

Application for Water Right Temporary Transfer



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

This application **will be returned** if Parts 1 through Part 4 and all required attachments are not completed and included upon submittal.

Part 1 of 4 – Temporary Transfer Application Minimum Requirements Checklist

Check all items included with this application. (N/A = Not Applicable)	
<input checked="" type="checkbox"/>	Part 1 – Completed Minimum Requirements Checklist.
<input checked="" type="checkbox"/>	Part 2 – Completed Temporary Transfer Application Map Checklist.
<input checked="" type="checkbox"/>	Part 3 – Completed Applicant Information and Signature. NOTE: If the applicant is a public agency, corporation or business, trust, or other organization, the title or authority of the person who signs the application on behalf of the entity and evidence of signatory authority or a signed statement that such authority exists must be included.
<input checked="" type="checkbox"/>	Part 4 – Information about Transferred Water Rights/Determined Claims: How many water rights/determined claims are to be transferred? <u>1</u> List them here: <u>Cert. 47320</u> Please include a separate Part 4 for each water right. NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met. Temporary Transfer Period (one to five years) Begin Year: <u>2026</u> End Year: <u>2030</u>
<input checked="" type="checkbox"/>	Application Fee - payable by check to the Oregon Water Resources Department (OWRD). The online fee calculator is located: https://apps.wrd.state.or.us/apps/wr/wr_transfer_calculator/temporary_transfer.aspx
Required Attachments:	
<input checked="" type="checkbox"/>	Completed Temporary Transfer Application Map.
<input checked="" type="checkbox"/> YES <input type="checkbox"/> N/A	Completed Evidence of Use Affidavit and supporting documentation.
<input type="checkbox"/> YES <input checked="" type="checkbox"/> 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. NOTE: This form is 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.)
<input checked="" type="checkbox"/>	Current recorded deed for the land from which the authorized place of use is temporarily being moved.
<input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A	Affidavit(s) of Consent from Deeded Landowner(s) or Deeded Water Right Holder(s) NOTE: only if the applicant does not own the land on which the water right is located or if the water right was severed from the land and conveyed separately to other individuals/ entities.
<input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A	Supplemental Form D –water rights/claims proposed for transfer are or will be located within or served by an irrigation or other water district AND the district is not the applicant
Required Groundwater Attachments:	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A	Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
<input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A	Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

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**Part 2 of 4 – Temporary Transfer Application
Map Requirements Checklist**

