

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)

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ 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.**
- ☒ Part 4 – Information about Transferred Water Rights/Determined Claims: How many water rights/determined claims are to be transferred? 1
List them here: Certificate 95232
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: 2027 End Year: 2027
- ☒ **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:

- ☒ Completed Temporary Transfer Application Map.
- ☒ YES ☐ N/A Completed Evidence of Use Affidavit and supporting documentation.
- ☐ YES ☒ 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.)**
- ☒ Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- ☐ YES ☒ 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.**
- ☐ YES ☒ 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:

- ☐ YES ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ YES ☒ 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**

Salem, OR

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)

☐ YES ☒ N/A	If more than three water rights are involved, a separate map for each water right is required.
☒	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.
☒	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 .
☒	A north arrow and a legend.
☒	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 .
☒	Township, Range, Section, ¼ ¼, tax lot boundaries (property lines) and tax lot numbers, DLC, Government Lot, and other recognized public land survey lines.
☒	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.
☒	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).
☐ YES ☒ 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).
☒	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.
☒	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).
☐ YES ☒ 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).
☒ YES ☐ 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.
☐ YES ☒ 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.

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

Applicant Information

APPLICANT/BUSINESS NAME Heyerly Brothers c/o Jeff Heyerly	PHONE NO(S) (503) 407-6730	EMAIL ADDRESS jrheyerly @canby.com	
ADDRESS 31958 S. Palmer Rd.	CITY Molalla	STATE OR	ZIP 97038

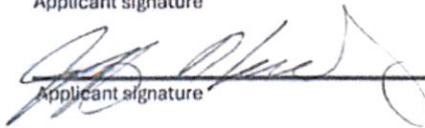
DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE.

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 	Print Name (and Title if applicable) Jeff Heyerly - Pres.	Date 5/28/26
	Applicant signature	Print Name (and Title if applicable)	Date

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

AGENT/BUSINESS NAME Doann Hamilton / Will McGill Surveying LLC	PHONE NO(S) 503-349-6946 cell	EMAIL ADDRESS phgdmh@gmail.com	
ADDRESS 15333 Pletzer Rd. SE	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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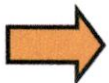
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- ☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. **NOTE: Complete Supplemental Form D.**

IRRIGATION DISTRICT NAME NA	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 NA	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 Clackamas Co. Department of Transport. 	ADDRESS (CITY, STATE, ZIP) 150 Beavercreek Road, Oregon City, OR 97045	EMAIL
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ENTITY NAME NA	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:

As part of our crop rotation, we plan to dry up some acres in one location and move those acres to a new location we wish to plant.

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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# 95232

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

System capacity: 2.3 ☒ Cubic Feet per Second (CFS) ☐ Gallons Per Minute (GPM) ☐ Acre-Feet (AF)

Source (live flow, stored water, etc.): Well 1 and Well 2 in Willamette River Basin

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:

Water is pumped from the Well 1 (CLAC 53757) using a 75 Hp submersible pump with a variable speed drive to make up the supply demand differences if Well 2 (CLAC 74503) water levels drops. Well 2 uses a 60 Hp submersible pump to convey water through the same 6-inch mainline supplied by both wells. Water is conveyed through the 8- and 6-inch buried PVC mainline with hydrants located every 270 feet where portable 6- and 5- inch aluminum mainlines with hydrants can be attached, and/or portable 40-foot-long aluminum hand lines with impact sprinklers. Hard hose travelers can also be attached to the hydrants.

Amount proposed for transfer: 0.306 ☒ 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 # G-17897 and the name(s) appearing on the permit: Heylerly Brothers

☐ 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
Well 1	5	S	1	E	12	NE	SE	TL 5 1E 12 1800
Measured Distances (from a recognized survey corner)								
420 feet south and 690 feet west from E 1/4 corner, Section 12.								
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-								
								☐ CFS ☐ GPM

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Part 4 of 4 continued – Temporary Transfer Application

Authorized POD/POA - Table 1A Continued

Salem, OR

WATER RIGHT CERTIFICATE # 95232

Authorized POA/POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Well 2	5	S	1	E	12	SW	SE	TL 5 1E 12 1700
Measured Distances (from a recognized survey corner)								
1,355 feet south and 2,480 feet west from E 1/4 corner, Section 12.								
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-								☐ CFS ☐ 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:								
☐ 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-								☐ CFS ☐ 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:								
☐ 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-								☐ CFS ☐ GPM

