

T-10411

T-10411

Name Meduri Farms

By _____

Address PO Box 636Dallas OR 97338503 623-0308 503 930-8802 FaxChange in APDADate filed 6-20-2007

Date of hearing _____

Place of hearing _____

Date of order 5-18-10 Vol. 80, page 989

Date for application of water _____

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream WellsTrib. of D. Santiam River County of Linn/MarionUse PR

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 1957, 1962, 1987, 1959In name of William Uppstad Kenneth Cunningham

_____ Adjudication, Vol. _____, page _____

App. No. _____ Per. No. _____ Cert. No. _____

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>6-20-07</u>	<u>350.00</u>	<u>88223</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

APP	per	Cert
G-751	G-651	28351
G-2289	G-2113	33450
G-11651	G-10727	65496
G-1644	G-1501	30688

REMARKS

NOTED / CURE: James Schuette #117

Linn & Marion County Planning Commissions

CLO / RLO: Kenneth & Mary Cunningham 36307 Jefferson - Scio OR Jefferson OR 97352

Public Notice 6/26/2007



Oregon

John A. Kitzhaber, MD, Governor

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

July 21, 2011

MEDURI FARMS INC
D JUSTIN MEDURI
PO BOX 636
DALLAS OR 97338

Reference: Transfer Application T-10411

Enclosed is a copy of the Special Order Volume 84, Page 803 signed on July 20, 2011. The points of appropriation authorized under T-10411 are reverted to the points of appropriation authorized under the water rights prior to the transfer. The diminution of 4.3 acres of the right previously evidenced by Certificate 65496 from primary irrigation to supplemental irrigation is confirmed. Enclosed are the new superseding Certificate #87141, 87142, 87143 and 87144.

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

Sincerely,

Jonnine Skaug
Executive Support

cc: Watermaster Dist. # 16
James Schuette, CWRE
Kenneth & Mary Cunningham

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	ORDER REVERTING POINTS OF
T-10411, Linn County, Oregon	)	APPROPRIATION AND
	)	CONFIRMING A PARTIAL
	)	DIMINUTION OF A WATER RIGHT

Authority

OAR 690-380-6010(6) provides that a point of diversion or appropriation shall revert to the last authorized point of diversion or appropriation if the changes authorized under a transfer are not completed.

Applicant

MEDURI FARMS INC.
D. JUSTIN MEDURI
P.O. BOX 636
DALLAS, OR 97338

Findings of Fact

1. On June 20, 2007, D. Justin Meduri of Meduri Farms filed an application to add an additional point of appropriation under Certificates 28351, 30688, 33450, and 65496. The Department assigned the application number T-10411.
2. On May 18, 2010, the Water Resources Department issued an order approving the proposed additional point of appropriation and a diminution of 4.3 acres under Certificate 65496 from primary irrigation to supplemental irrigation. The order was recorded in Special Order Volume 80, Page 989.
3. On July 19, 2011, Jason Meduri of Meduri Farms notified the Department that the additional point of appropriation authorized under T-10411 would not be completed and requested that the authorized points of appropriation revert back to the original points of appropriation, being Wells #3, #4, #5 and #6.

Now, therefore, it is ORDERED:

1. The points of appropriation authorized under Application T-10411 are reverted to the points of appropriation authorized under the water rights prior to the transfer.

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

2. The diminution of 4.3 acres of the right previously evidenced by Certificate 65496 from primary irrigation to supplemental irrigation is confirmed.
3. Superseding certificates for the rights affected by the transfer shall be issued.

Dated at Salem, Oregon this 20 day of July, 2011


Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

JUL 21 2011

Mailing date: _____

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH E. AND MARY M. CUNNINGHAM
36307 JEFFERSON SCIO DR.
JEFFERSON, OR 97352

confirms the right to use the waters of UPPSTAD WELL #3, tributary to the NORTH SANTIAM RIVER for IRRIGATION of 33.2 ACRES.

This right was perfected under Permit G-651. The date of priority is SEPTEMBER 5, 1957. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.43 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of appropriation is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
10 S	2 W	WM	8	SW SW	5	925 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 8

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
10 S	2 W	WM	8	NW SW	5	1.8
10 S	2 W	WM	8	SW SW	5	31.2
10 S	2 W	WM	8	SE SW	6	0.2

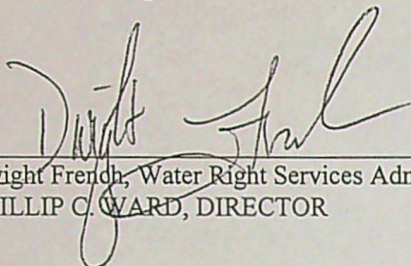
This certificate is issued in accordance with OAR 690-380-6010 to describe the water right for a ~~new~~ completed change in point of diversion approved by an order of the Water Resources Director entered JUL 20 2011, at Special Order Volume 84, Page 989, approving Transfer Application T-10411 and supersedes Certificate 28351, State Record of Water Right Certificates.

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

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

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

WITNESS the signature of the Water Resources Director, affixed JUL 20 2011.


Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH E. AND MARY M. CUNNINGHAM
36307 JEFFERSON SCIO DR.
JEFFERSON, OR 97352

confirms the right to use the waters of UPPSTAD WELL 5, tributary to the NORTH SANTIAM RIVER for IRRIGATION of 50.7 ACRES.

This right was perfected under Permit G-2113. The date of priority is APRIL 10, 1962. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.63 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of appropriation is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
10 S	2 W	WM	8	SW SE	7	1010 FEET NORTH AND 3110 FEET EAST FROM THE SW CORNER OF SECTION 8

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
10 S	2 W	WM	8	SW SW	5	2.4
10 S	2 W	WM	8	SE SW	6	12.4
10 S	2 W	WM	8	NW SE	8	8.4
10 S	2 W	WM	8	SW SE	7	27.5


This certificate is issued in accordance with OAR 690-380-6010 to describe the water right for a non-completed change in point of diversion approved by an order of the Water Resources Director entered JUL 20 2011, at Special Order Volume 80, Page 989, approving Transfer Application T-10411 and supersedes Certificate 33450, State Record of Water Right Certificates.

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

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

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

WITNESS the signature of the Water Resources Director, affixed JUL 20 2011.


A handwritten signature in dark ink, appearing to read "Dwight French", is written over a horizontal line.

Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH E. AND MARY M. CUNNINGHAM
36307 JEFFERSON SCIO DR.
JEFFERSON, OR 97352

confirms the right to use the waters of WELL 6, tributary to the NORTH SANTIAM RIVER for IRRIGATION of 47.0 ACRES and SUPPLEMENTAL IRRIGATION of 4.3 ACRES.

This right was perfected under Permit G-10727. The date of priority is MAY 12, 1987. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.64 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The point of appropriation is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
10 S	2 W	WM	8	SE SW	3	850 FEET NORTH AND 2050 FEET EAST FROM THE SW CORNER OF SECTION 8

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use of water shall be limited when it interferes with the prior surface water rights of others.

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

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
10 S	2 W	WM	8	NE SW	5	3.40
10 S	2 W	WM	8	NE SW	3	6.80
10 S	2 W	WM	8	NW SW	5	1.08
10 S	2 W	WM	8	SW SW	3	1.70
10 S	2 W	WM	8	SW SW	5	2.92
10 S	2 W	WM	8	SE SW	5	1.90
10 S	2 W	WM	8	SE SW	6	2.30
10 S	2 W	WM	8	SE SW	3	20.10
10 S	2 W	WM	8	NW SE	3	1.30
10 S	2 W	WM	8	NW SE	8	4.10
10 S	2 W	WM	8	SW SE	7	1.40

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

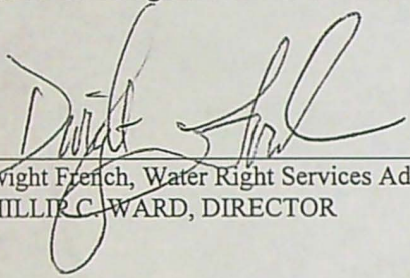
SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
10 S	2 W	WM	8	NW SW	5	0.62
10 S	2 W	WM	8	SW SW	5	3.48
10 S	2 W	WM	8	SE SW	5	0.20

This certificate is issued in accordance with OAR 690-380-6010 to describe the water right for a non-completed change in point of diversion approved by an order of the Water Resources Director entered JUL 20 2011, at Special Order Volume 80, Page 989 which approved Transfer Application T-10411 and also a diminution of 4.3 acres from primary to supplemental irrigation. This certificate supersedes Certificate 65496, State Record of Water Right Certificates.

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

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

WITNESS the signature of the Water Resources Director, affixed JUL 20 2011.


 Dwight French, Water Right Services Administrator, for
 PHILLIP C. WARD, DIRECTOR

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH E. AND MARY M. CUNNINGHAM
36307 JEFFERSON SCIO DR.
JEFFERSON, OR 97352

confirms the right to use the waters of UPPSTAD WELL NO. 4, tributary to the SANTIAM RIVER for IRRIGATION of 34.0 ACRES.

This right was perfected under Permit G-1501. The date of priority is DECEMBER 16, 1959. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.43 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of appropriation is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
10 S	2 W	WM	8	SE SE	10	625 FEET NORTH AND 4325 FEET EAST FROM THE SW CORNER OF SECTION 8

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
10 S	2 W	WM	8	NE SE	9	10.4
10 S	2 W	WM	8	NW SE	8	6.0
10 S	2 W	WM	8	SW SE	7	8.4
10 S	2 W	WM	8	SE SE	10	9.2

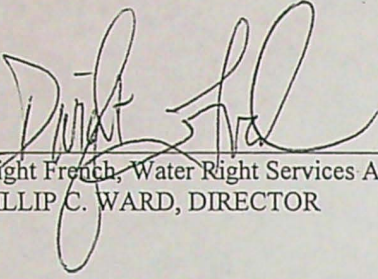
This certificate is issued in accordance with OAR 690-380-6010 to describe the water right for a non-completed change in point of appropriation approved by an order of the Water Resources Director entered JUL 20 2011, at Special Order Volume 80, Page 989, approving Transfer Application T-10411 and supersedes Certificate 30688, State Record of Water Right Certificates.

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

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

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

WITNESS the signature of the Water Resources Director, affixed JUL 20 2011.

A handwritten signature in black ink, appearing to read "Dwight French", is written over a horizontal line.

Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

Water Right Transfer Checklist

Ken Downen → Kara

Transfer T-10411

Transfer Specialist: NW Region Drawer

Transfer Type: Regular

Applicant Name/Address: Meduri Farms, PO Box 636; Dallas, OR 97338

Agent Name/Address: NONE

CWRE Name/Number: James Schuette #117

Rec Landowner Name/Address: Kenneth & Mary Cunningham; 36307 Jefferson-Scio Drive; Jefferson OR 97352

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: NONE

Commentors: Name/Address: NONE

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	G 751	G 651	28351	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	G 2289	G 2113	33450	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	G 11651	G 10727	65496	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	G 1644	G 1501	30688	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: <u>06/20/2007</u>	Proposed Action(s): POU POD HST APOD USE OTHER: APOA	
Fees Pd: <u>350.00</u>	WM District: <u>16</u>	ODFW District: <u>NONE</u>
Initial Notice: <u>06/26/2007</u>	WM Review sent: <u>06/22/07</u>	ODFW Review sent: <u>NONE</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <u>06/22/07</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

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

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

☒ Electronic Files uploaded

☒ Preliminary Determination

☒ PD Cover letter

☐ Fee Refund Due

☒ PD Notice

☐ Remaining Rights

☐ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <u>KBM</u>	Reviewer: <u>PKS</u>
Date: _____	Date: <u>3/3/10</u>	Date: <u>5/14/10</u>
Coordinator: _____	Coordinator: <u>AKP</u>	Coordinator: _____
Date: _____	Date: <u>3/3/10</u>	Date: _____

Comments/Special Issues: APOA

Special Order Volume: Vol 60

Pages 989

Final Order Signature Date: MAY 18 2010

Notice of FO email'd to processors Ken/mike/Kelley

Application

- ☒ The type of change is clearly indicated.
- ☒ The application is appropriately signed. *? D. JOSEPH MOURI IS MANAGER.*
- ☒ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
- ☒ Land use form matches affected tax lots and is signed by proper official. *(from ALL affected Govt's)*
- ☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- ☒ All required attachments received.

Water right subject to transfer

- ☒ Certificated right or Proof accepted "to the satisfaction...."
- ☒ The right been exercised according to terms & conditions of certificate.
- ☒ Delivery system has the capacity to fully divert the rate/duty of the right.
- ☒ No information in record that suggests forfeiture.
- ☒ No conflicts identified on the plat cards and plat card reports printed.
- ☒ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☒ The map has an original CWRE signature.
- ☒ The map size and scale accurate and 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/POA's are properly described on the map.
- ☒ The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.
- ☒ Map acres match the tabulation on the certificate.
- ☐ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
- ☐ Have necessary aerial photos.

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

- ☒ Only the authorized POD's/POA's and POU's to be transferred are listed.
- ☒ Application & certificate tabulations match. *(Mark on appl. and cert. copies and note corrections needed)*
- ☒ Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4. *Acc*

Ownership

- ☒ The deed/ROLI matches the "from" lands. *(Don't need to check "to" lands.)*
- ☒ Have current tax lot map. *(If transfer application is several years old, contact assessor's office)*
- NO* ☐ The applicant is the owner of the "from" lands. *? no deed. REC'D CMW OWNERSHIP INFO and*
- ☐ All owners on the deed/ROLI have signed the application.
- ☒ If necessary, there is a notarized, signed statement of consent from landowners other than applicant. *✓*
- ☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- ☐ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|--|--|---|---|---|
| <input checked="" type="checkbox"/> application complete | <input checked="" type="checkbox"/> map | <input type="checkbox"/> FPS | <input checked="" type="checkbox"/> evidence of use | <input checked="" type="checkbox"/> land-use form |
| <input type="checkbox"/> deed/ROLI | <input checked="" type="checkbox"/> certificates | <input checked="" type="checkbox"/> fees paid | <input checked="" type="checkbox"/> well logs | <input checked="" type="checkbox"/> plat card |
| <input type="checkbox"/> audit | <input checked="" type="checkbox"/> dpd | | | |

- Reviews/comments/conditions received? ☐ Watermaster ☐ ODFW ☐ GW
- Headgate ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintain
- Measuring Devices ☐ When in the judgment ☒ Prior to diverting ☐ Existing and maintain
- Injury: Y *N* Enlargement: Y *N*

Conditions to avoid enlargement/injury -
drill new well into same aquifer

JMS ENGINEERING

Jim Schuette, P.E.

CONSULTANT CIVIL ENGINEER

CERTIFIED WATER RIGHTS EXAMINER

3000 Market St. N.E., Suite 426

Salem, Oregon 97301

Tele: 503.559.1146

Email: jmsengineering@qwestoffice.net

July 12, 2011

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

Re: Meduri Farms T-10411

Gentlemen;

This is to inform you that the additional Point of Appropriation(POA)-new well-applied for under the subject transfer will not be proved up on. Therefore I am requesting that the original water rights covered under said transfer-revert back to their original POA's IE: wells #3, 4, 5, & 6.

Please issue revision certificates for the original water rights at your earliest convenience as we will soon be re-filing a new transfer over the said property covered by the original water rights. The new transfer will apply to changes on all existing wells plus a new point of appropriation.

If you have any questions concerning this request, please contact my agent-Jim Schuette CWRE for any information.

Yours truly,



Justin Meduri-Meduri Farms

RECEIVED

JUL 19 2011

WATER RESOURCES DEPT
SALEM, OREGON

LINN County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2011

July 19, 2011 3:57:51 pm

Account # [REDACTED] Map # 10S02W08-00-00100 Code - Tax # 14015-34914 14017-925927 Legal Descr Metes & Bounds - See legal report for full description. Mailing Name CUNNINGHAM KENNETH E & MARY M Agent In Care Of Mailing Address 36307 JEFFERSON SCIO DR JEFFERSON, OR 97352-9302	Tax Status ASSESSABLE Acct Status ACTIVE Subtype NORMAL Deed Reference # 2009-17916 Sales Date/Price 10-13-2009 / \$0 Appraiser UNKNOWN
--	--

Prop Class	551	MA	SA	NH	Unit
RMV Class	501	02	00	000	3307-1

Situs Address(s)	Situs City
ID# 1 36307 JEFFERSON SCIO DR	JEFFERSON

Value Summary					
Code Area		AV	RMV	RMV Exception	CPR %
14015	Land	1,090	5,420	Land	0
	Impr.	0	0	Impr.	0
	Code Area Total	1,090	5,420		0
14017	Land	224,460	1,119,810	Land	0
	Impr.	249,650	288,300	Impr.	0
	Code Area Total	474,110	1,408,110		0
	Grand Total	475,200	1,413,530		0

Land Breakdown											
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	Irr Class	Irr Size
14015	1	R			Farm Use Zoned	100	A	1.24	2I		
					Code Area Total			1.24			0.00
14017	11	R			Farm Site	100	A	2.00			
14017	1	R			Farm Use Zoned	100	A	188.80	2I		
14017	2	R			Farm Use Zoned	100	A	45.85	3I		
14017	3	R			Farm Use Zoned	100	A	13.94	4I		
14017	4	R			Farm Use Zoned	100	A	10.85	7		
					Code Area Total			261.44			0.00
					Grand Total			262.68			0.00

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown		Total Sq. Ft.	Ex%	MS Acct #	Trended RMV
						TD%				
14017	100	1935	133	RES Two story		100	2,232			96,510
14017	101	0	110	Residential Other Improvements		100	0			820
14017	102	0	300	Farm Bldg		100	1,800			2,120
14017	103	0	300	Farm Bldg		100	1,740			7,200
14017	104	0	300	Farm Bldg		100	1,800			12,420
14017	105	0	300	Farm Bldg		100	1,500			12,310
14017	106	0	300	Farm Bldg		100	2,800			11,010
14017	200	1977	131	RES One story		100	1,593			109,790
14017	201	0	110	Residential Other Improvements		100	0			2,500
14017	301	1995	300	Farm Bldg		100	1,500			21,110
14017	302	0	300	Farm Bldg		100	2,120			12,510
Grand Total							17,085			288,300

Exemptions/Special Assessments/Potential Liability					
Code Area	Type		Amount	0	Tax
14015	NOTATION(S):				
	■ POT'L ADD'L TAX LIABILITY ADDED 2009			0	0
14017					

Account #

NOTATION(S):

■ POT'L ADD'L TAX LIABILITY ADDED 2009

Amount

0 Tax

0

Comments:

***** CAP NOTE - Type R *****

1999MX:PROPERTY DAMAGE FROM FLOOD,APPLICATION FOR PRORATION OF PROPERTY TAXES
PROCESSED FOR 1995. CHECK FOR ANY CHANGES 1999MX. CHECK WITH OWNERS
TO MAKE LAND VALUE REFLECT SITUATION AS OF JAN 1,1999 FOR THE 1999 ROLL,
FIND OUT IF NO CHANGE FROM LAST YEAR OR GET ACREAGE OF FLOOD DAMAGE THAT
MAY BE TEMPORARY OR PERMANENT.HAS MORE LAND BEEN REPAIRED & RETURNED TO
PRODUCTION FROM CLASS 7 SOIL(NONTILLABLE)?HAS MORE LAND BEEN PUT UNDER
IRRIGATION?....I SENT AN ASSESSMENT REPORT DATED 1998 SO THEY CAN
COMPARE WITH THEIR RECORDS,THEN THEY WILL CONTACT US WITH INFO.DUS 8/99
I HAD PREVIOUSLY CALLED FOR SAME INFO DUS 6-16-99.1999 FLAG REMOVED,
OWNERS HAVE NOT CONTACTED THIS OFFICE,SO MADE NO CHANGE FOR 99 & 2000.
DUS 9-13-99..00&01MX:NO CHNG,SAW EXT, OWNRS HAVEN'T CONTACTED US.DUS1/01
2002MX:N/V MINT EQ SEE X NOTE.

7/13/2010: LLA W/TL 400, MOVED 173.22AC. 7/10 NB

***** CAP NOTE - Type X *****

95: SEQUENCE 0301 FOR NEWER GPB

97: SEQ 300 MINT EQUIPMENT WAS 3560 FOR 1996,NOW FOR 1997 ITS 3130,NO VALUE
INCREASE.3/97

1998MX:MINT EQUIP TO \$2910.NO CHANGE IN REAL PPTY REPORT.DUS 1/99

2002MX:PER REAL PPTY FORM MINT EQ OF NO VALUE 2002 DUS4/02

REC'D JAN 12 2010

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT CERTIFICATE**

State of Oregon)
) ss
County of Marion

We, **Kenneth E. & Mary M. Cunningham** residing at **36307 Jefferson-Scio Dr., Jefferson, Oregon, 97352**, telephone number **541-327-3859**, being first duly sworn depose and say:

1. We are the legal owner(s) of the property described as tax lot number 100, within the SW 1/4, Section 8, Township 10 South, Range 2 West, of the Willamette Meridian, in Linn County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. A portion of water right certificate number 65496 issued to KENNETH E. CUNNINGHAM, with a date of priority of May 12, 1987 for use of 1/80 cubic foot per second of water from Well #6, within the North Santiam River Basin, for the purpose of irrigation of 4.30 acres is appurtenant to our property; and is not subject to ORS 540.610, forfeiture;
3. The portion of the water right shown on the attached map to be diminished to supplemental irrigation for an underlying primary water right in like amount is described as follows:

The right to the use of 1/80 of one cubic foot per second of water per acre from Well #6 for irrigation of 4.30 acres is located:

Lot 5 (NW1/4 SW1/4) 0.62 acres
Lot 5 (SW1/4 SW1/4) 3.48 acres
Lot 5 (SE1/4 SW1/4) 0.20 acres
Section 8
Township 10 South, Range 2 West, W.M.; and

4. We request the portion of the water right described above be diminished to supplemental irrigation.

Kenneth E. Cunningham
Signature of legal owner as listed on deed, or authorized agent

1-8-10
Date

Mary M. Cunningham
Signature of legal co-owner as listed on deed
(if applicable)

1-8-10
Date

Subscribed and Sworn to Before Me this 8th day of January, 2010.



Gloria K. Harms
Notary Public for Oregon

My Commission Expires May 10, 2011

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE WATER RIGHT AND/OR LANDS TO BE DIMINISHED CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.

ATTACHMENT 1 - PROPERTY DEED
ATTACHMENT 2 - DIMINISHED ACRES MAP
Affidavit-Partial Diminishment

Ken E. & Mary M. Cunningham
36307 Jefferson-Scio Drive
Jefferson, OR 97352
Grantor's Name and Address
Ken E. & Mary M. Cunningham
36307 Jefferson-Scio Drive
Jefferson, OR 97352
Grantee's Name and Address
After recording, return to (Name, Address, Zip):
Ken E. & Mary M. Cunningham
36307 Jefferson-Scio Drive
Jefferson, OR 97352
Until requested otherwise, send all tax statements to (Name, Address, Zip):
Ken E. & Mary M. Cunningham
36307 Jefferson-Scio Drive
Jefferson, OR 97352

REC'D JAN 12 2010

LINN COUNTY, OREGON 2009-17916
B-LOT
Cnt=1 Stn=7 S. WILSON 10/13/2009 02:25:11 PM
\$25.00 \$15.00 \$9.00 \$10.00 \$59.00



00120380200900179160050052

SPACE RESEI
FOR
RECORDER'S

I, Steve Druckenmiller, County Clerk for Linn
County, Oregon, certify that the instrument
identified herein was recorded in the Clerk
records.

Steve Druckenmiller - County Clerk



NAME

TITLE

By _____ Deputy.

WARRANTY DEED / Property Line Adjustment

KNOW ALL BY THESE PRESENTS that Kenneth E. and Mary M. Cunningham, husband and wife

hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by Kenneth E. and Mary M. Cunningham husband and wife.

hereinafter called grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Linn County, State of Oregon, described as follows, to-wit:

See attached Exhibit A for property description

See attached Exhibit B for restrictive covenant per Linn County Planning and Building Department conditions of approval in File No. PD09-0048

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except (if no exceptions, so state):

and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances. Property Line Adjustment

The true and actual consideration paid 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 part of the (indicate which) consideration. (The sentence between the symbols P, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In witness whereof, the grantor has executed this instrument on October 13, 2009; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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

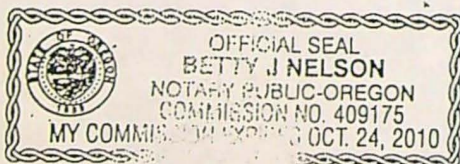
STATE OF OREGON, County of Linn ss.

This instrument was acknowledged before me on October 13, 2009 by Kenneth E. Cunningham

This instrument was acknowledged before me on October 13, 2009 by Mary M. Cunningham

as _____

of _____



Notary Public for Oregon

My commission expires October 24, 2010

REC'D JAN 12 2010

EXHIBIT A
PROPERTY DESCRIPTION

AREA "B" CS 25118
TAX LOT 100 AFTER ADJUSTMENT

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 10 SOUTH AND RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; THENCE NORTH 00°02'53" WEST ON THE WEST BOUNDARY OF SAID SECTION 8, 30.00 FEET TO A 5/8 INCH IRON ROD ON THE NORTHERLY RIGHT-OF-WAY OF JEFFERSON-SCIO DRIVE AND THE **POINT OF BEGINNING** FOR THIS DESCRIPTION; THENCE ON SAID WEST BOUNDARY NORTH 00° 02' 53" WEST 1090.99 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE LEAVING SAID WEST BOUNDARY NORTH 66° 48' 25" EAST 342.31 FEET TO 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 59° 43' 53" EAST 182.82 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 83° 42' 27" EAST 329.60 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 73° 09' 16" EAST 194.80 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 65° 32' 21" EAST 118.81 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 60° 05' 32" EAST 86.72 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 43° 24' 47" EAST 249.54 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 60° 34' 08" EAST 70.11 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 84° 45' 47" EAST 135.11 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 65° 35' 51" EAST 103.68 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 83° 49' 31" EAST 274.27 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 87° 21' 45" EAST 152.65 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 86° 58' 04" EAST 183.51 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 74° 50' 39" EAST 358.45 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 80° 23' 04" EAST 273.25 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 52° 25' 14" EAST 74.77 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 59° 08' 55" EAST 979.04 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 71° 41' 56" EAST 324.85 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 74° 20' 44" EAST 102.35 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 79° 35' 20" EAST 418.52 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 84° 43' 21" EAST 156.13 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 74° 07' 36" EAST 227.64 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED

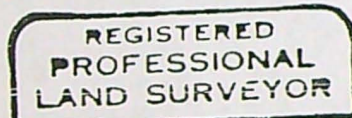
REC'D JAN 12 2010

BATEMAN LS 1068; THENCE NORTH 71° 17' 58" EAST 210.67 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 85° 45' 29" EAST 169.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068 AND THE EAST BOUNDARY OF SAID SECTION 8; THENCE ON SAID EAST BOUNDARY SOUTH 00° 23' 15" EAST 244.81 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068 ON THE NORTH BOUNDARY OF THE WILLIAM A. STARKWEATHER DONATION LAND CLAIM (DLC) NO .62; THENCE LEAVING SAID EAST BOUNDARY AND ON SAID NORTH BOUNDARY SOUTH 89° 55' 29" EAST 452.20 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068 AT THE NORTHWEST CORNER OF THE PROPERTY DESCRIBED IN BOOK B PAGE 415 LINN COUNTY DEED RECORDS; THENCE LEAVING SAID NORTH BOUNDARY AND ON THE WEST BOUNDARY OF SAID PROPERTY SOUTH 00° 23' 27" EAST 2632.68 FEET TO SAID NORTHERLY RIGHT-OF-WAY; THENCE LEAVING SAID WEST BOUNDARY AND ON SAID NORTHERLY RIGHT-OF-WAY SOUTH 89° 38' 43" WEST 987.13 FEET; THENCE 390.13 FEET ON THE ARC OF A 924.93 FOOT RADIUS CURVE TO THE RIGHT (THE LONG CHORD OF WHICH BEARS NORTH 78° 16' 16" WEST 387.25 FEET); THENCE NORTH 66° 11' 15" WEST 398.26 FEET; THENCE 413.59 FEET ON THE ARC OF A 984.93 FOOT RADIUS CURVE TO THE LEFT (THE LONG CHORD OF WHICH BEARS NORTH 78° 13' 01" WEST 410.56 FEET); THENCE SOUTH 89° 45' 12" WEST 3654.52 FEET TO THE POINT OF BEGINNING. CONTAINS 261.44 ACRES. THIS DESCRIPTION IS BASED ON COUNTY SURVEY NUMBER, CS 25118 BY DAVID K. BATEMAN.

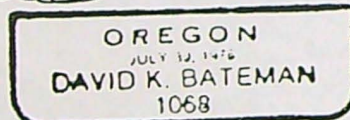
SUBJECT TO A 30.00 FOOT WIDE EASEMENT FOR ACCESS AND THE INSTALLATION AND MAINTENANCE OF UTILITIES LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 10 SOUTH AND RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; THENCE NORTH 00°02'53" WEST ON THE WEST BOUNDARY OF SAID SECTION 8, 30.00 FEET TO A 5/8 INCH IRON ROD ON THE NORTHERLY RIGHT-OF-WAY OF JEFFERSON-SCIO DRIVE; THENCE ON SAID WEST BOUNDARY NORTH 00° 02' 53" WEST 1090.99 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE LEAVING SAID WEST BOUNDARY NORTH 66° 48' 25" EAST 342.31 FEET TO 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 59° 43' 53" EAST 182.82 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 83° 42' 27" EAST 329.60 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 73° 09' 16" EAST 194.80 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 65° 32' 21" EAST 118.81 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 60° 05' 32" EAST 86.72 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 43° 24' 47" EAST 249.54 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 60° 34' 08" EAST 70.11 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 84° 45' 47" EAST 135.11 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 65° 35' 51" EAST 103.68 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED

REC'D JAN 12 2010

BATEMAN LS 1068; THENCE NORTH 83° 49' 31" EAST 274.27 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 87° 21' 45" EAST 152.65 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 86° 58' 04" EAST 183.51 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 74° 50' 39" EAST 358.45 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 80° 23' 04" EAST 273.25 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 52° 25' 14" EAST 74.77 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 59° 08' 55" EAST 979.04 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 71° 41' 56" EAST 324.85 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 74° 20' 44" EAST 102.35 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 79° 35' 20" EAST 274.39 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE ON THE CENTERLINE OF SAID 30.00 FOOT WIDE EASEMENT SOUTH 17° 06' 53" EAST 90.25 FEET; THENCE SOUTH 00° 25' 43" EAST 1640.55 FEET; THENCE SOUTH 11° 05' 48" EAST 196.18 FEET; THENCE SOUTH 06° 07' 08" EAST 274.71 FEET; THENCE SOUTH 32° 17' 16" WEST 86.83 FEET; THENCE SOUTH 02° 21' 57" EAST 215.12 FEET; THENCE SOUTH 28° 58' 04" WEST 162.23 FEET TO THE NORTHERLY RIGHT-OF-WAY OF JEFFERSON-SCIO DRIVE AND THE TERMINUS OF THIS DESCRIPTION. SAID TERMINUS BEING NORTH 14° 59' 47" WEST 114.79 FEET FROM THE SOUTHWEST CORNER OF THE WILLIAM A. STARKWEATHER DLC 62 IN SAID SECTION 8.



