

Temporary

Name Blue Sky Farms
att Cam Burk
Address 21333 French Prairie rd
St Paul Oregon 97137

DESCRIPTION OF WATER RIGHT(S)

Name of Stream well

Trib. of Champoeg Creek Basin

Use nursery County Marion

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

Name of ditch _____

App# G14883 Per # G13770 Cert # 95641 PR Date 12/17/1998

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 #
<u>4-23-2021</u>	<u>\$1,107.39</u>	<u>135063</u>
<u>4-23-2021</u>	<u>\$ 21.60</u>	<u>135065</u>

Change in POW
Date Filed 4/23/2021
Initial notice date 5/11/2021
DPD issued date _____
PD issued date _____
PD notice date _____
Date of FO 6/30/2021 Vol 120 Page 980-83
C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: _____

Irrigation District _____

Agent Aspen rural eric orstadt

CWRE _____

CC's list Marion County Planning

- Oversized map - Location _____

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

In the Matter of Temporary Transfer) ORDER TERMINATING
T-13688, Marion County, Oregon) A TEMPORARY TRANSFER

Authority

OAR 690-380-8002(3) and 690-380-8004(7) provide that the uses authorized under a temporary transfer revert to the terms and conditions of the originating water right on the written request of the applicant.

Applicant

BLUE SKY FARM
CAM BUCK
21333 FRENCH PRAIRIE RD
ST. PAUL, OR 97137

Findings of Fact

1. On June 30, 2021, the Water Resources Department issued an order approving the temporary changes under Certificate 95641 proposed in Application T-13688. The order was recorded in Special Order Volume 120, Page 980.
2. Under the order, the water right would revert to the authorized place of use at the end of the 2025 irrigation season.
3. The most recent use of water at the place of use authorized under the temporary transfer was during the 2025 irrigation season.
4. The applicant's agent submitted a written request that the temporary transfer be voluntarily terminated.

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

Now, therefore, it is ORDERED:

Temporary Transfer T-13688 is terminated. The use shall revert to the place of use authorized under Certificate 95641. Water may not be used at the authorized place of use during the same season in which water was used under the Temporary Transfer.

Dated in Salem, Oregon on

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

Mailing date: _____

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13688

Transfer Specialist: *Scott*

Transfer Type: Temporary Transfer

Applicant: BLUE SKY FARMS CAM BUCK 21333 FRENCH PRAIRIE RD NE ST PAUL, OR 97137 Email: _____ Phone: _____	Agent: <input type="checkbox"/> N/A ERIC URSTADT 39290 NW MURTAUGH RD NORTH PLAINS, OR 97133 Email: _____ Phone: _____
Irrigation District: <input type="checkbox"/> N/A Email: _____	CWRE: <input type="checkbox"/> N/A Email: _____
Affected Local Gov'ts: <input type="checkbox"/> N/A Marion County Planning Department Email: _____	Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____	Receiving Landowner: <input type="checkbox"/> N/A Email: _____

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G-14883	G-13770	95641	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: May 5, 2021	Proposed Action(s): PLACE OF USE	
Fees Pd: 1129.01	WM District: 16	ODFW District:
Initial Public Notice: May 11, 2021	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <i>6/11/21</i> Initials: <i>Scott</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: <i>6/11/21</i> Initials: <i>Scott</i>	Date: <i>6/13/21</i> Initials: <i>AJD</i>	Date: _____ Initials: _____	Date: <i>6/22/21</i> Initials: <i>PKS</i>	Date: <i>6/23/21</i> Initials: <i>Scott</i>	Date: <i>6/23/21</i>	Date: <i>6/30/2021</i>

Special Issues: COMMENT PERIOD END 6/10/21

Special Order Volume: Vol. 120 Pages 980-83

Order Terminating 10/10/25 Jan



Oregon
Kate Brown, Governor

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

June 30, 2021

BLUE SKY FARM
CAM BUCK
21333 FRENCH PRAIRIE RD NE
ST PAUL, OR 97137

REFERENCE: Temporary Transfer Application T-13688

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

The temporary change shall be effective at the **beginning of the irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2025 irrigation season**.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Scott Grew, by telephone at (503) 986-0890 or by e-mail at Scott.A.Grew@oregon.gov.

Sincerely,

Julie C. Baustian
Water Rights Services Support
Transfers and Conservation Section

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email)
Marion County Planning
Eric Urstadt, Agent

Enclosure

Limit/Duty: The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime, during the period of allowed use specified above, that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

Period of Use: YEAR ROUND

Source: A WELL in CHAMPOEG CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	2 W	WM	10	NE NW	81	1308 FEET NORTH AND 444 FEET WEST FROM THE SE CORNER OF DLC 81

Authorized Place of Use:

NURSERY OPERATIONS						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	2 W	WM	3	SW SW	81	10.8
5 S	2 W	WM	3	SE SW	81	10.5
5 S	2 W	WM	4	SE SW	81	4.8
5 S	2 W	WM	4	SW SE	81	11.4
5 S	2 W	WM	4	SE SE	81	11.1
5 S	2 W	WM	9	NE NE	81	18.2
5 S	2 W	WM	9	NW NE	81	15.2
5 S	2 W	WM	9	NE NW	81	6.3
5 S	2 W	WM	10	NW NE	81	5.4
5 S	2 W	WM	10	NE NW	81	23.7
5 S	2 W	WM	10	NW NW	81	21.3
Total						138.7

4. Temporary Transfer Application T-13688 proposes to temporarily change the place of use of the right to:

NURSERY OPERATIONS						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	2 W	WM	9	NE NE	81	21.7
5 S	2 W	WM	9	NW NE	81	24.6
5 S	2 W	WM	9	SW NE	81	3.2
5 S	2 W	WM	9	SE NE	81	9.2
5 S	2 W	WM	9	NE NW	81	5.2
5 S	2 W	WM	10	NW NE	81	2.5
5 S	2 W	WM	10	SW NE	81	3.1
5 S	2 W	WM	10	NE NW	81	15.3

