

Regular

Name Bente KongsoreAddress PO Box 459
Creswell, OR 97426
bentkongsore@gmail.comChange in POU, PODDate Filed 8-24-2022Initial notice date 9-13-2022

DPD issued date _____

PD issued date 7-21-2025PD notice date 7-22-2025Date of FO 11/6/2025 Vol 138 Page 12-16

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

Assignments: _____

Irrigation District _____

Agent Will McGill — willmcgill.surveying@gmail.com

CWRE _____

CC's list Lane County

DESCRIPTION OF WATER RIGHT(s)

Name of Stream Camas Swale Creek ; A ReservoirTrib. of Coast Fork Willamette River ; Camas Swale CreekUse Irrigation County Lane

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

Name of ditch _____

App# S-45207 Per # S-33772 Cert # 51276 PR Date 7/22/1968

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

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

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

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

FEES PAID

Date	Amount	Receipt #
8-24-2022	\$2,450.00	138984

FEES REFUNDED

Date	Amount	Receipt #
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☐ - Oversized map - Location _____

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 # 145614

INVOICE # _____

RECEIVED FROM: Will McBill Surveying, LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14/080

CASH: ☐ CHECK:# ☒ 2433 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 99.41

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	46118	\$
0207	OTHER:	(IDENTIFY) Newspaper Notice	\$ 99.41
0243	I/S Lease	_____	
0244	Muni Water Mgmt. Plan	_____	
0245	Cons. Water	_____	

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY) _____	\$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$
0240	EXTENSION OF TIME	\$
WATER RIGHTS:		EXAM FEE
0201	SURFACE WATER	\$
0203	GROUND WATER	\$
0205	TRANSFER	\$
WELL CONSTRUCTION		EXAM FEE
0218	WELL DRILL CONSTRUCTOR	\$
LANDOWNER'S PERMIT		RECORD FEE
		0202 \$
		0204 \$
OTHER (IDENTIFY) _____		LICENSE FEE
		0219 \$
		0220 \$

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND	TITLE	
OBJ. CODE	VENDOR #	
DESCRIPTION		\$

RECEIVED
OVER THE COUNTER

RECEIPT:

145614

DATED: 7-14-2025 BY: Emily M...

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

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **138984** 725 Summer St. N.E. Ste. A SALEM, OR 97301-4172 INVOICE # _____
(503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: <u>Will Mc Gill Surveying</u>	APPLICATION	
BY: <u>LLC</u>	PERMIT	
	TRANSFER	<u>T-14080</u>

CASH: ☐ CHECK: # 2049 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 2,450.00

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 46110

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

WATER RIGHTS:	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$ _____	0202	\$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	<u>\$2,450.00</u>		
WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
LANDOWNER'S PERMIT		0220	\$ _____

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **138984** DATED: 8.24.2022 BY: [Signature]

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING CHANGES IN
T-14080, Lane County	)	POINT OF DIVERSION AND PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish 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. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

BENTE KONGSORE
PO BOX 459
CRESWELL, OR 97426

Findings of Fact

1. On August 24, 2022, BENTE KONGSORE filed an application to change the point of diversion and the place of use under Certificate 51276. The Department assigned the application number T-14080.
2. Notice of the application for transfer was published on September 13, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On August 12, 2024, the Department sent the applicant a draft Preliminary Determination to approve Transfer Application T-14080. The cover letter accompanying the draft Preliminary Determination established a deadline of September 12, 2024, for the applicant to respond and submit the required information. The applicant subsequently requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate authorization to pursue the transfer.

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.

4. On July 21, 2025, the Department issued a Preliminary Determination proposing to approve Transfer T-14080 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 July 22, 2025, and in the Creswell Chronicle newspaper on July 31 and August 6, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 51276 in the name of KENT AND BRYCE OLSEN (perfected under Permit S-33772)

Use: IRRIGATION OF 19.7 ACRES

Priority Date: JULY 22, 1968

Rate: 0.24 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, 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 No. R-5337.

Source: CAMAS SWALE CREEK and RESERVOIR, constructed under Permit R-5337, a tributary of COAST FORK WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
19 S	4 W	WM	13	NW NW	41	POD 1 AND RESERVOIR - 80 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Changes
19 S	4 W	WM	11	SE SE	0.66	POU/POD
19 S	4 W	WM	11	SE SE	6.34	POD
19 S	4 W	WM	14	NE NE	12.70	POD
TOTAL					19.70	

6. Transfer Application T-14080 proposes to move the authorized point of diversion approximately 1,700 feet downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
19 S	4 W	WM	14	NE NE	POD 2 - 670 FEET SOUTH AND 645 FEET WEST FROM THE NW CORNER OF SECTION 13

7. Transfer Application T-14080 also proposes to change the place of use for a portion of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
19 S	4 W	WM	11	SE SE	0.66

8. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion, and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2), 690-380-2110(2) and OAR 690-380-2200]

9. Water has been used within the five-year period prior to submittal of Transfer Application T-14080 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14080.
11. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
12. The proposed point of diversion diverts water from the same source of surface water as the authorized point of diversion, as required by OAR 690-380-2110(2).
13. The proposed changes, as conditioned, would not result in enlargement of the right.
14. The proposed changes, as conditioned, would not result in injury to other existing water rights.
15. All other application requirements are met.

Conclusions of Law

The changes in point of diversion and place of use proposed in Transfer Application T-14080 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

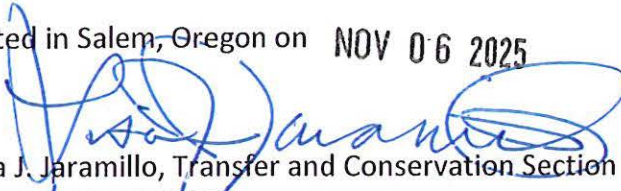
1. The changes in point of diversion and place of use proposed in Transfer Application T-14080 are approved.

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 Certificate 51276 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of diversion or the new place of use.
4. Water right Certificate 51276 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
5. The quantity of water diverted at the new point of diversion (POD 2) shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).
6. Water shall be acquired from the same source of surface water as the original point of diversion.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. Water Use Measurement Conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
9. Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

10. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
11. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **NOV 06 2025**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing Date: NOV 07 2025

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENT AND BRYCE OLSEN
30714 E CAMAS SWALE RD
CRESWELL, OR 97426

confirms the right to use the waters of CAMAS SWALE CREEK and RESERVOIR, constructed under Permit R-5337, a tributary of COAST FORK WILLAMETTE RIVER for IRRIGATION of 30.3 ACRES.

This right was perfected under Permit S-33772. The date of priority is JULY 22, 1968. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.38 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
19 S	4 W	WM	13	NW NW	41	80 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF SECTION 13

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 No. R-5337 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:

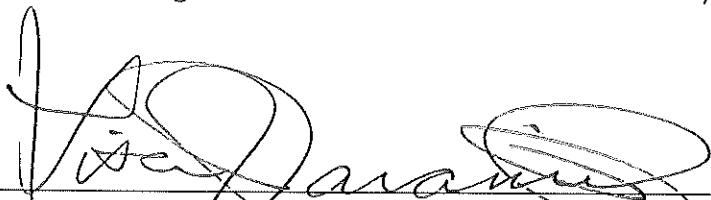
IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
19 S	4 W	WM	12	SW SW	41	10.9
19 S	4 W	WM	13	NW NW	41	19.4
TOTAL						30.3

This certificate describes that portion of water right Certificate 51276, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 13 2025, approving Transfer Application T-14080.

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 and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed NOV 13 2025.

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", is written over a horizontal line.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department



Oregon

Tina Koteck, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

November 6, 2025

Bente Kongsore
PO BOX 459
Creswell, OR 97426

REFERENCE: Transfer Application T-14080

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 your caseworker, Elyse Hennen, by telephone at (971) 701-5485 or by e-mail at Elyse.d.hennen@water.oregon.gov.

Sincerely,

David V. Jones Jr
Water Rights Services Support
Transfers and Conservation Section

cc: Lanaya F. Blakely, Watermaster Dist. # 2 (via email)
William E. McGill, Agent
Lane County Planning and Zoning, Local Government

Enclosure

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14080

Transfer Type: Regular Transfer

Transfer Specialist: *Elyse*
(previously Kim)

Applicant: BENTE KONGSORE PO BOX 459 CRESWELL, OR 97426 Email: <i>bentkongsore@gmail.com</i> Phone:	Agent: ☐ N/A WILLIAM E. MCGILL 15333 PLETZER RD SE TURNER, OR 97392 Email: <i>willmcgillsurveying@gmail.com</i> Phone:
Irrigation District: ☐ N/A Email:	CWRE: ☐ N/A Email:
Affected Local Gov'ts: ☐ N/A Lane County Email:	Affected Tribal Gov't: ☐ N/A UNAVAILABLE Email:
Current Landowner if other than Applicant: ☐ N/A Email:	Receiving Landowner: ☐ N/A Email:

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	S-45207	S-33772	51276	☒ Yes ☐ No	97288
☐				☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions:

Rec'd: August 24, 2022	Proposed Action(s): POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 2450.00	WM District: 2	ODFW District:
Initial Public Notice: September 13, 2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent ☒		GW Review sent: ☐ N/A
County sent cc: of Ack Letter ☒	BOR notified (date): ☐ N/A	
Newspaper quote requested: <i>\$99.41</i>	Request for news \$ sent:	News \$ received: 7/14/25
Request to publish sent:	Affidavit of publication received:	Last day of publication: 8/6/25

Newspaper — Cottage Grove Sentinel

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: <i>6/30/25</i> Initials: <i>Elyse</i>	Date: <i>7-2-25</i> Initials: <i>Jan</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: <i>7-21-25</i>
FO	Date: <i>9/5/25</i> Initials: <i>Elyse</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: <i>11/6/2025</i>

Special Issues: *Sent for review 7/2/25 JS*

Special Order Volume: Vol. *138* Pages *12-16*

**AFFIDAVIT
OF
PUBLICATION**

COUNTY OF LANE
STATE OF OREGON SS.

I, Austin Patterson, being first duly sworn, depose and say that I am a Clerk of the Cottage Grove Sentinel, a newspaper of general circulation, as defined by sections ORS 193.010 and 193.020, printed and published in the aforesaid county and state; that the

Notice of Preliminary Determination
for Water Right Transfer T-14080

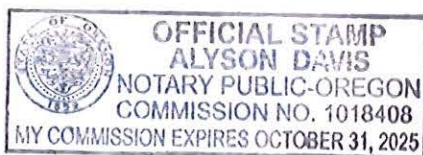
Was published 2 (two) successive
and consecutive week(s) in the
following issues:

July 30, 2025
August 6, 2025

Austin Patterson

Subscribed and sworn before me
this

6th day of August 2025



CGS25-158

Notice of Preliminary
Determination for Water Right
Transfer T-14080 T-14080
filed by Bente Kongsore,
PO Box 459, Creswell, OR
97426, proposes a point of
diversion and place of use
change under Certificate
51276. The right allows the
use of 0.24 cubic foot per
second from Camas Swale
Creek and a reservoir, con-
structed under Permit R-5337
in Sec. 13, T19S, R4W, WM
for irrigation in Sects. 11, and
14, T19S, R4W, WM. The
applicant proposes to move
the point of diversion to Sec.
14, T19S, R4W, WM and
to change the place of use
within Sec. 11, T19S, R4W,
WM. The Water Resources
Department proposes to
approve the transfer, based
on the requirements of ORS
Chapter 540 and OAR 690-
380-5000. Any person may
file, jointly or severally, a
protest or standing statement
within 30 days after the last
date of newspaper publication
of this notice, 08/06/2025.
Call (503) 986-0935 to obtain
additional information. If
no protests are filed, the
Department will issue a final
order consistent with the pre-
liminary determination

Received
OCT 17 2025
OWRD



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

July 21, 2025

VIA CERTIFIED MAIL AND E-MAIL

BENTE KONGSORE
PO BOX 459
CRESWELL, OR 97426

SUBJECT: Water Right Transfer Application T-14080

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14080. 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 and in the Creswell Chronicle newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a 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. The protest period will end 30 days after the last date of newspaper publication.

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 don't hesitate to contact me at 971-701-5485 or at elyse.d.richman@water.oregon.gov Richman., if I may be of assistance.

Sincerely,

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14080
Lanaya F. Blakely, District 2 Watermaster (*via e-mail*)
William E. McGill, Agent for the applicant (*via e-mail*)

encs

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-14080, Lane County	)	PROPOSING APPROVAL OF CHANGES IN
	)	POINT OF DIVERSION AND PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish 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. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

BENTE KONGSORE
PO BOX 459
CRESWELL, OR 97426

Findings of Fact

1. On August 24, 2022, BENTE KONGSORE filed an application to change the point of diversion and the place of use under Certificate 51276. The Department assigned the application number T-14080.
2. Notice of the application for transfer was published on September 13, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On August 12, 2024, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14080. The draft Preliminary Determination cover letter provided a deadline of September 12, 2024, for the applicant to respond and submit the required information. 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.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.

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

Certificate: 51276 in the name of KENT AND BRYCE OLSEN (perfected under Permit S-33772)
Use: IRRIGATION OF 19.7 ACRES
Priority Date: JULY 22, 1968
Rate: 0.24 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, 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 No. R-5337.
Source: CAMAS SWALE CREEK and RESERVOIR, constructed under Permit R-5337, a tributary of COAST FORK WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
19 S	4 W	WM	13	NW NW	41	POD 1 AND RESERVOIR - 80 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Changes
19 S	4 W	WM	11	SE SE	0.66	POU/POD
19 S	4 W	WM	11	SE SE	6.34	POD
19 S	4 W	WM	14	NE NE	12.70	POD
TOTAL					19.70	

5. Transfer Application T-14080 proposes to move the authorized point of diversion approximately 1,700 feet downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
19 S	4 W	WM	14	NE NE	POD 2 - 670 FEET SOUTH AND 645 FEET WEST FROM THE NW CORNER OF SECTION 13

6. Transfer Application T-14080 also proposes to change the place of use for a portion of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
19 S	4 W	WM	11	SE SE	0.66

7. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion, and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2), 690-380-2110(2) and OAR 690-380-2200]

8. Water has been used within the five-year period prior to submittal of Transfer Application T-14080 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14080.
10. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
11. The proposed point of diversion diverts water from the same source of surface water as the authorized point of diversion, as required by OAR 690-380-2110(2).
12. The proposed changes, as conditioned, would not result in enlargement of the right.
13. The proposed changes, as conditioned, would not result in injury to other existing water rights.
14. All other application requirements are met.