David K. Bateman



Expired: 12/31/09

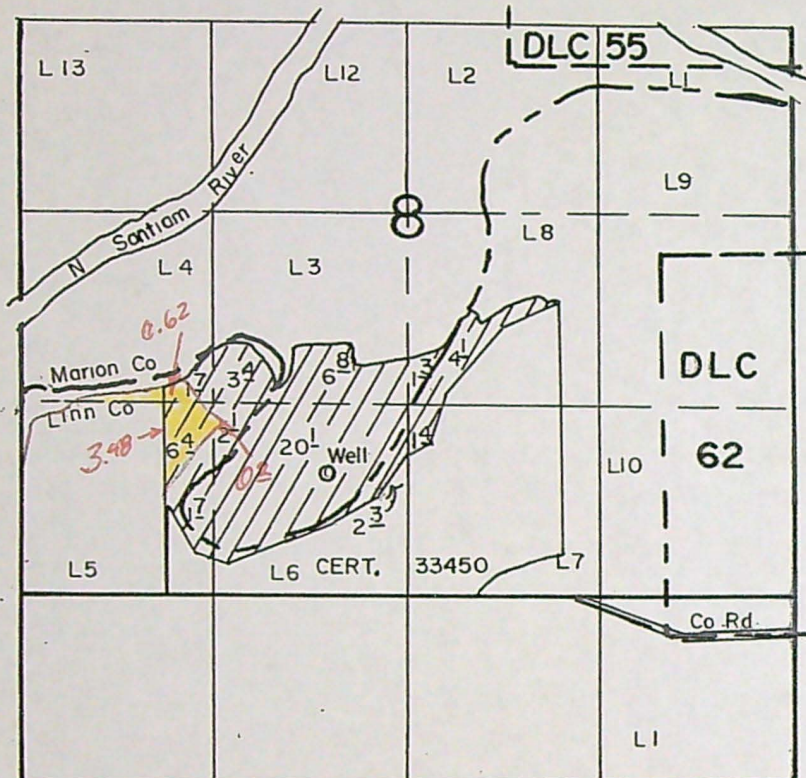
REC'D JAN 12 2010

EXHIBIT B
RESTRICTIVE COVENANT PER PD09-0048

Grantees and their heirs, legal representatives, assigns and lessees hereby acknowledge by placement of this covenant, or the acceptance and recording of this instrument, that the property herein described is situated in an Exclusive Farm Use zoning district of Linn County, Oregon. As such, they may be subjected to common, customary and accepted farm or forest management activities for the operation of a commercial farm or forest that includes management and harvesting of agricultural products or timber, disposal of slash, reforestation, application of chemicals, road construction and maintenance, and any other accepted and customary farm or forest management activity conducted in accordance with federal and state laws. The above practices ordinarily and necessarily produce noise, dust, smoke and other types of visual, odor or noise impacts which grantees accept as normal and necessary farming or forestry management activities and as part of the risk of building a residential dwelling in an Exclusive Farm Use zoning district.

REC'D JAN 12 2010

T.10S., R.2W., W.M.



Well Loc 850' N & 2050' E From The SW Corner Of Section 8

SCALE: 1" = 1320'

FINAL PROOF SURVEY UNDER

Application No. G-11651... Permit No. G-10727.....
IN NAME OF

.....KENNETH E. CUNNINGHAM.....

Surveyed AUG. 25... 1989., by R.W. KLASSEN.....

Attachment #2

SEE
CERT. # 28351
(OVERLAY)

JMS ENGINEERING
3000 Market Street N.E., Suite #510
Salem, Oregon 97301

MEMO
REC'D JAN 12 2010

(503) 585-5578 • Fax (503) 585-1856
jmsengineering@qwestoffice.net

DATE

1-11-2010

SUBJECT

Transfer T. 10411
MEDURI FARMS

TO

KEN DOWDEN - Water Resources
Pendleton, OR

ENCLOSED FIND THE FOLLOWING FOR THE SUBJECT
TRANSFER:

1. SIGNED AFFIDAVIT FOR ~~PARTIAL~~ DIMINUTION OF
A WE CERTIFICATE - SIGNED BY THE CUNNINGHAMS
2. COPY OF PROPERTY DEED COVERING DIMINUTION
3. REVISED TRANSFER MAP - STAMPED / SIGNED
BY CWRE

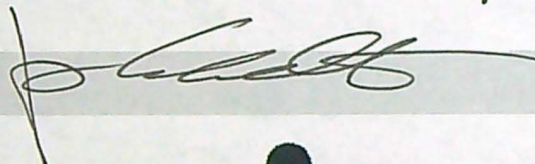
☐

PLEASE REPLY

☒

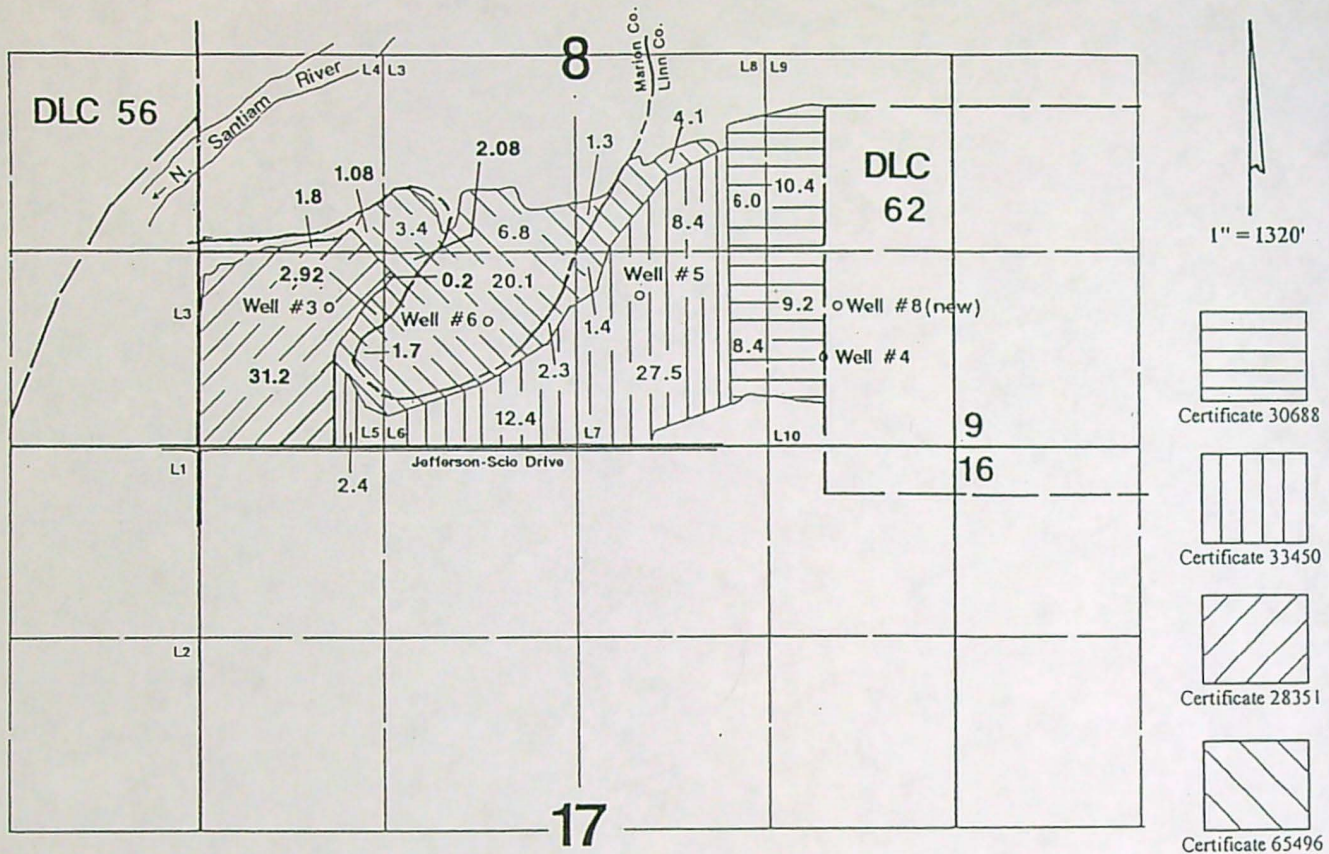
NO REPLY NECESSARY

SIGNED



CC: MEDURI FARMS ✓
K. Cunningham ✓

T.10S., R.2W., W.M.



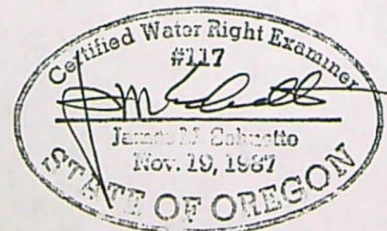
Well #3 is located 925' N & 950' E
 Well #4 is located 625' N & 4325' E
 Well #5 is located 1010' N & 3110' E
 Well #6 is located 850' N & 2050' E
 Well #8 (new) is located 950' N & 4425' E—all from the SW corner of Section 8.

Application Map

Meduri Farms

Transfer #: T-10411

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





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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10411

Review Due Date: 7/27/07

Applicant Name: Meduri Farms

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

Reviewer(s): Mlm

Date of Review: Jul. 17, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? ☐ If you check the box, describe and, if possible, estimate the losses: NA
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☐ No ☒ N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____

9. Are there other issues not identified through the above questions? ☒ Yes ☐ No If "Yes", explain: At least one of the certificates involved in this transfer shows that some of the land is located in Marion county. This is due to a map reading error on WRD's part. I recommend that this be corrected through this transfer to show that all lands are located in Linn County.
10. What alternatives may be available for addressing any issues identified above: _____
11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	<input type="checkbox"/> Present and should be maintained.	<input checked="" type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.
Headgates	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

May 19, 2010

MEDURI FARMS
D. JUSTIN MEDURI
PO BOX 636
DALLAS OR 97338

REFERENCE: Transfer Application T-10411

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

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT.

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

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

If you have any questions related to the approval of this transfer, you may contact me by telephone at (503) 986-0883 or by e-mail at Sarah.A.Henderson@wrdd.state.or.us.

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. #16
James Schuette, CWRE
Kenneth & Mary Cunningham

Enclosure



BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING AN
T-10411, Linn County	)	ADDITIONAL POINT OF
	)	APPROPRIATION AND PARTIAL
	)	DIMINUTION OF A WATER RIGHT

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use 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

MEDURI FARMS INC.
D. JUSTIN MEDURI
P.O. BOX 636
DALLAS, OR 97338

Findings of Fact

Background

1. On June 20, 2007, D. Justin Meduri of Meduri Farms filed an application to add an additional point of appropriation under Certificates 28351, 30688, 33450, and 65496. The Department assigned the application number T-10411.
2. The first right to be transferred is as follows:

Certificate:	28351 in the name of WILLIAM UPPSTAD (perfected under Permit G-651)
Use:	IRRIGATION of 33.2 ACRES
Priority Date:	SEPTEMBER 5, 1957
Rate:	0.43 CUBIC FEET PER SECOND
Limit/Duty:	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

Source: UPPSTAD WELL #3 within the NORTH SANTIAM RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SW SW	5	925 FEET NORTH and 950 FEET EAST from the SW CORNER of SECTION 8

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	NW SW	5	1.8
10 S	2 W	WM	8	SW SW	5	31.2
10 S	2 W	WM	8	SE SW	6	0.2

3. Transfer Application T-10411 proposes an additional point of appropriation approximately 3500 feet east to Well#8 located:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
10 S	2 W	WM	8	SE SE	62	950 FEET NORTH and 4425 FEET EAST from the SW CORNER of SECTION 8

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

Certificate: 30688 in the name of WILLIAM UPPSTAD (perfected under Permit G-1501)

Use: IRRIGATION of 34.0 ACRES

Priority Date: DECEMBER 16, 1959

Rate: 0.43 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: UPPSTAD WELL No.4 within the NORTH SANTIAM RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SE SE	10	625 FEET NORTH and 4325 FEET EAST from the SW CORNER of SECTION 8

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	NE SE	9	10.4
10 S	2 W	WM	8	NW SE	8	6.0
10 S	2 W	WM	8	SW SE	7	8.4
10 S	2 W	WM	8	SE SE	10	9.2

5. Transfer Application T-10411 proposes an additional point of appropriation approximately 400 feet north to Well#8 located:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
10 S	2 W	WM	8	SE SE	62	950 FEET NORTH and 4425 FEET EAST from the SW CORNER of SECTION 8

6. The third right to be transferred is as follows:

Certificate: 33450 in the name of WILLIAM UPPSTAD (perfected under Permit G-2113)

Use: IRRIGATION of 50.7 ACRES

Priority Date: APRIL 10, 1962

Rate: 0.63 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: UPPSTAD WELL No. 5 within the NORTH SANTIAM RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SW SE	7	1010 FEET NORTH and 3110 FEET EAST FROM the SW CORNER of SECTION 8

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	SW SW	5	2.4
10 S	2 W	WM	8	SE SW	6	12.4
10 S	2 W	WM	8	NW SE	8	8.4
10 S	2 W	WM	8	SW SE	7	27.5

7. Transfer Application T-10411 proposes an additional point of appropriation approximately 1350 feet east to Well#8 located:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
10 S	2 W	WM	8	SE SE	62	950 FEET NORTH and 4425 FEET EAST from the SW CORNER of SECTION 8

8. The portion of the fourth right to be transferred is as follows:

Certificate: 65496 in the name of KENNETH E. CUNNINGHAM (perfected under Permit G-10727)

Use: IRRIGATION of 47.0 ACRES

Priority Date: MAY 12, 1987

Rate: 0.59 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of

ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL 6 within the NORTH SANTIAM RIVER BASIN

Authorized Point of Appropriation:

Twtp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SE SW	3	850 FEET NORTH and 2050 FEET EAST FROM SW CORNER of SECTION 8

Authorized Place of Use:

IRRIGATION						
Twtp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	NE SW	3	6.8
10 S	2 W	WM	8	NE SW	5	3.4
10 S	2 W	WM	8	NW SW	5	1.08
10 S	2 W	WM	8	SW SW	5	2.92
10 S	2 W	WM	8	SW SW	3	1.7
10 S	2 W	WM	8	SE SW	6	2.3
10 S	2 W	WM	8	SE SW	3	20.1
10 S	2 W	WM	8	SE SW	5	1.9
10 S	2 W	WM	8	NW SE	8	4.1
10 S	2 W	WM	8	NW SE	3	1.3
10 S	2 W	WM	8	SW SE	7	1.4
TOTAL:						47.0

9. Transfer Application T-10411 proposes an additional point of appropriation approximately 2400 feet east to Well#8 located:

Twtp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
10 S	2 W	WM	8	SE SE	62	950 FEET NORTH and 4425 FEET EAST from the SW CORNER of SECTION 8

10. There is an apparent scrivener's error in the description of the county listed on Certificate 65496. The county listed on the certificate as Marion County is in error. Based on the final proof maps and other water rights appurtenant to the same property, the name of the county should be listed as **Linn** County, consistent with the legal description attached to these lands, being south of the North Santiam River.
11. Notice of the application for transfer was published on June 26, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice
12. Upon review of the application and map, the Department finds that two of the four existing water rights overlap each other within the authorized place of use lands. A portion of water right Certificate 65496 overlaps approximately 4.3 acres of lands identified in Certificate 28351. On November 5, 2009, pursuant to OAR 690-380-2240, the Department mailed out a letter identifying the layered water rights and asked the applicant to either cancel a portion of one right or diminish a portion of the other water right to supplemental irrigation.

13. On January 21, 2010, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10411 to the applicant. The draft Preliminary Determination set forth a deadline of February 20, 2010, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
14. On March 5, 2010, the Department issued a preliminary determination proposing to approve Transfer T-10411 and mailed a copy to the applicant. Additionally, notice of the preliminary determination for the transfer application was published on the Department's weekly notice on March 9, 2010, and in the Jefferson Review newspaper on April 1, 8, and 15, 2010, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Partial Diminution of a Certain Water Right

15. On January 12, 2010, Kenneth E. and Mary M. Cunningham, owners of lands under which a portion of water right Certificate 65496 is appurtenant to, have voluntarily submitted an affidavit for the partial diminution of the water right.

The portion of the water right to be diminished from primary irrigation to supplemental irrigation is described as follows:

Certificate: 65496 in the name of KENNETH E. CUNNINGHAM (perfected under Permit G-10727)
Use: IRRIGATION of 4.30 ACRES
Priority Date: MAY 12, 1987
Rate: 0.05 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL 6 within the NORTH SANTIAM RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	GLot	Survey Coordinates
10 S	2 W	WM	8	SE SW	3	850 FEET NORTH and 2050 FEET EAST FROM the SW CORNER of SECTION 8

Place of Use to be Diminished to Supplemental Irrigation						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	NW SW	5	0.62
10 S	2 W	WM	8	SW SW	5	3.48
10 S	2 W	WM	8	SE SW	6	0.2
TOTAL:						4.3

Transfer Review Criteria (OAR 690-380-4010)

13. Water has been used within the last five years prior to the submittal of Transfer Application T-10411 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
14. Wells, pumps, buried mainline, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-10411.
15. The Department has determined that the proposed point of appropriation (POA), if properly conditioned, will develop the same source of water as the authorized existing wells:

Uppstad Well #3 [LINN 4086]

Uppstad Well #4 [LINN 4083]

Uppstad Well #5 [LINN 4087]

Well #6 [LINN 3137]

The existing wells produce water from an unconfined alluvial aquifer composed of Quaternary sands and gravels. The proposed new well shall be constructed to produce ground water from the alluvial ground water reservoir only which occurs at depths less than about 120 feet below land surface.

16. The proposed changes would not result in enlargement of the rights.
17. The proposed change would not result in injury to other water rights.

Conclusions of Law

The additional point of appropriation proposed in Transfer Application T-10411 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the diminished right will be diminished to supplemental irrigation.

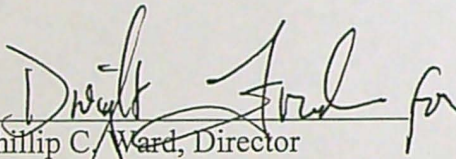
Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed in Transfer Application T-10411 is approved.
2. The water right for the irrigation of 4.3 acres under Certificate 65496 as described in Findings No. 12 & 13 is diminished from primary irrigation to supplemental irrigation.
3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 28351, 30688, 33450, and 65496 and any related decree.
4. Water right Certificates 28351, 30688, 33450, and 65496 are cancelled.
5. The quantity of water diverted at the new additional points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation (Uppstad Well #3, LINN 4086, Uppstad Well #4, LINN 4083, Uppstad Well

#5, LINN 4087, Well #6, LINN 3137). The Department has determined that groundwater production from the new proposed well shall be limited to the equivalent water-bearing zone encountered in the original authorized wells, primarily from an unconfined alluvial aquifer composed of Quaternary sands and gravels. The proposed new well shall be constructed to produce ground water from the alluvial ground water reservoir only which occurs at depths less than about 120 feet below land surface.

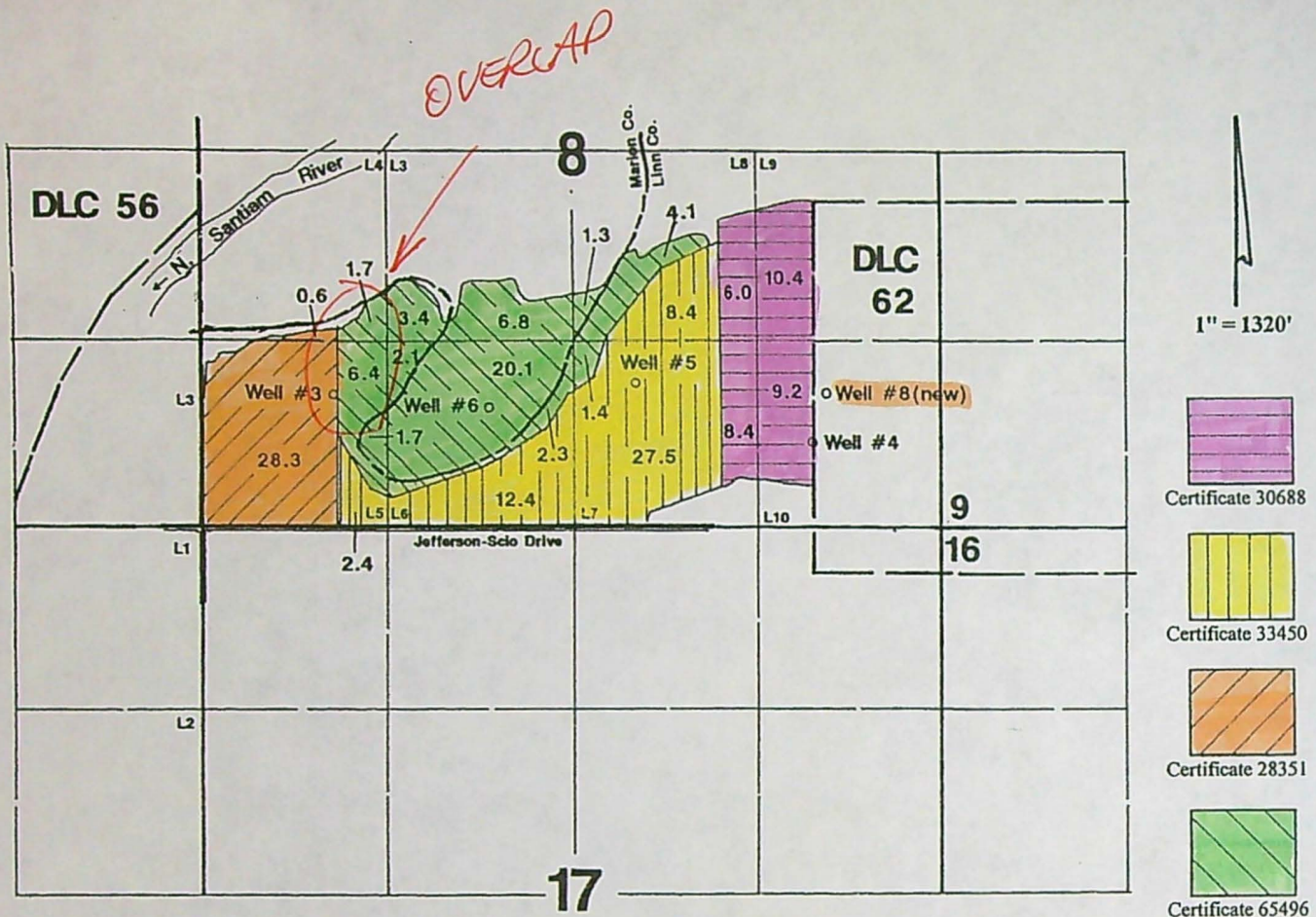
7. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation. The water user shall maintain the meter or measuring device in good working order. The water user shall allow the Watermaster access to the meter or measuring devices; provided however, where the meter or measuring device are located within a private structure, the Watermaster shall request access upon reasonable notice.
8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
9. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 18 day of May 2010.


Phillip C. Ward, Director

Mailing Date: MAY 20 2010

T.10S., R.2W., W.M.



Well #3 is located 925' N & 950' E
 Well #4 is located 625' N & 4325' E
 Well #5 is located 1010' N & 3110' E
 Well #6 is located 850' N & 2050' E
 Well #8 (new) is located 950' N & 4425' E—all from the SW corner of Section 8.

Application Map

Meduri Farms

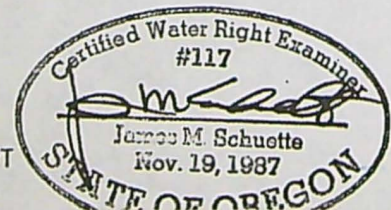
Transfer #:

RECEIVED

JUN 20 2007

WATER RESOURCES DEPT
 SALEM, OREGON

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.



APPLICATION

PR	CW		PR	CW	
	<input type="checkbox"/>	Appropriately signed		<input type="checkbox"/>	Appropriate Fees Paid
<input checked="" type="checkbox"/>	<input type="checkbox"/>	All required Attachments Received	<input type="checkbox"/>	<input type="checkbox"/>	Overpayment of Fees, Refund Request with FO
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ditch Company, Irr. Dist. and/or BOR sent copies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use Form matches Tax Lots, is signed by proper official and is APPROVED

WATER RIGHT SUBJECT TO TRANSFER

PR	CW		PR	CW	
	<input type="checkbox"/>	The right been exercised according to terms & conditions of certificate.		<input type="checkbox"/>	Delivery system has the capacity to fully divert the rate/duty of the right.
	<input type="checkbox"/>	No information in record that suggests forfeiture.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No conflicts identified on conflict report and report is printed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Affidavits for rights to be canceled /diminished.			

APPLICATION MAP

PR	CW		PR	CW	
	<input type="checkbox"/>	Original CWRE Signature		<input type="checkbox"/>	The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
	<input type="checkbox"/>	All authorized and proposed POD's/POA's and POU's shown and clearly labeled.		<input type="checkbox"/>	Metes and bounds for the POD's/POA's are properly described on the map.
	<input type="checkbox"/>	The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.		<input type="checkbox"/>	Application map acres match the tabulation on the certificate and FPS and/or Decree map
	<input type="checkbox"/>	Have necessary aerial photos, if applicable			

DETERMINING THE "FROM" AND "TO" LANDS

(Make working copy of application and certificates to mark on)

PR	CW		PR	CW	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Only the authorized POD's/POA's and POUs to be transferred are listed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Marked on certificate the quantity of water being transferred, cancelled, and remaining

INJURY REVIEWS/COMMENTS/CONDITIONS

PR	CW	INJURY REVIEWS/COMMENTS/CONDITIONS										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	ODFW	<input type="checkbox"/>	Fish Screens	<input type="checkbox"/>	Other:						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ground water										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Watermaster	<input checked="" type="checkbox"/>	Headgate	<input type="checkbox"/>	When in the judgment	<input type="checkbox"/>	Prior to diverting	<input type="checkbox"/>	Existing and maintain		
			<input checked="" type="checkbox"/>	Measuring Devices	<input type="checkbox"/>	When in the judgment	<input checked="" type="checkbox"/>	Prior to diverting	<input type="checkbox"/>	Existing and maintain		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Injury	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	<input checked="" type="checkbox"/>	Enlargement	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Conditions to Avoid Enlargement/Injury										

OWNERSHIP

PR	CW		PR	CW	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	The deed/ROI matches the "from" lands.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The applicant is the owner of the "from" lands.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	All owners on the deed/ROI have signed the application.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Have current tax lot map.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	If necessary, there is a notarized, signed statement of consent from landowners other than applicant.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Agent has authorization to make decisions.

DPD		PD		FO		DETERMINATION / FINAL ORDER
PR	CW	PR	CW	PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Format matches current template
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Spell checked?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Correct address?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Authorized "from lands" info matches Certificate(s)?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Authorized POD(s)/POA(s) matches Certificate(s)?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposed POD(s)/POA(s) matches transfer application and map?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Correct findings and conditions matching Watermaster review?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Correct findings and conditions matching Ground water review?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Correct findings and conditions matching ODFW recommendations?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hidden findings unveiled?

DPD		PD		COVER LETTER
PR	CW	PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Format matches current template
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Spell checked?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Correct address?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Content matches determination?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Special findings/conditions described?

PR	CW	PD PUBLIC NOTICE/NEWSPAPER NOTICE
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Format matches current template
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Content matches PD info?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Spell checked?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Correct address?

PR	CW	NA	REMAINING RIGHT CERTIFICATE
<input type="checkbox"/>	<input type="checkbox"/>		Table Format matches current template
<input type="checkbox"/>	<input type="checkbox"/>		Content format matches original certificate
<input type="checkbox"/>	<input type="checkbox"/>		Spell checked?
<input type="checkbox"/>	<input type="checkbox"/>		Name and address matches originating certificate?

PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	Determination and remaining acres combined match acres under originating certificate?

COMMENTS

AFFIDAVIT OF PUBLICATION
STATE OF OREGON, COUNTY OF MARION-SS

I, Glen Albrethsen, being the first duly sworn depose and say that I am the Publisher of the JEFFERSON REVIEW, a newspaper of general circulation, published at Jefferson, in the aforesaid county and state, as defined by ORS 193.010 and 193.020, that

Preliminary Determination for Water Right

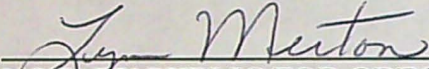
a copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weeks in the following issues:

April 1, 2010
April 8, 2010
April 15, 2010



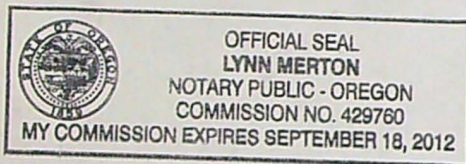
Glen Albrethsen (Publisher)

Subscribed and sworn to before me this 15th day
of April, 2010.



NOTARY PUBLIC FOR OREGON

My Commission Expires: September 18, 2012



Notice of Preliminary Determination for
Water Right Transfer T-10411

T-10411, filed by Meduri Farms, P.O. Box 636, Dallas, OR 97338, proposes to add an additional point of appropriation under Certificates 28351, 30688, 33450 and 65496. Certificate 28351 allows the use of 0.43 cfs (priority date September 5, 1957) from Uppstad Well#3 located within the SW1/4 SW1/4 Sec. 8. Certificate 30688 allows the use of 0.43 cfs (priority date December 16, 1959) from Uppstad Well#4 located within Lot 10 (SE1/4 SE1/4), Sec. 8. Certificate 33450 allows the use of 0.63 cfs (priority date April 10, 1962) from Uppstad Well#5 located within Lot 7 (SW1/4 SE1/4), Sec. 8; and Certificate 65496 allows the use of 0.64 cfs (priority date May 12, 1987) from Well#6 located within Lot 3 (SE1/4 SW1/4), Sec. 8, all within T10S, R2W, W.M., and all for irrigation in Sec. 8. The applicant proposes to add an additional point of appropriation, Well #8, to all the rights described above approximately 1/2 mile east from the furthest authorized well located within DLC 62, within the SE1/4 SE1/4, Sec. 8, T10S, R2W, W.M.. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is April 15, 2010. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.
543-10 Publish April 1, 8, 15, 2010

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APR 19 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

REC'D FEB 22 2010

JMS ENGINEERING

Jim Schuette, P.E.
CONSULTANT CIVIL ENGINEER
CERTIFIED WATER RIGHTS EXAMINER

3000 Market St. N.E., Suite 510
Salem, Oregon 97301
503.585.5578
FAX 503.585.1856
email: jmsengineering@qwestoffice.net

February 18, 2010

Ken Dowden
Water Resources Dept-North Central Region
116. SE Dorian Avenue
Pendleton, Oregon 97801

Re: Meduri Farms Transfer T-10411

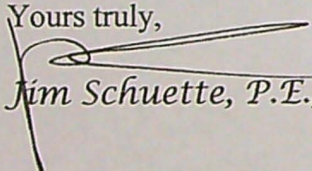
Ken;

Find the following attachments as per your request for the subject Transfer.