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

WATER RIGHT CERTIFICATE # 95232

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): ☐ POD or ☐ APOD From Authorized POD: ☐ UPSTREAM or ☐ 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): ☐ POD or ☐ APOD From Authorized POD: ☐ UPSTREAM or ☐ 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): ☐ POD or ☐ APOD From Authorized POD: ☐ UPSTREAM or ☐ 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 # 95232

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): ☐ POA or ☐ APOA					
☐ 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-								☐ CFS ☐ 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): ☐ POA or ☐ APOA					
☐ 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-								☐ CFS ☐ 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): ☐ POA or ☐ APOA					
☐ 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-								☐ CFS ☐ GPM

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WATER RIGHT CERTIFICATE# 95232

☐ Yes - Complete **only** Table 2B on page 10. ☒ No - Complete **both** Table 2A below **and** Table 2B on page 10.

NOTE: List only that part or portion of the Water Right Certificate that will be changed.

None

NA

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14878 - Salem, OR

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

Instructions for completing this report are on the last page of this form.

(1) OWNER:

Name Ron Heyerly & Sons
Address 32899 S. Dryland Rd.
City Molalla State OR Zip 97038

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:

☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger
☐ Other

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well 411 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
16"	0	180	cement & 5% bentonite	0	180	89 sacks
16"	180	411				

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from 180 ft. to 411 ft. Size of gravel 5x8

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	10"	+1 1/2'	347'	.250	☒	☐	☐	☐
	2"	+1	343'	galv	☐	☐	☐	☒
Liner:	gravel feed pipe				☐	☐	☐	☐

Final location of shoe(s) None

(7) PERFORATIONS/SCREENS:

		Method		Type		Material	
☐ Perforations						Stainless	
☒ Screens							
From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
347'	374' 6"	.080		10"	p.s.	☐	☐
374' 6"	390'			10"		☒	☐
390'	395' 3"	.080		10"	p.s.	☐	☐
395' 3"	411'			10"		☒	☐

(8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump	☐ Bailer	☐ Air	☐ Flowing Artesian
Yield gal/min	Drawdown	Drill stem at	Time
680	113'		1 hr.
650	122' 6"		4 hrs
650	124'		6 hrs

Temperature of water 54 Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

RECEIVED

WELL I.D.# 13590

(START CARD) # 101527

(9) LOCATION OF WELL by legal description:

County Clackamas Latitude _____ Longitude _____
Township 5S N or S Range 1E E or W. WM.
Section 12 NE 1/4 SE 1/4
Tax Lot 1800 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:

122 ft. below land surface. Date 8/5/98
Artesian pressure _____ lb. per square inch. Received by OWRD

(11) WATER BEARING ZONES:

Depth at which water was first found 347'

From	To	Estimated Flow Rate	SWL
347	365	200 gpm	137
368	374	200 gpm	137
390	395	300 gpm	137

(12) WELL LOG:

Material	From	To	SWL
Topsoil	0	1	
Clay brown	1	5	
Gravel, clay	5	29	
Clay brown	29	34	
Gravel, clay	34	48	
Clay red-brown, gravel	48	52	
Clay gray sticky	52	59	
Clay red-brown w/sand	59	62	
Clay brown sandy	62	82	
Clay brown	82	86	
Clay brown sandy	86	102	
Clay gray sticky	102	105	
Clay gray w/sand & gravel	105	112	
Sand brown & clay	112	138	
Sandy clay gray	138	147	
Clay blue sandy	147	158	
Clay blue w/sand & gravel	158	165	
Clay blue	165	188	
Clay blue & claystone	188	194	
See Attached Sheet			

Date started 4/29/98 Completed 8/7/98

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed [Signature] WWC Number 1704 Date 9/4/98

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed [Signature] WWC Number 783 Date 9/4/98

