

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



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

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

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

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 2 List them here: Certificate 51744, 61597**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year: 2026 End Year: 2030.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)

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

☐ Application fee not enclosed/insufficient ☐ Map not included or incomplete
☐ Land Use Form not enclosed or incomplete
☐ Additional signature(s) required ☐ Part _____ is incomplete
Other/Explanation _____
Staff: _____ Phone: _____ Date: ____/____/____

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Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

Oregon Water Resources Department
Transfer Fee Calculation for Temporary Transfer

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[Return](#) [Contact Us](#)

Today's Date: Tuesday, October 7, 2025		Fee Calculation
Base Fee (includes temporary change to one water right for up to 1 cfs)		\$1,425.00
Fill in information below-- Check each box that applies.		
Enter total number of water rights included in transfer.	2	\$465.00
☐ Check this box if you propose to change the place of use for a NON-irrigation use.		
☒ Check this box if you propose to change the place of use for an irrigation use.		
Enter the number of acres in the footprint of the place of use to be transferred.	59.1	\$242.31
(If a supplemental certificate also covers the same land as an included primary right, count the acreage only once.)		
Total Transfer CFS(rounded up to the next whole cfs):		
Subtotal:	\$2,132.31	
☐ The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.		
☐ The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.		
Discount:		
☐ Check the box if you are submitting the application and map in a Department-approved digital format.		
Transfer Fee:	\$2,132.31	
Return to Edit Clear		

10/1/2025: This application was completed prior to the 2025 fee increase. Signatures were not received until after the new fees and new forms were in place. This page is being included in lieu of the old page 3 which represented the old fees. Joan Smith has approved the submittal of the old forms with the new fees.

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

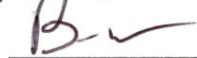
APPLICANT/BUSINESS NAME Ben Van Dyke Farms, Inc.			PHONE NO. (503) 799-3873	ADDITIONAL CONTACT NO.
ADDRESS 15221 NW Westside Rd.			FAX NO.	
CITY Yamhill	STATE OR	ZIP 97148	E-MAIL vandykeben@yahoo.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Will McGill Surveying, LLC			PHONE NO. (503) 931-0210	ADDITIONAL CONTACT NO. (503) 510-3026
ADDRESS 15333 Pletzer Rd. SE			FAX NO.	
CITY Turner	STATE OR	ZIP 97392	E-MAIL willmcgill.surveying@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application and why:
It is proposed to do a temporary transfer of ~~100~~^{9.9} acres of Cert. 51744 and 49.2 acres of Cert. 61597 and temporarily authorize PODs 1 and 2 as part of a common irrigation system.

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



Applicant signature

Ben Van Dyke

Print Name (and Title if applicable)

10-1-25

Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

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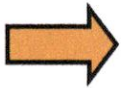
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☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Yamhill County	ADDRESS 400 NE Baker St.	
CITY McMinnville	STATE OR	ZIP 97128

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

Water Right Certificate # **51744**

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Description of Water Delivery System

OCT 07 2025

System capacity: **0.23** cubic feet per second (cfs) OR

Salem, OR

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Diesel pump delivers water through mainline to big gun.**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
51744 POD	☒ Authorized ☐ Proposed		3 S	4 W	3	NE	NE	86	340' N and 550' W from SE corner, DLC 86
POD 1	☐ Authorized ☒ Proposed		3 S	4 W	4	SW	SE	44	1046' N and 1612' W from SE corner, section 4
POD 2	☐ Authorized ☒ Proposed		3 S	4 W	3	SW	NW	85	2828' N and 1000' E from SE corner, section 4
	☐ Authorized ☐ Proposed								

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

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

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

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

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

- ☐ Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 51744

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
3	S	4	W	2	NW	NW	1100	86	6.3	Irrigation	51744 POD	1966	POU/POD	3	S	4	W	4	SW	SE	1900	44	7.8	Irrigation	POD 1, 2	1966
3	S	4	W	3	NE	NE	1100	86	3.6	Irrigation	51744 POD	1966	POU/POD	3	S	4	W	9	NW	NE	1900	44	2.1	Irrigation	POD 1, 2	1966
TOTAL ACRES						9.9					TOTAL ACRES						9.9									

Additional remarks: _____

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OCT 07 2025
Salem, OR

For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: Application has been submitted for same POU as "to" lands to irrigate out of reservoir.