The application will be returned if any of the map requirements listed below are not met.	
Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map.	
Check all boxes that apply. The map need not be prepared by a Certified Water Right Examiner (CWRE)	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A	If more than three water rights are involved, a separate map for each water right is required.
<input checked="" type="checkbox"/>	Permanent quality printed with dark ink on polyester film or good quality paper. Maps may also be submitted as a PDF (portable document format) if they meet all other requirements.
<input checked="" type="checkbox"/>	The preferred size is 8½ x 11 inches and should be no larger than 30 x 30 inches (one extra map copy is required for 30 x 30 inch maps). To request a waiver for a map larger than 30 x 30 inches, please send an email to mapwaiver@water.oregon.gov .
<input checked="" type="checkbox"/>	A north arrow and a legend.
<input checked="" type="checkbox"/>	Include the scale, which must be even-numbered and not exceed 1 inch = 1,320 feet. To request a waiver for a map scale that exceeds 1 inch = 1,320 feet, please send an email to mapwaiver@water.oregon.gov .
<input checked="" type="checkbox"/>	Township, Range, Section, ¼ ¼, tax lot boundaries (property lines) and tax lot numbers, DLC, Government Lot, and other recognized public land survey lines.
<input checked="" type="checkbox"/>	Major physical features including rivers, creeks, streams, lakes, reservoirs, ponds, roads and railroads. For any surface water on the map, indicate the direction of flow.
<input checked="" type="checkbox"/>	All point(s) of diversion (POD for surface water), point(s) of appropriation (POA for wells/ groundwater), or dam location(s) (or center of reservoir(s) if no dam exists) authorized by the water right(s), clearly labeled, shown by distance and bearing, or by coordinates (distance north/south and distance east/west) from a recognized public land survey corner. (This information can be found in the water right certificate or decree.) In addition, include latitude and longitude for each POD or POA in degrees-decimal with five or more digits after the decimal (example – 44.53764°) and the datum used (example – NAD 83, NAD 27 or WGS 84).
<input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A	If it is necessary to change the point(s) of diversion (POD) or point(s) of appropriation (POA) to convey water to the new temporary place of use, include the proposed location(s), clearly labeled, shown by distance and bearing, or by coordinates (distance north/south and distance east/west) from a recognized public land survey corner. In addition, include latitude and longitude for each POD/POA in degrees-decimal with five or more digits after the decimal (example – 44.53764°) and the datum used (example – NAD 83, NAD 27 or WGS 84).
<input checked="" type="checkbox"/>	General location of main canals, ditches, flumes, pipelines, pumps, or other water delivery features used to transport water from the point(s) of diversion, and/or reservoir/pond to the place of use, including delivery features at the place of use.
<input checked="" type="checkbox"/>	Place of use (POU) by Township, Range, Section, and ¼ ¼, that includes separate hachuring for lands affected by changes proposed in this transfer application, for lands left unchanged and not affected by this transfer application, for each water right, for each priority date, for each use, and served by each point of diversion (POD), point of appropriation (POA), and/or reservoir/pond (POD).
<input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A	For a place of use limited to a point, like a stock watering tank, include latitude and longitude for the place of use in degrees-decimal with five or more digits after the decimal (example – 44.53764°) and the datum used (example – NAD 83, NAD 27 or WGS 84).
<input checked="" type="checkbox"/> YES <input type="checkbox"/> N/A	If the use is irrigation, nursery, cranberry, or other similar uses with acreage associated with it, the place of use must include the number of acres in each quarter-quarter (¼ ¼) section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
<input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A	If the use is supplemental irrigation, include the location(s) and water right reference number of the underlying primary right, registration, or claim.

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**Part 3 of 4 – Temporary Transfer Application
Applicant Information and Signature**

Applicant Information

APPLICANT/BUSINESS NAME Jeremy I. and Aimee M. Kennel Trust	PHONE NO(S) 503-932-9076	EMAIL ADDRESS jkennel530@gmail.com	
ADDRESS 12225 Rolling Hills Rd. (PLEASE MAIL DOCUMENTS ALSO)	CITY Monmouth	STATE OR	ZIP 97361

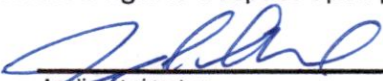

DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE.

IMPORTANT NOTE - Electronic forms of documents: Beginning on April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system (wrd_automated_email@water.oregon.gov). **Consider adding this email address to your safe sender list.**

- The applicant is the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located. **NOTE: If the applicant is not the sole owner, include signatures of all deeded landowners (and mailing and e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/ entities to which the water right(s) were conveyed.**
- The person signing this application is doing so on behalf of a public agency, corporation or business, trust, or other organization and must provide evidence of signatory authority or a signed statement that such authority exists must be attached to this application.

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

I (we) also affirm that I (we) understand that approval of the change(s) proposed in this application does not constitute a right to trespass upon property or ditches not owned or controlled by the applicant.

 Applicant signature	Jeremy Kennel, trustee Print Name (and Title if applicable)	5-20-26 Date
 Applicant signature	Aimee Kennel, trustee Print Name (and Title if applicable)	5/20/26 Date

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

AGENT/BUSINESS NAME Will McGill Surveying, LLC	PHONE NO(S) 503-931-0210	EMAIL ADDRESS willmcgill.surveying@gmail.com	
ADDRESS 15333 Pletzer Rd. SE (PLEASE MAIL DOCUMENTS ALSO)	CITY Turner	STATE OR	ZIP 97392

DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE.

IMPORTANT NOTE - Electronic forms of documents: Beginning on April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system (wrd_automated_email@water.oregon.gov). **Consider adding this email address to your safe sender list.**

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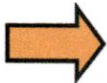
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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. **NOTE: Complete Supplemental Form D.**

IRRIGATION DISTRICT NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL
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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)	EMAIL
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To meet state land use compatibility requirements, you must list the names and mailing addresses of all affected local governments, including but not limited to county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME Polk County	ADDRESS (CITY, STATE, ZIP) 820 SW Church St., Dallas, OR 97338	EMAIL
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ENTITY NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL
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PROPOSED CHANGES

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

NOTE: A change in Place of Use is Required.