Clac
53157

Ron Heyerly & Sons

Start Card # 101527

Well I.D.# L13590

Well Log Continued	From	To	SWL
Clay Green	194	203	
Clay gray	203	224	
Clay blue	224	229	
Clay blue sticky	229	247	
Clay brown	247	282	
Sand & clay brown	282	283	
Clay gray sticky	283	288	
Sand clay gray	288	306	
Clay gray w/blue claystone	306	329	
Clay & claystone blue	329	347	
Sandstone black	347	350	137'
Sand black coarse	350	354	137'
Sand black w/hard sandy clay	354	356	137'
Sand, gravel, & clay	356	365	137'
Clay gray sticky	365	368	
Sand black	368	374	137'
Clay gray	374	390	
Sand black	390	395	137'
Clay gray	395	411	

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Salem, OR

CLAC 74503

STATE OF OREGON

WATER SUPPLY WELL REPORT

(as required by ORS 537.765 & OAR 690-205-0210)

WELL I.D. LABEL # L 120911

START CARD # 215098

ORIGINAL LOG #

(1) LAND OWNER

Owner Well I.D. _____
 First Name _____ Last Name _____
 Company East Valley Seed Co.
 Address 31958 S. Hwy 213
 City Molalla State OR Zip 97038

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion
☐ Alteration (complete 2a & 10) ☐ Abandonment (complete 5a)

(2a) PRE-ALTERATION

Dia + From To Gauge Stil Plstc Wld Thrd
 Casing: ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐
 Material From To Amt sacks/lbs
 Seal: ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

(3) DRILL METHOD

☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering
☐ Thermal ☐ Injection ☐ Other _____

(5) BORE HOLE CONSTRUCTION

Special Standard ☐ (Attach copy)

Depth of Completed Well 422.25 ft.

BORE HOLE

Dia	From	To	Material	From	To	Amt	sacks/lbs
20	0	50	Bentonite Chips	0	50	98	S
16	50	422.25				Calculated 95	
						Calculated	

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other Or 690-210-0340

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from 320 ft. to 422.25 ft. Material pea gravel Size 3/6

Explosives used: ☐ Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount Pounds Actual Amount Pounds

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stil	Plstc	Wld	Thrd
☒	16	☒	1.58	344		☒	☒	☒	☒
☒	10	☒	2.42	422.25		☒	☒	☒	☒
☐		☐				☐	☐	☐	☐
☐		☐				☐	☐	☐	☐
☐		☐				☐	☐	☐	☐
☐		☐				☐	☐	☐	☐
☐		☐				☐	☐	☐	☐
☐		☐				☐	☐	☐	☐
☐		☐				☐	☐	☐	☐

Shoe ☐ Inside ☒ Outside ☐ Other Location of shoe(s) 344
 Temp casing ☐ Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type v wire

Material stainless steel

Perf/S	Casing/Screen	Screen Liner	Dia	From	To	Scr/slot width	Slot length	# of slots	Tele/ pipe size
Screen			10	356.5	374	.08			10
Screen			10	393	410.25	.08			10

(8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian
 Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)
 425 161 _____ 4

Temperature 53 °F Lab analysis ☐ Yes By _____
 Water quality concerns? ☐ Yes (describe below) TDS amount 97
 From To Description Amount Units

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ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version: 0.95

OWRD

(9) LOCATION OF WELL (legal description)

County CLACKAMAS Twp 5 S N/S Range 1 E E/W WM
 Sec 12 SW 1/4 of the SE 1/4 Tax Lot 01700
 Tax Map Number _____ Lot _____
 Lat _____ or _____ DMS or DD
 Long _____ or _____ DMS or DD

☒ Street address of well ☐ Nearest address

11738 S Hwy 213, Molalla OR 97038

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+ SWL (ft)
Existing Well / Pre-Alteration			☒
Completed Well	08-09-2018		☒ 147

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES Depth water was first found 318

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)
06-10-2018	347	361	200		147
06-13-2018	393	399	200		147

(11) WELL LOG

Ground Elevation _____

Material	From	To
topsoil	0	2
clay, brown, hard	2	5
claybound gravel, brown	5	41
clay, red and brown, sticky	41	57
red and brown clay, some gravel	57	59
clay, dark gray, sticky	59	64
brown, sandy clay	64	93
clay, dark gray, sandy	93	96
clay, dark gray, silty	96	98
clay, greenish green, sticky	98	106
clay, dark gray, hard, sticky	106	129
clay, greenish gray, sticky	129	136
clay, gray, gravel, drills open	136	143
claystone, bluish greenish gray, soft	143	157
clay, green, hard	157	163
clay, green and gray, med	163	188
claystone, dark gray, soft	188	191
silt, greenish gray, very dense	191	207
silt, gray, very dense	207	229

