

Name Phillip Olson

Address 23725 SE Old Bethel Road
Amity OR 97101
503 835-0504

Change in POU
Date Filed 8/29/2007
Initial notice date 9/4/2007
DPD issued date _____
PD issued date _____
PD notice date _____
Date of FO 2-20-09 Vol 77 Page 279

C-Date _____
COBU due date _____
COBU Received date 6/7/2010 postmark mailed
Certificate issued 85293
85294
MAY 09 2014 89212 & 89213

Assignments: _____

Irrigation District N/A

Agent Don Knauer PO Box 5416 Salem, OR 97304 503 508-7862

CWRE Don Knauer #75
CC's list Yamhill County 401 NE Evans St McMinnville OR 97128
Reimbursement Authority Contractor - John Borden Consulting

- Oversized map - Location

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Ash Swale Reservoir unnamed Stream

Trib. of Salt Creek Ash Swale

Use IR County Yamhill

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App # 552206 Per # 538064 Cert # 51799 PR Date 1974

App # 556698 Per # 541972 Cert # 51801 PR Date 1977

App # _____ Per # _____ Cert # _____ PR Date _____

App # _____ Per # _____ Cert # _____ PR Date _____

App # _____ Per # _____ Cert # _____ PR Date _____

Date	FEES PAID	
	Amount	Receipt #
<u>8/29/07</u>	<u>600.00</u>	<u>89397</u>

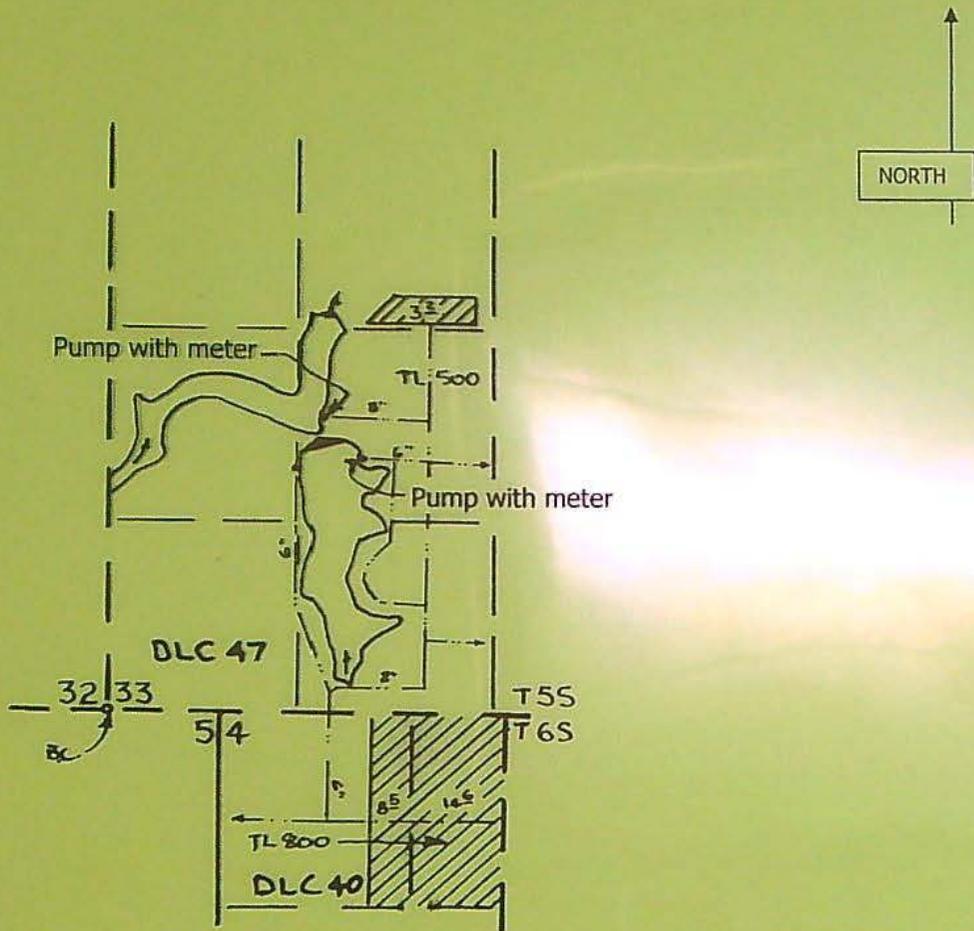
Date	FEES REFUNDED	
	Amount	Receipt#

FINAL PROOF MAP

IN THE NAME OF PHILIP OLSON

T-10450

T 5 & 6 S, R 4 W, W.M. Section 33 & 4



DLC line - . - . - .
Section line - - - - -
Pipe line - - - - -

RECEIVED
JUN 07 2011
WATER DIVISION
SALEM, OREGON

DIVERSION POINTS: 2720' N & 1570' E; 1860' N & 1450' E
Both from the SW Corner section 33

Scale 1" = 1320'

This map is not intended to provide legal dimensions or locations of property ownership lines .

Certified Water Rights Examiner
#78
Donald E. Knauer
DONALD E. KNAUER
Nov. 19, 1987
STATE OF OREGON

RENEWAL DATE: 6-30-2011

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

RECEIPT # **89397**

INVOICE # _____

RECEIVED FROM: Olson Berry Company APPLICATION _____
 BY: _____ PERMIT _____
 CASH: _____ CHECK.# _____ OTHER: (IDENTIFY) _____ TRANSFER T-10450
 CASH CHECK # 23260 OTHER: (IDENTIFY) _____ TOTAL REC'D \$ 600.00

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 \$ _____

RECEIVED OVER THE COUNTER

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ <u>600.00</u>		

WELL CONSTRUCTION

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

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
 0210 MONITORING WELLS \$ _____ CARD # _____
 _____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$ _____
 0231 HYDRO LICENSE FEE (FWWRD) \$ _____
 _____ HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
 OBJ. CODE _____ VENDOR # _____
 DESCRIPTION _____ \$ _____

RECEIPT: **89397** DATED: 8/29/07 BY: L. Pasolun



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Ste A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

January 29, 2020

Davis Wright Tremaine LLP
Attn: Olivier Jamin
1300 SW Fifth Ave, Suite 2400
Portland, OR 97201-5610

Reference: Application R-52205, Permit R-6154, Certificate 51798
Reference: Application S-52206, Permit S-38064, Certificate 85293 (Transfer T-10450)
Reference: Application S-52206, Permit S-38064, Certificate 89212 (Transfer T-10450)
Reference: Application R-56697, Permit R-6642, Certificate 51800
Reference: Application S-56698, Permit S-41972, Certificate 85294 (Transfer T-10450)
Reference: Application S-56698, Permit S-41972, Certificate 89213 (Transfer T-10450)
Reference: Application S-69657, Permit S-50668, Certificate 94204 (Transfer T-12519)

The requested assignments from Philip R. Olson to ACMII Oregon 3, LLC cannot be made as these are perfected rights as evidenced by the issuance of Certificates of Water Right. Under Oregon Water Law, a perfected right is considered a land right and goes with the land. Therefore, if you own land that has a certified right you own the right as well. There is no provision in Oregon Water Law for changing the name on a certified right.

The Department does request that an ownership update be filed for perfected rights, when a change in ownership occurs. I have included an Ownership Update Form with this correspondence. Additional forms may be accessed via our website at https://www.oregon.gov/OWRD/WRDFormsPDF/ownership_update.pdf

I am returning your original requests and the checks you submitted. Should you have any questions, please do not hesitate to contact me at the address above or by telephone at 503-986-0817.

Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosures: Original Requests, Fees, and Ownership Update Form

cc: File

ACMII Oregon 3, LLC – 1331 NW Lovejoy Street, Suite 720, Portland, OR 97209
Philip Olson – 23725 SE Old Bethel Rd, Amity, OR 97101-2601





Suite 2400
1300 SW Fifth Avenue
Portland, OR 97201-5610

Olivier Jamin
5037785346 tel

olivierjamin@dwt.com

January 22, 2020

VIA CERTIFIED MAIL 7017 0530 0000 7745 8204

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

RECEIVED

JAN 24 2020

OWRD

Re: Request for Assignment of Water Rights

To whom it may concern:

This firm represents ACMII Oregon 3, LLC, an entity that purchased certain property in Yamhill County, Oregon from Phil Olson. As part of the transaction, Phil Olson assigned all of his interest to the entire applications/permits listed below:

- Application R56697; Permit R6642; Certificate 51800;
- Application S56698; Permit S41972; Transfer T10450; Certificate 85294;
- Application R52205; Permit R6154; Certificate 51798;
- Application S69657; Permit S50668; Transfer T12519; Certificate 94204;
- Application S52206; Permit S38064; Transfer T10450; Certificate 89212;
- Application S52206; Permit S38064; Transfer T10450; Certificate 85293;
- Application S56698; Permit S42972; T10450; Certificate 89213.

Accordingly, please find attached to this letter seven assignment request forms signed by the current owner of record, Phil Olson, along with seven \$100 checks payable to OWRD. Please confirm receipt of these requests by contacting me at olivierjamin@dwt.com.

Best regards,

Davis Wright Tremaine LLP

Olivier Jamin

Enclosures

cc: Lauren Johnson

DWT.COM

Anchorage | Bellevue | Los Angeles | New York
Portland | San Francisco | Seattle | Washington, D.C.
4850-0799-0194v.1 0111280-000079



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

Request for Assignment

RECEIVED

JAN 24 2020

OWRD

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, Phil Olson
 (Name of Current Holder of Record)

(Mailing Address) (City) (State) (Zip) (Phone #)

- hereby assign all my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, sold all the land authorized under the right)
- hereby assign all my interest in and to a portion of application/permit/transfer/limited license/groundwater statement; (*You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned.* Example, sold a portion of the land authorized under the right)
- hereby assign a portion of my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, adding an additional person)

Application # S52206 ; Permit # S 38064 ; Transfer # T10450 ; Certificate 85293

Limited License # _____ ; Groundwater Statement # _____ ;

as filed in the office of the Water Resources Director, to:
 ACMII Oregon 3, LLC

(Name of New Owner)
1331 NW Lovejoy Street, Suite 720, Portland, Oregon 97209

(Mailing Address) (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below _____.

_____ I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 30 day of December, 2019.
 (Day) (Month) (Year)

Signature of Current Holder of Record

Failure to provide any of the required information will result in the return of your application.

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$100.

JAN 24 2020



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

Request for Assignment

OWRD

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, Phil Olson
(Name of Current Holder of Record)

(Mailing Address) (City) (State) (Zip) (Phone #)

- hereby assign all my interest in and to the entire application/permit/transfer/limited license/groundwater statement;
hereby assign all my interest in and to a portion of application/permit/transfer/limited license/groundwater statement;
hereby assign a portion of my interest in and to the entire application/permit/transfer/limited license/groundwater statement;

Application # S 52206 ; Permit # S 38064 ; Transfer # T 10450 ; Certificate 89212
Limited License # ; Groundwater Statement #

as filed in the office of the Water Resources Director, to:

ACMII Oregon 3, LLC

(Name of New Owner)
1331 NW Lovejoy Street, Suite 720, Portland, Oregon 97209

(Mailing Address) (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 30 day of December, 20 19.

Signature of Current Holder of Record [Signature]

Failure to provide any of the required information will result in the return of your application.

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$100.



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

Request for Assignment

RECEIVED

JAN 24 2020

OWRD

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, Phil Olson
 (Name of Current Holder of Record)

(Mailing Address) _____ (City) (State) (Zip) (Phone #)

- hereby assign all my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, sold all the land authorized under the right)
- hereby assign all my interest in and to a portion of application/permit/transfer/limited license/groundwater statement; (*You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned.* Example, sold a portion of the land authorized under the right)
- hereby assign a portion of my interest in and to the entire application/permit/transfer/limited license/groundwater statement; (example, adding an additional person)

Application # S 56698 ; Permit # S 41972 ; Transfer # T10450 ; Certificate 85294

Limited License # _____ ; Groundwater Statement # _____

as filed in the office of the Water Resources Director, to:
 ACMIII Oregon 3, LLC

(Name of New Owner)
1331 NW Lovejoy Street, Suite 720, Portland, Oregon 97209

(Mailing Address) _____ (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below _____.

_____ I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 30 day of December, 2019.
 (Day) (Month) (Year)

Signature of Current Holder of Record Phil Olson

Failure to provide any of the required information will result in the return of your application.

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$100.

JAN 24 2020

OWRD



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

Request for Assignment

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, Phil Olson
(Name of Current Holder of Record)

(Mailing Address) (City) (State) (Zip) (Phone #)

- Checkboxes for assigning interest: all my interest, a portion of application, or a portion of my interest.

Application # S 56698; Permit # S 41972; Transfer # T10450; Certificate 89213
Limited License #; Groundwater Statement #

as filed in the office of the Water Resources Director, to:
ACMII Oregon 3, LLC

(Name of New Owner)
1331 NW Lovejoy Street, Suite 720, Portland, Oregon 97209
(Mailing Address) (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property... I hereby certify that I have notified all other owners... Witness my hand this 30 day of December, 2019... Signature of Current Holder of Record Phil Olson

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$100.

STATE OF OREGON
 COUNTY OF YAMHILL
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PHILIP R. OLSON
 23725 SE OLD BETHEL RD
 AMITY OR 97101

confirms the right to use the waters of ASH SWALE AND RESERVOIR CONSTRUCTED UNDER PERMIT R-6154, tributaries of SALT CREEK, for IRRIGATION OF 26.3 ACRES.

This right was perfected under Permit S-38064. The date of priority is JULY 19, 1974. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.31 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	4 W	WM	33	SE NW	47	2720 FEET NORTH AND 1570 FEET EAST FROM SW CORNER, SECTION 33

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 from direct flow, 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 from direct flow and storage from reservoir constructed under Permit R-6154.

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 is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SE NW	47	3.2
6 S	4 W	WM	4	NE NW	40	14.6
6 S	4 W	WM	4	NW NW	40	8.5

The water user shall maintain an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

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.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered FEBRUARY 20, 2009, at Special Order Volume 77, Page 279, approving Transfer Application 10450, and together with Certificate 85293, supercedes Certificate 51799, State record of Water Right Certificates.

Issued MAY 09 2014 .



Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PHILIP R. OLSON
23725 SE OLD BETHEL RD
AMITY OR 97101

confirms the right to use the waters of AN UNNAMED DRAINAGEWAY AND RESERVOIR CONSTRUCTED UNDER PERMIT R-6642, tributaries of ASH SWALE, for SUPPLEMENTAL IRRIGATION OF 26.3 ACRES.

This right was perfected under Permit S-41972. The date of priority is SEPTEMBER 30, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.33 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	4 W	WM	33	NE SW	47	1860 FEET NORTH AND 1450 FEET EAST FROM SW CORNER, SECTION 33

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 from direct flow, 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 from direct flow and storage from reservoir constructed under Permit R-6642, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

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 is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	4 W	WM	33	SE NW	47	3.2
6 S	4 W	WM	4	NE NW	40	14.6
6 S	4 W	WM	4	NW NW	40	8.5

The water user shall maintain an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

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.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered FEBRUARY 20, 2009, at Special Order Volume 77, Page 279, approving Transfer Application 10450, and together with Certificate 85294, supercedes Certificate 51801, State record of Water Right Certificates.

Issued MAY 09 2014 .



Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director
Oregon Water Resources Department

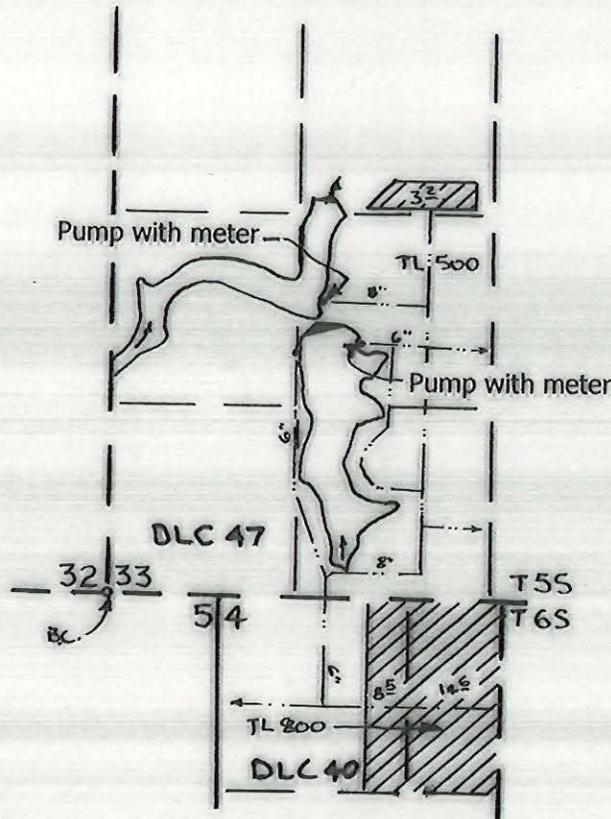
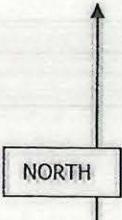
FINAL PROOF MAP

IN THE NAME OF PHILIP OLSON

T-10450

T 5 & 6 S, R 4 W, W.M. Section 33 & 4

COPY



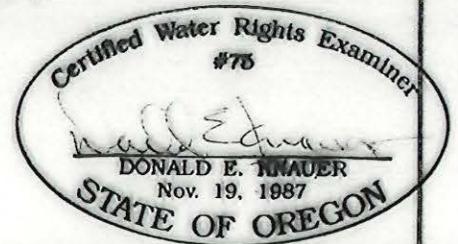
- DLC line — — — — —
- Section line — — — — —
- Pipe line — · — · — · —

RECEIVED
JAN 07 2011
WATER RIGHTS DIVISION
SHELDON OFFICE

DIVERSION POINTS: 2720' N & 1570' E; 1860' N & 1450' E
Both from the SW Corner section 33

Scale 1" = 1320'

This map is not intended to provide legal dimensions or locations of property ownership lines .



RENEWAL DATE: 6-30-2011



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

Date Mailed: May 9, 2014

NOTICE OF CERTIFICATE ISSUANCE

Attached are certificates that confirm the water rights established under the terms of a transfer order issued by this Department.

These certificates are orders in other than a contested case. These orders are subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of these orders. 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.

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions please contact Gerry Clark at 503-986-0811.

Mailing List for Transfer Certificate

Application: T-10450

Certificate: 89212 (C51799) and 89213 (C51801)

Certificate/Transfer Holder: (include copy of map)

PHILIP R. OLSON ✓
23725 SE OLD BETHEL RD
AMITY OR 97101-2601

Copies Mailed
By: <i>Cornie Vance</i> (SUPPORT STAFF)
on: MAY 09 2014 (DATE)

Copies of final Certificate to be sent to:

1. Watermaster # 16 (Include map) ✓
2. Data Center ✓
3. Water Availability ✓
4. Vault ✓
5. File ✓

Other Persons to receive copies (proposed and/or final certificate: (Include map)

PER ASSESSORS OFFICE:

MAP NO. T5S R4W SEC 33 TAX LOT 501: 6. ANTHONY & FRANCES LOPEZ ✓
22970 SE OLD BETHEL RD
AMITY OR 97101

MAP NO. T6S R4W SEC 4 TAX LOT 800: 7. LEFTY AND DRIFTER LLC ✓
23725 SE OLD BETHEL RD
AMITY OR 97101

8. DON KNAUER, CWRE ✓

Record Marking(s):

1. Original Application# S-52206 ✓
2. Old Certificate# 51799 ✓
3. Original Application# S-56698 ✓
4. Old Certificate# 51801 ✓

Snapshot: 178661 - Cert:89213 CF

Auditing checklist

- Does the shape on the map generally match the shape on the screen?
- Was the correct map/existing data used?
- Is the geo-referenced map accurate to the layer the editor deemed to be best?
- Is the right digitized in the correct TRSQQ?
- Are all the pou/pod id accounted for and do they correspond to the correct geometry?
- Are tech initials, agency, date added, and feature quality coded fields populated?
- Are overages/underages accounted for in the delta size field?
- Have appropriate remarks been entered?