Pursuant to ORS 540.523, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Salem, OR

Water Right Certificate # 61597

Description of Water Delivery System

System capacity: 0.17 cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. 15 HP centrifugal pump delivers water through mainline to big gun.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
61597 Spring	☒ Authorized ☐ Proposed		3 S	4 W	2	NE NW	88	2240' N and 930' E from SW corner, DLC 88
61597 Creek	☒ Authorized ☐ Proposed		3 S	4 W	2	NE NW	88	1620' N and 710' E from SW corner, DLC 88
POD 1	☐ Authorized ☒ Proposed		3 S	4 W	4	SW SE	44	1046' N and 1612' W from SE corner, section 4
POD 2	☐ Authorized ☒ Proposed		3 S	4 W	3	SW NW	85	2828' N and 1000' E from SE corner, section 4

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

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

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

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

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

- ☐ Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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14743 -

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 61597

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
3 S	4 W	2	NE NW	1000	88	9.3	Irrigation	61597 Spring, Creek	1979	POU/POD	3 S	4 W	3	SW NE	1701	85	6.7	Irrigation	POD 1, 2	1979		
3 S	4 W	2	NW NW	1000	88	22.2	Irrigation	61597 Spring, Creek	1979	POU/POD	3 S	4 W	3	SE NW	1701	85	11.0	Irrigation	POD 1, 2	1979		
3 S	4 W	2	NW NW	900	88	1.5	Irrigation	61597 Spring, Creek	1979	POU/POD	3 S	4 W	3	NE SW	1701	85	22.2	Irrigation	POD 1, 2	1979		
3 S	4 W	2	SW NW	900	88	12.4	Irrigation	61597 Spring, Creek	1979	POU/POD	3 S	4 W	3	NW SE	1701	85	9.3	Irrigation	POD 1, 2	1979		
3 S	4 W	2	SE NW	1000	88	1.8	Irrigation	61597 Spring, Creek	1979													
3 S	4 W	2	SE NW	900	88	2.0	Irrigation	61597 Spring, Creek	1979													
TOTAL ACRES						49.2						TOTAL ACRES						49.2				

Additional remarks: _____

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For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: Application has been submitted for same POU as "to" lands to irrigate out of reservoir.

Pursuant to ORS 540.523, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

Salem, OR

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Yamhill)

I Robert J. Geelan in my/our capacity as Owner,

mailing address 17801 NE Geelan Rd., Yamhill, OR 97148,

telephone number 503 260 1002, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 51744

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

(transfer number, if known)

submitted by Ben Van Dyke Farms, Inc.

on the property in tax lot number(s) 1100,

Section 2/3 Township 3 South Range 4 West, W.M.,

located at 17801 NE Geelan Rd.

(site address)

[Signature]
Signature of Affiant

9-30-25
Date

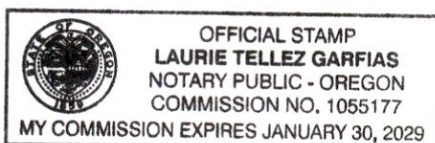
Signature of Affiant

Date

Subscribed and Sworn to before me this 30th day of September, 2025.

[Signature]
Notary Public for Oregon

My commission expires January 30th, 2029



Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Yamhill)

I Cindy M. Naylor aka Cindy M Tucker in my/our capacity as Owner,

mailing address 17350 NE Geelan Rd., Yamhill, OR 97148,

telephone number 503-260-8314, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 61597

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

(transfer number, if known)

submitted by Ben Van Dyke Farms, Inc.

on the property in tax lot number(s) 900,

Section 2 Township 3 North/South Range 4 East/West, W.M.,

located at 17350 NE Geelan Rd.