- A signed Affidavit (by the Cunningham's) Consenting to Proposed Water Rights Transfer.
- A Land Title Report showing the Cunningham's ownership of the concerned Property.
- A letter signed by the Applicant that they understand and concur with the Findings of Fact

If you require additional information or have any questions, feel free to give us a call.

Yours truly,


Jim Schuette, P.E., CWRE

REC'D FEB 22 2010

February 17, 2010

To: Oregon Water Resources Department

From: Meduri Farms Inc.-Applicant

Subject: T-10411: DRAFT-Preliminary Determination Proposing Approval of an Additional Point of Appropriation and Diminution of a Water Right

Gentlemen;

I have read the DRAFT Preliminary Determination proposing approval of an Additional Point of Appropriation and Partial Diminution of a Water Right. for the subject transfer. I concur with the Findings of Fact as listed in the Preliminary Determination.

Yours truly,



Meduri Farms, Inc.-Applicant

D. Justin Meduri

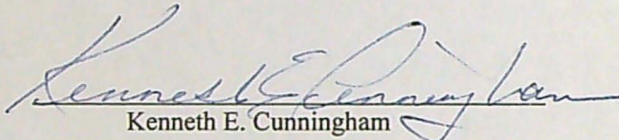
REC'D FEB 22 2010

0216

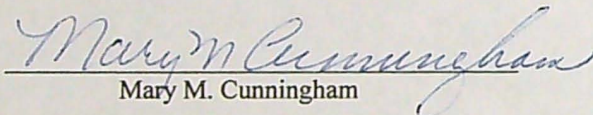
AFFIDAVIT CONSENTING TO PROPOSED WATER RIGHT TRANSFER

State of Oregon)
) ss
County of Marion)

We, **Kenneth E. Cunningham and Mary M. Cunningham**-in our capacity as legal owners of the subject land and the subject water rights-and residing at 36307 Jefferson-Scio Drive, Jefferson, Oregon 97352, telephone number 541-327-3859--duly sworn depose and say that We consent to the proposed changes to Water Right Certificate Numbers 28351, 30688, 33450 and 65496, as described in Transfer Application T-10411, on the property located on Tax Lot number 100, within the SW¹/₄, of Section 8, Township 10 South, Range 2 West, W.M.

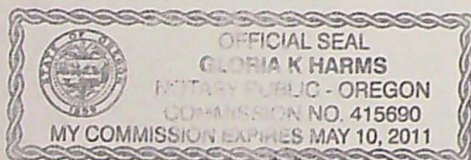

Kenneth E. Cunningham

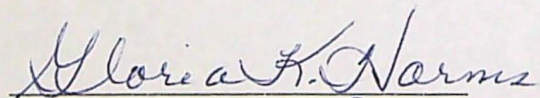
2-17-2010
Date


Mary M. Cunningham

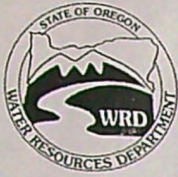
2-17-2010
Date

Subscribed and Sworn to before me this 17th day of February, 2010.




Notary Public for Oregon

My commission expires May 10, 2011.



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

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OVER THE COUNTER

Application for Water Right

Transfer

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

1. TYPE OF TRANSFER APPLICATION

Please check one

☒ Permanent Transfer

☐ Instream Transfer

☐ Temporary Transfer

☐ Permanent

• total number of years: _____

☐ Time-Limited

(begin year: _____)

☐ Drought Transfer

(end year: _____)

☐ Other

THE
WORK
COPY

2. APPLICANT INFORMATION

Name: MEDURI FARMS
First Last

Address: PO Box 634

DALLAS OREGON 97338
City State Zip

Phone: 503-623-0308
Home Work Other

Fax: 503-930-8802 E-Mail address: _____

3. AGENT INFORMATION

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

Name: _____
First Last

Address: _____

City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: _____

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

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

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

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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.	G-751	G-651	28351
2.	G-2289	G-2113	33450
3.	G-11651	G-10727	65496
4.	G-1644	G-1501	30688
5.			
6.			

- Attach a **separate Supplemental Form A** (Description of Proposed Change(s) to a Water Right) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
- ☐ Place of Use ☐ Point of Diversion ☐ Additional Point of Diversion
☐ Character of Use ☐ Point of Appropriation ☒ Additional Point of Appropriation
☐ Instream Transfer ☐ Surface Water source to Ground Water source
- Reason(s) for change(s): ADD'l WELL WILL ALLOW MORE EFFICIENT OPERATION

5. WATER DELIVERY SYSTEM

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

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

WELLS USE CENTRIFUGAL PUMPS: #3: 15-HP; #4: 15-HP; #5: 20-HP; #6: 25-HP
4" & 5" MAINLINE; HAND-LINES w/SPRINKLER HEADS

- System capacity: 2.13 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

G-751: 0.43 CFS G-2289: 0.63 CFS

G-1644: 0.43 CFS G-11651: 0.64 CFS

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6. EVIDENCE OF BENEFICIAL WATER USE

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

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? ☐ Yes ☒ No

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

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

LINN COUNTY & MARION COUNTY PLANNING COMMISSIONS

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SALEM, OREGON

FS

8. LAND OWNERSHIP

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

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

Names of Current Landowner(s): Kenneth & MARY CUNNINGHAM
First Last

Address: 36307 Jefferson - Scio Dr.

JEFFERSON OREGON 97352-9302
City State Zip

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

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

If "No", provide the following information:

Names of Receiving Landowner(s): Kenneth & MARY CUNNINGHAM
First Last

Address: 36307 Jefferson - Scio Dr

Jefferson OREGON 97352-9302
City State Zip

- Check one of the following:

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

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9. ATTACHMENTS

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

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

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

Supplemental Form B –

Evidence of Use Affidavit(s)

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

Map

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

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

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☐ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

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

Fees:

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

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

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

Temporary Transfers, also include:

Recorded Deed:

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

Affidavit of Consent:

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

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

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

10. SIGNATURES

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


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

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

☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

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

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

 applicant signature	D. Justin Meduri name (print) <i>Meduri Farms Inc.</i>	6-20-07 date
 applicant signature	 name (print)	 date

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STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

This Is to Certify, That WM. UPPSTAD

of Rt. 1, Box 327, Jefferson, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Uppstad Well #3 a tributary of North Santiam River for the purpose of irrigation of 33.2 acres

under Permit No. G-651 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 5, 1957

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.43 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 5 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 8, T. 10 S., R. 2 W., W.M. Well is 925 ft. N. and 950 ft. E. from SW corner, Section 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

1.8 acres Lot 5 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
31.2 acres Lot 5 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
0.2 acre Lot 6 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 8
T. 10 S., R. 2 W., W.M.

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

WITNESS the signature of the State Engineer, affixed

this date. MARCH 22 1961

LEWIS A. STANLEY

State Engineer

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: 28351

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> 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.) <input checked="" type="checkbox"/> 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.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> 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.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input type="checkbox"/> 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.)	<p style="text-align: center;">Proposed new use:</p> <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>28351</u>	<u>G-651</u>
	Certificate Number	Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____	_____
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____	_____
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____	_____
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: WM. UPPSTAD
- County: LINN
- Authorized Use(s) to be Affected by Transfer: IRRIGATION (NO CHANGE)
- Priority Date(s): SEPT 5, 1957

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: UPPSTAD WELL #3

Tributary to: NORTH SANTIAM 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**, Permits or Ground Water Registrations associated with this land?

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

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

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

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 28351

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Well #3 9-5-57	10 S	2W	W	8	SWSW	Lot 5	925' N & 950' E from SW Corner Section 8

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

☒ Yes ☐ No (Surface water source only.)

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

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

or

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

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

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

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

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WATER RESOURCES DEPT
SALEM, OREGON

28351

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

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

[illegible]

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WATER RESOURCES DEPT
SALEM, OREGON

■ Certificate Number or other identifying number: 28351

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

☐ N/A - Instream Water Right Transfer

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well	10S	2W	W	8	SESE	DLC 62	950' N & 4425' E From the SW corner of Section 8

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

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
No		16"	12" 4+L	± 50'	25'-45' Est.	± 20	± 20'	20'-40'	PLUG IN WELL SEAL	± 50'

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SALEM, OREGON

▪ Certificate Number or other identifying number: 28351

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) ☐ N/A – Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

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

Remarks: _____

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WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **WILLIAM UPPSTAD**

of Route 1, Jefferson, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Uppstad Well No. 4

a tributary of Santiam River

for the purpose of

irrigation of 34.0 acres

under Permit No. G-1501 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 16, 1959,

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed

0.13 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 10 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 8, T. 10 S., R. 2 W., W. M. Well located 625 feet North and 4325 feet East of SW corner, Section 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall

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

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

10.4 acres Lot 9 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
6.0 acres Lot 8 (NW $\frac{1}{4}$ SE $\frac{1}{4}$)
8.4 acres Lot 7 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
9.2 acres Lot 10 (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 8
T. 10 S., R. 2 W., W. M.

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

WITNESS the signature of the State Engineer, affixed

this date. MARCH 6 1963

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 22, page 30688

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: 30688

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>30688</u> <small>Certificate Number</small>	<u>G-1501</u> <small>Permit Number or Decree Name</small>
<input type="checkbox"/> Adjudicated, Non-certificated Right	 <small>Name of Decree</small>	 <small>Page Number</small>
<input type="checkbox"/> Permit for which Proof has been Approved	 <small>Permit Number</small>	 <small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Transferred Right for which Proof has been Filed	 <small>Previous Transfer Number</small>	 <small>Date Claim of Beneficial Use Submitted</small>

- Name on Permit, Certificate, or Decree: WILLIAM UPPSTAD
- County: LIUN COUNTY
- Authorized Use(s) to be Affected by Transfer: IRRIGATION (NO CHANGE)
- Priority Date(s): DECEMBER 16, 1959

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: UPPSTAD WELL #4

Tributary to: SANTIAM 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**, Permits or Ground Water Registrations associated with this land?

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

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

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

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 30688

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	1/4 1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Well #4 12-16-59	10S	2W	W	8	SESE	Lot 10	625' N & 4325' E of SW Corner Section 8

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

☒ Yes ☐ No (Surface water source only.)

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

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

or

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

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

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

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

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 30688

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 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)

[illegible]

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 30688

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

☐ N/A - Instream Water Right Transfer

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well	10S	2W	W	8	SESE	DLC 62	950'N & 4425'E From the SW corner of Section 8

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

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
No		16"	12" 4L	± 50'	25'-45' Est.	± 20	± 20'	20'-40'	Plug in well seal	± 50'

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WATER RESOURCES DEPT
SALEM, OREGON

30688

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.

☐ *N/A – Instream Water Right Transfer*

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

[illegible]

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WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

This Is to Certify, That WM. UPPSTAD

of Route 1, Box 327, Jefferson, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Uppstad Well No. 5

a tributary of North Santiam River (Santiam River) for the purpose of irrigation of 50.7 acres

under Permit No. G-2113 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 10, 1962

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.63 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 7 (SW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 8, T. 10 S., R. 2 W., W.M. Well located 1010 feet North and 3110 feet East from the SW Corner, Section 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year;

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

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

2.4 acres Lot 5 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
12.4 acres Lot 6 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
8.4 acres Lot 8 (NW $\frac{1}{4}$ SE $\frac{1}{4}$)
27.5 acres Lot 7 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 8
T. 10 S., R. 2 W., W. M.

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

WITNESS the signature of the State Engineer, affixed

this date. December 19, 1966

CHRIS L. WHEELER

State Engineer

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: 33450

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> 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.)	<input type="checkbox"/> All 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: <input checked="" type="checkbox"/> Irrigation
<input checked="" type="checkbox"/> 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.)	<input type="checkbox"/> 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.)	<input type="checkbox"/> Municipal
<input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.)		<input type="checkbox"/> Quasi-municipal
<input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used <u>instead</u> of the old point of diversion. The old point of diversion will <u>not</u> be used.)		<input type="checkbox"/> Commercial
<input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.)		<input type="checkbox"/> Industrial
<input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)		<input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>)
		<input type="checkbox"/> Domestic (indicate number of households) _____
		<input type="checkbox"/> Other _____
		<input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.)
		<input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>33450</u> <small>Certificate Number</small>	<u>G-2113</u> <small>Permit Number or Decree Name</small>
<input type="checkbox"/> Adjudicated, Non-certificated Right	<small>Name of Decree</small>	<small>Page Number</small>
<input type="checkbox"/> Permit for which Proof has been Approved	<small>Permit Number</small>	<small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Transferred Right for which Proof has been Filed	<small>Previous Transfer Number</small>	<small>Date Claim of Beneficial Use Submitted</small>

- Name on Permit, Certificate, or Decree: WM. UPPSTAD
- County: LIUN
- Authorized Use(s) to be Affected by Transfer: IRRIGATION (NO CHANGE)
- Priority Date(s): APRIL 10, 1962

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: UPPSTAD WELL #5

Tributary to: NORTH SANTIAM 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**, Permits or Ground Water Registrations associated with this land?

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

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

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

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 33450

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Well #5 4-10-62	10S	2W	W	8	SWSE	Lot 7	1010' N & 3110' E From SW Corner of Section 8

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

☒ Yes ☐ No (Surface water source only.)

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

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

or

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

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

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

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

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WATER RESOURCES DEPT
SALEM, OREGON

33450

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

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

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 33450

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

☐ N/A - Instream Water Right Transfer

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well	10S	2W	W	8	SESE	DLC 62	950' N & 4425' E From the SW corner of Section 8

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

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
No		16"	12" 4L	± 50'	25'-45' Est.	± 20'	± 20'	20'-40'	Plug in well seal	± 50'

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 33450

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) ☐ N/A – Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

[illegible]

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~~JUN 20 2007~~

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH E. CUNNINGHAM
36307 JEFFERSON-SCIO DRIVE
JEFFERSON, OREGON 97352

confirms the right to use the waters of WELL 6 in the NORTH SANTIAM RIVER BASIN for the purpose of IRRIGATING 51.3 ACRES.

The right has been perfected under Permit G-10727. The date of priority is MAY 12, 1987. The right is limited to not more than 0.64 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

LOT 3 (SE 1/4 SW 1/4), SECTION 8, T 10 S, R 2 W, W.M.; 850 FEET NORTH AND 2050 FEET EAST FROM THE SW CORNER OF SECTION 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use of water shall be limited when it interferes with the prior surface water rights of others.

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

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

LOT 3	(NE 1/4 SW 1/4)	6.8 ACRES		
LOT 5	(NE 1/4 SW 1/4)	3.4 ACRES		
LOT 5	(NW 1/4 SW 1/4)	1.7 ACRES	- 0.62	1.08
LOT 5	(SW 1/4 SW 1/4)	6.4 ACRES	- 3.48	2.92
LOT 3	(SW 1/4 SW 1/4)	1.7 ACRES		
LOT 6	(SE 1/4 SW 1/4)	2.3 ACRES	- 0.2	2.1
LOT 3	(SE 1/4 SW 1/4)	20.1 ACRES		
LOT 5	(SE 1/4 SW 1/4)	2.1 ACRES	- 0.2	1.9
LOT 8	(NW 1/4 SE 1/4)	4.1 ACRES		
LOT 3	(NW 1/4 SE 1/4)	1.3 ACRES		
LOT 7	(SW 1/4 SE 1/4)	1.4 ACRES		
SECTION 8				
TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.				

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

WITNESS the signature of the Water Resources Director, affixed
- APRIL 1, 1991.

/s/ WILLIAM H. YOUNG
William H. Young

Recorded in State Record of Water Right Certificates numbered 65496.

G-11651.DM

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: 65496

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>65496</u> Certificate Number	<u>G-10727</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: KENNETH E. CUNNINGHAM
- County: MAZON & LINN
- Authorized Use(s) to be Affected by Transfer: IRRIGATION (NO CHANGE)
- Priority Date(s): MAY 12, 1987

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: WBL #6

FU
Tributary to: NORTH SANTIAM RIVER BASIN

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

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

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

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

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

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

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SALEM, OREGON

▪ Certificate Number or other identifying number: 65496

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Well #4 5-12-87	10	ZW	W	8	SESW	lot 3	850' N & 2050' E From SW corner of sec 8

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

☒ Yes ☐ No (Surface water source only.)

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

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

or

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

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

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

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

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WATER RESOURCES DEPT
SALEM, OREGON

65496

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

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

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 65496

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

☐ N/A - Instream Water Right Transfer

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well	10S	2W	W	8	SESE	DLC 62	950' N & 4425' E From the SW corner of Section 8

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

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
No		16"	12" 4L	± 50'	25'-45' Est.	± 20	± 20'	20'-40'	Plug in well seal	± 50'

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▪ Certificate Number or other identifying number: 65496

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) ☐ N/A – Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

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

Remarks: _____ **RECEIVED**

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WATER RESOURCES DEPT
SALEM, OREGON



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.

Applicant Name: MEDUEI FARMS
Mailing Address: PO BOX 636
City: DALLAS State: OR Zip: 97338 Day Phone: 503.623.0308

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

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

Township	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>DS</u>	<u>ZW</u>	<u>B</u>		<u>Lot 3</u>	<u>Primar 15/EFu</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
				<u>Lot 6</u>	<u>"</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. MAHON & Linn

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 400 ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

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

Briefly describe: WATER USED TO IRRIGATE CHERRY ORCHARD, GRASS

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.

Receipt for Request for Land Use Information

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

RECEIVED

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WATER RESOURCES DEPT
SALEM, OREGON

For Local Government Use Only

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

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 136.020(a)

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)
If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

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

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

Name: Brandon Reich Title: Assoc Planner
 Signature: [Signature] Phone: 508-5030 Date: 6-15-07
 Government Entity: Marion County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____



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.

Applicant Name: MEDUEI FARMS
 Mailing Address: PO Box 636
 City: DALLAS State: OR Zip: 97338 Day Phone: 503-623-0308

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

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

Township	Range	Section	1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>10S</u>	<u>2W</u>	<u>8</u>	<u>TL</u>	<u>100</u>	<u>AGRICULTURAL</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				<u>LOT 3,4</u>	<u>RESOURCE</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				<u>LOT 5,6</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				<u>LOT 7,8</u>		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				<u>LOT 9,10</u>		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. LINN & MAZON

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 300 ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

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

Briefly describe: A new well is desired to better operate the irrigation system

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.

Receipt for Request for Land Use Information

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

RECEIVED

JUN 20 2007

WATER RESOURCES DEPT
 SALEM, OREGON

For Local Government Use Only

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

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LCC 928.310(B)(1)

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)
If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

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

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

Agricultural use is allowed outright.

Name: ROBERT WHEELDON Title: SENIOR PLANNER
Signature: Robert T. Wheeldon Phone: 541-967-3816 Date: 6/14/07
Government Entity: Linn County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

REC'D FEB 22 2010



Lawyers Title Insurance Corporation
Albany Branch
220 6th Ave., SW, Suite 100
Albany, OR 97321
503-316-5842 FAX 503-316-5842

Attn: Kenneth Cunningham
Kenneth and Mary Cunningham
36307 Jefferson Scio Road
Jefferson, OR 97352

Date Prepared: February 16, 2010

TITLE PLANT RECORDS REPORT
Report of Requested Information from Title Plant Records
Lawyers Title Insurance Corporation
herein the Company,

Customer Ref :

Order No. : 25g0036835
Effective Date : February 05, 2010
Fee: : \$200.00

The information contained in this report is furnished by Lawyers Title Insurance Corporation (the "Company") as an information service based on the records and indices maintained by the Company for the county identified below. THIS IS NOT TITLE INSURANCE, NOR IS IT A PRELIMINARY TITLE REPORT OR A COMMITMENT FOR TITLE INSURANCE. No examination has been made of the Company's records, other than as specifically set forth herein. Liability for any loss arising from errors and/or omissions is limited to the lesser of the fee paid or the actual loss to the customer, and the Company will have no greater liability by reason of this report.

County and Time Period

This report is based on a search of the Company's title plant records for Linn, Oregon, for the time period through February 05, 2010 (with the through date being the "Effective Date").

Ownership and Property Description

(The Company reports that, as of the Effective date and with respect to the following described property ("the Property")):

Owner. The apparent vested owner of the Property is:

Kenneth E. Cunningham and Mary M. Cunningham, as tenants by the entirety

Premises. The Property is:

(a) **Street Address**

36307 Jefferson Scio Dr
Jefferson, OR 97352

(b) **Legal Description**

SEE ATTACHED EXHIBIT "A"

Encumbrances

Encumbrances. For the above stated time period, the Company reports that, as of the Effective Date, the Property appears subject to the following encumbrances, not necessarily in order of priority:

1. **CURRENT TAX INFORMATION**

SEE BELOW

2. **MUNICIPAL LIEN(S), IF ANY**

- ☐ Not Applicable
☐ Info Not Provided

NOTE: The report specifically does not include property located in the County of Marion, State of Oregon.

3. **NOTE: 2009-10 TAXES ARE PAID IN FULL** and are being shown for informational purposes only.
Original Amount : \$5,453.26
Account No. 0925927; Levy Code 140-17; Map 10S02W08 00 00100
4. **NOTE: 2009-10 TAXES ARE PAID IN FULL** and are being shown for informational purposes only.
Original Amount : \$9.01
Account No. 0034914; Levy Code 140-15
5. Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of North Santiam River.
6. Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of North Santiam River.
7. Any right, interest or claim which may exist or arise by reason of the fact that a road, walk, trail, path or other means of access extends over a portion of the subject land and is used by the public for access to and from North Santiam River.
8. The rights of the public in and to that portion of the herein described property lying within the limits of roads, streets or highways.
9. An easement created by instrument, including the terms and provisions thereof,
Recorded : October 17, 1961
As : B 279, P 207
In favor of : Pacific Power and Light Company
For : Transmission and distribution of electricity, and other purposes

10. The life estate, including the terms and provisions thereof, created by instrument,
Recorded : January 23, 2003
As : V 1377, P 398
In Favor of : William Uppstad
11. Trust Deed, to secure an indebtedness in the amount shown below, and any other obligations secured thereby,
Recorded : January 23, 2003
As : V 1377, P 400
Grantor : Kenneth E. Cunningham and Mary M. Cunningham, same person as Mary Cunnu=ingham, husband and wife and William Uppstad, a single person
Trustee : Oregon Title Insurance Company
Beneficiary : Northwest Farm Credit Services, FLCA
Amount : \$171,000.00
Loan No. : 45469-441

General Liens against Named Party

For the above stated county and time period, and as of the Effective Date, with respect to the following named party or parties:

Kenneth E. Cunningham and Mary M. Cunningham

The Company reports that the following general involuntary monetary liens, such as judgments, federal tax liens, state warrants or orders and county tax warrants, may be unsatisfied:

End of Reported Information

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

Title Officer: Robert May: 503-315-2000 315-2012

Exhibit "A"

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 10 SOUTH AND RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; THENCE NORTH 00°02'53" WEST ON THE WEST BOUNDARY OF SAID SECTION 8, 30.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED WISE PLS 50713 ON THE NORTHERLY RIGHT-OF-WAY OF JEFFERSON-SCIO DRIVE; THENCE ON SAID WEST BOUNDARY NORTH 00° 02' 53" WEST 1090.99 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068 AND THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE LEAVING SAID WEST BOUNDARY NORTH 66° 48' 25" EAST 342.31 FEET TO 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 59° 43' 53" EAST 182.82 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 83° 42' 27" EAST 329.60 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 73° 09' 16" EAST 194.80 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 65° 32' 21" EAST 118.81 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 60° 05' 32" EAST 86.72 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 43° 24' 47" EAST 249.54 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 60° 34' 08" EAST 70.11 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 84° 45' 47" EAST 135.11 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 65° 35' 51" EAST 103.68 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 83° 49' 31" EAST 274.27 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 87° 21' 45" EAST 152.65 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 86° 58' 04" EAST 183.51 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 74° 50' 39" EAST 358.45 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 80° 23' 04" EAST 273.25 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 52° 25' 14" EAST 74.77 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 59° 08' 55" EAST 979.04 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 71° 41' 56" EAST 324.85 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 74° 20' 44" EAST 102.35 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 79° 35' 20" EAST 418.52 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 84° 43' 21" EAST 156.13 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 74° 07' 36" EAST 227.64 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 71° 17' 58" EAST 210.67 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 85° 45' 29" EAST 169.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068 AND THE EAST BOUNDARY OF SAID SECTION 8; THENCE ON SAID EAST BOUNDARY NORTH 00° 23' 15" WEST 569.80 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068 ; THENCE NORTH 00°23'15" WEST 400 FEET MORE LESS TO THE CENTER OF THE NORTH SANTIAM RIVER; THENCE DOWNSTREAM ON THE CENTER OF THE NORTH SANTIAM RIVER 6900 FEET MORE OR LESS TO THE WEST BOUNDARY OF SAID SECTION 8; THENCE ON SAID WEST BOUNDARY OF SECTION 8, SOUTH 00° 03'02" EAST 290 FEET MORE OR LESS TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED WISE PLS 50713, SAID IRON ROD BEING 1750 FEET NORTH 00°03' WEST OF THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE SOUTH 00° 03' 02" EAST 590.00 FEET TO A 5/8 INCH IRON ROD MARKED WISE PLS 50713; THENCE SOUTH 00° 02' 53" EAST

39.00 FEET TO THE POINT OF BEGINNING. CONTAINS 174.89 ACRES MORE OR LESS, ABOVE THE ORDINARY HIGH WATER MARK OF THE NORTH SANTIAM RIVER ON JANUARY 16, 2009. THIS DESCRIPTION IS BASED ON LINN COUNTY SURVEY NUMBER 25118 BY DAVID K. BATEMAN.

EXCEPTING THEREFROM THE PROPERTY DESCRIBED IN DOCUMENT NUMBER 2007-18338 LINN COUNTY RECORDS.

SUBJECT TO THE RIGHTS OF THE STATE OREGON TO THAT PORTION OF THE ABOVE DESCRIBED PROPERTY LYING BELOW THE ORDINARY HIGH WATER MARK.

AREA "B" CS 25118 TAX LOT 100 AFTER ADJUSTMENT

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 10 SOUTH AND RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; THENCE NORTH 00°02'53" WEST ON THE WEST BOUNDARY OF SAID SECTION 8, 30.00 FEET TO A 5/8 INCH IRON ROD ON THE NORTHERLY RIGHT-OF-WAY OF JEFFERSON-SCIO DRIVE AND THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE ON SAID WEST BOUNDARY NORTH 00° 02' 53" WEST 1090.99 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE LEAVING SAID WEST BOUNDARY NORTH 66° 48' 25" EAST 342.31 FEET TO 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 59° 43' 53" EAST 182.82 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 83° 42' 27" EAST 329.60 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 73° 09' 16" EAST 194.80 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 65° 32' 21" EAST 118.81 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 60° 05' 32" EAST 86.72 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 43° 24' 47" EAST 249.54 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 60° 34' 08" EAST 70.11 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 84° 45' 47" EAST 135.11 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 65° 35' 51" EAST 103.68 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 83° 49' 31" EAST 274.27 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 87° 21' 45" EAST 152.65 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 86° 58' 04" EAST 183.51 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 74° 50' 39" EAST 358.45 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 80° 23' 04" EAST 273.25 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 52° 25' 14" EAST 74.77 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 59° 08' 55" EAST 979.04 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 71° 41' 56" EAST 324.85 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 74° 20' 44" EAST 102.35 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 79° 35' 20" EAST 418.52 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 84° 43' 21" EAST 156.13 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 74° 07' 36" EAST 227.64 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 71° 17' 58" EAST 210.67 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 85° 45' 29" EAST 169.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068 AND THE EAST BOUNDARY OF SAID SECTION 8; THENCE ON SAID EAST BOUNDARY SOUTH 00° 23' 15" EAST 244.81 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068 ON THE NORTH BOUNDARY OF THE WILLIAM A. STARKWEATHER DONATION LAND CLAIM (DLC) NO .62; THENCE LEAVING SAID EAST BOUNDARY AND ON SAID NORTH BOUNDARY SOUTH 89° 55'

29" EAST 452.20 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068 AT THE NORTHWEST CORNER OF THE PROPERTY DESCRIBED IN BOOK B PAGE 415 LINN COUNTY DEED RECORDS; THENCE LEAVING SAID NORTH BOUNDARY AND ON THE WEST BOUNDARY OF SAID PROPERTY SOUTH 00° 23' 27" EAST 2632.68 FEET TO SAID NORTHERLY RIGHT-OF-WAY; THENCE LEAVING SAID WEST BOUNDARY AND ON SAID NORTHERLY RIGHT-OF-WAY SOUTH 89° 38' 43" WEST 987.13 FEET; THENCE 390.13 FEET ON THE ARC OF A 924.93 FOOT RADIUS CURVE TO THE RIGHT (THE LONG CHORD OF WHICH BEARS NORTH 78° 16' 16" WEST 387.25 FEET); THENCE NORTH 66° 11' 15" WEST 398.26 FEET; THENCE 413.59 FEET ON THE ARC OF A 984.93 FOOT RADIUS CURVE TO THE LEFT (THE LONG CHORD OF WHICH BEARS NORTH 78° 13' 01" WEST 410.56 FEET); THENCE SOUTH 89° 45' 12" WEST 3654.52 FEET TO THE POINT OF BEGINNING. CONTAINS 261.44 ACRES. THIS DESCRIPTION IS BASED ON COUNTY SURVEY NUMBER, CS 25118 BY DAVID K. BATEMAN.