Place of Use (POU) - proposed changes to the place of use will replace the authorized place of use

Changes to Surface Water Point(s) of Diversion: **NOTE: only if necessary to convey water to the new temporary place of use.**

Point of Diversion (POD) – proposed POD will replace the existing authorized POD –

Additional Point of Diversion (APOD) – proposed POD will be in addition to the existing authorized POD

Changes to Point(s) of Groundwater Appropriation: **NOTE: only if necessary to convey water to the new temporary place of use.**

Point of Appropriation (POA) – proposed POA will replace the authorized POA

Additional Point of Appropriation (APOA) - proposed POA will be in addition to the authorized POA

Explain in your own words what you propose to accomplish with this transfer application, and why:

It is proposed to move a portion of certificate 47320 to the North to establish permanent crops using the existing irrigation system.

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

**Part 4 of 4 – Temporary Transfer Application
Water Right Information – Authorized POD/POA**

WATER RIGHT CERTIFICATE# 47320

Please use a separate Part 4 for each water right being changed.

System capacity: 2.4 Cubic Feet per Second (CFS) Gallons Per Minute (GPM) Acre-Feet (AF)

Source (live flow, stored water, etc.): Live Flow (Big Luckiamute River)

Describe the current water delivery system. Include information on the capacity of pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Please provide as much detail as possible:

75 HP centrifugal pump delivers water to POU via 8" buried PVC mainline. Previously applied by overhead big gun, recently converted to drip irrigation.

Amount proposed for transfer: 23 CFS GPM AF

Please check the appropriate box below and provide the requested information:

If the water right was certificated under a decree, please indicate:

- Name of Decree: _____

If the water right was certificated through the permit process, please indicate:

- Permit # S-27812 and the name(s) appearing on the permit: Stephen Benedict

If Proof of Appropriation under the water right has been determined by the Department, please indicate:

Special Order Volume # _____, Page # _____

and the name(s) appearing on the Proof of Appropriation Special Order: _____

Table 1A – For Both SW and GW Rights - Location of Existing SW POD(s) or GW POA(s)

NOTE: If the POD/POA name is not specified on the Certificate, assign it a name or number below

Authorized POA/POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
POD	9	S	5	W	14	NE	SW	7

Measured Distances (from a recognized survey corner)

290' S and 1180' E from the NW corner, W. Parker DLC 61

If authorized point is groundwater:

Well log attached and associated with the well described above **and** on the accompanying application map.

AND/OR

No well log is available - construction of the authorized well is provided in table below.

OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								<input type="checkbox"/> CFS <input type="checkbox"/> GPM

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Part 4 of 4 continued – Temporary Transfer Application
 Authorized POD/POA - Table 1A Continued

WATER RIGHT CERTIFICATE # 47320

Authorized POA/POD Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot		
Measured Distances (from a recognized survey corner)								
If authorized point is groundwater: <input type="checkbox"/> Well log attached and associated with the well described above and on the accompanying application map. AND/OR <input type="checkbox"/> No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								<input type="checkbox"/> CFS <input type="checkbox"/> GPM
Authorized POA/POD Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot		
Measured Distances (from a recognized survey corner)								
If authorized point is groundwater: <input type="checkbox"/> Well log attached and associated with the well described above and on the accompanying application map. AND/OR <input type="checkbox"/> No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								<input type="checkbox"/> CFS <input type="checkbox"/> GPM
Authorized POA/POD Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot		
Measured Distances (from a recognized survey corner)								
If authorized point is groundwater: <input type="checkbox"/> Well log attached and associated with the well described above and on the accompanying application map. AND/OR <input type="checkbox"/> No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								<input type="checkbox"/> CFS <input type="checkbox"/> GPM

**Part 4 of 4 continued – Temporary Transfer Application
Proposed POD/APOD Information – Surface Water Right(s) ONLY**

WATER RIGHT CERTIFICATE # 47320

Table 1BSW - Location of Proposed Surface Water POD/APOD(s) - NOTE: only if necessary to convey water to the new temporary place of use.