Determination and Proposed Action

The changes in point of diversion and place of use proposed in Transfer Application T-14080 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 transfer application will be approved.

If Transfer Application T-14080 is approved, the final order will include the following:

1. *The changes in point of diversion and place of use proposed in Transfer Application T-14080 are 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 Certificate 51276 and any related decree.*

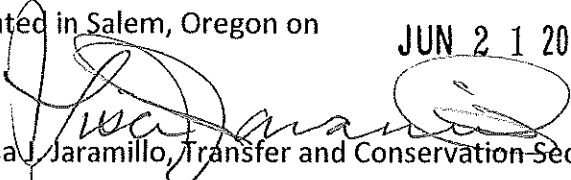
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of diversion or the new place of use.*
4. *Water right Certificate 51276 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
5. *The quantity of water diverted at the new point of diversion (POD 2) shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).*
6. *Water shall be acquired from the same source of surface water as the original point of diversion.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Water Use Measurement Conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
9. *Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.*

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

10. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
11. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

JUN 21 2025


Lisa Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Elyse Richman. If you have questions about the information in this document, you may reach me at 971-701-5485 or at elyse.d.richman@water.oregon.gov.

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the

Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;

- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of

receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.



T-14080



STATUS OF RECORD TITLE REPORT

MCGILL WATER RIGHTS
ATTN: GRANT MCGILL
15333 PLETZER RD. SE
TURNER, OR 97392

Date: AUGUST 21, 2024
Our No: CT-0344924
Your No: T-14080
Charge: \$300.00

As requested, Cascade Title Co. has searched our tract indices as to the following described real property:

(A T T A C H E D)

and as of: AUGUST 09, 2024 at 8:00 A.M., we find the following:

Vestee:

BENTE KONGSORE

Said property is subject to the following on record matters:

1. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2024-2025.
2. Potential additional taxes by reason of postponement of payments upon removal from farm deferral in 2010, as disclosed by the Lane County tax roll, in the amount of \$3,363.57. (Account No. 1782702)
3. Potential additional taxes by reason of postponement of payments upon removal from farm deferral in 2010, as disclosed by the Lane County tax roll, in the amount of \$4,318.83. (Account No. 1631702)
4. Potential additional taxes by reason of postponement of payments upon removal from farm deferral in 2010, as disclosed by the Lane County tax roll, in the amount of \$469.05. (Account No. 1631710)
5. As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
6. Rights of the public and governmental bodies in and to any portion of the premises herein described now or at any time lying below high water mark of the Camas Swale Creek, including any ownership rights which may be claimed by the State of Oregon as to any portion now or at any time lying below the high water mark.

MAIN OFFICE

675 OAK STREET, SUITE 100
EUGENE, OREGON 97401
PH: (541) 687-2233 * FAX: (541) 485-0307

FLORENCE OFFICE

715 HWY 101 * FLORENCE, OREGON 97439
MAILING: PO BOX 508 * FLORENCE, OREGON 97439
PH: (541) 997-8417 * FAX: (541) 997-8246

VILLAGE PLAZA OFFICE

4750 VILLAGE PLAZA LOOP, SUITE 100
EUGENE, OREGON 97401
PH: (541) 653-8622 * FAX: (541) 844-1626

7. Any claim based upon the assertion that:
Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Camas Swale Creek.
Some portion of said land has been created by artificial means or has accreted to such portion so created.
Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Camas Swale Creek, or has been formed by an accretion to any such portion.
8. Right of way, including the terms and provisions thereof, granted Reese Wingard and Irma Wingard, by deed recorded December 26, 1947, Reception No. B363 P256, Lane County Oregon Deed Records.
9. Power line easement, including the terms and provisions thereof, granted to United States of America, by instrument recorded September 24, 1941, Reception No. B221 P459, Lane County Oregon Deed Records.
10. Guy wire and anchor easement, including the terms and provisions thereof, along the Northerly line of the County Road, granted to the United States of America, by instrument recorded August 21, 1942, Reception No. B235 P213, Lane County Oregon Deed Records.
11. Perpetual roadway easement, including the terms and provisions thereof, as conveyed to International Paper Co., by deed recorded April 14, 1970, Reception No. 1970-002592, Lane County Official Records.
12. A 60 foot roadway easement conveyed to Gary Bryce Olsen and Karen Anne Olsen by instrument recorded October 31, 1978, Reception No. 1978-072660, Lane County Official Records.
13. Terms and provisions of that certain agreement between Murrel Kent Olsen, et ux, and Gary Bryce Olsen, et ux, recorded March 10, 1981, Reception No. 1981-010456, Lane County Official Records.
14. Grant of Easement and Maintenance Agreement, including the terms and provisions thereof, recorded February 24, 1984, Reception No. 1984-007557, Lane County Official Records.
15. Right-of-Way Easement - Electric Line, including the terms and provisions thereof, granted the Lane Electric Cooperative, Inc., a cooperative association, by instrument recorded July 15, 1985, Reception No. 1985-024589, Lane County Official Records.
16. Right-of-Way Easement - Electric Line, including the terms and provisions thereof, granted the Lane Electric Cooperative, Inc., a cooperative association, by instrument recorded February 14, 1986, Reception No. 1986-006103, Lane County Official Records.
17. Easement as disclosed in Statutory Warranty Deed, including the terms and provisions thereof, between Juergen Gruner and Christa C. Gruner, and Duane A. Gerlach and Barbara L. Gerlach, recorded February 3, 1994, Reception No. 1994-008505, Lane County Official Records.
18. Farm Use and Forest Management Easement, including the terms and provisions thereof, recorded September 16, 2014, Reception No. 2014-036400, Lane County Deeds and Records.

19. Declaration of Covenants, Conditions and Restrictions, including the terms and provisions thereof, recorded September 16, 2014, Reception No. [2014-036401](#), Lane County Deeds and Records.
20. Electric Line Right-of-Way Easement, including the terms and provisions thereof, granted the Lane Electric Cooperative, Inc., a cooperative association, by instrument recorded September 26, 2014, Reception No. [2014-038128](#), Lane County Deeds and Records.
21. Guest House Covenant, including the terms and provisions thereof, recorded November 4, 2014, Reception No. [2014-043694](#), Lane County Deeds and Records.
22. Lane County Agricultural Building/Equine Facility Use Covenant, including the terms and provisions thereof, recorded September 13, 2017, Reception No. [2017-045418](#), Lane County Deeds and Records.

NOTE: The property address as shown on the Assessor's Roll is:

30709 Camas Swale Road
Creswell, OR 97426

NOTE: Taxes, Account No. 1872702, Assessor's Map No. [19 04 11 0 0, #108](#), Code 40-01, 2023-2024, in the amount of \$963.31, PAID IN FULL.

Taxes, Account No. 1631702, Assessor's Map No. [19 04 11 0 0, #108](#), Code 40-03, 2023-2024, in the amount of \$5,365.53, PAID IN FULL.

Taxes, Account No. 1631710, Assessor's Map No. [19 04 14 0 0, #1300](#), Code 40-01, 2023-2024, in the amount of \$132.19, PAID IN FULL.

This report is to be utilized for information only. This report is not to be used as a basis for transferring, encumbering or foreclosing the real property described.

The liability of Cascade Title Co. is limited to the addressee and shall not exceed the premium paid hereunder.

CASCADE TITLE CO., by:

rh: Title Officer: KURT BEATY

PROPERTY DESCRIPTION

PARCEL I:

The East 1/2 of the Northeast 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4, all in Section 11, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon.

PARCEL II:

The Northeast 1/4 of the Northeast 1/4 in Section 14, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon.

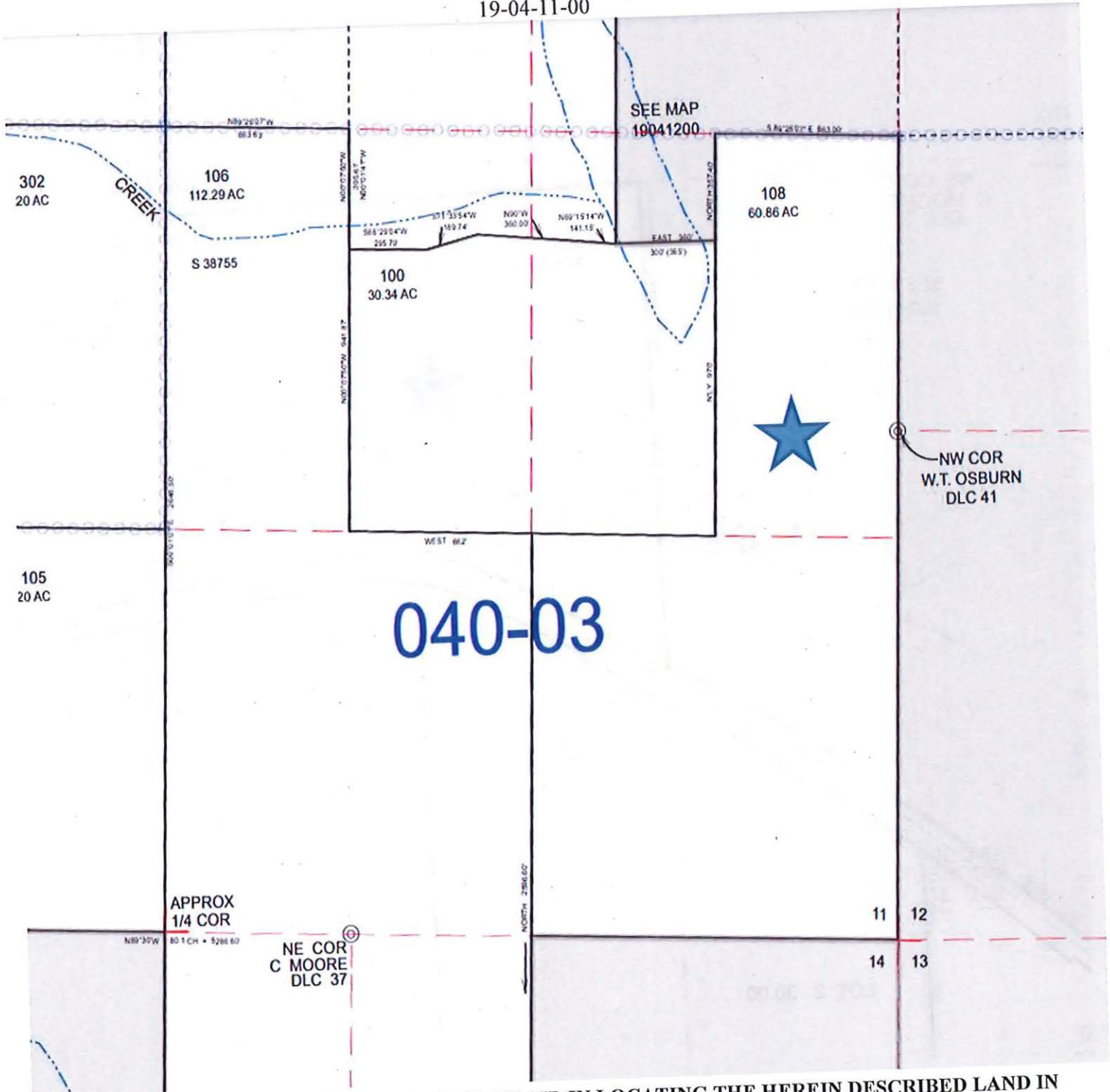
EXCEPTING that part within County Road No. 695, in Lane County, Oregon.

ALSO EXCEPT THEREFROM any portion lying South of Camas Swale Road (County Road 695), in Lane County, Oregon.

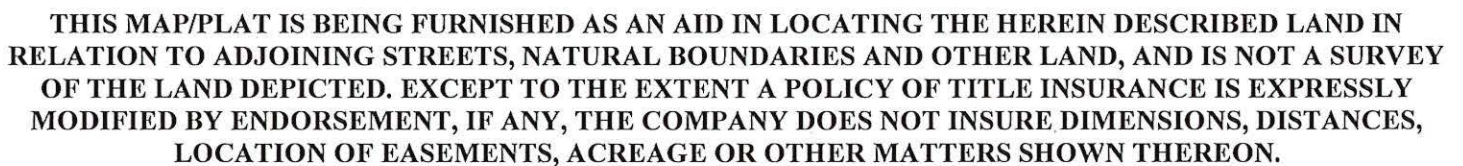
CTC

CASCADE TITLE CO.

MAP NO.
19-04-11-00



THIS MAP/PLAT IS BEING FURNISHED AS AN AID IN LOCATING THE HEREIN DESCRIBED LAND IN RELATION TO ADJOINING STREETS, NATURAL BOUNDARIES AND OTHER LAND, AND IS NOT A SURVEY OF THE LAND DEPICTED. EXCEPT TO THE EXTENT A POLICY OF TITLE INSURANCE IS EXPRESSLY MODIFIED BY ENDORSEMENT, IF ANY, THE COMPANY DOES NOT INSURE DIMENSIONS, DISTANCES, LOCATION OF EASEMENTS, ACREAGE OR OTHER MATTERS SHOWN THEREON.



TRANSMISSION LINE EASEMENT

FOR AND IN CONSIDERATION of the sum of One Hundred (\$100.00) Dollars, in hand paid, receipt of which is hereby acknowledged, we, RILEY THOMSON and HELEN A. THOMSON, husband and wife, have granted, bargained, and sold and by these presents do hereby grant, bargain, sell, and convey unto the UNITED STATES OF AMERICA and its assigns the permanent right to construct, operate, suspend, maintain and/or replace an electric transmission line over and across that portion of the NE₁ NE₂ of Section 14, Township 19 South, Range 4 West, W.M., Lane County, Oregon, abutting on the southerly side of the William Hagar County Road No. 695 as said transmission line is now located and staked on the ground over, across and upon the above property. No poles or structures shall be located on said property. The center line of said transmission line is particularly described as follows:

Beginning at survey station 672+15.2, a point on the east line of the Caleb Moore D.L.C. No. 37 in Section 14, Township 19 South, Range 4 West, W.M., said point being N. 0° 11' E. a distance of 1008.5 feet from the southeast corner of said Caleb Moore D.L.C. No. 37; thence N. 59° 57' E. a distance of 20.2 feet to survey station 672+35.4; thence N. 49° 35' E. a distance of 376.3 feet to survey station 676+11.7; thence N. 51° 15' E. a distance of 254.8 feet to survey station 678+66.5 back equals 679+76.5 ahead; thence continuing N. 51° 15' E. a distance of 733.6 feet to survey station 687+10.1; thence N. 60° 29' E. a distance of 618.2 feet to survey station 693+28.3; thence N. 55° 50' E. a distance of 588.2 feet to survey station 699+16.5, a point in and near the northerly right-of-way line of the William Hagar County Road No. 695, said point being 781.4 feet south and 2090.2 feet east of the quarter section corner on the north line of said Section 14.