NURSERY OPERATIONS						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	2 W	WM	10	NW NW	81	18.4
5 S	2 W	WM	10	SW NW	81	14.9
5 S	2 W	WM	10	SE NW	81	20.6
					Total	138.7

Temporary Transfer Review Criteria

5. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
6. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
7. The proposed change would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred right, as required by ORS 540.523(7).
8. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

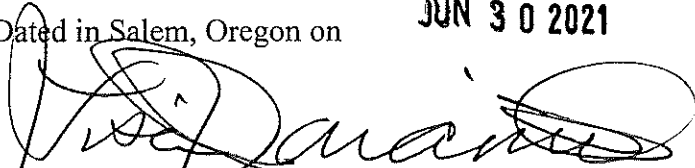
The temporary change in place of use proposed in Temporary Transfer Application T-13688 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in Temporary Transfer Application T-13688 is approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2021, 2022, 2023, 2024 and 2025 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2025 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificate 95641 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.

6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 95641.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. The use of the remaining water right described by Certificate 95641 shall continue to be in accordance with the terms and conditions of Certificate 95641.

Dated in Salem, Oregon on **JUN 30 2021**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing Date: **JUN 30 2021**

STATE OF OREGON
 COUNTY OF MARION
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BLUE SKY FARM
 CAM BUCK
 21333 FRENCH PRAIRIE RD NE
 ST PAUL, OR 97137

confirms the right to the use of water perfected under the terms of Permit G-13770. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

Handwritten calculations:
 $\frac{1.81 \text{ cfs}}{141.3 \text{ acres}} = 0.128096$
 $\times 138.7 \text{ acres}$
 $\underline{\underline{1.7766950}}$
 $\underline{\underline{1.78 \text{ cfs}}}$

APPLICATION FILE NUMBER: G-14883
 SOURCE OF WATER: A WELL IN CHAMPOEG CREEK BASIN
 PURPOSE or USE: NURSERY OPERATIONS ON 141.3 ACRES
 MAXIMUM RATE: 1.81 CUBIC FEET PER SECOND (CFS)
 PERIOD OF USE: YEAR ROUND
 DATE OF PRIORITY: DECEMBER 17, 1998

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	2 W	WM	10	NE NW	81	WELL #1 - 1308 FEET NORTH AND 444 FEET WEST FROM SE CORNER, DLC 81

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime, during the period of allowed use specified above, that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	2 W	WM	3	SW SW	81	10.8
5 S	2 W	WM	3	SE SW	81	10.5
5 S	2 W	WM	3	SW SE	81	2.6
5 S	2 W	WM	4	SE SW	81	4.8
5 S	2 W	WM	4	SW SE	81	11.4
5 S	2 W	WM	4	SE SE	81	11.1
5 S	2 W	WM	9	NE NE	81	18.2
5 S	2 W	WM	9	NW NE	81	15.2
5 S	2 W	WM	9	NE NW	81	6.3
5 S	2 W	WM	10	NW NE	81	5.4
5 S	2 W	WM	10	NE NW	81	23.7
5 S	2 W	WM	10	NW NW	81	21.3

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

To monitor the effect of water use from the well(s) authorized under this right, the Director may require the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement. The measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The reference level against which any future measurements will be compared is 5.80 feet below land surface.

