

TEMPORARY

Name J Frank Schmidt & Son Co.  
PO Box 189  
Address Boring, OR 97004

Change in POU  
Date Filed 9/8/2025  
Initial notice date 9/16/2025  
DPD issued date \_\_\_\_\_  
PD issued date \_\_\_\_\_  
PD notice date \_\_\_\_\_  
Date of FO 10/17/2025 Vol 135 Page 758-761

C-Date \_\_\_\_\_  
COBU due date \_\_\_\_\_  
COBU Received date \_\_\_\_\_  
Certificate issued \_\_\_\_\_

Assignments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Irrigation District \_\_\_\_\_

Agent Doann Hamilton/Pacific Hydro-Geology, Inc.  
phgdmh@gmail.com

CWRE \_\_\_\_\_  
CC's list Clackamas Co. Department of Transportation and Development, Planning Division

- Oversized map - Location \_\_\_\_\_

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A Well  
Trib. of Pudding River  
Use Irrigation, Supplemental Irrigation County Clackamas  
Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_  
Name of ditch \_\_\_\_\_  
App# G-7161 Per # G-6086 Cert # 50656 PR Date 11/20/1975  
App# G-11587 Per # G-16943 Cert # 93608 PR Date 5/6/1986  
App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_  
App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

FEEES PAID  
Date 9-8-25 Amount \$1,998.65 Receipt # 146012

FEEES REFUNDED  
Date \_\_\_\_\_ Amount \_\_\_\_\_ Receipt # \_\_\_\_\_



# 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](http://www.oregon.gov/owrd)

October 17, 2025

J Frank Schmidt and Son Co.  
PO BOX 189  
Boring, OR 97009

REFERENCE: District Temporary Transfer Application T-14726

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 2026 irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2030 irrigation season**.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Scott Grew, by telephone at (503) 986-0890 or by e-mail at [Scott.a.grew@water.oregon.gov](mailto:Scott.a.grew@water.oregon.gov).

Sincerely,

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

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email)  
Doann Hamilton, Agent  
Clackamas County Department of Transportation and Development, Planning Division,  
Local Government  
Enclosure



2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** A WELL a tributary of PUDDING RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	1 E	WM	19	SE SW	980 FEET NORTH AND 1580 FEET EAST FROM THE NW CORNER OF FISH DLC 40

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	1 E	WM	19	NE SE	10.1
4 S	1 E	WM	19	SW SE	9.8
				Total	19.9

4. Temporary Transfer Application T-14726 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	1 E	WM	19	NE NE	19.9

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

**Certificate:** 93608 in the names of J. FRANK SCHMIDT & SON CO., NORTHWEST FARM CREDIT SERVICES FLCA and NORTHWEST FARM CREDIT SERVICES, PCA (perfected under Permit G-16943)

**Use:** IRRIGATION of 6.6 ACRES

**Priority Date:** MAY 6, 1986

**Rate:** 0.08 CUBIC FOOT PER SECOND (CFS), further limited to 0.08 CFS each from WELLS BF-1 and BF-2, 0.02 CFS from WELL BF-3, 0.02 CFS from WELL BF-5, and 0.03 CFS from WELL BF-6, in any combination, or its equivalent in case of rotation, measured at the wells

**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, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** WELLS BF-1, BF-2, BF-3, BF-5, AND BF-6

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	1 E	WM	19	SE SW	WELL BF-1 (ADDITIONAL) - 590 FEET NORTH AND 1580 FEET EAST FROM THE SW CORNER OF SECTION 19
4 S	1 E	WM	19	NW NE	WELL BF-2 (ORIGINAL) - 610 FEET SOUTH AND 260 FEET WEST FROM THE SW CORNER OF DLC 37
4 S	1 E	WM	19	SW NE	WELL BF-3 (ADDITIONAL) - 1350 FEET SOUTH AND 1900 FEET WEST FROM THE NE CORNER OF SECTION 19

Twps	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	1 E	WM	19	NE NW	WELL BF-5 (ADDITIONAL) - 1200 FEET SOUTH AND 3920 FEET WEST FROM THE NE CORNER OF SECTION 19
4 S	1 E	WM	19	SE NW	WELL BF-6 (ADDITIONAL) - 2630 FEET SOUTH AND 2650 FEET WEST FROM THE NE CORNER OF SECTION 19

**Authorized Place of Use:**

IRRIGATION						
Twps	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 E	WM	18	SE SE	37	6.6

6. Temporary Transfer Application T-14726 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twps	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 E	WM	18	SW SE	37	0.2
4 S	1 E	WM	18	SE SE	37	1.4
4 S	1 E	WM	19	NE NE		0.5
4 S	1 E	WM	19	NW NE		4.5
					Total	6.6

**Temporary Transfer Review Criteria**

7. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
9. 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 rights, as required by ORS 540.523(7).
10. 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 places of use proposed in Temporary Transfer Application T-14726 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

**Now, therefore, it is ORDERED:**

1. The temporary change in places of use proposed in Temporary Transfer Application T-14726 are approved.
2. The former places of use **shall not** be irrigated as part of these water rights during the 2026, 2027, 2028, 2029 and 2030 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2030 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 50656 and 93608 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 Certificates 50656 and 93608.
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. 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 appropriation (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. The use of the remaining water rights described by Certificates 50656 and 93608 shall continue to be in accordance with the terms and conditions of Certificates 50656 and 93608.

Dated in Salem, Oregon on **OCT 17 2025**



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

*Mailing Date:* **OCT 18 2025**

**WATER RIGHT TRANSFER COVER SHEET**

Transfer: T-14726

Transfer Specialist: *Scott*

Transfer Type: Temporary Transfer

DROUGHT?

<b>Applicant:</b> J Frank Schmidt And Son Co. PO BOX 189 Boring, OR 97009	<b>Agent:</b> Doann Hamilton 18487 S Valley Vista Rd Mulino, OR 97042	<b>Receiving Landowner:</b>
<b>Current Landowner if other than Applicant:</b>	<b>CWRE:</b>	<b>Irrigation District:</b>
<b>Affected Local Gov'ts:</b> Clackamas County Department of Transportation and Development, Planning Division	<b>Affected Tribal Gov't:</b>	<b>BOR Notified (date):</b>

**Water Rights Affected**

File Marked	App. File # or Decree Name	Permit	Certificate
<input type="checkbox"/>	G-7161	G-6086	50656
<input type="checkbox"/>	G-11517	G-16943	93608
<input type="checkbox"/>			

**Key Dates & Initial Actions (Support Staff)**

Rec'd: September 8, 2025	Proposed Action(s): PLACE OF USE	
Fees Pd: 1998.65	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 2 Willamette
Initial Public Notice: 9/16/2025	County sent cc: of Ack Letter <input checked="" type="checkbox"/>	County: CLACKAMAS
WM District: 16 Gregory J. Wacker	WM Review request sent:9/15/2025	WM Review date received:
Groundwater	GW Review sent:	GW Review date received:

**Peer Review:**

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
FO	Date: <u>10/7</u> Initials: <u>Scott</u>	Date: <u>10/2/26</u> Initials: <u>John</u>	Date: <u>10/8/25</u> Initials: <u>Sarah</u>	Date: <u>10/8/25</u> Initials: <u>Scott</u>	Date: <u>10/8/25</u> No. of docs for sig: <u>1</u> WM Sheet <input type="checkbox"/>	Date: <u>10/17/2025</u>

Special Issues: \_\_\_\_\_

Special Order Volume: Vol. 135 Pages 758-761

# 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-14726

Review Due Date: 10/15/2025

Applicant Name: J FRANK SCHMIDT AND SON CO.