(site address)

Cindy M Tucker
Signature of Affiant

7/8/2025
Date

[Signature]
Signature of Affiant

[Signature]
Date

Subscribed and Sworn to before me this 8th day of July, 2025.

Jesse Lurie
Notary Public for Oregon

My commission expires 1/20/29.

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Yamhill)

I Tim Pfeiffer in my/our capacity as Owner/Trustee,

mailing address 10400 NW Moores Valley Rd., Yamhill, OR 97148,

telephone number 503-537-4821 ^{cell} duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 61597

described in a Water Right Transfer Application (T- N/A),

(transfer number, if known)

submitted by Ben Van Dyke Farms, Inc.

on the property in tax lot number(s) 1000,

Section 2 Township 3 South Range 4 West, W.M.,

located at NE Geelan Rd.

(site address)

Tim Pfeiffer

Signature of Affiant

7-10-2025

Date

Signature of Affiant

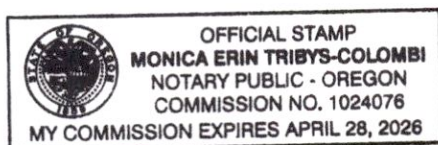
Date

Subscribed and Sworn to before me this 10th day of July, 2025.

Monica Colombi

Notary Public for Oregon

My commission expires 4-28-26.



Lawyers 872003545

Ticor Title 471820096818

RECORDING REQUESTED BY:



1433 SW 6th Avenue
Portland, OR 97201

GRANTEE'S NAME:

Cindy M. Naylor

AFTER RECORDING RETURN TO:

Order No.: 872003545-MS

Cindy M. Naylor
17350 NE Geelan Road
Yamhill, OR 97148

SEND TAX STATEMENTS TO:

Cindy M. Naylor
17350 NE Geelan Road
Yamhill, OR 97148

APN: 85945
17350 NE Geelan Road, Yamhill, OR 97148

Yamhill County Official Records		202017470
DMR-DDMR		
Stn=4 JENSENC		10/01/2020 12:27:00 PM
3Pgs \$15.00 \$11.00 \$5.00 \$60.00		\$91.00
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.		
Brian Van Bergen - County Clerk		

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Ryan Huege, Grantor, conveys and warrants to **Cindy M. Naylor**, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Yamhill, State of Oregon:

Part of the T. B. Hutt Donation Land Claim in Section 2, Township 3 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, being further described as follows:

Beginning on the Easterly boundary of that tract conveyed to Hugh E. Hudson and Ellen E. Hudson by deed recorded in Film Volume 30, Page 719, Yamhill County Deed Records, said place of beginning being where the center of a creek intersects said Easterly boundary; thence South 22°13' West 430 feet to an iron pipe set on the Northerly margin of a 40 foot County Road; thence South 68° 32' West along Northerly margin of County Road, 7.527 chains to iron pipe set in the center of State Secondary Highway No. 151; thence North 61° 05' West along center of said highway, 6.05 chains to iron pipe at angle in road; thence North 83° 24' West along center of said highway, 4.09 chains to the Southwest corner of said conveyance to Hudson; thence North 00° 03' West along the West line of said Hutt Claim, 866 feet to the center of said creek; thence Easterly and Southeasterly along the center of said creek to the place of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SIX HUNDRED SIX THOUSAND AND NO/100 DOLLARS (\$606,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH

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STATUTORY WARRANTY DEED

(continued)

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 9/22/20

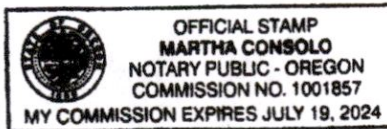
Ryan Huege
Ryan Huege

State of Oregon
County of Clackamas

This instrument was acknowledged before me on 9/22/2020 by Ryan Huege.

Martha Consolo
Notary Public - State of Oregon

My Commission Expires: 7/19/24



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14743 -

EXHIBIT "A"
Exceptions

Subject to:

Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2020-2021.

The Land has been classified as Farm Land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and highways.

Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Unnamed Creek.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of Unnamed Creek.