RR
 (Circled '1')
 ↓

Snapshot

SnpID	Type	Status	Expire Date	Authority	License #	License Type	Contract #	Contract Type	Stage	WK Type	Folder Loc	Snp Origin	Current View	Workflow ID	WM District	Snp Status	WRID	Family ID
178661	SW	NC							DE		SLM	CT	<input checked="" type="checkbox"/>	540719	16	AC	154876	104203

Snapshot Traits

n/a

Application

App Char	App #	Received Date	ImageID	MapID	Add'l Rec
S	56698	9/30/1977			<input type="checkbox"/>

Copied from existing DM

Permit

Permit Char	Permit #	Begin Date	End Date	Signature Date	Drought Name	ImageID	MapID	Add'l Rec
S	41972			10/12/1977		58372		<input type="checkbox"/>

Certificate

Certificate #	Signature Date	Original	Correcting	Confirming	Remaining	ImageID	MapID
89213	9/9/9999			Y			

Claim

n/a

Decree

n/a

Transfer

Transfer Char	Transfer #	Originating	Terminating	Correcting	Remaining	Confirming	Type	Status
T	10450	Y					Regular	Approved

Order

n/a

Irrigation District

n/a

Water Right Stakeholders

Dir ID	Stkholder Entity	Begin Date	End Date	Inactive	Add'l Rec	Remarks	First Name	Middle	Last	Company	Other	Dir Entity	Street1	Street2	City	State	Zip	County	Email	Home Phone	Company Phone	Fax
112636	APP	9/31/2007		<input type="checkbox"/>	<input type="checkbox"/>		PHILIP	R	OLSON				23725 SE OLD BETHEL RD		AMITY	OR	97101-2601	YAMH	philolson@hotmail.com	503-835-0345	503-835-0504	503-835-6054

OWN

County

County Yamhill

Water Right Folder

ID	Date	Type	Description	Title	Remarks	Available To Public
2877	10/12/1977	PR	Permit	Permit S41972 Image		<input checked="" type="checkbox"/>

Related Docs

n/a Permit R.66642

Point of Diversions

FOD Loc ID	POD No	FOD Name	Exc Type	Stream/Model	Source	Tributary	Location (CO-RT-R)	Meridian	River Mile	Lat/Long	Location Description	POD	ST Flow	Flow Rate	Rate	Max Acre Feet	Acre Feet	FOD Type	Status	Remarks	Mapped?
295125	1		ST	ASH SWALE > SALT CR - 02114007600130090030	UNNAMED STREAM	ASH SWALE	NE SW 33-5.005-4.00W DLC: 47	Willamette			1860 FEET NORTH AND 1450 FEET EAST FROM SW CORNER, SECTION 33	P	N	0.33	0.165 (est)			SW	NC		Not Mapped
Uses from this point of diversion																					
Uses	IS	S	9/30/1977	1/1	12/31	N	1/80	2.5	0.33	0.165(est)									NC		
295124	2		RS	ASH SWALE > SALT CR - 02114007600130090030	A RESERVOIR	ASH SWALE	NE SW 33-5.005-4.00W DLC: 47	Willamette			1860 FEET NORTH AND 1450 FEET EAST FROM SW CORNER, SECTION 33	P	Y	0.33	0.165 (est)			ST	NC		Not Mapped
Uses from this point of diversion																					
Uses	IS	S	9/30/1977	1/1	12/31	Y	1/80	2.5	0.33	0.165(est)									NC		

→

→

Limits

Max Rate (cfs)	Acres Feet	Rate	Acres	Dy	Acres	Surf Elev	Begin Season	End Season	Type	Status
0.33		1/80	2.5	26.3			1/1	12/31		

Places of Use [Add TRS grouping](#)

▼ ID: 226300 (Not Mapped); Use - SUPPLEMENTAL IRRIGATION (Supplemental) - 26.3 acres; Priority Date: 9/30/1977; Status: NC

Acres	QQ	S-T-R	Meridian	DLC	Gov't Lot	Taxlot	Linked PODs	Reference Info	Status	Remarks
3.2	SE NW	3-5.00S-4.00W	Willamette		47				NC	
14.6	NE NW	4-6.00S-4.00W	Willamette		40				NC	
8.5	NW NW	4-6.00S-4.00W	Willamette		40				NC	
Sum of Acres: 26.3										

Workflow

Process	Status	Type	Location	Name	Begin Date	Reminder Date	Complete Date	Deadline Date	Fee Receipt	Fee xferred char	Fee xferred nbr	Fee xferred amt	Fee reduced amt	Remarks
CT		Data Technician Review	SUM	DUFF MARTIN	4/25/2014		4/25/2014							

[Hide Workflow Information](#)

Comments

n/a

Water Right Genealogy

- [-] Cert:51801 OR CN
 - [-] Inchoate: T 10450 CF (REG) *
 - [-] Inchoate: T 10450 RR (REG)
 - [-] Cert:85294 RR *

[Return to Proofing Query](#)

MEMO

TO: FILE T-10450

FROM: Kerry Kavanaugh DATE: 8.20, 2013

RE: DETERMINATION OF PROOF

I've determined that a PROPOSED FINAL certificate should be prepared and mailed to the permit holder consistent with:

Permit Transfer

FPS COBU

*Δ poll-portion C 51799 - RR Cert 85293 - imp.
Δ poll-portion C 51801 - RR Cert 85294 - supp.
C date = 10-1-2010
COBU rec'd 6-7-2010*

As described in the permit/transfer but as clarified by the FPS COBU

As described in the PERMIT/TRANSFER and FPS or COBU but as further specified below:

Conflict? No Yes: _____

stamped PROPOSED or assign Cert # 89212 (C51799)
89213 (C51801)

Draft certificate(s) are available in the transfer directory.

Water Organization identified using area of interest tool? No Yes, cc: _____

Check ownership; and if there is a new owner, add them to the mailing list.

Prepare a mailing list.

Record marking: App _____ Cert _____

NOTES:

*TF0 - prior to use of water, install in-line flow meter, weir or osmd. → meters installed 2009
COBU - states Polk County - per map, located in Yamhill Co.*

Yamhill County Assessor's Office

503-434-7521

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

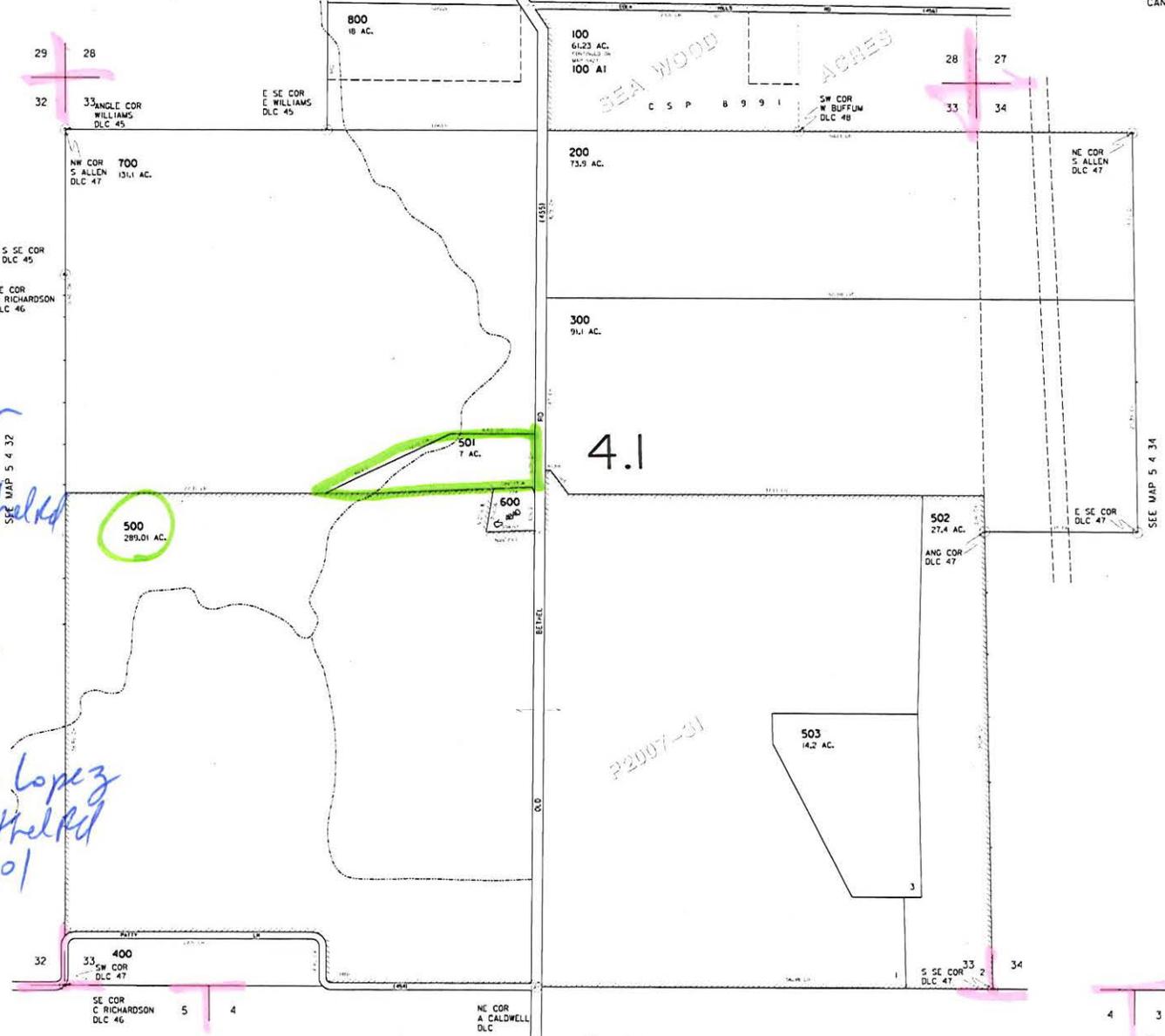
SECTION 33 T5S R4W W.M.
YAMHILL COUNTY

5 4 33

1" = 400'

SEE MAP 5 4 28

CANCELLED



TL 500
TL 501

2-24-13:

Philip & Gretchen Olson

23725 SE old Bethel Rd
Amity 9761

situs: 4545 SE Patty Ln

501: Anthony & Frances Lopez
22970 SE old Bethel Rd
Amity OR 97101

REVISED 4-4 BY: SM

SEE MAP 6 4 04

5 4 33

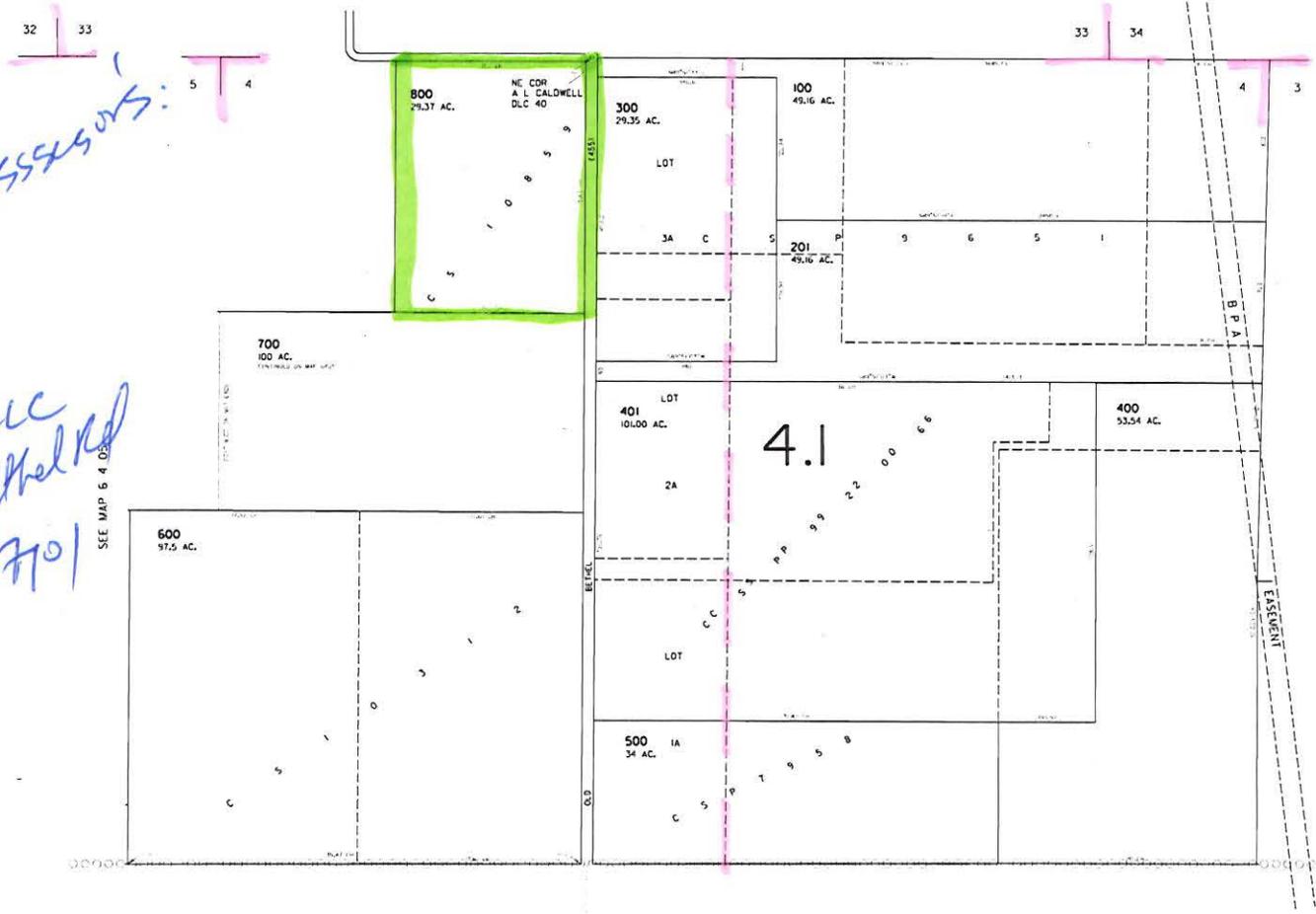
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 4 T6S R4W W.M.
YAMHILL COUNTY
1" = 400'

6 4 04

SEE MAP 5 4 33

CANCELLED
101
102
200
301
302



*TZ 800
Yamhill County
2-24-14
Lefty & Dnffer LLC
23725 Old Bethel Rd
Armsby OR 97101*

SEE MAP 6 4 03

SEE MAP 6 4 03

SE CDR
A.P. CALDWELL
DLC 40

REVISED 2/18/14

6 4 04

Pump Capacity Calculation Sheet

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

T-10450

klk

2/24/2014

Efficiency:

Ash Swale & Reservoir

Cert 51799

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 50
Efficiency = 6.61
Lift = 20
PSI = 50

Results Calculated

$(hp)(\text{efficiency}) = 330.5$
Head based on psi = 127.0
Total dynamic head = 147.0
(head + lift)

Pump Capacity = 2.25 feet per second

Pump Capacity Calculation Sheet

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

T-10450

klk

2/24/2014

Efficiency:

Unnamed drainage & reservoir

Cert 51801

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 40
Efficiency = 6.61
Lift = 10
PSI = 50

Results Calculated

(hp)(efficiency) = 264.4
Head based on psi = 127.0
Total dynamic head = 137.0
(head + lift)

Pump Capacity = 1.93 feet per second



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

February 23, 2009

PHILIP R. OLSON
23725 OLD BETHEL RD
AMITY OR 97101

REFERENCE: Transfer Application T-10450

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.** The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

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@wrd.state.or.us.

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. #16
Don Knauer, Agent

Enclosure

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

In the Matter of Transfer Application) FINAL ORDER
T-10450, Yamhill County) APPROVING A CHANGE IN PLACE
) OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, 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

PHILIP R. OLSON
23725 SE OLD BETHEL ROAD
AMITY, OREGON 97101-2601

Findings of Fact

Background

1. On August 29, 2007, Philip R. Olson filed an application to change the place of use under Certificates 51799 and 51801. The Department assigned the application number T-10450.
2. The portion of the first right to be transferred is as follows:
 - Certificate:** 51799 in the name of PHILIP R. OLSON (perfected under Permit S-38064)
 - Use:** IRRIGATION of 26.3 ACRES
 - Priority Date:** JULY 19, 1974
 - Rate:** 0.31 CUBIC FOOT PER SECOND
 - Limit/Duty:** ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow 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 from direct flow and storage from reservoir constructed under Permit R-6154.
 - Source:** ASH SWALE AND RESERVOIR CONSTRUCTED UNDER PERMIT R-6154, tributaries to SALT CREEK

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.

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	4 W	WM	33	SE NW	47	2720 FEET NORTH AND 1570 FEET EAST FROM THE SW CORNER OF SECTION 33.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SW NE	47	0.2
5 S	4 W	WM	33	NE SW	47	4.6
5 S	4 W	WM	33	NW SW	47	0.7
5 S	4 W	WM	33	SW SW	47	3.7
5 S	4 W	WM	33	SE SW	47	6.6
5 S	4 W	WM	33	NE SE	47	1.3
5 S	4 W	WM	33	NW SE	47	2.6
5 S	4 W	WM	33	SW SE	47	5.4
5 S	4 W	WM	33	SE SE	47	1.2
Total						26.3

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

Certificate: 51801 in the name of PHILIP OLSON (perfected under Permit S-41972)
Use: SUPPLEMENTAL IRRIGATION of 26.3 ACRES
Priority Date: SEPTEMBER 30, 1977
Rate: 0.33 CUBIC FOOT PER SECOND
Limit/Duty: ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow 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 from direct flow and storage from reservoir constructed under Permit R-6642, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: UNNAMED DRAINAGEWAY AND RESERVOIR CONSTRUCTED UNDER PERMIT R-6642, tributary to ASH SWALE

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	4 W	WM	33	NE SW	47	1860 FEET NORTH AND 1450 FEET EAST FROM THE SW CORNER OF SECTION 33.

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SW NE	47	0.2
5 S	4 W	WM	33	NE SW	47	4.6
5 S	4 W	WM	33	NW SW	47	0.7
5 S	4 W	WM	33	SW SW	47	3.7

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SE SW	47	6.6
5 S	4 W	WM	33	NE SE	47	1.3
5 S	4 W	WM	33	NW SE	47	2.6
5 S	4 W	WM	33	SW SE	47	5.4
5 S	4 W	WM	33	SE SE	47	1.2
Total						26.3

4. Transfer Application T-10450 proposes to change the place of use of both rights to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SE NW	47	3.2
6 S	4 W	WM	4	NE NW	40	14.6
6 S	4 W	WM	4	NW NW	40	8.5
Total						26.3

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SE NW	47	3.2
6 S	4 W	WM	4	NE NW	40	14.6
6 S	4 W	WM	4	NW NW	40	8.5
Total						26.3

5. Notice of the application for transfer was published on September 4, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
6. On September 8, 2008, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10450 to the applicant. The cover letter for the draft Preliminary Determination set forth a deadline of October 9, 2008, 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.
7. On January 6, 2009, the Department issued a preliminary determination proposing to approve Transfer T-10450 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 January 13, 2009, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria [OAR 690-380-4010(2)]

8. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10450.
10. The proposed change would not result in enlargement of the rights.
11. The proposed change would not result in injury to other water rights.

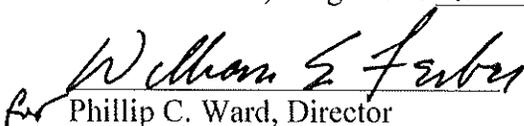
Conclusions of Law

The change in place of use proposed in Transfer Application T-10450 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in Transfer Application T-10450 is approved.
2. 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 51799 and 51801 and any related decree.
3. Water right certificates 51799 and 51801 are cancelled. New certificates will be issued describing the portions of the rights not affected by this transfer.
4. The former place of use of the transferred rights shall no longer receive water under the rights.
5. Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
6. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2010**. 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.
7. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 20th day of February 2009.