SUBJECT TO A 30.00 FOOT WIDE EASEMENT FOR ACCESS AND THE INSTALLATION AND MAINTENANCE OF UTILITIES LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 10 SOUTH AND RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; THENCE NORTH 00°02'53" WEST ON THE WEST BOUNDARY OF SAID SECTION 8, 30.00 FEET TO A 5/8 INCH IRON ROD ON THE NORTHERLY RIGHT-OF-WAY OF JEFFERSON-SCIO DRIVE; THENCE ON SAID WEST BOUNDARY NORTH 00° 02' 53" WEST 1090.99 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE LEAVING SAID WEST BOUNDARY NORTH 66° 48' 25" EAST 342.31 FEET TO 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 59° 43' 53" EAST 182.82 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 83° 42' 27" EAST 329.60 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 73° 09' 16" EAST 194.80 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 65° 32' 21" EAST 118.81 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 60° 05' 32" EAST 86.72 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 43° 24' 47" EAST 249.54 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 60° 34' 08" EAST 70.11 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 84° 45' 47" EAST 135.11 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 65° 35' 51" EAST 103.68 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 83° 49' 31" EAST 274.27 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 87° 21' 45" EAST 152.65 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 86° 58' 04" EAST 183.51 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 74° 50' 39" EAST 358.45 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 80° 23' 04" EAST 273.25 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 52° 25' 14" EAST 74.77 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 59° 08' 55" EAST 979.04 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 71° 41' 56" EAST 324.85 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 74° 20' 44" EAST 102.35 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 79° 35' 20" EAST 274.39 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE ON THE CENTERLINE OF SAID 30.00 FOOT WIDE EASEMENT SOUTH 17° 06' 53" EAST 90.25 FEET; THENCE SOUTH 00° 25' 43" EAST 1640.55 FEET; THENCE SOUTH 11° 05' 48" EAST 196.18 FEET; THENCE SOUTH 06° 07' 08" EAST 274.71 FEET; THENCE SOUTH 32° 17' 16" WEST 86.83 FEET; THENCE SOUTH 02° 21' 57" EAST 215.12 FEET; THENCE SOUTH 28° 58' 04" WEST 162.23 FEET TO THE NORTHERLY RIGHT-OF-WAY OF JEFFERSON-SCIO DRIVE AND THE TERMINUS OF THIS DESCRIPTION. SAID TERMINUS BEING NORTH 14° 59' 47" WEST 114.79 FEET FROM THE SOUTHWEST CORNER OF THE WILLIAM A. STARKWEATHER DLC 62 IN SAID SECTION 8.

AREA "A" CS 25118 TAX LOT 400 AFTER ADJUSTMENT

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 10 SOUTH AND RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; THENCE NORTH 00°02'53" WEST ON THE WEST BOUNDARY OF SAID SECTION 8, 30.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED WISE PLS 50713 ON THE NORTHERLY RIGHT-OF-WAY OF JEFFERSON-SCIO DRIVE; THENCE ON SAID WEST BOUNDARY NORTH 00° 02' 53" WEST 1090.99 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068 AND THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE LEAVING SAID WEST BOUNDARY NORTH 66° 48' 25" EAST 342.31 FEET TO 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 59° 43' 53" EAST 182.82 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 83° 42' 27" EAST 329.60 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 73° 09' 16" EAST 194.80 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 65° 32' 21" EAST 118.81 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 60° 05' 32" EAST 86.72 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 43° 24' 47" EAST 249.54 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 60° 34' 08" EAST 70.11 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 84° 45' 47" EAST 135.11 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 65° 35' 51" EAST 103.68 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 83° 49' 31" EAST 274.27 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 87° 21' 45" EAST 152.65 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 86° 58' 04" EAST 183.51 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 74° 50' 39" EAST 358.45 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 80° 23' 04" EAST 273.25 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 52° 25' 14" EAST 74.77 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 59° 08' 55" EAST 979.04 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 71° 41' 56" EAST 324.85 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 74° 20' 44" EAST 102.35 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 79° 35' 20" EAST 418.52 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 84° 43' 21" EAST 156.13 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 74° 07' 36" EAST 227.64 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 71° 17' 58" EAST 210.67 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 85° 45' 29" EAST 169.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068 AND THE EAST BOUNDARY OF SAID SECTION 8; THENCE ON SAID EAST BOUNDARY NORTH 00° 23' 15" WEST 569.80 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068 ; THENCE NORTH 00°23' 15" WEST 400 FEET MORE LESS TO THE CENTER OF THE NORTH SANTIAM RIVER; THENCE DOWNSTREAM ON THE CENTER OF THE NORTH SANTIAM RIVER 6900 FEET MORE OR LESS TO THE WEST BOUNDARY OF SAID SECTION 8; THENCE ON SAID WEST BOUNDARY OF SECTION 8, SOUTH 00° 03' 02" EAST 290 FEET MORE OR LESS TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED WISE PLS 50713, SAID IRON ROD BEING 1750 FEET NORTH 00°03' WEST OF THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE SOUTH 00° 03' 02" EAST 590.00 FEET TO A 5/8 INCH IRON ROD MARKED WISE PLS 50713; THENCE SOUTH 00° 02' 53" EAST 39.00 FEET TO THE POINT OF BEGINNING. CONTAINS 192.7 ACRES MORE OR LESS, ABOVE THE ORDINARY HIGH WATER MARK OF THE NORTH SANTIAM RIVER ON JANUARY 16, 2009. THIS DESCRIPTION IS BASED ON LINN COUNTY SURVEY NUMBER 25118 BY DAVID K. BATEMAN.

SUBJECT TO THE RIGHTS OF THE STATE OREGON TO THAT PORTION OF THE ABOVE DESCRIBED PROPERTY LYING BELOW THE ORDINARY HIGH WATER MARK.

ALSO A 30.00 FOOT WIDE EASEMENT FOR ACCESS AND THE INSTALLATION AND MAINTENANCE OF UTILITIES LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 10 SOUTH AND RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; THENCE NORTH 00°02'53" WEST ON THE WEST BOUNDARY OF SAID SECTION 8, 30.00 FEET TO A 5/8 INCH IRON ROD ON THE NORTHERLY RIGHT-OF-WAY OF JEFFERSON-SCIO DRIVE; THENCE ON SAID WEST BOUNDARY NORTH 00° 02' 53" WEST 1090.99 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE LEAVING SAID WEST BOUNDARY NORTH 66° 48' 25" EAST 342.31 FEET TO 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 59° 43' 53" EAST 182.82 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 83° 42' 27" EAST 329.60 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 73° 09' 16" EAST 194.80 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 65° 32' 21" EAST 118.81 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 60° 05' 32" EAST 86.72 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 43° 24' 47" EAST 249.54 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 60° 34' 08" EAST 70.11 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 84° 45' 47" EAST 135.11 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 65° 35' 51" EAST 103.68 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 83° 49' 31" EAST 274.27 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 87° 21' 45" EAST 152.65 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 86° 58' 04" EAST 183.51 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE SOUTH 74° 50' 39" EAST 358.45 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 80° 23' 04" EAST 273.25 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 52° 25' 14" EAST 74.77 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 59° 08' 55" EAST 979.04 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 71° 41' 56" EAST 324.85 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 74° 20' 44" EAST 102.35 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED BATEMAN LS 1068; THENCE NORTH 79° 35' 20" EAST 274.39 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE ON THE CENTERLINE OF SAID 30.00 FOOT WIDE EASEMENT SOUTH 17° 06' 53" EAST 90.25 FEET; THENCE SOUTH 00° 25' 43" EAST 1640.55 FEET; THENCE SOUTH 11° 05' 48" EAST 196.18 FEET; THENCE SOUTH 06° 07' 08" EAST 274.71 FEET; THENCE SOUTH 32° 17' 16" WEST 86.83 FEET; THENCE SOUTH 02° 21' 57" EAST 215.12 FEET; THENCE SOUTH 28° 58' 04" WEST 162.23 FEET TO THE NORTHERLY RIGHT-OF-WAY OF JEFFERSON-SCIO DRIVE AND THE TERMINUS OF THIS DESCRIPTION. SAID TERMINUS BEING NORTH 14° 59' 47" WEST 114.79 FEET FROM THE SOUTHWEST CORNER OF THE WILLIAM A. STARKWEATHER DLC 62 IN SAID SECTION 8.

**LINN COUNTY ASSESSOR
REAL PROPERTY ACCOUNT NAMES**

3/3/2010 8:59:33 AM

Account # [REDACTED]
Map 10S02W08-00-00100
Owner CUNNINGHAM KENNETH E & MARY M
Agent
In Care Of
Mailing Address
36307 JEFFERSON SCIO DR
JEFFERSON, OR 97352-9302

Name Type	Name	Ownership Type	Own Pct
OWNER	CUNNINGHAM, KENNETH E	OWNER	
OWNER	CUNNINGHAM, MARY M	OWNER	

FOR ASSESSMENT AND
TAXATION ONLY

SECTION 8 T.10S. R.2W. W.M.
Linn County
1" = 400'

10S02W08
LINN COUNTY
CANCELLED:



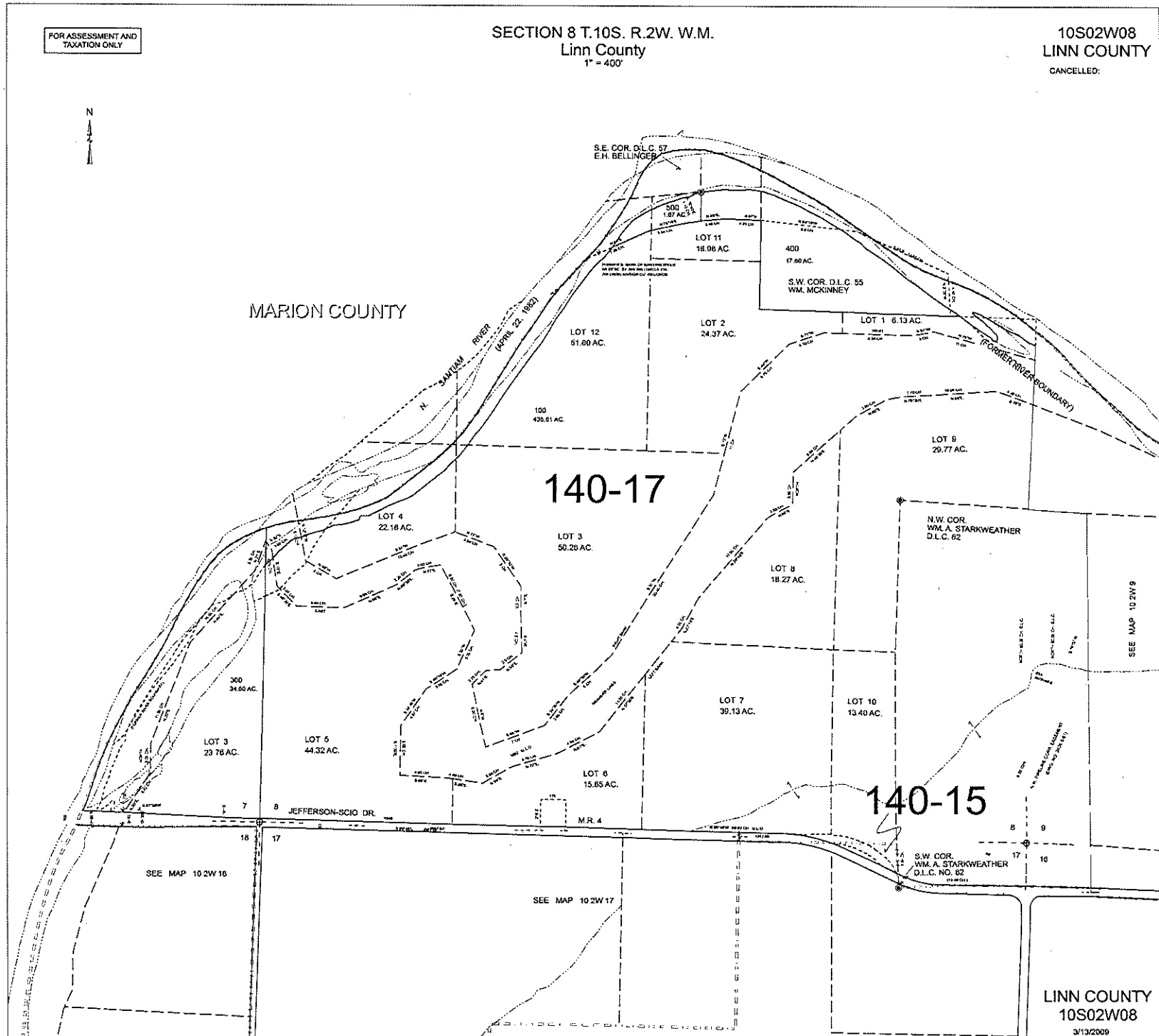
MARION COUNTY

140-17

140-15

LINN COUNTY
10S02W08

3/13/2009





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

March 3, 2010

MEDURI FARMS INC.
D. JUSTIN MEDURI
P.O. BOX 636
DALLAS, OR 97338

Pd Notice
3-9-10

SUBJECT: Transfer Application T-10411

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10411. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

Because there are intervening points of appropriation between the new point of appropriation and the authorized points of appropriation, and because the new point of appropriation is more than ¼ mile from some of the authorized points of appropriation, the applicant is responsible for giving public notice of the transfer changes in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We have prepared the notice for you (enclosed). The deadline for individuals to file protests or standing statements is 30 days after the date of last publication. Please have the newspaper insert the date of last publication in the proper place. After publication, the Department needs to receive an affidavit specifying the dates the notice was published by **April 19, 2010**. Typically, the newspaper will prepare and mail an original *affidavit of publication* to the Department; however you will want to request specifically that they do so. The newspaper can mail the affidavit to me at the address above.

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

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

Please do not hesitate to contact me at 503-986-0898 or Kara.B.Morris@wrld.state.or.us if I may be of assistance.

Sincerely,

Kara Morris

Kara Morris
Transfer Specialist
Field Services Division

cc: **T-10411**

Mike L. McCord, District 16 Watermaster

James M. Schuette, CWRE → address: JMS Engineering, 3000 Market St., Suite #510, NE, Salem, OR 97301

Kenneth and Mary Cunningham

encs



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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-10411, Linn County	)	PROPOSING APPROVAL OF AN
	)	ADDITIONAL POINT OF
	)	APPROPRIATION AND PARTIAL
	)	DIMINUTION OF A WATER RIGHT

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use 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

MEDURI FARMS INC.
D. JUSTIN MEDURI
P.O. BOX 636
DALLAS, OR 97338

Findings of Fact

Background

1. On June 20, 2007, D. Justin Meduri of Meduri Farms filed an application to add an additional point of appropriation under Certificates 28351, 30688, 33450 and 65496. The Department assigned the application number T-10411.
2. The FIRST right to be transferred is as follows:
 - Certificate:** 28351 in the name of WILLIAM UPPSTAD (perfected under Permit G-651)
 - Use:** IRRIGATION of 33.2 ACRES
 - Priority Date:** SEPTEMBER 5, 1957
 - Rate:** 0.43 CUBIC FEET PER SECOND
 - Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
 - Source:** UPPSTAD WELL #3 within the NORTH SANTIAM RIVER BASIN

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.
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Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SW SW	5	925 FEET NORTH and 950 FEET EAST from the SW CORNER of SECTION 8

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	NW SW	5	1.8
10 S	2 W	WM	8	SW SW	5	31.2
10 S	2 W	WM	8	SE SW	6	0.2

3. Transfer Application T-10411 proposes to add an additional point of appropriation approximately 3500 feet east to Well#8 located:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
10 S	2 W	WM	8	SE SE	62	950 FEET NORTH and 4425 FEET EAST from the SW CORNER of SECTION 8

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

Certificate: 30688 in the name of WILLIAM UPPSTAD (perfected under Permit G-1501)

Use: IRRIGATION of 34.0 ACRES

Priority Date: DECEMBER 16, 1959

Rate: 0.43 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: UPPSTAD WELL No.4 within the NORTH SANTIAM RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SE SE	10	625 FEET NORTH and 4325 FEET EAST from the SW CORNER of SECTION 8

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	NE SE	9	10.4
10 S	2 W	WM	8	NW SE	8	6.0
10 S	2 W	WM	8	SW SE	7	8.4
10 S	2 W	WM	8	SE SE	10	9.2

5. Transfer Application T-10411 proposes to add an additional point of appropriation approximately 400 feet north to Well#8 located:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
10 S	2 W	WM	8	SE SE	62	950 FEET NORTH and 4425 FEET EAST from the SW CORNER of SECTION 8

6. The THIRD right to be transferred is as follows:

Certificate: 33450 in the name of WILLIAM UPPSTAD (perfected under Permit G-2113)

Use: IRRIGATION of 50.7 ACRES

Priority Date: APRIL 10, 1962

Rate: 0.63 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: UPPSTAD WELL No. 5 within the NORTH SANTIAM RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SW SE	7	1010 FEET NORTH and 3110 FEET EAST FROM the SW CORNER of SECTION 8

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	SW SW	5	2.4
10 S	2 W	WM	8	SE SW	6	12.4
10 S	2 W	WM	8	NW SE	8	8.4
10 S	2 W	WM	8	SW SE	7	27.5

7. Transfer Application T-10411 proposes to add an additional point of appropriation approximately 1350 feet east to Well#8 located:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
10 S	2 W	WM	8	SE SE	62	950 FEET NORTH and 4425 FEET EAST from the SW CORNER of SECTION 8

8. The portion of the FOURTH right to be transferred is as follows:

Certificate: 65496 in the name of KENNETH E. CUNNINGHAM (perfected under Permit G-10727)

Use: IRRIGATION of 47.0 ACRES

Priority Date: MAY 12, 1987

Rate: 0.59 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of

ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL 6 within the NORTH SANTIAM RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SE SW	3	850 FEET NORTH and 2050 FEET EAST FROM SW CORNER of SECTION 8

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	NE SW	3	6.8
10 S	2 W	WM	8	NE SW	5	3.4
10 S	2 W	WM	8	NW SW	5	1.08
10 S	2 W	WM	8	SW SW	5	2.92
10 S	2 W	WM	8	SW SW	3	1.7
10 S	2 W	WM	8	SE SW	6	2.3
10 S	2 W	WM	8	SE SW	3	20.1
10 S	2 W	WM	8	SE SW	5	1.9
10 S	2 W	WM	8	NW SE	8	4.1
10 S	2 W	WM	8	NW SE	3	1.3
10 S	2 W	WM	8	SW SE	7	1.4
TOTAL:						47.0

9. Transfer Application T-10411 proposes to add an additional point of appropriation approximately 2400 feet east to Well#8 located:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
10 S	2 W	WM	8	SE SE	62	950 FEET NORTH and 4425 FEET EAST from the SW CORNER of SECTION 8

10. There is an apparent scrivener's error in the description of the county listed on Certificate 65496. The county listed on the certificate as Marion County is in error. Based on the final proof maps and other water rights appurtenant to the same property, the name of the county should be listed as **Linn** County, consistent with the legal description attached to these lands, being south of the North Santiam River.
11. Notice of the application for transfer was published on June 26, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice
12. Upon review of the application and map, the Department finds that two of the four existing water rights overlap each other within the authorized place of use lands. A portion of water right Certificate 65496 overlaps approximately 4.3 acres of lands identified in Certificate 28351. On November 5, 2009, pursuant to OAR 690-380-2240, the Department mailed out a letter identifying the layered water rights and asked the applicant to either cancel a portion of one right or diminish a portion of the other water right to supplemental irrigation.

13. On January 21, 2010, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10411 to the applicant. The draft Preliminary Determination set forth a deadline of February 20, 2010, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Partial Diminution of a Certain Water Right

14. On January 12, 2010, Kenneth E. and Mary M. Cunningham, owners of lands under which a portion of water right Certificate 65496 is appurtenant to, have voluntarily submitted an affidavit for the partial diminution of the water right.

The portion of the water right to be diminished from primary irrigation to supplemental irrigation is described as follows:

Certificate: 65496 in the name of KENNETH E. CUNNINGHAM (perfected under Permit G-10727)
Use: IRRIGATION of 4.30 ACRES
Priority Date: MAY 12, 1987
Rate: 0.05 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: WELL 6 within the NORTH SANTIAM RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	GLot	Survey Coordinates
10 S	2 W	WM	8	SE SW	3	850 FEET NORTH and 2050 FEET EAST FROM the SW CORNER of SECTION 8

Place of Use to be Diminished to Supplemental Irrigation						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	NW SW	5	0.62
10 S	2 W	WM	8	SW SW	5	3.48
10 S	2 W	WM	8	SE SW	6	0.2
TOTAL:						4.3

Transfer Review Criteria (OAR 690-380-4010)

13. Water has been used within the last five years prior to the submittal of Transfer Application T-10411 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
14. Wells, pumps, buried mainline, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-10411.

15. The Department has determined that the proposed point of appropriation (POA), if properly conditioned, will develop the same source of water as the authorized existing wells:

Uppstad Well #3 [LINN 4086]

Uppstad Well #4 [LINN 4083]

Uppstad Well #5 [LINN 4087]

Well #6 [LINN 3137]

The existing wells produce water from an unconfined alluvial aquifer composed of Quaternary sands and gravels. The proposed new well shall be constructed to produce ground water from the alluvial ground water reservoir only which occurs at depths less than about 120 feet below land surface.

16. The proposed changes would not result in enlargement of the rights.

17. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

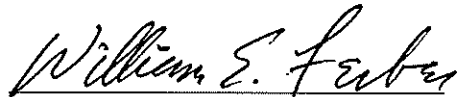
The changes to add an additional point of appropriation proposed in Transfer Application T-10411 appears to be with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the diminished portion of Certificate 65496 should be diminished to supplemental irrigation. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the diminished right will be diminished to supplemental irrigation.

If Transfer Application T-10411 is approved, the final order will include the following:

- 1. The additional point of appropriation proposed in Transfer Application T-10411 is approved.*
- 2. The water right for the irrigation of 4.3 acres under Certificate 65496 as described in Findings No. 12 & 13 is diminished from primary irrigation to supplemental irrigation.*
- 3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 28351, 30688, 33450 and 65496 and any related decree.*
- 4. Water right Certificates 28351, 30688, 33450 and 65496 are cancelled.*
- 5. The quantity of water diverted at the new additional points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.*
- 6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation (Uppstad Well #3, LINN 4086, Uppstad Well #4, LINN 4083, Uppstad Well #5, LINN 4087, Well #6, LINN 3137). The Department has determined that groundwater production from the new proposed well shall be limited to the equivalent water-bearing zone encountered in the original authorized wells, primarily from an unconfined alluvial aquifer composed of Quaternary sands and gravels. The proposed new well shall be constructed to produce ground water from the alluvial ground water reservoir only which occurs at depths less than about 120 feet below land surface.*

7. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation. The water user shall maintain the meter or measuring device in good working order. The water user shall allow the Watermaster access to the meter or measuring devices; provided however, where the meter or measuring device are located within a private structure, the Watermaster shall request access upon reasonable notice.*
8. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this 5th day of March 2010.



Phillip C. Ward, Director

<p>This Preliminary Determination was prepared by Ken Dowden. If you have questions about the information in this document, you may reach me at 541-278-5456 or Ken.D.Dowden@wrdd.state.or.us.</p>

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

**Notice of Preliminary Determination for
Water Right Transfer T-10411**

T-10411, filed by Meduri Farms, P.O. Box 636, Dallas, OR 97338, proposes to add an additional point of appropriation under Certificates 28351, 30688, 33450 and 65496. Certificate 28351 allows the use of 0.43 cfs (priority date September 5, 1957) from Uppstad Well#3 located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8; Certificate 30688 allows the use of 0.43 cfs (priority date December 16, 1959) from Uppstad Well#4 located within Lot 10 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Sec. 8; Certificate 33450 allows the use of 0.63 cfs (priority date April 10, 1962) from Uppstad Well#5 located within Lot 7 (SW $\frac{1}{4}$ SE $\frac{1}{4}$), Sec. 8; and Certificate 65496 allows the use of 0.64 cfs (priority date May 12, 1987) from Well#6 located within Lot 3 (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Sec. 8, all within T10S, R2W, W.M., and all for irrigation in Sec. 8. The applicant proposes to add an additional point of appropriation, Well #8, to all the rights described above approximately $\frac{1}{2}$ mile east from the furthest authorized well located within DLC 62, within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T10S, R2W, W.M.,. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Central Region
116 S.E. Dorian Avenue
Pendleton, OR 97801
Phone (541) 278-5456
FAX (541) 278-0287

January 21, 2010

MEDURI FARMS
attn: D. JUSTIN MEDURI
P.O. BOX 636
DALLAS, OR 97338

SUBJECT: Water Right Transfer Application T-10411

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-10411. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

Please review the draft carefully to familiarize yourself with any requirements and evaluate whether the document is consistent with your intent in seeking the transfer. Please respond in writing by the deadline provided below, whether you agree with the proposed action and whether there are any typographical errors that need to be corrected. You may respond by e-mail at the address below.

A report of landownership for the lands to which the water rights are appurtenant is required. **The report must be prepared by a title company.**

- 1) The title company's report must either be:
 - a) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
 - b) prepared within 3 months of recording of a water right conveyance agreement, or
 - c) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
- 2) The ownership report shall include:
 - a) Date reflected by the ownership information
 - b) List of owners at that time
 - c) Legal description of the property where the water right to be transferred is currently located.
- 3) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.

Conditions to your water right...

The Watermaster has required a flow-meter (water measurement device) be installed at the new (well) diversion point. If you should have questions or need assistance in determining what type of flowmeter must be installed, or if you are pursuing additional information or approval of any required (or alternate) devices, you may contact your Watermaster Mike McCord, in Salem at (503) 986-0889.

Please look at Condition #6 on page 6, which sets a date for completion of the changes. If the required completion date is insufficient to comply with any of the requirements listed in this document, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next...

Once the preliminary determination is issued a publication period is required. Because there are intervening points of appropriation between the new point of appropriation and the authorized points of appropriation, and because the new point of appropriation is more than ¼ mile from some of the authorized points of appropriation, the applicant is responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We will provide a copy of the required notice to you at the next phase in the process, upon issuance of the Preliminary Determination.

Issuance of the Preliminary Determination will occur shortly after we receive the report of ownership and your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable). **If we do not receive your response and the report by February 20, 2010, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at 541-278-5456 or Ken.D.Dowden@wr.d.state.or.us if I may be of assistance.

Sincerely,



Ken Dowden
Transfer Specialist
Field Services Division

cc: T-10411
Mike L. McCord, District 16 Watermaster
James M. Schuette, CWRE → address: JMS Engineering, 3000 Market St., Suite #510, NE, Salem, OR 97301

encs

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

In the Matter of Transfer Application
T-10411, Linn County

) **D R A F T**
)
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF AN
) ADDITIONAL POINT OF
) APPROPRIATION AND PARTIAL
) DIMINUTION OF A WATER RIGHT

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use 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:

MEDURI FARMS INC.
D. JUSTIN MEDURI
P.O. BOX 636
DALLAS, OR 97338

Findings of Fact

Background

1. On June 20, 2007, D. Justin Meduri of Meduri Farms, filed an application add an additional point of appropriation under Certificates 28351, 30688, 33450 and 65496. The Department assigned the application number T-10411.
2. The FIRST right to be transferred is as follows:
Certificate: 28351 in the name of WILLIAM UPPSTAD (perfected under Permit G-651)
Use: IRRIGATION of 33.2 ACRES
Priority Date: SEPTEMBER 5, 1957
Rate: 0.43 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: UPPSTAD WELL #3 within the NORTH SANTIAM RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SW SW	5	925 FEET NORTH and 950 FEET EAST from the SW CORNER of SECTION 8

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	NW SW	5	1.8
10 S	2 W	WM	8	SW SW	5	31.2
10 S	2 W	WM	8	SE SW	6	0.2

3. Transfer Application T-10411 proposes to add an additional point of appropriation approximately 3500 feet east to Well#8 located:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SW SW	5	950 FEET NORTH and 4425 FEET EAST from the SW CORNER of SECTION 8

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

Certificate: 30688 in the name of WILLIAM UPPSTAD (perfected under Permit G-1501)

Use: IRRIGATION of 34.0 ACRES

Priority Date: DECEMBER 16, 1959

Rate: 0.43 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: UPPSTAD WELL No.4 within the NORTH SANTIAM RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SE SE	10	625 FEET NORTH and 4325 FEET EAST from the SW CORNER of SECTION 8

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	NE SE	9	10.4
10 S	2 W	WM	8	NW SE	8	6.0
10 S	2 W	WM	8	SW SE	7	8.4
10 S	2 W	WM	8	SE SE	10	9.2

5. Transfer Application T-10411 proposes to add an additional point of appropriation approximately 400 feet north to Well#8 located:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SW SW	5	950 FEET NORTH and 4425 FEET EAST from the SW CORNER of SECTION 8

6. The THIRD right to be transferred is as follows:

Certificate: 33450 in the name of WILLIAM UPPSTAD (perfected under Permit G-2113)

Use: IRRIGATION of 50.7 ACRES

Priority Date: APRIL 10, 1962

Rate: 0.63 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: UPPSTAD WELL No. 5 within the NORTH SANTIAM RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SW SE	7	1010 FEET NORTH and 3110 FEET EAST FROM the SW CORNER of SECTION 8

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	SW SW	5	2.4
10 S	2 W	WM	8	SE SW	6	12.4
10 S	2 W	WM	8	NW SE	8	8.4
10 S	2 W	WM	8	SW SE	7	27.5

7. Transfer Application T-10411 proposes to add an additional point of appropriation approximately 1350 feet east to Well#8 located:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SW SW	5	950 FEET NORTH and 4425 FEET EAST from the SW CORNER of SECTION 8

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

Certificate: 65496 in the name of KENNETH E. CUNNINGHAM (perfected under Permit G-10727)

Use: IRRIGATION of 51.3 ACRES

Priority Date: MAY 12, 1987

Rate: 0.64 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL 6 within the NORTH SANTIAM RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SE SW	3	850 FEET NORTH and 2050 FEET EAST FROM SW CORNER of SECTION 8

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	NE SW	3	6.8
10 S	2 W	WM	8	NE SW	5	3.4
10 S	2 W	WM	8	NW SW	5	1.7*
10 S	2 W	WM	8	SW SW	5	6.4*
10 S	2 W	WM	8	SW SW	3	1.7
10 S	2 W	WM	8	SE SW	6	2.3
10 S	2 W	WM	8	SE SW	3	20.1
10 S	2 W	WM	8	SE SW	5	2.1*
10 S	2 W	WM	8	NW SE	8	4.1
10 S	2 W	WM	8	NW SE	3	1.3
10 S	2 W	WM	8	SW SE	7	1.4
TOTAL:						51.3*

* Note: portions of these lands will be diminished to supplemental irrigation (see Findings of Fact #12 and 13)

9. Transfer Application T-10411 proposes to add an additional point of appropriation approximately 2400 feet east to Well#8 located:

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
10 S	2 W	WM	8	SW SW	5	950 FEET NORTH and 4425 FEET EAST from the SW CORNER of SECTION 8

10. There is an apparent scrivener's error in the description of the county listed on Certificate 65496. The county listed on the certificate as Marion County is in error. Based on the final proof maps and other water rights appurtenant to the same property, the name of the county should be listed as Linn County, consistent with the legal description attached to these lands, being south of the North Santiam River.
11. Notice of the application for transfer was published on June 26, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice
12. Upon review of the application and map, the Department finds that two of the four existing water rights overlap each other within the authorized place of use lands. A portion of water right Certificate 65496 overlaps approximately 4.3 acres of lands identified in Certificate 28351. On November 5, 2009, pursuant to OAR 690-380-2240, the Department mailed out a letter identifying the layered water rights and asked the applicant to either cancel a portion of one right or diminish a portion of the other water right to supplemental irrigation.

