

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? 2
List them here: Certificate 33876, 9480
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: 2026 **End Year:** 2026
- ☒ **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.

**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)

☐ 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 Ditchen Land Company, LLC	PHONE NO(S) 503-932-0561	EMAIL ADDRESS duane@gvfusa.com	
ADDRESS 7385 Howell Prairie Rd. NE (PLEASE MAIL DOCUMENTS ALSO)	CITY Silverton	STATE OR	ZIP 97381

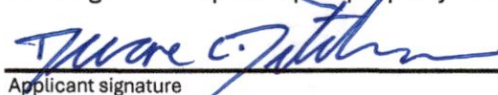
DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE.

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.

 Duane C. Ditchen 5/27/26
Applicant signature Print Name (and Title if applicable) Date



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 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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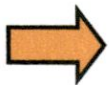
Salem, OR

- ☐ 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:

Move Certificate 33876 and 9480 from lands that will not be irrigated this year in order to irrigate a crop on TL 300.

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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# 33876

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.): Live Flow (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:

2- 40 HP centrifugal pumps deliver water to POU via above ground aluminum mainline and is applied by handlines or big gun.

Amount proposed for transfer: 157 ☐ 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-27763 and the name(s) appearing on the permit: Warner and Linn

☐ 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 1	9	S	4	W	33	NE	NE	5

Measured Distances (from a recognized survey corner)

5470' S and 750' E from NW corner, DLC 68

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

WATER RIGHT CERTIFICATE # 33876, OR

Authorized POA/POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
POD 2	9	S	4	W	33	NE	NE	5
Measured Distances (from a recognized survey corner)								
5680' S and 160' W from NW corner, DLC 68								
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 # 33876

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
POD 4	9	S	4	W	33	SE	NE	49

Type of Change (from Page 4): ☒ POD or ☐ APOD From Authorized POD: ☒ UPSTREAM or ☐ DOWNSTREAM

Measured Distances (from a recognized survey corner)

3610' N and 560' E from SW corner, DLC 49

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:

Fish screen installed, but letter has not been required.

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 # 33876

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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**Part 4 of 4 continued – Temporary Transfer Application
Authorized POU “FROM” LANDS**

WATER RIGHT CERTIFICATE# 33876

Will ALL of the change(s) proposed on Page 4 affect the entirety of the water right?

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

Table 2A - Description of Existing AUTHORIZED (the “from” or “off” lands) Place of Use, Character of Use, and POD(s)/ POA(s) appearing on the Water Right Certificate BEFORE PROPOSED CHANGES are made.

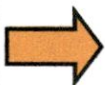
NOTE: List only that part or portion of the Water Right Certificate that will be changed.

Authorized POD/POA(s) Name(s) from Table 1A	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot	Acres	Authorized Use	Priority Date
POD 1, 2	9	S	4	W	27	SW	NW	68	7.9	Irrigation	12/18/1961
POD 1, 2	9	S	4	W	27	NW	SW	68	10.8	Irrigation	12/18/1961
POD 1, 2	9	S	4	W	28	SE	NE	68	13.8	Irrigation	12/18/1961
POD 1, 2	9	S	4	W	28	NE	SE	68	9.6	Irrigation	12/18/1961
POD 1, 2	9	S	4	W	33	NE	NE	68	2.8	Irrigation	12/18/1961
POD 1, 2	9	S	4	W	33	NE	NE	5	6.1	Irrigation	12/18/1961
POD 1, 2	9	S	4	W	33	NE	NE	49	2.2	Irrigation	12/18/1961
POD 1, 2	9	S	4	W	33	NW	NE	49	1.2	Irrigation	12/18/1961
POD 1, 2	9	S	4	W	33	NW	NE	6	4.4	Irrigation	12/18/1961
POD 1, 2	9	S	4	W	33	SE	NE	49	1.0	Irrigation	12/18/1961
POD 1, 2	9	S	4	W	34	NW	NW	68	3.0	Irrigation	12/18/1961
TOTAL ACRES									62.8		

Additional remarks:

For Place of Use - Irrigation Water Rights ONLY

☐ Yes ☒ No Are there other water right certificates, water use permits or groundwater registrations associated with the “from” lands? If YES, list the certificate, water use permit, or ground water registration number(s):



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

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

WATER RIGHT CERTIFICATE# 9480

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.): Live Flow (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:

2- 40 HP centrifugal pumps deliver water to POU via above ground aluminum mainline and is applied by handlines or big gun.