Also the right to cut, trim, or remove all trees and brush interfering with the construction, operation, and maintenance of said transmission line; and the right to keep the area under said transmission line clear of all obstructions as necessary to maintain the minimum clearances required by the National Electric Safety Code.

The center line of said transmission line crosses over the above-described property for a length of 170 feet, more or less.

Also the permanent right to construct, use, improve, maintain and replace an anchor and guys on the southerly side of the William Hagar County Road No. 695 in Lot 2 of Section 14, Township 19 South, Range 4 West, W.M., Lane County, Oregon, for an electric transmission line structure at survey station 672+35.4, on the Eugene-Cottage Grove-Drain transmission line, said anchor to be located approximately S. 35° E. a distance of approximately 15 feet from said structure; also the right to construct, use, improve, maintain and replace such additional guys and anchors as may be necessary or convenient between the above-described anchor and said structure.

Also the permanent right to construct, use, improve, maintain and replace an anchor and guys on the northerly side of the William Hagar County Road No. 695 in Lot 2 of Section 14, Township 19 South, Range 4 West, W.M., Lane County, Oregon, for an electric transmission line structure at survey station 687+10.1 on the Eugene-Cottage Grove-Drain transmission line, said anchor to be located approximately N. 34° W. a distance of approximately 25 feet from said structure; and such additional guys and anchors as may be necessary or convenient between the above-described anchor and said structure.

Also the permanent right to construct, use, improve, maintain, and replace an anchor and guys on the southerly side of the William Hagar County Road No. 695 in the NE₁ NE₂ of Section 14, Township 19 South, Range 4 West, W.M., Lane County, Oregon, for an electric transmission line structure at survey station 693+28.3 on the Eugene-Cottage Grove-Drain transmission line, said anchor to be located approximately S. 32° E. from said structure, and approximately 14 feet distant southeasterly from the southeasterly right-of-way line of said county road; and such additional guys and anchors as may be necessary or convenient between the above-described anchor and said structure.

BOOK 228 PAGE 490

Also the permanent right to construct, use, improve, maintain, and replace an anchor and guys on the northerly side of the William Hagar County Road No. 695 in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, Township 19 South, Range 4 West, W.M., Lane County, Oregon, for an electric transmission line structure at survey station 699+16.5 on the Eugene-Cottage Grove-Drain transmission line, said anchor to be located approximately N. 6° W. a distance of approximately 30 feet from said structure; and such additional guys and anchors as may be necessary or convenient between the above-described anchor and said structure.

Also the permanent right to construct, use, improve, maintain, and replace an anchor and guys on the southerly side of the William Hagar County Road No. 695 in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, Township 19 South, Range 4 West, W.M., Lane County, Oregon, for an electric transmission line structure at survey station 704+64.5 on the Eugene-Cottage Grove-Drain transmission line, said anchor to be located approximately S. 15° W. from said structure, and approximately 13 feet distant southwesterly from the southwesterly right-of-way line of said county road; and such additional guys and anchors as may be necessary or convenient between the above-described anchor and said structure.

TO HAVE AND TO HOLD the said easements and rights-of-way unto the UNITED STATES OF AMERICA and its assigns, forever.

It is further understood and agreed by the undersigned that the payment of such purchase price is accepted as full compensation for all damages incidental to the exercise of any of the rights above described.

We covenant with the UNITED STATES OF AMERICA that we are lawfully seized and possessed of the lands aforesaid; have a good and lawful right and power to sell and convey the same; that the same are free and clear of all encumbrances, except as above noted, and that we will forever warrant and defend the title thereto and quiet possession thereof against the lawful claims of all persons whomsoever.

Dated this 20 day of August, 1941.

Riley Thomson
Riley Thomson

Helen A. Thomson
Helen A. Thomson

STATE OF OREGON
County of Lane

BOOK 156, PAGE 101

On the 20 day of August, 1941, personally came before me, a notary public in and for said County and State, the within named

RILEY THOMSON and HELEN A. THOMSON, husband and wife,

to me personally known to be the identical persons described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

(SEAL)

Richard H. Kneeland
Notary Public in and for the
State of Oregon
Residing at

My commission expires:

TRANSMISSION LINE EASEMENT

Riley Thomson and Helen A. Thomson, husband and wife,

To

UNITED STATES OF AMERICA

State of Oregon
County of Lane—ss
I, W. J. Hibbard, County Clerk and ex officio Recorder of Clatsop, Clatskanie, Tillamook and Clatskanie Counties, do hereby certify that the within instrument was received for record at



Page 2

By _____
In Presence of _____
Latter of _____
By _____
By _____

Return to:

Harding H. Kneeland
Bonneville Power Administration
604 Odd Fellows Building
Portland, Oregon

20

BPA-142 (12/20/41) (For use with offer form BPA-483)

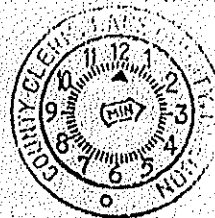
GUY AND ANCHOR EASEMENT DEED

FOR AND IN CONSIDERATION of the sum of Ten - - - - -
 - - - - - Dollars (\$ 10.00), in hand paid, receipt of which is hereby
 acknowledged, We, Wilbur L. Rayburn and Iva B. Rayburn, husband and wife

have granted, bargained, and sold and by these presents do hereby grant, bargain,
 sell, and convey unto the UNITED STATES OF AMERICA and its assigns, a perpetual
 easement and the right in perpetuity to construct, reconstruct, operate, inspect,
 maintain or remove an additional anchor and guys on the northerly side of the
 William Hagar County Road No. 695 in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 14, Township
 19 South, Range 4 West of the Willamette Meridian, Lane County, Oregon, for an
 electric transmission line structure at survey station 699+16.5 on the Eugene-
 Cottage Grove-Drain transmission line, said anchor to be located approximately
 N. 6° W. a distance of approximately 50 feet from said survey station 699+16.5,

FILED FOR RECORD
 W. B. DILLARD, CO. CLERK
 BY Helen Lorensen
 DEPUTY

112913



AUG 21 1942 PM

together with the right of ingress and egress to and from said property in connec-
 tion with said rights and to top or fell and remove trees and brush interfering
 with the exercise of said right.

TO HAVE AND TO HOLD the said easement unto the UNITED STATES OF AMERICA and
 its assigns, forever.

It is further understood and agreed by the undersigned that the payment of such
 purchase price is accepted as full compensation for all damages incidental to the
 exercise of any of the rights above described.

We covenant with the UNITED STATES OF AMERICA that we are lawfully seized
 and possessed of the lands aforesaid; have a good and lawful right and power to sell
 and convey the same; that the same are free and clear of all encumbrances, except as
 above noted, and that we will forever warrant and defend the title to the interest
 conveyed herein and quiet possession thereof against the lawful claims of all
 persons whomsoever.

DATED this 11 day of June, 1942.

WITNESSES:

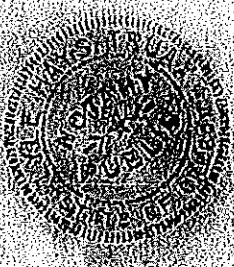
Wilbur L. Rayburn
 Wilbur L. Rayburn
Iva B. Rayburn
 Iva B. Rayburn

STATE OF OREGON)
) ss
County of Lane)

On the 11 day of June, 1944, personally came before me, a notary public in and for said County and State, the within named Wilbur L. Rayburn and Iva B. Rayburn, husband and wife

to me personally known to be the identical persons described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.



Lytle Hays Trueman
Notary Public in and for the
State of Oregon
Residing at *Portland*

My commission expires:

Feb. 20, 1946

THIS AGREEMENT, entered into between Roy M. Crawford and Stella May Crawford, husband and wife, for brevity hereinafter called "Crawfords", and Reeno Wingard and Irma Wingard, husband and wife, for brevity hereinafter called "Wingards".

WITNESSETH: Crawfords own all of the Northeast quarter of Section 14, north of the County Road, and all of Section 11 except that part owned by the United States Government and the Wingards, and a small portion of the Southwest Quarter owned by Edmundson and Hickenbottom, and also, Crawfords own the South One Half of the Northeast quarter of Section 10, all of said above described land being in Township 19 South, Range 4 West of the Willamette Meridian, Lane County, Oregon.

Wingards own the Northeast Quarter of the Northeast Quarter of Section 10, Township 19 South, Range 4 West of the Willamette Meridian, and also, Wingards own the following described land, to-wit: Beginning at a point 43 and one third chains, east, from the southwest corner of the Southeast quarter of Section ten, on the line between Sections 11 and 14 in Township 19 South of Range Four west of the Willamette Meridian, thence east 21 and two thirds chains, thence north 40 chains, thence West 21 and two thirds chains, thence South 40 chains to the place of beginning, containing 86 and two-thirds acres, more or less, in Lane County, Oregon.

Crawfords desire to build and maintain a logging road across their land and across the Wingard land. Wingards desire to remove timber and timber products from their land and across Crawfords' lands, to the County Road.

NOW THEREFORE, in consideration of the right of the Crawfords to use in common with the Wingards the rights of way covered by these presents and for other considerations and values which the Wingards and Crawfords hereby acknowledge they have received coincidentally with the signing of these presents, the said Crawfords do hereby covenant and agree to and with Wingards, and do hereby transfer and grant unto Wingards, a right of way during the period of fifty (50) years, beginning with the date of these presents, along and over a course to be selected by Wingards over and across the above

described lands now owned by Crawfords. And Wingards hereby transfer and grant unto Crawfords a right of way during the period of fifty (50) years, beginning with the date of these presents, along and over a course to be selected by Crawfords, over and across the above described lands now owned by Wingards.

It is agreed that all rights of way granted shall be forty feet in width, provided, however, that if because of any turn, fill or cut in such rights of way a width in excess of forty feet is required, then the said rights of way shall be at all such turns, fills and cuts of whatever width as reasonably necessary for the construction and maintenance of such turns, fills and cuts.

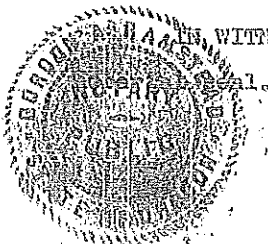
It is understood and agreed that these presents are binding upon and the benefits do and shall accrue to not only the parties hereto but also their respective heirs, legal representatives, successors and assigns.

IN WITNESS WHEREOF the parties hereto have subscribed these presents in duplicate this 24 day of May, 1946.

Reese Wingard
Irma Wingard
Ray M Crawford
Hella May Crawford

STATE OF OREGON)
COUNTY OF LANE) ss.

On this 24 day of May, 1946, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Reese Wingard and Irma Wingard, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.



IN WITNESS WHEREOF, I hereunto set my hand and

Gordon A. Rasmussen
Notary Public for Oregon

My Commission expires: 5-16-49

RECORDED
INDEXED

STATE OF OREGON }
COUNTY OF LANE } ss.

On this 7th day of ~~May~~ ^{June}, 1946, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Roy M. Crawford and Stella May Crawford, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.



Hubert W. Moore
Notary Public for Oregon

My Commission expires:

MY COMMISSION EXPIRES APRIL 3, 1943

Page 3

State of Oregon,
County of Lane—ss.
I, W. B. Dillard, County Clerk and ex-
officio Recorder of Conveyance, in and
for said County, do hereby certify that
the within instrument was received for
record at

1947 DEC 26 AM 10 27

and
Recorded
in Book 525 on Page 256-3

Lane County, D. E. D. Records,
W. B. DILLARD, County Clerk.

By C. S. Ricketts, Deputy.

Have Shoopard
945 Newport
to appear
270

56431

2592

EASEMENT

KNOW-ALL MEN BY THESE PRESENTS, that the Grantors, MURREL KENT OLSEN and LEORA LOUISE OLSEN, husband and wife, and GARY BRYCE OLSEN and E. DAGMAR OLSEN, husband and wife, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, do hereby GRANT and CONVEY to INTERNATIONAL PAPER COMPANY, a New York corporation, GRANTEE, its successors and assigns, a perpetual easement for the following uses and purposes and upon the following terms and conditions:

1. Grantee, its successors, assigns, agents and contractors shall have the non-exclusive right to use the existing road located in the Northwest Quarter of the Southeast Quarter (NW-1/4 SE-1/4), the Southwest Quarter of the Southeast Quarter (SW-1/4 SE-1/4) and the Southeast Quarter of the Southeast Quarter (SE-1/4 SE-1/4) Section 11, T19S, R4W, West of the Willamette Meridian and the Northeast Quarter of the Northeast Quarter (NE-1/4 NE-1/4) Section 14, T19S, R4W, West of the Willamette Meridian. Said road is shown in Red on Exhibit "A" attached hereto.

2. During periods of joint use of said road for heavy hauling, the cost of maintaining the road shall be borne by all users in proportion to their use measured on the basis of the number of feet of logs and equivalent measure of other forest products and equivalent weight of equipment machinery and other heavy materials transported over the road and the length of haul or hauls involved.

3. Grantee's use of said road shall not be exclusive and Grantors reserve for themselves, their heirs, executors, administrators and assigns, the right to use said road.

T19S, R45W, W.M.

US

quarry

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11

11
H

2592

EXHIBIT A

INTERNATIONAL PAPER COMPANY

EXHIBIT "A"

LEGEND

County Road

Private Road

International Paper Company Easement to Olsen

Olsen Perpetual Easement to International Paper Company



2502

4 =

4 =

State of Oregon,
County of Lane —68.

I, D. M. Penfold, Director of the
Department of Records and Elections,
in and for the said County, do hereby
certify that the within instrument was
received for record at

APR 14 70 8 44 53

1970 APR 14 AM 8 54 A

Racel 476.8

Lane County OFFICIAL RECORDS.