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 Unnamed Creek.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: East Yamhill Rural water Company
Recording Date: January 16, 1968
Recording No: Film Volume 65, page 370
Affects: Reference is hereby made to said document for full particulars

A manufactured home situated on the subject land is classified as real property, as disclosed by document:
Recording Date: December 13, 2016
Recording No: 2016-19236

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14743 -

MAIL TAX STATEMENTS TO:

No Change

AFTER RECORDING RETURN TO:

Jeffrey G. Moore, Attorney
Saalfeld Griggs PC
PO Box 470
Salem, Oregon 97308-0470

Yamhill County Official Records		202107484
DMR-DDMR		
Stn=6 MILLSA	04/13/2021 02:50:00 PM	
7Pgs \$35.00 \$11.00 \$5.00 \$60.00		\$111.00
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.		
Brian Van Bergen - County Clerk		

**STATUTORY RERECORDING CERTIFICATE
FOR WARRANTY DEED**

RERECORDED AT THE REQUEST OF YAMHILL COUNTY TO CORRECT THE LEGAL DESCRIPTION. PREVIOUSLY RECORDED IN YAMHILL COUNTY OFFICIAL RECORDS DOCUMENT NO. 2020-09404 (HEREIN THE "**DEED**"). A CERTIFIED TRUE COPY OF THE DEED IS ATTACHED HERETO AS **EXHIBIT "A,"** WHICH IS INCORPORATED BY THIS REFERENCE HEREIN, AND THE CORRECT LEGAL DESCRIPTION IS ATTACHED HERETO AS **EXHIBIT "B"** AND INCORPORATED BY THIS REFERENCE HEREIN.

Grantor: ***Timothy L. Pfeiffer and Maryalice K. Pfeiffer***

Grantee: ***Timothy L. Pfeiffer and Maryalice K. Pfeiffer, Trustees of the Pfeiffer Living Trust dated June 6, 2020, and any amendments thereto***

This deed is executed to partially fund a trust of Grantors, and the true and actual consideration stated in terms of dollars in ZERO.

Exhibit A
Certified True Copy
(attached)



MAIL TAX STATEMENTS TO:
Timothy L. Pfeiffer, Trustee
Maryalice K. Pfeiffer, Trustee
Pfeiffer Living Trust
10400 NW Moores Valley Road
Yamhill, OR 97148

AFTER RECORDING RETURN TO:
Jeffrey G. Moore, Attorney
Saalfeld Griggs PC
PO Box 470
Salem, OR 97308-0470

STATE OF OREGON }
COUNTY OF YAMHILL } ss.
I, Brian Van Bergen, for the County of Yamhill and State of Oregon, do
Herby certify that the foregoing copy of

Warranty Deed

4 pages

has been by me compared with the original and that it is a correct transcript
therefrom, and the whole of such original is the same appears of record at
my office and in my custody in witness hereof I have hereunto set my hand
and affixed the seal of said county.

This 23rd Day of March A.D. 2021
By Brian Van Bergen
Teresa Sutton - Deputy County Clerk
Brian Van Bergen, Yamhill County Clerk

Yamhill County Official Records **202009404**
DMR-DDMR
Stn=1014 JENSENC **06/11/2020 01:04:00 PM**
4Pgs \$20.00 \$11.00 \$5.00 \$60.00 **\$96.00**
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify
that the instrument identified herein was recorded in the Clerk
records.
Brian Van Bergen - County Clerk

WARRANTY DEED

Timothy L. Pfeiffer and Maryalice K. Pfeiffer, as tenants by the entirety, Grantors, convey to
Timothy L. Pfeiffer and Maryalice K. Pfeiffer, Trustees of the Pfeiffer Living Trust dated
June 16, 2020, and any amendments thereto, Grantee, any and all of the
Grantors' interest in the following described real property situated in the County of Yamhill, State of
Oregon:

See Exhibit A attached hereto and incorporated herein.