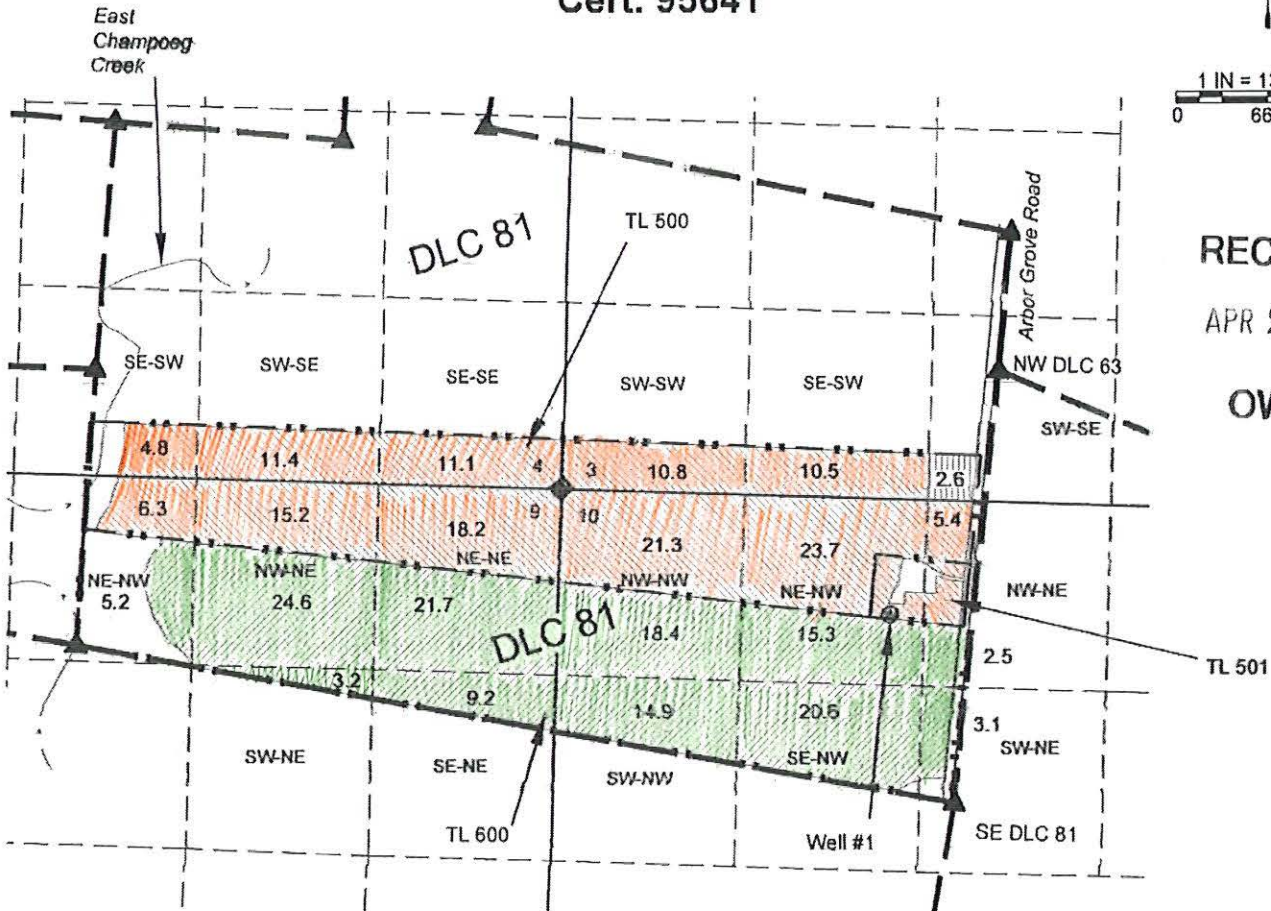
TEMPORARY TRANSFER MAP

Sections 3, 4, 9, 10, T5S, R2W, Marion County
Cert. 95641



1 IN = 1320 FT
0 660 1320

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WELL #1 IS 1308' N & 444' W OF SE DLC #81 (PER 2013 MACDONALD CLAIM)

NOTES:

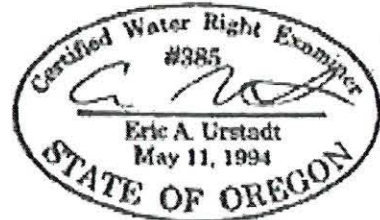
- THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.
- THIS MAP IS BASED ON THE FOUR TAX ASSESSOR MAPS, AND A 2020 AERIAL PHOTO. DLC AND PROPERTY LINES ARE BASED ON TAX ASSESSOR MAPS. ACRES FOR THE FROM LANDS MATCH AN AMENDED COBU MAP FOR PERMIT G-13770 BY ASPEN.
- WATER CONVEYANCE LINES SHALL BE ALL WITHIN THE PROPERTY AND THEREFORE ARE NOT SHOWN.

LEGEND

- DONATION LAND CLAIM (DLC) CORNER
- SECTION CORNER
- POINT OF APPROPRIATION (WELL)
- STREAM OR SURFACE DRAINAGE
- TAX LOT LINE
- SECTION LINE
- QUARTER-QUARTER LINE
- DLC LINES



FROM lands
TO lands
REMAINING lands



MAP BY:
ASPEN RURAL LAND CONSULTING

ERIC URSTADT, PE, PL
971-250-1520
July 2020
BlueSky-WoodburnWest3B

13688 -

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 95641

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
5	S	2	W 3 SE SW	500	81	10.8	Irrig	POU	1998	POU	5	S	2	W 9 NE NE	600	81	21.7	Irrig	POU	1998			
5	S	2	W 3 SW SW	500	81	10.5	Irrig	POU	1998	POU	5	S	2	W 9 NW NE	600	81	24.6	Irrig	POU	1998			
5	S	2	W 4 SE SW	500	81	4.8	Irrig	POU	1998	POU	5	S	2	W 9 SW NE	600	81	3.2	Irrig	POU	1998			
5	S	2	W 4 SW SE	500	81	11.4	Irrig	POU	1998	POU	5	S	2	W 9 SE NE	600	81	9.2	Irrig	POU	1999			
5	S	2	W 4 SE SE	500	81	11.1	Irrig	POU	1998	POU	5	S	2	W 9 NE NW	600	81	5.2	Irrig	POU	1998			
5	S	2	W 9 NE NE	500	81	18.2	Irrig	POU	1998	POU	5	S	2	W 10 NE NW	600	81	15.3	Irrig	POU	1998			
5	S	2	W 9 NW NE	500	81	15.2	Irrig	POU	1998	POU	5	S	2	W 10 NW NW	600	81	18.4	Irrig	POU	1998			
5	S	2	W 9 NE NW	500	81	6.3	Irrig	POU	1998	POU	5	S	2	W 10 SW NW	600	81	14.9	Irrig	POU	1998			
5	S	2	W 9 NW NE	500	81	5.4	Irrig	POU	1998	POU	5	S	2	W 10 SE NW	600	81	20.6	Irrig	POU	1998			
5	S	2	W 10 NE NW	500	81	23.7	Irrig	POU	1998	POU	5	S	2	W 10 NW NE	600	81	2.5	Irrig	POU	1998			
5	S	2	W 10 NW NW	500	81	21.3	Irrig	POU	1998	POU	5	S	2	W 10 SW NE	600	81	3.1	Irrig	POU	1998			
TOTAL ACRES						138.7							TOTAL ACRES						138.7				

Additional remarks: _____

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APR 23 2021

OWRD

TACS

13688

Revised 5/13/2019

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 rows to tables within the form.

Water Right Certificate # 95641

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APR 23 2021

Description of Water Delivery System

System capacity: 1.81 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

OWRD

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. There is a submersible pump in the well that conveys water via pipelines to various sprinklers depending on the crop.