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): G. Wacker

Date of Review: 09/19/2025

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:

- |   |  |
|---|--|
| <input type="checkbox"/> Weir           | <input type="checkbox"/> Submerged Orifice |
| <input type="checkbox"/> Parshall Flume | <input type="checkbox"/> Flow Restrictor   |
| <input type="checkbox"/> Other: ___     |  |

**Oregon Water Resources Department**  
**Measurement Condition Information for the Applicant**  
*(To be sent with the Draft Preliminary Determination or Final Order)*

Transfer #: T- 14726

- 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: **Greg Wacker**

District: **16**

Address: **725 Summer St NE Ste A**

City/State/Zip: **Salem, OR 97301**

Phone: **971-719-6262**

Email: **gregory.j.wacker@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
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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

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

September 15, 2025

J Frank Schmidt and Son Co.  
PO BOX 189  
Boring, OR 97009

Reference: Application T-14726

On September 8, 2025, the Department received your water right Temporary Transfer Application. The application was accompanied by \$1998.65. Receipt number 146012 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) 986-0935.

Cc: Watermaster Dist. #16, Gregory J. Wacker (via email)  
Doann Hamilton, Agent  
Clackamas County Department of Transportation and Development, Planning Division,  
Local Government

Enclosure

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172

RECEIPT # **146012**

INVOICE # \_\_\_\_\_

(503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: <u>J. Frank</u>	APPLICATION
BY: <u>Schmidt</u>	PERMIT
<u>\$5000</u>	TRANSFER <u>T-14726</u>
CASH: <input type="checkbox"/> CHECK:# <u>160840</u> OTHER: (IDENTIFY) <input type="checkbox"/>	TOTAL REC'D <u>\$1,998.45</u>

**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**

<b>MISCELLANEOUS</b>		
0407 COPY & TAPE FEES	\$	
0410 RESEARCH FEES	\$	
0408 MISC REVENUE: (IDENTIFY)	\$	
TC162 DEPOSIT LIAB. (IDENTIFY)	\$	
0240 EXTENSION OF TIME	\$	
<b>WATER RIGHTS:</b>	<b>EXAM FEE</b>	<b>RECORD FEE</b>
0201 SURFACE WATER	\$	0202 \$
0203 GROUND WATER	\$	0204 \$
0205 TRANSFER	<u>\$1,998.45</u>	
<b>WELL CONSTRUCTION</b>	<b>EXAM FEE</b>	<b>LICENSE FEE</b>
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: **146012** DATED: 9/8/25 BY: [Signature]

**Application for Water Right  
Temporary or Drought Temporary Transfer  
Part 1 of 4 – 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 4 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

**FOR ALL TEMPORARY TRANSFER APPLICATIONS**

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Completed Applicant Information and Signature.
- Part 4 – Information about Transferred Water Rights: **How many water rights are to be transferred? 2 List them here: Certificates 50656 and 93608**  
Please include a separate Part 4 for each water right. (See instructions on page 5)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2026 End Year: 2030.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)
- Application Fee** - payable by check to the Oregon Water Resources Department, the online fee calculator is located:  
[https://apps.wrd.state.or.us/apps/wr/wr\\_transfer\\_calculator/temporary\\_transfer.aspx](https://apps.wrd.state.or.us/apps/wr/wr_transfer_calculator/temporary_transfer.aspx)

**Attachments:**

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

**(For Staff Use Only)**

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

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
Other/Explanation _____	
Staff: _____	Phone: _____ Date: ____/____/____

Received  
SEP 08 2025  
OWRD

Part 2 of 4 – Temporary Transfer Application Map Checklist

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

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

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

**Part 3 of 4 – Applicant Information and Signature**

**Applicant Information**

APPLICANT/BUSINESS NAME <b>J Frank Schmidt &amp; Son Co.</b>			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <b>PO Box 189</b>				FAX NO.
CITY <b>Boring</b>	STATE <b>OR</b>	ZIP <b>97009</b>	E-MAIL	
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 <b>Doann Hamilton / Pacific Hydro-Geology, Inc.</b>			PHONE NO. <b>(503) 632-5016</b>	ADDITIONAL CONTACT NO. <b>(503) 349-6946 (cell)</b>
ADDRESS <b>18487 S. Valley Vista Road</b>				FAX NO. <b>(503) 632-5983</b>
CITY <b>Mulino</b>	STATE <b>OR</b>	ZIP <b>97042</b>	E-MAIL <b>phgdmh@gmail.com</b>	
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:  
The proposed place of use is on a parcel of leased land without a water right. This temporary transfer will allow us to irrigate and grow crops on that piece.  
 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.

 _____ Applicant signature	<u>Bow Pough CEO</u> _____ Print Name (and Title if applicable)	<u>8/27/25</u> _____ Date
_____ Applicant signature	_____ Print Name (and Title if applicable)	_____ Date

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

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

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

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME <b>Clackamas Co. Department of Transportation and Development, Planning Division</b>	ADDRESS <b>150 Beaver Creek Road</b>	
CITY <b>Oregon City</b>	STATE <b>Oregon</b>	ZIP <b>97045</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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**Part 4a of 4b – Water Right**

Please use a separate Part 4 for each water right being changed. See instructions on page 6, to copy and paste additional Part 4s, or to add rows to tables within the form.

**Water Right Certificate # 50656**

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**Description of Water Delivery System**

System capacity: 1.78 cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at sometime 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.

These lands are supplied by a dual mainline system. One mainline carries only filtered water and is generally intended for drip irrigation use. The other mainline carries unfiltered water and is only used for sprinkler irrigation. Drip or sprinkler irrigation is chosen based on the type of crop and its needs. All land is equipped for drip irrigation, and most of the irrigation is done by drip. Sprinklers are used on occasion. Typically, about 75% of the irrigation volume is by drip and 25% is by sprinkler.

For sprinkler irrigation, water is pumped from Well BF-1 into a buried PVC line to the Barlow Center Pond which acts as a bulge in the system. From there, water is pumped by a 30 Hp electric pump into a mainline system of buried PVC line of 8", 6", 5", or 4" diameters to match flow rate to reach the place of use. Water can also be pumped directly from the well into the buried PVC lines, by-passing the pond.

For drip irrigation, water from the well is pumped through various filters into a clean mainline consisting of buried PVC line of 8", 6", 5", 4", and 3" diameters. It is distributed through 2" risers that connect to 2" black poly header pipes which in turn connect to buried 5/8" and 7/8" drip irrigation T-Tape with emitters at 12" spacing.

At the place of use, hand-move 4" and 5" aluminum mains and hand-move 3" aluminum laterals are used to irrigate lands with Rainbird #30 sprinklers with 3/16" nozzles.

**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)
Well (also known as BF-1)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 13358	4	S	1	E	19	SE	SW	1082	980 feet north and 1,580 feet east from the NW corner, DLC 40.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU)        | <input type="checkbox"/> Appropriation/Well (POA)                 |
| <input type="checkbox"/> Point of Diversion (POD)             | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) |   |

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

- |   |   |
|---|---|
| <input type="checkbox"/> Place of Use (POU)       | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Character of Use (USE)   | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Diversion (APOD)     |

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

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

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Part 4b of 4b – Water Right

Please use a separate Part 4 for each water right being changed. See instructions on page 6, to copy and paste additional Part 4s, or to add rows to tables within the form.

Water Right Certificate # 93608

Description of Water Delivery System

System capacity: 1.63 cubic feet per second (cfs) OR \_\_\_\_\_ gallons per minute (gpm)

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

These lands are supplied by a dual mainline system. One mainline carries only filtered water and is generally intended for drip irrigation use. The other mainline carries unfiltered water and is only used for sprinkler irrigation. Drip or sprinkler irrigation is chosen based on the type of crop and its needs. All land is equipped for drip irrigation, and most of the irrigation is done by drip. Sprinklers are used on occasion. Typically, about 75% of the irrigation volume is by drip and 25% is by sprinkler.

For sprinkler irrigation, water is pumped from Wells BF-1, BF-2, BF-3 and BF-6 is pumped into a buried PVC line to the Barlow Center Pond which acts as a bulge in the system. From there, water is pumped by a 30 Hp electric pump into a mainline system of buried PVC line of 8", 6", 5", or 4" diameters to match flow rate to reach the place of use. Water can also be pumped directly from each well into the buried PVC lines, by-passing the pond.