D. M. PENFOLD, Director of the
Department of Records & Elections.

By *[Signature]*
Deputy

C29-083-05

Additional paper 1
PO BOX 579
152 Fergusonville, OR 97122

AGREEMENT FOR EASEMENT

THIS AGREEMENT, Made and entered into this 1st day of April, 1977, by and between Murrel Kent Olsen and Leora Louise Olsen, hereinafter called the first party, and Gary Bryce Olsen and Karen Anne Olsen, hereinafter called the second party;

WITNESSETH:

WHEREAS: The first party is the record owner of the following described real estate in _____ County, State of Oregon, to-wit:

The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 14 and The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 11, in Township 19S Range 4W..

H 7 • 3174029 • 0000700

and has the unrestricted right to grant the easement hereinafter described relative to said real estate; NOW, THEREFORE, in view of the premises and in consideration of One Dollar (\$1) by the second party to the first party paid and other valuable considerations, the receipt of all of which hereby is acknowledged by the first party, they agree as follows:

The first party does hereby grant, assign and set over to the second party

A 60 foot easement to use the existing road for ingress and egress from the Gary Bryce Olsen and Karen Anne Olsen Property to the Camas Swale Road #695. Said centerline being more particularly described as commencing at a point approximately 165 ft. North of the SE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 11, thence South 45 E. a distance of 1720 ft. More or less to the Northerly right of way line of the Camas Swale Road #695. The last 500 ft. of said easement turns to a more easterly direction to enter the Camas Swale Road #695.

(Insert here a full description of the nature and type of the easement granted to the second party.)

The second party shall have all rights of ingress and egress to and from said real estate (including the right from time to time, except as hereinafter provided, to cut, trim and remove trees, brush, overhanging branches and other obstructions) necessary for the second party's use, enjoyment, operation and maintenance of the easement hereby granted and all rights and privileges incident thereto.

Except as to the rights herein granted, the first party shall have the full use and control of the above described real estate.

The second party hereby agrees to hold and save the first party harmless from any and all claims of third parties arising from second party's use of the rights herein granted.

The easement described above shall continue for a period of Indefinite, always subject, however, to the following specific conditions, restrictions and considerations:

If a new road of ingress and egress is built and the existing easement is vacated, the easement will revert to the property owner.

If this easement is for a right of way over or across first party's said real estate, the center line of said easement is described as follows:

Same as above described.

and second party's right of way shall be parallel with said center line and not more than 60 feet distant from either side thereof.

7872660

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the immediate parties hereto but also their respective heirs, executors, administrators and successors in interest as well.

In construing this agreement and where the context so requires, words in the singular include the plural; the masculine includes the feminine and the neuter; and generally, all changes shall be made or implied so that this instrument shall apply both to individuals and to corporations.

IN WITNESS WHEREOF, the parties hereto have subscribed this instrument in duplicate on this, the day and year first hereinabove written.

Murrel Kent Olsen
Leora Louise Olsen
Gary Bruce Olsen
Karen Corinne Olsen

(If the above named first party is a corporation, use the form of acknowledgment opposite.)

ORS 92.490

STATE OF OREGON,
 County of Lane

April 1, 1977

Personally appeared the above named MURREL KENT
 & LEORA LOUISE OLSEN; GARY BRUCE & KAREN

ANNE OLSEN, who acknowledged the foregoing instrument to be
 their voluntary act and deed.

(OFFICIAL SEAL)

Wanda S. Hard
 Notary Public for Oregon
 My commission expires: October 7, 1980

My co

State of Oregon,
 County of Lane—ss.
 I, D.M. Penfold, Director of the Department of General Services, in and for the said County, do hereby certify that the within instrument was received for record at

31 OCT 78 12: 15

Reel 949 R

Lane County OFFICIAL Records.

D.M. Penfold, Director of the Department of General Services.

By *D. M. Penfold*
 Deputy

CS-53

AGREEMENT
 FOR
 EASEMENT

(FORM NO. 70)

STEVENS-HARRIS LAW FIRM CO., PORTLAND, ORE.

BETWEEN

AND

STATE OF OREGON

County of _____
 I certify that the within instrument was received for record on the _____ day of _____, 19____ at _____ o'clock _____ M., and recorded in book _____ on page _____ or as file number _____, Record of _____ of said County. Witness my hand and seal of County affixed.

Title.

By

Deputy.

AFTER RECORDING RETURN TO

8110456

April 1, 1977

1080
Property Settlement Agreement

This agreement between Murrel Kent Olsen and Leora Louise Olsen Henceforth known as the 1st party and Gary Bryce Olsen and Karen Anne Olsen henceforth known as the 2nd Party towit as follows;

1. Both parties agree to a separation of the ownership of real estate, which in the past was known as Fir Crest Ranch. An agreed upon survey has been surveyed and staked which will be known Henceforth as the legal border between the above parties ownership. Bargain and sell deeds will be given to each party for their ownership.

a. There are certain improvements of the above mentioned parcels All said improvements are a part of each parcell of land, except for the old house located near the 1st parties residence which will remain as part of the Murrel Olsen Sr. payment at the rate \$100.00 per month when rented until such time as it is torn down. 2nd party agrees to help tear the old house down. B 5 * 0=816305 00010.50

b.. 2nd party will have a legal 60 ft. easement for the present road from 2nd parties ownership to the camas Swale Road on an existing private road. Both parties agree to maintain the above named easement in a good manner sharing proportionly to use, the expense of the road. Bridge and gate repairs to be share equal. 2nd party agrees that if a new way of egress is ever built and the old easement is vacated from use by 2nd party or heirs of 2nd party that the vacated easement will revert to the 1st party or heirs of 1st party.

2. 2nd party agrees to help 1st party to build onto existing barn and help build one future barn on 1st parties property and 1st party agrees to pay for all materials used. 1st party agrees to build a barn as soon as possible and will have the right to use 2nd parties barn during lambing time and bad weather for a period up to three years.

8110456

(2)

3. 1st party agrees to help 2nd party to build a dam on 2nd parties property and 2nd party agrees to pay for all materials used.
 - a. 1st party agrees to share equally 1st parties water right to Camas Swals creek flow with 2nd party and to pass on this restriction to future owners.
4. 2nd party agrees to share one half the expense of drilling well on 1st party's property for 1st party's use that will flow at least 6 gpm..
5. 1st party reserves an easement through 2nd party only for the purpose of manufacturing and removing crushed rock from quarry located on International Paper Co. according to agreement with International Paper Co. dated 1970 and expires 1985. Road maintenance will be required and gates kept closed during this operation.
6. There is a certain volume of timber located on each parcel. It is agreed by both parties that the two volumes of timber will be equalized as soon as possible.
7. 1st party will give 2nd party and 2nd party will give 1st party the first right of refusal if either party should sell their property other than to their children or passed on to heirs.
8. both parties agree to split ownership of all small tools by setting value on items and choosing till liquidating all items started by a flip of the coin.
9. All large equipment will be shared equally and normal expenses and repairs will be paid for proportioned to use. Ownership will remain on a 1/2 basis till disposed.
10. 1st party receives one 1967 el camino and canopy plus one hodaka 100 motorcycle in exchange 2nd party receives one 1962 Willy's Jeep pickup and stock rack plus one Stihl power saw.
11. 1st party receives old crusher, small portable crusher and parts to same. One chev van, two Dodge dump trucks, one 55 mobile home located at crusher site, and one pettybone loader. 1st party agrees to accept all payments on said equipment after april 1, 1977.

2nd party receives one D6 Cat, one Chev. Tractor truck and LoBoy, one Garrett 20 Skidder machine, 55 loads of processed rock as needed. 2nd party will have the right to use a dump truck and loader in use to haul materials by paying for the fuel used.

13. Both parties agree to balance the books on accounts payable and receiveable to April 1st, 1977 and settle on those figures.

14. The 977 Cat loader, case backhoe, old dragline and parts, 1958 International dump truck, Cat D13000 power unit and all small tools and parts to same are to be owned on an equal 1/2 basis and brought to ranches.

15. 1st party to receive diesel tank at the crusher, 2nd party to receive silver fuel tank on stand at ranches.

16. Large culverts at crusher to be divided equally.

17. 2nd party assigns 1st party 150 shares in O.O. Inc. stock but reserves right to get bar run and loam by paying royalties for same.

18. All Taxes to be separated and settled to April 1st, 1977

We the below signed agree to all the above settlement of properties and stipulations.

Murrel Kent Olsen
Murrel Kent Olsen

Leora Louise Olsen
Leora Louise Olsen

Gary Bryce Olsen
Gary Bryce Olsen

Karen Anne Olsen
Karen Anne Olsen

STATE OF OREGON,

County of Lane

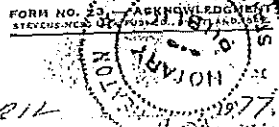
ss.

BE IT REMEMBERED, That on this 1st day of April, 1977, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named MURREL KENT OLSEN, LEORA LOUISE OLSEN, GARY BRYCE OLSEN, KAREN ANNE OLSEN.

known to me to be the identical individual S described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Alfred Hunter
Notary Public for Oregon.
My Commission expires 4-24-77



8119456

State of Oregon,
County of Lane--ss.

I, D.M. Perfield, Director of Records and
Elections Division, in and for the said County,
do hereby certify that the within instrument was
received for record at

10 AM 61 14: 30

Reel

1124R

Lane County OFFICIAL RECORDS.

D.M. Perfield, Director of Records and Elec-
tions Division.

[Signature]
By

CRB-13

8407557

GRANT OF EASEMENT AND MAINTENANCE AGREEMENT

For value received, receipt of which is hereby acknowledged,
Gary Bryce Olsen &

B K O Partnership composed of Karen A. Olsen (Grantors),

hereby grant, transfer and convey to B K O Partnership composed
of Gary Bryce Olsen & Karen A. Olsen (Grantees), a
perpetual nonexclusive easement to use a strip of land (60) feet
wide described as follows:

Beginning at Engineers center line Station L³ 103+28.11 P.O.T. on the
1962 Relocated Creswell West County Road No. 1344 (Camas Swale County Road No.
695), said point being 1006.77 feet South and 65.00 feet West of the Northeast
corner of Section 14, Township 19 South, Range 4 West of the Willamette Meridian;
thence North 68° 20' 00" West 385.71 feet; thence North 57° 20' 00" West 299.96
feet; thence North 38° 32' 00" West 245.00 feet to a point designated as POINT
"A"; thence North 38° 32' 00" West 245.14 feet; thence North 27° 30' 00" West
89.00 feet; thence North 2° 40' 00" West 83.00 feet; thence North 18° 03' 00"
East 90.00 feet; thence North 11° 33' 00" East 102.00 feet; thence North
59° 50' 00" East 89.00 feet; thence North 82° 06' 00" East 260.68 feet to a
point on the West line of the East one-half of the Northwest one-quarter of the
Southeast one-quarter (E½ NW¼ SE¼) of Section 11, said township and range, and
being the ENDING POINT THEREOF, in Lane County, Oregon.

ALSO: Beginning at the point designated as POINT "A" above; thence South
70° 45' 00" West 177.00 feet; thence North 64° 00' 00" West 130.00 feet; thence
North 66° 39' 00" West 166.01 feet to a point on the East line of the East one-
half of the Southeast one-quarter of the Southwest one-quarter (E½ SE¼ SW¼) of
Section 11, Township 19 South, Range 4 West of the Willamette Meridian, and
being the ENDING POINT THEREOF, in Lane County, Oregon.

The bearings used herein are based on that Survey being Lane County Surveyors
Office Index No. 23923.

7089A001 02/24/84 REC 24.00
0004

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Charles W. Guile

OREGON
MAY 6, 1980
CHARLES W. GUILLE
472

February 18, 1984
83-07

1. This easement is not personal or in gross but is to be appurtenant to each and every portion of the following described property

owned by Grantees:

Parcel 1
Lane County Partition m 52-83

Property served
by
easement

The East one-half of the Southeast one-quarter of the Southwest one-quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 11, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon.

(Containing 20.12 Acres.)

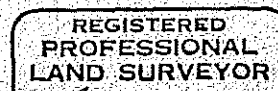
[This description was prepared from records and not from a field survey by this firm.]

Parcel 2
Lane County Partition m 52-83

Beginning at the Southeast corner of the West one-half of the Northeast one-quarter of the Southeast one-quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 11, Township 19 South, Range 4 West of the Willamette Meridian; thence North along the said East line of the West one-half of the Northeast one-quarter of the Southeast one-quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) a distance of 970.00 feet; thence West parallel with the East-West center section line a distance of 300 feet, MORE OR LESS, to a point being 20.0 feet Southwesterly of (when measured at right angles to) the center of a certain creek; thence in a Westerly direction, parallel to and 20.0 feet distant Southerly from (when measured at right angles to) the center of the said creek to a point on the West line of the East one-half of the Northwest one-quarter of the Southeast one-quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section 11; thence South along the said West line of the East one-half of the Northwest one-quarter of the Southeast one-quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) to the Southwest corner thereof; thence East along the South line of the Northwest one-quarter of the Southeast one-quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) and the Northeast one-quarter of the Southeast one-quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section 11 to the Point of Beginning, in Lane County, Oregon.

(Containing 30 Acres, MORE OR LESS.)

[This description was prepared from records and not from a field survey by this firm.]



Charles W. Gule



2. This easement is granted over and across property owned
by Grantors in Lane County, Oregon, described as follows:

Parcel 3
Lane County Partition m 52-83

Property is
crossed by
the easement

The Southeast one-quarter of the Northeast one-quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$); the East one-half of the Southwest one-quarter of the Northeast one-quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$); the Northwest one-quarter of the Southeast one-quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$); the West one-half of the Northeast one-quarter of the Southeast one-quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) and the Southwest one-quarter of the Southeast one-quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$), all in Section 11, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon. EXCEPTING THEREFROM: Beginning at the Southeast corner of the West one-half of the Northeast one-quarter of the Southeast one-quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 11, Township 19 South, Range 4 West of the Willamette Meridian; thence North along the said East line of the West one-half of the Northeast one-quarter of the Southeast one-quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) a distance of 970.00 feet; thence West parallel with the East-West center section line a distance of 300 feet, MORE OR LESS, to a point being 20.0 feet Southwesterly of (when measured at right angles to) the center of a certain creek; thence in a Westerly direction, parallel to and 20.0 feet distant Southerly from (when measured at right angles to) the center of the said creek to a point on the West line of the East one-half of the Northwest one-quarter of the Southeast one-quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section 11; thence South along the said West line of the East one-half of the Northwest one-quarter of the Southeast one-quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) to the Southwest corner thereof; thence East along the South line of the Northwest one-quarter of the Southeast one-quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) and the Northeast one-quarter of the Southeast one-quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section 11 to the Point of Beginning, in Lane County, Oregon.