Proposed POD Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Type of Change (from Page 4): <input type="checkbox"/> POD or <input type="checkbox"/> APOD			From Authorized POD: <input type="checkbox"/> UPSTREAM or <input type="checkbox"/> DOWNSTREAM			
Measured Distances (from a recognized survey corner)						

Fish Screen Information:

Yes No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532
If Yes, please, submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter.
 Additional Information/Remarks:

Proposed POD Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Type of Change (from Page 4): <input type="checkbox"/> POD or <input type="checkbox"/> APOD			From Authorized POD: <input type="checkbox"/> UPSTREAM or <input type="checkbox"/> DOWNSTREAM			
Measured Distances (from a recognized survey corner)						

Fish Screen Information:

Yes No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532
If Yes, please, submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter.
 Additional Information/Remarks:

Proposed POD Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Type of Change (from Page 4): <input type="checkbox"/> POD or <input type="checkbox"/> APOD			From Authorized POD: <input type="checkbox"/> UPSTREAM or <input type="checkbox"/> DOWNSTREAM			
Measured Distances (from a recognized survey corner)						

Fish Screen Information:

Yes No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532
If Yes, please, submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter.
 Additional Information/Remarks:

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**Part 4 of 4 continued –Temporary Transfer Application
Proposed POA/APOA Information – Groundwater Right(s) ONLY**

WATER RIGHT CERTIFICATE # 47320

Table 1B-GW - Location of Proposed Groundwater POA/APOA(s) - NOTE: only if necessary to convey water to the new temporary place of use.

Proposed POA/APOA(s) Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot		
Measured Distances (from a recognized survey corner)			Type of Change (from Page 4): <input type="checkbox"/> POA or <input type="checkbox"/> APOA					
<input type="checkbox"/> Well log attached and associated with the well described above and on the accompanying application map. AND/OR <input type="checkbox"/> No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								<input type="checkbox"/> CFS <input type="checkbox"/> GPM
Proposed POA/APOA(s) Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot		
Measured Distances (from a recognized survey corner)			Type of Change (from Page 4): <input type="checkbox"/> POA or <input type="checkbox"/> APOA					
<input type="checkbox"/> Well log attached and associated with the well described above and on the accompanying application map. AND/OR <input type="checkbox"/> No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								<input type="checkbox"/> CFS <input type="checkbox"/> GPM
Proposed POA/APOA(s) Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot		
Measured Distances (from a recognized survey corner)			Type of Change (from Page 4): <input type="checkbox"/> POA or <input type="checkbox"/> APOA					
<input type="checkbox"/> Well log attached and associated with the well described above and on the accompanying application map. AND/OR <input type="checkbox"/> No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								<input type="checkbox"/> CFS <input type="checkbox"/> GPM

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**Part 4 of 4 continued – Permanent Water Right Transfer Application
Proposed POU “TO” LANDS**

WATER RIGHT CERTIFICATE# 47320

Table 2B - Description of the PROPOSED (the “to” or “on” lands) Place of Use and POD/APOD(s) or POA/APOA(s) to the Water Right Certificate AFTER PROPOSED CHANGES are made.

NOTE: If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/APOD(s)/POA/APOA(s) involved in the proposed changes, specify the acreage associated with each POINT

Proposed POD/APOD(s) or POA/APOA(s) Name(s) from Table 1B (SW or GW)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot	Acres	Authorized Use	Priority Date
POD	9	S	5	W	14	SW	NW	302	3.5	Irrigation	1/26/1962
POD	9	S	5	W	14	NE	SW	302	0.2	Irrigation	1/26/1962
POD	9	S	5	W	14	NW	SW	302	5.5	Irrigation	1/26/1962
TOTAL ACRES									9.2		

Additional remarks:

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RECORDED IN POLK COUNTY Valerie Unger, County Clerk	2023-000548 01/26/2023 11:04:02 AM
REC-WD Cnt=1 Stn=5 K. WILLIAMS \$20.00 \$11.00 \$10.00 \$60.00 \$5.00	\$106.00