Water conveyed from Well BF-5 is pumped directly into the filtered mainline system for drip irrigation, or Well BF- 5 can be pumped into the Barlow North Reservoir. From the reservoir, water is pumped to the Well BF-2 sand media filter station and into the filtered mainline system for use by the drip irrigation system, or water can be pumped into the unfiltered mainline system for sprinkler irrigation.

For drip irrigation, water from all the wells is pumped through various filters into a clean mainline consisting of buried PVC line of 8", 6", 5", 4", and 3" diameters. It is distributed through 2" risers that connect to 2" black poly header pipes which in turn connect to buried 5/8"and 7/8" drip irrigation T-Tape with emitters at 12" spacing.

At the place of use, hand-move 4" and 5" aluminum mains and hand-move 3" aluminum laterals are used to irrigate lands with Rainbird #30 sprinklers with 3/16" nozzles.

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**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)
BF-1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 13358	4	S	1	E	19	SE	SW	1082	590 feet north and 1,580 feet east from the SW corner, Section 19.
BF-2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 13344	4	S	1	E	19	NW	NE	200	610 feet south and 260 feet west from the SW corner, DLC 37.
BF-3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 56760	4	S	1	E	19	SW	NE	200	1,350 feet south and 1,900 feet west from the NE corner, Section 19.
BF-5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 58216	4	S	1	E	19	NE	NW	200	1,200 feet south and 3,920 feet west from the NE corner, Section 19.
BF-6	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 60832	4	S	1	E	19	SE	NW	200	2,630 feet south and 2,650 feet west from the NE corner, Section 19.

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

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

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

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

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

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

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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 # 50656**

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		
4	S	1	E 19 NE SE	1092	NA	10.1	IR	Well (BF-1)	11-20-1975	POU	4	S	1	E 19 NE NE	100	NA	19.9	IR	Well (BF-1)	11-20-1975		
4	S	1	E 19 SW SE	1002	NA	9.8	IR	Well (BF-1)	11-20-1975	POU												
TOTAL ACRES						19.9	TOTAL ACRES						19.9									

Additional remarks: None

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

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

**Table 2. Description of Temporary Changes to Water Right Certificate # 93608**

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
4	S	1	E 18 SE SE	4500	DLC 37	6.6	IR	BF-1, BF-2, BF-3, BF-5, & BF-6	5-6- 1986	POU	4	S	1	E 18 SW SE	100	DLC 37	0.2	IR	BF-1, BF-2, BF-3, BF-5, & BF-6	5-6-1986
											4	S	1	E 18 SE SE	100	DLC 37	1.4	IR	BF-1, BF-2, BF-3, BF-5, & BF-6	5-6-1986
											4	S	1	E 19 NE NE	100	NA	0.5	IR	BF-1, BF-2, BF-3, BF-5, & BF-6	5-6-1986
											4	S	1	E 19 NW NE	100	NA	4.5	IR	BF-1, BF-2, BF-3, BF-5, & BF-6	5-6-1986
TOTAL ACRES						6.6						TOTAL ACRES						6.6		

Additional remarks: None

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**For Place of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: Certificate 93382

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

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

- 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](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
NA										

**For Place of Use Changes**

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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: Certificate 93382

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

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

- 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](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
NA										

## Klamath Basin/County Drought Transfer Applications

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**Table 4. Klamath Basin/County Well Information (DROUGHT TRANSFER APPLICATIONS ONLY)**

Is there currently a flowmeter installed on each of the POAs listed in Table 1 of this application?     Yes     No\*

*\*Please note that watermaster staff will visit the well to confirm flowmeter presence. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements.*

For each well, please provide a description of the flowmeter location, the serial number, the current flowmeter reading and the date the reading was taken in the table below.

OWNER'S WELL NAME OR NUMBER.	WELL TAG NUMBER (IF AVAILABLE)	WELL LOG ID (E.G., KLAM 1234)	FLOWMETER SERIAL NUMBER	FLOWMETER READING	FLOWMETER DATE	FLOWMETER LOCATION

# 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 CLACKAMAS)

I, SAM DOANE, in my capacity as OPERATOR,  
 mailing address PO BOX 189, BORING, OR 97009  
 telephone number (503) 213-9814, 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)
50656	4	S	1	E	WM	19	NE	SE	NA	10.1
50656	4	S	1	E	WM	19	SW	SE	NA	9.8
93608	4	S	1	E	WM	18	SE	SE	DLC 37	6.6

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)

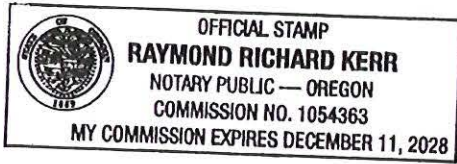
3. The water right was used for: (e.g., crops, pasture, etc.): NURSERY STOCK, SHADE AND FLOWERING TREES

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.

Jan Boone  
Signature of Affiant

8/21/25  
Date

Signed and sworn to (or affirmed) before me this 21 day of August, 2025.



T. Samuel Keller  
Notary Public for Oregon CLACKAMPS  
My Commission Expires: 12/11/2028

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 <b>confirming</b> 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"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
<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"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
<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 – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></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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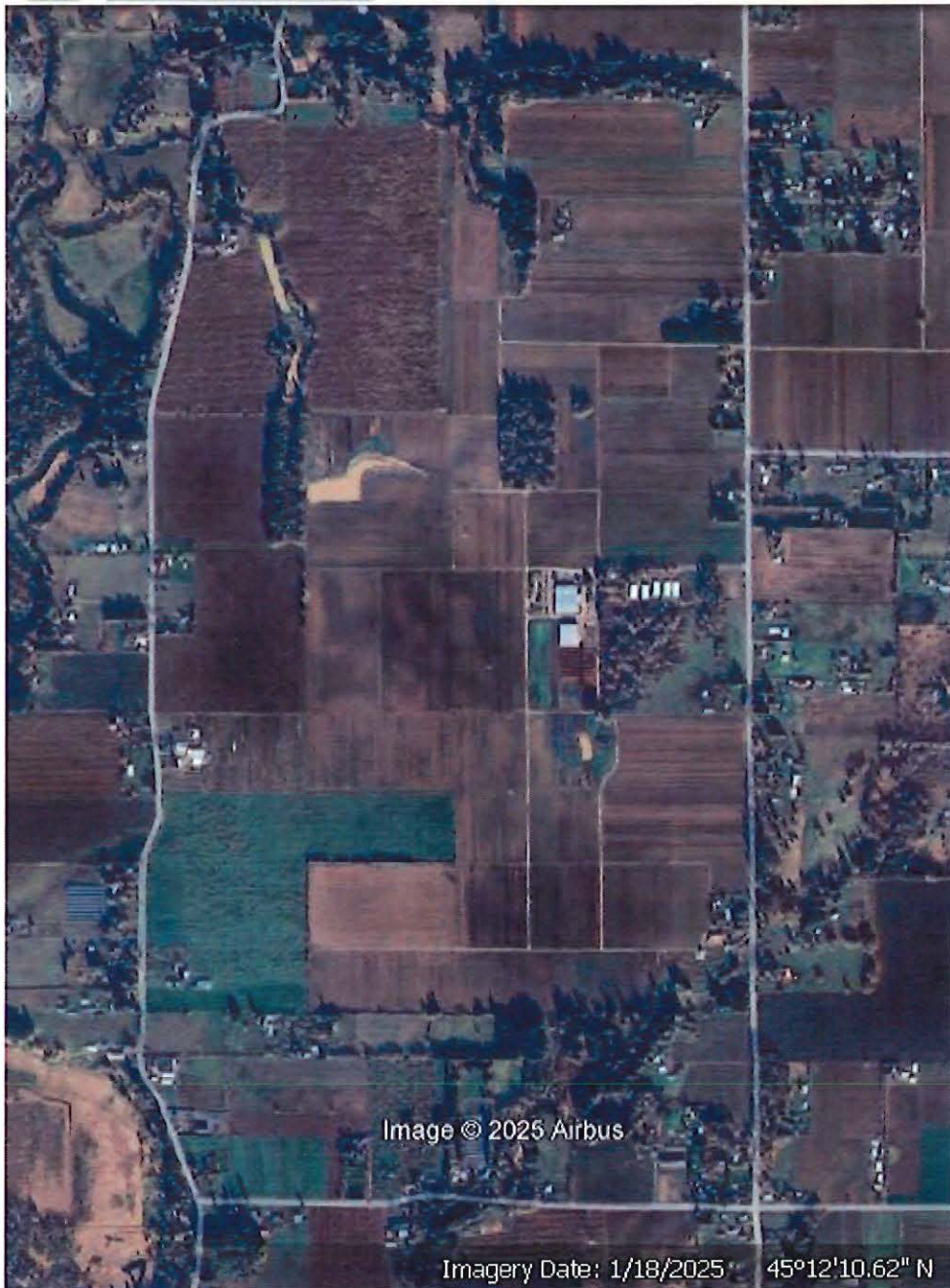