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	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 55427	5 S	2 W	10	SE NW	81	1308 N & 444' W of SE DLC B1 (per COBU)
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

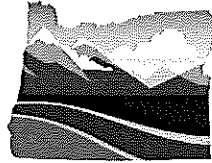
- Place of Use (POU)
- Character of Use (USE)
- Point of Diversion (POD)
- Point of Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

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

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

13688 -

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13688

Review Due Date: 06/04/2021

Applicant Name: Blue Sky Farm, Cam Buck

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): G. Wacker

Date of Review: 05/27/2021

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? Yes No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)

2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? Yes No Generally characterize the frequency of any regulation or explain why regulation has not occurred:

3. Have headgate notices been issued for the source that serves the transferred right(s)?
 Yes No Records not available.

4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? Yes No If "Yes", explain:

5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? Yes No If "Yes", describe how the rights would be affected and list the rights most affected:

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

N/A

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

N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? Yes No

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

10. For POU or USE changes: N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

Yes No If "Yes", explain:

11. For POU changes that involve micro-irrigation: N/A

a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

Yes No If "Yes", explain:

b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

Yes No If "Yes", answer the following:

i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? Yes No If "Yes", explain:

ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? Yes No If "No", explain:

iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? Yes No If "No", explain:

iv. Do you have any other observations regarding the temporary transfer? Yes No If "Yes", describe: .

v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? Yes No If "No", explain:

c. To the best of your knowledge, if this transfer is approved, does it appear that:

i. "Injury" will occur to other water rights that share the same source? Yes No If "Yes", explain:

ii. "Enlargement" of the water right being transferred will occur? Yes No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

Yes No If "Yes", explain:

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? No Yes, as checked and provided below:

For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

A Headgate should be required prior to diverting water.

Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

*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/appropriation (new and existing) OR at each new point of diversion/appropriation with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

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.

Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

*a. Before water use may begin under this order, the water user shall install **staff gages***, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

- Weir
- Parshall Flume
- Other: _____
- Submerged Orifice
- Flow Restrictor



Oregon

Kate Brown, Governor

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

May 5, 2021

BLUE SKY FARMS
CAM BUCK
21333 FRENCH PRAIRIE RD NE
ST PAUL, OR 97137

Reference: Application T- 13688

On May 5, 2021, we received your water right Transfer application. The application was accompanied by \$1129.01. Our receipt number 135065; 135063 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.

Except as provided under ORS 540.510(3) for municipalities, you may not *temporarily* use water at the new place of use until a final order approving the temporary transfer application has been issued by the Department. Additionally, pursuant to OAR 690-380-8010, the lands from which an irrigation water right is to be temporarily transferred and the land to which the right is to be temporarily transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

If the land is sold before the temporary transfer is approved, the buyer's consent to the temporary transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

If you have any questions, please contact the Transfer Section at (503) 986-0815.

Cc: Watermaster Dist. #16 (via email)
Marion County Planning
Eric Urstadt, Agent

Enclosure

**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 # **135065**

INVOICE # _____

RECEIVED FROM: <u>Blue Sky Farm, Inc.</u>	APPLICATION
BY: <u>Cascade Trees</u>	PERMIT
	TRANSFER <u>T-13688</u>

CASH: CHECK: # 5819 OTHER: (IDENTIFY)

TOTAL REC'D \$ 21.62

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>21.62</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: **135065** DATED: 4-23-2021 BY: Mindy Carlson

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

**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 # **135063**

INVOICE # 11

RECEIVED FROM: <u>Blue Sky Farm, Inc.</u>	APPLICATION
BY: <u>Cascade Trees</u>	PERMIT
CASH: <input type="checkbox"/>	TRANSFER <u>T-13688</u>
CHECK: # <u>5719</u> <input checked="" type="checkbox"/>	TOTAL REC'D \$ <u>1,107.39</u>
OTHER: (IDENTIFY) <input type="checkbox"/>	

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 <u>46110</u>	
0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
TC162 DEPOSIT LIAB. (IDENTIFY)	\$
0240 EXTENSION OF TIME	\$
WATER RIGHTS:	
0201 SURFACE WATER	EXAM FEE \$
0203 GROUND WATER	\$
0205 TRANSFER	\$ <u>1107.39</u>
RECORD FEE	
0202	\$
0204	\$
WELL CONSTRUCTION	
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$
LANDOWNER'S PERMIT	\$
0219	\$
0220	\$
OTHER (IDENTIFY)	

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **135063**

DATED: 4-23-2021 BY: Mindy Carlson

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

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



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

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

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APR 23 2021

FOR ALL TEMPORARY TRANSFER APPLICATIONS



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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 95641**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2021 End Year: 2026.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land from which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) 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 - See Attachment E.**
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

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

<input type="checkbox"/> Application fee not enclosed/or is insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part <u>1</u> is incomplete
<input type="checkbox"/> Additional signature(s) required	
Other/Explanation _____	
Staff: _____ 503-986-0 _____	Date: ____/____/____

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

GWRB

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

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

13688 -

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Blue Sky Farms c/o Cam Buck			PHONE NO. (503) 931-1421	ADDITIONAL CONTACT NO. N/A
ADDRESS 21333 French Prairie Rd.				FAX NO. N/A
CITY St. Paul	STATE OR	ZIP 97137	E-MAIL See note below*	
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 Aspen Rural land Consulting c/o Eric Urstadt, PE, PLS, CWRE			PHONE NO. 971.250.1520	ADDITIONAL CONTACT NO. 503.647.1919
ADDRESS 39290 NW Murtaugh Road				FAX NO. N/A
CITY North Plains	STATE OR	ZIP 97133	E-MAIL See note below*	
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.				
Note: Due to problems with email communication, the applicant and agent wish correspondence to come in the form of both email (ericurstadt@hotmail.com and cam@cascadetrees.com) and US mail.				