Phillip C. Ward, Director

Mailing Date: FEB 24 2009

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PHILIP R. OLSON
23725 OLD BETHEL ROAD
AMITY, OREGON 97101-2601

confirms the right to use the waters of ASH SWALE AND A RESERVOIR CONSTRUCTED UNDER PERMIT R-6154, tributary to SALT CREEK, for IRRIGATION OF 231.7 ACRES.

This right was perfected under Permit S-38064. The date of priority is JULY 19, 1974. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 2.69 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	4 W	WM	33	SE NW	47	2720 FEET NORTH AND 1570 FEET EAST FROM THE SW CORNER OF SECTION 33.

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 from direct flow 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 from direct flow and storage from reservoir constructed under Permit R-6154, and 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	DLC	Acres
5 S	4 W	WM	33	SW NE	47	5.0
5 S	4 W	WM	33	SE NE	47	6.5
5 S	4 W	WM	33	SW NW	47	6.7
5 S	4 W	WM	33	SE NW	47	1.0
5 S	4 W	WM	33	NE SW	47	25.4
5 S	4 W	WM	33	NW SW	47	23.9
5 S	4 W	WM	33	SW SW	47	26.2
5 S	4 W	WM	33	SE SW	47	23.1
5 S	4 W	WM	33	NE SE	47	31.9
5 S	4 W	WM	33	NW SE	47	36.6
5 S	4 W	WM	33	SW SE	47	33.4
5 S	4 W	WM	33	SE SE	47	12.0

This certificate describes that portion of the water right confirmed by Certificate 51799, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 20 2009 approving Transfer Application 10450.

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 FEB 20 2009.

William E Ferber
for Phillip C. Ward, Director

STATE OF OREGON
 COUNTY OF YAMHILL
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PHILIP R. OLSON
 23725 OLD BETHEL ROAD
 AMITY, OREGON 97101-2601

confirms the right to use the waters of UNNAMED DRAINAGEWAY AND RESERVOIR CONSTRUCTED UNDER PERMIT R-6642, tributary to ASH SWALE, for SUPPLEMENTAL IRRIGATION OF 231.7 ACRES.

This right was perfected under Permit S-41972. The date of priority is SEPTEMBER 30, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 2.90 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	4 W	WM	33	NE SW	47	1860 FEET NORTH AND 1450 FEET EAST FROM THE SW CORNER OF SECTION 33.

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 from direct flow 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 from direct flow and storage from reservoir constructed under Permit R-6642, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein and 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:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SW NE	47	5.0
5 S	4 W	WM	33	SE NE	47	6.5
5 S	4 W	WM	33	SW NW	47	6.7
5 S	4 W	WM	33	SE NW	47	1.0
5 S	4 W	WM	33	NE SW	47	25.4
5 S	4 W	WM	33	NW SW	47	23.9
5 S	4 W	WM	33	SW SW	47	26.2
5 S	4 W	WM	33	SE SW	47	23.1
5 S	4 W	WM	33	NE SE	47	31.9
5 S	4 W	WM	33	NW SE	47	36.6
5 S	4 W	WM	33	SW SE	47	33.4
5 S	4 W	WM	33	SE SE	47	12.0

This certificate describes that portion of the water right confirmed by Certificate 51801, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 20 2009 approving Transfer Application 10450.

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.

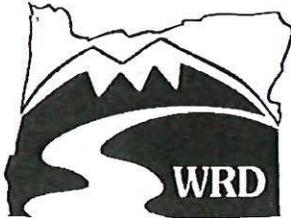
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed FEB 20 2009.

William E. Feber
for Phillip C. Ward, Director

Completion Checklist for CWRE Claims of Beneficial Use

Application # T 10450



Date Received 6-7-2010
 CWRE Name Don Knauer Claim Logged yes
 File Marked yes
 Oversized Map # _____
 Read the file and attach a copy of the permit or transfer final order. _____

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- _____ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- _____ Source illustrated if surface water (OAR 690-014-0170(3))
- _____ Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- _____ Point(s) of diversion or appropriation (coordinates)(OAR 690-014(4) & 690-310-0050)
- _____ Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- _____ Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014(4))
- _____ Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- _____ Tax lot information (OAR 690-014)
- _____ Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- _____ Source(s) of water (OAR 690-014-0100)
- _____ Point of diversion/appropriation location (OAR 690-014-0100)
- _____ Use, period of use, and rate for use (OAR 690-014-0100)
- _____ Place of use location (OAR 690-014-0100)
- _____ Type of use (OAR 690-014-0100)
- _____ Extent of use (OAR 690-014-0100)
- _____ Rate and Duty (OAR 690-014-0100)
- _____ Diversion rate for each use (OAR 690-014-0100)
- _____ Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- _____ System capacity (OAR 690-014-0100)
 - _____ Calculated capacity of system (required)
 - _____ Measured amount of use (optional)
- _____ Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - _____ Time limits
 - _____ Initial water level measurements
 - _____ Annual static water level measurements
 - _____ Measurement, recording, and reporting
 - _____ Meter/measuring device
 - _____ Water use reporting
 - _____ Fish screening and/or by-pass
 - _____ Pump test (ground water)
 - _____ Other conditions
- _____ CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient
 N/A = Not Applicable

Certificate Issuance Processing Checklist

- _____ Map and COBU reviewed
- _____ Conflict check (include copy of plat card printout) Any Conflicts? _____
- _____ Check for ownership

Staff Recommendations:

- _____ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.
- _____ Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____
- _____ Proof to the Satisfaction has not been established for the following reasons: _____
Proposed Actions:
Send letter requesting the following items/information: _____
Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?

_____ Yes

If "Yes":

_____ Proposed
_____ Final

Certificate # _____

Mailing list:

Proposed:

Final:

CLAIM OF BENEFICIAL USE

for Permits claiming more than 0.1 cfs and All Transfers



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

**A fee of \$150 must accompany this form to be accepted for permits
with a priority date of July 9, 1987, or later. (ORS 536.050(1))**

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
http://www.wrd.state.or.us/OWRD/WR/cwre_info.shtml#.

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml.

SECTION 1 GENERAL INFORMATION

RECEIVED
JUN 07 2010
WATER RESOURCES DEPT
SALEM, OREGON

1. File Information

APPLICATION # (G, R, S OR T) T-10450	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
--	--------------------------	------------------------------------

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Philip R. Olson		PHONE NO. 503-835-0504	ADDITIONAL CONTACT NO.	
ADDRESS 23725 SE Old Bethel Road				
CITY Amity	STATE OREGON	ZIP 97101	E-MAIL	

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. **The COBU must be signed by the permit or transfer holder of record.**

3. Is the Property Owner the permit or transfer holder of record?

YES

If "YES" the remainder of this item may be deleted.

Permit or transfer holder of record (this may, or may not, be the current property owner)

PERMIT OR TRANSFER HOLDER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

Are there additional permit or transfer holders of record?

NO

If "NO" the following box may be deleted.

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: 4-12-2010

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Philip Olson	4-12-2010	owner

6. County: Polk

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

**Mark "NA" if there are no owners of property not included in this claim

OWNER OF RECORD		
N/A		
ADDRESS		
CITY	STATE	ZIP

Are there additional Owners of Record?

NO

If "NO" the following box may be deleted.

ADDITIONAL OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

RECEIVED

JUN 07 2010

WATER RESOURCES DEPT
SALEM, OREGON

SECTION 2
SYSTEM DESCRIPTION

A. Points of Diversion/Appropriation

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
Div. Pt.	Ash Swale & Reservoir	Salt Creek
Div. Pt.	Unnamed Drainage & Reservoir	Ash Swale

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	RATE OR VOLUME FOR USE (CFS, GPM, OR AF)
Div. Pt	Irrigation	Berries & grass seed	Mar 1-Oct 31	
Div. Pt.	Suppl Irri	Berries & grass seed	Mar 1-Oct 31	
Total Quantity of Water Used				

4. Provide a general narrative description of the distribution works. This description must trace the water system from **each** point of diversion or appropriation to the place of use:

There are dams on both sources of water. Pumps deliver water from the sources to a buried pipe system using 8", 6" and 4" main lines to deliver water to drip irrigation systems, sprinklers and big gun sprinklers to irrigate the crops.

RECEIVED
JUN 07 2010
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 2

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs?

YES

If "YES" you will need to copy and complete Sections 2B through 2H for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

Div. Pt.

B. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	Q-Q	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
5S	4W	WM	33	SENW		47	Irrigation	3.2	3.2
6S	4W	WN	4	NENW		40	"	14.6	14.6
				NWNW		"	"	8.5	8.5
Total Acres Irrigated								26.3	26.3

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (Gov Lot), Quarter-Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, Gov Lot, and QQ.

C. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Berkley	B3EBBL	786433	centrifugal	4"	3"

3. Motor Information

MANUFACTURER	HORSEPOWER
Century	50

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
50	50	10'	10'	2.24

RECEIVED

JUN 07 2010

WATER RESOURCES DEPT
SALEM, OREGON

5. Provide pump calculations:

$$\frac{50 \times 6.61}{10+10+127} = 2.24 \text{ cfs}$$

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
N/A			

Reminder: For pump calculations use the reference information at the end of this document.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
N/A			submersible		3"

3. Motor Information

MANUFACTURER	HORSEPOWER
N/A	

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
40	50	0'	10'	2.24

5. Provide pump calculations:

$$\frac{40 \times 6.61}{0+10+127} = 2.01 \text{ cfs}$$

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
N/A			

7. Is the distribution system piped?

YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
8"	4000'	pvc	buried
6"	5000'	pvc	buried

RECEIVED

JUN 07 2010

WATER RESOURCES DEPT
SALEM, OREGON

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4" & 3"	20000'	Pvc & alum	Buried & above
4" & 3"	5000'	Rubber hose	above

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
1/8"	50	3.2	100	100	0.71
3/4"	70	154	24	3	1.03
DRIP EMITTERS					
2MM	50	0.1 gpm	4000	4000	0.89

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)

12. Additional notes or comments related to the system:

The irrigation system is used for many more acres than covered by this transfer. The system is used for irrigation of the total areas including the transfer area. All pumps and mail lines are piped together so that water can be used on all the acreage.

D. Groundwater Source Information (Well and Sump)

RECEIVED

JUN 07 2010

NO

WATER RESOURCES DEPT
SALEM, OREGON

1. Is the appropriation from ground water (well or sump)?

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

5. Is the appropriation from a dug well (sump)? YES NO

If "NO", items 6 through 8 relating to this section may be deleted.

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

6. If the appropriation involves a **SUMP**, provide the following information for each **SUMP**:

LENGTH	WIDTH	AVERAGE DIAMETER	MAXIMUM DEPTH	SURFACE AREA (IN ACRES)	VOLUME IN CUBIC FEET OR ACRE FEET

7. If the sump is curbed constructed with watertight surface curbing, describe the curbing:

CURBING MATERIAL (CONCRETE, CONCRETE TILES, OR STEEL)	IF CONCRETE, PROVIDE THE THICKNESS OF THE WALL

8. Provide sump volume calculations:

RECEIVED

JUN 07 2010

WATER RESOURCES DEPT
SALEM, OREGON

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir) NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank YES NO

Bulge in System / Reservoir YES NO

Complete appropriate table(s) below, unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED

3. Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)

F. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? NO

If "NO", items 2 through 4 relating to this section may be deleted.

2. Complete the table:

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)

3. Provide calculations:

--

4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.

G. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)

3. Provide calculations:

--

RECEIVED
JUN 07 2010
WATER RESOURCES DEPT
SALEM, OREGON

4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
N/A			

Attach measurement notes.

H. Reservoir

1. Does the claim involve a reservoir modified through a transfer? **NO**

Reminder: This section should only be completed if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

2. Does the reservoir require the submittal of as-built plans and specifications? **YES NO**

If "YES", answer items 3; items 4 through 9 relating to this section may be deleted.

If "NO", skip items 3; answer items 4 through 9.

3. Complete the table:

HAVE THE DOCUMENTS BEEN SUBMITTED? YES OR NO	WHEN WERE THE DOCUMENTS SUBMITTED?	HAVE THEY BEEN APPROVED BY THE DEPARTMENT?	NUMBER OF ACRE FEET STORED

4. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table and items 5 through 9.

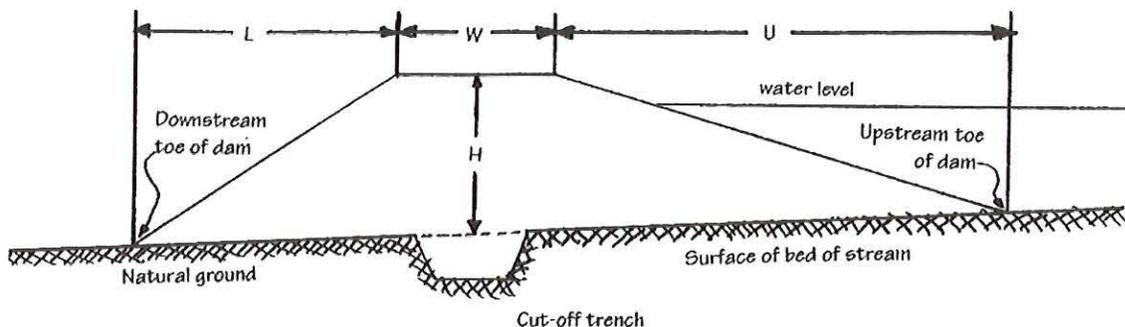
MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)

5. Provide reservoir volume calculations:

6. Provide the following information concerning the physical characteristics of the dam:

CREST WIDTH (W)	DAM HEIGHT AT CENTERLINE (H)	DISTANCE FROM DOWNSTREAM TOP OF DAM TO DOWNSTREAM TOE (L)	DISTANCE FROM UPSTREAM TOP OF DAM TO UPSTREAM TOE (U)	WATER LEVEL AT INSPECTION	DOWN-STREAM SLOPE	UP-STREAM SLOPE

Example Dam Profile *This box may be deleted from the form*



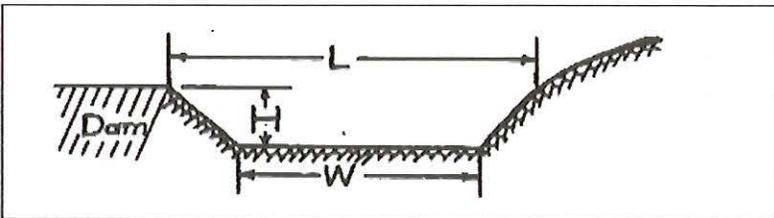
RECEIVED
JUN 07 2010
WATER RESOURCES DEPT
SALEM, OREGON

7. Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.

8. Describe the outlet works (size and type of the outlet conduit and location):

9. Describe the emergency spillway (dimensions and location):

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)



RECEIVED
JUN 07 2010
 WATER RESOURCES DEPT
 SALEM, OREGON

SECTION 3 CONDITIONS

Please pay special attention to this section. All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use is to be completed by. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	2-20-2009		
BEGIN CONSTRUCTION (A)			
COMPLETE CONSTRUCTION (B)			
COMPLETE APPLICATION OF WATER (C)	10-1-2010	10-2009	System installed and all acres irrigated.

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)?

RECEIVED

NO

If "NO", you may delete item 3 in this section.

3. If for a transfer extension order, provide the following information:

JUN 07 2010

VOLUME	PAGE	DATE EXTENDED TO

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement?

NO

If "NO", items 4b through 4d relating to this section may be deleted.

b. What month was the initial measurement to be taken in?

c. Was the measurement submitted to the Department?

YES NO

d. If the initial measurement was not submitted, provide that measurement now, if available:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? **NO**

If "NO", items 5b through 5e relating to this section may be deleted.

b. Provide the month in which the static water level measurement was to be made:

c. Were the static water level measurements taken in the month required? **YES NO**

d. If "YES", were those measurements submitted to the Department? **YES NO**

e. If the annual measurements were not submitted, provide the measurements now:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? **NO**

If "NO", items 6b through 6d relating to this section may be deleted.

b. Has the pump test been previously submitted to the Department? **YES NO**

c. Is the pump test attached to this claim? **YES NO**

d. Has the pump test been approved by the Department? **YES NO**

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device? **YES**

If "NO", items 7b through 7f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed? **YES**

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Div Pt	Netafim	06-14430	working	N/A	2006
Div Pt	Netafim	06-13560	working	N/A	2006

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? **YES NO**

If a meter has been installed, items 7e through 7g relating to this section may be deleted.



e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

NO

If "NO", item 8b relating to this section may be deleted.

b. Have the reports been submitted?

YES NO

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID

If the reports have not been submitted, attach a copy of the reports if available.

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

NO

If "NO", items 9b through 9e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed?

YES NO

c. When was the fish screening installed?

DATE	BY WHOM

d. If the diversion involves a pump *and* the total diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs):

- Has the self-certification form previously been submitted to the Department? NA YES NO
- If not, go to <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>, complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

RECEIVED
JUN 07 2010
WATER RESOURCES DEPT
SALEM, OREGON

e. If the diversion does **not involve a pump** *or* the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? NA
- If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? NO

If "NO", items 10b and 10c relating to this section may be deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the by-pass device been installed? YES NO

c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

DESCRIPTION (I.E. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order

- a. Were there special well construction standards? NO
- b. Was submittal of a ground water monitoring plan required? NO
- c. Was the water user required to restore the riparian area if it was disturbed? NO
- d. Was a fishway required? NO
- e. Was submittal of a letter from an engineer required prior to storage of water? NO
- f. Was submittal of a water management and conservation plan required? NO
- g. Other conditions? NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

RECEIVED
JUN 07 2010
WATER RESOURCES
SALEM, OREGON

--

**SECTION 4
VARIATIONS**

Include a description of variations from the permit, permit amendment final order, extension final order, or transfer final order. (i.e. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

N/A

**SECTION 5
ATTACHMENTS**

If you are attaching any documents to this report, provide a list:

RECEIVED
JUN 07 2010
WATER RESOURCES DEPT
SALEM, OREGON

ATTACHMENT NAME	DESCRIPTION

**SECTION 6
CLAIM SUMMARY**

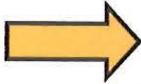
POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
Div Pt	0.31cfs	2.24cfs		irri	26.3	26.3
Div Pt	0.33cfs	2.01cfs		Suppl irri	26.3	26.3

**SECTION 7
CLAIM OF BENEFICIAL USE MAP**

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The basis of the survey is aerial imagery, a lazer jet print from a computerized aerial digital image. The image was obtained from GOOGLE. The single image did not have a flight or identification number.



Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

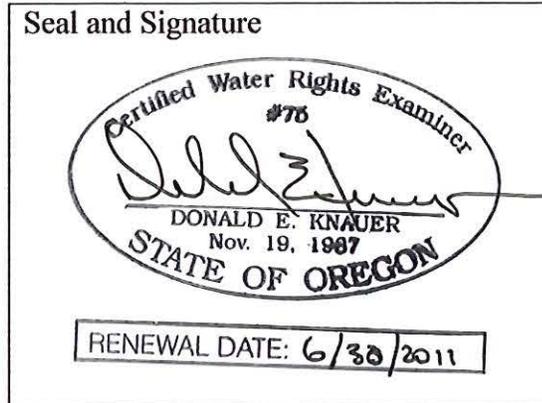
- Map on polyester film.
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens, fish by-pass devices, meters and measuring devices in relationship to point of diversion or appropriation.
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

RECEIVED
JUN 07 2010
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 8 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



RECEIVED
JUN 07 2010
WATER RESOURCES DEPT
SALEM, OREGON

CWRE NAME Don Knauer	503-585-8474	ADDITIONAL CONTACT NO.	
ADDRESS PO Box 5416			
CITY Salem	STATE OREGON	ZIP 97304	E-MAIL

Permit or Transfer Holder's of Record Signature or Acknowledgement

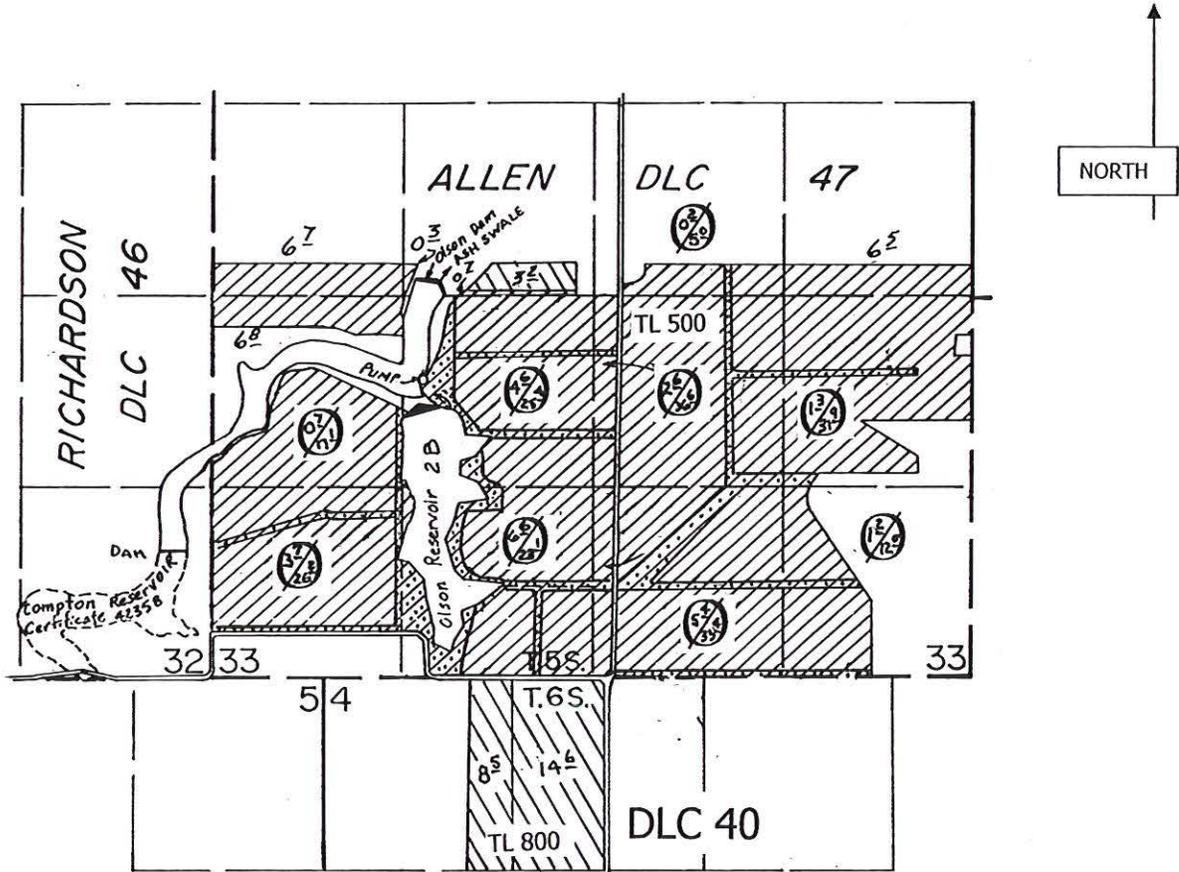
The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	DATE
	Philip R. Olson	6-1-10
	Gretchen Hohn Olson	6-1-10

APPLICATION MAP

IN THE NAME OF PHILIP OLSON

T 5 & 6 S, R 4 W, W.M. Section 33 & 4



FROM  REMAINS  TO 

DIVERSION POINTS: 2720' N & 1570' E; 1860' N & 1450' E
Both from the SW Corner section 33

Scale 1" = 1320'

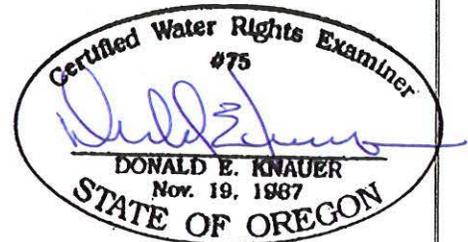
RECEIVED

AUG 29 2007

WATER RESOURCES DIVISION
SALEM, OREGON

This map is not intended to provide legal dimensions or locations of property ownership lines.

T 10450



RENEWAL DATE: 6-20-2009

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

This Is to Certify, That PHILIP OLSON

of 6750 Bethel Road, Rickreall, State of Oregon 97371, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Unnamed drainageway and reservoir, constructed under Permit R-6642

a tributary of Ash Swale for the purpose of supplemental irrigation of 258.0 acres

under Permit No. 41972 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 30, 1977 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 3.23 cubic feet 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 NE 1/4 SW 1/4 as projected within Allen DLC 47, Section 33, T5S, R4W, WM; 1860 feet North and 1450 feet East from SW Corner, Section 33.

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 from direct flow and shall be further limited to a diversion of not to exceed 2 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-6642, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein

and shall conform to such reasonable rotation system as may be ordered by the proper state officer, ^P A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

5.2 acres SW 1/4 NE 1/4	0.2	5.0
6.5 acres SE 1/4 NE 1/4	-	6.5
6.7 acres SW 1/4 NW 1/4	-	6.7
1.0 acre SE 1/4 NW 1/4	-	1.0
30.0 acres NE 1/4 SW 1/4	4.6	25.4
24.6 acres NW 1/4 SW 1/4	0.7	23.9
29.9 acres SW 1/4 SW 1/4	3.7	26.2
29.7 acres SE 1/4 SW 1/4	6.6	23.1
33.2 acres NE 1/4 SE 1/4	1.3	31.9
39.2 acres NW 1/4 SE 1/4	2.6	36.6
38.8 acres SW 1/4 SE 1/4	5.4	33.4
13.2 acres SE 1/4 SE 1/4	1.2	12.0
Section 33	26.3	231.7
Township 5 South, Range 4 West, WM	0.33(s)	2.90 cfs

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

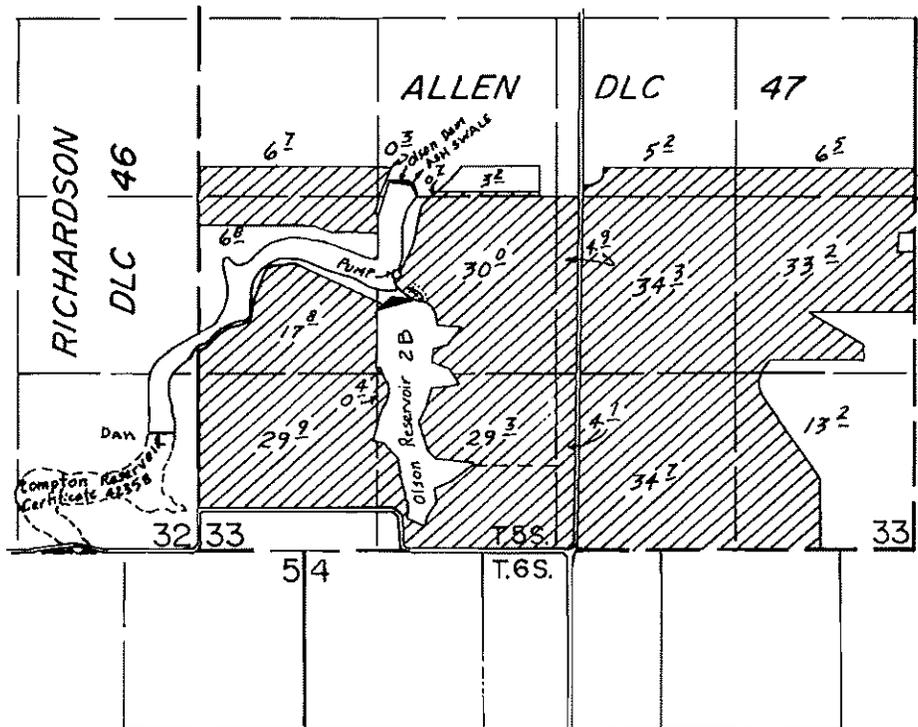
WITNESS the signature of the Water Resources Director, affixed

this date. December 8, 1983

.....William H. Young.....
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46, page 51801

T. 58&6S., R. 4W., W.M.



Div. Pts. Loc.: 2720 N. & 1570 E.; 1860 N. & 1450 E., BOTH FROM SW COR. SEC. 33.

FINAL PROOF SURVEY

UNDER

R-52205 R-6154
 52206 38064
 R-56697 R-6642

Application No. 56698... Permit No. 41972.....

IN NAME OF

.....PHILIP R. OLSON.....

Surveyed JUNE 5... 1980... by S.G. BROWN.....

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

This Is to Certify, That PHILIP R. OLSON

of 6750 Bethel Road, Rickreall, State of Oregon 97371, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Ash Swale and reservoir, constructed under Permit R-6154

a tributary of Salt Creek for the purpose of irrigation of 258.0 acres

under Permit No. 38064 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 July 19, 1974 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 3.0 cubic feet 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 SE 1/4 NW 1/4 as projected within Allen DLC 47, Section 33, T5S, R4W, WM; 2720 feet North and 1570 feet East from SW Corner, Section 33.

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 from direct flow and shall be further limited to a diversion of not to exceed 2 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-6154

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:

	T	RR
5.2 acres SW 1/4 NE 1/4 as projected within Allen DLC 47	0.2	5.0
6.5 acres SE 1/4 NE 1/4 as projected within Allen DLC 47	-	6.5
6.7 acres SW 1/4 NW 1/4 as projected within Allen DLC 47	-	6.7
1.0 acre SE 1/4 NW 1/4 as projected within Allen DLC 47	-	1.0
30.0 acres NE 1/4 SW 1/4 as projected within Allen DLC 47	4.6	25.4
24.6 acres NW 1/4 SW 1/4 as projected within Allen DLC 47	0.7	23.9
29.9 acres SW 1/4 SW 1/4 as projected within Allen DLC 47	3.7	26.2
29.7 acres SE 1/4 SW 1/4 as projected within Allen DLC 47	6.6	23.1
33.2 acres NE 1/4 SE 1/4 as projected within Allen DLC 47	1.3	31.9
39.2 acres NW 1/4 SE 1/4 as projected within Allen DLC 47	2.6	36.6
38.8 acres SW 1/4 SE 1/4 as projected within Allen DLC 47	5.4	33.4
13.2 acres SE 1/4 SE 1/4 as projected within Allen DLC 47	1.2	12.0
Section 33	26.3	231.7

Township 5 South, Range 4 West, WM
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

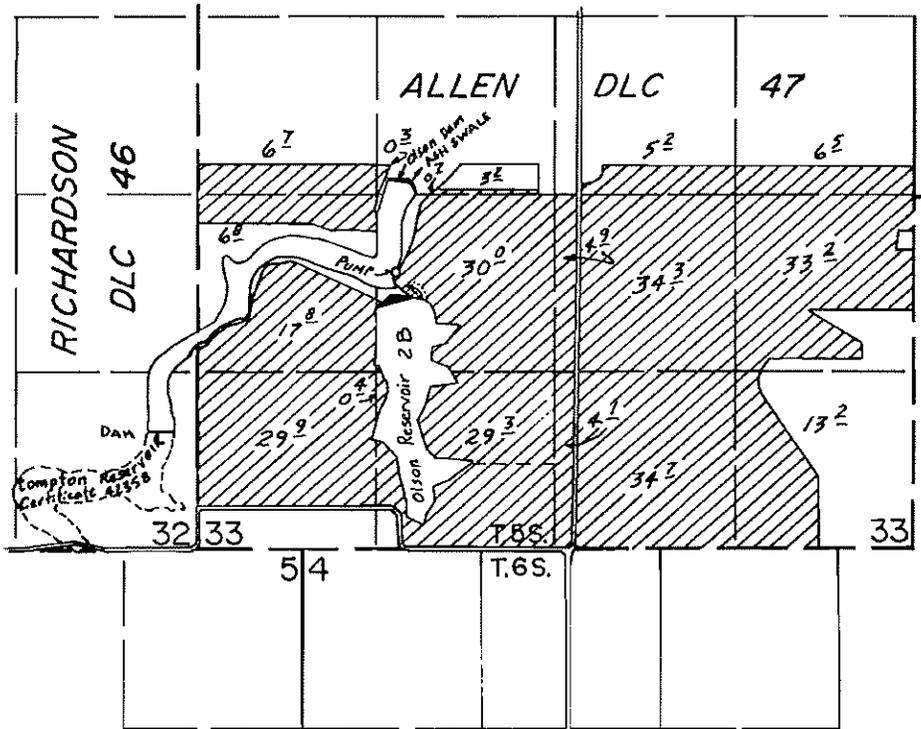
@ 2.69 cfs

WITNESS the signature of the Water Resources Director, affixed this date. December 8, 1983

William H. Young
Water Resources Director

011627907 (1/46)

T.5&6S.,R.4W.,W.M.



Div. Pts. Loc.: 2720 N. & 1570 E.; 1860 N. & 1450 E., BOTH FROM SW COR. SEC. 33.

FINAL PROOF SURVEY

UNDER

R-52205 R-6154
 52206 38064
 R-56697 R-6642

Application No. 56698... Permit No. 41972.....

IN NAME OF

..... PHILIP R. OLSON

Surveyed JUNE 5... 1980., by S.C. BROWN.....



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

January 7, 2009

PHILIP R. OLSON
23725 OLD BETHEL ROAD
AMITY, OR 97101-2601

SUBJECT: Transfer Application T-10450

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10450. 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.

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) 986-0886 or Patrick.K.Starnes@wrd.state.or.us if I may be of assistance.

Sincerely,

Kelly Starnes
Northwest Region Transfer Specialist

cc: Mike McCord, District 16 Watermaster
Don Knauer, Agent, CWRE

encs

*Pd Noticed
1-13-09*

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	4 W	WM	33	SE NW	47	2720 FEET NORTH AND 1570 FEET EAST FROM THE SW CORNER OF SECTION 33.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SW NE	47	0.2
5 S	4 W	WM	33	NE SW	47	4.6
5 S	4 W	WM	33	NW SW	47	0.7
5 S	4 W	WM	33	SW SW	47	3.7
5 S	4 W	WM	33	SE SW	47	6.6
5 S	4 W	WM	33	NE SE	47	1.3
5 S	4 W	WM	33	NW SE	47	2.6
5 S	4 W	WM	33	SW SE	47	5.4
5 S	4 W	WM	33	SE SE	47	1.2
Total						26.3

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

Certificate: 51801 in the name of PHILIP OLSON (perfected under Permit S-41972)
Use: SUPPLEMENTAL IRRIGATION of 26.3 ACRES
Priority Date: SEPTEMBER 30, 1977
Rate: 0.33 CUBIC FOOT PER SECOND
Limit/Duty: ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow 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 from direct flow and storage from reservoir constructed under Permit R-6642, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: UNNAMED DRAINAGEWAY AND RESERVOIR CONSTRUCTED UNDER PERMIT R-6642, tributary to ASH SWALE

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	4 W	WM	33	NE SW	47	1860 FEET NORTH AND 1450 FEET EAST FROM THE SW CORNER OF SECTION 33.

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SW NE	47	0.2
5 S	4 W	WM	33	NE SW	47	4.6
5 S	4 W	WM	33	NW SW	47	0.7
5 S	4 W	WM	33	SW SW	47	3.7

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SE SW	47	6.6
5 S	4 W	WM	33	NE SE	47	1.3
5 S	4 W	WM	33	NW SE	47	2.6
5 S	4 W	WM	33	SW SE	47	5.4
5 S	4 W	WM	33	SE SE	47	1.2
Total						26.3

4. Transfer Application T-10450 proposes to change the place of use of both rights to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SE NW	47	3.2
6 S	4 W	WM	4	NE NW	40	14.6
6 S	4 W	WM	4	NW NW	40	8.5
Total						26.3

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SE NW	47	3.2
6 S	4 W	WM	4	NE NW	40	14.6
6 S	4 W	WM	4	NW NW	40	8.5
Total						26.3

5. Notice of the application for transfer was published on September 4, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
6. On September 8, 2008, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10450 to the applicant. The cover letter for the draft Preliminary Determination set forth a deadline of October 9, 2008, 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.

Transfer Review Criteria [OAR 690-380-4010(2)]

7. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10450.
9. The proposed change would not result in enlargement of the rights.
10. The proposed change would not result in injury to other water rights.

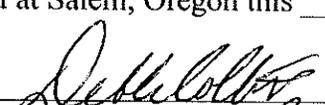
Determination and Proposed Action

The change in place of use proposed in Transfer Application T-10450 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-10450 is approved, the final order will include the following:

- 1. The change in place of use proposed in Transfer Application T-10450 is approved.*
- 2. 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 51799 and 51801 and any related decree.*
- 3. Water right certificates 51799 and 51801 are cancelled. New certificates will be issued describing the portions of the rights not affected by this transfer.*
- 4. The former place of use of the transferred rights shall no longer receive water under the rights.*
- 5. Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*
- 6. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2010**. 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.*
- 7. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this 6th day of January 2009.


Phillip C. Ward, Director

Protests should be addressed to the attention of Field Services Division,, Water Resources Department, 725 Summer St. NE, Salem, OR 97301-1271

This Preliminary Determination was prepared by Kelly Starnes. If you have questions about the information in this document, you may reach Kelly Starnes at 503-986-0886 or Patrick.K.Starnes@wrd.state.or.us.

**Notice of Preliminary Determination for
Water Right Transfer T-10450**

T-10450 filed by Philip R. Olson, 23725 SE Old Bethel Road, Amity, Oregon 97101-2601, proposes a change in place of use under Certificates 51799 and 51801. Certificate 51799 allows the use of 0.31 cfs (priority date July 19, 1974) from Ash Swale and a reservoir constructed under Permit R-6154 in Sec. 33, T 5 S, R 4 W, W.M. for irrigation of 26.3 acres in Sec. 33. Certificate 51801 allows the use of 0.33 cfs (priority date September 30, 1977) from an unnamed drainageway and reservoir constructed under Permit R-6442 in Sec. 33, T 5 S, R 4 W, W.M. for supplemental irrigation of 26.3 acres in Sec. 33. The applicant proposes to change the place of use to within Sec. 33, T 5 S, R 4 W, W.M. and Sec. 4, T 6 S, R 4 W, 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.

Water Right Transfer Checklist

Transfer T-10450

Transfer Specialist: NW Region Drawer

Transfer Type: Regular

Applicant Name/Address: Phillip Olson, 23725 SE Old Bethel Rd, Amity, OR 97101

Agent Name/Address: Don Knauer, PO Box 5416, Salem OR 97304

CWRE Name/Number: Don Knauer

Rec Landowner Name/Address: NONE

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: Yamhill County, 401 NE Evans St. McMinnville, OR 97128

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"/>	S 52206	S 38064	51799	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	85293
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S 56698	S 41972	51801	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	85294
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: <u>08/29/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: <u>POU</u>	
Fees Pd: <u>600.00</u>	WM District: <u>16</u>	ODFW District: <u>NONE</u>
Initial Notice: <u>09/04/07</u>	WM Review sent: <u>09/4/2007</u>	ODFW Review sent: <u>NONE</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <u>NONE</u>

Processing Dates & Actions

Deficiency Contacts: 10/27/2008

Newspaper Pub Affid Due: _____

not required

DPD Mailed: 9/8/2008

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>PKS</u>	Reviewer: <u>PKS</u>
Date: _____	Date: <u>1/6/09</u>	Date: <u>2/12/09</u>
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____

Comments/Special Issues: POU moving IR + IS to same location. No expansion.