Image © 2025 Airbus

Imagery Date: 1/18/2025 45°12'10.62" N

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QADP

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X

Township T4S R1E  
 Meridian Willamette  
 State Oregon  
 Source [USFS](#)  
 GLO [GLO Township Records](#)

Calculated Values  
 Acres 23.185  
 Centroid 45.2159457, -122.6820087  
 Corners NW 45.2595720, -122.7439779  
 NE 45.2595420, -122.6199225  
 SE 45.1723573, -122.6201230  
 SW 45.1727061, -122.7437633

For illustration only. User to verify all information. [www.earthpoint.us](http://www.earthpoint.us)

BF05 - 10.1 acres 📌

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Township T4S R1E  
Meridian Willamette  
State Oregon  
Source USFS  
GLO GLO Township Records

Calculated Values  
Acres 23,185  
Centroid 45.2159457, -122.6820087  
Corners NW 45.2595720, -122.7439779  
NE 45.2595420, -122.6199225  
SE 45.1723573, -122.6201230  
SW 45.1727061, -122.7437633

For illustration only. User to verify all information. [www.earthpoint.us](http://www.earthpoint.us)

BF09 = 9.8 acres

Barlow-Mentor Rd

S Barlow Rd

Google Earth  
Earth Point

Imagery Date: 6/18/2024 Lat: 45.208907° Lon: -122.726179° elev: 0 ft eye alt: 1785 ft

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14726-

OWRD

✕

Township	T4S R1E
Meridian	Willamette
State	Oregon
Source	<a href="#">USFS</a>
GLO	<a href="#">GLO Township Records</a>

Calculated Values

Acres	23.185
Centroid	45.2159457, -122.6820087
Corners	NW 45.2595720, -122.7439779
	NE 45.2595420, -122.6199225
	SE 45.1723573, -122.6201230
	SW 45.1727061, -122.7437633

For illustration only. User to verify all information. [www.earthpoint.us](http://www.earthpoint.us)

BF24 - 6.6 acres

S Barlow Rd

Barlow-Mentzer Rd

S Mark Rd

Google Earth  
Earth Point

**SCHEDULE A**

Amount \$ 150,000.00

Date January 10, 1989

At 8:00 A. M.

Premium \$575.00

TL41E18 4500

**INSURED**

----- J. FRANK SCHMIDT, III, J. FRANK SCHMIDT, JR.,  
JAN S. BARKLEY, EVELYN L. SCHMIDT AND JEAN S. WEBSTER,  
doing business under the assumed name and style of SCHMIDT COMPANY -----

The estate or interest referred to herein is, at the date hereof, vested in

----- J. FRANK SCHMIDT, III, J. FRANK SCHMIDT, JR.,  
JAN S. BARKLEY, EVELYN L. SCHMIDT AND JEAN S. WEBSTER,  
doing business under the assumed name and style of SCHMIDT COMPANY -----

The land referred to in this policy is described as

IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON

PARCEL I:

A part of the D.L.C. of John Marks and wife, in Township 4 South,  
Range 1 East, of the W.M., bounded and described as follows,  
to-wit:

Beginning at a point in the west boundary of the John Marks D.L.C.  
No. 37, in Township 4 South, Range 1 East, of the W.M., that is  
2640 feet south of the northwest corner of said claim; running  
thence East parallel to the north boundary of the said John Marks  
D.L.C., 2173.76 feet to an iron pipe driven in the line between  
Sections 17 and 18, said township and range; thence South tracing  
the line between Sections 17 and 18, a distance of 895.95 feet to a  
point that is 107.95 feet north of a stone set at the corner of  
Sections 17 and 18, 19 and 20, Township 4 South, Range 1 East, of  
the W.M.; thence West parallel to the north boundary of the John  
Marks D.L.C. 2178.7 feet to a point in the west boundary of said  
claim; thence North tracing the west boundary of said claim 895.95  
feet to the place of beginning.

EXCEPTING THEREFROM the following described property:

Beginning at a point in the west boundary of the John Marks D. L.  
C. No. 37, in Township 4 South, Range 1 East, W.M., that is 2640  
feet South of the Northwest corner of said claim; running thence  
East parallel to the North boundary of said John Marks D. L. C., a  
distance of 2173.76 feet to an iron rod driven in the line between  
Sections 17 and 18, said iron rod being the true point of beginning  
of the herein described tract; thence West parallel to the North  
boundary of said John Marks D.L.C., a distance of 1119 feet to a

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LOT 2

2

3.22 Ac.

21.68

LOT 1

9.37

N.W. COR.  
JOHN MARKS  
D.L.C. NO. 37

200 N LINE D.L.C. NO. 37  
9.86 Ac.

This map is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

TICOR TITLE INSURANCE COMPANY

T. 4 S.R. 1 E. SECTION 18

300  
17.35

600  
3.63 Ac.

5  
7  
2

4300  
43.14 Ac.  
26493

86-05

4200  
25.75 Ac.

LOT 3

15.46

4400  
23.83 Ac.

4401  
18.00 Ac.  
26631

1721.69'

1721.69'

4500  
35.44 Ac.  
26951

LOT 4

15.15

4501  
10.00 Ac.  
26851

1089.0

1089.0

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INT. COR  
D.L.C. NO. 37  
18

W.S.V. COR  
D.L.C. NO. 37

W.L.Y. S. LINE D.L.C. NO. 37

F.H.D.

of the mortgage as insured, or which might cause loss or damage to which the Company shall or may be liable by virtue of this policy, or if the Insured shall in good faith contract to sell the indebtedness secured by a mortgage covered by this policy or, if an Insured in good faith leases or

amount of this policy, or, in case loss is claimed under this policy, the owner of the indebtedness secured by a mortgage covered by this policy, the Company shall have the option to purchase said indebtedness; such purchase, payment or tender of payment of the full amount of this policy,

### SCHEDULE A

Amount \$ 620,000.00

Date March 22, 1988

At 8:00 A. M.

