Attach or approp	er right in nould accu n additiona Diversion riation)	volving pourately corul pages as	oint(s) o _j respond necessar opriatic N/A – In	f diversion I to the party. On: Stream Wa	on and/or oints sho WATE ware Right	TAY 07 2	107 S DEPT
Source	Township		Mer	Sec	/4 //4 1	Tax Lot, DLC or Sov't Lot		Survey C inates from	Coordinates a recognized siner)	
			1							
у П Ц и ti <u>h</u>	f there are pyell(s) alread sted above. f "Yes", attacell, or if we table belottp://www.wi	dy construction and cless of the cless of th	ted? [arly lab e <u>not</u> av You ma	Yes bel the convailable, on search for	□ No respondin lescribe th or well logs	⊠ ng well la te constr to on the L	N/A - No og(s) for ruction of Departmen	o proposo <u>each</u> pro f the well nt's web p	ed well(s) pposed (s) using page at:	
V li Ij h Ij fo	vell(s) alread sted above. I "Yes", atta- vell, or if we he table belo ttp://www.wr I "No", desa- collowing tab	dy construction and clean	ted? [arly lab e not av You ma s) nticipate	Yes bel the convailable, any search for the construction of App.	□ No responding describe the or well logs action for a	⊠ ng well la te constr on the L the prop	N/A - No og(s) for ruction of Department oosed wel	o propose <u>each</u> prof f the well nt's web p	ed well(s) oposed l(s) using oage at:	
V li Ij h lj fo Cons Well num	vell(s) alread sted above. "Yes", atta- vell, or if we he table beld ttp://www.wr "No", desa- ollowing tab	dy construction and clearly log(s) are ow. (NOTE: vd.state.or.us) cribe the are ole: Proposed ting must be of the are of	arly lab e not av You ma s) nticipate Point(s	Yes bel the convailable, any search for the construction of App.	□ No responding describe the or well logs action for a	⊠ ng well la te constr on the L the prop	N/A - No og(s) for ruction of Department oosed wel	o propose <u>each</u> prof f the well nt's web p	ed well(s) oposed l(s) using oage at:	nd

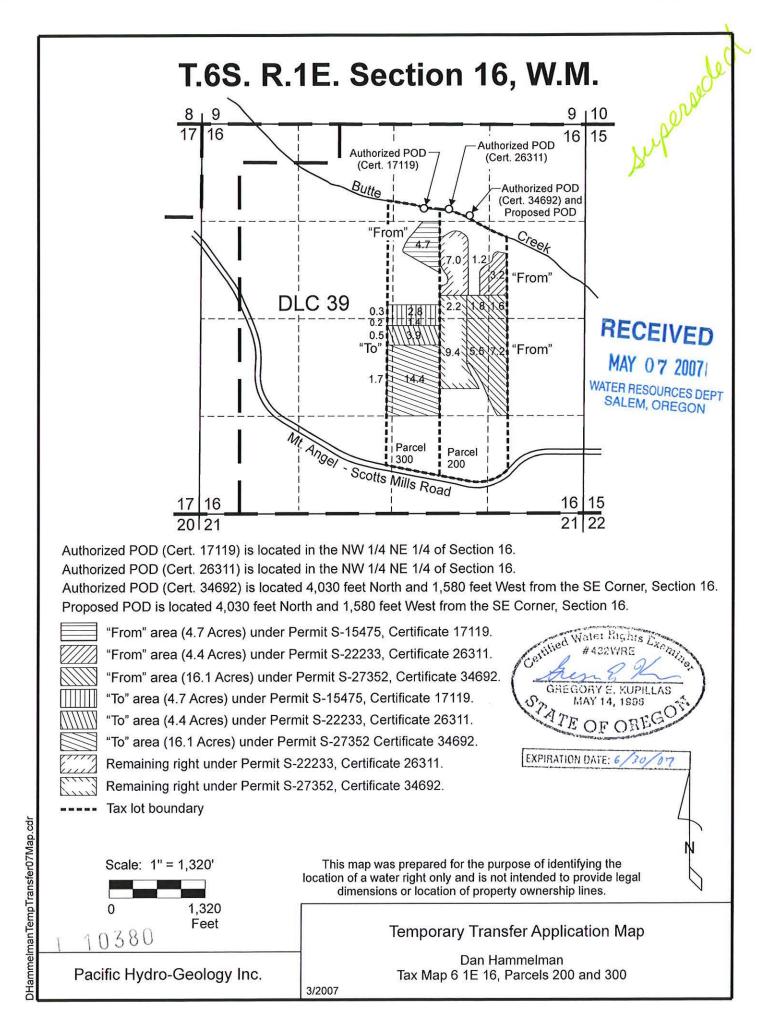
-	G . C . 3T 1 1 11 . C	0 1'6 1 21(02
	Certificate Number or other identifying number:	Certificate 34692
	Continuate i tuinout of other facility in a manifest	Continuate b 1032