Partial Diminution of a Certain Water Right

13. On January 12, 2010, Kenneth E. and Mary M. Cunningham, owners of lands under which a portion of water right Certificate 65496 is appurtenant to, have voluntarily submitted an affidavit for the partial diminution of the water right.

The portion of the water right to be diminished from primary irrigation to supplemental irrigation is described as follows:

Certificate: 65496 in the name of KENNETH E. CUNNINGHAM (perfected under Permit G-10727)

Use: IRRIGATION of 4.30 ACRES

Priority Date: MAY 12, 1987

Rate: 0.05 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL 6 within the NORTH SANTIAM RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	GLot	Survey Coordinates
10 S	2 W	WM	8	SE SW	3	850 FEET NORTH and 2050 FEET EAST FROM the SW CORNER of SECTION 8

Place of Use to be Diminished to Supplemental Irrigation						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
10 S	2 W	WM	8	NW SW	5	0.62
10 S	2 W	WM	8	SW SW	5	3.48
10 S	2 W	WM	8	SE SW	6	0.20
TOTAL:						4.30

Transfer Review Criteria (OAR 690-380-4010)

13. Water has been used within the last five years prior to the submittal of Transfer Application T-10411 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
14. Wells, pumps, buried mainline, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-10411.
15. The Department has determined that the proposed point of appropriation (POA), if properly conditioned, will develop the same source of water as the authorized existing wells:

Uppstad Well #3 [LINN 4086]

Uppstad Well #4 [LINN 4083]

Uppstad Well #5 [LINN 4087]

Well #6 [LINN 3137]

The existing wells produce water from an unconfined alluvial aquifer composed of Quaternary sands and gravels. The proposed new well shall be constructed to produce ground water from the alluvial ground water reservoir only which occurs at depths less than about 120 feet below land surface.

16. The proposed changes would not result in enlargement of the rights.
17. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The changes to add an additional point of appropriation proposed in Transfer Application T-10411 appears to be with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the diminished portion of Certificate 65496 should be diminished to supplemental irrigation. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the diminished right will be diminished.

If Transfer Application T-10411 is approved, the final order will include the following:

- 1. The additional point of appropriation proposed in Transfer Application T-10411 is approved. The portion of the right that has been requested to be diminished shall be diminished to supplemental irrigation.*
- 2. The water right for the irrigation of 4.3 acres under Certificate 65496 as described in Findings No. 12 & 13 is diminished from primary irrigation to supplemental irrigation.*
- 3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 28351, 30688, 33450 and 65496 and any related decree.*
- 4. Water right Certificates 28351, 30688, 33450 and 65496 are cancelled.*
- 5. The quantity of water diverted at the new additional points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.*
- 6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation (Uppstad Well #3, LINN 4086, Uppstad Well #4, LINN 4083, Uppstad Well #5, LINN 4087, Well #6, LINN 3137). The Department has determined that groundwater production from the new proposed well shall be limited to the equivalent water-bearing zone encountered in the original authorized wells, primarily from an unconfined alluvial aquifer composed of Quaternary sands and gravels. The proposed new well shall be constructed to produce ground water from the alluvial ground water reservoir only which occurs at depths less than about 120 feet below land surface.*
- 7. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation. The water user shall maintain the meter or measuring device in good working order. The water user shall allow the Watermaster access to the meter or measuring devices; provided however, where the meter or measuring device are located within a private structure, the Watermaster shall request access upon reasonable notice.*
- 8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

9. *When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2010.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by Ken Dowden. If you have questions about the information in this document, you may reach me at 541-278-5456 or Ken.D.Dowden@wrд.state.or.us.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Central Region
116 S.E. Dorian Avenue
Pendleton, OR 97801
Phone (541) 278-5456
FAX (541) 278-0287

November 5, 2009

MEDURI FARMS
P.O. BOX 636
DALLAS, OR 97338

SUBJECT: Water Right Transfer Application T-10411

Dear Applicant,

You submitted a transfer application (T-10411) to the Department that proposes to add an additional point of appropriation to existing water right Certificates 28351, 30688, 33450 and 65496 in Linn County. Based upon review of your application map describing the four different groundwater rights, I find that the furthest west water right, Certificate number 28351, is not fully described according to the total number of acres it authorizes. In looking at the certificate and original Final Proof Survey map (enclosed) for this right, it is obvious that a portion of the right on its eastern edge runs into and overlaps the water right Certificate 65496 as seen on your transfer application map prepared by James Schuette. In other words, there is a portion of two water rights for primary irrigation stacked up on top of each other. By the use of our measurement tool on our website in "interactive mapper", there is approximately 0.62 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, 3.48 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, and 0.2 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ which appear to overlap a portion of Certificate 65496.

At this point, pursuant to OAR 690-380-2240, because of this overlap (layering) situation described above, you must decide whether to either:

1. Submit an affidavit to voluntarily cancel the portion of water right Certificate 28351 that overlays water right Certificate 65496 for the same use (primary irrigation); *or*
2. Submit an affidavit to voluntarily diminish the portion of Certificate 65496 (being overlapped) to supplemental irrigation, because its priority date is junior to the water right certificate number 28351.

Please review the two enclosed final proof maps, one of which shows the extent of which the right overlaps on the other in red, and determine which option best fits your overall use of water. Also enclosed are both affidavits to assist you in either way you choose to deal with the 4.30 acres of overlap. Please work with your CWRE if need be to determine if the acreage numbers I have calculated are accurate.

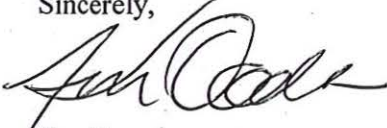
Please be aware that your pending transfer application should be amended to remove the portion of the right (or portion to be diminished) and must be provided prior to issuance of a draft of the preliminary determination. Once we determine the action and associated amount of acres, we will amend your application to move forward with issuance of the draft of the Preliminary Determination.

Please submit the appropriate affidavit as per instructions described above and contact me to amend your application to reflect these changes. Please send your response to the Department by **December 4, 2009**, in order to proceed with the issuance of the draft Preliminary Determination.

November 4, 2009
T-10411

Please feel free to contact me at (541) 278-5456 or Ken.D.Dowden@wrdd.state.or.us if you should have any questions or concerns regarding the information being requested.

Sincerely,



Ken Dowden
Transfer Specialist
Field Services Division

cc: **file T-10411**

Mike McCord, District #16 Watermaster

James M. Schuette, CWRE

→ address: 2245 Linwood St., NW, Salem, OR 97304-1911

encs: Copy of Transfer T-10411 application and map (& suppl. form A for Cert's #28351 & 65496)
Copy of Certificates 28351 & 65496 and associated Final Proof maps
Affidavit for voluntary cancellation and affidavit for partial diminution of a water right

STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

This Is to Certify, That WM. UPSTAD

of Rt. 1, Box 327, Jefferson, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Upstad Well #3 a tributary of North Santiam River for the purpose of irrigation of 33.2 acres

under Permit No. G-651 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 5, 1957

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.43 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 5 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 8, T. 10 S., R. 2 W., W.M. Well is 925 ft. N. and 950 ft. E. from SW corner, Section 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

1.8 acres Lot 5 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
31.2 acres Lot 5 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
0.2 acre Lot 6 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 8
T. 10 S., R. 2 W., W.M.

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

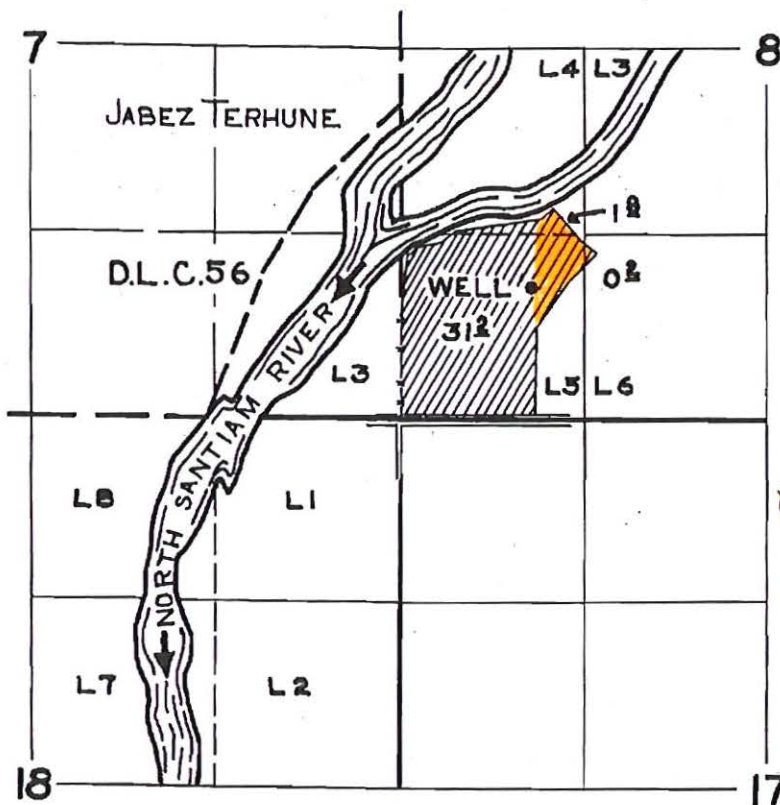
WITNESS the signature of the State Engineer, affixed

this date. MARCH 22 1961

LEWIS A. STANLEY

State Engineer

T.10S. R.2W.W.M.



OVERCAP ON
CERT # 65496

FINAL PROOF SURVEY UNDER

Application No. G.751 Permit No. G.651
IN NAME OF

WM. UPPSTAD

Surveyed JUNE 21 1960, by M. BISH

SCALE: 1" = 1320'

FINAL PROOF SURVEY

UNDER

Application No. G-11651.. Permit No.G-10727.....
IN NAME OF

.....KENNETH E CUNNINGHAM.....

Surveyed AUG..25... 1989., by R.W.KLASSEN.....

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH E. CUNNINGHAM
36307 JEFFERSON-SCIO DRIVE
JEFFERSON, OREGON 97352

confirms the right to use the waters of WELL 6 in the NORTH SANTIAM RIVER BASIN for the purpose of IRRIGATING 51.3 ACRES.

The right has been perfected under Permit G-10727. The date of priority is MAY 12, 1987. The right is limited to not more than 0.64 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

LOT 3 (SE 1/4 SW 1/4), SECTION 8, T 10 S, R. 2 W, W.M.; 850 FEET NORTH AND 2050 FEET EAST FROM THE SW CORNER OF SECTION 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use of water shall be limited when it interferes with the prior surface water rights of others.

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

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

		<u>DISBURSEMENT</u>	<u>NEW CONSERVING RIGHT</u>
LOT 3 (NE 1/4 SW 1/4)	6.8 ACRES		
LOT 5 (NE 1/4 SW 1/4)	3.4 ACRES		
LOT 5 (NW 1/4 SW 1/4)	1.7 ACRES	0.62 (suppl. irr.)	1.08 (primary)
LOT 5 (SW 1/4 SW 1/4)	6.4 ACRES	3.48 (suppl. irr.)	2.22 (primary)
LOT 3 (SW 1/4 SW 1/4)	1.7 ACRES		
LOT 6 (SE 1/4 SW 1/4)	2.3 ACRES	0.2 (suppl. irr.)	2.10 (primary)
LOT 3 (SE 1/4 SW 1/4)	20.1 ACRES		
LOT 5 (SE 1/4 SW 1/4)	2.1 ACRES	0.2 (suppl. irr.)	1.9 (primary)
LOT 8 (NW 1/4 SE 1/4)	4.1 ACRES		
LOT 3 (NW 1/4 SE 1/4)	1.3 ACRES		
LOT 7 (SW 1/4 SE 1/4)	1.4 ACRES		

SECTION 8

TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.

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

WITNESS the signature of the Water Resources Director, affixed
APRIL 1, 1991.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 65496.

G-11651.DM

AFFIDAVIT FOR THE **PARTIAL CANCELLATION** OF A
WATER RIGHT CERTIFICATE

State of Oregon)
) ss
County of _____)

We, _____, residing at _____,
_____, OREGON 97_____, phone _____, being first duly sworn depose and say:

1. We are the legal owners of the property described as tax lot number _____, in the SW¼ of Section 8, within Township 10 South, Range 2 West, of the Willamette Meridian, in Linn County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. A portion of water right certificate number 28351, issued to WILLIAM UPPSTAD, with a date of priority of September 5, 1957, for the use of 1/80 of one cubic feet per second of water per acre from the waters of Uppstad Well#3, within the North Santiam River Basin, for the purpose of irrigation of 4.30 acres is appurtenant to our property;
3. We have abandoned any and all interest in the portion of this water right shown on the attached map and described as follows:

Lot 5 (NW¼ SW¼)	0.62 acres
Lot 5 (SW¼ SW¼)	3.48 acres
Lot 6 (SE¼ SW¼)	0.20 acres
Section 8	
Township 10 South, Range 2 West, W.M.; and,	
4. We request that said portion of the right described above be canceled.

Signature of Legal Owner

Date

Signature of Co-Owner

Date

Subscribed and Sworn to Before Me this _____ day of _____, 2009.

Notary Public for Oregon

My Commission Expires _____

PLEASE ATTACH MAP AND DEED WITH LEGAL DESCRIPTION

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT CERTIFICATE**

State of Oregon)
County of _____) ss
_____)

We, _____ residing at _____,
_____, Oregon, 97____ telephone _____,
being first duly sworn depose and say:

1. We are the legal owner(s) of the property described as tax lot number _____ within the SW¼, Section 8, Township 10 South, Range 2 West, of the Willamette Meridian, in Linn County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. A portion of water right certificate number 65496 issued to KENNETH E. CUNNINGHAM, with a date of priority of May 12, 1987 , for use of 1/80 of one cubic foot per second of water per acre from the water from WELL #6, within the North Santiam River Basin, for the purpose of irrigation of 4.30 acres is appurtenant to our property; and is not subject to ORS 540.610, forfeiture;
3. The portion of the water right shown on the attached map to be diminished to supplemental irrigation for an underlying primary water right in like amounts is described as follows:

The right to the use of 1/80 of one cubic foot per second of water per acre from Well #6 for irrigation of 4.30 acres is located:

Lot 5 (NW¼ SW¼) 0.62 acres
Lot 5 (SW¼ SW¼) 3.48 acres
Lot 6 (SE¼ SW¼) 0.20 acres

Section 8
Township 10 South, Range 2 West, W.M.; and,

5. We request the portion of the water right described above be diminished to supplemental irrigation.

Signature of legal owner as listed on deed

Date

Signature of legal co-owner as listed on deed
(if applicable)

Date

Subscribed and Sworn to Before Me this _____ day of _____, 200_____.

Notary Public for Oregon

My Commission Expires _____

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) A WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE DIMINISHED RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).

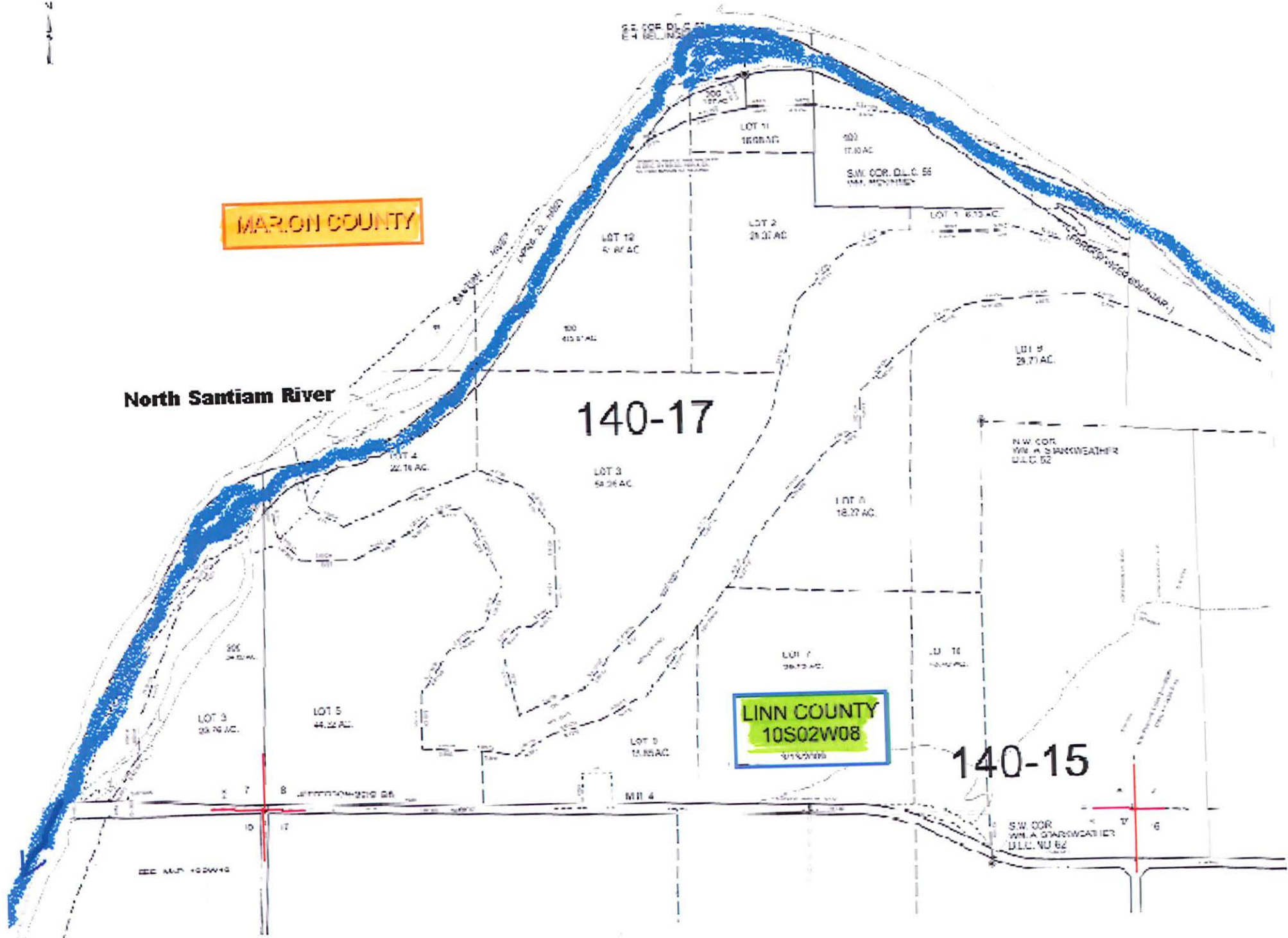
MARION COUNTY

North Santiam River

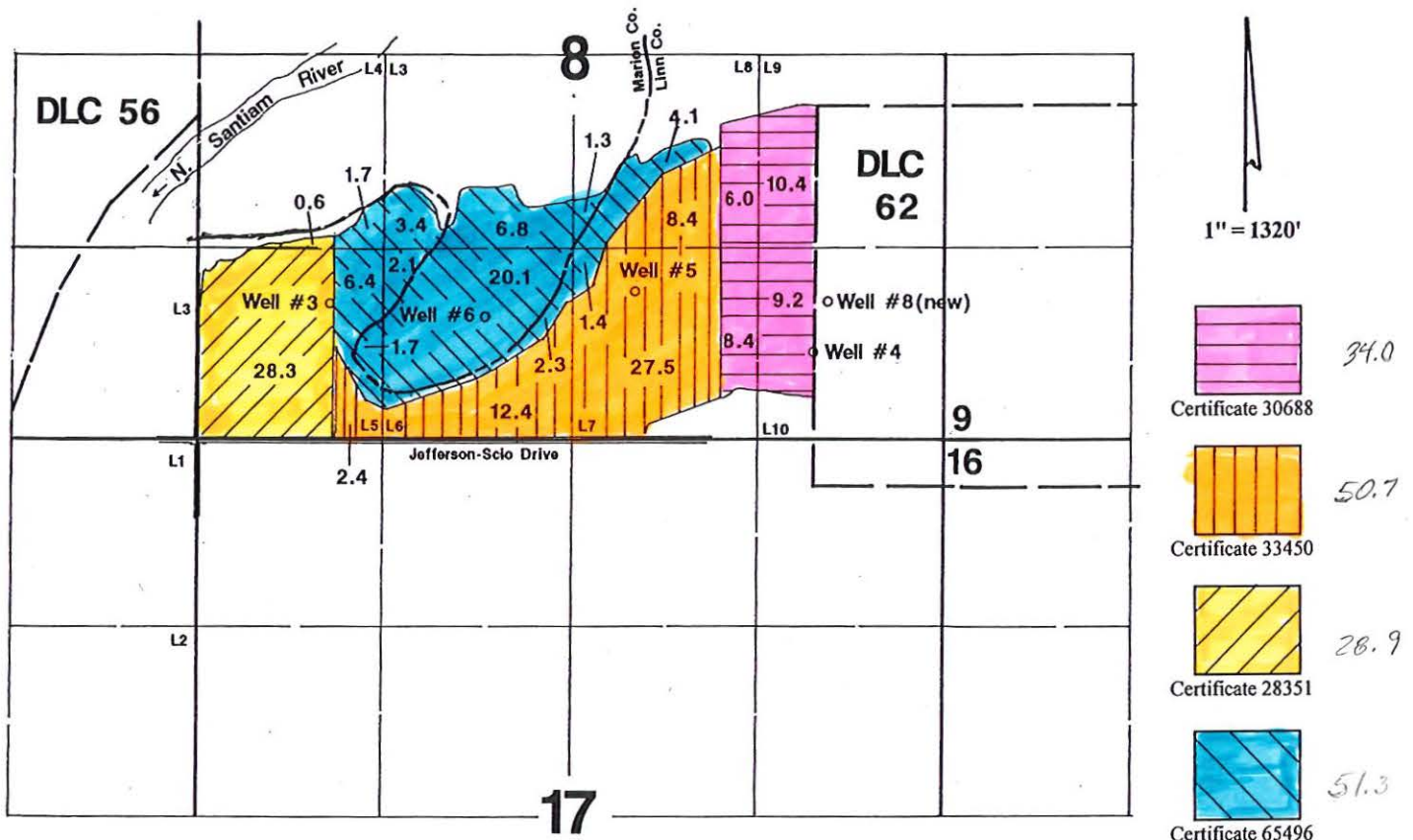
140-17

LINN COUNTY
10S02W08

140-15



T.10S., R.2W., W.M.



Well #3 is located 925' N & 950' E
 Well #4 is located 625' N & 4325' E
 Well #5 is located 1010' N & 3110' E
 Well #6 is located 850' N & 2050' E
 Well #8 (new) is located 950' N & 4425' E—all from the SW corner of Section 8.

Superseded
 because of overlap
 SEE DEPARTMENTAL ORDER

Application Map

Meduri Farms

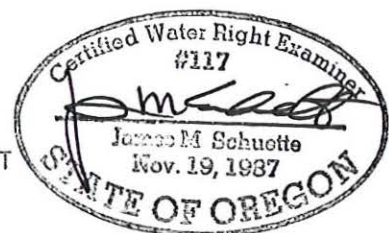
Transfer #:

RECEIVED

JUN 20 2007

WATER RESOURCES DEPT
 SALEM, OREGON

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.





MARION COUNTY

S.E. COR. D.L.C. 57
E.H. BELLINGER

300
1.87 AC.

LOT 11
16.98 AC.

400
17.80 AC.

S.W. COR. D.L.C. 55
WM. MCKINNEY

LOT 1 6.13 AC.

LOT 12
51.60 AC.

LOT 2
24.37 AC.

100
438.81 AC.

140-17

LOT 3
50.28 AC.

LOT 4
22.16 AC.

LOT 8
18.27 AC.

LOT 9
29.77 AC.

N.W. COR.
WM. A. STARKWEATHER
D.L.C. 62

LOT 7
39.13 AC.

LOT 10
13.40 AC.

LOT 6
15.85 AC.

LOT 5
44.32 AC.

LOT 3
23.76 AC.

300
34.80 AC.

JEFFERSON-SCIO DR.

M.R. 4

140-15

S.W. COR.
WM. A. STARKWEATHER
D.L.C. NO. 62
(PARTIAL)

SEE MAP 10 2W 18

SEE MAP 10 2W 17

SEE MAP 10 2W 9

STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

This Is to Certify, That WM. UPPSTAD

97352

of **Rt. 1, Box 327, Jefferson**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **Uppstad Well #3** a tributary of **North Santiam River** for the purpose of **irrigation of 33.2 acres**

under Permit No. **G-651** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **September 5, 1957**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **0.43 cubic foot per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **Lot 5 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 8, T. 10 S., R. 2 W., W.M.** Well is 925 ft. N. and 950 ft. E. from SW corner, Section 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-eightieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **2 $\frac{1}{2}$ acre feet** per acre for each acre irrigated during the irrigation season of each year,

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

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

**1.8 acres Lot 5 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
31.2 acres Lot 5 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
0.2 acre Lot 6 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 8
T. 10 S., R. 2 W., W.M.**

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

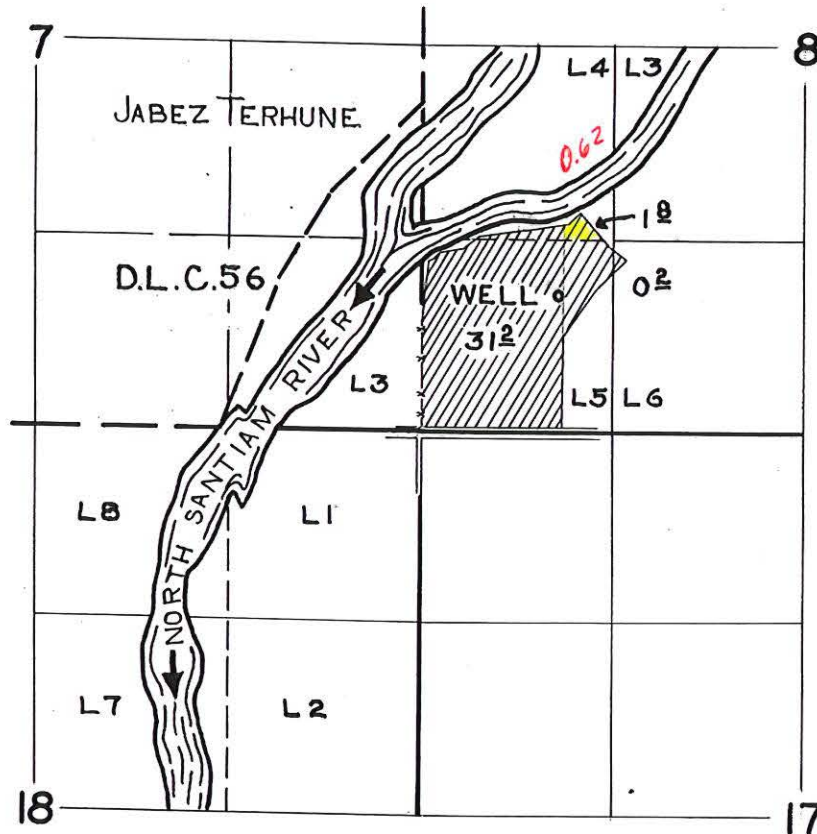
WITNESS the signature of the State Engineer, affixed

this date, **MARCH 22 1961**

LEWIS A. STANLEY

State Engineer

T.10S. R.2W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. G.751 Permit No. G.651
IN NAME OF

W.M. UPPSTAD

Surveyed JUNE 21 1960, by M. BISH

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH E. CUNNINGHAM
36307 JEFFERSON-SCIO DRIVE
JEFFERSON, OREGON 97352

confirms the right to use the waters of WELL 6 in the NORTH SANTIAM RIVER BASIN for the purpose of IRRIGATING 51.3 ACRES.

The right has been perfected under Permit G-10727. The date of priority is MAY 12, 1987. The right is limited to not more than 0.64 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

LOT 3 (SE 1/4 SW 1/4), SECTION 8, T 10 S, R 2 W, W.M.; 850 FEET NORTH AND 2050 FEET EAST FROM THE SW CORNER OF SECTION 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use of water shall be limited when it interferes with the prior surface water rights of others.

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

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

LOT 3	(NE 1/4 SW 1/4)	6.8 ACRES	
LOT 5	(NE 1/4 SW 1/4)	3.4 ACRES	
LOT 5	(NW 1/4 SW 1/4)	1.7 ACRES	-0.62 DIMINISHED TO SUPPL. FOR.
LOT 5	(SW 1/4 SW 1/4)	6.4 ACRES	-3.48 " " " "
LOT 3	(SW 1/4 SW 1/4)	1.7 ACRES	
LOT 6	(SE 1/4 SW 1/4)	2.3 ACRES	
LOT 3	(SE 1/4 SW 1/4)	20.1 ACRES	
LOT 5	(SE 1/4 SW 1/4)	2.1 ACRES	-0.20 " " " "
LOT 8	(NW 1/4 SE 1/4)	4.1 ACRES	
LOT 3	(NW 1/4 SE 1/4)	1.3 ACRES	
LOT 7	(SW 1/4 SE 1/4)	1.4 ACRES	

SECTION 8

TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.

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

WITNESS the signature of the Water Resources Director, affixed APRIL 1, 1991.

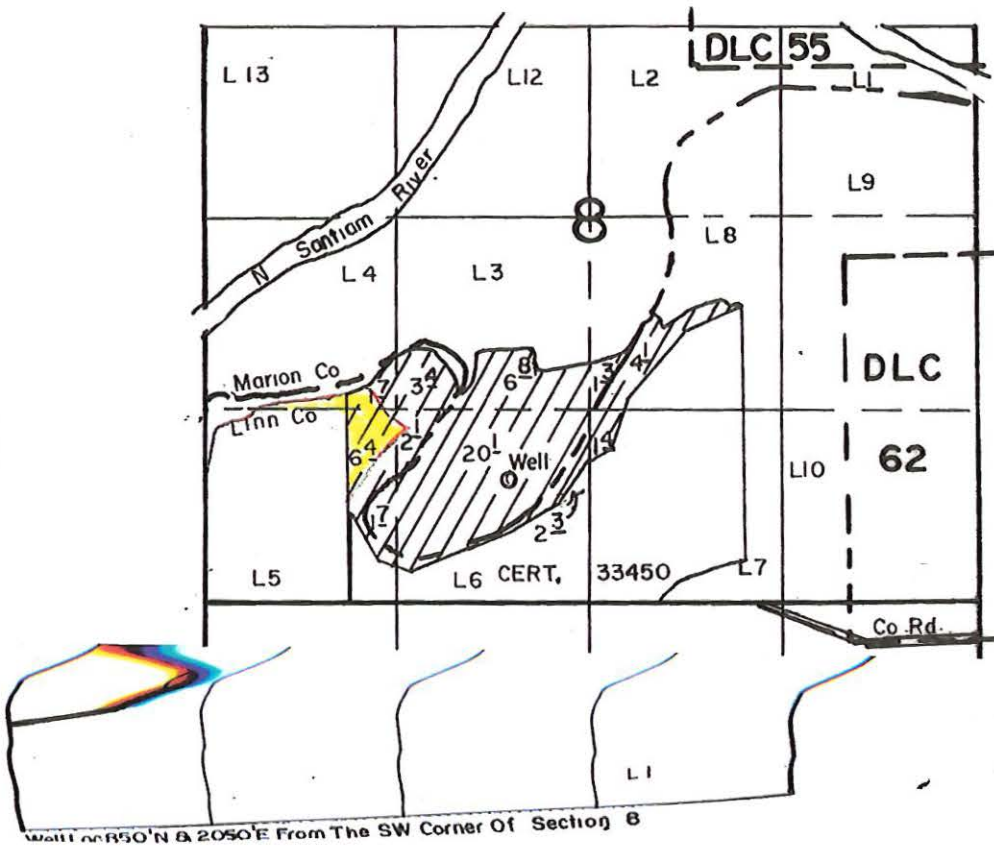
/s/ WILLIAM H. YOUNG
William H. Young

Recorded in State Record of Water Right Certificates numbered 65496.