Premium \$ 1,530.00

#### INSURED

----- J. FRANK SCHMIDT, III, J. FRANK SCHMIDT, JR., JAN S. BARKLEY, EVELYN L. SCHMIDT AND JEAN S. WEBSTER, doing business under the assumed name and style of SCHMIDT COMPANY -----

The estate or interest referred to herein is, at the date hereof, vested in

TL 41E19 1002 + TL 41E19 1092

----- ELLIS J. HESTER also known as  
ELLIS JACOB HESTER -----

The land referred to in this policy is described as

IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON

A part of Section 19, Township 4 South, Range 1 East, of the W.M., described as follows:

Beginning at a point on the east line of said Section 19, which is 159 feet north of the southeast corner thereof; thence continuing North along said east line to a point which is 824 feet north of the southeast corner of said Section 19; thence West at right angles to the east line of said section, 360 feet; thence North parallel with said east line, 1320 feet; thence East at right angles to the last mentioned course, a distance of 360 feet to the east line of Section 19; thence North along the east line of said section to the one-quarter section corner; thence West along the east-west center line of said Section 19, to the center of said section; thence South along the north-south center line to the east-west 16th section line; thence West along the east-west 16th section line to the north-south 16th section line of Section 19; thence South along said north-south 16th section line to the south line of said Section; thence East along said south line to a point which is 275 feet westerly from the southeast corner of said Section 19; thence North parallel to the east line of said Section, 159 feet; thence East parallel to the south line thereof, 275 feet to the place of beginning. -----

86-06

86-05

1002  
80.00 Ac.

1092  
66.38 Ac.

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03

1082  
40.00 Ac.



This map is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

TICOR TITLE INSURANCE COMPANY

19  
1001  
0.89Ac

SW. CO  
D.L.C. N

W'y. NY  
D.L.C. N

20

29

BARLOW - MONITOR MARKET ROAD NC

2563.7  
2563.7  
2543.3 SURVEY  
3491.15  
3491.15  
3412.15  
3412.15

187.1  
116.75  
116.75

5140.35  
196 CALC.

730  
730

1340  
1340

150

30

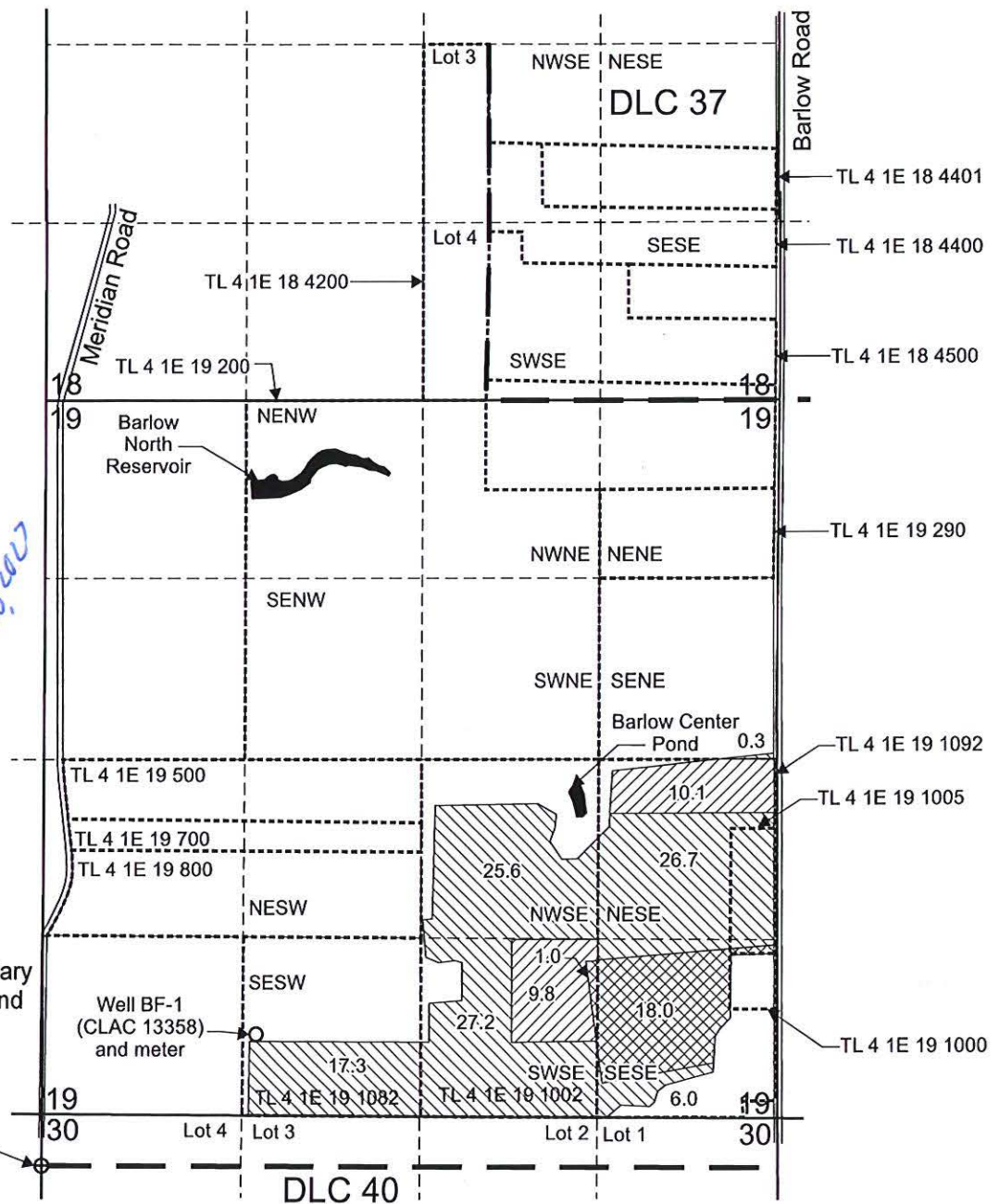
60

# T.4S. R.1E. Sec. 18 & 19, W.M.

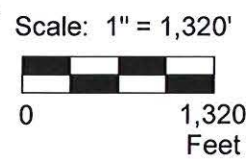
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- Well BF-1 (CLAC 13358) is located 980 feet north and 1,580 feet east from the NW corner, DLC 40.
- Area (103.1 Acres) used as primary irrigation under Certificate 50656, priority date: 11-20-1975, not affected by this temporary transfer.
- Area (19.0 Acres) used as supplemental irrigation under Certificate 50656, priority date: 11-20-1975, primary Certificate 24057, not affected by this temporary transfer.
- "From" Area (19.9 Acres) used as primary irrigation under Certificate 50656, priority date: 11-20-1975, affected by this temporary transfer.



This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.



## Temporary Transfer Application "From" Map Certificate 50656

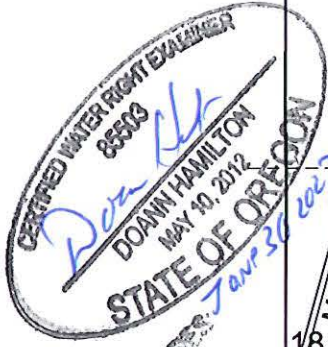
J. Frank Schmidt & Son Company  
T.4S. R.1E. Sec. 18 & 19, W.M.

Pacific Hydro-Geology Inc.