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 accurating application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) \[\sum N/A - Instream Water Resolutions for (NOTE: Complete this table only if a <u>Change in Place of Use</u> is being proposed.)

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Butte Creek	6S	1E	W	16	NE SW	DLC 39	1.7
Butte Creek	6S	1E	W	16	NW SE	DLC 39	14.4
		MI					

Remarks: We propose to use the point of diversion authorized under this Certificate
(34692) for this transfer. Therefore, the change in place of use for Certificate 34692 does
not include a change in point of diversion.



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MAY 07 2007

WATER RESOURCES DEPT SALEM, OREGON



2004 Photograph per Lee Ko, NRCS/USDA Oregon City, Oregon

RECEIVED

Water Right Transfer Supplemental Form B AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)	MAY 0 7 2007/
County of Marion) ss)	WATER RESOURCES DEPT SALEM, OREGON
I,Dan Hammelman	, in my ca	apacity as farmer of the subject lands,
mailing address <u>14477 Dominic</u>	Road NE., Mt. Ange	el, OR 97362
telephone number (_503_) 845-6	6883 , being fire	st duly sworn depose and say:
1. I attest that:		
· ·	(the entire authorized place of use of the the accompanying transfer application; or
☐ The water right was leased i lease number is as follows:		within the last five years. The instream; or
☐ The water right is not subject forfeiture for non-use would		cumentation that a presumption of RS 540.610(2) is attached.
 My knowledge of the exercise 		er right is based on (check one): rofessional expertise
3 My knowledge is specific to t	he use of water at the	following locations:

Township		Range		Range		Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
6	S	1	Е	W	16	SW NE	DLC 39	7.7		
6	S	1	Е	w	16	SE NE	DLC 39	4.8		
6	S	1	Е	W	16	NW SE	DLC 39	5.5		
6	S	1	Е	W	16	NE SE	DLC 39	7.2		
п										

(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

1 10380 -1-

Affidavit Attesting to the Use of Water

	4.	The water right was exercise	sed for the authorized purpose described below (e.g., crops grown):
	<u>Irri</u>	gation of row crops.	DECENTER
		€	RECEIVED
			MAY 07 2007
			WATER RESOURCES DEPT SALEM, OREGON
	5.	The water delivery system	used to apply water as authorized by the right is described below:
	<u>Cei</u>	rtificates 26311 and 34692:	A 25 Hp pump withdraws water from Butte Creek and con-
	vey	s it through a 5" aluminum	mainline to either 3" aluminum laterals with high pressure
	spr	inklers or a Big Gun travele	er. Certificate 17119: A 10 Hp pump delivers water through
	<u>a 4'</u>	" aluminum mainline to 3"	aluminum laterals with high pressure sprinklers.
	6.	One or more of the following	ng documentation supporting the above statements is attached:
			ificate that was issued within the last five years (not a remaining
		,	ales of irrigated crops or for expenditures relating to the use of
		Records such as Farm Ser	vice Agency crop reports, irrigation district records, an NRCS records of other water suppliers,
	\boxtimes	Dated aerial photographs establish the location and	of the lands or other photographs containing sufficient detail to date of the photograph,
		Dedicated power usage re-	cords or receipts,
		Instream lease number	3
	3		
			=
(Signa	small farm.	5-4-07 Date
		Signed and sworn	to (or affirmed) before me this 4 day of May, 20 67.
		orginea and sworm	to (or affirmed) before me this 4 day of MAY, 20 67.
O DE LOS		OFFICIAL SEAL TRUDIE FLESHMAN NOTARY PUBLIC-OREGON COMMISSION NO. 414925	Juli Hutman Notary Public for Oregon
7	MY	COMMISSION EXPIRES MARCH 13, 2011	Man I am Man I am a market
			My Commission Expires: MARCH 13, 2011