Grantors covenant that Grantors are seized of an indefeasible estate in the real property
described above in fee simple, that Grantors have good right to convey the property, that the property is
free from encumbrances except as specifically set forth herein, and that Grantors warrant and will defend
the title to the property against all persons who may lawfully claim the same by, through, or under
Grantors, provided that the foregoing covenants are limited to the extent of coverage available to
Grantors under any applicable standard or extended policies of title insurance, it being the intention of
the Grantors to preserve any existing title insurance coverage.

This deed is executed to partially fund a trust of Grantors, and the true and actual consideration
stated in terms of dollars is ZERO.

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

WARRANTY DEED (APN: 85981 - HUEGE FARM)

4827-6004-4476, v. 3

PAGE 1 OF 4
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Salem, OR

14743 -

AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

WITNESS Grantors' hand this 6 day of June, 2020.

Timothy L. Pfeiffer
Timothy L. Pfeiffer

Maryalice K. Pfeiffer
Maryalice K. Pfeiffer

ACCEPTANCE OF DELIVERY OF WARRANTY DEED

We, Timothy L. Pfeiffer and Maryalice K. Pfeiffer, Trustees of the Pfeiffer Living Trust dated June 6, 2020, and any amendments thereto, the Grantees under this Warranty Deed instrument, do hereby accept delivery of this Warranty Deed instrument from the Grantor conveying to us the subject property described herein and situated in the County of Yamhill, State of Oregon.

Timothy L. Pfeiffer
Timothy L. Pfeiffer, Trustee

Maryalice K. Pfeiffer
Maryalice K. Pfeiffer, Trustee

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14743 -

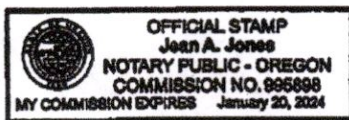
STATE OF OREGON

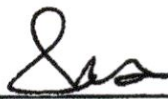
COUNTY OF MARION

)
) ss.
)

On this 6 day of JUNE, 2020, personally appeared the
above named *Timothy L. Pfeiffer* and *Maryalice K. Pfeiffer* and acknowledged the foregoing instrument
to be their voluntary act and deed.

Before me:





Notary Public for Oregon
My Commission Expires: 1/24/2020

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EXHIBIT A

That portion of the following described property lying North of what is known as Market Road No. 1, leading from Yamhill to Newberg, and more particularly described as follows:

Being a portion of the T. B. Hutt Donation Land Claim No. 88, Notification No. 1511 in Section 2, Township 3 South, Range 4 West of the Willamette Meridian, in Yamhill County, Oregon, and beginning at an iron pipe set in the center of Secondary State Highway No. 151, on the West line of said Hutt Claim and South 00°03' East 4.805 chains from an iron pipe at the Southeast corner of the R.R. Laughlin Donation Land Claim; thence North 00°03' West, along the West line of said Hutt Donation Land Claim, 28.95 chains to stake and anchor post from which an oak 18 inches in diameter bears South 52° East 28-1/2 links; thence South 67°36' East 26.34 chains to stake and anchor post on the West line of County Survey No. 2553; thence South 22°13' West, along the West line of County Survey No. 2553, 21.12 chains to an iron pipe set on the Northerly margin of 40 foot County Road; thence South 68°32' West, along the Northerly margin of County Road, 7.527 chains to an iron pipe set in the center of Secondary State Highway No. 151; thence North 61°05' West, along the center of Secondary State Highway No. 151, 6.05 chains to an iron pipe at angle in road; thence North 83°24' West, along the center of Secondary State Highway No. 151, 4.08 chains to the point of beginning.

EXCEPT that portion lying in the County Road.

Subject to:

The Land has been classified as Farm Use, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Any adverse claim based upon the assertion that:

- a) Said Land or any part thereof is now or at any time has been below the highest of the high watermarks of an unnamed creek, in the event the boundary of said an unnamed creek has been artificially raised or is now or at any time has been below the high watermark, if said an unnamed creek is in its natural state.
- b) Some portion of said Land has been created by artificial means or has accreted to such portion so created.
- c) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of an unnamed creek, or has been formed by accretion to any such portion.

Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of an unnamed creek.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	East Yamhill Rural Water Company
Purpose:	Water line
Recording Date:	January 16, 1968
Recording No:	Film Volume 85, Page 370
Affects:	See document for specifics

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Salem, OR

14743 -

Exhibit B
Corrected Legal Description

That portion of the following described property lying North of what is known as Market Road No. 1, leading from Yamhill to Newberg, and more particularly described as follows:

Being a portion of the T. B. Hutt Donation Land Claim No. 88, Notification No. 1511 in Section 2, Township 3 South, Range 4 West of the Willamette Meridian, in Yamhill County, Oregon, and beginning at an iron pipe set in the center of Secondary State Highway No. 151, on the West line of said Hutt Claim and South 00°03' East 4.805 chains from an iron pipe at the Southeast corner of the R.R. Laughlin Donation Land Claim; thence North 00°03' West, along the West line of said Hutt Donation land Claim, 28.95 chains to stake and anchor post from which an oak 18 inches in diameter bears South 52° East 28-1/2 links; thence South 67°36' East 26.34 chains to stake and anchor post on the West line of County Survey No. 2553; thence South 22°13' West, along the West line of County Survey No. 2553, 21.12 chains to an iron pipe set on the Northerly margin of 40 foot County Road; thence South 68°32' West, along the Northerly margin of County Road, 7.527 chains to an iron pipe set in the center of Secondary State Highway No. 151; thence North 61°05' West, along the center of Secondary State Highway No. 151, 6.05 chains to an iron pipe at angle in road; thence North 83°24' West, along the center of Secondary State Highway No. 151, 4.09 chains to the point of beginning.

EXCEPT that portion lying in the County Road.

FURTHER EXCEPTING that part conveyed to Donald Earl Huege, et ux, by deed recorded January 27, 1972, in Film Volume 87, Page 2344, Deed and Mortgage Records.

Subject to:

The Land has been classified as Farm Use, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Any adverse claim based upon the assertion that:

- a) Said Land or any part thereof is now or at any time has been below the highest of the high watermarks of an unnamed creek, in the event the boundary of said an unnamed creek has been artificially raised or is now or at any time has been below the high watermark, if said an unnamed creek is in its natural state.
- b) Some portion of said Land has been created by artificial means or has accreted to such portion so created.
- c) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of an unnamed creek, or has been formed by accretion to any such portion.

Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of an unnamed creek.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	East Yamhill Rural Water Company
Purpose:	Water line
Recording Date:	January 16, 1968
Recording No:	Film Volume 65, Page 370
Affects:	See document for specifics

After recording, return to:
Dianne L. Haugeberg, Attorney
P.O. Box 480
McMinnville, OR 97128

Send Tax Statements to:
Robert J and Pam Geelan
17801 NE Geelan Road
Yamhill, OR 97148

OFFICIAL YAMHILL COUNTY RECORDS
REBEKAH STERN DOLL, COUNTY CLERK



\$51.00

201007269 4:17:08 PM 6/07/2010
DMR-DDMR Cnt=1 Str=3 SUSIE
\$15.00 \$10.00 \$11.00 \$15.00

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That **DONNA E. GEELAN**, a widow, (a copy of Harold E. Geelan's death certificate is attached hereto and incorporated by this reference), hereinafter called "Grantor", for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto **ROBERT J. GEELAN and PAM GEELAN**, husband and wife, as tenants by the entirety, hereinafter called "Grantee", and unto Grantee's heirs, successors and assigns, that certain real property situated in the County of Yamhill, State of Oregon, more fully described as follows:

See Attached Exhibit "A" incorporated herein

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

The true and actual consideration paid for this transfer, stated in terms of dollars is \$-0-. (This conveyance is for estate planning purposes.)

"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 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009"

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

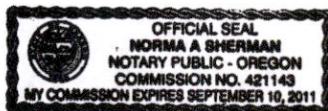
IN WITNESS WHEREOF, the Grantor has executed this instrument this 26th day of May, 2010.