Explain in your own words what you propose to accomplish with this transfer application and why:
This application intends to temporarily change the place of use (only) for an irrigation right.
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

	Walter "Cam" Buck, trustee of Buck Living Trust	<u>2-22-21</u>
Applicant signature	Print Name (and Title if applicable)	Date
	David F. Buck, trustee of David F. Buck Living Trust	<u>2-22-21</u>
Applicant signature	Print Name (and Title if applicable)	Date

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

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

	Brian G. Buck, landowner (taxlot 503)	<u>4-20-2021</u>
Signature	7095 Arbor Lane, NE, Woodburn, OR 97071	Date

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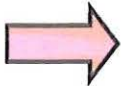
13688 -

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

DISTRICT NAME N/A	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 N/A	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Marion County Planning Division	ADDRESS 5155 Silverton Rd NE	
CITY Salem	STATE OR	ZIP 97035

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 rows to tables within the form.

Water Right Certificate # 95641

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APR 23 2021

Description of Water Delivery System

System capacity: 1.81 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

OWRD

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. There is a submersible pump in the well that conveys water via pipelines to various sprinklers depending on the crop.

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	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 55427	5 S	2 W	10	SE NW	81	1308 N & 444' W of SE DLC 81 (per COBU)
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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

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

13688 -

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 95641

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
5	S	2	W 3 SE	SW	500	81	10.8	Irrig	POU	1998	POU	5	S	2	W 9 NE	NE	600	81	21.7	Irrig	POU	1998		
5	S	2	W 3 SW	SW	500	81	10.5	Irrig	POU	1998	POU	5	S	2	W 9 NW	NE	600	81	24.6	Irrig	POU	1998		
5	S	2	W 4 SE	SW	500	81	4.8	Irrig	POU	1998	POU	5	S	2	W 9 SW	NE	600	81	3.2	Irrig	POU	1998		
5	S	2	W 4 SW	SE	500	81	11.4	Irrig	POU	1998	POU	5	S	2	W 9 SE	NE	600	81	9.2	Irrig	POU	1999		
5	S	2	W 4 SE	SE	500	81	11.1	Irrig	POU	1998	POU	5	S	2	W 9 NE	NW	600	81	5.2	Irrig	POU	1998		
5	S	2	W 9 NE	NE	500	81	18.2	Irrig	POU	1998	POU	5	S	2	W 10 NE	NW	600	81	15.3	Irrig	POU	1998		
5	S	2	W 9 NW	NE	500	81	15.2	Irrig	POU	1998	POU	5	S	2	W 10 NW	NW	600	81	18.4	Irrig	POU	1998		
5	S	2	W 9 NE	NW	500	81	6.3	Irrig	POU	1998	POU	5	S	2	W 10 SW	NW	600	81	14.9	Irrig	POU	1998		
5	S	2	W 9 NW	NE	500	81	5.4	Irrig	POU	1998	POU	5	S	2	W 10 SE	NW	600	81	20.6	Irrig	POU	1998		
5	S	2	W 10 NE	NW	500	81	23.7	Irrig	POU	1998	POU	5	S	2	W 10 NW	NE	600	81	2.5	Irrig	POU	1998		
5	S	2	W 10 NW	NW	500	81	21.3	Irrig	POU	1998	POU	5	S	2	W 10 SW	NE	600	81	3.1	Irrig	POU	1998		
TOTAL ACRES						138.7							TOTAL ACRES						138.7					

Additional remarks: _____

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APR 23 2021

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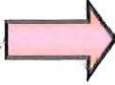
TACS

13688
Revised 5/13/2019

For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

13688 -



TICOR TITLE™

ATTACH B-1/6

Property Profile Report

Client Name:

Aspen Rural Land Consulting

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Today's Date:

02/10/2021

APR 23 2021

OWRD

Owner Name:

David F Buck Lt 50% & Buck Lt 50%

Buck, Susan A Trustee

Property Address:

7075 Arbor Ln NE

Woodburn OR 97071 9395

Reference Number:

052W10 00500

Account Number:



Seven Ticor Mid-Valley locations to serve you:

220 SW 6th Ave Albany, OR 97321 541.926.2111	400 SW 4th St Ste 100 Corvallis, OR 97330 541.757.1466	52 E Airport Rd Lebanon, OR 97355 541.258.2813	1215 NE Baker St McMinnville, OR 97128 503.472.6101	315 Commercial St SE, Ste 150 Salem, OR 97301 503.585.1881	115 N College St STE 200 Newberg, OR 97132 503.542.1400	206 N 1st St Silverton, OR 97381 503.873.5305
--	--	---	--	---	---	--

This title information has been furnished, without charge, in conformance with guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions that indiscriminate use only benefiting intermediaries will not be permitted. No liability is assumed for any errors in this record.

The information compiled in this report(s) was imported from a vendor-provided database source. Although the information is deemed reliable and every effort has been taken to correct data imperfections, Ticor Title cannot be held responsible for any inaccuracies.

TITLE AND ESCROW SERVICES

www.TicorMidValley.com

For all your customer service needs: MVCS@TicorTitle.com

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Parcel Information

Parcel #: R14604
Tax Lot: 052W10 00500
Site Address: 7075 Arbor Ln NE
Woodburn OR 97071 - 9395
Owner: David F Buck Lt 50% & Buck Lt 50%
Owner2: Buck, Susan A Trustee
Owner Address: 16401 Arbor Grove Rd NE
Woodburn OR 97071
Twn/Range/Section: 05S / 02W / 10
Parcel Size: 142.56 Acres (6,209,914 SqFt)
Plat/Subdivision:
Lot: 3
Block:
Census Tract/Block: 010303 / 2016
Waterfront:

Tax Information

Levy Code Area: 10300030
Levy Rate: 13.4927
Tax Year: 2020
Annual Tax: \$2,769.91
Exempt Desc:

Legal

P.P. 2015-041, PARCEL 3, ACRES 142.56

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Assessment Information

Market Value Land: \$205,290.00
Market Value Impr: \$0.00
Market Value Total: \$205,290.00
Assessed Value: \$205,290.00

Land

Zoning: EFU - Exclusive Farm Use
Cnty Bldg Use: A40 - Agriculture - Seed - (Grass - Beet - Radish - Rape - Alfalfa - Clover - Etc.)
Cnty Land Use: 550 - Specially assessed farm land, land only, zoned EFU, SA, FT or UTF
Neighborhood:
Std Land Use: AMSC - Agricultural Misc
Recreation:
School District: 103 - Woodburn
Primary School: Lincoln Elementary School
Middle School: French Prairie Middle School
High School:

Improvement

Year Built: Stories: Finished Area:
Bedrooms: Bathrooms: Garage:
Basement Fin:

Transfer Information

Rec. Date: 07/18/2018 Sale Price: Doc Num: 41000482 Doc Type: Deed
Owner: Buck Living Trust Grantor:
Orig. Loan Amt: Title Co: ATTORNEY ONLY
Finance Type: Loan Type: Lender:

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

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B-3/6

MAIL TAX STATEMENTS TO:

Walter Cameron & Susan A. Buck, Trustees
Buck Living Trust
2133 French Prairie Road NE
St. Paul, OR 97137

REEL 4100 PAGE 482
MARION COUNTY
BILL BURGESS, COUNTY CLERK
07-18-2018 12:00 pm.
Control Number 515677 \$ 96.00
Instrument 2018 00034713

AFTER RECORDING RETURN TO:

Freeman Green, Attorney
Saalfeld Griggs PC
PO Box 470
Salem, OR 97308

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WARRANTY DEED

Walter Cameron Buck and Susan A. Buck, Grantors, convey to Walter Cameron Buck and Susan A. Buck, Trustees of the Buck Living Trust dated June 13, 2018, and any amendments thereto, Grantee, all their interest in the following described real property situated in the County of Marion, State of Oregon:

See Attached "Exhibit A"

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

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

The following is the notice as required by Oregon law: "BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010; TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS

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Exhibit A

PARCEL 3 of Partition Plat 2015-041, recorded August 27, 2015 at Reel 3736 Page 401 Deed Records of Marion County Oregon

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REEL: 4100

PAGE: 482

July 18, 2018, 12:00 pm.

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CONTROL #: 515677

State of Oregon
County of Marion

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

FEE: \$ 96.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

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.wrds.state.or.us

ATTACH C - 1/3

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 MARION)

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I, CAMBUCK, in my capacity as FARM MANAGER,
 mailing address 21333 FRENCH PRAIRIE RD.
 telephone number (503) 931-1421, being first duly sworn depose and say:

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

- Personal observation Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # SEE NOTE*; **OR** (*NOTE: CERTIFICATE IS NOT QUITE FINALIZED)
- 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)

OR

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

(continues on reverse side)

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

[Signature]
 Signature of Affiant

2/22/21
 Date

Signed and sworn to (or affirmed) before me this 22 day of February, 2021.



[Signature]
 Notary Public for Oregon

My Commission Expires: January 5, 2024

Supporting Documents	Examples
<input type="checkbox"/> 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
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • 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
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>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.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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Aspen

Rural Land Consulting

Water Resources, Water Rights, Land Surveying,
Engineering, Land Use Planning

ERICURSTADT@HOTMAIL.COM
971-250-1520 (MOBILE)

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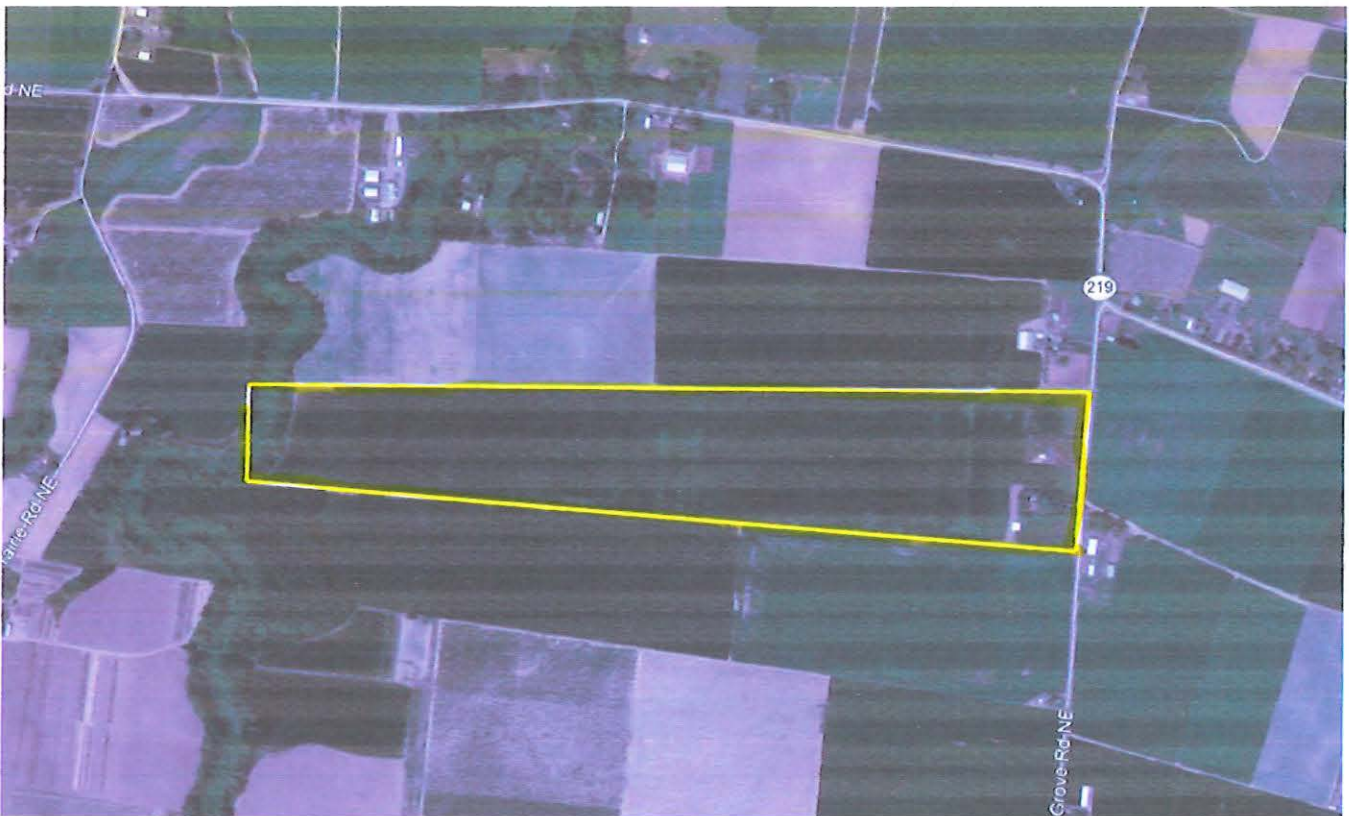
APR 23 2021