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

F10380



Oregon Water Resources Department **Land Use Information Form**

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

		Dan Hammelman								
Mailing Ac	ldress: _		14477 Dominic Road NE							
City:		Mt. Ang	gel	State:	OR Z	Zip:973	62 Day Pho	ne:(503	3) 845-6883	
This appl	lication	is related	to a M	feasure 37 cl	aim. 🗆 Y	es ☑ No	R	ECEIV	ED	
ansported), or u	e follow used. A	ing infor	for m	unicipal use,	or irrigati	on uses within	WATE SA iverted (taken fi irrigation distri	R RESOURCE LEM, OREG rom its source cts may subs	S DEPT ON, conveyed	
Township	Range	Section	10r the	Tax Lot #	Plan De	quested below. signation (e.g.		to be:	Proposed Land Use:	
6S	1E	16		6 1E 16 0200		E.F.U.	☑ Diverted ☑ Co	nveyed 🗆 Use		
6S	1E	16		6 1E 16 0300		E.F.U.	□ Diverted ☑ Co	nveyed 🗵 Use		
							☐ Diverted ☐ Co			
							□ Diverted □ Co	nveyed 🗆 Use	ed	
Description	of Pro	posed L	<u>Jse</u>							
pe of application	on to be	filed wit	h the \	Vater Resour	ces Depai	tment:		ž		
□ Permit □ Allocat □ Permit	ion of C	Conserve	d Wate		mited Wa	t Transfer ter Use License odification	_	of Water		
ource of water:	□ Res	ervoir/Po	nd	□ Ground W	ater	☐ Surface W	ater (name)	Butte C	reek	
	y of wa	ter neede	d:	0.32	_ 🛭 cub	ic feet per seco	nd □ gallons	per minute	□ acre-feet	
timated quantit		d Irrigatio	on	□ Commercia		☐ Industrial	□ Domestic		household(s)	
timated quantit		□ Munici	pal	□ Quasi-mun	ıcıpal	☐ Instream	☐ Other			
tended use of w	[□ Munici			Princip		☐ Other ad conveyed to the			
tended use of w	Water w	∃ Munici	iped fro	m the point of	diversion o	on Butte Creek an		e place of use	through above-	

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

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

T

pprovals as listed in the table lready been obtained. Record	posed water uses (including proposed below. (Please attach documentation of Action/land-use decision and account all appeal periods have not one	of applicable mpanying fin	land-use approvals dings are sufficient.
Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Lan	d-Use Approval:
conditional-use permits, etc.)		□ Obtained	☐ Being pursued
		☐ Denied☐ Obtained☐	☐ Not being pursued☐ Being pursued☐
		□ Denied	☐ Not being pursued
		☐ Obtained	☐ Being pursued
		☐ Denied	☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued☐ Not being pursued
		□ Obtained	☐ Being pursued
		□ Denied	☐ Not being pursued
	special land-use concerns or make red f water below, or on a separate sheet.		ns to the Water Reso

T-10380

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

AFFIDAVIT CONSENTING TO PROPOSED WATER RIGHT TRANSFER

State of Oregon	RECEIVED
County of Marion)ss	MAY OF COL
	WATER RESOURCES DEPT SALEM, OREGON
I, Arlene Harris	
capacity as the property owner	
mailing address 18269 Mt. Angel Scotts Mills Hwy., Silverton, OR 97381	,
telephone number, duly sworn depose	and say that I
consent to the proposed change(s) to Water Right Certificate Numbers 2631	1 and 34692
as described in the Transfer Application submitted by Dan Hamme	lman,
on the property located on tax lot number 6 1E 16 0200, Section 16, Town	ship <u>6 South</u> ,
Range 1 East, W.M.	
Arlene My anne 4-14 Signature of Affiant Da	-07 te
Signature of Affiant Da	4.0
Signature of Affiant Da	te
Subscribed and Sworn to before me this 14 day of April	, 200_7
OFFICIAL SEAL ANDREA SHETLER NOTARY PUBLIC-OREGON COMMISSION NO. 403020 MY COMMISSION EXPIRES APR. 12, 2010 Notary Publ	htle ic for Oregon
My commission expires $U/12/2010$	

7-10380

	The second second		THE OWNER WHEN	NAME OF TAXABLE PARTY.
Request	ted Bv	: bmh	04\24	\2007

STATE OF OREGON)
) ss.
County of Yambill)

The above and foregoing BARGAIN AND SALE DEED was acknowledged before me by ARLENE M. HARRIS, as Trustee, this _2/4 day of September, 2000.