Date Started 04-06-2018

Completed 08-21-2018

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number 1704

Date 09-10-2018

Signed _____

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 783

Date 09-10-2018

Signed _____

Contact Info (optional) _____

14878 -

**WATER SUPPLY WELL REPORT -
continuation page**

START CARD # 215098

ORIGINAL LOG #

Water Quality Concerns

[illegible]

Material	From	To	Amt	sacks/lbs
----------	------	----	-----	-----------

(10) STATIC WATER LEVEL

BORE HOLE

SEAL

sacks/
lbs

DATE			DATE			sacks/
Dia	From	To	Material	From	To	Amt lbs
					Calculated	
					Calculated	
					Calculated	
					Calculated	
					Calculated	

FILTER PACK

From	To	Material	Size
------	----	----------	------

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
--------------	-----	---	------	----	-------	-----	-------	-----	------

(7) PERFORATIONS/SCREENS

Perf/S	Casing/	Screen			Scrn/slot	Slot	# of	Tele/
creen	Liner	Dia	From	To	width	length	slots	pipe size

[illegible]

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
---------------	----------	-----------------------	---------------

From	To	Description	Amount	Units
------	----	-------------	--------	-------

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
----------	------	----	----------	----------	-----------

[illegible]

(11) WELL LOG

Material	From	To
----------	------	----

clay, dark gray, hard	229	232
claystone, dark bluish green	232	274
clay, brown, hard	274	276
claystone, blueish green	276	281
clay, blueish gray, sticky	281	284
silt, gray, very dense	284	296
clay, gray, sandy	296	297
claystone, blueish gray	297	304
silt, grey,	304	316
clay, sandy, dark grey	316	318
sand, black, coarse	318	319
silt, blue/grey	319	337
clay, grey	337	342
silt, brown, soft	342	347
sand, med fine, brown	347	355
sand coarse, cemented black	355	359
sand, med coarse black	359	361
sand, Cemented grey	361	363
clay, blueish green	363	366
silt, brown, , with sand layers	366	374
silt, dark brown	374	378
clay, green, hard	378	383
silt, dark green,	383	386
silt, dark, green, hard	386	391
clay, grey, soft	391	393
sand, coarse, black	393	395
Sand, black, silt	395	399
silt, grey,	399	409
clay, sticky, green	413	422

Comments/Remarks

lift bail at 420.75

bottom plate at 422.25

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Business Name Search

New Search	Printer Friendly	Business Entity Data					04-10-2026 09:43
Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?	
1198427-97	DLLC	ACT	OREGON	03-16-2016	03-16-2027		
Entity Name	HEYERLY BROTHERS, LLC						
Foreign Name							

New Search	Printer Friendly	Associated Names				
Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	31958 SOUTH PALMER RD					
Addr 2						
CSZ	MOLALLA	OR	97038		Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT			Start Date	02-13-2024	Resign Date	
Name	JEFFREY	R	HEYERLY					
Addr 1	31958 SOUTH PALMER ROAD							
Addr 2								
CSZ	MOLALLA	OR	97038		Country	UNITED STATES OF AMERICA		

Type	MAL	MAILING ADDRESS					
Addr 1	31958 SOUTH PALMER RD						
Addr 2							
CSZ	MOLALLA	OR	97038		Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER						Resign Date	
Name	STEVEN		P	HEYERLY					
Addr 1	32897 S DRYLAND RD								
Addr 2									
CSZ	MOLALLA	OR	97038		Country	UNITED STATES OF AMERICA			

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Water Use Report Based on Water Right



Cert:95232 OR *

HEYERLY BROTHERS 31958 S PALMER RD MOLALLA, OR 97038

Records per page: [View All](#)