Special Order Volume: Vol 77 Pages 279 Final Order Signature Date: 2-20-09

Notice of FO email'd to processors dorothy/kelly

Water Rights Platcard Report

70 LANDS

Meridian: WILLAMETTE Township: 6 South Range: 4 West Section: 4 Records per Page: 10 Search

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	Unkown	
							Q(160):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	QQ	
Select Permit:G 6108 * Additional Info: GAROLD LIPPIN App: G6488 Permit: G6108		4/3/1974	IRRIGATION											1	25.6										
Select Permit:S 50668 * Additional Info: ANER PATTY App: S69657 Permit: S50668		7/8/1988	IRRIGATION					8.2	40	10	3.6	19.7			4.9										
Select Cert:33666 OR * Additional Info: GLENN PATTY App: S37627 Permit: S28420 Cert: 33666			IRRIGATION			40								30.1											
Select Permit:G 10908 * Additional Info: SPOKANE BANK FOR COOPERATIVES App: G11825 Permit: G10908		6/22/1988	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Permit:G 10986 * Additional Info: PERRYDALE DOMESTIC WATER ASSOCIATION App: G11913 Permit: G10986		4/24/1989	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Permit:G 10987 * Additional Info: PERRYDALE DOMESTIC WATER ASSOCIATION App: G11935 Permit: G10987		6/16/1989	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Permit:G 12721 * Additional Info: PERRYDALE DOMESTIC WATER ASSOCIATION App: G13929 Permit: G12721		12/28/1994	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Cert:60020 OR * Additional Info: SPOKANE BANK FOR COOPERATIVES App: G6717 Permit: G6352 Cert: 60020		11/8/1974	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	

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

WCF
WCF
WCF
WCF
WCF
WCF
WCF
WCF

RECEIVED
SEP 03 2008
WATER RESOURCES DEPT
SALEM, OREGON

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 5 South Range: 4 West Section: 33 Records per Page: 10 Search

102

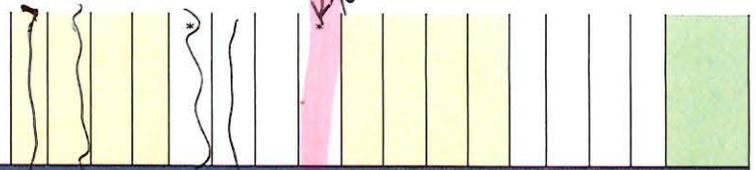
Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE	NW	SW	SE	Unkown QQ												
Select Permit:G 10908 * Additional Info: SPOKANE BANK FOR COOPERATIVES App: G11825 Permit: G10908		6/22/1988	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Permit:G 10986 * Additional Info: PERRYDALE DOMESTIC WATER ASSOCIATION App: G11913 Permit: G10986		4/24/1989	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Permit:G 10987 * Additional Info: PERRYDALE DOMESTIC WATER ASSOCIATION App: G11935 Permit: G10987		6/16/1989	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Permit:G 12721 * Additional Info: PERRYDALE DOMESTIC WATER ASSOCIATION App: G13929 Permit: G12721		12/28/1994	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Cert:60020 OR * Additional Info: SPOKANE BANK FOR COOPERATIVES App: G6717 Permit: G6352 Cert: 60020		11/8/1974	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Cert:39586 OR * Additional Info: WARREN VANDERHOOF App: R47551 Permit: R5593 Cert: 39586		9/21/1970	STORAGE			47								*	*	*								
Select Cert:39586 OR * Additional Info: WARREN VANDERHOOF App: R47551 Permit: R5593 Cert: 39586		9/21/1970	STORAGE			47	1				*													
Select Cert:51798 OR * Additional Info: PHILIP OLSON App: R52205 Permit: R6154 Cert: 51798		7/19/1974	STORAGE											*	*	*								
Select Cert:51800 OR * Additional Info: PHILIP OLSON App: R56697 Permit: R6642 Cert: 51800		9/30/1977	STORAGE												*			*						

NCR
NCR
NCR
NCR
NCR
NCR
NCR
NCR
NCR

RECEIVED
SEP 03 2008
WATER RESOURCES DEPT
SALEM, OREGON

Additional Info:
GAROLD LEPPIN
App: R52054
Permit: R6271
Cert: 57293

Lepp



1 2 3

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

RECEIVED
SEP 03 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 5 South Range: 4 West Section: 33 Records per Page: 10 Search

11
10
11

Subject Right

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	Unkown QQ								
							Q(160):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE									
Select Cert:51801 OR * T10450		9/30/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)							5.2	6.5			6.7	1	30	24.6	29.9	29.7	33.2	39.2	38.8	13.2									
Additional Info: PHILIP OLSON App: S56698 Permit: S41972 Cert: 51801																																
							1 2 3																									

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

RECEIVED
 SEP 03 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

Application

- The type of change is clearly indicated.
- The application is appropriately signed.
- 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. J. Borden uncertain about C-33666
- 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. Coordinates stated; POD not shown
- 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.

Ownership

- The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.) - Requested in DPD cover letter
- Have current tax lot map. (If transfer application is several years old, contact assessor's office) Obtained from ORMAP
- The applicant is the owner of the "from" lands.
- All owners on the deed/ROLI have signed the application. Applicant owns "TO" & "FROM" lands per Application
- If necessary, there is a notarized, signed statement of consent from landowners other than applicant. } Pending response to DPD cover letter
- If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- Agent has authorization to make decisions.

Evaluation

- 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
- Fish Screen Devices
- Injury: Y N Enlargement: Y N
- Conditions to avoid enlargement/injury - N/A

Materials needed for peer reviewer

- application marked transfer map Water right map (if marked) certificate marked
- deed/ROLI (if marked) plat card marked printout (if POU or Use change)
- other processing notes ORMAP Tax Lot maps

Shipping Checklist for Reimbursement Authority File

File T- 10450 Applicant: Phillip Olson

Agent/Contact: Don Knauer

Ship to Contractor: John Borden

Items included:

- Copy of front of file folder
- Reimbursement Authority Estimate Application
- Transfer Application form
- Transfer map
- Evidence of use affidavit
- Supporting documentation for evidence of use
- Land-use Information form
- Lot book report (or deed if instream or temporary transfer, or application received before 7/1/03) - ask for in DPD cover letter
- Certificate or copy of decree for each right to be transferred
- Final Proof map or decree map for each right to be transferred
- Well logs (if change in POA, SW POD-to-GW POA change)
- Watermaster review (all transfers)
- ODFW review (if change in POD)
- GW review (if Δ POA, or POD-to-POA change)
- Transfer review checklist - will email later
- Final Deliverable cover sheet
- Itemized Estimate sheet for contractor

Additional things to check:

- All regular application processing fees paid
- Reimbursement Authority \$125 fee paid for preparing estimate
- Date of WRD initial Public Notice 9/4/07

Number of sheets copied 22

File contents copied by Lisa Paschke Date 7/14/08

RECEIVED
SEP 03 2008
WATER RESOURCES DEPT
SALEM, OREGON

Water Right Transfer Checklist

Transfer T-10450

Transfer Specialist: NW Region Drawer

Transfer Type: Regular

Applicant Name/Address: Phillip Olson, 23725 SE Old Bethel Rd, Amity, OR 97101

Agent Name/Address: Don Knauer, PO Box 5416, Salem OR 97304

CWRE Name/Number: Don Knauer

Rec Landowner Name/Address: NONE

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: Yamhill County, 401 NE Evans St. McMinnville, OR 97128

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"/>	S 52206	S 38064	51799	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S 56698	S 41972	51801	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: <u>08/29/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU	
Fees Pd: <u>600.00</u>	WM District: <u>16</u>	ODFW District: <u>NONE</u>
Initial Notice: <u>09/04/07</u>	WM Review sent: <u>08/31/07 9-4-07</u>	ODFW Review sent: <u>NONE</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <u>NONE</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

- | | |
|--|--|
| <input type="checkbox"/> Electronic Files uploaded | <input type="checkbox"/> Preliminary Determination |
| <input type="checkbox"/> PD Cover letter | <input type="checkbox"/> Fee Refund Due |
| <input type="checkbox"/> PD Notice | <input type="checkbox"/> Remaining Rights |
| <input type="checkbox"/> File Assigned/ ModPod updated | |

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: _____
Date: _____	Date: _____	Date: _____
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____
Comments/Special Issues:		

Special Order Volume: Vol _____ Pages _____ Final Order Signature Date: _____

Notice of FO email'd to processors _____

Application

- The type of change is clearly indicated.
- The application is appropriately signed.
- 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 & ¼ ¼ on map match the transfer application and certificate descriptions.
- Map acres match the tabulation on the certificate.
- Have final proof maps/decree 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 ¼ ¼.

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)*
- The applicant is the owner of the "from" lands.
- 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)

- application complete** **map** **FPS** evidence of use land-use form
- deed/ROLI **certificate** fees paid well logs **plat card**
- audit** **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
- Fish Screen Devices

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –



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

Application for Water Right Transfer

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

1. TYPE OF TRANSFER APPLICATION

Please check one

<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: Philip Olson
First Last

Address: 23725 SE Old Bethel Road

Amity Oregon 97101-2601
City State Zip

Phone: _____ 503-835-0504 _____
Home Work Other

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: Don Knauer
First Last

Address: PO Box 5416

Salem Oregon 97304
City State Zip

Phone: _____ 503-508-7862 _____
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.

RECEIVED

AUG 29 2007

Last revised: 1/4/2007 WATER RESOURCES DEPT Transfer Application/1 SALEM, OREGON

RECEIVED

SEP 03 2008

WATER RESOURCES DEPT SALEM, OREGON

FS

COPY

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.			51799
2.			51801
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - Place of Use Point of Diversion Additional Point of Diversion
 - Character of Use Point of Appropriation Additional Point of Appropriation
 - Instream Transfer Surface Water source to Ground Water source
- Reason(s) for change(s): To move portions of the water right to property needing water.

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.

2- 50 HP centrifugal pumps, thousands of feet of buried 6" mainline, thousands of feet of 6", 5", and 3" aluminum pipe with sprinklers used for irrigation. All of the proposed changed use will use existing pump and pipe systems.

- System capacity: 5.2 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

RECEIVED

AUG 29 2007

WATER RESOURCES DIV.
SALEM, OREGON

6. EVIDENCE OF BENEFICIAL WATER USE

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

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

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

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

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

Yamhill County

401 NE Evans Street

SALEM, Oregon 97128

RECEIVED

AUG 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

SEP 03 2008

WATER RESOURCES DEPT
SALEM, OREGON

8. LAND OWNERSHIP

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

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

Names of Current Landowner(s): _____
First Last

Address: _____
City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?
 Yes No N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____
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.)

RECEIVED

AUG 29 2007

WATER RESOURCES
SALEM, OREGON

Last revised: 1/4/2007

Transfer Application/4

FS

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: \$ 600-
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.

RECEIVED

AUG 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

SEP 03 2008

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:

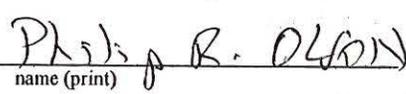
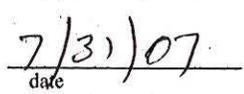
In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership 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	 name (print)	 date
_____	_____	_____
applicant signature	name (print)	date

RECEIVED

AUG 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

Last revised: 1/4/2007

Transfer Application/6

FS

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: 51799

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"/> 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 checked="" 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 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.)

RECEIVED
SEP 03 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

RECEIVED

AUG 29 2007 Supplemental Form A
 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>51799</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: Philip R. Olson
- County: Yamhill
- Authorized Use(s) to be Affected by Transfer: irrigation (Primary)
- Priority Date(s): July 19, 1974

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: Ash Swale and reservoir

Tributary to: Salt Creek

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? 51801

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).

RECEIVED

AUG 29 2007

WATER RESOURCES DIVISION
SALEM, OREGON

▪ Certificate Number or other identifying number: 51799

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)

Only upon transfer changed?

Existing - not proposed to be changed

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)
	Ash Swale & Reservoir, July 19, 1974	5S	4W	WM	33	SE NW	DLC 47	2720' N & 1570' E from the SW corner section 33

- 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

RECEIVED

Supplemental Form A

- 3 -

Description of Proposed Change(s) to a Water Right

AUG 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

SEP 03 2008

WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 51799

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

N/A – Instream Water Right Transfer

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

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

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

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

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

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

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

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

RECEIVED
 SEP 03 2008
 WATER RESOURCES DEPT
 SALEM, OREGON

RECEIVED
 AUG 29 2007

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: 51801

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"/> 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 checked="" 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 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.)

RECEIVED

AUG 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

Supplemental Form A

- 1 -

Description of Proposed Change(s) to a Water Right

RECEIVED

SEP 03 2008

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>51801</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: Philip R. Olson
- County: Yamhill
- Authorized Use(s) to be Affected by Transfer: supplemental irrigation
- Priority Date(s): Sept 30, 1977

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: Unnamed Drainage and reservoir

Tributary to: Ash Swale

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? 51799

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).

RECEIVED

AUG 29 2007

WATER RESOURCE DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 51801

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)

only pay to be changed

*51799 = 2720 INK
1576 IE from SW cor sec 33*

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)
	Unnamed Drainage and Res. Sept 19	5S	4W	WM	33	NESW	DLC 47	1860' N & 1450' E from the SW corner section 33

▪ 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

RECEIVED
SEP 03 2008
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

AUG 29 2007

▪ Certificate Number or other identifying number: 51801

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

(i.e., the "TO" point(s) of diversion or appropriation) N/A - Instream Water Right Transfer

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

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

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

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

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

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

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

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

RECEIVED
AUG 29 2007

RECEIVED
SEP 03 2008
WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

This Is to Certify, That PHILIP OLSON

of 6750 Bethel Road, Rickreall, State of Oregon 97371, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Unnamed drainageway and reservoir, constructed under Permit R-6642

a tributary of Ash Swale supplemental irrigation of 258.0 acres - More 26.3 Ac = 231.7 Ac for the purpose of

under Permit No. 41972 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 30, 1977

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 3.23 cubic feet per second

More 26.3 Ac / 258.0 Ac (3.23 cfs) = 0.33 cfs
RR = 3.23 - 0.33 = 2.90 cfs

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE 1/4 SW 1/4 as projected within Allen DLC 47, Section 33, T5S, R4W, WM; 1860 feet North and 1450 feet East from SW Corner, Section 33.

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 from direct flow and shall be further limited to a diversion of not to exceed 2 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-6642, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein

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:

Table with 3 columns: Acres, Section, and a numerical value. Includes entries like 5.0 5.2 acres SW 1/4 NE 1/4 - 0.2, 6.5 acres SE 1/4 NE 1/4 0, etc.

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

WITNESS the signature of the Water Resources Director, affixed

this date. December 8, 1983

William H. Young Water Resources Director

RECEIVED SEP 03 2008 WATER RESOURCES DEPT SALEM, OREGON

No fish screens proposed next dam

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

RR prepared

This Is to Certify, That PHILIP R. OLSON

of 6750 Bethel Road, Rickreall, State of Oregon 97371, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Ash Swale and reservoir, constructed under Permit R-6154

a tributary of Salt Creek irrigation of 258.0 acres move 26.3 AC = 231.7 AC for the purpose of

under Permit No. 38064 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 July 19, 1974

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 3.0 cubic feet per second

RR = 3.0 - 0.31 = 2.69 cfs

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE 1/4 NW 1/4 as projected within Allen DLC 47, Section 33, T5S, R4W, WM; 2720 feet North and 1570 feet East from SW Corner, Section 33.

NO fish screens by passes must devices

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 from direct flow and shall be further limited to a diversion of not to exceed 2 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-6154

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

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

Table with 3 columns: Acres, Description, and Value. Includes entries like 5.2 acres SW 1/4 NE 1/4 as projected within Allen DLC 47 - 0.2, 30.0 acres NE 1/4 SW 1/4 as projected within Allen DLC 47 - 4.6, etc.

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

WITNESS the signature of the Water Resources Director, affixed

this date. December 8, 1983

William H. Young Water Resources Director

RECEIVED

SEP 03 2008

WATER RESOURCES DEPT SALEM, OREGON

NW



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-10450

Review Due Date: 10-3-07

Applicant Name: Phil Olson

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): M Mccord

Date of Review: Sep. 14, 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: _____

*See Mccord's
memo 10/11/07
re: 7000*

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:
Regulation has been done during some years. The regulation focused mainly on fill seasons for reservoirs on Ash Swale.

3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

4. Are there upstream water rights that would be affected by the proposed change?
 Yes No If "Yes", describe how the rights would be affected and list the rights most affected: _____

5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses: _____

6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
 Yes No If "Yes", explain: _____

7. For POU changes, would the original place of use continue to receive water from the same source? Yes No N/A If "Yes", explain: _____

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: _____

RECEIVED
SEP 03 2008
WATER RESOURCES DEPT
SALEM, OREGON

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:

Included in DPD →

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 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: Philip R. Olson
Mailing Address: 23725 SE Old Bethel Road
City: Amity State: Oregon Zip: 97101-2601 Day Phone: 503835-0504

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	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
5S	4W	33	S 1/2	500	Exclusive Farm EF-2	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
6S	4W	4	NW	800	" " "	<input 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. Yamhill County

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
- Limited Water Use License
- Permit Amendment or Ground Water Registration Modification

Source of water: Reservoir/Pond Ground Water Surface Water (name) Ash Swale & Salt Cr

Estimated quantity of water needed: 5 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: An existing water right is proposed to change the location of place of use for 23.6 ac. All existing pump, pipe and sprinkler system will be used. No new construction will occur.

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

SEP 03 2008

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

AUG 29 2007 T 10450

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): 402 of the

Yamhill Co. Zoning Ordinance.

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: Kenneth P. Frady Title: Planning Division Manager
 Signature: [Signature] Phone: 503 454-7516 Date: 7/31/2007
 Government Entity: Yamhill Co.

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: _____

RECEIVED

AUG 29 2007

T 10450

Last updated 12/22/06 WR

NW



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-10450

Review Due Date: 10-3-07

Applicant Name: Phil Olson

Proposed Changes: [X] POU [] POD [] POA [] USE [] OTHER

Reviewer(s): M Mccord

Date of Review: Sep. 14, 2007

- 1. Do you have information suggesting that the water rights may be subject to forfeiture?
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?
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right?
4. Are there upstream water rights that would be affected by the proposed change?
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?
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?
7. For POU changes, would the original place of use continue to receive water from the same source?
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?
9. Are there other issues not identified through the above questions?

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.