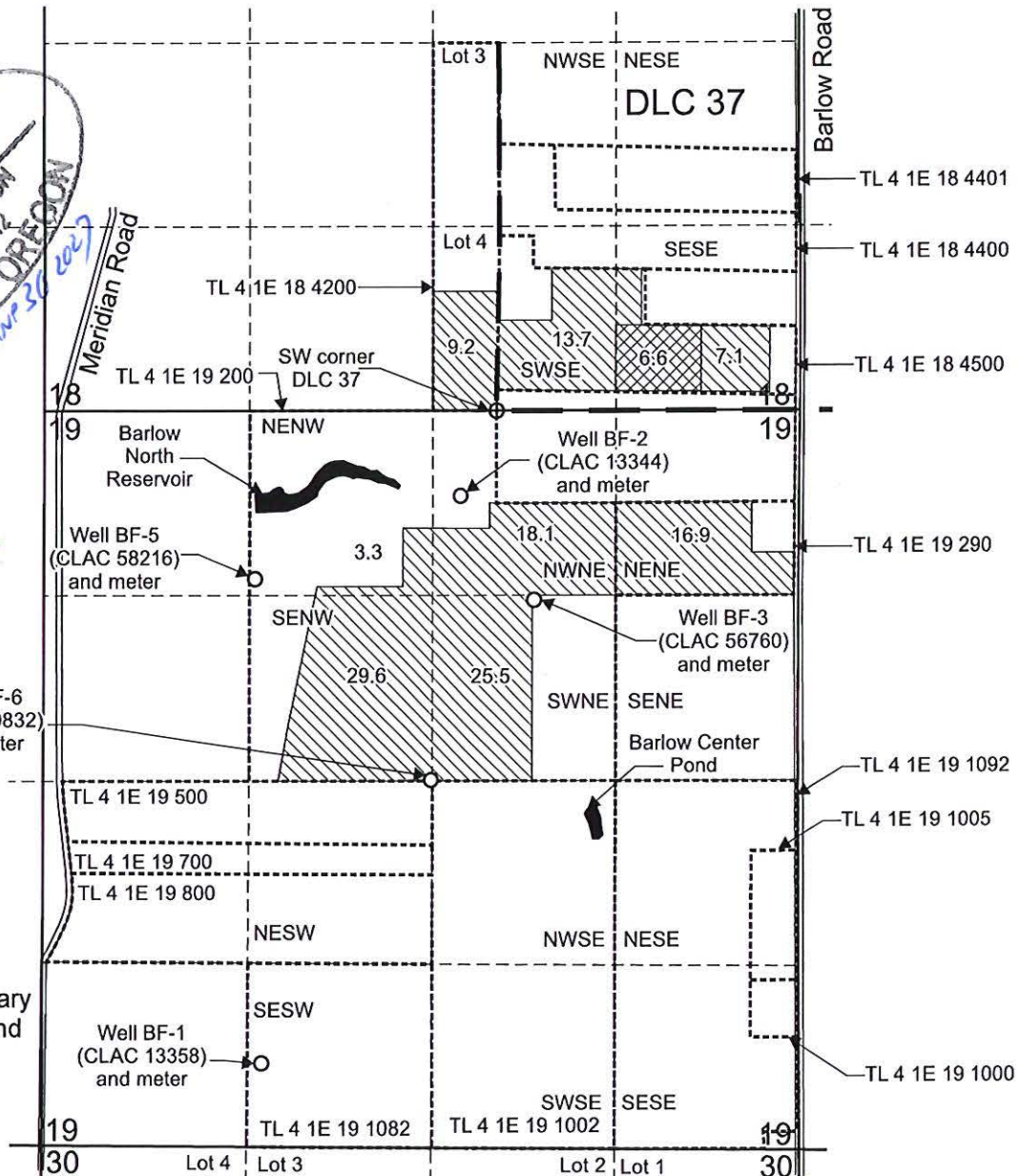
08/2025

J\_Frank\_Schmidt\_Cert50656TempTransMap.cdr

# T.4S. R.1E. Sec. 18 & 19, W.M.



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- Well BF-1 (CLAC 13358) is located 590 feet north and 1,580 feet east from the SW corner, Sec. 19.
- Well BF-2 (CLAC 13344) is located 610 feet south and 260 feet west from the SW corner, DLC 37.
- Well BF-3 (CLAC 56760) is located 1,350 feet south and 1,900 feet west from the NE corner, Sec. 19.
- Well BF-5 (CLAC 58216) is located 1,200 feet south and 3,920 feet west from the NE corner, Sec. 19.
- Well BF-6 (CLAC 60832) is located 2,630 feet south and 2,650 feet west from the NE corner, Sec. 19.

- Area (123.4 Acres) used as primary irrigation under Certificate 93608, priority date: 5-6-1986, not affected by this temporary transfer.
- "From" Area (6.6 Acres) used as primary irrigation under Certificate 93608, priority date: 5-6-1986, affected by this temporary transfer.

Scale: 1" = 1,320'



This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

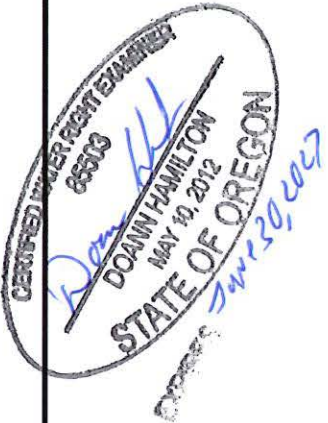
## Temporary Transfer Application "From" Map Certificate 93608

J. Frank Schmidt & Son Company  
T.4S. R.1E. Sec. 18 & 19, W.M.

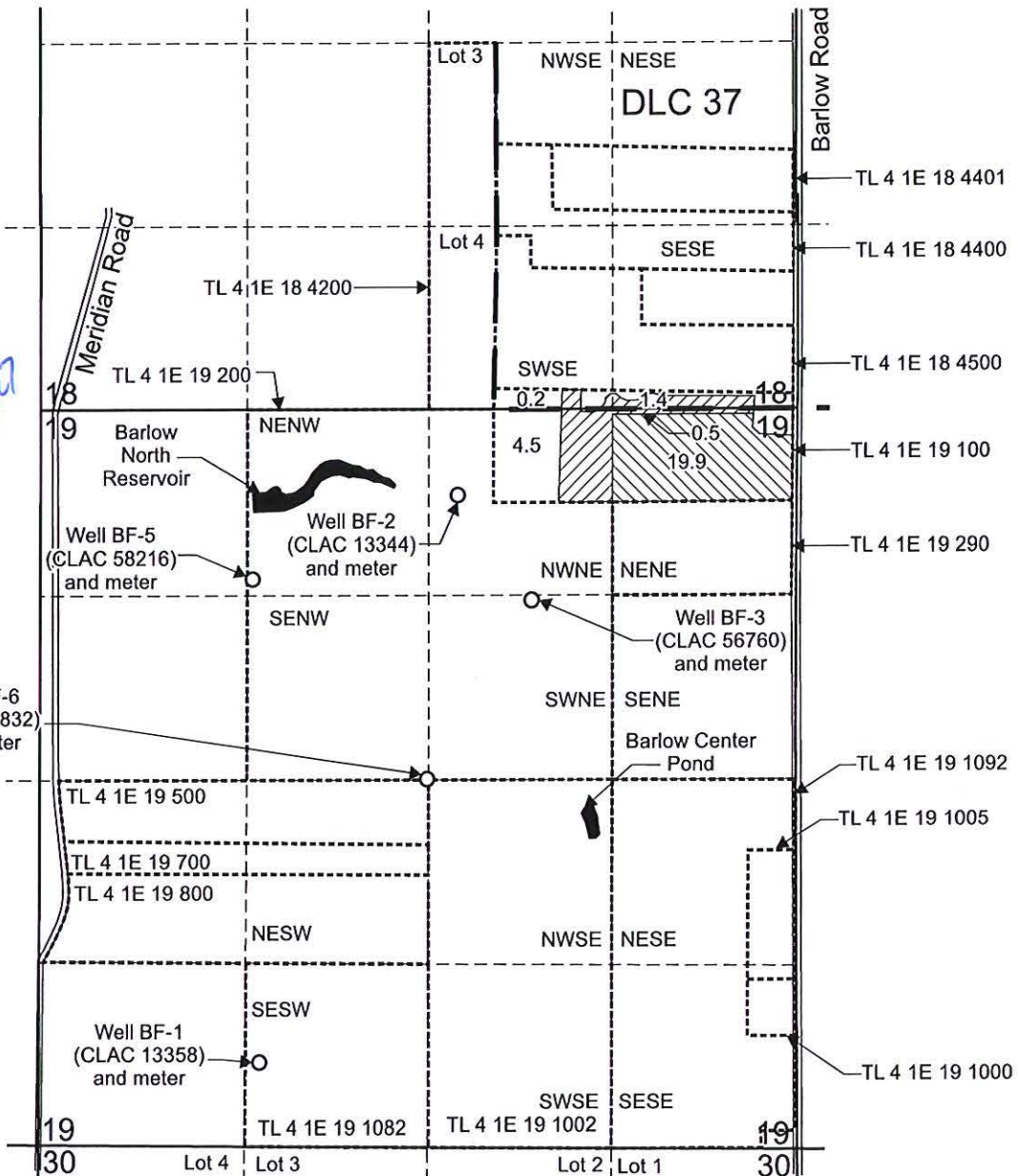
08/2025

Pacific Hydro-Geology Inc.