Water Year*	Report ID	Facility	Acre-feet (AF) of Water Used												Total Water Used	Irrigated Acres
			Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
2025	47893	WELL 1 (CLAC 53757/L-13590)	56.99	0.00	0.00	0.00	0.00	0.00	9.99	18.53	29.25	19.47	11.79	17.87	163.89	
2025	67591	WELL 2	0.51	0.00	0.00	0.00	0.00	0.00	6.73	11.96	15.56	4.01	2.82	8.83	50.43	
2024	47893	WELL 1 (CLAC 53757/L-13590)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.35	32.10	8.30	0.00	11.20	56.94	
2024	67591	WELL 2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.27	14.61	6.44	0.00	14.31	35.64	
2023	47893	WELL 1 (CLAC 53757/L-13590)	2.14	0.00	0.00	0.00	0.00	0.00	0.00	25.96	11.68	23.52	22.64	5.43	91.37	
2023	67591	WELL 2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	23.84	8.23	3.46	7.15	0.27	42.94	
2022	47893	WELL 1 (CLAC 53757/L-13590)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.73	13.34	2.92	19.85	42.85	
2022	67591	WELL 2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.51	0.00	5.22	11.74	
2021	47893	WELL 1 (CLAC 53757/L-13590)	0.13	0.00	0.00	0.00	0.00	0.00	19.04	29.36	33.66	10.77	27.41	15.51	135.87	
2021	67591	WELL 2	6.55	0.00	0.00	0.00	0.00	12.35	13.15	0.00	13.02	0.44	12.97	8.32	66.81	

123

*The water year is named for the calendar year in which it ends. Example: the 2018 water year begins Oct. 1, 2017 and ends Sep. 30, 2018.

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CLAC 53757	Pump	650.0	123.0	4.0	5.28
CLAC 53757	Pump	650.0	124.0	6.0	5.24

Lithology (Click to Expand...)

Well Construction (Click to Expand...)

Measured Water Level (Click to Collapse...)

Records/Page: 20 Find

Measured Water Level

Date	Time	Water Level (BLSD)	WL Elev (ft AMSL)	Organization	OWRD	Method	Status	MP Height
3/21/2025		144.77	175.23	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.33
3/21/2024		145.42	174.58	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.75
3/27/2023		144.25	175.75	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
3/17/2022		149.11	170.89	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.06
3/17/2021		143.67	176.33	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
3/5/2008		139.50	180.50	PUMP INSTALLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.00
3/30/2007		138.50	181.50	PUMP INSTALLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
3/9/2006		137.50	182.50	PUMP INSTALLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
3/25/2005		136.50	183.50	PUMP INSTALLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/20/2004		135.67	184.33	PUMP INSTALLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
3/26/2003		132.25	187.75	PUMP INSTALLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
3/12/2002		131.25	188.75	PUMP INSTALLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.66
3/12/2001		130.83	189.17	PUMP INSTALLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
3/29/2000		126.67	193.33	PUMP INSTALLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.50
3/23/1999		122.00	198.00	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	

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Well Log	Aquifer	Aq at Max Depth	System Aquifer	Regional USGS Aquifer	
AC 74503	Quaternary-Late Tertiary sediment Aq	Quaternary-Late Tertiary sediment Aq	Quaternary-Late Tertiary Sediment Aquifers	Willamette Lowland basin-fill aquifers	

Well Test

Well Log	Test Type	Yield(gpm)	Drawdown	Duration (hr)	Calculated Specific Capacity (gpm/ft)
AC 74503	Pump	425.0	161.0	4.0	2.64

thology (Click to Expand...)

Well Construction (Click to Expand...)

Measured Water Level (Click to Collapse...)

Records/Page: 20 Find

Measured Water Level

Date	Time	Water Level (BLSD)	WL Elev (ft AMSL)	Organization	OWRD	Method	Status	MP Height
3/21/2025		132.47	174.26	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.33
3/21/2024		133.50	173.23	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.33
3/27/2023		132.38	174.35	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.29
3/17/2022		138.95	167.78	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.35
3/17/2021		131.92	174.81	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.25
3/30/2020		141.92	164.81	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.25
3/13/2019		128.08	178.65	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	0.00
8/9/2018		147.00	159.73	DRILLER	WELL LOG	REPORTED	UNKNOWN	

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STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

HEYERLY BROTHERS
31958 S. PALMER RD.
MOLALLA OR 97038

confirms the right to the use of water perfected under the terms of Permit G-17897. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14525