SPECIAL WARRANTY DEED

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO:

Jeremy I. & Aimee M. Kennel
12225 Rolling Hills Rd.
Monmouth, Oregon 97361

AFTER RECORDING, RETURN TO:

Con P. Lynch
PO Box 741
Salem, OR 97308-0741

JEREMY I. KENNEL and AIMEE M. KENNEL, as husband and wife, as Tenants by the Entirety, Grantors, convey and specially warrant to JEREMY I. KENNEL and AIMEE M. KENNEL, Trustees of the Jeremy I. & Aimee M. Kennel Trust, dated October 25, 2022, Grantees, the real property located in Polk County, Oregon, and described as follows:

See Attached Exhibit A

SUBJECT TO: All liens and encumbrances of record or apparent on the property by inspection.

The true and actual consideration for this conveyance consists of or includes other property or value given as provided which is the whole consideration.

The liability and obligations of Settlor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained in this deed or provided by law shall be limited to the amount, nature, and terms of any right of indemnification available to Settlor under any title insurance policy, and Settlor will have no liability or obligation except to the extent that reimbursement for such liability or obligation is available to Settlor under any title insurance policy. The limitations contained in this paragraph specifically do not relieve Settlor of any liability or obligations under this instrument, but merely define the scope, nature, and amount of the liability or obligations.

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

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NOTE: FIRST AMERICAN TITLE IS RECORDING THIS DOCUMENT AS AN ACCOMMODATION TO CLIENT ONLY AND WILL NOT ASSUME ANY RESPONSIBILITY AS TO ITS' VALIDITY.

14868 -

VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 (Definitions for ORS 30.930 to 30.947), IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) 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. 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 (Definitions for ORS 92.010 to 92.192) OR 215.010 (Definitions), TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL. TO VERIFY THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855,

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(Compensation and Conservation Fund) 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.

DATED: January 23, 2023



JEREMY I. KENNEL


DATED: January 23, 2023



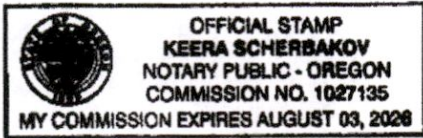
AIMEE M. KENNEL

STATE OF OREGON)
) ss.
COUNTY OF MARION)

Personally, appeared the above-named JEREMY I. KENNEL and AIMEE M. KENNEL, and acknowledged the foregoing instrument to be their voluntary act. Before me:

Notary Public for Oregon
My Commission Expires: Aug 03, 2026



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Exhibit A

TOGETHER WITH all easements, rights of way, water rights and other benefits of record.

SUBJECT TO all easements, rights of way and other encumbrances of record.

ACCOUNT NO:	570108	MAP/TAX LOT:	09523-00-00405 (105.29 Acres)
ACCOUNT NO:	570107	MAP/TAX LOT:	09522-00-00109 (8.74 Acres)
ACCOUNT NO:	342409	MAP/TAX LOT:	09522-00-00102 (22.50 Acres)
ACCOUNT NO:	342582	MAP/TAX LOT:	09523-00-00401 (5.25 Acres)

SITE ADDRESS: at or near 12045 Simpson Road, Monmouth, OR 97361

--for a deferred payment price of \$1,680,000.00; together with additional consideration under the terms of the contract.

Parcel 1:

All of the following property lying North of County Road No. 954 and lying South of the old Valley and Siletz Railroad, further described as Parcel 108 and 109 in Special Warranty Deed recorded November 9, 2004, in Instrument No. 2004-017986 and re-recorded March 17, 2005, in Instrument No. 2005-003950, Records of Polk County, Oregon:

The William G. Parker Donation Land Claim in Township 9 South, Range 5 West of the Willamette Meridian, Polk County, Oregon.

SAVE AND EXCEPT:

Beginning at a point where the West line of the William G. Parker Donation Land Claim No. 61 in Township 9 South, Range 5 West of the Willamette Meridian, Polk County, Oregon, intersects the center of County Road No. 954; thence North 20°15' East, along the West line of said Claim, 899.60 feet; thence East 756.32 feet; thence South 1125.00 feet, more or less, to a point in the center of said road; thence Westerly, along the center of said road, to the point of the beginning.