(SEAL)

NOTARY PUBLIC FOR OREGON
My Commission Expires: Feb 20, 2003

OFFICIAL SEAL
ELIZABETH L WALSH
NOTARY PUBLIC-OREGON
COMMISSION NO. 320197
MY COMMISSION EXPIRES FEB 20, 2003

RECEIVED WATER RESOURCES DEPT SALEM, OREGON

PAGE 2 - BARGAIN AND SALE DEED

T-10380

TRACT I - WESTENDORY PROPERTY

Beginning 20 rods North of the Northwest corner of Section 18. Township 6 South, Range 1 East of the Willamette meridian Marion County, State of Oregon; thence North 60 rods; thence East 80 rods; thence South 60 rods; thence West 80 rods to the place of beginning, situated in Section 7, Township 6 South, Range 1 East of the Willamette Meridian, Marion County, Oregon.

TRACT II - NICHOLSON PROPERTY

Beginning at a point in the middle of the County Road, 7.73 chains North of the Southwest corner of the East one half of the Donation Land Claim of Mitchell Whitlock and wife in Township 6 South, Range 1 East of the Willamette Meridian in Marion County Oregon; thence South 78°30' East 5.95 chains along the middle of said road; thence South 87°15' East 5.87 chains along the middle of the County Road; thence North 61°45' East 2.50 chains along the middle of said road; thence North 51.07 chains to the middle of Butte Creek; thence down the middle of the channel of Butte Creek to the division line between the East and West half of the Donation Land Claim of Mitchell Whitlock and wife; thence South 55.77 chains to the place of beginning, situated in the Donation Land Claim of Mitchell Whitlock and wife's Donation Land Claim; in Township 6 South, Range 1 East of the Willamette Meridian in Marion County, Oregon. aka: 18269 Mt. Angel-Scotts Mills Rd. Silverton, OR 97381

RECEIVED MAY 0 7 2007 WATER RESOURCES DEPT SALEM, OREGON

TRACT III - AUGUST & JUSTINE HARRIS PROPERTY

20.52 acres more or less, located in Section 14, Township 6 South, Range 2 West, being Lots 5 and 6 of Hayes-Labish Farms Subdivision No. 2, Marion County, Oregon.

TRACT IV - THERESA A. HARRIS PROPERTY

Beginning at a point 20 rods North of the Northwest corner of Section 18, in Township 6 South, Range 1 East of the Willamette Meridian in Marion County, State of Oregon; running thence South 140 rods; thence East 80 rods; thence North 140 rods; thence West 80 rods to the place of beginning.

SAVE AND EXCEPT from the above described premises 24 & 1/2 acres heretofore sold to F.J. Klein, S.J. Klein and C.E. Klein.

ALSO SAVE AND EXCEPT the tract of land conveyed to Marion County for road purposes by deed recorded November 25, 1960, in Volume 539, Page 673, Deed Records, Marion County, Oregon.

TRACT V - 111 "C" STREET, SILVERTON, OREGON

Beginning at a point on the South boundary line of the James Brown and wife Donation Land Claim in Township 6 South, Range 1 West of the Willamette Meridian in Marion County, Oregon, said beginning point being 10.78 chains East of the Southwest corner of said Claim; thence North 60°09' East 222.43 feet to a 3/4 inch iron pipe; thence North 34°42'30" West 232.15 feet to a half-inch iron pipe on the Southeasterly right of way line of Marion County Market Road No. 34, also known as "C" Street; thence by 6°12' curve to the right along the Southeasterly right of way line of said road, having a radius of 925.25 feet a chord bearing South 49°52'30" West 185.00 feet to a point of tangent on the South edge of bridge abutment; thence South 56°09' West 21.00 feet, more or less, to the center of Silver Creek as described in deeds to Jonas J. Byberg and wife, recorded April 29, 1941, in Book 258, Page 601, Deed Records of Marion County, Oregon, and recorded June 15, 1943, in Volume 287, Page 584, Deed Records of Marion County, Oregon; thence upstream in the middle of Silver Creek a distance of 193.00 feet, more or less, to the place of beginning, and being a portion of the James Brown Donation Land Claim in Section 34, Township 5 South, Range 1 West of the Willamette Meridian in Marion County, Oregon.