ALSO: The Northwest one-quarter of the Northeast one-quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and that portion of the Southwest one-quarter of the Northeast one-quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) lying North of the Camas Swale Road No. 695 (Creswell West Road), all in Section 14, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon. EXCEPTING THEREFROM: Beginning at the corner of the re-entrant angle on the East boundary of Caleb Moore Donation Land Claim No. 37, in Township 19 South, Range 4 West of the Willamette Meridian; and running thence East 15 feet to a line which closely approximates the quarter section line North and South through Section 14, said township and range, which is the TRUE POINT OF BEGINNING; thence running South along said quarter section line 230 feet to the North right of way line of County Road No. 695; thence North 48° 50' West 91.15 feet along said right of way; thence North parallel to said quarter section line 171.38 feet; thence North 45° West 21.21 feet; thence North and parallel to said quarter section line 777.0 feet; thence North 45° West 63.61 feet; thence South 862.0 feet along the quarter section line to the TRUE POINT OF BEGINNING, all being in Section 14, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon.

(Containing 182 Acres, MORE OR LESS.)

[This description was prepared from records and not from a field survey.]

February 18, 1984
84-07

Page 3 of 5 pages

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Charles W. Guile

OREGON
MAY 8, 1989
CHARLES W. GUILÉ
472

3. This grant is made upon the following terms:

3.1. Grantees are granted the right to use the _____ (60) foot easement strip, including the existing roadway, as a means of ingress and egress to and from the land described in paragraph 1, or any portion thereof. Grantees are further granted the right to use the described strip for the installation and maintenance of such public utilities as may be needed to serve the property described in paragraph 1, or any portions thereof.

Rights
granted
by this
document

3.2. Grantors and Grantees shall at all times hereafter jointly maintain the easement property and roadway in a condition as good as its present, graveled condition. The cost of such maintenance and repairs shall be paid by Grantors and Grantees in proportion to their use. Grantors shall pay the real property taxes on the easement strip.

Maintenance

3.3. Grantors shall, at all times and without restriction, have the right to use the easement property and roadway for purposes not inconsistent with Grantee's full enjoyment of the rights herein granted.

3.4. This grant of easement shall run with the land and shall be binding on and shall inure to the benefit of Grantors and Grantees, their heirs, successors or assigns.

8407557

IN WITNESS THEREOF, we have executed this Grant of Easement
and Maintenance Agreement on this 23rd day of February,
19 84.

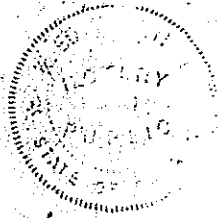
Gary Bryce Olsen

Karen P. Olsen

GRANTORS

STATE OF OREGON)
) ss.
County of Lane)

On the 23rd day of February, 1984, personally
appeared the above named Gary Bryce and Karen A. Olsen, husband
and wife, and acknowledged the foregoing instrument to be their voluntary
act and deed. Before me:



Robert Smith

Notary Public for Oregon

My Commission Expires: 9-18-87

Page 5 of 5 pages

State of Oregon,
County of Lane--ss.

I, the County Clerk, in and for the said
County, do hereby certify that the within
instrument was received for record at

24 FEB 84 10:46

Reel

1285R

Lane County OFFICIAL Records.
Lane County Clerk

By: [Signature] Deputy

8407557

8524589

RIGHT-OF-WAY EASEMENT -- ELECTRIC LINE

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned Juergen Gruner and Christa G. Gruner
Husband and wife

for
a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto the LANE
ELECTRIC COOPERATIVE, INC., a cooperative association, whose postoffice address is Eugene, Lane County, Oregon,
and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of Lane,
State of Oregon, and more particularly described as follows:

5761A001 17 15/85 REC 0.1
0001

and to construct, reconstruct, replace, extend, uncover, repair, operate and maintain on or under in the above-described land and/or
in or under or upon all streets, roads or highways abutting said lands, an electric transmission and/or distribution line or system; to
cut, trim and control the growth by chemical means, machinery or otherwise of trees and shrubbery to the extent necessary to keep
them clear of said line or system; and to cut down, trim or control the growth, from time to time, of all dead, weak, leaning or dangerous
trees that might strike the wires of said electric line or system in falling; or that may interfere with or threaten to endanger the operation
and maintenance of said line or system (including any control of the growth of other vegetation in the right-of-way which may incidentally
and necessarily result from the means of control employed); and to license, permit, or otherwise agree to the joint use of occupancy
of the line or system by any other person, association or corporation, for electrification, telephone or cable TV purposes.

The right-of-way easement hereby granted covers the entire property described.

The undersigned agree that all poles, wires and other facilities including any main service entrance equipment, installed on the
above-described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the
Cooperative, upon termination of service to or on said lands.

The undersigned covenant that they will not erect or maintain any structure which might interfere with the operation or maintenance
of the line and that they are the owners of the above-described lands, and that the said lands are free and clear of encumbrances
and liens of whatsoever character except those held by the following persons, banks or companies:

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 26 day of
March, 19 85.

Executed in the presence of:

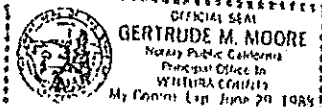
Christa G. Gruner

STATE OF Calif
COUNTY OF Ventura

Be it remembered, That on this 26th day of March, 1985,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named
JURGEN GRUNER & CHRISTA G. GRUNER

who are known to me to be the identical individuals that are described in and who
executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal on this the day and year last above written.



Christa G. Gruner
Notary Public for Ventura County Calif
My Commission expires June 29, 1985

8524589

EXHIBIT "A"

PARCEL 1

The East 1/2 of the Northeast 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Northeast 1/4 all in Section 11, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon.

PARCEL 2

The East 1/2 of the Southeast 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Northeast 1/4 all in Section 11, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon;
EXCEPTING that part conveyed to International Paper Company by deed recorded April 18, 1970, Reception No. 2591, Lane County Oregon Records;
ALSO EXCEPTING that part within County Road No. 695.

PARCEL 3

Commencing at the Southwest corner of Donation Land Claim of Wm. T. Osburn, Notification No. 203, in Section 13, Township 19 South, Range 4 West of the Willamette Meridian; thence running North 89° 13' East 15.75 chains; thence North 72.50 chains to North boundary of said claim; thence West 15.75 chains to Northwest corner of said claim; thence South on West boundary line of said claim to place of beginning, 72.50 chains, in Lane County, Oregon;
EXCEPTING THEREFROM all that portion lying within County Road No. 695.

made as 3d' order.

A.G. 10'

State of Oregon,
County of Lane.

I, the County Clerk, in and for the said County, do hereby certify that the within instrument was received for record at

15 JUL 65 11 30

Book 1358R

Lane County OFFICIAL Records.
Lane County Clerk

By: 

Deputy

C 10-13

8524589

47130700

8606103

RIGHT-OF-WAY EASEMENT -- ELECTRIC LINE

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned GARY BRUCE OLSEN and
KAREN ANNE OLSEN, partners for BKO PARTNERSHIP

for
a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto the LANE
ELECTRIC COOPERATIVE, INC., a cooperative association, whose postoffice address is Eugene, Lane County, Oregon,
and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of Lane,
State of Oregon, and more particularly described as follows:

All Parcels of land described below are located in Township 19S, Range
4 West. An undivided 1/2 interest in the SE 1/4 of the NE 1/4 of Section
11; East 1/2 of the SW 1/4 of the NE 1/4 of Section 11; Northwest 1/4
of the SE 1/4 of Section 11; W 1/2 of the NE 1/4 of the SE 1/4 of Section
11; East 1/2 of the SE 1/4 of the SW 1/4 of Section 11; SW 1/4 of the
SE 1/4 of Section 11; NW 1/4 of the NE 1/4 of Section 14; That portion
lying N. of the Camas Swale Road #695 of the SW 1/4 of the NE 1/4 of
Section 14, Lane County, Oregon.

ALSO: The NE 1/4 of the NE 1/4 of Section 14 the the SE 1/4 of the
SE 1/4 of Section 11, in Township 19 S Range 4 W., Lane County, Oregon.

8888A001 02/14/86CASC 6.00
0004

and to construct, reconstruct, rephase, extend, uncover, repair, operate and maintain on or under in the above-described land and/or
in or under or upon all streets, roads or highways abutting said lands, an electric transmission and/or distribution line or system; to
cut, trim and control the growth by chemical means, machinery or otherwise of trees and shrubbery to the extent necessary to keep
them clear of said line or system, and to cut down, trim or control the growth, from time to time, of all dead, weak, leaning or dangerous
trees that might strike the wires of said electric line or system in falling; or that may interfere with or threaten to endanger the operation
and maintenance of said line or system (including any control of the growth of other vegetation in the right-of-way which may incidentally
and necessarily result from the means of control employed); and to license, permit, or otherwise agree to the joint use of occupancy
of the line or system by any other person, association or corporation, for electrification, telephone or cable TV purposes.

The right-of-way easement hereby granted covers the entire property described.

The undersigned agree that all poles, wires and other facilities including any main service entrance equipment, installed on the
above-described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the
Cooperative, upon termination of service to or on said lands.

The undersigned covenant that they will not erect or maintain any structure which might interfere with the operation or maintenance
of the line and that they are the owners of the above-described lands, and that the said lands are free and clear of encumbrances
and liens of whatsoever character except those held by the following persons, banks or companies:

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 14th day of

February, 19 85

BKO PARTNERSHIP

Executed in the presence of:

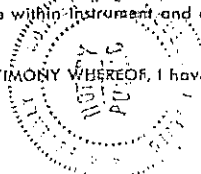
Gary Bryce Olsen
(Gary Bryce Olsen, Partner)
Karen Anne Olsen
(Karen Anne Olsen, Partner)

STATE OF OREGON
COUNTY OF Lane ss.

Be it remembered, That on this 14th day of February, 19 86,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named
GARY BRYCE OLSEN and KAREN ANNE OLSEN

who is known to me to be the identical individuals described in and who
executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal on this the day and year last above written.



Bruce J. Mabel
Notary Public for OREGON
My Commission expires 12/31/87

8606103

8606103

State of Oregon,
County of Lane--ss.

I, the County Clerk, in and for the said
County, do hereby certify that the within
instrument was received for record at

14 FEB 06 11:56

1388R

Line County OFFICIAL Records,
Lane County Clerk

AK Deputy



OREGON TITLE
Insurance Company

9408505

STATUTORY WARRANTY DEED
(Individual)

OTI 415944

20- Juergen Gruner and Christa G. Gruner
10- conveys and warrants to
20- Duane A. Gerlach and Barbara L. Gerlach, as husband and wife

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

PARCEL I: EXHIBIT "A" LEGAL DESCRIPTION

The East 1/2 of the Northeast 1/4 of the Southeast 1/4 and the Southeast 1/4 of the
Southeast 1/4, all in Section 11, Township 19 South, Range 4 West of the Willamette
Meridian, in Lane County, Oregon.

PARCEL II:

The Northeast 1/4 of the Northeast 1/4 in Section 14, Township 19 South, Range 4 West of
the Willamette Meridian, in Lane County, Oregon.
(Continued)

Tax Account Number(s): Parcel #1 & #2

This property is free of encumbrances, EXCEPT: Covenants, Conditions, Restrictions, Reservation
Easements and Rights of Way of Record, if any.

AFTER RECORDING, RETURN TO
OREGON TITLE INSURANCE CO.
450 COUNTRY CLUB ROAD
SUITE #150
EUGENE, OR. 97401

The true consideration for this conveyance is \$ 172,500.00

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

DATED this 2nd day of February, 1994.

Christa G. Gruner

Juergen Gruner

2911FEB.03*94H08REC 20.00
2911FEB.03*94H08PELND 10.00
2911FEB.03*94H08AST FUND 20.00

Order No.: 415949a

After Recording Return To:

OTIC
450 Country Club Rd. #150
Eugene, OR 97401

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

Duane Gerlach
599 S. 4th

THIS SPACE RESERVED FOR RECORDER'S USE

STATUTORY WARRANTY DEED
EXHIBIT "A" (CONTINUED)

LEGAL DESCRIPTION (Continued)

Order No.: 415949a

9408505

EXCEPTING that part within County Road No. 695.

ALSO EXCEPT THEREFROM any portion lying South of Camas Swale Road (County Road 695).

RESERVING UNTO THE GRANTOR A lease for existing drain field, future replacement area for drain field and satellite dish more particularly described and set forth on exhibit "B" attached hereto and by this reference incorporated herein and made a part hereof.

FROM ALL OF THE ABOVE RESERVING UNTO THE GRANTOR HEREIN THE RIGHT TO JOINTLY USE THE EXISTING EASEMENTS OF RECORD FOR INGRESS AND EGRESS TO THE PROPERTY OF THE GRANTOR BEING RETAINED. THE GRANTOR HEREIN RESERVES OVER AND ACROSS THE PROPERTY BEING CONVEYED UNDER THIS DEED A TWENTY FOOT WIDE ROADWAY EASEMENT FOR INGRESS AND EGRESS MORE PARTICULARLY DESCRIBED AND SET FORTH ON EXHIBIT "C" ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN AND MADE A PART HEREOF.

STATE OF OREGON,

County of Lane

FORM No. 11—ACKNOWLEDGMENT,
Society's Blue Book Publishing Co., Inc.
Portland, OR 97204 © 1992

BE IT REMEMBERED, That on this 2nd day of February, 1994,
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within
named Juergen Gruner and Christa C. Gruner

known to me to be the identical individual..... described in and who executed the within instrument and
acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.



Yerril L. Baker
Notary Public for Oregon
My commission expires

9408505

PROFESSIONAL LAND SURVEYOR
MARVIN S. KRUSH
34 CENTENNIAL LOOP
EUGENE OREGON 97401

TELEPHONE 522-688-9711

Exhibit "B"

August 23, 1993

Description: State Realty
Cange Svalle Road
Creswell, Oregon

*Easement for existing Drainfield, Future.
Replacement area for Drainfield & Satellite Dish.*

Beginning at a point on the line between Sections 11 and 12, said point being 1455.55 feet North of the corner common to Sections 11, 12, 13 and 14, in Township 19 South, Range 4 West, of the Willamette Meridian; thence leaving said Section line South 85° 00' 00" West 82.93 feet; thence North 5° 00' 00" West 115.00 feet; thence North 67° 52' 26" East 100.00 feet to said Section line; thence along said Section line South 143.00 feet to the Point of Beginning, in Lane County, Oregon.