PARCEL 2:

Beginning at a point where the West line of the William G. Parker Donation Land Claim No. 61 in Township 9 South, Range 5 West of the Willamette Meridian, Polk County, Oregon, intersects the center of County Road No. 954; thence North 20°15' East, along the West line of said Claim, 899.60 feet; thence East 756.32 feet; thence South 1125.00 feet, more or less, to a point in the center of said road; thence Westerly, along the center of said road, to the point of beginning.

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**Application for Water Right Transfer
Evidence of Use Affidavit**

**Use a separate affidavit for each water right included in the transfer application.
NOTE: Supporting documentation must be attached.**

State of Oregon)
County of Polk) SS
)

I, Jeremy Kennel, in my capacity as Owner,
mailing address 12225 Rolling Hills Rd., Monmouth, OR 97361,
telephone no.(s) 503-932-9076, e-mail address jkennel530@gmail.com,

being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on:

Check only the box that applies:

- Personal observation. Explain the specific grounds for your knowledge:
Personally irrigated the lands.
- Professional expertise. Explain the specific grounds for your knowledge:

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2. I attest that I have read and understand the terms and conditions of water use under Certificate # 47320, and that I have attached copies of documents demonstrating beneficial water use consistent with those terms and conditions (i.e., documentation showing compliance with the terms and conditions of the right).

Examples of documentation demonstrating compliance with the terms and conditions include, but are not limited to:

- Information showing that a required water meter was installed
- Copies of submitted static water level measurement reports (for groundwater sources)
- Copies of submitted annual water use reports
- Written confirmation from Oregon Department of Fish & Wildlife (ODFW) documenting installation of required fish screen(s)

3. I attest that water was beneficially used under Certificate # 47320 for the following purpose (e.g., crops, pasture, commercial, industrial, etc.): Crops

4. I attest that water from the authorized source was diverted/appropriated, conveyed, and applied to the authorized place of use under Certificate # 47320 through the current water delivery system used to apply water or the system that was in place at some point within the five years prior to submittal of this Transfer Application.

5. I attest that the following is a description of the water delivery system attested to in Item #4 above. Please check all applicable boxes below and include information that describes the type, model, dimensions (size/diameter, length, etc.) and delivery capacity, in cubic feet per second (cfs) or gallons per minute (gpm):

- Pump(s) in stream: 75 HP centrifugal, theoretical capacity of 2.4 cfs
- Pump(s) in reservoir/pond:
- Pump(s) in well(s):
- Headgate in stream/canal:
- Headgate in reservoir pond:
- Other (describe also include its general location in the description):

- Gravity Ditch:
- Pipeline: 8" buried PVC mainline
- Sprinklers: Big gun
- Other (also include its general location in the description):
Drip

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6. Can you attest to beneficial water use under Certificate # 47320 consistent with the terms and conditions of the water right, during the past five years on the **entire** place of use or a **portion** of the place of use?

- No [skip to Question 7]
- Yes, my knowledge is specific to only the **portion** of the place use described below: [complete **Table 1** below, then go to Question 8]
- Yes, water was used on the **entire** place of use [skip to Question 8]

Table 1. Description of Water Use

Certificate #	Township		Range		Mer	Sec	¼	¼	Gov't Lot or DLC	Acres (if applicable)
					WM					
					WM					
					WM					
					WM					
					WM					
					WM					

7. I attest, as indicated under either **Item a.** or **Item b.** below, that:

a. Beneficial water use is evidenced by one of the following:

- Certificate # _____ confirming beneficial water use to perfect Permit # _____ was issued within the past five years.

NOTE: This cannot be a remaining right certificate.

- Certificate # _____ confirming completion of a change in place of use, point(s) of diversion/ appropriation, or character of use authorized under Transfer Application #T-_____ was issued within the past five years.

- Part or all of the water right was leased instream at some point within the last five years. The instream lease number is: _____

NOTE: If the entire right proposed for transfer was not leased, then additional evidence of use is needed for the portion not leased instream.