# T.4S. R.1E. Sec. 18 & 19, W.M.

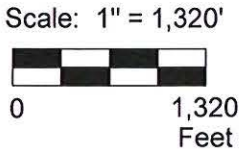


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Well BF-1 (CLAC 13358) is located 590 feet north and 1,580 feet east from the SW corner, Sec. 19.  
 Well BF-2 (CLAC 13344) is located 610 feet south and 260 feet west from the SW corner, DLC 37.  
 Well BF-3 (CLAC 56760) is located 1,350 feet south and 1,900 feet west from the NE corner, Sec. 19.  
 Well BF-5 (CLAC 58216) is located 1,200 feet south and 3,920 feet west from the NE corner, Sec. 19.  
 Well BF-6 (CLAC 60832) is located 2,630 feet south and 2,650 feet west from the NE corner, Sec. 19.

- "To" Area (6.6 acres) for primary irrigation use under Certificate 93608, priority date: 5-6-1986, using wells: BF-1, BF-2, BF-3, BF-5, and BF-6.
- "To" Area (19.9 acres) for primary irrigation use under Certificate 50656, priority date: 11-20-1975, using Well BF-1.



This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.



Temporary Transfer Application "To" Map  
Certificate 50656 and Certificate 93608

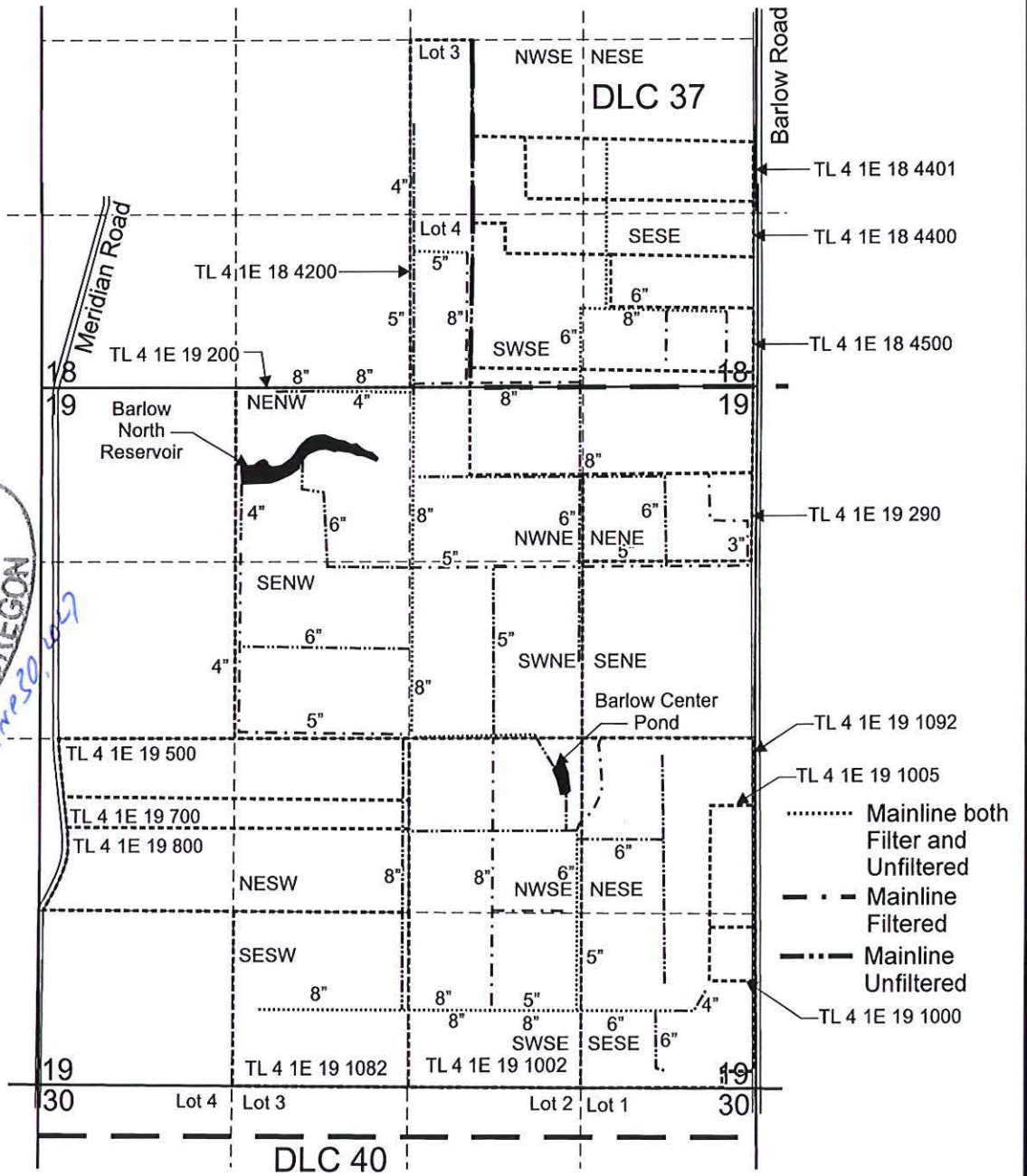
J. Frank Schmidt & Son Company  
T.4S. R.1E. Sec. 18 & 19, W.M.

Pacific Hydro-Geology Inc.

08/2025

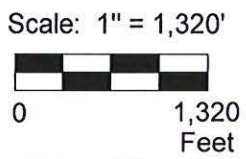
J. Frank\_Schmidt\_Cert50656,93608TempTransMap.cdr

# T.4S. R.1E. Sec. 18 & 19, W.M.



CERTIFIED WATER RIGHT EXAMINER  
 85503  
 DOANN HAMILTON  
 MAY 12, 2012  
 STATE OF OREGON  
 EXPRESS FEE \$50.00

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 OWRD



This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

Temporary Transfer Application Map - Mainlines  
 Certificate 50656 and 93608

J. Frank Schmidt & Son Company  
 T.4S. R.1E. Sec. 18 & 19, W.M.

08/2025

Pacific Hydro-Geology Inc.

14726 -

J. Frank Schmidt\_Cert50656\_93608TempTransMap.cdr

# Temporary Transfer Application Intake Checklist

Transfer # T- 14726

Reviewer <i>Elyse</i> Date <i>9/9/2025</i>	Type of Change(s) Proposed: <b>MUST INCLUDE A CHANGE IN PLACE OF USE</b> <input checked="" type="checkbox"/> POU <input type="checkbox"/> POU/POD <input type="checkbox"/> POU/APOD <input type="checkbox"/> POU/POA <input type="checkbox"/> POU/APOA
Calculated Fee <i>\$1,998.<sup>65</sup></i> Use fee calculator on back of this form	Fee Received \$ <i>1,998.65</i>
Certificate(s): <i>50656, 93608</i>	Check <b>ALL</b> Certs in WRIS to confirm they are not cancelled <input checked="" type="checkbox"/>
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why?      Use the flow chart for multiple Certs	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Notes:	

<b>Application: OAR 690-380-3000; OAR 690-380-3220</b>			
1.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Have <b>ALL</b> of the applicant's signed and dated the application? If no, whose signature is missing?
2.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Part 5 of application: Does the information match the description of the explanation on Part 4 of the application?
3.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		For multiple certificates: Each certificate proposed for transfer has their own separate completed Part 5, Tables 1 & 2? If no, which certificate(s) are missing separate Part 5, Tables 1 & 2?