The above descriptions are subject to easements as they may exist, title company concurrence and questions of survey.



9408505

PROFESSIONAL LAND SURVEYOR
MARVIN S. KRUSH
54 CENTENNIAL LOOP
EUGENE, OREGON 97401

TELEPHONE 503 / 685-9211

Exhibit "C"

January 27, 1994

Description: State Realty
Camas Swale Road
Creswell, Oregon
20' wide roadway easement

Beginning at a Point on the centerline of a 20 feet wide roadway easement, said point being North 510.00 feet from the Southeast corner of Section 11 in Township 19 South, Range 4 West of the Willamette Meridian, said point being on the East line of said Section 11; thence leaving said Section line along said centerline the following courses and distances, South 60° 00' 00" West 53.00 feet, South 77° 00' 00" West 50.00 feet, South 80° 00' 00" West 113.00 feet, South 74° 00' 00" West 178.00 feet, South 76° 00' 00" West 108.00 feet, North 89° 00' 00" West 81.00 feet, North 86° 00' 00" West 157.00 feet, South 89° 00' 00" West 78.00 feet, South 80° 00' 00" West 90.00 feet, South 70° 00' 00" West 171.00 feet, South 60° 00' 00" West 202.00 feet, South 51° 00' 00" West 44.00 feet, South 38° 00' 00" West 42.00 feet, South 12° 00' 00" West 49.00 feet and South 15° 00' 00" East 48.00 feet to the Point of Terminus, in Lane County, Oregon.

The above description is subject to easements as they may exist, title company concurrence and questions of survey.

9408505



State of Oregon,
County of Lane--ss.
I, the County Clerk, in and for the said County, do hereby certify that the within instrument was received for record at

5 FEB 94 9:01

Reel 1919R

Lane County Official Records.
Lane County Clerk

By:  Lane County Clerk

After Recording Return to:
Bente Kongsore
4382 Katy Lane
Eugene, OR 97404

Lane County Clerk
Lane County Deeds and Records

2014-036400



\$52.00

01456717201400364000020028

09/16/2014 09:28:52 AM

RPR-ESMT Cnt=1 Stn=40 CASHIER 01
\$10.00 \$10.00 \$11.00 \$21.00

FARM USE AND FOREST MANAGEMENT EASEMENT

Grantor(s) Bente Kongsore

print name(s)

is/are the owner(s) of real property as described on Exhibit "A", attached hereto. In accordance with the conditions set forth in the decision of the Lane County Land Management Division dated August 22, 2014 approving Planning Action PA # 14-05358, for Assessor's Map and Tax Lot 19-04-11 #108 Grantor(s) hereby grant(s) to the owner(s), (Grantees), of all property zoned for farm or forest use, a perpetual non-exclusive farm use and forest practices management easement as follows:

1. The Grantor(s), the heirs, successors, and assignees acknowledge by the granting of this easement that the above described property is situated in a farm or forest zone in Lane County, Oregon, and may be subjected to conditions resulting from farm use or commercial forests operations on lands zoned for farm or forest use. Such operations may include farm use as defined in ORS 215.203 and management and harvesting of timber, disposal of slash, reforestation, application of chemicals, road construction and maintenance, and other accepted and customary forest management activities conducted in accordance with Federal and State Laws. Said farm use and forest management activities ordinarily and necessarily produce noise, dust, odors, smoke and other conditions, which may conflict with Grantor's use of Grantor's property for residential purposes, and Grantor(s) hereby give(s) an easement to the property owners of lands zoned for farm or forest use for the resultant impact on Grantors property caused by the farm use or forest management activities on such lands.
2. Grantor(s) shall comply with all restrictions and conditions for maintaining residences in farm and forest zones that may be required by State, Federal, and local land use laws and regulations. Grantor(s) will comply with all fire safety regulations developed by the Oregon Department of Forestry for residential development within a forest zone.

This easement is appurtenant to all property zoned for farm or forest use, and shall bind the heirs, successors, and assignees of Grantor(s), and shall endure for the benefit of the owners of lands zoned for farm or forest use, their heirs, successors, and assignees. The grantees, their heirs, successors, and assignees are hereby expressly granted the right of third party enforcement of this easement.

B Kongsore
Grantor Signature

Grantor Signature

IN WITNESS WHEREOF, the Grantor(s) has/have executed this easement on

Aug. 29, 2014
(date)

Washington
State of ~~OREGON~~
County of Lewis

Signed or attested before me on Aug. 29, 2014
by Bente Kongsore

Michelle A. Merriss
Signature of Notary

My commission expires: June 17, 2018

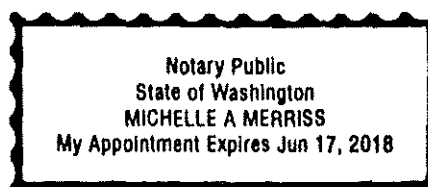


EXHIBIT "A"

Parcel I:

The East 1/2 of the Northeast 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4, all in Section 11, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon.

Parcel II:

The Northeast 1/4 of the Northeast 1/4 in Section 14, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon.

EXCEPTING that part within County Road No. 695.

ALSO EXCEPT THEREFROM any portion lying South of Camas Swale Road (County Road 695).

RETURN TO:
T. LANFAR
541 WILLAMETTE ST. SUITE 402
EUGENE OR 97401

ADOPTED
February 18, 1994

660-006 Exhibit A

Declaration of Covenants, Conditions and Restrictions Form

Whereas, the undersigned Bente Kongsore hereinafter
referred to as Declarant, is owner in fee simple of the property described in
Exhibit A attached hereto and incorporated by reference herein and

Whereas, the Declarant desires to declare their intention to create certain
covenants, conditions and restrictions in order to effectuate and comply with the
requirements of Oregon Administrative Rule (OAR 660-006-0027).

Declarant hereby declares that all of the property described on Exhibit A
shall be held, sold, and conveyed subject to the following covenants, conditions
and restrictions:

It is not lawful to use the property described in this instrument for the
construction or siting of a dwelling or to use the acreage of the tract to
qualify another tract for the construction or siting of a dwelling.

These covenants, conditions and restrictions can be removed only and at
such time as the property described herein is no longer protected under the
statewide planning goals for agricultural and forest lands or the legislature
otherwise provides by statute that these covenants, conditions and restrictions may
be removed and the authorized representative of the county or counties in which
the property subject to these covenants, conditions and restrictions are located

Lane County Clerk
Lane County Deeds and Records

2014-036401



\$57.00

01456719201400364010030031

09/16/2014 09:28:52 AM

RPR-REST Cnt=1 Stn=40 CASHIER 01

\$15.00 \$10.00 \$11.00 \$21.00

Deletions are shown in brackets as [-]
Additions are shown in bold with underlining

ADOPTED
February 18, 1994

1 executes and records a release of the covenants, conditions and restrictions created
2 by this instrument.

3
4 In witness whereof, the undersigned, being Declarant herein, has
5 heretofore set their hand this 29 day of August, 2014.

6 Ryane
7 _____

8
9 State of Washington)

10
11 County Lewis)

12
13 The foregoing instrument was acknowledged before me this 29th day of
14 August, 2014 by Michelle A. Merriss.

15
16 Notary Public for ~~Oregon~~ Washington

17 My Commission expires: June 17, 2018

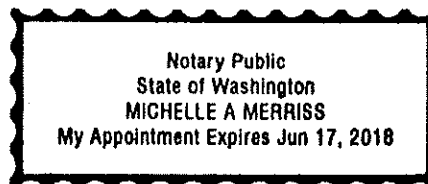


EXHIBIT "A"

The Northeast 1/4 of the Northeast 1/4 in Section 14, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon.

EXCEPTING that part within County Road No. 695.

ALSO EXCEPT THEREFROM any portion lying South of Camas Swale Road (County Road 695).

RETURN TO:

LANE ELECTRIC
COOPERATIVE

PO Box 21410
Eugene, OR 97402-0407

Lane County Clerk
Lane County Deeds and Records

2014-038128



01458755201400381280020022

\$52.00

09/26/2014 11:21:37 AM

RPR-ESMT Cnt=1 Stn=15 CASHIER 05

\$10.00 \$10.00 \$11.00 \$21.00

ELECTRIC LINE RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned Bente KONGSORE

_____, for
a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto the LANE ELECTRIC COOPERATIVE, INC., a cooperative association, whose post office address is Eugene, Lane County, Oregon, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of Lane, State of Oregon, and more particularly described as follows:

SEE ATTACHED EXHIBIT A

The easement is granted to construct and maintain a new underground electric service and activities to the described parcel (subject lands), with no overhead facilities other than those existing as of this date; and to construct, reconstruct, re-phase, uncover, repair, and otherwise operate the electric facilities on or under the described easement. Particularly, the right-of-way easement hereby granted covers a 20' wide parcel of land centered on the underground electric primary distribution wire and facilities and a 10' radius from the center of the transformer as constructed.

And to reconstruct, re-phase, repair, operate and maintain on or under the above described land, existing overhead electric lines or systems on the subject lands; and to license, permit, or otherwise agree to the joint use of occupancy of the line or system by any other person, association or corporation, for electrification, telephone, cable TV, internet and/or other telecommunication purposes.

The undersigned agree that all wires and other facilities including any main service entrance equipment installed on the above described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the Cooperative.

The undersigned covenant that they will not erect or maintain any structure which might interfere with the operation or maintenance of the line and that they are the owners of the above-described lands, and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons, banks or companies:

IN WITNESS HEREOF, We have hereunto set our hands and seals this 17 day of September, 2014

Executed in the presence of:

Janet Pasko

Bente Kongsore

Bente Kongsore

STATE OF Washington COUNTY OF Lewis

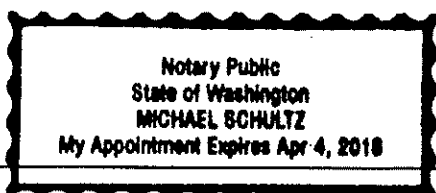
Be it remembered, That on this 17th day of September, 2014

Before me, the undersigned, a Notary Public in and for the said County and State, personally appeared the within named

Bente Kongsore

Who is known to me to be the identical individual that is described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal on this day and year last above written.



Notary Public for Washington State

My commission expires: 04-04-2018

LEC accepts this conveyance of real property or easement. Approved by

Doug Stockdale
Doug Stockdale, Manager, Engineering Services

EDIS/6 L2U L4A1

195 4W 11 TL 00103

WO 38296

PARCEL RECORD - Cartographic Unit

1631702

Page of

Code Area	Township	Range	Section	1/4	1/16	Parcel Number	Type	Number	Formerly part of 19-04-11-00-00103						
	19	04	11	0	0	00108									
Map Number						Special Interest			History of Parcel						
Tax Lot Number															
History of Parcel Prior to Re-mapping															
Previous Account Number						Previous Tax Lot Number									
THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, ALL IN SECTION 11, TOWNSHIP 19 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN IN LANE COUNTY, OREGON.									Exceptions/Additions		Date of Entry/ Acquisition		Deed Record		Acres Remaining
									NEW PARCEL		2000 WD		R1919/9408505		60.86
											2000 BS		R2376/9803286		
											2000 WD		R2428/9844496		
									Remarks						

After Recording Return to:

Bente Kongsore
4382 Katy Lane
Eugene, OR 97404

Recording Label Here



GUEST HOUSE COVENANT

The undersigned OWNER hereby agrees that the following described property (as described on attached exhibit "A"), is developed with one residence. The construction of a "Guest House" is permitted by Lane County building permit BP# 14-02337. A guest house is a structure that contains area for residential use or occupancy, a toilet or bathroom and shall comply with the following requirements: (i) The owner agrees that the structure will be occupied exclusively by nonpaying guests or by servants employed on the premises; (ii) The structure shall not contain a kitchen; (iii) The structure shall be located on a lot or parcel that contains a lawfully existing dwelling, manufactured dwelling or duplex and that does not contain another guest house; (iv) Sewage disposal for the structure shall be connected to the same onsite sewage disposal system, or community or public sewer connection, and the same electrical circuit box as the existing dwelling or manufactured dwelling on the same lot or parcel; and (v) The structure shall not have an address. This agreement further serves as notice to the owner and successors in interest that the structure shall not be used as a second dwelling on the property without obtaining the necessary land use approval and building permits from Lane County. This agreement is intended to be binding on the OWNER, their heirs, successors and assigns.

In witness whereof, the undersigned have caused this instrument to be executed this 4 day of November, 2014.

Lane County Clerk
Lane County Deeds and Records

2014-043694

OWNER B Kongsore
OWNER _____



\$52.00

01465318201400436940020021

11/04/2014 11:34:23 AM

State of OREGON
County of Lane

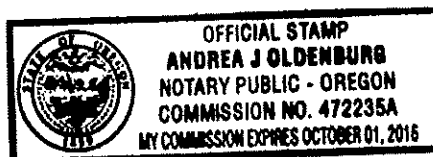
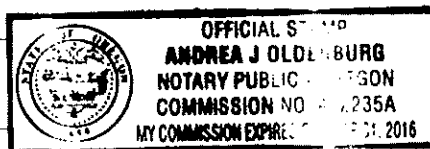
RPR-REST Cnt=1 Stn=15 CASHIER 01
\$10.00 \$10.00 \$11.00 \$21.00

Signed or attested before me on November 4, 2014.
by Bente Kongsore

Annie Oldenburg

Signature of Notary

My commission expires: 10/1/16



LAND MANAGEMENT DIVISION/PUBLIC WORKS DEPARTMENT
125 E 8th AVENUE, EUGENE OR 97401 PLANNING: 541-682-3807 BUILDING 541-682-3823 FAX: 541-682-3947

EXHIBIT "A"

Parcel I:

The East 1/2 of the Northeast 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4, all in Section 11, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon.

Parcel II:

The Northeast 1/4 of the Northeast 1/4 in Section 14, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon.

EXCEPTING that part within County Road No. 695.

ALSO EXCEPT THEREFROM any portion lying South of Camas Swale Road (County Road 695).