- Water has been diverted at the actual current point of diversion for more than 10 years for beneficial use under Certificate # _____ (For Historic POD Transfers).

-OR-

b. Water was not used in the past 5 years, but the water right is not subject to forfeiture and documentation is attached to support the assertion that the presumption of forfeiture for nonuse would be rebutted under ORS 540.610(2) due to the following:

- Consistent with ORS 540.610(2)(e), the period of nonuse occurred during a period of time within which land was withdrawn from use in accordance with the Federal Conservation Reserve Program.
- Consistent with ORS 540.610(2)(h), the nonuse occurred during a period of time when I/we was/were using reclaimed water in lieu of using water under the water right.
- Consistent with ORS 540.610(2)(j), I/we was/were unable to make full beneficial use of the water because water was not available. During this time I/we had a facility capable of handling the full allowed rate and duty, and I/we was/were otherwise ready, willing and able to beneficially use the entire amount of water allowed under the water right.
- Consistent with ORS 540.610(2)(L), the nonuse occurred during a period of time within which the exercise of the water right was not necessary due to climatic conditions. During this time I/we had a facility capable of handling the full allowed rate and duty, and I/we was/were otherwise ready, willing and able to beneficially use the entire amount of water allowed under the water right.
- Consistent with ORS 540.610(2)(n), the nonuse of the supplemental water right occurred during a period of time when the primary water right used in conjunction with the supplemental water right was leased as an in-stream water right pursuant to ORS 537.348.
- Other (please explain and cite the statutory reference under ORS 540.610(2) that applies):

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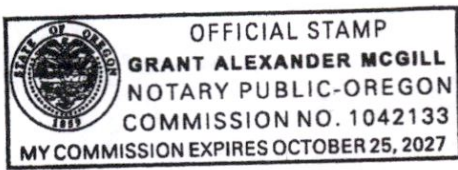
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8. I understand that if I do not attach one or more of the documents shown in **Table 2** to support the above statements, my application will be considered incomplete.

NOTE: Table 2 is located on Page 5

[Signature] Affiant Signature Jeremy Kennel Printed Name 5-20-26 Date

Signed and sworn to (or affirmed) before me this 20 day of May, 2026.



[Signature]
Notary Public for Oregon

My Commission Expires: 10/25/2027

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Table 2. Supporting Documentation

Supporting Documents	Examples
A confirming water right certificate that was issued within the last five years. (NOT a remaining right certificate.)	<ul style="list-style-type: none"> • Copy of a water right certificate confirming the beneficial use of water under a Water Use Permit that shows date of issuance • Copy of a water right certificate confirming completion of a change in place of use, point of diversion/appropriation, or character of use authorized by an approved Water Right Transfer showing issuance date
Records such as Farm Service Agency (FSA) crop reports, irrigation district records, Natural Resources Conservation Service (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 • Conservation Reserve Enhancement Program (CREP) Report
Dated satellite imagery, aerial photos or other photographs containing sufficient detail to establish location and date of photograph (i.e., dated aerial photographs)	<ul style="list-style-type: none"> • Multiple photos can be submitted to show different areas of a water right • If photograph does not print with a “date stamp” or without the source identified, the date of the photograph and source should be added <p>Sources for dated aerial photos: OSU – https://www.oregonexplorer.info OWRD – https://www.oregon.gov/owrd Google Earth – https://earth.google.com/</p>
Approved instream lease establishing beneficial use for instream purposes within the last 5 years	Copy of final order approving an instream lease that shows instream lease number and date of issuance
If water has not been beneficially used in the past 5 years, documentation showing the right is not subject to forfeiture under ORS 540.610. (NOTE: Refer to ORS 540.610(2) for rebuttals to the presumption of forfeiture.)	<ul style="list-style-type: none"> • Copy of an agreement or contract for the use of reclaimed municipal water • Contract showing the authorized place of use enrolled in the Conservation Reserve Enhancement Program (CREP). • Copy of the Governor’s executive order declaring a drought in the county within which the water right is located
Any other documentation with sufficient detail to support the affidavit attesting to beneficial use during the past 5 years	

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