10 Feb. 2021

OWRD

Subject: Evidence of Use for Water Right Transfer

This document is intended to go along with an Evidence of Use Affidavit pertaining to a 2021 water right temporary transfer of certificate _____. The image below is a Google earth aerial photo with 2019 imagery. The yellow line is the outline of tax lot 500 (S10 T5S, R2W), the FROM lands.



Prepared by:
Aspen Rural Land Consulting

Eric Urstadt, PE, PLS

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Today's Date: Thursday, February 11, 2021

Fee Calculation

Base Fee (includes temporary change to one water right for up to 1 cfs) \$810.00

Fill in information below-- Check each box that applies.

Enter total number of water rights included in transfer. \$0.00

Check this box if you propose to change the place of use for a NON-irrigation use.

Check this box if you propose to change the place of use for an irrigation use.

Enter the number of acres in the footprint of the place of use to be transferred. \$319.01
(If a supplemental certificate also covers the same land as an included primary right, count the acreage only once.)

Total Transfer CFS(rounded up to the next whole cfs):

Subtotal: \$1,129.01

The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.

The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

Discount:

Check the box if you are submitting the application and map in a digital format.

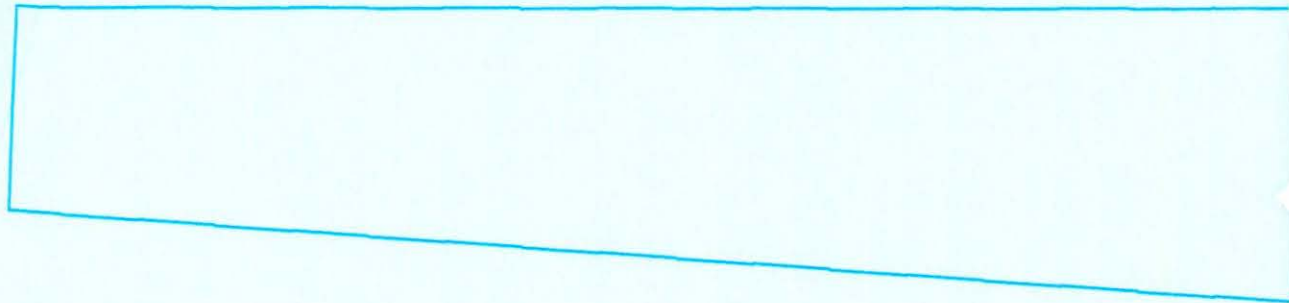
Transfer Fee: \$1,129.01

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1 of 2

Parcels

Taxlot: 052W100000500
 Situs: 7075 ARBOR LN NE
 Tax Acct: [514604](#)

Zoning Info:
 Code: EFU
 Planning Office: [MARION COUNTY](#)

District Info:
 City:
 School: WOODBURN
 Fire: WOODBURN
 Water Ctrl:
 Water Serv:
 Other Serv:

[Zoom to](#)

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Marion County | Oregon Metro, Bureau of Land Management, State of Oregon, State of Oregon DOT, Sta...

Marion County Land Use Planning & Zoning



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ATTACH E-11

Aspen

Rural Land Consulting

Water Resources, Water Rights, Land
Surveying, Engineering, Land Use Planning

ERICURSTADT@HOTMAIL.COM
971-250-1520 (MOBILE)

Water Resources Department
Attn: Transfer Section
725 Summer Street NE, Ste. A
Salem, OR, 97301

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APR 23 2021

10 Jan 2021

OWRD
OWRD

Subject: Temporary transfer for permit Certificate 95641

To Whom It May Concern,

Enclosed is an application for a Temporary Transfer along with the following attachments.

- A. Transfer Map
- B. *Current Deed for FROM lands*
- C. Evidence of Use
- D. Copy of fee calculation
- E. Zone map (EFU)
- F. Checks for application fees totaling \$1129.01 (=1107.39 + 21.62)

Please let me know if there are any concerns or you need any more information.