→ Review list for Xfer Appl. map

File T-10450
Phillip Olson

Map Review:

- N/A Map on polyester film
- N/A Application & permit #; or transfer #
- Disclaimer
- North arrow
- CWRE stamp and signature
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map)
- Township, range, section, and tax lot
- Source illustrated if surface water
- Point(s) of diversion or appropriation (illustrated) - Missing on "Application Map"
- Point(s) of diversion or appropriation (coordinates)
- Conveyance structures illustrated (pump, pipelines, ditches, etc.) - Not shown
- Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required
- Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot)

Report Review: N/A

- On form or format provided by the Department
- Application & permit #; or transfer #
- County
- Tax lot information
- Date of survey
- Person interviewed
- Ownership information
- Source(s) of water
- Point of diversion/appropriation location
- Use, period of use, and rate for use
- Place of use location
- Extent of use
- Diversion rate for each use
- Description of conveyance system (from POD to POU)
- Diversion works description (pumps, ditches, etc.)
- Reservoir information (if applicable)
- System capacity
 - Calculated capacity of system (required)
 - Measured amount of use (optional)
- Permit/Transfer Final Order Conditions
 - Time limits
 - Initial water level measurements
 - Annual static water level measurements
 - Measurement, recording, and reporting
 - Meter/measuring device
 - Water use reporting
 - Fish screening and/or by-pass
 - Pump test (ground water)
 - Other conditions

- CWRE stamp and signature
- Signature(s) of permittee or transfer holder

Other:

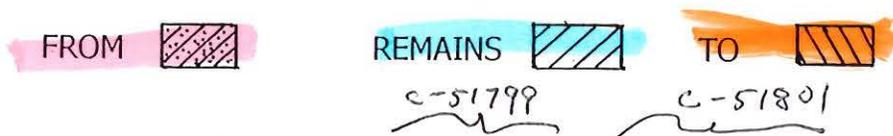
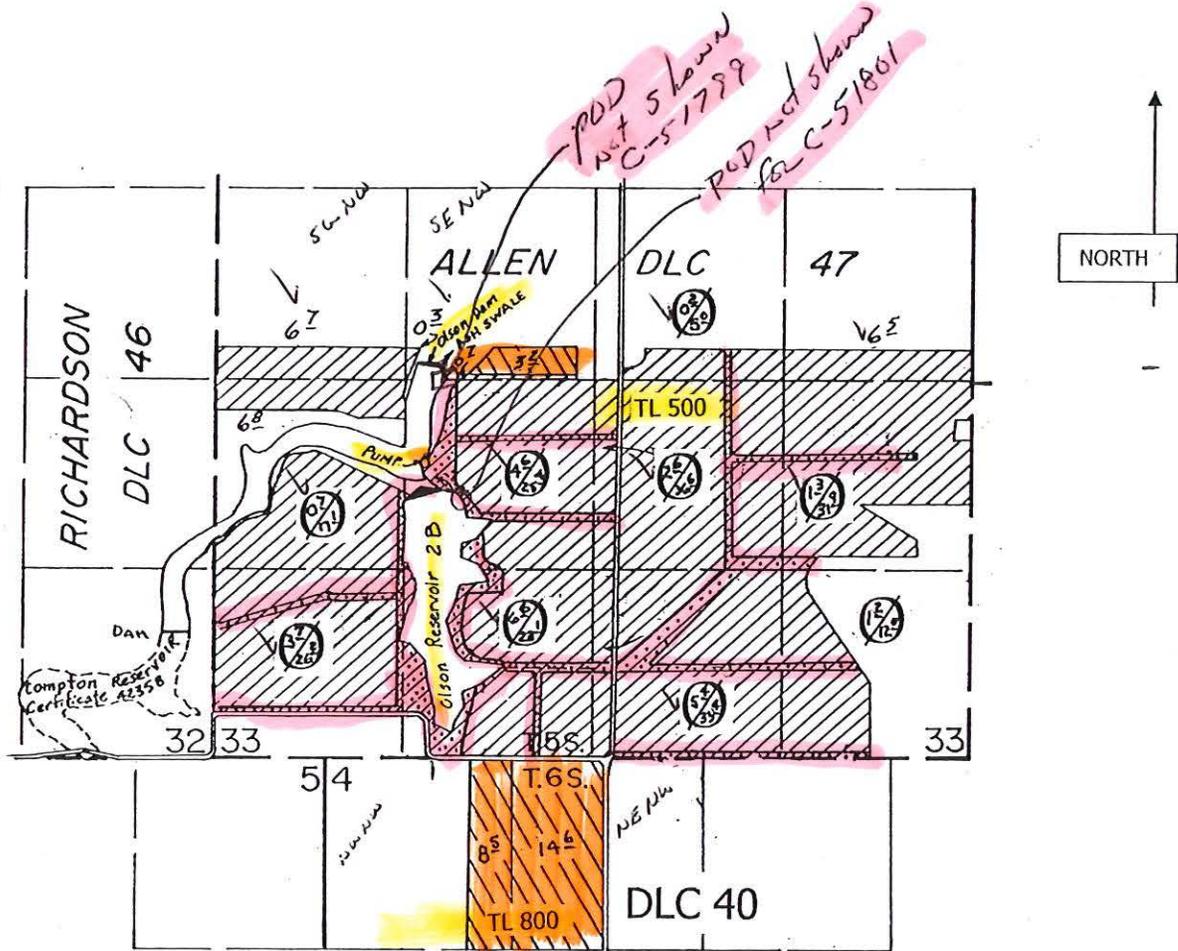
- Conflict Check

RECEIVED
SEP 03 2008
WATER RESOURCES DEPT
SALEM, OREGON

APPLICATION MAP

IN THE NAME OF PHILIP OLSON

T 5 & 6 S, R 4 W, W.M. Section 33 & 4



DIVERSION POINTS: 2720' N & 1570' E; 1860' N & 1450' E
Both from the SW Corner section 33

RECEIVED

AUG 29 2007

WATER RESOURCES DIV
SALEM, OREGON

This map is not intended to provide legal dimensions or locations of property ownership lines.

Scale 1" = 1320'

RECEIVED
SEP 03 2008
WATER RESOURCES DIV
SALEM, OREG

Certified Water Rights Examiner
#75
Donald E. Knauer
DONALD E. KNAUER
Nov. 19, 1987
STATE OF OREGON

RENEWAL DATE: 6-20-2009

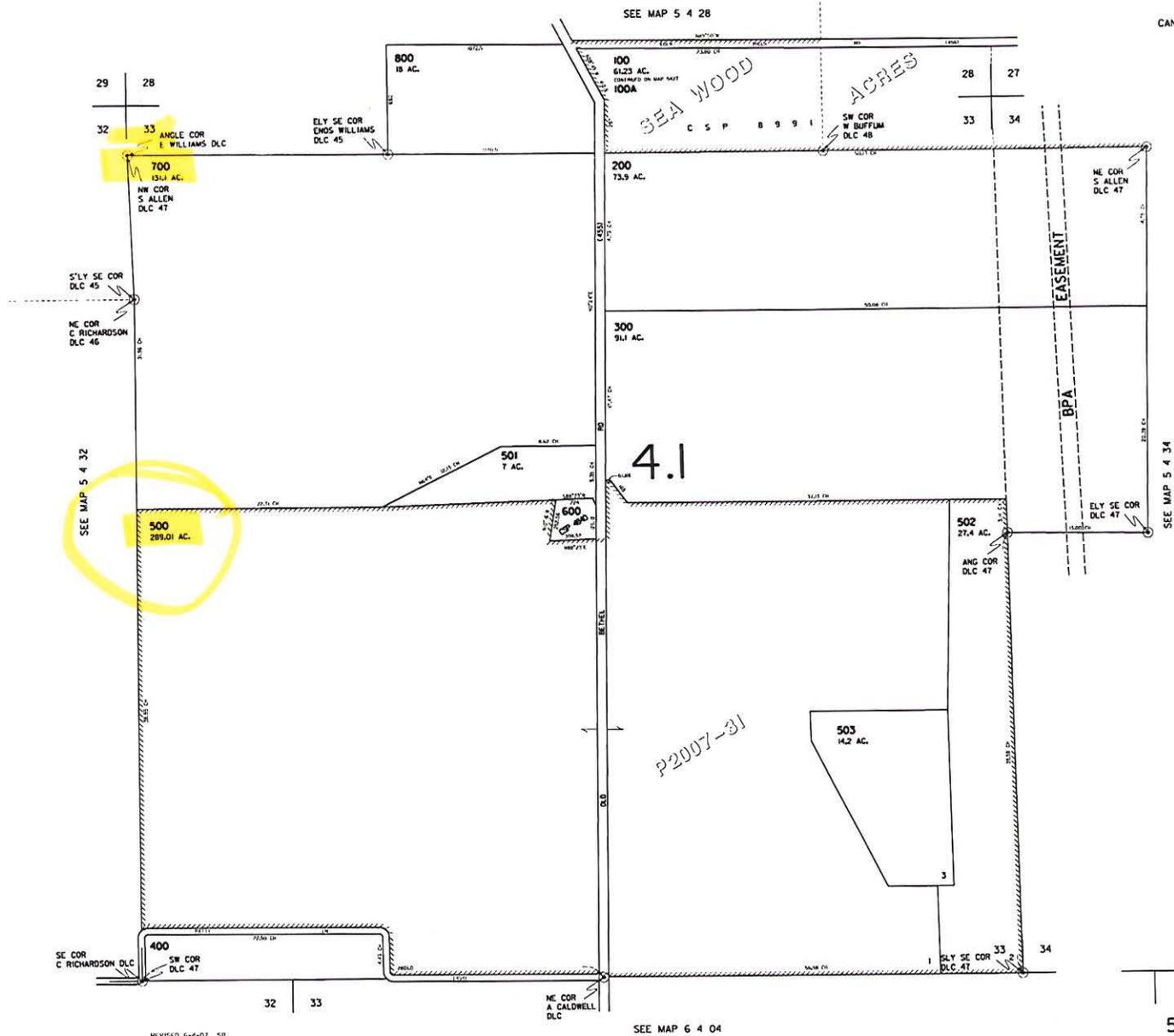
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 33 T5S R4W W.M.
YAMHILL COUNTY

5 4 33

1" = 400'

CANCELLED



RECEIVED
SEP 03 2008
WATER RESOURCE
SALEM, OREGON

REVISED 6-4-07 58

SEE MAP 6 4 04

5 4 33

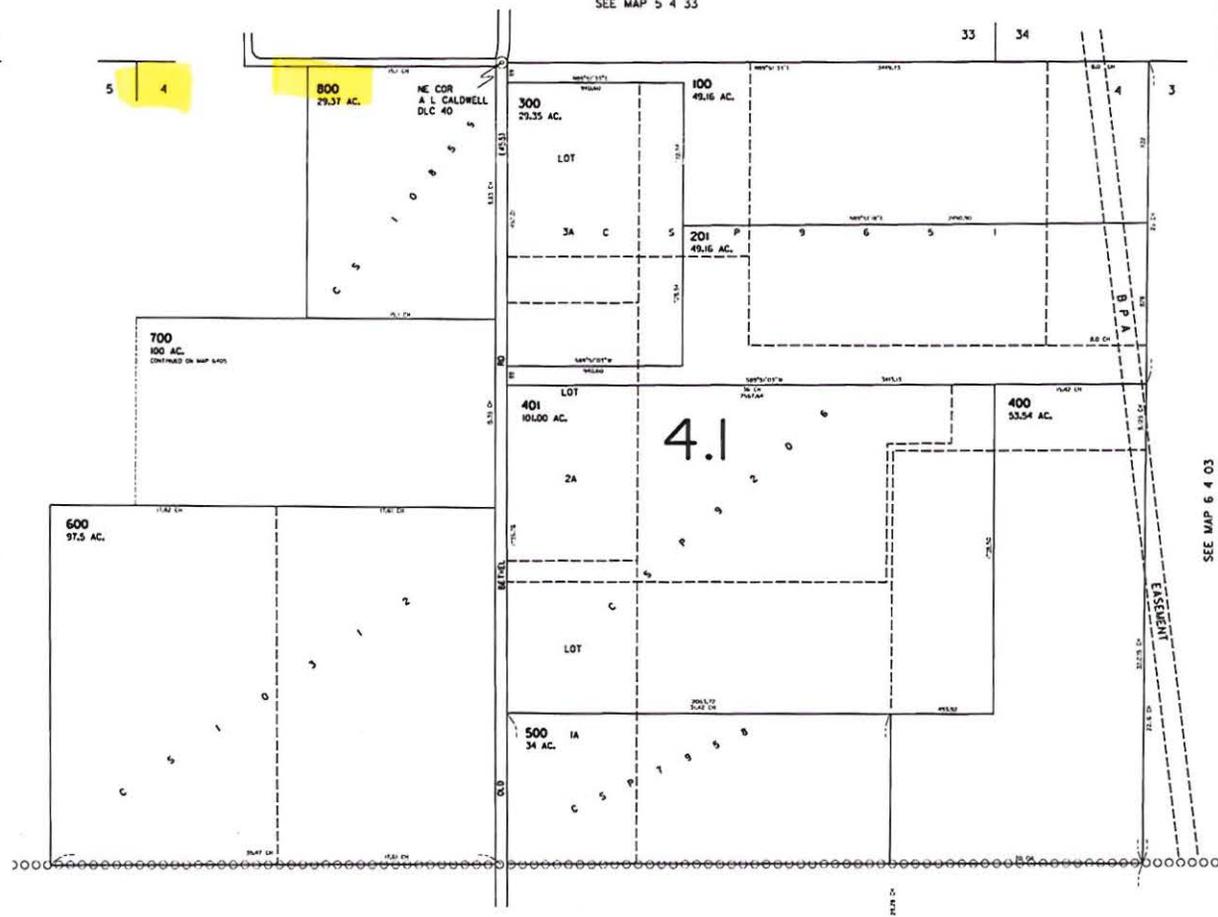
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 4 T6S R4W W.M.
YAMHILL COUNTY
1" = 400'

6 4 04

CANCELLED
101
102
200
301
302

32 | 33

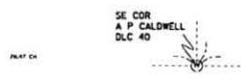


SEE MAP 6 4 05

SEE MAP 5 4 33

SEE MAP 6 4 03

POLK COUNTY



REVISED 2-11-98 ET

6 4 04

RECEIVED
SEP 03 2008
WATER RESOURCES DEPT
SALEM, OREGON

Dorothy Pedersen

From: John Borden [jeborden@comcast.net]
Sent: Friday, September 26, 2008 10:16 AM
To: Dorothy Pedersen
Subject: RE: T-10450 ROLI

Attachments: From-Owner-Verification.jpg



From-Owner-Verification.jpg (7...

Dorothy, I find that all "from" lands are owned by Philip Olson as shown in the attachment.

When I receive the lienholder notifications, I'll respond again.

Thanks,

John Borden

-----Original Message-----

From: Dorothy Pedersen [mailto:pedersdi@wrdd.state.or.us]
Sent: Wednesday, September 24, 2008 3:49 PM
To: John Borden
Subject: T-10450 ROLI

Hi John,

The ownership and lien report for T-10450 came in and is attached. Please review it and let me know whether it covers all the "from" lands and whether all the owners are either transfer applicants or have given consent. I'll send you the copies of lienholder notification letters when they come in.

Thanks,
Dorothy

Dorothy I. Pedersen
Transfer Program Advisor
(503) 986-0890
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

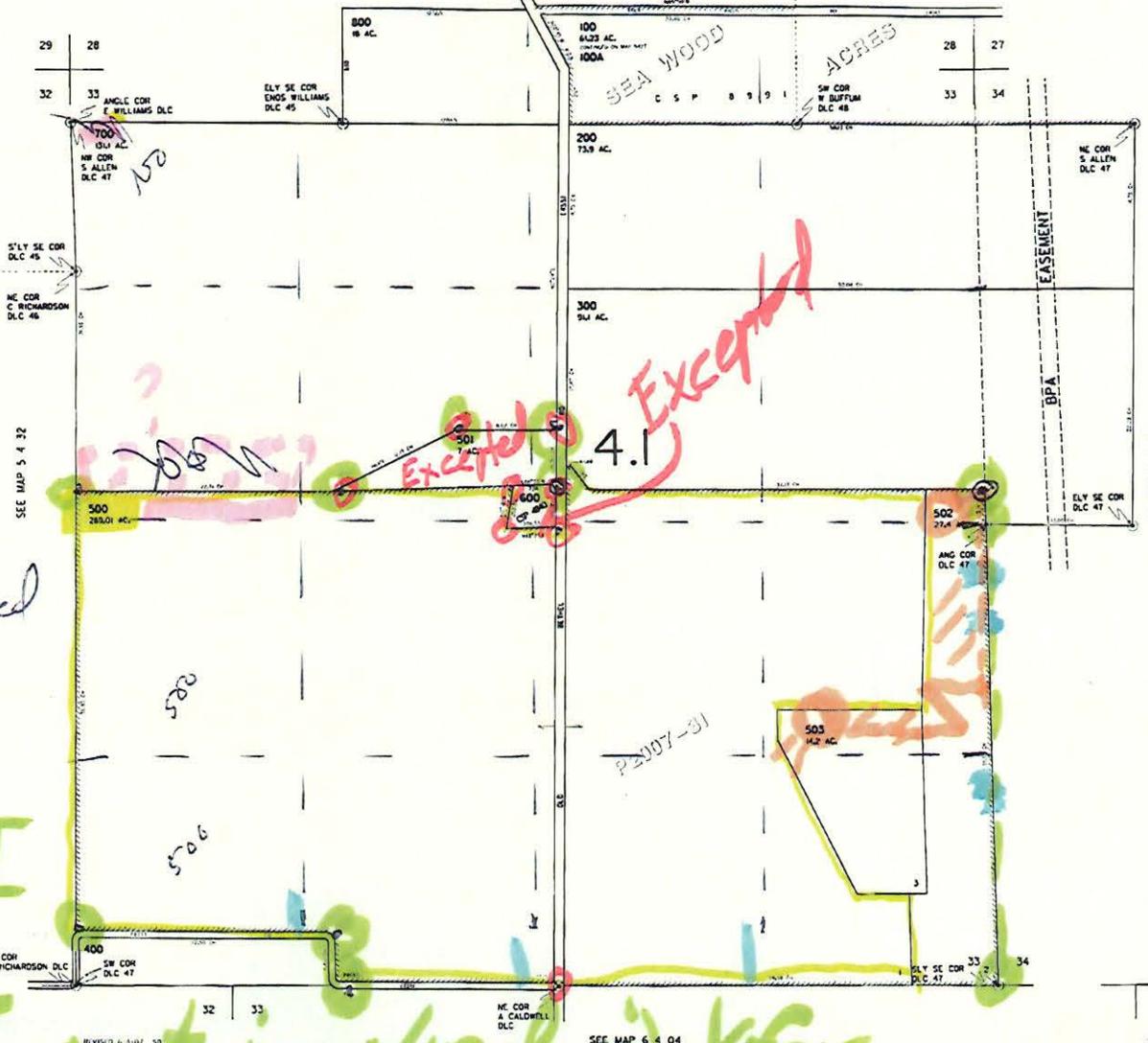
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 33 T5S R4W W.M.
YAMHILL COUNTY

5 4 33

1" = 400'
SEE MAP 5 4 28

CANCELLED



TLs 500 }
 502 } All owned
 503 } by Philip
 O'Brien

● = Parcel I

Parcel II not involved in xfer

505

502

13.45

5 4 33



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

October 27, 2008

PHILIP R. OLSON
23725 OLD BETHEL ROAD
AMITY, OR 97101-2601

REFERENCE: Transfer T-10450

We are examining your water right transfer application. During our evaluation of the ownership and lien report, we were unable to identify whether Lefty & Drifter, LLC, an Oregon limited liability company, has an interest, and if so, whether they need to be noticed and their consent to be obtained.

Please provide a copy of the Warranty Deed describing the interest of Lefty & Drifter that is listed in the ownership and lien report. A copy of the deed can be obtained from the Yamhill County Clerk's office.

Upon our receipt of said document, the Department will determine the degree of relevance so that we may decide whether you need to obtain consent from Lefty & Drifter LLC, send notification of the transfer, or do nothing.

Please submit the documents by **November 28, 2008** to Dorothy Pedersen, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266. If you have any questions, please call me at 503-986-0890.

Sincerely,

Dorothy I. Pedersen
Water Rights Transfer Specialist

cc: Don Knauer, Agent and CWRE



OREGON SECRETARY OF STATE
Corporation Division

HOME

business information center **business name search** oregon business guide

referral list business registry/renewal forms/fees notary public

uniform commercial code uniform commercial code search documents & data services



Business Name Search

New Search		Printer Friendly		Business Entity Data		11-20-2008 15:50
Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Duration Date	Renewal Date
517903-93	DLIC	ACT	OREGON	05-07-2008		
Entity Name LEFTY & DRIFTER, LLC						
Foreign Name						

New Search		Printer Friendly		Associated Names		
<i>Please click here for general information about registered agents and service of process.</i>						
Type	AGT REGISTERED AGENT		Start Date	05-07-2008	Resign Date	
Name	PHILIP OLSON					
Addr 1	23725 OLD BETHEL RD					
Addr 2						
CSZ	AMITY	OR	97101	Country	UNITED STATES OF AMERICA	

New Search		Printer Friendly		Name History			
Business Entity Name				Name Type	Name Status	Start Date	End Date
LEFTY & DRIFTER, LLC				EN	CUR	05-07-2008	

Please [read before ordering Copies](#).

New Search		Printer Friendly		Summary History		
Image Date	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
05-07-2008	ARTICLES OF ORGANIZATION	05-07-2008		FI	Agent	



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

September 8, 2008

PHILIP R. OLSON
23725 OLD BETHEL ROAD
AMITY, OR 97101-2601

SUBJECT: Application T-10450

Enclosed find a draft of our Preliminary Determination regarding transfer application T-10450. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

At this time, you must submit a report of ownership and lien information for the lands to which the water rights are appurtenant (the FROM lands) that has been prepared within the last three months by a title company. You will need to submit a notarized statement of consent from any landowner listed in the report who is not already included in the transfer application. If there are additional lienholders identified in the report that have not previously been notified of the transfer, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the transfer.

Issuance of the Preliminary Determination will occur shortly after we receive both your written response and the report of ownership and lien information. If we do not receive your response and the report by October 9, 2008, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.Pedersen@wrд.state.or.us if I may be of assistance.