Lane County Clerk
Lane County Deeds and Records

2017-045418



\$87.00

01674952201700454180050058

09/13/2017 01:52:18 PM

RPR-REST Cnt=1 Stn=2 CASHIER 02

\$25.00 \$20.00 \$10.00 \$11.00 \$21.00

After Recording Return to:

Owner's Name & Address:

Bente Kongsore
30709 Camas Swale Rd
Creswell, OR 97426

Bente Kongsore
30709 Camas Swale Rd
Creswell, OR 97426

LANE COUNTY AGRICULTURAL BUILDING/EQUINE FACILITY USE COVENANT

The undersigned OWNER hereby agrees that the structure(s) proposed under 509-PA 17-05785, located on the real property as described on Exhibit "A", (legal description obtained from Lane County Assessment and Taxation), Exhibit "B" the site plan, and Exhibit "C" the Existing Septic System Certification, attached hereto, will be used solely as an agricultural building or equine facility as defined by ORS 455.315(2) (see below). This agreement further serves as notice to the owner and successors in interest that no change in use of the structure(s) shall occur without obtaining the necessary land use approval and building permits from Lane County. This covenant shall be binding upon the OWNER, their heirs, successors and assigns.

455.315 Exemption of agricultural buildings, agricultural grading, and equine facilities. (1) Nothing in this chapter is intended to authorize the application of a state structural specialty code to any agricultural building, agricultural grading or equine facility. (2) As used in this section:

- (a) "Agricultural building" means a structure located on a farm or forest operation and used for: (A) Storage, maintenance or repair of farm or forestry machinery and equipment; (B) The raising, harvesting and selling of crops or forest products; (C) The feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees; (D) Dairying and the sale of dairy products; or (E) Any other agricultural, forestry, or horticultural use or animal husbandry, or any combination thereof, including the preparation and storage of the produce raised on the farm for human use, the preparation and storage of forest products and the disposal, by marketing or otherwise, of farm produce or forest products. and animal use and disposal by marketing or otherwise.
- (b) "Agricultural building" does not mean: (A) A dwelling; (B) A structure used for a purpose other than growing plants in which 10 or more persons are present at any one time; (C) A structure regulated by the State Fire Marshal pursuant to ORS chapter 476; (D) A structure used by the public; or (E) A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood Insurance Act of 1968) as amended, and regulations promulgated thereunder.
- (d) "Equine facility" means a building located on a farm and used by the farm owner or the public for: (A) Stabling or training equines; or (B) Riding lessons and training clinics.
- (e) "Equine facility" does not mean: (A) A dwelling; (B) A structure in which more than 10 persons are present at any one time; (C) A structure regulated by the State Fire Marshal pursuant to ORS chapter 476; or (D) A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood Insurance Act of 1968) as amended, and regulations promulgated thereunder.

Dated this 12 day of September, 2017.

Bente Kongsore

Bente Kongsore
OWNER(S)

STATE OF OREGON)

County of LANE)

) SS.

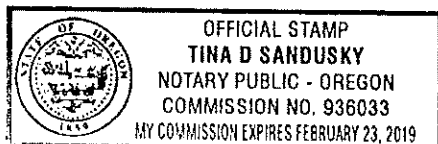
The foregoing instrument was acknowledged before me this 12th day of

SEPTEMBER, 2017 by BENTE KONGSORE
(Owners Name)

X

T D S

Notary Public for Oregon



My commission expires: 2-23-2019

Exhibit "A"

Parcel I:

The East 1/2 of the Northeast 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4, all in Section 11, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon.

Parcel II:

The Northeast 1/4 of the Northeast 1/4 in Section 14, Township 19 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon.

EXCEPTING that part within County Road No. 695.

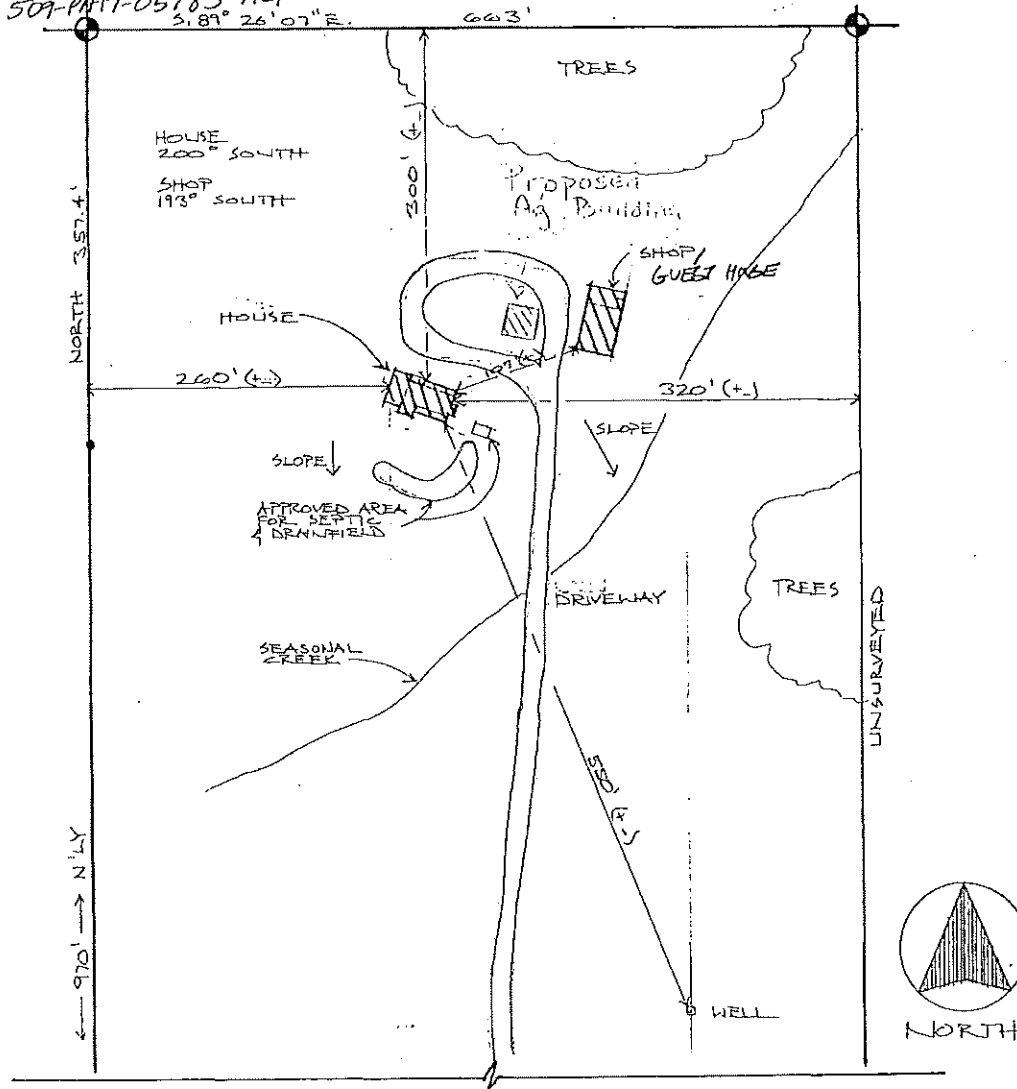
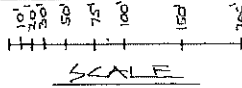
ALSO EXCEPT THEREFROM any portion lying South of Camas Swale Road (County Road 695).

Exhibit "B"

SITE PLAN AND
PLANNING SETBACK
ACCEPTED

DATE 9-12-2017

INITIALS LF
509-PH-05785-AG



DEVELOPMENT MAP

reduced
1"=100.0'

PROPOSED NEW SINGLE FAMILY HOME IS LOCATED AT TAX LOT # 1904100108
CAMAS SHALE ROAD, CRESWELL, OREGON

TOTAL STRUCTURAL FOOTPRINT OF PROPOSED DWELLING IS 2,037 SQUARE
FEET WHILEST THE TOTAL FOOTPRINT OF PROPOSED SHOP IS 1,725 SQ. FT.

PROPOSED SEPTIC SYSTEM IS TO COMPLY WITH CURRENT LOCAL CODES &
INTERPRETATIONS FOR THIS HOME IN THIS PLAN SET.

SERVICES OF ELECTRICAL, MEDIA CABLE, OR PHONE LINES TO FOLLOW
STANDARD PRACTICES AND TO COMPLY WITH CURRENT LOCAL CODES
REQUIREMENTS AND INTERPRETATIONS.

LMD staff can NOT be held
responsible for evaluations
based on false, inaccurate or
incomplete information.

LMD staff can NOT be held
responsible for evaluations
based on false, inaccurate or
incomplete information.

BENTE KONGSORE

TAX LOT # 1904100108 & 1904141300

CAMAS SHALE ROAD, CRESWELL, OREGON

For

SHEET

1S

Exhibit "C"



LANE COUNTY PUBLIC WORKS

Existing Septic System Certification

LAND MANAGEMENT DIVISION 3050 N. DELTA HWY, EUGENE OR 97408

Date: 9-12-2017

Property Owner: Bente Kongsoe

Site Address: 30709 Camas Swale Rd
Creswell, OR 97426

Twnshp 19, Range 04, Section 11, 1/4 Section 00, Tax Lot 00108

I certify that I have personally investigated the existing sewage disposal system on the above referenced property and have identified the exact location of all parts of the septic system, including the:

- Septic tank
- Distribution box or drop boxes
- Drainfield lines associated treatment units (e.g. sand filter, and future septic system replacement area)

The attached plot plan is an accurate representation of the location of the septic system, existing structure(s) and proposed structure(s) on the property; and, I have verified that the proposed development meets all minimum setback requirements from the existing septic system and the future system replacement area (OAR 340-71-220 Table 1), including, but limited to:

- 10-foot separation distance from foundation lines to drainfield
- 5-foot separation from foundation lines to septic tank.

I further certify that I have, to the best of my abilities, thoroughly inspected the septic system and found no evidence of any failure. The system appears to be functioning in a satisfactory manner at this time.

Signature: _____

(Property Owner or Authorized Agent)

Printed Name: _____

Address: _____

Lane County Land Management Division
On-Site Wastewater Program
3050 N. Delta Hwy
Eugene, OR 97408



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904
www.oregon.gov/owrd

August 12, 2024

VIA E-MAIL

BENTE KONGSORE
PO BOX 459
CRESWELL, OR 97426

Reference: Water Right Transfer Application T-14080

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-14080. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by September 12, 2024.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. Respond in writing by September 12, 2024, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; **AND**
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at: [https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent%20to%20transfer%20form.pdf)
6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions of your water right...

The Watermaster has required a water measurement device at the new diversion point prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device.

This transfer will require installation of a fish screen at the new diversion point **prior to diversion of water. You may not divert water prior to installation and approval of the fish screen by the Oregon Department of Fish and Wildlife (ODFW).** You may wish to contact the ODFW staff person listed on the enclosed contact sheet for more information about the screen and to determine a reasonable timeline.

Please note the proposed date by which all conditions must be met: October 1, 2025. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized point of diversion, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice. As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs).

Issuance of the Preliminary Determination will occur shortly after we receive:

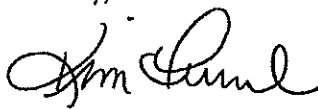
1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and

2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by September 12, 2024, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at 503 979-9607 or Kim.R.French@water.oregon.gov if I may be of assistance.

Sincerely,



Kim French
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14080
Lanaya F. Blakely, District 2 Watermaster *(via e-mail)*
William E. McGill, Agent for the applicant *(via e-mail)*

encs

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 14080



In order to avoid enlargement of the right or injury to other rights, a totalizing flow meter will be required to be installed prior to diversion of water, as a condition of this transfer:



at each point of diversion/appropriation (new and existing) OR



at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Lanaya Blakely

District: 2

Address: 125 E 8th Ave

City/State/Zip: Eugene, OR 97401

Phone: 541-682-3620

Email: Lanaya.F.Blakely@water.oregon.gov

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device T-
(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable alternate measurement device:

 Watermaster signature

 District

 Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

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

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

Transfer #: T-14080

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

- ☒ Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

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

ODFW staff name: Bryce Macnab

Address: 3561 Klindt Dr

City/State/Zip: The Dalles/OR/97058

Phone: (541) 296-8026

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

ODFW staff name: Jason Brandt

Address: 4192 North Umpqua Hwy

City/State/Zip: Roseburg/OR/97470

Phone: (541) 315-6222

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

In the Matter of Transfer Application
T-14080, Lane County

)
)
)
)
)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF CHANGES IN
POINT OF DIVERSION AND PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish 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. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

BENTE KONGSORE
PO BOX 459
CRESWELL, OR 97426

Findings of Fact

1. On August 24, 2022, BENTE KONGSORE filed an application to change the point of diversion and the place of use under Certificate 51276. The Department assigned the application number T-14080.
2. Notice of the application for transfer was published on September 13, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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

Certificate: 51276 in the name of KENT AND BRYCE OLSEN (perfected under Permit S-33772)

Use: IRRIGATION OF 19.7 ACRES

Priority Date: JULY 22, 1968

Rate: 0.24 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, 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 No. R-5337.

Source: CAMAS SWALE CREEK and RESERVOIR, constructed under Permit R-5337, a tributary of COAST FORK WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
19 S	4 W	WM	13	NW NW	41	POD 1 AND RESERVOIR - 80 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Changes
19 S	4 W	WM	11	SE SE	0.66	POU/POD
19 S	4 W	WM	11	SE SE	6.34	POD
19 S	4 W	WM	14	NE NE	12.70	POD
TOTAL					19.70	

4. Transfer Application T-14080 proposes to move the authorized point of diversion approximately 1700.0 feet downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
19 S	4 W	WM	14	NE NE	POD 2 - 670 FEET SOUTH AND 645 FEET WEST FROM THE NW CORNER OF SECTION 13

5. Transfer Application T-14080 also proposes to change the place of use for a portion of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
19 S	4 W	WM	11	SE SE	0.66

6. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion, and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2), 690-380-2110(2) and OAR 690-380-2200]

7. Water has been used within the five-year period prior to submittal of Transfer Application T-14080 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14080.

9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed point of diversion diverts water from the same source of surface water as the authorized point of diversion, as required by OAR 690-380-2110(2).
11. The proposed changes, as conditioned, would not result in enlargement of the right.
12. The proposed changes, as conditioned, would not result in injury to other existing water rights.
13. All other application requirements are met.

Determination and Proposed Action

The changes in point of diversion and place of use proposed in Transfer Application T-14080 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 transfer application will be approved.