<b>Map Requirements: OAR 690-380-3100</b>			
4.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Map included and meets mapping requirements?
5.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		Map Waiver? The map waiver must be issued by the Department
Notes:			

<b>Attachments: OAR 690-380-3000</b>			
6.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Evidence of Use included, signed, & notarized w/supporting documentation?
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Current recorded deed for the land from which the authorized place of use is temporarily being moved included?
	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		Affidavit of Consent from Landowner(s) described on the deed?
7.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		Land Use Form included and signed by the County?
8.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		Consent Form included, signed, and notarized?
9.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A		District: Place of use is in <u>or</u> near an irrigation district? If Yes, is Form D included? Name of the District
10.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		For changes in POA/APOA – are the well logs included?
11.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		For change in POU within Umatilla County, Supplemental Form U included?

<input checked="" type="checkbox"/>	<b>Application complete:</b> no deficiencies identified, assign a T-number and put this checklist in T-folder.
<input type="checkbox"/>	<b>Application DEFICIENT: DO NOT accept</b> - return to applicant with letter explaining deficiencies identified.

*19.9 + 6.6 = 26.5*



Oregon Water Resources Department  
Transfer Fee Calculation for Temporary Transfer

- [Main](#)
- [Help](#)
- [Return](#)
- [Contact Us](#)

Today's Date: Tuesday, August 5, 2025	<b>Fee Calculation</b>
Base Fee (includes temporary change to one water right for up to 1 cfs) Fill in information below-- Check each box that applies.	\$1,425.00
Enter total number of water rights included in transfer. <input type="text" value="2"/>	\$465.00
<input type="checkbox"/> Check this box if you propose to change the place of use for a NON-irrigation use.	
<input checked="" type="checkbox"/> 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. <input type="text" value="26.5"/> (If a supplemental certificate also covers the same land as an included primary right, count the acreage only once.)	\$108.65
Total Transfer CFS(rounded up to the next whole cfs):	<input type="text"/>
Subtotal:	\$1,998.65
<input type="checkbox"/> The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.	
<input type="checkbox"/> The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.	
Discount:	<input type="text"/>
<input type="checkbox"/> Check the box if you are submitting the application and map in a Department-approved digital format.	
Transfer Fee:	<b>\$1,998.65</b>

[Return to Edit](#)

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OWRD



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20  
20  
42

**ASSIGNMENT OF VENDEE'S INTEREST IN CONTRACT OF SALE**

DATE: June 3, 1999

BETWEEN: J. Frank Schmidt, III, J. Frank Schmidt, Jr., Jan E. Barkley, Evelyn L. Schmidt and Jean S. Webster, doing business under the assumed name and style of Schmidt Company  
PO Box 189  
Boring, Oregon 97009  
("Assignor")

AND: Schmidt Limited Partnership  
PO Box 189  
Boring, Oregon 97009  
("Assignee")

Assignor as Purchaser and Richard E. Koch and June R. Koch, husband and wife, as Sellers, are parties to that Contract of Sale dated January 6, 1989, document number 89 01075 (the "Contract"), pertaining to certain real property (the "Premises") in Clackamas County, State of Oregon, more particularly described as follows:

See Exhibit A attached hereto.

Assignor desires to assign its rights under the Contract to Assignee and Assignee desires to assume Assignor's obligations under the Contract.

NOW, THEREFORE, in consideration of mutual promises set forth in this Assignment, the parties agree as follows.

**Section 1. Assignment, Assumption and Consideration**

- 1.1 **Assignment.** Assignor hereby assigns to Assignee all its rights, title, and interest in, under, and to the Contract effective on the 19th day of August, 1998 (the "Effective Date").
- 1.2 **Assumption.** Assignee hereby accepts the assignment and assumes and agrees to perform all obligations of the purchaser under the Contract, in strict accordance with the terms of the Contract, from and after the Effective Date.
- 1.3 **Consideration.** The true consideration for this conveyance is: \$ 0. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

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

Schmidt Limited Partnership  
PO Box 189  
Boring, Oregon 97009

After Recording Return To:

Hanna, Kerns & Strader, P.C.  
1300 SW Sixth Avenue, Suite 300  
Portland, Oregon 97201

99-059913

FATCO. NO. 218311-62

Ellis J. Hester 17595 S.E. Lower Island Rd. Dayton, OR 97114	Grantor
Schmidt Limited Partnership P.O. Box 189 Boring, OR 97009	Grantee
After recording return to: Schmidt Limited Partnership P.O. Box 189 Boring, OR 97009	
Until a change is requested, all tax statements shall be sent to the following address:  Schmidt Limited Partnership P.O. Box 189 Boring, OR 97009	

Clackamas County Official Records  
Sherry Hall, County Clerk

2003-134579



\$26.00

10/06/2003 03:02:53 PM

D-D Cnt=1 Stn=3 BEVERLY  
\$5.00 \$11.00 \$10.00

TL41E19 109Z  
TL41E19 1002

FULFILLMENT SPECIAL WARRANTY FORM

Ellis J. Hester, Grantor, conveys and specially warrants to Schmidt Limited Partnership, Grantee, the following described real property free of all encumbrances created or suffered by the Grantor except as specifically set forth herein situated in Clackamas County, Oregon, to-wit:

*A part of section 19, Township 4 South, Range 1 East, of the Willamette Meridian, described as follows:*

*Beginning at a point on the east line of said Section 19, which is 159 feet north of the southeast corner thereof; thence continuing North along said east line to a point which is 824 feet north of the southeast corner of said Section 19; thence West at right angles to the east line of said section, 360 feet; thence North parallel with said east line, 1320 feet; thence East at right angles to the last mentioned course, a distance of 360 feet to the east line of Section 19; thence North along the east line of said section to the one-quarter section corner; thence West along the east-west center line of said Section 19, to the center of said section; thence South along the north-south center line to the east-west 16<sup>th</sup> section line; thence West along the east-west 16<sup>th</sup> section line to the north-south 16<sup>th</sup> section line of Section 19; thence South along said north-south 16<sup>th</sup> section line to the south line of said section; thence East along said south line to a point which is 275 feet westerly from the southeast corner of said Section 19; thence North parallel to the east line of said section, 159 feet; thence East parallel to the south line thereof, 275 feet to the place of beginning.*

*TOGETHER WITH the following items of personal property, to wit:*

*75 Horse Power Aurora Vertiline Irrigation Pump, serial no. R-6326-05-122, and 500 lengths of 3" laterals with risers, sprinkler heads and fittings.*

The property is free from all encumbrances created or suffered by the Grantor.

The true consideration for this conveyance is: \$680,000.00.

This deed is given in fulfillment of that certain contract dated March 18, 1988 by and between ELLIS J. HESTER as GRANTOR, and J. FRANK SCHMIDT, III, J. FRANK SCHMIDT, JR., JAN S. BARKLEY, EVELYN L. SCHMIDT and JEAN S. WEBSTER, doing business under the assumed name and style of SCHMIDT COMPANY, herein referred to as BUYER, recorded on March 21, 1988, in the Deed Records of Clackamas County, as instrument #88-10668; the vendee's interest in which contract having been transferred on July 29, 1998 by the conversion of the Schmidt Company to Schmidt Limited Partnership.

DATED this 26 day of Sept, 2003.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Received  
SEP 08 2025  
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Ellis J. Hester  
ELLIS J. HESTER

State of <sup>Hawaii</sup> Oregon <sup>np/mt</sup> )  
County of <sup>Hawaii</sup> Clackamas <sup>np/mt</sup> ) ss.

Personally appeared the above named Ellis J. Hester and acknowledged the foregoing to be his/her/their voluntary act and deed.

Before me this 26<sup>th</sup> day of September, 2003.

Kathenne Okamura  
Notary Public in and for <sup>Hawaii</sup> Oregon <sup>np/mt</sup> State of <sup>Hawaii</sup> Hawaii  
My Commission Expires: 9/12/04

LS