G-11651.DM

F10411

T.10S., R.2W., W.M.



FINAL PROOF SURVEY
UNDER

Application No. G-11651.. Permit No. G-10727.....
IN NAME OF

.....KENNETH E. CUNNINGHAM.....

Surveyed AUG...25... 1989., by R.W. KLASSEN.....

STATE OF OREGON
COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

This Is to Certify, That WM. UPPSTAD

97352

of Route 1, Box 327, Jefferson, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Uppstad Well No. 5

a tributary of North Santiam River (Santiam River) for the purpose of irrigation of 50.7 acres

under Permit No. G-2113 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 10, 1962

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.63 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 7 (SW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 8, T. 10 S., R. 2 W., W.M. Well located 1010 feet North and 3110 feet East from the SW Corner, Section 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year;

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

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

2.4 acres Lot 5 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
12.4 acres Lot 6 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
8.4 acres Lot 8 (NW $\frac{1}{4}$ SE $\frac{1}{4}$)
27.5 acres Lot 7 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 8
T. 10 S., R. 2 W., W. M.

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

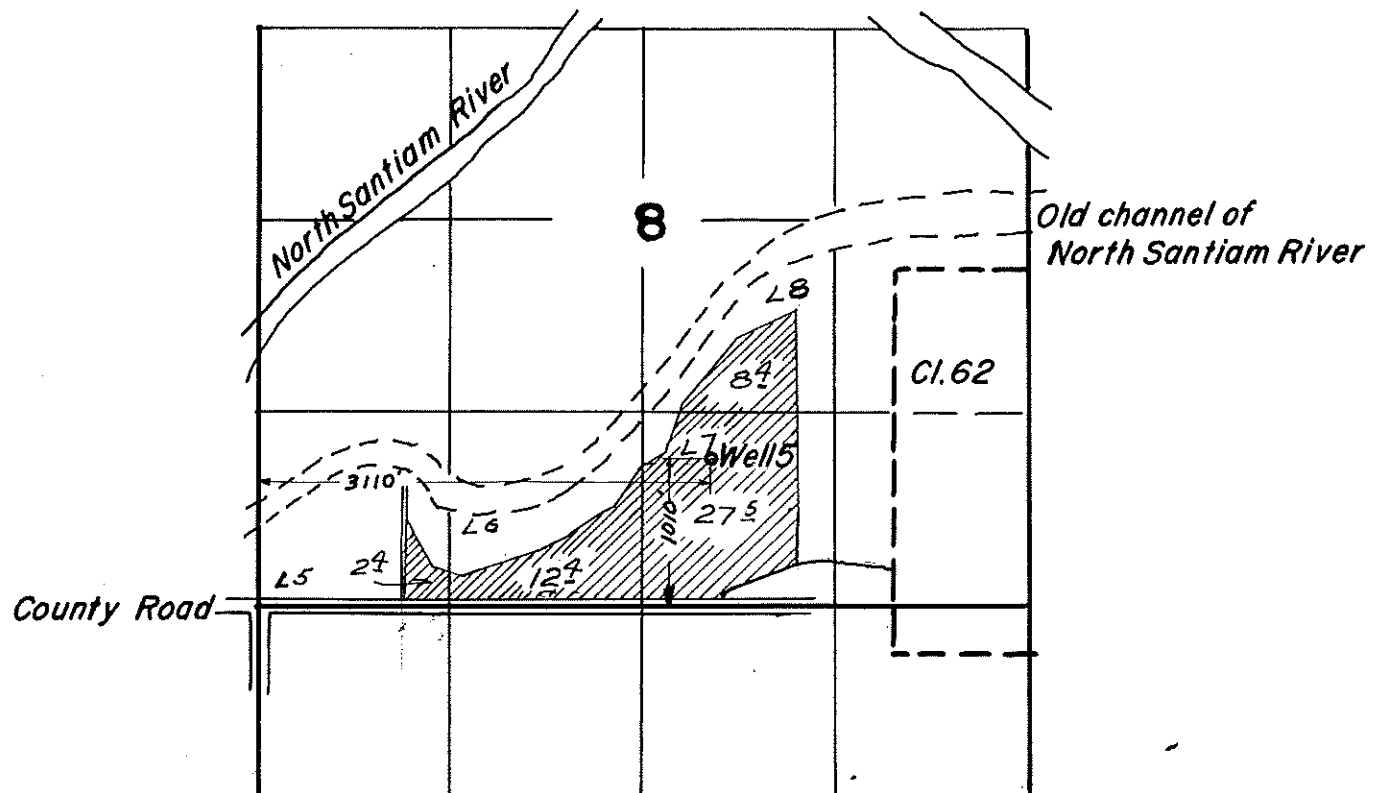
WITNESS the signature of the State Engineer, affixed

this date. December 19, 1966

CHRIS L. WHEELER

State Engineer

T.10 S.R. 2 W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. G-2289 Permit No. G-2113
IN NAME OF

William Uppstad

Surveyed Dec. 11, 1962, by F. Slegmund
Jan. 13, 1966

STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

This Is to Certify, That WILLIAM UPPSTAD 97352

of Route 1, Jefferson, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Uppstad Well No. 4 a tributary of Santiam River for the purpose of irrigation of 34.0 acres

under Permit No. G-1501 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 16, 1959,

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.43 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 10 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 8, T. 10 S., R. 2 W., W. M. Well located 625 feet North and 4325 feet East of SW corner, Section 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

10.4 acres Lot 9 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
6.0 acres Lot 8 (NW $\frac{1}{4}$ SE $\frac{1}{4}$)
8.4 acres Lot 7 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
9.2 acres Lot 10 (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 8
T. 10 S., R. 2 W., W. M.

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

WITNESS the signature of the State Engineer, affixed

this date. MARCH 6 1963

CHRIS L. WHEELER

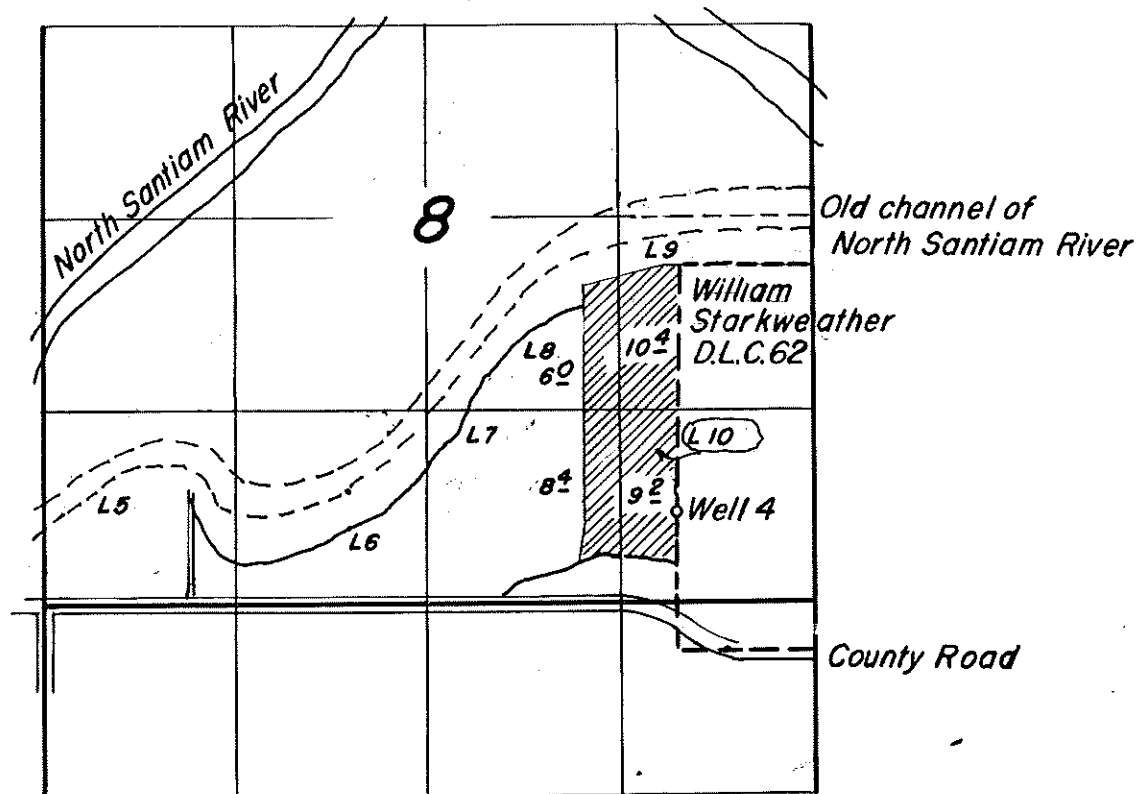
State Engineer

Recorded in State Record of Water Right Certificates, Volume 22, page

30688

F10411

T. 10 S. R. 2 W. W. M.



FINAL PROOF SURVEY
UNDER

Application No. G-1644 Permit No. G-1501...
IN NAME OF

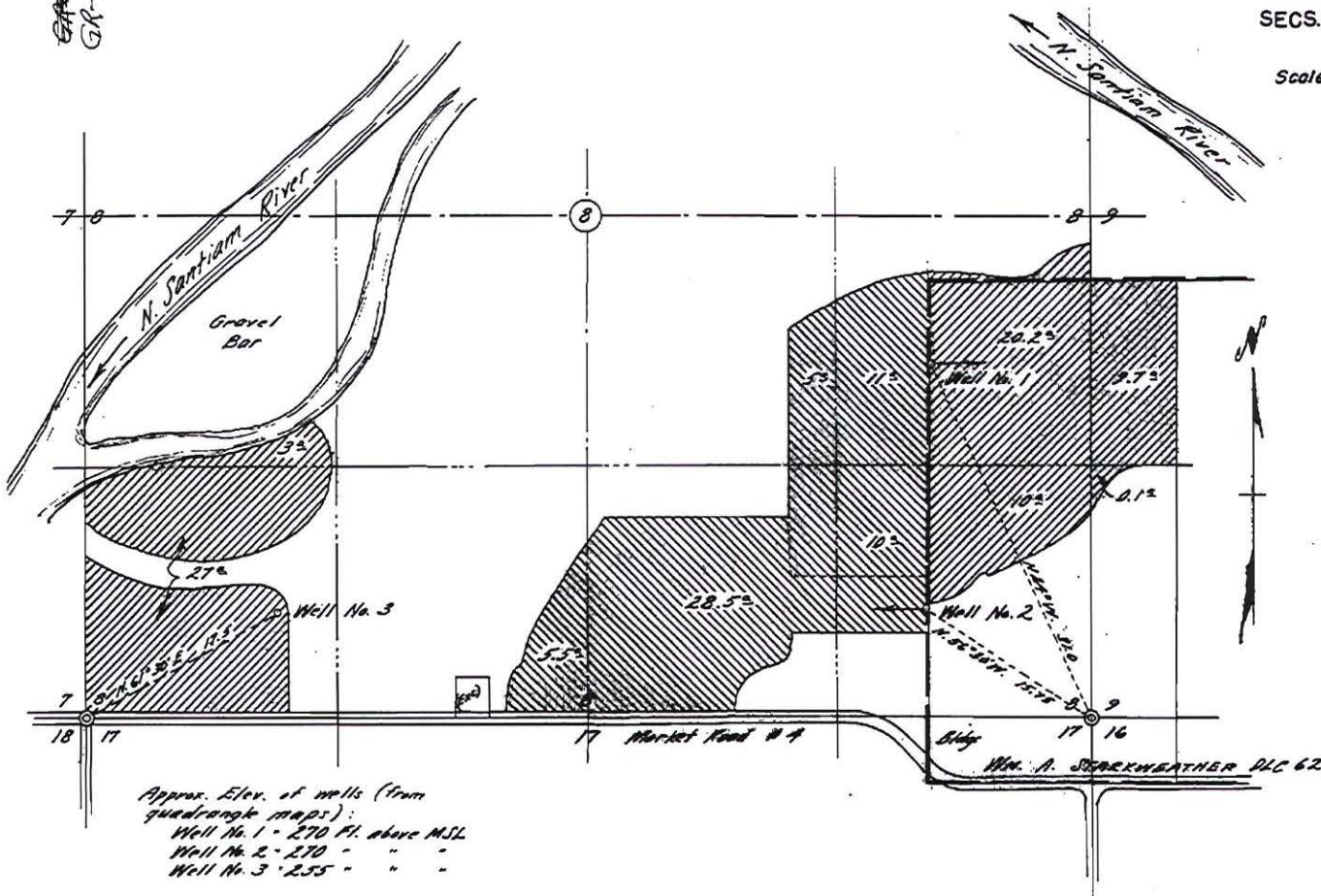
William Uppstad

Surveyed Dec. 11, 1962, by Floyd L. Siegmund

GR ON PROPERTY

GR-248

W.R. 373
WILLIAM UPSTAD
 SECS. 8 & 9, T. 10 S., R. 2 W., W.M.
 LINN COUNTY, OREGON
 Scale: 1" = 10 Chains July 27, 1956
ORRIS A. CARNEGIE
 DEP. CO. SURVEYOR



REGISTERED
OREGON
 LAND SURVEYOR
Oris A. Carnegie
 MAY 9, 1947
ORRIS A. CARNEGIE
 213

Oregon Water Resources Web Mapping Application (beta)

Active Layer:

Water Rights

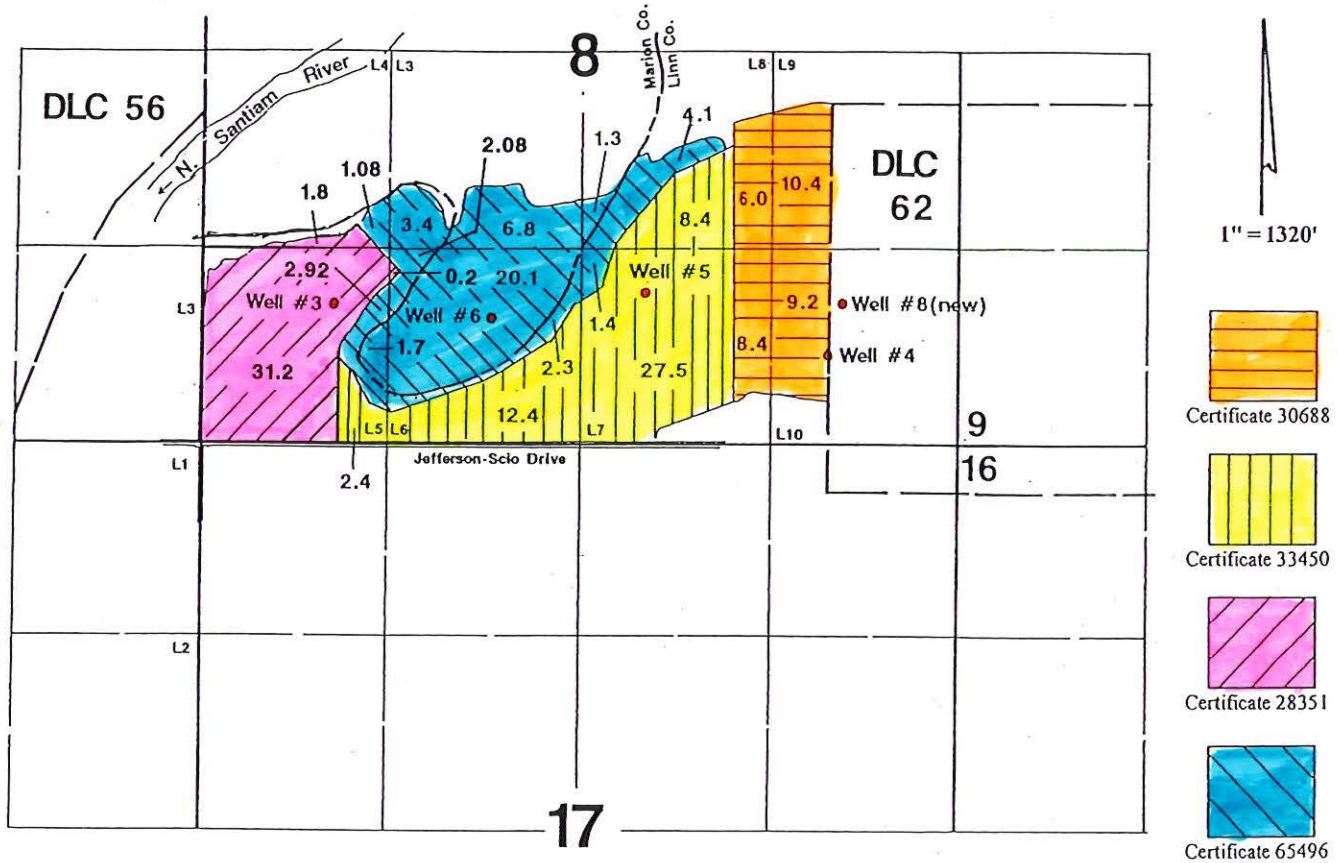
Locate a place on the map ▶ Use Basic Map ▶ Help ▶ Links ▶

The figure is an aerial photograph overlaid with a grid of section labels and water rights boundaries. The section labels are: SENE, SSWW, SENW, SENE, NESE, NWSW, NESW, NWSE, SESE, SWSW, SESW, and SWSE. A road labeled '8' is visible in the center-right. Water rights boundaries are shown as blue lines. A scale bar in the bottom right corner indicates 0.11 miles.

1 of 1

REC'D JAN 13 2010

T.10S., R.2W., W.M.



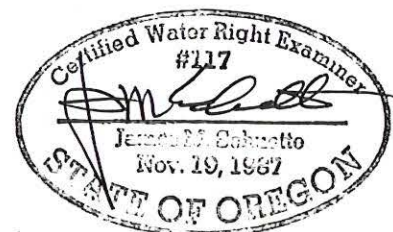
Well #3 is located 925' N & 950' E
 Well #4 is located 625' N & 4325' E
 Well #5 is located 1010' N & 3110' E
 Well #6 is located 850' N & 2050' E
 Well #8 (new) is located 950' N & 4425' E—all from the SW corner of Section 8.

Application Map

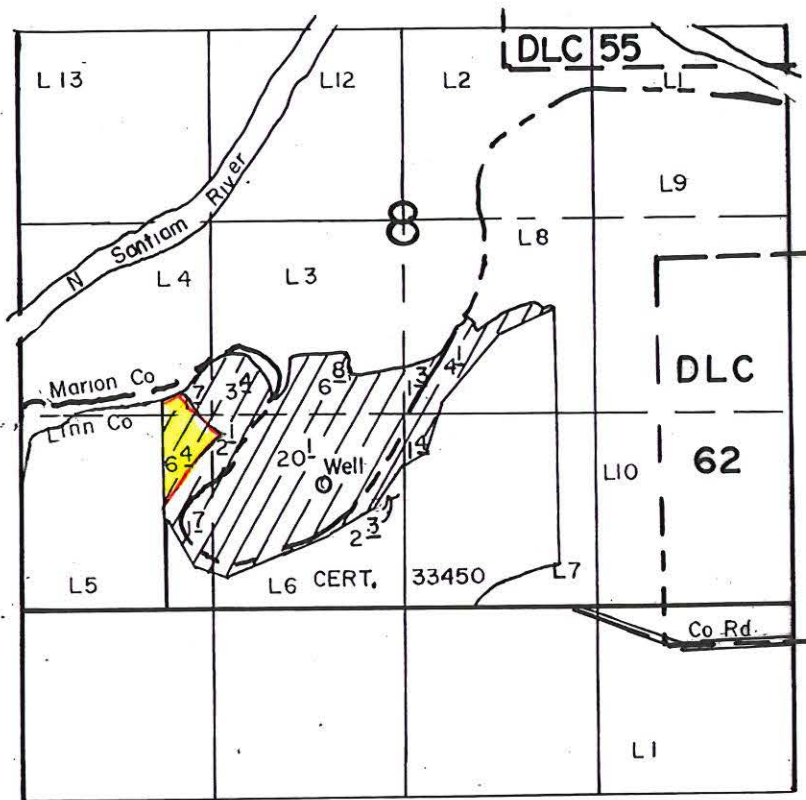
Meduri Farms

Transfer #: T-10411

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



T.10S., R.2W., W.M.



Well Loc 850' N & 2050' E From The SW Corner Of Section 8

SCALE: 1" = 1320'

FINAL PROOF SURVEY UNDER

Application No. G-11651.. Permit No. G-10727.....
IN NAME OF

.....KENNETH E. CUNNINGHAM.....

Surveyed AUG. 25... 1989., by R.W. KLASSEN.....

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH E. CUNNINGHAM
36307 JEFFERSON-SCIO DRIVE
JEFFERSON, OREGON 97352

confirms the right to use the waters of WELL 6 in the NORTH SANTIAM RIVER BASIN for the purpose of IRRIGATING 51.3 ACRES.

The right has been perfected under Permit G-10727. The date of priority is MAY 12, 1987. The right is limited to not more than 0.64 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

LOT 3 (SE 1/4 SW 1/4), SECTION 8, T 10 S, R 2 W, W.M.; 850 FEET NORTH AND 2050 FEET EAST FROM THE SW CORNER OF SECTION 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use of water shall be limited when it interferes with the prior surface water rights of others.

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

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

LOT 3	(NE 1/4 SW 1/4)	6.8 ACRES
LOT 5	(NE 1/4 SW 1/4)	3.4 ACRES
LOT 5	(NW 1/4 SW 1/4)	1.7 ACRES
LOT 5	(SW 1/4 SW 1/4)	6.4 ACRES
LOT 3	(SW 1/4 SW 1/4)	1.7 ACRES
LOT 6	(SE 1/4 SW 1/4)	2.3 ACRES
LOT 3	(SE 1/4 SW 1/4)	20.1 ACRES
LOT 5	(SE 1/4 SW 1/4)	2.1 ACRES
LOT 8	(NW 1/4 SE 1/4)	4.1 ACRES
LOT 3	(NW 1/4 SE 1/4)	1.3 ACRES
LOT 7	(SW 1/4 SE 1/4)	1.4 ACRES

SECTION 8

TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.

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

WITNESS the signature of the Water Resources Director, affixed
APRIL 1, 1991.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 65496.

G-11651.DM

(3 pages)

FAX 1-541-278-0287

12-10-09

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH E. CUNNINGHAM
36307 JEFFERSON-SCIO DRIVE
JEFFERSON, OREGON 97352Ken: Shouldn't the 0.2 come
from the 2.1 AC (SE SW)
instead of 2.3? let me know
JMSconfirms the right to use the waters of WELL 5 in the NORTH SANTIAM
RIVER BASIN for the purpose of IRRIGATING 51.3 ACRES.The right has been perfected under Permit G-10727. The date of priority
is MAY 12, 1987. The right is limited to not more than 0.64 CUBIC FOOT
PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

LOT 3 (SE 1/4 SW 1/4), SECTION 8, T 10 S, R 2 W, W.M.; 850
FEET NORTH AND 2050 FEET EAST FROM THE SW CORNER OF SECTION 8.The amount of water used for irrigation, together with the amount
secured under any other right existing for the same lands, shall be
limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its
equivalent for each acre irrigated and shall be further limited to a
diversion of not to exceed 2.5 acre-feet per acre for each acre
irrigated during the irrigation season of each year. The use of water
shall be limited when it interferes with the prior surface water rights
of others.The right shall conform to such reasonable rotation system as may be
ordered by the proper state officer.A description of the place of use under the right, and to which such
right is appurtenant, is as follows:

LOT 3	(NE 1/4 SW 1/4)	6.8 ACRES
LOT 5	(NE 1/4 SW 1/4)	3.4 ACRES
LOT 5	(NW 1/4 SW 1/4)	1.7 ACRES
LOT 5	(SW 1/4 SW 1/4)	6.4 ACRES
LOT 3	(SW 1/4 SW 1/4)	1.7 ACRES
LOT 6	(SE 1/4 SW 1/4)	2.3 ACRES
LOT 3	(SE 1/4 SW 1/4)	20.1 ACRES
LOT 5	(SE 1/4 SW 1/4)	2.1 ACRES
LOT 8	(NW 1/4 SE 1/4)	4.1 ACRES
LOT 3	(NW 1/4 SE 1/4)	1.3 ACRES
LOT 7	(SW 1/4 SE 1/4)	1.4 ACRES

SECTION 8

TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.

DISBURSEMENT

NEW

CONVEYING RIGHT

0.62 (suppl. dec.)
3.48 (suppl. dec.)

1.08 (primary)

2.92 (primary)

0.2 (suppl. irr.)

2.10 (primary)

The right to the use of the water for the above purpose is restricted to
beneficial use on the lands or place of use described.WITNESS the signature of the Water Resources Director, affixed
APRIL 1, 1991.

/s/ WILLIAM H. YOUNG

William H. Young

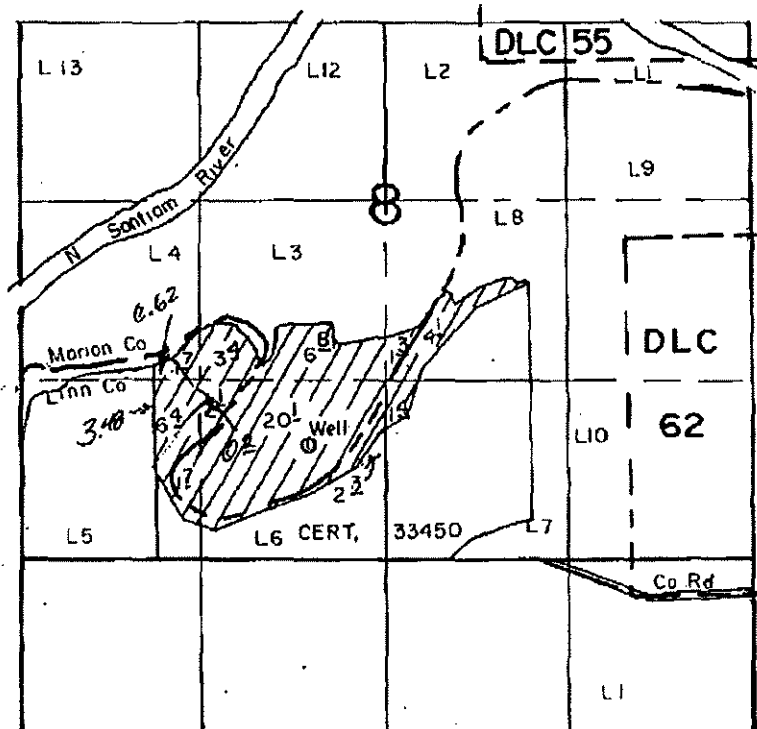
Recorded in State Record of Water Right Certificates numbered 65496.

G-11651.DM

YES

OK

T.10S., R.2W., W.M.



Well Loc 850' N & 2050' E From The SW Corner Of Section 8

SCALE: 1" = 1320'

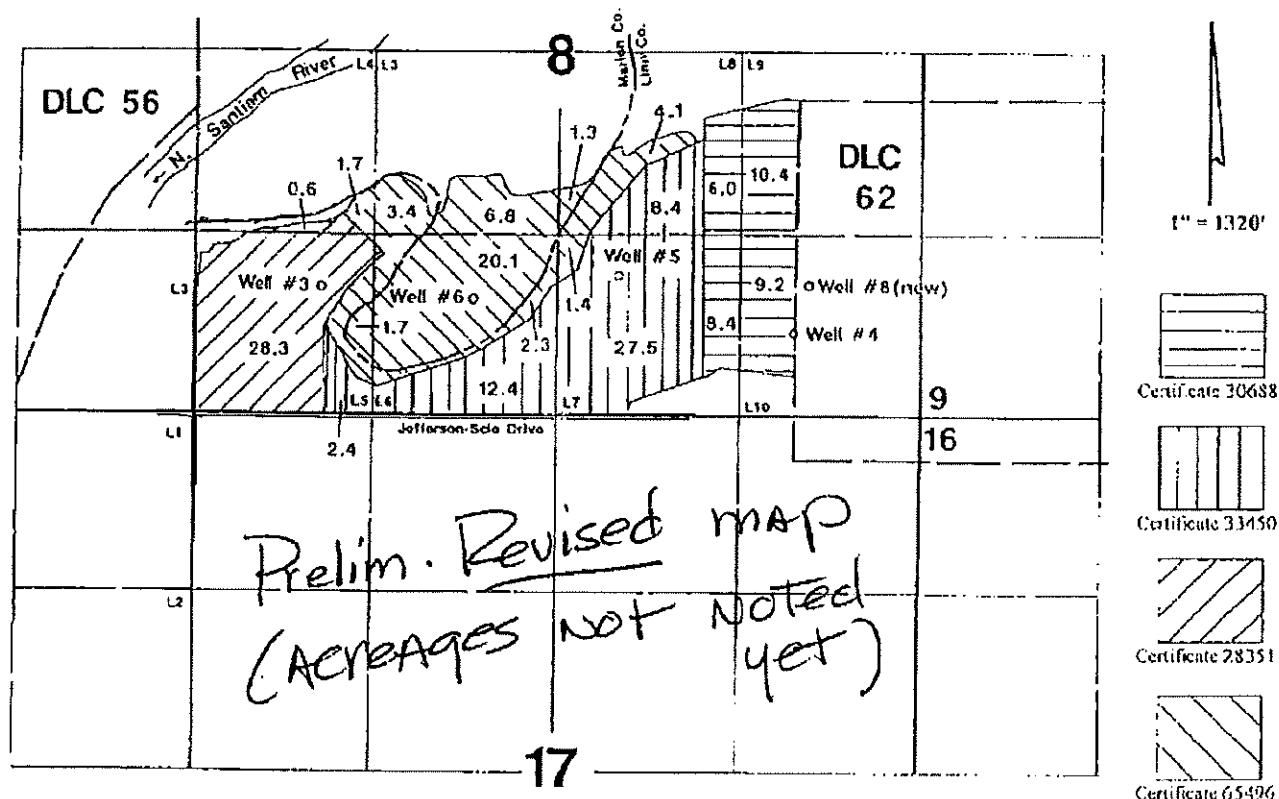
FINAL PROOF SURVEY UNDER

Application No. G:11651.. Permit No. G:10727.....
IN NAME OF

.....KENNETH E. CUNNINGHAM.....