SOURCE OF WATER: WELL 1 AND WELL 2 IN WILLAMETTE RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 280.0 ACRES

MAXIMUM RATE: 2.3 CUBIC FEET PER SECOND

PERIOD OF USE: MAY 1 THROUGH OCTOBER 30

DATE OF PRIORITY: MAY 20, 1997

POINT OF APPROPRIATION LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	12	NE SE	WELL 1 (ORIGINAL) - 420 FEET SOUTH AND 690 FEET WEST FROM E1/4 CORNER, SECTION 12
5 S	1 E	WM	12	SW SE	WELL 2 (ADDITIONAL) - 1355 FEET SOUTH AND 2480 FEET WEST FROM E1/4 CORNER, SECTION 12

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	1 E	WM	12	NE SE			23.7
5 S	1 E	WM	12	NW SE			29.5
5 S	1 E	WM	12	SW SE			36.5
5 S	1 E	WM	12	SE SE	1		21.3

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	1 E	WM	13	NE NE		37	3.4
5 S	1 E	WM	13	NE NE	1		0.2
5 S	1 E	WM	13	NW NE		37	3.6
5 S	1 E	WM	13	NW NE	2		17.0
5 S	1 E	WM	13	SW NE		37	5.2
5 S	1 E	WM	13	SW NE	3		26.6
5 S	1 E	WM	13	SE NE		37	8.1
5 S	1 E	WM	13	SE NE	7		0.9
5 S	1 E	WM	13	NE SE		37	35.6
5 S	1 E	WM	13	NW SE		37	10.0
5 S	1 E	WM	13	NW SE	4		26.6
5 S	1 E	WM	13	SW SE	5		7.3
5 S	2 E	WM	18	NE SW		42	0.1
5 S	2 E	WM	18	NW SW		42	24.4

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Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director in good working order at each point of appropriation, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right
- B. The water user shall allow the Watermaster access to the 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.

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

To monitor the effect of water use from the well(s) authorized under this right, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Following the first year of use, the user shall submit seven consecutive annual reports of static water level measurements. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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

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

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

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

The reference level against which future annual measurements will be compared is 126.67 feet below land surface for Well 1 and 128.08 feet below land surface for Well 2.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Groundwater production is allowed only from the Deeper Troutdale groundwater reservoir between approximately 150 feet and 600 feet below land surface.

The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

Issued SEP 17 2020.



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

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Salem, OR

Clackamas County Official Records
Sherry Hall, County Clerk

2022-005457

01/26/2022 10:15:01 AM

D-D Cnt=1 Stn=73 LESLIE
\$20.00 \$16.00 \$10.00 \$62.00

\$108.00

AFTER RECORDING RETURN TO:

Schwabe Williamson & Wyatt PC
530 Center Street NE, Suite 730
Salem, OR 97301-3756

MAIL TAX STATEMENTS TO:

Heyerly Brothers LLC
31958 S. Palmer Road
Molalla, OR 97038

BARGAIN AND SALE DEED

JEFF HEYERLY and STEVE HEYERLY, hereinafter called Grantor, does hereby convey unto HEYERLY BROTHERS, LLC, an Oregon limited liability company, hereinafter called Grantee, and unto Grantee's successors and assigns all of that certain real property, which is described below, together with the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

This deed is executed and delivered unto Grantee limited liability company as a contribution to the capital of such limited liability company and no monetary consideration has been paid to Grantor.

The real property is situated in the county of Clackamas, state of Oregon, and is described as follows, to wit:

See Attached Exhibit A

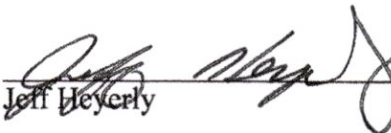
To Have and to Hold the same unto the said Grantee and Grantee's successors and assigns forever.

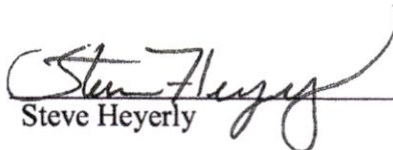
The following is the notice as required by Oregon law: "BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO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

LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS
DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF
NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301
AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON
LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009,
AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.”

In construing this deed the singular includes the plural as the circumstances may
require.

DATED this 14 day of January, 2022.

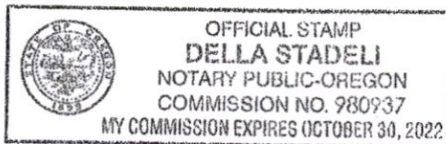

Jeff Heyerly

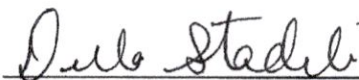

Steve Heyerly

STATE OF OREGON)

County of Marion)

On this 14 day of January, 2022, before me personally appeared the above
named JEFF HEYERLY, and acknowledged the foregoing instrument to be his voluntary
act and deed.