PAGE 1 - EXHIBIT "A" - BARGAIN & SALE DEED - HARRIS

F10380

TOGETHER WITH an easement 20.00 feet in width extending from North Water Street adjacent to the South boundary line of the herein described property for the purposes of a sewer and water line. Grantee shall have the right to repair, replace and install said sewer and water line at it's expense, as set-forth in Deed from Jonas J. Byberg and Marie N. Byberg, husband and wife, to Canadian-American Resorts, Inc., an Oregon Corporation recorded July 17, 1981, in Reel 255, Page 1935, Microfilm Records of Marion County,

TRACT VI - APPROXIMATELY 75 ACRES

East one-half of the Northeast one-fourth of Section 16, in Township 7 South, Range 2 East of the Willamette Meridian, in Marion County, Oregon.

TRACT VII - SHARP PROPERTY

All that part of the following described tract of land lying North and West of the creek running from Howell Prairie; The East half of the Southeast quarter and the East half of the West half of the Southeast quarter of Section 7, in Township 6 South, Range 1 West of the Willamette Meridian in Marion County, Oregon.

AND ALSO, the following tract commencing at the Northwest corner of the above described tract; thence West forty rods, three rods wide (lying adjacent on the South); thence North to the Howell Prairie road three rods wide; (lying adjacent on the West.)

ALSO: Beginning at the re-entrant corner in the South boundary of the Donation Land Claim of William Parker, being Claim No. 49 in Township 6 South, Range 1 West of the Willamette Meridian in Marion ATER RESOURCES OF Southeast corner of said claim, and thence running East 10.00 chains; thence South 4.83 chains; thence West 20.00 chains; thence North 4.83 chains; thence East 10.00 chains to a point of beginning.

ALSO: Beginning 40.75 chains West and 75 links South of the 1/4 section corner on the line between Sections 7 and 8 in Township 6 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; thence West 75 links: thence North 64 1/4° West 3.94 chains to the center of the Howell Prairie and Parkersville road; thence North 34 1/2° East 7.78 chains along said road to the Southwest corner of a strip of land 75 links wide owned by said V. Watier; thence South 8.19 chains to the place of beginning.

ALSO: The following described tract of land; a three cornered strip beginning 30 chains West 75 links South of the 1/4 section corner on the line between Sections 7 and 8 in Township 6 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; thence South 1.75 chains thence North 45° West 2.48 chains; thence East 1.75 chains to the place of beginning.

TRACT VIII - MANNING PROPERTY

Beginning at the Northwest corner of Government Lot 4 in Section 7, Township 6 South, Range 1 West, Marion County, Oregon, said point being in the North line of property conveyed to Norbert and Katherine Schmitz, recorded May 27, 1983, in Reel 311, Page 1388, Marion County Records; thence West 10 chains to the most Southerly Southwest corner of William Parker Donation Land Claim; thence continuing West 10 chains to the Southwest corner of property conveyed to James F. and Anita B. Manning by deed recorded December 9, 1959, in Volume 529, Page 256; thence North 15.00 feet to a point; thence Easterly to the point of beginning.

PAGE 2 - EXHIBIT "A" - BARGAIN & SALE DEED - HARRIS

RECEIVED MAY 07 2007/

REEL:1721

PAGE: 683

September 27, 2000, 11:16 am.

CONTROL #: 18748

State of Oregon County of Marion

RECEIVED
MAY 0 7 2007
WATER RESOURCES DEPT
SALEM, OREGON

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

FEE: \$ 41.00

ALAN H DAVIDSON COUNTY CLERK

THIS IS NOT AN INVOICE.

REEL PAGE 1721 683

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that Arlene M. Harris, surviving Trustee of the Richard D. Harris Trust created by that certain Trust Agreement dated the 22nd day of April, 1999, by and between Richard D. Harris (deceased), as Trustor, and Richard M. Harris and Arlene M. Harris, as initial Trustee, hereinafter referred to as "GRANTOR," for the consideration hereinafter stated, does hereby GRANT, BARGAIN, SELL and CONVEY unto Arlene M. Harris, hereinafter referred to as "GRANTEE," and unto Grantee's successors and assigns, all of Grantor's interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Marion, State of Oregon, described as follows, to-wit: RECEIVED

See attached Exhibit A

SUBJECT TO: All liens, encumbrances, easements and restrictions of record. SALEM, ORECONDENT

SALEM, OREGON To have and to hold the same unto the said Grantee and Grantee's successors and assigns forever.

The true and actual consideration for this transfer stated in terms of dollars is none; however, the actual consideration consists of or includes other property or value given or promised, which is the whole consideration.