Surveyed AUG. 25... 1989... by R.W. KLASSEN.....

T.10S., R.2W., W.M.



Well #3 is located 925' N & 950' E
 Well #4 is located 625' N & 4325' E
 Well #5 is located 1010' N & 3110' E
 Well #6 is located 850' N & 2050' E
 Well #8 (new) is located 950' N & 4425' E—all from the SW corner of Section 8.

Application Map

Meduri Farms

Transfer #:

This Map was prepared for the purpose of identifying the location of a Water Right Only and is not intended to convey legal descriptions or locations of Property Ownership Lines.

Bill Ferber

From: Elisabeth Graham
Sent: Tuesday, December 01, 2009 4:27 PM
To: Bill Ferber
Subject: Message for Ken Dowden
Hi Bill,

I just wanted to make sure that Ken Dowden receives the message to call Jim Schutte at 503-585-5578 when he has a chance while he is here in Salem.

I will not be covering reception tomorrow and would hate for this to slip through the cracks.

Thank you.
Lisa

12/2/2009

Water Rights Platcard Report

Meridian: Township: South Range: West Section: Records per Page:

New Platcards Maps!
[Learn about](#) * [Mapped by Type](#) * [Mapped by Use](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Claim:GR 170 * Additional Info: PEARL PLETZER Claim: GR170			IRRIGATION					20.98			5.67													
Select Claim:GR 248 * Additional Info: WILLIAM UPPSTAD Claim: GR248			IRRIGATION														3	27	5.5	31.2	5	28.5	20	
Select Permit:S 53344 * Additional Info: SIDNEY IRRIGATION COOPERATIVE App: S70576 Permit: S53344		2/13/1991	IRRIGATION						4.1			14.2												
Select Cert:16663 OR CN Additional Info: PEARL F PLETZER App: S18889 Permit: S14505 Cert: 16663		7/26/1940	IRRIGATION CN		55			4																
Select Cert:28351 OR * Additional Info: WILLIAM UPPSTAD App: G751 Permit: G651 Cert: 28351	T10411	9/5/1957	IRRIGATION		5												1.8	31.2						
Select Cert:28351 OR * Additional Info: WILLIAM UPPSTAD App: G751 Permit: G651 Cert: 28351	T10411	9/5/1957	IRRIGATION		6													0.2						

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

NO CONFLICTS w/ EXISTING WR's

Water Rights Platcard Report

Meridian: Township: Range: Section: Records per Page:

New Platcards Maps!
Learn about * Mapped by Type * Mapped by

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown QQ
Select Cert:30688 OR *	T10411	12/16/1959	IRRIGATION			7																	
Additional Info: WILLIAM UPPSTAD App: G1644 Permit: G1501 Cert: 30688																							
Select Cert:30688 OR *	T10411	12/16/1959	IRRIGATION			8																	
Additional Info: WILLIAM UPPSTAD App: G1644 Permit: G1501 Cert: 30688																							
Select Cert:30688 OR *	T10411	12/16/1959	IRRIGATION			9																	
Additional Info: WILLIAM UPPSTAD App: G1644 Permit: G1501 Cert: 30688																							
Select Cert:30688 OR *	T10411	12/16/1959	IRRIGATION			10																	
Additional Info: WILLIAM UPPSTAD App: G1644 Permit: G1501 Cert: 30688																							
Select Cert:31094 OR *		3/4/1959	IRRIGATION			57		0.4			0.4												
Additional Info: ETHEL L GULVIN App: S32934 Permit: S26027 Cert: 31094																							
Select Cert:33450 OR *	T10411	4/10/1962	IRRIGATION			5																	
Additional Info: WILLIAM UPPSTAD App: G2289 Permit: G2113 Cert: 33450																							

1 2 3 4 5

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

Water Rights Platcard Report

Meridian: Township: South Range: West Section: Records per Page:

New Platcards Maps!
[Learn about](#) * [Mapped by Type](#) * [Mapped by Use](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unkown QQ
OK Select Cert:33450 OR * Additional Info: WILLIAM UPPSTAD App: G2289 Permit: G2113 Cert: 33450	T10411	4/10/1962	IRRIGATION			6																						
SUBJECT																												
OK Select Cert:33450 OR * Additional Info: WILLIAM UPPSTAD App: G2289 Permit: G2113 Cert: 33450	T10411	4/10/1962	IRRIGATION			7																						
RIGHTS																												
OK Select Cert:33450 OR * Additional Info: WILLIAM UPPSTAD App: G2289 Permit: G2113 Cert: 33450	T10411	4/10/1962	IRRIGATION			8																						
Select Cert:39921 OR * Additional Info: J REX/FRANCIS JONES App: S43630 Permit: S32206 Cert: 39921		5/22/1967	IRRIGATION			57						14.1	7.1															
Select Cert:53543 OR * Additional Info: BEVERLY K HAVEN App: G7307 Permit: G6755 Cert: 53543		3/26/1976	IRRIGATION			57						9.1																
Select Cert:53768 OR * Additional Info: SIDNEY IRRIGATION COOPERATIVE App: S16790 Permit: S27631 Cert: 53768		5/5/1959	IRRIGATION			11		4.8																				
1 2 3 4 5																												

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

Water Rights Platcard Report

Meridian: Township: South Range: West Section: Records per Page:

New Platcards Maps!
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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Cert:53768 OR * Additional Info: SIDNEY IRRIGATION COOPERATIVE App: S16790 Permit: S27631 Cert: 53768		5/5/1959	IRRIGATION		55				0.4															
Select Cert:65384 OR * Additional Info: FLOYD L BAILEY JR App: S63511 Permit: S46823 Cert: 65384		5/4/1982	IRRIGATION		11				4.9															
Select Cert:65384 OR * Additional Info: FLOYD L BAILEY JR App: S63511 Permit: S46823 Cert: 65384		5/4/1982	IRRIGATION		55			13.6	6.3															
Select Cert:65384 OR * Additional Info: FLOYD L BAILEY JR App: S63511 Permit: S46823 Cert: 65384		5/4/1982	IRRIGATION		57				0.4															
OK Select Cert:65496 OR * Additional Info: KENNETH E CUNNINGHAM App: G11651 Permit: G10727 Cert: 65496		T10411	5/12/1987 IRRIGATION		3											6.8	1.7	20.1		1.3				
OK Select Cert:65496 OR * Additional Info: KENNETH E CUNNINGHAM App: G11651 Permit: G10727 Cert: 65496		T10411	5/12/1987 IRRIGATION		5											3.4	1.7	6.4	2.1					

OK

SUBJECT RIGHT

Acreage Legend: 12.25 Regular acreage ±2.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

Water Rights Platcard Report

Meridian: Willamette Township: 10 South Range: 2 West Section: 8 Records per Page: 6 Search

New Platcards Maps!
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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Cert:65496 OR * Additional Info: KENNETH E CUNNINGHAM App: G11651 Permit: G10727 Cert: 65496	T10411	5/12/1987	IRRIGATION			6													2.3					
OKAY SUBJECT RIGHT																								
Select Cert:65496 OR * Additional Info: KENNETH E CUNNINGHAM App: G11651 Permit: G10727 Cert: 65496	T10411	5/12/1987	IRRIGATION			7																1.4		
OKAY, SUBJECT RIGHT																								
Select Cert:65496 OR * Additional Info: KENNETH E CUNNINGHAM App: G11651 Permit: G10727 Cert: 65496	T10411	5/12/1987	IRRIGATION			8															4.1			
OKAY, SUBJECT RIGHT																								
Select Cert:83829 OR * Additional Info: KENNETH CUNNINGHAM App: G12274 Permit: G11163 Cert: 83829		10/29/1990	IRRIGATION			62																9.1		
NCR																								
Select Cert:24690 OR * Additional Info: PEARL F/ERNEST PLETZER App: G347 Permit: G226 Cert: 24690		5/4/1956	SUPPLEMENTAL IRRIGATION (Suppl'mtl)				20.6			2.4														
1 2 3 4 5																								

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH E. CUNNINGHAM
36307 JEFFERSON-SCIO DRIVE
JEFFERSON, OREGON 97352

confirms the right to use the waters of WELL 6 in the NORTH SANTIAM RIVER BASIN for the purpose of IRRIGATING 51.3 ACRES.

The right has been perfected under Permit G-10727. The date of priority is MAY 12, 1987. The right is limited to not more than 0.64 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

LOT 3 (SE 1/4 SW 1/4), SECTION 8, T 10 S, R. 2 W, W.M.; 850 FEET NORTH AND 2050 FEET EAST FROM THE SW CORNER OF SECTION 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use of water shall be limited when it interferes with the prior surface water rights of others.

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

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

LOT 3	(NE 1/4 SW 1/4)	6.8 ACRES
LOT 5	(NE 1/4 SW 1/4)	3.4 ACRES
LOT 5	(NW 1/4 SW 1/4)	1.7 ACRES
LOT 5	(SW 1/4 SW 1/4)	6.4 ACRES
LOT 3	(SW 1/4 SW 1/4)	1.7 ACRES
LOT 6	(SE 1/4 SW 1/4)	2.3 ACRES
LOT 3	(SE 1/4 SW 1/4)	20.1 ACRES
LOT 5	(SE 1/4 SW 1/4)	2.1 ACRES
LOT 8	(NW 1/4 SE 1/4)	4.1 ACRES
LOT 3	(NW 1/4 SE 1/4)	1.3 ACRES
LOT 7	(SW 1/4 SE 1/4)	1.4 ACRES

SECTION 8

TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.

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

WITNESS the signature of the Water Resources Director, affixed
APRIL 1, 1991.

/s/ WILLIAM H. YOUNG
William H. Young

Recorded in State Record of Water Right Certificates numbered 65496.

G-11651.DM

DEMANDMENT

NEW
CONSERVING RIGHT

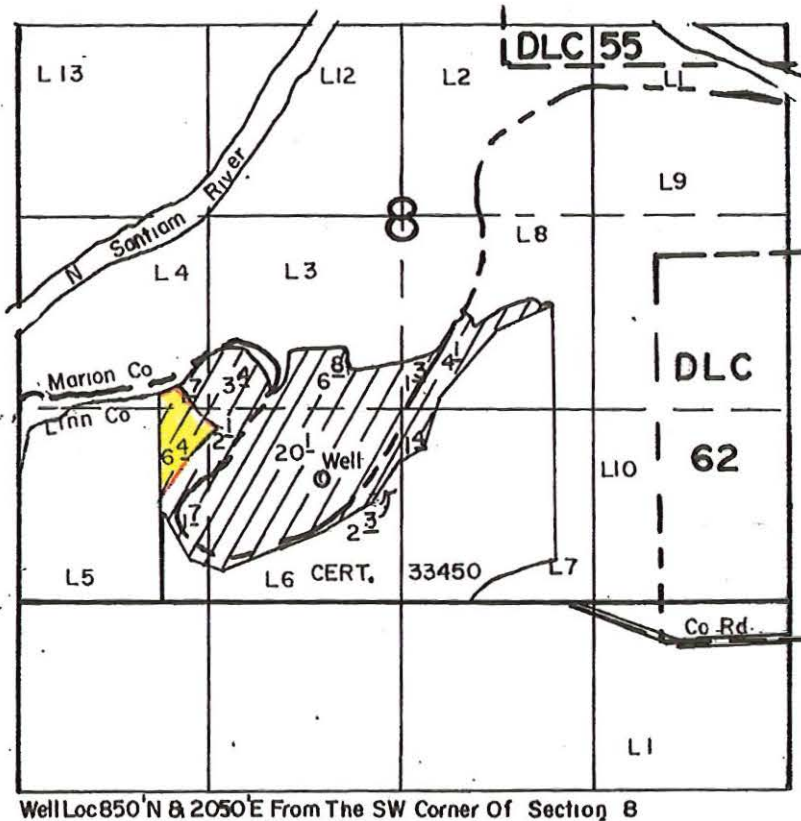
0.62 (suppl. irr.)
3.48 (suppl. irg.)

1.08 (primary)
2.92 (primary)

0.2 (suppl. irr.)

2.10 (primary)

T.10S., R.2W., W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

Application No. G-11651.. Permit No. G-10727.....
IN NAME OF

.....KENNETH E. CUNNINGHAM.....

Surveyed AUG. 25... 1989., by R.W. KLASSEN.....

STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

This Is to Certify, That WM. UPPSTAD

of Rt. 1, Box 327, Jefferson, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Uppstad Well #3 a tributary of North Santiam River for the purpose of irrigation of 33.2 acres

under Permit No. G-651 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 5, 1957

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.43 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 5 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 8, T. 10 S., R. 2 W., W.M. Well is 925 ft. N. and 950 ft. E. from SW corner, Section 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

1.8 acres Lot 5 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
31.2 acres Lot 5 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
0.2 acre Lot 6 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 8
T. 10 S., R. 2 W., W.M.

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

WITNESS the signature of the State Engineer, affixed

this date. MARCH 22 1961

LEWIS A. STANLEY

State Engineer

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT CERTIFICATE**

State of Oregon)
County of _____) ss
_____)

We, _____ residing at _____,
_____, Oregon, 97____ telephone _____,
being first duly sworn depose and say:

1. We are the legal owner(s) of the property described as tax lot number _____ within the SW¼, Section 8, Township 10 South, Range 2 West, of the Willamette Meridian, in Linn County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. A portion of water right certificate number 65496 issued to KENNETH E. CUNNINGHAM, with a date of priority of May 12, 1987 , for use of 1/80 of one cubic foot per second of water per acre from the water from WELL #6, within the North Santiam River Basin, for the purpose of irrigation of 4.30 acres is appurtenant to our property; and is not subject to ORS 540.610, forfeiture;
3. The portion of the water right shown on the attached map to be diminished to supplemental irrigation for an underlying primary water right in like amounts is described as follows:

The right to the use of 1/80 of one cubic foot per second of water per acre from Well #6 for irrigation of 4.30 acres is located:

Lot 5 (NW¼ SW¼) 0.62 acres
Lot 5 (SW¼ SW¼) 3.48 acres
Lot 6 (SE¼ SW¼) 0.20 acres

Section 8

Township 10 South, Range 2 West, W.M.; and,

5. We request the portion of the water right described above be diminished to supplemental irrigation.

Signature of legal owner as listed on deed

Date

Signature of legal co-owner as listed on deed
(if applicable)

Date

Subscribed and Sworn to Before Me this _____ day of _____, 200_____.

Notary Public for Oregon

My Commission Expires _____

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) A WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE DIMINISHED RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).

The original and first copy of this report are to be filed with the

OCT 28 1965 WATER WELL REPORT

STATE ENGINEER, SALEM, OREGON
within 30 days from the date
of well completion.

STATE OF OREGON
SALEM OREGON

State Well No. 10/26-8 E

State Permit No. _____

Address

Jefferson, Ore.

County **Marion** Driller's well number **144**

SW ¼ NW ¼ Section 8 T. 10S R. 2W W.M.

Bearing and distance from section or subdivision corner

Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
 abandonment, describe material and procedure in Item 12.

(5) TYPE OF WELL:

Domestic ☒ Industrial ☐ Municipal ☐ Rotary ☐ Driven ☐
Irrigation ☐ Test Well ☐ Other ☐ Cable ☒ Jetted ☐
Dug ☐ Bored ☐

Threaded ☐ Welded ☒

.....6....." Diam. from0.....ft. to61.....ft. Gage250.....
 " Diam. fromft. toft. Gage
 " Diam. fromft. toft. Gage

Perforated? ☒ Yes ☐ NoType of perforator used **Mills**

Size of perforations	1	in. by	2	in.
18	perforations from	60	ft. to	55
	perforations from		ft. to	
	perforations from		ft. to	
	perforations from		ft. to	
	perforations from		ft. to	

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

..... Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

Well seal—Material used in seal **Bentonite**

Depth of seal 25 ft. Was a packer used? no

Diameter of well bore to bottom of seal 9 in.

Were any loose strata cemented off? ☐ Yes ☒ No Depth

Was a drive shoe used? ☒ Yes ☐ No

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

(10) WATER LEVELS:

Static level 25 ft. below land surface Date 10/18/65
Artesian pressure _____ lbs. per square inch Date _____

Drawdown is amount water level is lowered below static level

Was a pump test made? ☐ Yes ☒ No If yes, by whom?

Yield:	gal./min. with	ft. drawdown after	hrs.
"	"	"	"
"	"	"	"

Bailer test 25 gal./min, with 14 ft. drawdown after 1 hrs.

Artesian flow	g.p.m.	Date
---------------	--------	------

Temperature of water Was a chemical analysis made? ☐ Yes ☒ No

Diameter of well below casing

Depth drilled **61** ft. Depth of completed well **61** ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

[illegible]

Work started 10/14/65 19 Completed 10/18/65 19
Date well drilling machine moved off of well 10/18/65 19

(13) PUMP:

Manufacturer's Name _____
Type: _____ H.P. _____

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Pete Tolmasoff Well Drilling
(Person, firm or corporation) (Type or print)

Address Turner, Ore.

Drilling Machine Operator's License No. 320.....

[Signed] John J. Volmar
(Water Well Contractor)

Contractor's License No. 410 Date 10/21/65 1965

Memo

Date: June 20, 2007

To: Transfer File T-10411

From: Lisa Jaramillo, Transfer Specialist

Re: Acceptance of Transfer Application

Jim Schuette submitted a transfer application today on behalf of his client, Mediera Farms (sp?). I reviewed the application and it appeared to be complete except for copies of well logs for the existing authorized points of appropriation. Mr. Schuette will be gathering the information and sending it to myself or Sarah Henderson with Transfer T-10411 noted on the paperwork.

Transfer[#] T-10411

ORIGINALS

Transfer Application and Map (*incl. Suppl. Form "A"*)

Amendments/Revision to Appl. & Map

Evidence of Use Affidavit

Notarized Consent Affidavit

Land Use Information Form

Deed or Lot Book Report (*temporary transfer*)

Other Supporting Documentation

Receipt

RECEIVED
OVER THE COUNTER

Transfer

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

1. TYPE OF TRANSFER APPLICATION

Please check one

<input checked="" type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer	<input type="checkbox"/> Permanent
• total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

2. APPLICANT INFORMATION

Name: MEDURI FARMS
First Last

Address: PO Box 634

DALLAS OREGON 97338
City State Zip

Phone: 703.623.0308

Fax: 503.930.8802 E-Mail address: _____

3. AGENT INFORMATION

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

Name: _____

Address: _____

City
State
Zip

Phone: _____

Fax: _____ E-Mail address: _____

- If an agent is listed above, please check one of the following:
- ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
- ☐ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

I 10411

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OVER 100 LITERS

JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

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.	G-751	G-651	28351
2.	G-2289	G-2113	33450
3.	G-11651	G-10727	65496
4.	G-1644	G-1501	30688
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:

☐ Place of Use

☐ Point of Diversion

☐ Additional Point of Diversion

☐ Character of Use

☐ Point of Appropriation

☒ Additional Point of Appropriation

☐ Instream Transfer

☐ Surface Water source to Ground Water source
- Reason(s) for change(s): ADD'l WELL WILL ALLOW MORE EFFICIENT OPERATION

5. WATER DELIVERY SYSTEM

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

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

WEUS USE CENTRIFUGAL PUMPS: #3: 15-HP; #4: 15-HP; #5: 20-HP; #6: 25-HP
4" & 5" MAINLINE; HAND-LINES w/SPRINKLER HEADS

- System capacity: 2.13 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

G-751: 0.43 CFS G-2289: 0.63 CFS
G-1644: 0.43 CFS G-11651: 0.64 CFS

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WELL #6 (MEDURI FARMS)

WELL #6: NO WELL LOG AVAILABLE

25' DEEP

12' STATIC W/L

> TAKEN FROM FIELD
DATA - FINAL PROOF

DEC 16 1959

WATER WELL REPORT

STATE OF OREGON

STATE ENGINEER
SALEM, OREGON

State Well No.

State Permit No.

File Original and
First Copy with the
STATE ENGINEER
SALEM, OREGON

(1) OWNER:

Name WM UPPSTAD
Address 121, TEEBSON, OREGON

(2) LOCATION OF WELL:

County LINN Owner's number, if any 4
SE 1/4 SE 1/4 Section 8 T. 10S R. 2W W.M.
Bearing and distance from section or subdivision corner
8' 0" N. 56° 30' W. 15.25 CHAINS FROM THE
SE CORNER OF S. 8, T. 10S, R. 2W.

(3) TYPE OF WORK (check):

Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐ Rotary ☐ Driven ☐
Irrigation ☒ Test Well ☐ Other ☐ Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(6) CASING INSTALLED:

Threaded ☐ Welded ☒
10 " Diam. from Top ft. to 28 ft. Gage 280
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

(7) PERFORATIONS:

Perforated? ☒ Yes ☐ No
Type of perforator used 3/16" S
SIZE of perforations 3/16 in. by 8 in.
26 perforations from 20 ft. to 25 ft.
36 perforations from 22 ft. to 27 ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

(9) SCREENS:

Well screen installed ☐ Yes ☐ No
Manufacturer's Name _____ Model No. _____
Type _____ Slot size _____ Set from _____ ft. to _____ ft.
_____ Slot size _____ Set from _____ ft. to _____ ft.

CONSTRUCTION:

Was well gravel packed? ☐ Yes ☐ No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.
Was a surface seal provided? ☐ Yes ☐ No To what depth? _____ ft.
Material used in seal—
Did any strata contain unusable water? ☐ Yes ☐ No
Type of water? RIVER Depth of strata ?
Method of sealing strata off _____

(10) WATER LEVELS:

Static level 15 ft. below land surface Date 11-59
Artesian pressure _____ lbs. per square inch Date _____

Log Accepted by:

[Signed] Wm Uppstad Date 12-4-59
(Owner)

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? ☐ Yes ☐ No If yes, by whom? _____
Yield: 600 gal./min. with 4 ft. drawdown after 3 hrs.

Bailer test gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow g.p.m. Date _____

Temperature of water 52 Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:

Diameter of well 10 inches.
Depth drilled 28 ft. Depth of completed well 28 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Heavy Soil	Top	4
Sand Brown	4	7
Gravel + River Gravel	7	14
Large	14	28

Work started 11/20 1959 Completed 11/24 1959

(13) PUMP:

Manufacturer's Name PACIFIC
Type: 3" CENTRIFUGAL H.P. 15 HP.

Well Driller's Statement:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Bill Hamilton Well Drilling Co.
(Person, firm, or corporation) (Type in print)Address 938 E 3rd Ave Albany, OrDriller's well number 3[Signed] Bill Hamilton
(Well Driller)License No. 52 Date _____ 19____

(USE ADDITIONAL SHEETS IF NECESSARY)

License No. 52 Dated Aug 24, 1953

6. EVIDENCE OF BENEFICIAL WATER USE

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

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? ☐ Yes ☒ No

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

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

LINN COUNTY & MARION COUNTY PLANNING COMMISSIONS

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WATER RESOURCES DEPT
SALEM, OREGON

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8. LAND OWNERSHIP

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

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

Names of Current Landowner(s): Kenneth & Mary Cunningham
First Last

Address: 36307 Jefferson - Scio Dr.

Jefferson Oregon 97352-9302
City State Zip

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

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

If "No", provide the following information:

Names of Receiving Landowner(s): Kenneth & Mary Cunningham
First Last

Address: 36307 Jefferson - Scio Dr

Jefferson Oregon 97352-9302
City State Zip

- Check one of the following:

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

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9. ATTACHMENTS

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

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

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

Supplemental Form B –

Evidence of Use Affidavit(s)

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

Map

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

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

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☐ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

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

Fees:

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

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

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

Temporary Transfers, also include:

Recorded Deed:

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

Affidavit of Consent:

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

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WATER RESOURCES DEPT
SALEM, OREGON

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

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

10. SIGNATURES

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

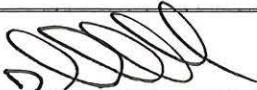
☒ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership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

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

☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

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

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

 applicant signature	D. Justin Meduri name (print) <i>Meduri Farms Inc.</i>	6-20-07 date
 applicant signature	 name (print)	 date

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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

FS



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.

Applicant Name: MEDUEI FARMS
Mailing Address: PO BOX 636
City: DALLAS State: OR Zip: 97338 Day Phone: 503-623-0308

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

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

Township	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>DS</u>	<u>ZW</u>	<u>B</u>		<u>Lot 3</u>	<u>Primarily Ag/Efu</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
				<u>Lot 6</u>		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. MAZON & Linn

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 400 ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

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

Briefly describe: WATER USED TO IRRIGATE CHERRY ORCHARD, GRASS

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.

Receipt for Request for Land Use Information

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

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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

110411

For Local Government Use Only

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

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 136.022(a)

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)
If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

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

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

Name: Brandon Reich Title: Assoc Planner
 Signature: [Signature] Phone: 508-5038 Date: 6-15-07
 Government Entity: Marion County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____



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.

Applicant Name: MEDURI FARMS
Mailing Address: PO Box 636
City: DALLAS State: OR Zip: 97338 Day Phone: 503-623-0308

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

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

Township	Range	Section	1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:			Proposed Land Use:
105	ZW	8	TL	Lot 3.4	AGRICULTURAL	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				Lot 5.6	RESERVOIR	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				Lot 7.8	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				Lot 9.10		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. LINN & MAZON

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 300 ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

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

Briefly describe: A new well is desired to better operate the irrigation system

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.

Receipt for Request for Land Use Information

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

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WATER RESOURCES DEPT
SALEM, OREGON

T 10411

For Local Government Use Only

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

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): § LCC 928.310 (B)(1)

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

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

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

Agricultural use is allowed outright.

Name: ROBERT WHEELDON Title: SENIOR PLANNER
Signature: Robert T. Wheeldon Phone: 541-967-3816 Date: 6/14/07
Government Entity: Linn County

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

Receipt for Request for Land Use Information

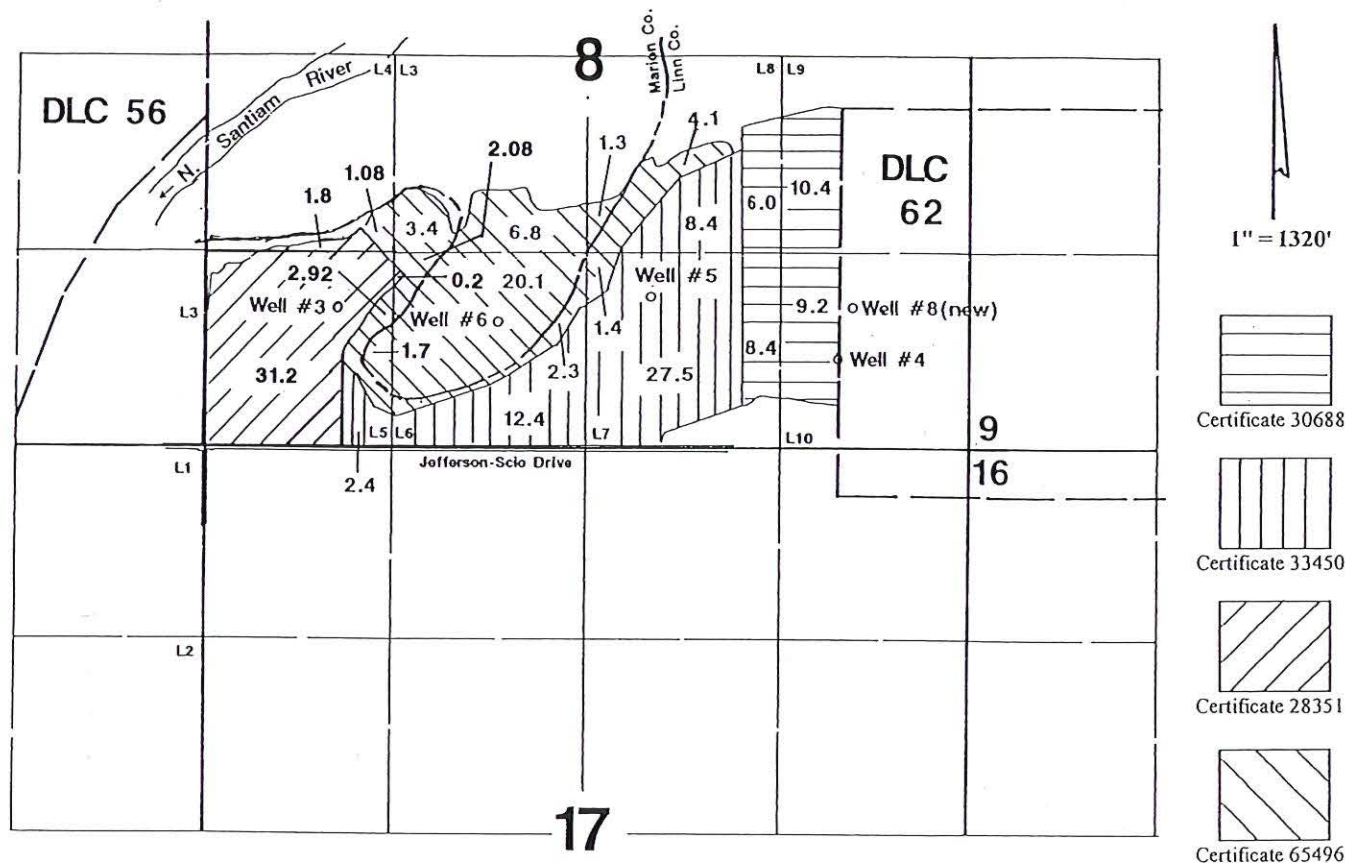
Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

REC'D JAN 12 2010

T.10S., R.2W., W.M.



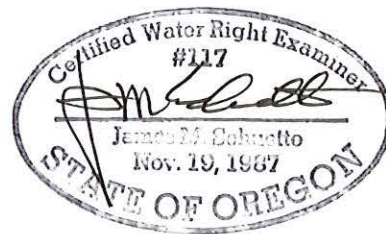
Well #3 is located 925' N & 950' E
 Well #4 is located 625' N & 4325' E
 Well #5 is located 1010' N & 3110' E
 Well #6 is located 850' N & 2050' E
 Well #8 (new) is located 950' N & 4425' E—all from the SW corner of Section 8.

Application Map

Meduri Farms

Transfer #: T-10411

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



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: 28351

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>28351</u> Certificate Number	<u>G-651</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: W.M. UPPSTAD
- County: LINN
- Authorized Use(s) to be Affected by Transfer: IRRIGATION (NO CHANGE)
- Priority Date(s): SEPT 5, 1957

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: UPPSTAD WELL #3

Tributary to: NORTH SANTIAM 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**, Permits or Ground Water Registrations associated with this land?

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

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

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

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T 10411

▪ Certificate Number or other identifying number: 28351

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	WELL #3 9-5-57	10S	2W	W	8	SWSW	Lot 5	925' N & 950' E from SW corner Section 8

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

☒ Yes ☐ No (Surface water source only.)