DONNA E. GEELAN

STATE OF OREGON, County of Yamhill) ss.

May 26, 2010

Personally appeared before me the above-named **DONNA E. GEELAN**, who acknowledged the foregoing Bargain and Sale Deed to be her voluntary act and deed.



Notary Public for Oregon
My Commission Expires: 9-10-11

F:\law\Probate\Forms\DEED.B&S.out of Trust.doc

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14743 -

EXHIBIT "A"

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

A part of the Donation Land Claim of R.R. Laughlin, Notification No. 1508, Claim No. 62 in Township 2 South, Range 4 West and Claim No. 86 in Township 3 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, and said part being more particularly described as follows:

Beginning at a point 30 feet West and 303.83 feet North 18' East from the Southeast corner of said R.R. Laughlin Donation Land Claim; thence South 88°56' West 540.37 feet; thence North 0°18' East 846 feet; thence East 540.37 feet to the East line of the first described tract in deed to Harold E. and Donna E. Geelan, husband and wife, recorded September 30, 1952 in Volume 167, page 258, Deed Records of Yamhill County, Oregon; thence South 0°18' West 846 feet more or less to the place of beginning.

SUBJECT TO the rights of the public in streets, roads and highways.

ALSO SUBJECT TO a Line Easement to the USA, including the terms and provisions thereof, recorded in Book 154, page 611 Deed Records.

(The above-described property is also known as Yamhill County, Oregon, Tax Lot R3402-01100, consisting of 10.60 acres, more or less)

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss
County of YAMHILL

I, BEN VAN DYKE, in my capacity as NEIGHBOR FARMER,

mailing address 15221 NW WESTSIDE RD., YAMHILL, OR 97148

telephone number (503)799-3873, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

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

☒ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
51744	3	S	4	W	WM	2	NW	NW	86	6.8
51744	3	S	4	W	WM	3	NE	NE	86	11.4
61597	3	S	4	W	WM	2	NE	NW	88	9.3
61597	3	S	4	W	WM	2	NW	NW	88	23.7
61597	3	S	4	W	WM	2	SW	NW	88	12.4
61597	3	S	4	W	WM	2	SE	NW	88	3.8

OR

- ☐ Confirming Certificate # ____ has been issued within the past five years; **OR**
- ☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: ____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.
- ☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # ____ (For Historic POD/POA Transfers)

(continues on reverse side)

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OCT 07 2025

TACS
Salem, OR

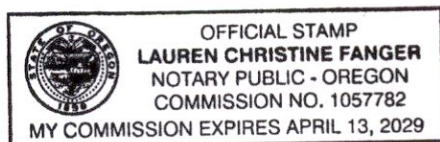
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS, PASTURE

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Baja T. V.
Signature of Affiant

7-10-25
Date

Signed and sworn to (or affirmed) before me this 10th day of July, 2025.



Lauren Fanger
Notary Public for Oregon

My Commission Expires: 4/13/29

Supporting Documents	Examples
☐ Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
☒ Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number



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Salem, OR

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Land Use Information Form



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

NOTE TO APPLICANTS

In order for your application to be processed by the Oregon Water Resources Department (OWRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be diverted, conveyed, used, and developed. The planning official may choose to complete the form while you wait or return the "Receipt Acknowledging Request for Land Use Information" to you. Applications received by OWRD without the Land Use Information Form, or the signed receipt, will be returned to you. **IMPORTANT:** Please note that while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for OWRD's acceptance of all other applications. Please be aware that your application cannot be approved without land use approval received by OWRI

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This form is **NOT** required if:

- 1) Water is to be diverted, conveyed, and used on federal lands only; 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. The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b. The application involves a change in place of use only;
 - c. The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses: and

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a new water right or modifying an existing water right. The Oregon Water Resources Department (OWRD) requires applicants to obtain land use information to ensure the water right does not result in land uses that are incompatible with your comprehensive plan. Please complete the form and return it to the applicant for inclusion in their application. **NOTE:** For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete the "Receipt Acknowledging Request for Land Use Information" and return it to the applicant.