Sincerely,

Dorothy Pedersen
Field Services Division

cc: Mike McCord, District 16 Watermaster
Don Knauer, applicant's agent
enc

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

In the Matter of Transfer Application)
T-10450, Yamhill County)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A
CHANGE IN PLACE OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, 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

PHILIP R. OLSON
23725 SE OLD BETHEL ROAD
AMITY, OR 97101-2601

Findings of Fact

Background

1. On August 29, 2007, Philip R. Olson filed an application to change the place of use under Certificates 51799 and 51801. The Department assigned the application number T-10450.
2. The portion of the first right to be transferred is as follows:

Certificate: 51799 in the name of PHILIP R. OLSON (perfected under Permit S-38064)

Use: IRRIGATION of 26.3 ACRES

Priority Date: JULY 19, 1974

Rate: 0.31 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: DIRECT FLOW FROM ASH SWALE AND STORAGE FROM A RESERVOIR, tributary to SALT CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	4 W	WM	33	SE NW	47	2720 FEET NORTH AND 1570 FEET EAST FROM THE SW CORNER OF SECTION 33

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SW NE	47	0.2
5 S	4 W	WM	33	NE SW	47	4.6
5 S	4 W	WM	33	NW SW	47	0.7
5 S	4 W	WM	33	SW SW	47	3.7
5 S	4 W	WM	33	SE SW	47	6.6
5 S	4 W	WM	33	NE SE	47	1.3
5 S	4 W	WM	33	NW SE	47	2.6
5 S	4 W	WM	33	SW SE	47	5.4
5 S	4 W	WM	33	SE SE	47	1.2

3. Application T-10450 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SE NW	47	3.2
6 S	4 W	WM	4	NE NW	40	14.6
6 S	4 W	WM	4	NW NW	40	8.5

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

Certificate: 51801 in the name of PHILIP OLSON (perfected under Permit S-41972)

Use: SUPPLEMENTAL IRRIGATION of 26.3 ACRES

Priority Date: SEPTEMBER 30, 1977

Rate: 0.33 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: UNNAMED DRAINAGEWAY AND RESERVOIR, tributary to ASH SWALE

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	4 W	WM	33	NE SW	47	1860 FEET NORTH AND 1450 FEET EAST FROM THE SW CORNER OF SECTION 33

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SW NE	47	0.2
5 S	4 W	WM	33	NE SW	47	4.6
5 S	4 W	WM	33	NW SW	47	0.7
5 S	4 W	WM	33	SW SW	47	3.7
5 S	4 W	WM	33	SE SW	47	6.6
5 S	4 W	WM	33	NE SE	47	1.3
5 S	4 W	WM	33	NW SE	47	2.6
5 S	4 W	WM	33	SW SE	47	5.4
5 S	4 W	WM	33	SE SE	47	1.2

5. Application T-10450 also proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	33	SE NW	47	3.2
6 S	4 W	WM	4	NE NW	40	14.6
6 S	4 W	WM	4	NW NW	40	8.5

6. Notice of the application for transfer was published on September 4, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

Transfer Review Criteria [OAR 690-380-4010(2)]

7. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10450.
9. The proposed change would not result in enlargement of the rights.
10. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The changes in place of use proposed in application T-10450 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If application T-10450 is approved, the final order will include the following:

1. *The changes in place of use proposed in application T-10450 are approved.*
2. *Water right certificates 51799 and 51801 are cancelled. New certificates will be issued describing the portions of the rights not affected by this transfer.*
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 51799 and 51801 and any related decree.*
4. *The former place of use of the transferred rights shall no longer receive water under the rights.*
5. *Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and*

plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.

6. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2009**. 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.*
7. *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 _____ 2008.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrđ.state.or.us.



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 09/04/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. 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: Yamhill
Transfer: T -10450
Water Right: Cert:51799 OR *, Cert:51801 OR *
Priority Date: 1974, 1977
Name: PHILIP R. OLSON
Address: 23725 OLD BETHEL RD; AMITY OR 97101
Change: POU
Source: A RESERVOIR > ASH SWALE
ASH SWALE > SALT CREEK
UNNAMED STREAM > ASH SWALE
Authorized POU: T5S R4W 33
Proposed POU: T5S R4W 33
T6S R4W 4

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.



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

August 31, 2007

PHILIP R. OLSON
23725 OLD BETHEL RD
AMITY OR 97101

Reference: Transfer 10450

On August 29, 2007 we received your water right transfer application. The application was accompanied by \$600.00. Our receipt 89397 is enclosed.

By copy of this letter, we are asking the Watermaster for a 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
Don Knauer, Agent (PO Box 5416, Salem, OR 97304)

enclosure



ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

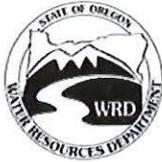
Land Use Information Form

Lien Holder Notification *(if applicable)*

Report of Ownership and Lien Info *(if applicable)*

&

Other Supporting Documentation



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

Application for Water Right Transfer

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

1. TYPE OF TRANSFER APPLICATION

Please check one	
<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: Philip Olson
First Last

Address: 23725 SE Old Bethel Road

Amity Oregon 97101-2601
City State Zip

Phone: _____ 503-835-0504
Home Work Other

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: Don Knauer
First Last

Address: PO Box 5416

Salem Oregon 97304
City State Zip

Phone: _____ 503-508-7862
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.

RECEIVED

AUG 29 2007

T 10450

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.			51799
2.			51801
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - Place of Use Point of Diversion Additional Point of Diversion
 - Character of Use Point of Appropriation Additional Point of Appropriation
 - Instream Transfer Surface Water source to Ground Water source
- Reason(s) for change(s): To move portions of the water right to property needing water.

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.

2- 50 HP centrifugal pumps, thousands of feet of buried 6" mainline, thousands of feet of 6", 5", and 3" aluminum pipe with sprinklers used for irrigation. All of the proposed changed use will use existing pump and pipe systems.

- System capacity: 5.2 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

RECEIVED

AUG 29 2007

T 10450

WATER RESOURCES DEPARTMENT
SALEM, OREGON

6. EVIDENCE OF BENEFICIAL WATER USE

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

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

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

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

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

Yamhill County

401 NE Evans Street

McMinnville Oregon 97128

RECEIVED

AUG 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10450

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: \$ 600-
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.

RECEIVED

AUG 29 2007

WATER RESOURCES DEPT.
Last revised 1/4/2007
SALEM, OREGON

Transfer Application/5

FS

T 10450

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:

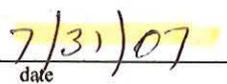
In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership 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	 name (print)	 date
_____	_____	_____
applicant signature	name (print)	date

RECEIVED

AUG 29 2007

T 10450

WATER RESOURCES DEPT
SALEM, OREGON

Last revised: 1/4/2007

Transfer Application/6

FS

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: 51799

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 not be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Additional (Both the old <i>and</i> 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 not 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 checked="" 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 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.)

RECEIVED

AUG 29 2007
WATER RESOURCES DEPT
SALEM, OREGON

T 10450

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certified Right	<u>51799</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: Philip R. Olson
- County: Yamhill
- Authorized Use(s) to be Affected by Transfer: irrigation
- Priority Date(s): July 19, 1974

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: Ash Swale and reservoir

Tributary to: Salt Creek

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? 51801
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).

RECEIVED

AUG 29 2007

T 10450

WATER RESOURCES DIVISION
SALEM, OREGON

▪ Certificate Number or other identifying number: 51799

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)
	Ash Sault & Reservoir, July 19, 1974	5S	4W	WM	33	SE NW	DLC 47	2720' N & 1570' E from the SW corner section 33

▪ 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
	T 10450								

RECEIVED

Supplemental Form A

- 3 -

Description of Proposed Change(s) to a Water Right

AUG 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 51799

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

(i.e., the "TO" point(s) of diversion or appropriation) N/A – Instream Water Right Transfer

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

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

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

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

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

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

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

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

RECEIVED

AUG 29 2007

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.

<p>▪ Certificate Number or other identifying number: <u>51801</u></p>

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<p><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.)</p> <p><input 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.)</p> <p><input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.)</p> <p><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.)</p> <p><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.)</p> <p><input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)</p>	<p><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.)</p> <p><input checked="" 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>	<p>Proposed new use:</p> <p><input type="checkbox"/> Irrigation</p> <p><input type="checkbox"/> Municipal</p> <p><input type="checkbox"/> Quasi-municipal</p> <p><input type="checkbox"/> Commercial</p> <p><input type="checkbox"/> Industrial</p> <p><input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>)</p> <p><input type="checkbox"/> Domestic (indicate number of households) _____</p> <p><input type="checkbox"/> Other _____</p> <p><input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.)</p> <p><input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)</p>

RECEIVED

AUG 29 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"/> Certified Right	<u>51801</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: Philip R. Olson
- County: Yamhill
- Authorized Use(s) to be Affected by Transfer: supplemental irrigation
- Priority Date(s): Sept 30, 1977

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: Unnamed Drainage and reservoir

Tributary to: Ash Swale

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? 51799

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).

RECEIVED

AUG 29 2007

T 10450

WATER RESOURCE DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 51801

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

N/A – Instream Water Right Transfer

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

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

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

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

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

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

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

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

RECEIVED

AUG 29 2007

Supplemental Form A

- 5 -

Description of Proposed Change(s) to a Water Right

T 10450

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

5. The water delivery system used to apply water as authorized by the right is described below:
2-50 HP centrifugal pumps, thousands of feet of 6" buried main line, thousands of feet of 6", 5" and 3" aluminum pipe with sprinklers used for irrigation.

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: affidavit

[Signature]
Signature of Affiant

Aug 28, 2007
Date

Signed and sworn to (or affirmed) before me this 28 day of August, 2007.

[Signature]
Notary Public for Oregon

My Commission Expires: July 16, 2011



RECEIVED

AUG 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

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

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

5. The water delivery system used to apply water as authorized by the right is described below:
2-50 HP centrifugal pumps, thousands of feet of 6" buried main line, thousands of feet of 6", 5" and 3" aluminum pipe with sprinklers used for irrigation.

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: _____

J. Luis Flores
Signature of Affiant

8-28-07
Date

Signed and sworn to (or affirmed) before me this 28 day of August, 2007.



Donald E. Knauer
Notary Public for Oregon

My Commission Expires: July 16, 2011

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

RECEIVED

Supplemental Form B

- 2 -

Affidavit Attesting to the Use of Water

AUG 29 2007

T 10450

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: Philip R. Olson
Mailing Address: 23725 SE Old Bethel Road
City: Amity State: Oregon Zip: 97101-2601 Day Phone: 503835-0504

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	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
5S	4W	33	S 1/2	500	Exclusive Farm Eff	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
6S	4W	4	NW	800	" " "	<input 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. Yamhill County

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 Limited Water Use License
 Permit Amendment or Ground Water Registration Modification

Source of water: Reservoir/Pond Ground Water Surface Water (name) Ash Swale & Salt Cr

Estimated quantity of water needed: 5 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: An existing water right is proposed to change the location of place of use for 23.6 ac. All existing pump, pipe and sprinkler system will be used. No new construction will occur.

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

AUG 29 2007 T 10450

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): 402 of the

Yamhill Co. Zoning Ordinance.

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
		<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: Kenneth F. Fry Title: Planning Division Manager
 Signature: [Signature] Phone: 503 434-7516 Date: 7/31/2007
 Government Entity: Yamhill Co.

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: _____

RECEIVED

AUG 29 2007

T 10450

WATER RESOURCES DEPT
SALEM, OREGON

Last updated 12/22/06 WR

DON KNAUER / Water Right Consultation and Water Right Surveys
PO Box 5416 Salem OR 97304 phone & fax: 503-585-8474 cell: 503-508-7862

September 23, 2008

Dorothy Pedersen, Transfer Specialist
Oregon Water Resources Dept.
725 Summer Street NE Suite A
Salem Oregon 97301-1271

Re: T-10450

Dear Ms. Pedersen,

I am submitting the required report showing ownership and lien information. We are in the process of written notification to the lien holders and you will be receiving copies of those documents soon. Please call if you have any questions.

Sincerely,



Don Knauer

C: Phil Olson

RECEIVED

SEP 24 2008

WATER RESOURCES DEPT
SALEM, OREGON



FAX TRANSMITTAL

DATE: **09/22/2008 03:05:39 PM**

FILE NO.: **1039-1287851**

TO: **Water Right Research Consultin**
Attn: **Don Knauer**

FAX: **1(503)585-8474**

FROM: **Sue Cole**

Special Instructions/Comments: **Attached you will find the Lot Book Report and map on the Olson property.**

Thank you for choosing First American Title Insurance Company of Oregon.

Sue

Thank You For Your Business! We Know You Have A Choice.

IMPORTANT NOTICE:

Should any of these papers require an **ORIGINAL SIGNATURE** and your fax machine produces the facsimile on thermal paper, please **PHOTOCOPY** then sign the photocopy.

We will "not" accept an Original Signature on THERMAL fax paper.

Thank you for your cooperation in this matter.

RECEIVED

SEP 24 2008

**IF TRANSMISSION OF ALL PAGES IS NOT COMPLETE OR IF AN ORIGINAL IS NEEDED,
PLEASE CONTACT THE SENDER.**

**WATER RESOURCES DEPT
SALEM, OREGON**



First American

First American Title Insurance Company of Oregon
775 NE Evans Street
McMinnville, OR 97128
Phn - (503)472-4627
Fax - (866)800-7294

YAMHILL COUNTY TITLE UNIT
FAX (866)800-7294

Title Officer: **Clayton Carter**
(503)472-4627
ctcarter@firstam.com

LIMITED LOT BOOK SERVICE

First American Title Insurance Company
280 Liberty St SE Ste 100
Salem, OR 97301

Order No.: 1039-1287851
September 22, 2008

Attn: Debbie Filson
Phone No.: (503)581-0555 - Fax No.: (866)849-3065
Email: dfilson@firstam.com

Re: Olson

Fee: \$150.00

We have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of September 12, 2008 at 8:00 a.m.

We find that the last deed of record runs to

Philip R. Olson and Gretchen Hohn Olson, as tenants by the entirety

We also find the following apparent encumbrances and exceptions as of the effective date hereof:

1. Taxes for the fiscal year 2008-2009 a lien due, but not yet payable.
2. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
3. The county tax roll discloses a mobile home on the herein described premises which is not included in title insurance coverage. Subject to requirements and provisions of O.R.S. 311.280 pertaining to mobile home taxes becoming liens on real property.
4. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

First American Title

RECEIVED

SEP 24 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

5. Mortgage and the terms and conditions thereof.

Mortgagor: H.V.R., Inc., an Oregon Corporation; Richard A. Olson and Flavia D. Olson, husband and wife; and Philip R. Olson and Gretchen Olson, husband and wife

Mortgagee: The Federal Land Bank of Spokane —

Amount: \$190,000.00

Recorded: December 31, 1975

Recording Information: Film Volume 109, Page 1760

Modification and/or amendment by instrument:

Recording Information: April 7, 1992 in Film Volume 267, Page 541

Partial Release Agreement recorded June 4, 1996 as Instrument No. 199608765.

The beneficial interest under said Mortgage has been assigned to Northwest Farm Credit Services, ACA, by Assignment of Note and Mortgage recorded June 16, 1997, as Instrument No. 199709770 .

The beneficial interest under said Mortgage has been assigned to Northwest Farm Credit Services, FLCA, by Assignment of Note and Mortgage recorded September 5, 2000, as Instrument No. 200012830 .

(Affects a portion of the property)

6. Mortgage and the terms and conditions thereof.

Mortgagor: Phillip R. Olson and Gretchen Hohn Olson, husband and wife

Mortgagee: The Federal Land Bank of Spokane —

Amount: \$75,500.00

Recorded: August 02, 1982

Recording Information: Film Volume 171, Page 347

Modification and/or amendment by instrument:

Recording Information: April 6, 1992 in Film Volume 267, Page 443

Partial Release Agreement recorded June 4, 1996 as Instrument No. 199608765.

The beneficial interest under said Mortgage has been assigned to Northwest Farm Credit Services, ACA, by Assignment of Note and Mortgage recorded June 16, 1997, as Instrument No. 199709769 .

The beneficial interest under said Mortgage has been assigned to Northwest Farm Credit Services, FLCA, by Assignment of Note and Mortgage recorded September 5, 2000, as Instrument No. 200012831 .

(Affects a portion of the property)

RECEIVED

SEP 24 2008

Lot Book Service

Guarantee No.: 1039-1287851

Page 3 of 7

7. Deed of Trust and the terms and conditions thereof.

Grantor/Trustor: Philip R Olson and Gretchen Hohn Olson
 Grantee/Beneficiary: Washington Mutual Bank —
 Trustee: Group 9, Inc.
 Amount: \$311,670.02
 Recorded: June 01, 2004
 Recording No.: 200410713

Substitution of Trustee under said Deed of Trust appointing

New Trustee: Western Title
 Recorded: July 21, 2004
 Recording Information: 200414982

The Deed of Trust was Partially Reconveyed as to a portion of the property by instrument recorded July 21, 2004 as Instrument No. 200414983.

The Deed of Trust was Partially Reconveyed as to a portion of the property by instrument recorded May 3, 2006 as Instrument No. 200609873.

(Affects a portion of the property)

8. Line of Credit Trust Deed, including the terms and provisions thereof, given to secure an indebtedness of up to \$190,000.00

Grantor: Philip R Olson and Gretchen Hohn Olson
 Beneficiary: Washington Mutual Bank
 Trustee: Group 9, Inc.
 Dated: May 17, 2004
 Recorded: June 11, 2004
 Recording Information: 200411561

Substitution of Trustee under said Deed of Trust appointing

New Trustee: Western Title
 Recorded: July 21, 2004
 Recording Information: 200414984

The Deed of Trust was Partially Reconveyed as to as to a portion of the property by instrument recorded July 21, 2004 as Instrument No. 200414985.

The Deed of Trust was Partially Reconveyed as to as to a portion of the property by instrument recorded May 3, 2006 as Instrument No. 200609874.

(Affects a portion of the property)

RECEIVED

SEP 24 2008

WATER RESOURCES DEPT
 SALEM, OREGON

Lot Book Service

Guarantee No.: 1039-1287851

Page 4 of 7

9. Deed of Trust and the terms and conditions thereof.
 Grantor/Trustor: Philip R. Olson and Gretchen H. Olson, husband and wife
 Grantee/Beneficiary: Northwest Farm Credit Services, FLCA
 Trustee: Western Title & Escrow Company
 Amount: \$293,700.00
 Recorded: July 21, 2004
 Recording No.: 200414981
- (Affects a portion of the property)
10. Deed of Trust and the terms and conditions thereof.
 Grantor/Trustor: Philip R. Olson and Gretchen H. Olson, husband and wife
 Grantee/Beneficiary: Northwest Farm Credit Services, FLCA
 Trustee: Western Title & Escrow Company
 Amount: \$203,200.00
 Recorded: May 04, 2006
 Recording Information: 200609976
- (Affects a portion of the property)
11. The effect, if any, of a Measure 37 Claim Approval as disclosed by The Board of County Commissioners Order No. 06-581 , including the terms and provisions thereof, as set forth in and disclosed by instrument recorded September 5, 2006 as Instrument No. 200620409.
- First American Title makes no representation as to the effect of said instrument.
12. Road Development Agreement and the terms and conditions thereof:
 Between: Philip R & Gretchen H. Olson
 And: Yamhill County, Oregon, acting through its Director of Public Works and Director of Planning and Development
 Recording Information: April 5, 2007 as Instrument No. 200707479
13. 80 foot access easement as disclosed on Partition 2007-31.
14. 30 foot access easement as disclosed on Partition 2007-31.
15. The right, title and/or interest of Lefty & Drifter, LLC, an Oregon limited liability company, as disclosed by an instrument entitled Warranty Deed which recorded May 12, 2008 as recording no. 200808212 .