If Transfer Application T-14080 is approved, the final order will include the following:

1. *The changes in point of diversion and place of use proposed in Transfer Application T-14080 are 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 Certificate 51276 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of diversion or the new place of use.*
4. *Water right Certificate 51276 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
5. *The quantity of water diverted at the new point of diversion (POD 2) shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).*
6. *Water shall be acquired from the same source of surface water as the original point of diversion.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*

8. *Water Use Measurement Conditions:*

- a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).*
- b. *The water user shall maintain the meters or measuring devices in good working order.*
- c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*

9. *Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.*

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change(s) and full beneficial use of the water.*
11. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Kim French. If you have questions about the information in this document, you may reach me at 503 979-9607 or Kim.R.French@water.oregon.gov.



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

September 12, 2022

BENTE KONGSORE
PO BOX 459
CRESWELL, OR 97426

Reference: Application T-14080

On August 24, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$2450.00. Our receipt number 138984 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 requested change. A review form will also be sent to Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use or from the new point of diversion until a final order approving the transfer application has been issued by the Department. 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 application is approved, the buyer's consent to the application will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #2, Lanaya F. Blakely (*via email*)
William E. McGill, Agent
Lane County

Enclosure

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist



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

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

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

RECEIVED

AUG 24 2022

OWRD

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: Cert. 51276**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

- | | |
|--|--|
| ☐ Application fee not enclosed/insufficient | ☐ Map not included or incomplete |
| ☐ Land Use Form not enclosed or incomplete | ☐ Evidence of Use Form not enclosed or incomplete |
| ☐ Additional signature(s) required | ☐ Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

Part 2 of 5 – Transfer Application Map

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

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

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

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

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1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (*for C12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be transferred to get the transfer cfs (*x 45 ac = 0.56 cfs*).
 - b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs*)
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. (*In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0*).

1	Base Fee (includes change to one well)	1	\$990.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$480 and enter » » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Bente Kongsore			PHONE NO. (541) 895-3010	ADDITIONAL CONTACT NO. (541) 735-1358
ADDRESS PO Box 459				FAX NO.
CITY Creswell	STATE OR	ZIP 97426	E-MAIL bentkongsore@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

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

Explain in your own words what you propose to accomplish with this transfer application, and why:
It is proposed to move the place of use underlying recently built ponds to preserve the water right. It is also proposed to correct the authorized POD for this property.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- ☐ I affirm 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; **OR**
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Creswell, The Creswell Chronicle.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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

Applicant signature

Print Name (and Title if applicable)

Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

Check the following boxes that apply:

- ☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- ☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☒ No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

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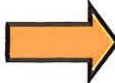
RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: ☐ Applicant ☐ Receiving Landowner				

☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Lane County	ADDRESS 3050 N Delta Hwy	
CITY Eugene	STATE OR	ZIP 97408

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # **51276**

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Description of Water Delivery System

System capacity: **0.33** cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **5 HP submersible pump conveys water through garden hoses to high pressure sprinklers.**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-__)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	☒ Authorized ☐ Proposed		19	S	4	W	13	NW	NW	400	80' S and 1000' E from NW corner of sec. 13
POD 2	☐ Authorized ☒ Proposed		19	S	4	W	14	NE	NE	1300	670' S and 645' W from NW corner of sec. 13
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☒ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

Table 2. Description of Changes to Water Right Certificate # 51276

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
19	S	4	W	11	SE	SE	108		7.0	Irrigation	POD 1	1968	POU/POD	19	S	4	W	11	SE	SE	108		0.66	Irrigation	POD 2	1968		
19	S	4	W	14	NE	NE	1300		12.7	Irrigation	POD 1	1968	POD	19	S	4	W	11	SE	SE	108		6.34	Irrigation	POD 2	1968		
													POD	19	S	4	W	14	NE	NE	1300		12.7	Irrigation	POD 2	1968		
TOTAL ACRES:								19.7							TOTAL ACRES:								19.7					

Additional remarks: _____.

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: **Permits R-15455, R-15456, R-15457.**



Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of LANE)

I, BENTE KONGSORE, in my capacity as OWNER,

mailing address PO BOX 459, CRESWELL, OR 97426

telephone number (541)895-3010, being first duly sworn depose and say:

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

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

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

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
51276	19	S	4	W	WM	11	SE	SE		7.0
51276	19	S	4	W	WM	14	NE	NE		12.7

OR

☐ Confirming Certificate # _____ has been issued within the past five years; **OR**

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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

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

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P
Signature of Affiant

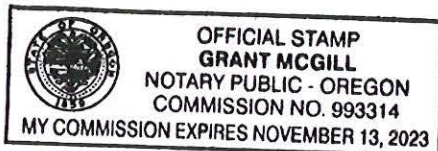
8-19-22

AUG 24 2022

Date

OWRD

Signed and sworn to (or affirmed) before me this 19 day of Aug., 2022.



Grant McGill
Notary Public for Oregon

My Commission Expires: 11/13/23

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



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Land Use Information Form



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

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Applicant(s): Bente Kongsore

Mailing Address: PO Box 459

City: Creswell

State: OR

Zip Code: 97426

Daytime Phone: (541) 895-3010

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>19S</u>	<u>4W</u>	<u>11</u>	<u>SESE</u>	<u>108</u>	<u>EFU</u>	☐ Diverted	☐ Conveyed	☒ Used	<u>farming</u>
<u>19S</u>	<u>4W</u>	<u>14</u>	<u>NENE</u>	<u>1300</u>	<u>EFU</u>	☒ Diverted	☐ Conveyed	☒ Used	<u>farming</u>
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____

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

Lane

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 ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

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

Estimated quantity of water needed: 49.25 ☐ cubic feet per second ☐ gallons per minute ☒ acre-feet

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

Briefly describe:

It is proposed to move a small portion of this water right and authorize the correct pump site for this property.

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

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- ☐ Land uses to be served by the 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

Irrigation for Farm Use is allowed outright in the Exclusive Farm Use zone. Recommend applicant complies with Department of State Land requirements due to mapped hydric soils in the area. DEQ as well if ground is disturbed.

Name: Chloe Trifilio Title: Planner

Signature: [Signature] Phone: 541-682-2007 Date: 8/16/22

Government Entity: Lane County - Land Management

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: Grant McGill

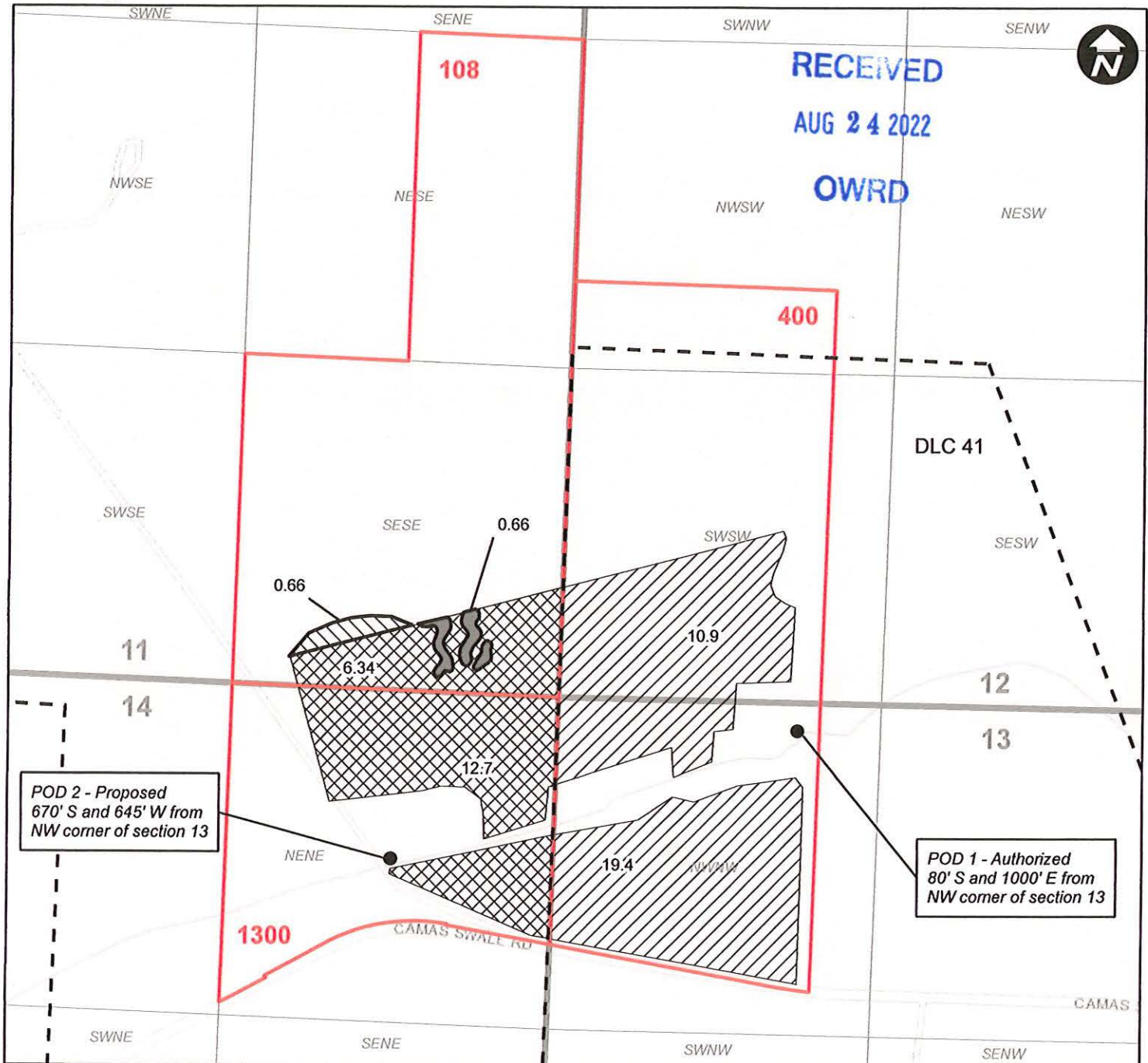
City or County: Lane County Staff contact: Chloe Trifilio

Signature: [Signature] Phone: 541-682-2007 Date: 8/15/2022

Transfer Application - Certificate 51276

Kongsore, Bente

Township 19S, Range 4W, W.M.



Legend

- | | |
|---------------|----------------------------|
| DLC | Transfer To (& POD Change) |
| Tax Lot | POD Change Only |
| Transfer From | Cert. 51276 No Change |



Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T-

Checked by: <u>Scott</u> Date: <u>8-31-22</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution Gov Action	Supplemental to Primary Surface to Ground	☒ POU ☒ POD USE POA	APOD APOA
Fee Received: <u>2450</u>					
Calculated Fee: <u>2450</u>			How many rights to be Transferred? Certificate # <u>51276</u>		
Additional Observations: <u>The Creswell Chronicle</u> <u>19.7 acres</u>					

If OK and complete, check box to the left; if NOT, fill in.

- ☒ 1. Is applicant information complete? Have all applicants listed at the top of the page signed at the bottom?
If no, what is missing? Whose signature is missing? _____
- ☒ 2. Does applicant indicate the place of use is in or near an irrigation district? Is a Form D included? ☒ N/A.
Name of the district: _____
- ☒ 3. Part 5 of application, has the applicant(s) completed the entire page and does the information match the description of the explanation of the reasons for transfer on Part 4 of the application?
If no, you may need to contact the applicant or agent? _____
- ☒ 4. Is there only one (1) water right included in this transfer application?
If no, are the criteria of OAR 690-380-3220 for more than one WR met? Yes or No _____
If no, then the transfer application **CANNOT** be accepted. See attached "3220" Decision Tree Flowchart.
- ☒ 5. For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2?
If no, which certificate(s) are missing a separate Part 5 tables 1 & 2? _____
- ☒ 6. Is the map prepared and signed by a CWRE? Does the map meet requirements?
If no, what is missing? _____. Map waiver included? ☐ Yes ☐ No
- ☒ 7. If a change in point of appropriation (POA), have the well logs been included? ☒ N/A.
- ☒ 8. If a change in place of use (POU) within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
- ☒ 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), **ACCEPT** the application. Put this application intake completeness check sheet in the transfer folder.

OR: ☐ If all boxes to the left are NOT checked, then this application is deficient and **CANNOT** be accepted.
It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken: _____ Date: _____

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

Reference Transfer #: T-14080

Date of review: 10/3/22

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

☐ The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on _____ [stream], tributary to _____, because _____.

(Please attach any available supporting information.)

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

B. Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.525 or 540.532:

☐ **1. Screen Maintain**

[Select this option if the new Point of Diversion (POD) requires a fish screen and is currently equipped with an appropriate fish screen that will still be in compliance if the transferred water is diverted from this POD.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

Condition: The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☒ **2. Screen Now**

[Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Condition: Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

*Please return all 3 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1266*

☐ **3. Screen 2 Year**

[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should NOT be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. Please provide contact information on the "Fish Screening and Passage Information" sheet.] If extraordinary circumstances are present, please explain: _____

Note: This option will yield the following:

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

Condition: By October 1, 20__ [Within two years after the date of this order] the water user shall install an approved fish screen at the new point of diversion. The water user may withdraw water at the new point of diversion without a screen until October 1, 20__. The water user shall provide to OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall maintain and operate the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **4. Screen Future**

[Use this option if fish are not currently present, but might possibly be at some future time.]

Note: This option will yield the following:

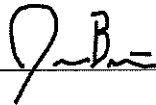
Finding of Fact: The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

Condition: The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **5. No Screen Needed**

[Check this box if fish are not currently present, and are not expected in the future.]

Signature



Jason Brandt
Printed Name

(541) 315-6222
Phone

SW Hydro Coordinator
Title

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

Transfer #: T-14080

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

- ☒ Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

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

ODFW staff name: Bryce Macnab

Address: 3561 Klindt Dr

City/State/Zip: The Dalles/OR/97058

Phone: (541) 296-8026

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

ODFW staff name: Jason Brandt

Address: 4192 North Umpqua Hwy

City/State/Zip: Roseburg/OR/97470

Phone: (541) 315-6222



Received by OWRD

JUL 14 2025

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Bente Kongsove PO Box 459

Creswell, OR 97426

Transaction Type: Notice

Fees Received: \$ 99.41

☐ Cash

☒ Check:

Check No. 2433

Name(s) on Check: Will McGill Surveying

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Sarah Benham

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.