You will receive notice via OWRD's weekly Public Notice once the applicant formally submits their request to OWRD. The notice will give more information about OWRD's water right process and provide additional comment opportunities. If you previously only completed the receipt for an application for a new permit to use or store water, you will have 30 days from the Public Notice date to complete the Land Use Information Form and return it to OWRD. Your attention to this request for information is greatly appreciated. If you have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or WRD_DL_customerservice@water.oregon.gov.

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NAME Ben Van Dyke Farms, Inc.			PHONE (503) 799-3873	
MAILING ADDRESS 15221 NW Westside Rd.				
CITY Yamhill	STATE OR	ZIP 97148	EMAIL vandykeben@yahoo.com	

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
3S	4W	4	SWSE	1900	EFU	☒ Diverted	☐ Conveyed	☒ Used	Farming
3S	4W	3	SWNW	1700	EFU	☒ Diverted	☐ Conveyed	☒ Used	Farming
2S	4W	34	SWSW SESW	1300	EFU	☐ Diverted	☐ Conveyed	☒ Used	Farming
3S	4W	3	NWNE NENW	1300	EFU	☐ Diverted	☐ Conveyed	☒ Used	Farming
2S	4W	34	NWSW SWSW	3500	EFU	☐ Diverted	☐ Conveyed	☒ Used	Farming
3S	4W	3	NENW NWNW	3500	EFU	☐ Diverted	☐ Conveyed	☒ Used	Farming
3S	4W	3	NWNW SWNW	1400	EFU	☐ Diverted	☐ Conveyed	☒ Used	Farming
3S	4W	3	NWSW	1700	EFU	☐ Diverted	☐ Conveyed	☒ Used	Farming
3S	4W	3	SWNE SENE NESW NWSW NWSE	1701	EFU	☐ Diverted	☐ Conveyed	☒ Used	Farming
3S	4W	3	SWNE NWSE	2000	EFU	☐ Diverted	☐ Conveyed	☒ Used	Farming
3S	4W	3	NESW NWSW SWSW SESW	3300	EFU	☐ Diverted	☐ Conveyed	☒ Used	Farming
3S	4W	4	NESE SESE	3300	EFU	☐ Diverted	☐ Conveyed	☒ Used	Farming
3S	4W	9	NENE	3300	EFU	☐ Diverted	☐ Conveyed	☒ Used	Farming

3S	4W	10	NENW NWNW	3300	EFU	☐ Diverted ☐ Conveyed ☒ Used	Farming
3S	4W	4	NESW NESE NWSE SWSE SESE	1900	EFU	☐ Diverted ☐ Conveyed ☒ Used	Farming
3S	4W	9	NENE NWNE	1900	EFU	☐ Diverted ☐ Conveyed ☒ Used	Farming

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

Yamhill

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

B. Description of Proposed Use

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

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

Source of water: ☒ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Stag Hollow Creek

Estimated quantity of water needed: 179.35 ☐ 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:

It is proposed to use the existing reservoir under Permit R-15622 to irrigate the following properties:

R243403500
 R340301300
 R340301400
 R340301700
 R340301701
 R340302000
 R340401900
 R340303300

It is also proposed to move portions of certificates 51744 and 61597 to the irrigated property and authorize existing PODs.

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

See Page 4 →

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For Local Government Use Only

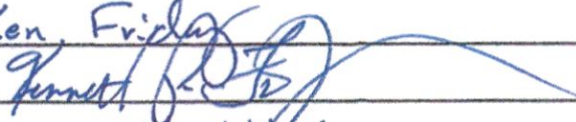
The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 402 of the YCZO
- ☐ Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being Pursued."**

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

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

Name: Ken Friday Title: P. D.
 Signature:  Date: 06/27/2025
 Governmental Entity: Yamhill Co. Phone: 503-434-7516

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:

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

Applicant Name: _____ Received by OWRD
 Staff Name: _____ Title: _____ OCT 07 2025
 Staff Signature: _____ Date: _____ Salem, OR
 Governmental Entity: _____ Phone: _____