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

First American Title

RECEIVED

SEP 24 2008

WATER RESOURCES DEPT
 SALEM, OREGON

Lot Book Service

Guarantee No.: 1039-1287851

Page 5 of 7

We also find the following unpaid taxes and city liens: NONE

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$2,092.57
Map No.: R5433-500
Property ID: 205183
Tax Code No.: 4.1

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$112.65
Map No.: M00274786
Property ID: 494488
Tax Code No.: 4.1

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$16.67
Map No.: R5433-502
Property ID: 538006
Tax Code No.: 4.1

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: 4,501.40
Map No.: R5433-503
Property ID: 538009
Tax Code No.: 4.1

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

First American Title

RECEIVED

SEP 24 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

Lot Book Service

Guarantee No.: 1039-1287851

Page 6 of 7

Exhibit "A"

Real property in the County of Yamhill, State of Oregon, described as follows:

PARCEL I:

A part of the Solomon and Nancy Allen Donation Land Claim No. 47 in Section 33, Township 5 South, Range 4 West of the Willamette Meridian, more particularly described as follows:

BEGINNING at the Quarter corner between Sections 33 and 34 in Township 5 South, Range 4 West of the Willamette Meridian; thence South along the East line of said Allen Donation Land Claim 39.59 chains, more or less, to the Southeast corner of said Allen Donation Land Claim; thence West along the South line of said Allen Donation Land Claim 56.59 chains, more or less, to the Southeast corner of the second parcel of land described in an instrument recorded March 9, 1960 in Film Volume 9, Page 789, Deed Records of Yamhill County, Oregon, said point also being 22.50 chains East along the South line of said Allen Donation Land Claim from the Southwest corner of said Donation Land Claim; thence North, 4.45 chains; thence West, 22.50 chains to the West line of said Allen Donation Land Claim 38.59 chains to the Southwest corner of a tract of land conveyed to Walter P. Leppin and wife, by Deed recorded December 18, 1942 in Book 121, Page 16, Deed Records of Yamhill County Oregon; thence East along the South line of said Leppin Tract 22.71 chains; thence North 64° East along said Leppin Tract 12.13 chains; thence East along said Leppin Tract 8.62 chains to the enter of Market Road No. 445; thence South along the center line of said County Road, 5.83 chains to the Southwest corner of the tract of land conveyed to Walter P. Leppin and wife, by Deed recorded December 18, 1942 in Book 121, Page 15, Deed Records, Yamhill County, Oregon; thence East along the South line of said Leppin Tract 37.13 chains to the East line of said Allen Donation Land Claim; thence South along the East line of said Allen Donation Land Claim 2.66 chains to the PLACE OF BEGINNING.

EXCEPTING THEREFROM the following:

BEGINNING AT A POINT in the County Road, 8.49 chains North and 37.13 chains West from the Quarter Section corner between Sections 33 and 34 in Township 5 South, Range 4 West of the Willamette Meridian, and running thence West along the South line of that tract conveyed to Walter P. Leppin and wife by Deed recorded December 18, 1942 in Book 121, Page 16, Deed Records, 8.62 chains to an angle corner on the South line of said Leppin Tract; thence South 64° West 12.13 chains; thence Easterly to an iron rod at the Northwest corner of that said tract described in Contract of Sale recorded February 2, 1970 in Film Volume 78, Page 914, Deed and Mortgage Records; thence North 88°23' East 224.0 feet to an iron rod; thence South 19°07' East 128.10 feet to an iron rod set in the center of County Road No. 445; thence North along the center of the County Road to the POINT OF BEGINNING.

AND FURTHER EXCEPTING THEREFROM the following:

A part of the Solomon Allen Donation Land Claim in Section 33 of Township 5 South, Range 4 West of the Willamette Meridian, described as follows:

BEGINNING in the center of County Road No. 445, at a point East 2801.00 feet and North 01°07' East 2645.55 feet from the Southwest corner of said Section 33, thence North 1°07' East 125.12 feet; thence North 19°07' West, 128.10 feet to an iron rod; thence South 88°23' West 224.0 feet to an iron rod; thence South 10°16' West 252.56 feet to an iron rod; thence North 88°23' East 308.52 feet to the POINT OF BEGINNING.

RECEIVED

SEP 24 2008

First American Title

WATER RESOURCES DEPT
SALEM, OREGON

Lot Book Service

Guarantee No.: **1039-1287851**

Page 7 of 7

PARCEL II:

BEGINNING at a stake in the center of the County Road leading from Amity to Bethell, 3.14 chains North and 37.13 chains West of the Quarter Section corner between Sections 33 and 34 In Township 5 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon; and running thence East 10 rods; thence Northwest 10 rods; thence West 3-3/4 rods; thence South 8 rods and 2 feet to the PLACE OF BEGINNING.

NOTE: The above described property has been partitioned into 3 unsurveyed parcels by document recorded May 16, 2007 as Instrument No. 200710709, Partition Plat 2007-31. A surveyed legal description should be submitted to us prior to the issuance of policy(s).

Tax Parcel Number: R5433-500, R5433-502 and R5433-503

RECEIVED

SEP 24 2008

WATER RESOURCES DEPT
SALEM, OREGON

Mailing:
23725 SE Old Bethel Rd.
Amity, OR 97101
cell (503) 999-4941

Physical:
4545 Patty Rd.
Amity, OR 97101
fax (503) 345-9526



Fax

To: WAMU Consumer Lending Support

From: Ginny Olson Gardea

Correspondence

Fax: (206) 381-5421

Pages: 2

Phone:

Date: 9/26/2008

Re: Water Rights Transfer

CC:

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

● **Comments:**

Please see the attached letter which serves as notification of intent to transfer water rights. Should you have any questions or require more information, I may be reached by phone at 503.999.1774 or email at ginny@blueberries.us.

Sincerely,
Ginny Olson Gardea

RECEIVED

OCT 03 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

OCT 3 2008

Mailing:
23725 SE Old Bethel Rd.
Amity, OR 97101
cell (503) 999-4941

Physical:
4545 Patty Rd.
Amity, OR 97101
fax (503) 345-9526



Fax

To: Mickey Hatley **From:** Ginny Olson Gardea

Fax: 503-373-2007 **Pages:** 4

Phone: **Date:** 9/26/2008

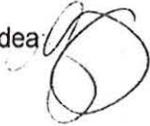
Re: Water Rights Transfer **CC:**

Urgent For Review Please Comment Please Reply Please Recycle

● **Comments:**

Please see the attached letter which serves as notification of intent to transfer water rights. Should you have any questions or require more information, I may be reached by phone at 503.999.1774 or email at ginny@blueberries.us.

Sincerely,
Ginny Olson Gardea



RECEIVED

OCT 03 2008

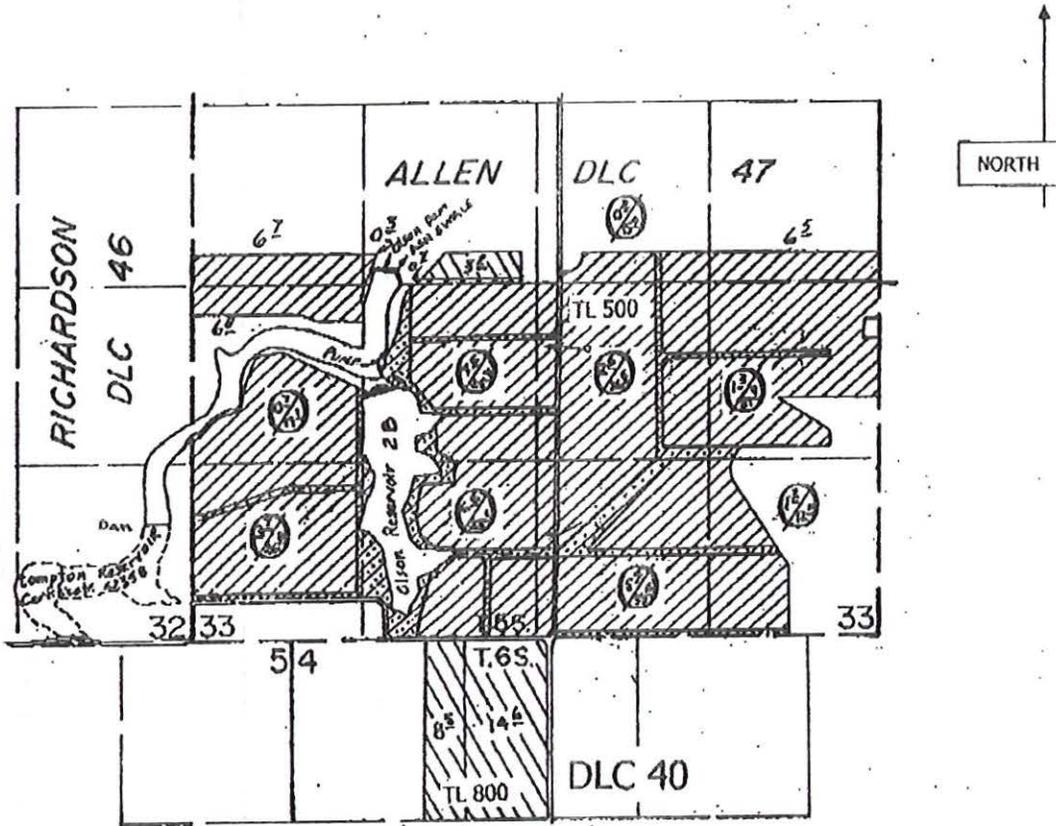
WATER RESOURCES DEPT
SALEM, OREGON

OCT 3 2008

APPLICATION MAP

IN THE NAME OF PHILIP OLSON

T 5 & 6 S, R 4 W, W.M. Section 33 & 4



FROM  REMAINS  TO 

DIVERSION POINTS: 2720' N & 1570' E; 1860' N & 1450' E
Both from the SW Corner section 33

Scale 1" = 1320'

RECEIVED

OCT 03 2008

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

AUG 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

This map is not intended to provide legal
dimensions or locations of property ownership lines.



RENEWAL DATE: 6-20-2009

Form 8-5M 1-8

SP1254-00

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

This Is to Certify, That PHILIP R. OLSON

of 6750 Bethel Road, Rickreall, State of Oregon 97371, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Ash Swale and reservoir, constructed under Permit R-6154

a tributary of Salt Creek for the purpose of Irrigation of 258.0 acres

under Permit No. 38064 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 July 19, 1974 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 3.0 cubic feet 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 SE 1/4 NW 1/4 as projected within Allen DLC 47, Section 33, T5S, R4W, W4; 2720 feet North and 1570 feet East from SW Corner, Section 33.

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 from direct flow and shall be further limited to a diversion of not to exceed 2 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-6154

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 in which such right is appurtenant, is as follows:

- 5.2 acres SW 1/4 NE 1/4 as projected within Allen DLC 47
6.5 acres SE 1/4 NE 1/4 as projected within Allen DLC 47
6.7 acres SW 1/4 NW 1/4 as projected within Allen DLC 47
1.0 acre SE 1/4 NW 1/4 as projected within Allen DLC 47
30.0 acres NE 1/4 SW 1/4 as projected within Allen DLC 47
24.6 acres NW 1/4 SW 1/4 as projected within Allen DLC 47
29.9 acres SW 1/4 SW 1/4 as projected within Allen DLC 47
29.7 acres SE 1/4 SW 1/4 as projected within Allen DLC 47
33.2 acres NE 1/4 SE 1/4 as projected within Allen DLC 47
39.2 acres NW 1/4 SE 1/4 as projected within Allen DLC 47
38.8 acres SW 1/4 SE 1/4 as projected within Allen DLC 47
13.2 acres SE 1/4 SE 1/4 as projected within Allen DLC 47

Section 33

Township 5 South, Range 4 West, W4

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

WITNESS the signature of the Water Resources Director, affixed

this date, December 8, 1983

William H. Young Water Resources Director

RECEIVED

OCT 03 2008

WATER RESOURCES DEPT SALEM, OREGON

Recorded in State Record of Water Right Certificates, Volume 46, page 51799

7224B

S-52206

FYI - Current certificate from our main farm that FCS has a lien on.

OCT 3 2008

September 26, 2008

NW Farm Credit Services
Mickey Hatley
PO Box 13309
Salem, OR. 97309-1309

Regarding Loan Number(s): 19549301, 19549302, 19549441, 19549442

Dear Mr. Hatley,

We are in the process of applying for a water right transfer involving Yamhill County Tax Lot 5433-500. We are relocating a portion of our water rights on our property to better utilize our land and water. This letter of notification to you is intended to satisfy the Oregon Water Resources Department notification requirement.

Please see the attached documents which further outline the details of said transfer.

Sincerely,



Philip Olson

CC: Don Knauer, Oregon Certified Water Rights Examiner
File

RECEIVED

OCT 03 2008

WATER RESOURCES DEPT
SALEM, OREGON

OCT 3 2008

HP OfficeJet K Series K80
Personal Printer/Fax/Copier/Scanner

Log for
Phil Olson
503 345-9526
Sep 26 2008 12:47pm

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Sep 26	12:37pm	Fax Sent	5033733007	0:56	4	OK

RECEIVED

OCT 03 2008

WATER RESOURCES DEPT
SALEM, OREGON

OCT 8 2008

HP OfficeJet K Series K80
Personal Printer/Fax/Copier/Scanner

Log for
Phil Olson
503 345-9526
Sep 26 2008 11:40am

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Sep 26	11:37am	Fax Sent	12063815421	0:44	2	OK

RECEIVED

OCT 03 2008

WATER RESOURCES DEPT
SALEM, OREGON

OCT 8 2008

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Tuesday, August 26, 2008 3:32 PM
To: 'John Borden'
Subject: Templates for T-10450

Attachments: 10450-rr-51801-xxxx-template.doc; 10450-dpd-cov-approve-template.doc; 10450-dpd-cov-deny-template.doc; 10450-dpd-template.doc; 10450-pd-cov-template.doc; 10450-pd-notice-template.doc; 10450-RA Review checklist.doc; 10450-rr-51799-xxxx-template.doc; supplemental-lang.dot; Contact List.dot; DeficLet.dot



10450-rr-51801-xx 10450-dpd-cov-app 10450-dpd-cov-den 10450-dpd-templat 10450-pd-cov-temp 10450-pd-notice-te 10450-RA Review
xxx-template.... rove-template... y-template.do... e.doc (215 KB... late.doc (33 ... mplate.doc (... checklist.doc ...



10450-rr-51799-xx supplemental-lang.Contact List.dot (26 DeficLet.dot (27
xxx-template.... dot (169 KB)... KB) KB)

Hi John,

This should be the full set of templates for T-10450. Let me know if I missed anything.

Dorothy

Dorothy I. Pedersen
Transfer Program Advisor
(503) 986-0890
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

UPS Internet Shipping: View/Print Label

1. Print the label(s): Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.

2. Fold the printed label at the dotted line. Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.

3. GETTING YOUR SHIPMENT TO UPS

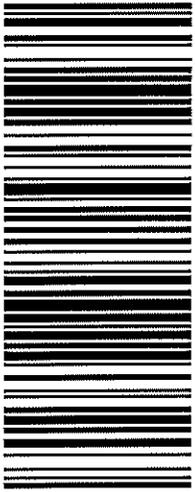
Customers without a Daily Pickup

- Schedule a same day or future day Pickup to have a UPS driver pickup all of your Internet Shipping packages.
- Hand the package to any UPS driver in your area.
- Take your package to any location of The UPS Store®, UPS Drop Box, UPS Customer Center, UPS Alliances (Office Depot® or Staples®) or Authorized Shipping Outlet near you. Items sent via UPS Return ServicesSM (including via Ground) are accepted at Drop Boxes.
- To find the location nearest you, please visit the 'Find Locations' Quick link at ups.com.

Customers with a Daily Pickup

- Your driver will pickup your shipment(s) as usual.

FOLD HERE

<p>LISA PASCHKE 503-986-0900 OR WATER RESOURCES DEPT 725 SUMMER ST NE, STE A SALEM OR 97301</p> <p>SHIP TO: JOHN BORDEN 503-723-4257 BORDEN CONSULTANTS 5597 RIVER STREET WEST LINN OR 97068-3238</p>	<p>OR 970 9-51</p> 	<p>UPS NEXT DAY AIR</p> <p>TRACKING #: 1Z F72 205 01 9534 4490</p> <p>1</p> 	<p>LTR 1 OF 1</p> <p></p> <p>Reference#1: PCA 47125 Reference#2: D. Pedersen 22 copies T-10450 <small>© 2008 UPS 10.5.18. 78.0A.04.2008</small></p> <p>BILLING: P/P</p>
--	---	--	--

September 26, 2008

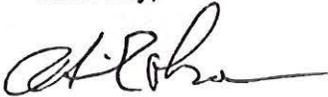
Washington Mutual
Consumer Lending Support Correspondence

Regarding Loan Number(s): 626198055 and 626198295

To whom it may concern,

We are in the process of applying for a water right transfer involving Yamhill County Tax Lot 5433-500. We are relocating a portion of our water rights on our property to better utilize our land and water. This letter of notification to you is intended to satisfy the Oregon Water Resources Department notification requirement.

Sincerely,



Philip Olson

CC: Don Knauer, Oregon Certified Water Rights Examiner
File

RECEIVED

OCT 03 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

OCT 3 2008

Shipping Checklist for Reimbursement Authority File

File T- 10450 Applicant: Phillip Olson

Agent/Contact: Don Krauer

Ship to Contractor: John Borden

Items included:

- Copy of front of file folder
- Reimbursement Authority Estimate Application
- Transfer Application form
- Transfer map
- Evidence of use affidavit
- Supporting documentation for evidence of use
- Land-use Information form
- Lot book report (or deed if instream or temporary transfer, or application received before 7/1/03) - *ask for in DPD cover letter*
- Certificate or copy of decree for each right to be transferred
- Final Proof map or decree map for each right to be transferred
- Well logs (if change in POA, SW POD-to-GW POA change)
- Watermaster review (all transfers)
- ODFW review (if change in POD)
- GW review (if Δ POA, or POD-to-POA change)
- Transfer review checklist - *will email later*
- Final Deliverable cover sheet
- Itemized Estimate sheet for contractor

Additional things to check:

- All regular application processing fees paid
- Reimbursement Authority \$125 fee paid for preparing estimate
- Date of WRD initial Public Notice 9/4/07

Number of sheets copied 22

File contents copied by Lisa Paschke Date 7/14/08

**Reimbursement Authority Process
Itemized Estimate Sheet
for
Water Rights Transfer**

Application Number T-10450
Name of Applicant: Phillip Olson

Proposed Timeline

9/4/07	Public Notice (start of 30-day comment period).
9/4/08	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
10/9/08	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 working days after DPD comments received	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

For purposes of water right transfers, all deliverables must be in Microsoft Word except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.

Estimate

	Item	Time
1	Review of application for completeness.	
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	
Total Estimated Time:		

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: John Borden Consulting

Authorized Representative: _____ Date: _____

**Reimbursement Authority
Final Deliverables Cover Sheet
for
Transfers**

Transfer # T-10450

Applicant: Phillip Olson

The following items have been submitted electronically*:

- Contact List
- Draft Preliminary Determination (DPD)
- DPD Cover Letter
- PD Notice
- PD Cover Letter
- Remaining Right Certificates (one for each right that is not entirely affected by the transfer)
- Instream Water Right Certificate (if required)

***NOTE:** Transfer documents should be submitted in MS Word format preferably, or "rich text" format.

The following items are enclosed:

- Review checklist
- Marked copy of transfer application
- (for POU changes) Plat Card Report marked to indicate any other rights on the "From" lands
- (for POU changes) Plat Card Report marked to indicate rights overlapping proposed POU
- Notes or sketches, maps, etc. from evaluation of changes, injury evaluation, etc. that will help document what was considered in reaching the findings and determination in the Preliminary Determination.
- Copies of each certificate that is only partially included in the transfer, marked as needed to show what portion of the right is being affected, and what remains unchanged.
- Signature of Contractor: _____ Date: _____

For WRD use only:

WRD approval by: _____ Date: _____

**WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

R09161 09

House Bill 2551 (2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: (check one):

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Transfer Application	T-10450
<input type="checkbox"/>	Certificate Request	

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	PHILIP OLSON	DON KNOWER
Address:	23725 SE OLD BETHEL RD AMITY OREGON 97101-2601	PO BOX 5416 SALEM OREGON 97304
Phone:	503-835-0504	503-585-8474
Fax:		
E-Mail Address:		

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within one (1) business day.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.

I certify that I am the (check one) Applicant Applicant's Representative Other (Please specify) _____

Signature:  Name: PHILIP OLSON

OWRD USE ONLY

Contractor Assigned:	<u>Borden</u>	Total Amount Paid: \$	<u>125.00</u>
OWRD Approval:			