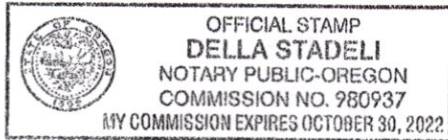



Notary Public for Oregon
My Commission Expires: 10-30-22

STATE OF OREGON

County of Marion

On this 14 day of January, 2022, before me personally appeared the above named STEVE HEYERLY, and acknowledged the foregoing instrument to be his voluntary act and deed.



Della Stadel
Notary Public for Oregon
My Commission Expires: 10-30-22

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EXHIBIT A

(Clackamas County APN 01073536, Map/Tax Lot 51E13 01101)

The North 70 acres of the following:

Part of the James S. Williams Donation Land Claim No. 42 in Township 5 South, Range 2 East of the Willamette Meridian, and said Claim No. 37 in Township 5 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point where the Northerly line of James S. Williams Donation Land Claim No. 42 in Section 18, Township 5 South, Range 2 East of the Willamette Meridian, crosses the Oregon City and Silverton Road; thence North 78°45' West along the North line of said claim 39.78 chains to corner of said claim; thence West on South line of tract sold to L. Ogle 15.15 chains to West line of said claim; thence South on West line of said claim to the Southwest corner of said claim; thence East on South boundary of said claim to the center of the Oregon City and Silverton Road; thence Northerly along the center line of said road to the place of beginning.

EXCEPTING THEREFROM that portion conveyed to Ima Mae Dunmire by deed recorded June 17, 1954 in Book 541, page 728, Deed Records.

Said 70 acres to be determined by a line parallel with the South line of said Donation Land Claim.

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**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.oregon.gov/OWRD

Use a separate affidavit for each water right included in the transfer application.

NOTE: Supporting documentation must be attached.

State of Oregon)
County of Clackamas) SS
)

I, Jeff Heyerly, in my capacity as Owner/operator,
mailing address 31958 S. Palmer Rd., Molalla, OR 97038,
telephone no.(s) (503) 407-6730, e-mail address Jrheyerly@canby.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:
Owner and operator of the farm

☐ 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 # 95232, 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 # 95232 for the following purpose (e.g., crops, pasture, commercial, industrial, etc.): grass seed

4. I attest that water from the authorized source was diverted/appropriated, conveyed, and applied to the authorized place of use under Certificate # 95232 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:
- ☐ Pump(s) in reservoir/pond:
- ☒ Pump(s) in well(s): Well 1: 75 Hp submersible pump, 2.3 cfs, Well 2: 60 Hp submersible pump, 1.33 cfs
- ☐ Headgate in stream/canal:
- ☐ Headgate in reservoir pond:
- ☐ Other (describe also include its general location in the description):
-
- ☐ Gravity Ditch:
- ☒ Pipeline: PVC buried
- ☒ Sprinklers: Rainbird 3/16 inch, hard hose traveler 0.98 to 1.38 inch
- ☐ Other (also include its general location in the description):

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6. Can you attest to beneficial water use under Certificate # 95232 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)
95232	5	S	1	E	WM	13	SW	NE	DLC 37	0.9
95232	5	S	1	E	WM	13	SE	NE	DLC 37	0.1
95232	5	S	1	E	WM	13	NE	SE	DLC 37	26.2
95232	5	S	1	E	WM	13	NW	SE	DLC 37	10.0
					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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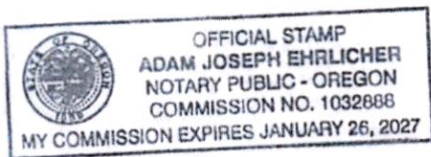
TACS

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] Jeffrey Hoyerly 6/3/26
Affiant Signature Printed Name Date

Signed and sworn to (or affirmed) before me this 3rd day of June, 2026.



[Signature]
Notary Public for Oregon

My Commission Expires: January 26, 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.)	• 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	• 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)	• 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 Sources for dated aerial photos: OSU – https://www.oregonexplorer.info OWRD – https://www.oregon.gov/owrd Google Earth – https://earth.google.com/
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.)	• 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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