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.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 2/ day of

September, 2000.

Arlene M. Harris, Trustee

After Recording Return to: Peterson & Prause L.L.P. P.O. Box 827 McMinnville, Oregon 97128

Until a change is requested, all tax statements shall be sent to the following address: No change results from this transfer.

PAGE 1 - BARGAIN AND SALE DEED

F10380

AFFIDAVIT CONSENTING TO PROPOSED WATER RIGHT TRANSFER

State of Oregon)	RECEIVED
County of Marion)ss	MAY OF SOL
	WATER RESOURCES DEPT SALEM, OREGON
I,Jake Kyllo	in my
	m my
capacity as property owner	
mailing address 17879 Mt. Angel Scotts Mills Hwy., Silverton, OR 97381	• ×
telephone number (503) 873-3648, duly sworn depose and	say that I
consent to the proposed change(s) to Water Right Certificate Number 17119	as
described in the Transfer Application submitted by Dan Hammelman	 ;
on the property located on tax lot number 6 1E 16 0300, Section 16, Township	6 South,
Range 1 East, W.M.	
Signature of Affiant 5/4/07 Date	45
Signature of Affiant Date	
Subscribed and Sworn to before me this day of	,200 <u>7</u> .
OFFICIAL SEAL TRUDIE FLESHMAN NOTARY PUBLIC-OREGON COMMISSION NO. 414925 COMMISSION EXPIRES MARCH 13, 2011 My commission expires March 13 20	or Oregon

T-10380



After Recording, Return to: Jake Kyllo 17879 Mt Angel Scotts Mills Rd, N. Silverton OR 97381

Until a change is requested, tax statements shall be sent to the following address:

Jake Kyllo

17879 Mt Angel Scotts Mills Rd, N
Silverton OR 97381

STATUTORY WARRANTY DEED

(Individual)

Reel Page 2535 55

RECEIVED

MAY 0.7 2007

WATER RESOURCES DEPT SALEM, OREGON

(Above Space Reserved for Recorder's Use)

Lawrence W. Michael, Trustee of the Lawrence W. Michael Family Trust, signed the 9th day of October, 1991 conveys and warrants to Jake Kyllo, individual

the following described real property in the State of Oregon and County of Marion free of encumbrances, except as specifically set forth herein:

See Attached Exhibit "A"

Tax Account Number(s): R37454 and R37453

This property is free of encumbrances, EXCEPT:

Covenants, conditions, restrictions, rights of way, easements and reservations now of record and the 2005-06 taxes which are a lien but not yet payable.

The true consideration for this conveyance is \$475,000.00

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.

DATED this ____ day of September, 2005.

Lawrence W. Michael, Trustee

STATE OF OREGON, COUNTY OF Clackamas)ss.

The foregoing instrument was acknowledged before me this

Lawrence W. Michael, Trustee, of the Lawrence W. Michael Family Trust, signed the 9th day of October, 1991, on behalf of the Trust.

Notary Public for Oregon
My Commission Expires: 04-14-08

OFFICIAL SEAL
S D S DE WOLF
NOTARY PUBLIC-OREGON
COMMISSION NO. 378578
MY COMMISSION EXPIRES APR 16, 2008

Order No.: 44y0036379eo

Order No. 88g0093324 r

EXHIBIT "A" Legal Description

A tract of land situated in Section 16, Township 6 South, Range 1 East, of the Willamette Meridian, in the County of Marion and State of Oregon, described as follows:

Beginning at a point in the center of a county road which is 1.32 chains West and 10.01 chains North of the one-quarter section corner between Sections 16 and 21, in Township 6 South, Range 1 East, of the Willamette Meridian, in the County of Marion County and State of Oregon; thence North 54.10 chains to the center of Butte Creek; thence South 80° East, 5.70 chains; thence South 87° 43' East, 5.44 chains; thence South 55.21 chains to the center of the county road; thence North 80° 15' West along the center of said road 9.25 chains; thence North 65° 47' West, 2.00 chains to the place of beginning.





REEL:2535

PAGE: 55

September 12, 2005, 11:42 am.

CONTROL #: 149920

State of Oregon County of Marion

RECEIVED
MAY 0 7 2007
WATER RESOURCES DEPT
SALEM, OREGON

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

FEE: \$ 31.00

BILL BURGESS COUNTY CLERK

THIS IS NOT AN INVOICE.

7-10380