Respectfully,
Aspen Rural Land Consulting

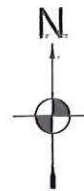
Eric Urstadt, PE, PLS

13688 -

TEMPORARY TRANSFER MAP

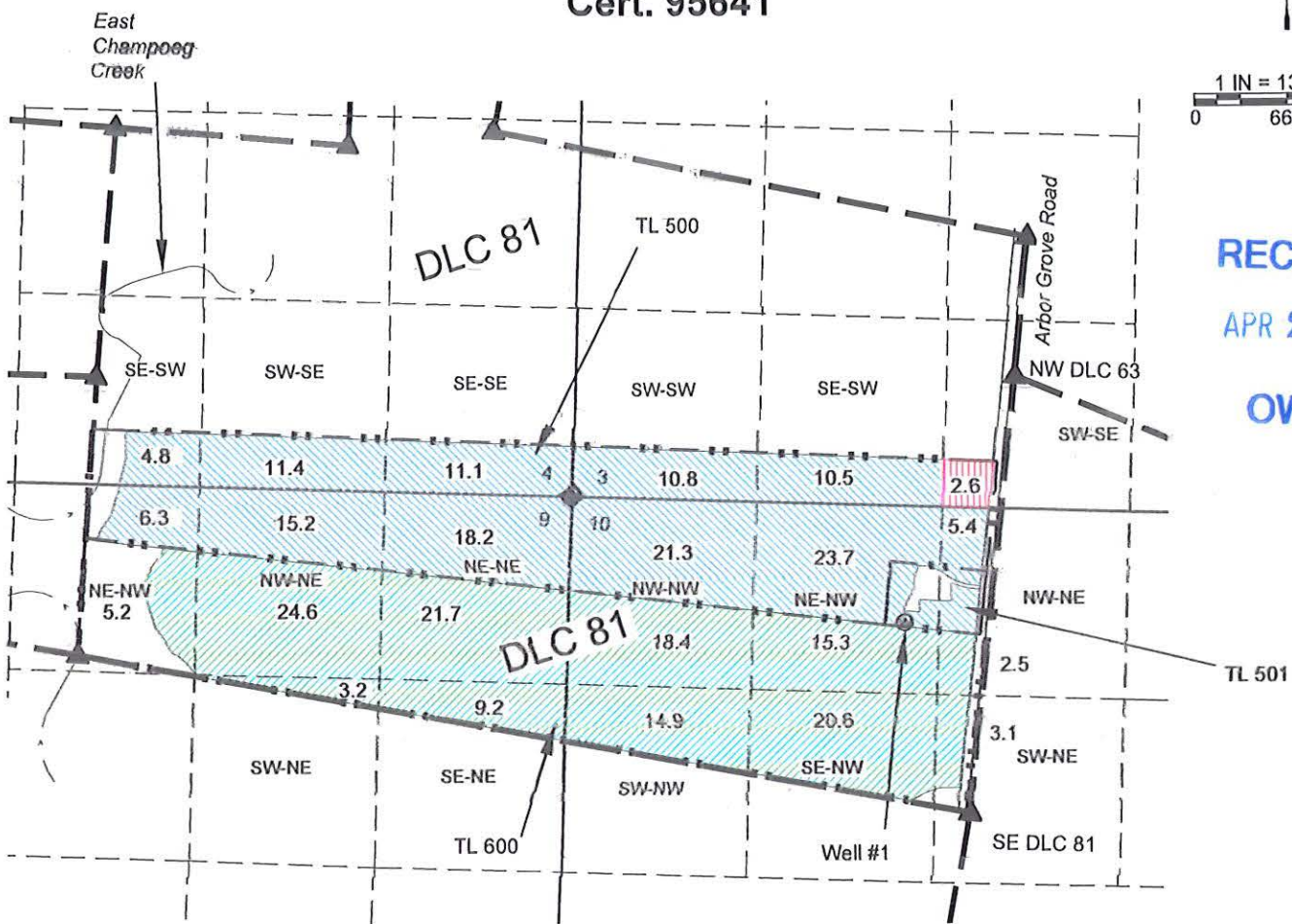
Sections 3, 4, 9, 10, T5S, R2W, Marion County

Cert. 95641



1 IN = 1320 FT
0 660 1320

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WELL #1 IS 1308' N & 444' W OF SE DLC #81 (PER 2013 MACDONALD CLAIM)

- NOTES:
- THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.
 - THIS MAP IS BASED ON THE FOUR TAX ASSESSOR MAPS, AND A 2020 AERIAL PHOTO. DLC AND PROPERTY LINES ARE BASED ON TAX ASSESSOR MAPS. ACRES FOR THE FROM LANDS MATCH AN AMENDED COBU MAP FOR PERMIT G-13770 BY ASPEN.
 - WATER CONVEYANCE LINES SHALL BE ALL WITHIN THE PROPERTY AND THEREFORE ARE NOT SHOWN.



LEGEND

- DONATION LAND CLAIM (DLC) CORNER
- SECTION CORNER
- POINT OF APPROPRIATION (WELL)
- STREAM OR SURFACE DRAINAGE
- TAX LOT LINE
- SECTION LINE
- QUARTER-QUARTER LINE
- DLC LINES
- FROM lands
- TO lands
- REMAINING lands

MAP BY:
ASPEN RURAL LAND CONSULTING
ERIC URSTADT, PE, PLS
971-250-1520
July 2020
BlueSky-WoodburnWest3B

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Regular Temporary Water Right Transfer Application Checklist

Checked by Joan

Date 4/28/21

A temporary transfer must be for a change in place of use. A temporary change in POD/POA or APOD/APOA cannot be accepted as a stand-alone change.

T-13688

A change in POD/POA can accompany the temporary change in place of use, only if the proposed temporary POD/POA is supplying water to the proposed temporary place of use.

(If OK, check box to left; if not, fill in the blank)

- 1. Page 1 of application: Are all attachments that have been checked actually included? If not, what is missing? _____
- 2. Are fees included and correct? If not, the correct fee would be: _____, so the amount missing is: _____
- 3. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom? If not, whose signature is missing? _____
- 4. Are all listed certificates shown by WRIS as non-cancelled? If not, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.
- 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
 N/A Form D needed from _____ (district)
- 6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, #4 or #5 on this checklist is deficient, the application 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.

POU