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

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

or

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

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

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

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

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WATER RESOURCES DEPT
SALEM, OREGON

10411

28351

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 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)

[illegible]

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 28357

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

☐ N/A – Instream Water Right Transfer

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well	10S	2W	W	8	SESE	DLC 62	950' N & 4425' E From the SW corner of Section 8

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

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
No		16"	12" 4L	± 50'	25'-45' Est.	± 20	± 20'	20'-40'	PLUG IN WELL SEAL	± 50'

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 28351

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) ☐ N/A – Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

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

Remarks: _____

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WATER RESOURCES DEPT
SALEM, OREGON

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: 30688

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> 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.) <input checked="" type="checkbox"/> 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.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> 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.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input type="checkbox"/> 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: <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>30688</u> Certificate Number	<u>G-1501</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: WILLIAM UPPSTAD
- County: LINN COUNTY
- Authorized Use(s) to be Affected by Transfer: IRRIGATION (NO CHANGE)
- Priority Date(s): DECEMBER 16, 1959

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: UPPSTAD WELL #4

Tributary to: SANTIAM 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**, Permits or Ground Water Registrations associated with this land?

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

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

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

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WATER RESOURCES DEPT
SALEM, OREGON

T 10411

▪ Certificate Number or other identifying number: 30688

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	WELL #4 12-16-59	10S	ZW	W	8	SESE	LOT 10	625' N & 4325' E OF SW Corner Section 8

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

☒ Yes ☐ No (Surface water source only.)

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

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

or

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

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

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

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
10411									

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WATER RESOURCES DEP
SALEM, OREGON

▪ Certificate Number or other identifying number: 30688

*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 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)

[illegible]

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 30688

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

☐ N/A – Instream Water Right Transfer

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well	10S	2W	W	8	SESE	DLC 62	950' N & 4425' E From the SW corner of Section 8

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

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
No		16"	12" 5/8" L	± 50'	25'-45' Est.	± 20'	± 20'	20'-40'	PLUG IN WELL SEAL	± 50'
1041										

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 30688

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) ☐ *N/A – Instream Water Right Transfer*
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

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

Remarks: _____

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WATER RESOURCES DEPT
SALEM, OREGON

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: 33450

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>33450</u> <small>Certificate Number</small>	<u>G-2113</u> <small>Permit Number or Decree Name</small>
<input type="checkbox"/> Adjudicated, Non-certificated Right	 <small>Name of Decree</small>	 <small>Page Number</small>
<input type="checkbox"/> Permit for which Proof has been Approved	 <small>Permit Number</small>	 <small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Transferred Right for which Proof has been Filed	 <small>Previous Transfer Number</small>	 <small>Date Claim of Beneficial Use Submitted</small>

- Name on Permit, Certificate, or Decree: WM. LIPPSTAD
- County: LIUN
- Authorized Use(s) to be Affected by Transfer: IRRIGATION (NO CHANGE)
- Priority Date(s): APRIL 10, 1962

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: LIPPSTAD WELL #5

Tributary to: NORTH SANTIAM 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**, Permits or Ground Water Registrations associated with this land?

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

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

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

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SALEM, OREGON

T 10411

▪ Certificate Number or other identifying number: 33450

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Well #5 4-10-62	10S	2W	W	8	SWSE	Lot 7	1010' N & 3110' E From SW Corner of Section 8

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

☒ Yes ☐ No (Surface water source only.)

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

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

or

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

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

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

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

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WATER RESOURCES DEPT
SALEM, OREGON

T 10417

▪ Certificate Number or other identifying number: 33450

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 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)

[illegible]

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 33450

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

☐ N/A - Instream Water Right Transfer

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well	10S	2W	W	8	SESE	DLC 62	950' N & 4425' E From the SW corner of Section 8

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

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
No		16"	12" 4AL	± 50'	25'-45' Est.	± 20'	± 20'	20'-40'	Plug in well seal	± 50'

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 33450

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) ☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

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

Remarks: _____

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WATER RESOURCES DEPT
SALEM, OREGON

T 10411

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: 65496

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>65496</u> Certificate Number	<u>G-10727</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: KENNETH E. CUNNINGHAM
- County: MAZON & LINN
- Authorized Use(s) to be Affected by Transfer: IRRIGATION (NO CHANGE)
- Priority Date(s): MAY 12, 1987

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: WELL #6

Fu
Tributary to: NORTH SANTIAM RIVER BASIN

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

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

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

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

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

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

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WATER RESOURCES DEPT
SALEM, OREGON

T 10411

▪ Certificate Number or other identifying number: 65496

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	WELL #4 7-12-87	10	ZW	W	8	SESW	lot 3	850' N & 2050' E From SW corner of sec 8

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

☒ Yes ☐ No (Surface water source only.)

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

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

or

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

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

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

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

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WATER RESOURCES DEPT
SALEM, OREGON

T 10411

▪ Certificate Number or other identifying number: 65496

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 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)

[illegible]

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WATER RESOURCES DEPT
SALEM, OREGON

T 10411

▪ Certificate Number or other identifying number: 65496

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

☐ N/A - Instream Water Right Transfer

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well	10S	2W	W	8	SESE	DLC 62	950' N & 4425' E From the SW corner of Section 8

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

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
No		16"	12" 4x4	± 50'	25'-45' Est.	± 20'	± 20'	20'-40'	Plug in well seal	± 50'

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65496

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer

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

[illegible]

Remarks:

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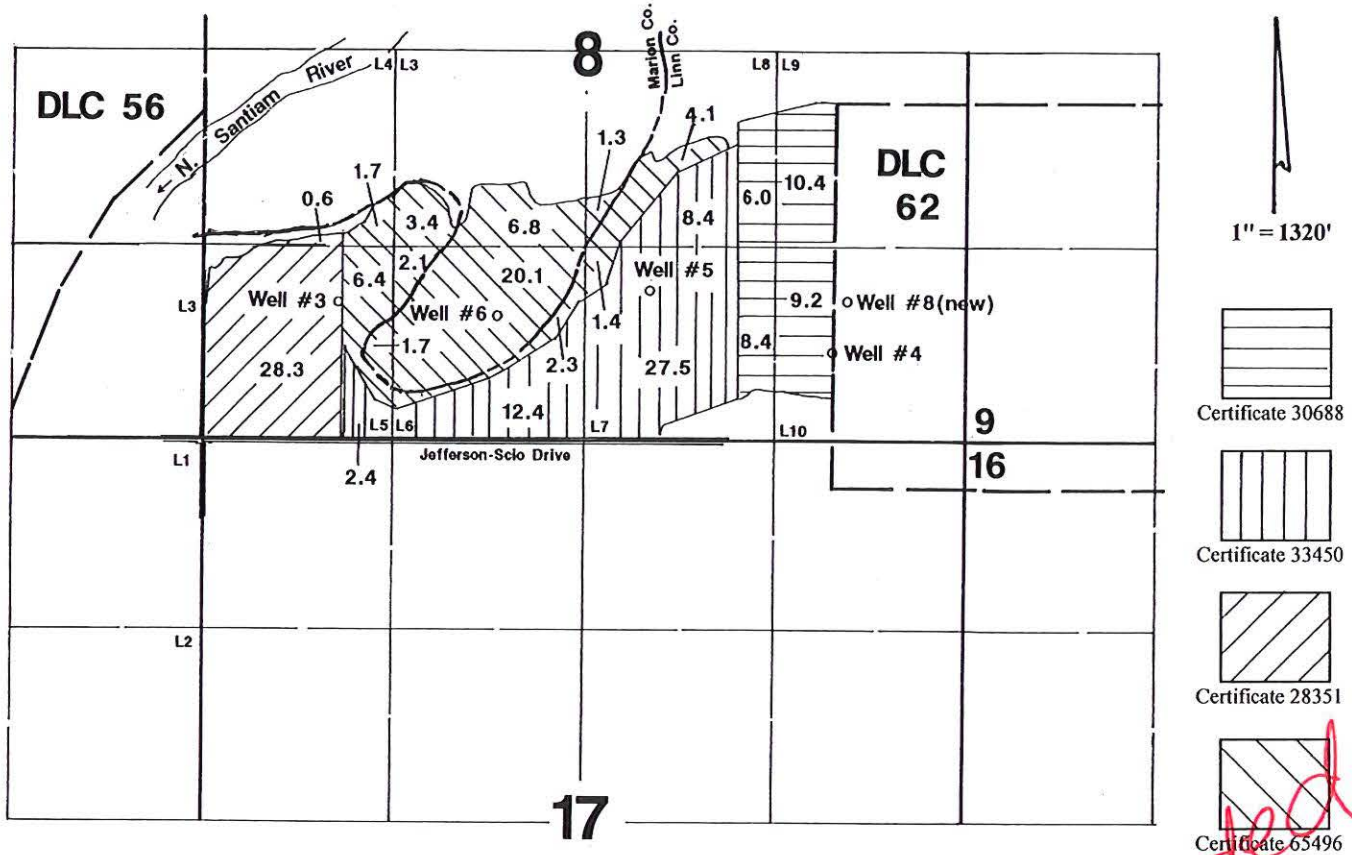
WATER RESOURCES DEPT
SALEM, OREGON

Supplemental Form A

- 6 -

Description of Proposed Change(s) to a Water Right

T.10S., R.2W., W.M.



Well #3 is located 925' N & 950' E
 Well #4 is located 625' N & 4325' E
 Well #5 is located 1010' N & 3110' E
 Well #6 is located 850' N & 2050' E
 Well #8 (new) is located 950' N & 4425' E—all from the SW corner of Section 8.

Application Map

Meduri Farms

Transfer #:

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WATER RESOURCES DEPT
 SALEM, OREGON

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.



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

State of Oregon)
) ss
 County of Linn-Marion)

I, Mary Cunningham, in my capacity as owner,
 mailing address 36307 Jefferson-Scio Dr, Jefferson, OR 97352
 telephone number (541) 327-3859, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; or
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; or
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

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

- ☒ Personal observation ☐ Professional expertise

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

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
10	S	2	W	W	8	NW SW	Lot 4	2.3
						SW SW	Lot 5	38.8
						NE SW	Lot 3	10.2
						SE SW	Lot 6	36.9
						NW SE	Lot 8	19.8
						SW SE	Lot 7	37.3
						NE SE	Lot 9	10.4
						SE SE	Lot 10	9.2
							Total	164.9

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**WATER RESOURCES DEPT
SALEM, OREGON**

(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.

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

Strawberries, corn, grass seed were irrigated
on this property.

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

Water was delivered by overhead irrigation
using hand lines, wheel lines and guns.

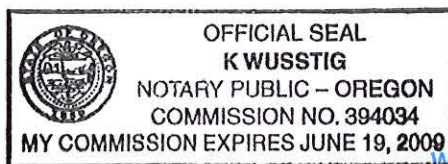
6. One or more of the following documentation supporting the above statements is attached:

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

Mary Cunningham
Signature of Affiant

6/19/07
Date

Signed and sworn to (or affirmed) before me this 19th day of June, 2007.



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JUN 20 2007

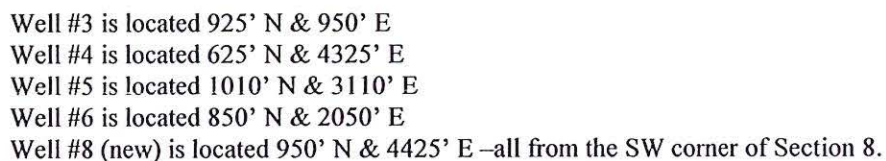
WATER RESOURCES DEPT
SALEM, OREGON

K. Wusstig
Notary Public for Oregon

My Commission Expires: 6-19-2009

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

COPY



Meduri Farms

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WATER RESOURCES DEPT
SALEM, OREGON

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.

10411

Meter Reading History

Meter # 23744944

Site Address: 1002 088001 27HP JEFFERSON OR 97352

Pump #4

Billing Month	Read Date	Read Type	Cycle	Status	Source (*)	Condition Codes	Days	Daily KWH	KWH	KWH Usage	KW	KW Usage	ON KWH	ON KWH Usage	OFF KWH	OFF KWH Usage	Invoice
05	05/25/2007		20		S	NUSD	29		995	0	0	0					\$0.00
04	04/26/2007		20		S	LRNUSU	28		995	0	0	0					\$0.00
03	03/29/2007		20		S	NUSD	31		995	0	0	0					\$0.00
02	02/26/2007		20		S	NUSD	28		995	0	0	0					\$0.00
01	01/29/2007		20		S	SDSU	31		995	0	0	0					\$0.00
12	12/29/2006		20		I		31		995	1	1809	2					\$0.06
11	11/28/2006		20		S	SDSU	35		994	0	0	0					\$21.73
10	10/24/2006		20		I		28		994	5	3784	4					\$0.24
09	09/26/2006		20		I		11		989	0	6111	6					\$0.00
	09/15/2006	O			M				989		6111						\$0.00
	09/07/2006	S	20		M				950		6111						\$0.00
	09/05/2006	C			M		12	5	950	59	6111	6					\$83.15
08	08/24/2006		20		I		29	15	891	440	6255	6					\$21.18
07	07/26/2006		20		I		30	14	451	423	6291	6					\$20.22
06	06/26/2006		20		I		31	1	28	27	6268	6					\$1.29
05	05/26/2006		20		I		30		1	0	0	0					\$0.60
04	04/26/2006		20		I		29		1	1	3127	3					\$0.05
03	03/28/2006		20		S	NUSD	27		0	0	0	0					\$0.00
02	03/01/2006		20		S	SD	28		0	0	0	0					\$0.00
01	02/01/2006		20		S	SD	29		0	0	0	0					\$0.00
12	01/03/2006		20		S	SDSU	36		0	0	0	0					\$0.00

Comments:

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WATER RESOURCES DEPT
SALEM, OREGON

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1 10411



P.O. Box 400
Portland, Oregon 97207-0400
1-888-221-7070
fax 1-888-800-2651

Meter Reading History

Meter # 21288241

Site Address: [REDACTED] JEFFERSON OR 97352

Pump # 3 30 hp.

Billing Month	Read Date	Read Type	Cycle	Status	Source (*)	Condition Codes	Days	Daily KWH	KWH	KWH Usage	KW	KW Usage	ON KWH	ON KWH Usage	OFF KWH	OFF KWH Usage	Invoice
05	05/25/2007		20		I		29	34	19127	999	22450	22					\$52.17
04	04/26/2007		20		S	LRNUSU	28		18128	0	0	0					\$0.00
03	03/29/2007		20		S	NUSD	31		18128	0	0	0					\$0.00
02	02/26/2007		20		S	NUSD	28		18128	0	0	0					\$0.00
01	01/29/2007		20		S	SDSU	27		18128	0	0	0					\$0.00
12	01/02/2007		20		S	SDSU	35		18128	0	0	0					\$0.00
11	11/28/2006		20		S	SDSU	35		18128	0	0	0					\$21.73
10	10/24/2006		20		I		28		18128	0	0	0					\$0.00
09	09/26/2006		20		I		11		18128	0	0	0					\$0.00
	09/15/2006	O			M				18128		0						\$0.00
	09/07/2006	S	20		M				18128		0						\$0.00
	09/05/2006	C			M		11		18128	0	0	0					\$254.31
08	08/25/2006		20		I		30		18128	0	0	0					\$0.00
07	07/26/2006		20		I		30		18128	0	0	0					\$0.00
06	06/26/2006		20		I		31	42	18128	1313	19300	19					\$62.64
05	05/26/2006		20		S	SDSU	30		16815	0	0	0					\$0.00
04	04/26/2006		20		S	NUSD	29		16815	0	0	0					\$0.00
03	03/28/2006		20		S	NUSD	27		16815	0	0	0					\$0.00
02	03/01/2006		20		S	SD	28		16815	0	0	0					\$0.00
01	02/01/2006		20		S	SD	29		16815	0	0	0					\$0.00
12	01/03/2006		20		S	SDSU	36		16815	0	0	0					\$0.00

WATER RESOURCES DEPT
SALEM, OREGON

JUN 20 2007

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3/8

110411

Meter Reading History

Meter # 90130707

Pump #5

~~15 HP~~

Site Address: 36307 JEFFERSON SCIO DR # 20HP JEFFERSON OR 97352 9331 99

Billing Month	Read Date	Read Type	Cycle	Status	Source (*)	Condition Codes	Days	Daily KWH	KWH	KWH Usage	KW	KW Usage	ON KWH	ON KWH Usage	OFF KWH	OFF KWH Usage	Invoice
05	05/25/2007		20		S	NUSD	29		72319	0	0	0					\$0.00
04	04/26/2007		20		S	LRNUSU	28		72319	0	0	0					\$0.00
03	03/29/2007		20		S	NUSD	31		72319	0	0	0					\$0.00
02	07/26/2007		20		S	NUSD	28		72319	0	0	0					\$0.00
01	01/29/2007		20		S	SDSU	31		72319	0	0	0					\$0.00
12	12/29/2006		20		S	BRTM	31		72319	0	0	0					\$0.00
11	11/28/2006		20		S	SDSU	35		72319	0	0	0					\$21.73
10	10/24/2006		20		I	SU	28		72319	0	0	0					\$0.00
09	09/26/2006		20		I	DK	11		72319	0	0	0					\$0.00
	09/15/2006	O			M				72319		0						\$0.00
	09/07/2006	S	20		M				72319		0						\$0.00
	09/05/2006	C			M		12		72319	0	0	0					\$75.46
08	08/24/2006		20		I	SU	29		72319	0	0	0					\$0.00
07	07/26/2006		20		I	DK	30		72319	0	0	0					\$0.00
06	06/26/2006		20		I	SU	31		72319	0	0	0					\$0.00
	06/01/2006	S	20		F				72319		0						\$0.00
05	05/26/2006		20		M		30		72319	0	0	0					\$0.00
05	05/26/2006		20	Z	I	VR	30	2000	32319	60000	0	0					\$0.00
04	04/26/2006		20		I	SU	29		72319	0	0	0					\$0.00
03	03/28/2006		20		S	NUSD	27		72319	0	0	0					\$0.00
02	03/01/2006		20		S	SD	28		72319	0	0	0					\$0.00
01	02/01/2006		20		S	SD	29		72319	0	0	0					\$0.00
12	01/03/2006		20		S	SDSU	36		72319	0	0	0					\$0.00

Comments:

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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

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A DIVISION OF PACIFICORP

P.O. Box 400
Portland, Oregon 97207-0400
1-888-221-7070
fax 1-888-800-2851

Meter Reading History

Meter # 64399180

Site Address: [REDACTED] PJEFFERSON OR 97352

Pump #6 25 h.p.

Billing Month	Read Date	Read Type	Cycle	Status	Source (*)	Condition Codes	Days	Daily KWH	KWH	KWH Usage	KW	KW Usage	ON KWH	ON KWH Usage	OFF KWH	OFF KWH Usage	Invoice
05	05/25/2007		20		I	DK	29		14203	0	0	0					\$0.00
04	04/26/2007		20		I	SU	28		14203	0	5	0					\$0.00
03	03/29/2007		20		S	NUSD	31		14203	0	0	0					\$0.00
02	02/26/2007		20		S	NUSD	28		14203	0	0	0					\$0.00
01	01/29/2007		20		S	SDSU	27		14203	0	0	0					\$0.00
12	01/02/2007		20		S	SDSU	35		14203	0	0	0					\$0.00
11	11/28/2006		20		S	SDSU	35		14203	0	0	0					\$21.73
10	10/24/2006		20		I	SU	28		14203	0	0	0					\$0.00
09	09/26/2006		20		I	DK	11		14203	0	0	0					\$0.00
	09/15/2006	O			M				14203		0						\$0.00
	09/07/2006	S	20		M				14203		0						\$0.00
	09/05/2006	C			M		11		14203	0	0	0					\$281.07
08	08/25/2006		20		I	SU	30		14203	0	2029	20					\$0.00
07	07/26/2006		20		I	VR	30	7	14203	199	2029	20					\$9.50
06	06/26/2006		20		I	VR	31	102	14004	3170	2106	21					\$151.25
05	05/26/2006		20		I	VR	30	124	10834	3716	2033	20					\$177.63
04	04/26/2006		20		I	SU	29		7118	0	0	0					\$0.00
03	03/28/2006		20		S	NUSD	27		7118	0	0	0					\$0.00
02	03/01/2006		20		S	SD	28		7118	0	0	0					\$0.00
01	02/01/2006		20		S	SD	29		7118	0	0	0					\$0.00
12	01/03/2006		20		S	SDSU	36		7118	0	0	0					\$0.00

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JUN 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

PACIFICORP EAST

09:53 06 a.m. 06-19-2007

7/8



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

INTEROFFICE MEMO

FORWARD TO:



Sarah Henderson NW
FIELD PROCESSOR WORKING ON THIS TRANSFER

DATE: _____

FROM:

X WATERMASTER, DISTRICT # _____
GROUNDWATER SECTION

(SIGNATURE) *HL CV* date signed 10/15/2007
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 10411

A change in: POU POD APOA USE of water.

In the name(s) of Meduri Farms.

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

See attached memo

*The approval of this transfer application would result in injury to other water rights because

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.

wmtrans.frm

State of Oregon
Water Resources Department

Interoffice Memorandum

October 15, 2007

To: Water Rights
From: Karl Wozniak
Subject: T-10411

Findings

The current POAs on the rights affected by this transfer produce water from Quaternary sand and gravel beds within the alluvial aquifer system. These POAs correspond to the wells in the following table:

Certificate	Well	Well Log ID	Total Depth	Completion Date
28351	Uppstad Well #3	LINN 4086	21	08/27/1957
30688	Uppstad Well #4	LINN 4083	28	11/24/1959
33450	Uppstad Well #5	LINN 4087	27	10/03/1961
65496	Well #6	LINN 3137	25	10/28/1976

The proposed POA (Proposed well #8) will produce water from the same aquifer as the existing wells if it is completed in the alluvial aquifer system.

The transfer is unlikely to injure existing rights because of the high specific yield and high permeability of the aquifer in this area.

Proposed Conditions for Final Order

The new well shall produce ground water from the alluvial ground water reservoir only which occurs at depths less than about 120 feet below land surface.

Discussion

The existing wells produce water from an unconfined alluvial aquifer composed of Quaternary sands and gravels that lie within the North Santiam River floodplain. Wells completed in this unit have high specific capacities. Since pumping will be buffered by the adjacent river, drawdowns are likely to be relatively small over the course of the irrigation season and hydraulic impacts with nearby wells should be relatively small.

NOTICE TO WATER WELL CONTRACTOR

The original and first copy
of this report are to be
filed with the

STATE ENGINEER, SALEM, OREGON
within 30 days from the date
of well completion.

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OCT 28 1965 WATER WELL REPORT

MAR 10 1966

State Well No. 10/26-8 E

State Permit No.

(1) OWNER:

Name Gary Barna

Address Jefferson, Ore.

(2) LOCATION OF WELL:

County Marion Driller's well number 144
SW 1/4 NW 1/4 Section 8 T. 10S R. 2W W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic ☒ Industrial ☐ Municipal ☐ Rotary ☐ Driven ☐
Irrigation ☐ Test Well ☐ Other ☐ Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(5) TYPE OF WELL:

(6) CASING INSTALLED:

Threaded ☐ Welded ☒
6" Diam. from 0 ft. to 61 ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? ☒ Yes ☐ No

Type of perforator used Mills

Size of perforations 1 in. by 2 in.
18 perforations from 60 ft. to 55 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(8) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Model No.

Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Well seal—Material used in seal Bentonite
Depth of seal 25 ft. Was a packer used? no
Diameter of well bore to bottom of seal 9 in.
Were any loose strata cemented off? ☐ Yes ☒ No Depth
Was a drive shoe used? ☒ Yes ☐ No
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off

(10) WATER LEVELS:

Static level 25 ft. below land surface Date 10/18/65
Artesian pressure lbs. per square inch Date

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☐ Yes ☒ No If yes, by whom?

Yield: gal./min. with ft. drawdown after hrs.

" " " "

" " " "

Ball test 25 gal./min. with 14 ft. drawdown after 1 hrs.

Artesian flow g.p.m. Date

Temperature of water Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:

Diameter of well below casing

Depth drilled 61 ft. Depth of completed well 61 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Top soil	0'	1'
Clay (heavy & firm) brown	1'	14'
Cement gravel	14'	23'
Clay & gravel (soft)	23'	27'
Cement Gravel	27'	35'
Clay & gravel (soft)	35'	37'
Cement gravel	37'	57'
Silted gravel	57'	61'

Work started 10/14/65 19 Completed 10/18/65 19

Date well drilling machine moved off of well 10/18/65 19

(13) PUMP:

Manufacturer's Name

Type: H.P.

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Pete Tolmasoff Well Drilling
(Person, firm or corporation) (Type or print)

Address Turner, Ore.

Drilling Machine Operator's License No. 320

[Signed]

(Water Well Contractor)

Contractor's License No. 410 Date 10/21/65 19

(USE ADDITIONAL SHEETS IF NECESSARY)

Do Not State Well No. 10/2W-PN(2)
Fill In State Permit No. G

OBSERVATION WELL STATE OF OREGON

WELL STATE OF O
DECEIVE
SEP 5 1957
STATE ENGINE
SALEM, OREGON

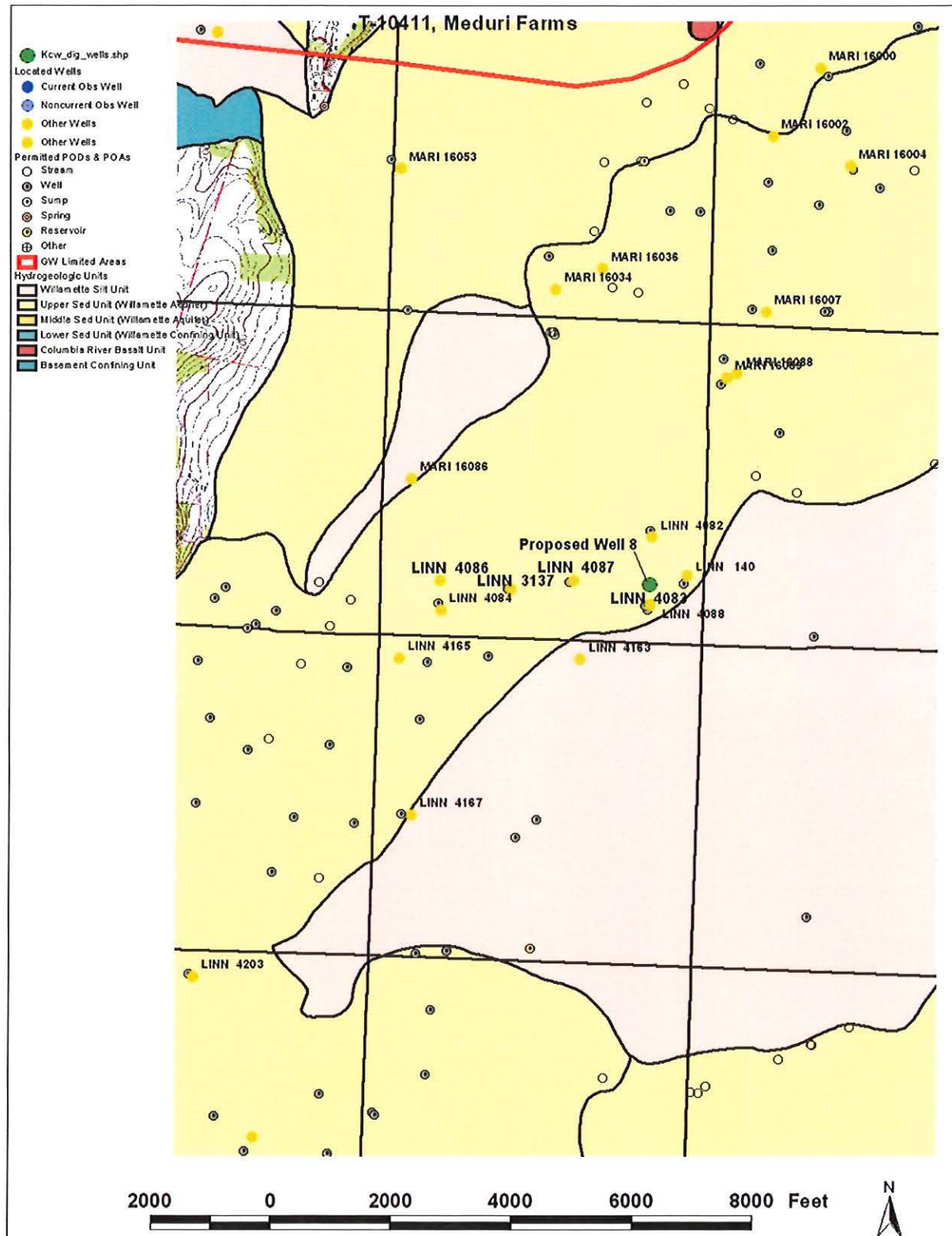
N. 43° E. 20 CHAINS FROM
THE SW CORNER S. 8, T. 10S,
R. 3W., L.M.

Owner

License No. 52 Dated Aug 24 1941

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

Well Location Map





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

June 21, 2007

MEDURI FARMS
PO BOX 636
DALLAS OR 97338

Reference: Transfer 10411

On June 20, 2007 we received your water right transfer application. The application was accompanied by \$350.00. Our receipt 88223 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.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more information on the Reimbursement Authority program, see our website at http://www.wrd.state.or.us/OWRD/mgmt_reimbursement.shtml or call the transfer section.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

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)986-0883.

cc: Watermaster #16
James Schuette, CWRE
Groundwater
Kenneth & Mary Cunningham

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 06/26/2007

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: Linn
Transfer: T -10411
Water Right: Cert:28351 OR *, Cert:30688 OR *, Cert:33450 OR *, Cert:65496 OR *
Priority Date: 1957, 1962, 1987, 1959
Name: MEDURI FARMS
Address: PO BOX 636; DALLAS OR 97338
Change: APOA
Source: UPPSTAD WELL #3 > NORTH SANTIAM RIVER
UPPSTAD WELL 4 > SANTIAM RIVER
UPPSTAD WELL 5 > NORTH SANTIAM RIVER
WELL 6 > NORTH SANTIAM RIVER
Authorized APOA: T10S R2W 8
Proposed APOA: T10S R2W 8

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

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

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

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **88223**

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

INVOICE # _____

RECEIVED FROM: Meduri Farms, Inc

BY: _____

CASH: ☐ CHECK: # 76429 OTHER: (IDENTIFY) ☐

APPLICATION	
PERMIT	
TRANSFER	<u>T-10411</u>

TOTAL REC'D \$ 356.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
OTHER: (IDENTIFY) \$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER \$
0203 GROUND WATER \$
0205 TRANSFER \$ 356.00

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$
0231 HYDRO LICENSE FEE (FWWRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$

RECEIPT: **88223**

DATED: 6-20-07

BY: L. Parlane