Amount proposed for transfer: 162.5 ☐ 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-7648 and the name(s) appearing on the permit: Dane J. Purvine

☐ 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 2	9	S	4	W	33	NE	NE	5
Measured Distances (from a recognized survey corner)								
5680' and 160' W from NW corner, DLC 68								
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

WATER RIGHT CERTIFICATE # 9480

Authorized POA/POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
POD 3	9	S	4	W	34	NE	SW	68
Measured Distances (from a recognized survey corner)								
170' N and 230' W from SW corner, Prather DLC 67								
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

14876 - 1111

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

WATER RIGHT CERTIFICATE # 9480

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
POD 4	9	S	4	W	33	SE	NE	49
Type of Change (from Page 4): ☒ POD or ☐ APOD					From Authorized POD: ☒ UPSTREAM or ☐ DOWNSTREAM			
Measured Distances (from a recognized survey corner)								
3610' N and 560' E from SW corner, DLC 49								

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:
 Fish screen installed, but letter has not been required.

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 # 9480

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# 9480

☐ 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.

Additional remarks:

☐ Yes ☒ No Are there other water right certificates, water use permits or groundwater registrations associated with the "from" lands? If YES, list the certificate, water use permit, or ground water registration number(s):

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TACS

Page 915

14876 - Salem, OR

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.

[illegible]

Additional remarks:

TACS

Business Registry Business Name Search

[New Search](#)

Business Entity Data

05-26-2026 10:32

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
281307-89	DLLC	ACT	OREGON	02-06-1992	02-06-2027	
Entity Name	DITCHEN LAND COMPANY, LLC					
Foreign Name						

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[New Search](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	7385 HOWELL PRAIRIE RD NE					
Addr 2						
CSZ	SILVERTON	OR	97381	0000	Country	UNITED STATES OF AMERICA

Salem, OR

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

Type	AGT	REGISTERED AGENT		Start Date	08-15-2025	Resign Date	
Name	DUANE		DITCHEN				
Addr 1	7385 HOWELL PRAIRIE RD NE						
Addr 2							
CSZ	SILVERTON	OR	97381		Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS					
Addr 1	7385 HOWELL PRAIRIE RD NE						
Addr 2							
CSZ	SILVERTON	OR	97381		Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER				Resign Date	
Name	ERIC		DITCHEN				
Addr 1	7385 HOWELL PRAIRIE RD NE						
Addr 2							
CSZ	SILVERTON	OR	97381		Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER				Resign Date	
Name	DUANE		DITCHEN				
Addr 1	7385 HOWELL PRAIRIE RD NE						
Addr 2	96						
CSZ	SILVERTON	OR	97381		Country	UNITED STATES OF AMERICA	

Type	MGR	MANAGER				Resign Date	
Name	ELDON	D	DITCHEN				
Addr 1	7385 HOWELL PRAIRIE RD NE						
Addr 2							
CSZ	SILVERTON	OR	97381		Country	UNITED STATES OF AMERICA	

Type	MGR	MANAGER				Resign Date	
Name	DAVID	L	DITCHEN				
Addr 1	7385 HOWELL PRAIRIE RD NE						
Addr 2							
CSZ	SILVERTON	OR	97381		Country	UNITED STATES OF AMERICA	

[New Search](#)

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
DITCHEN LAND COMPANY, LLC	EN	CUR	03-30-2004	
DITCHEN LAND COMPANY LIMITED PARTNERSHIP	EN	PRE	02-06-1992	03-30-2004

Please [read](#) before ordering [Copies](#).

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Salem, OR

AFTER RECORDING RETURN TO:

Daniel A. Ritter, P.C.
530 Center Street NE, Suite 700
Salem, OR 97301-3740

MAIL TAX STATEMENTS TO:

Ditchen Land Company, LLC
7385 Howell Prairie Road NE
Silverton, OR 97381

RECORDED IN POLK COUNTY
Valerie Unger, County Clerk

2006-020492



\$96.00

00170283200600204920150152

12/14/2006 12:42:45 PM

REC-COR Cnt=1 Stn=1 K. WILLIAMS
\$75.00 \$10.00 \$11.00

CORRECTION DEED

DITCHEN LAND COMPANY LIMITED PARTNERSHIP, an Oregon limited partnership, also known as DITCHEN LAND COMPANY AN OREGON LIMITED PARTNERSHIP, hereinafter called the Grantor, does hereby remise, release, and quitclaim unto DITCHEN LAND COMPANY, LLC, an Oregon limited liability company, hereinafter called Grantee, and unto Grantee's heirs, successors, and assigns all of Grantor's right, title, and interest in that certain real property which is described below, together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

This correction deed is executed to correct the legal description contained in that Deed recorded September 28, 2006, as Document Number 2006-016123.

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 Polk, and state of Oregon, and is described as follows, to wit:

PARCEL 1: (Parcel Number R074310001300, Ref Parcel Number 158158)

Beginning at the Southeast corner of the Donation Land Claim of James Kimsey, Claim No. 54, Notification No. 99 in Township 8 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, and running thence North 14.17 chains to point 49.50 chains South of the Southwest corner of the Donation Land Claim of David Goff, Notification No. 113, Claim No. 45; thence East 64.88 chains to a point due South of the Southwest corner of the Donation Land Claim of Samuel Burch, Notification No. 100, Claim No. 47; thence South 10.59 chains to the North line of the Donation Land Claim of Alonzo Wood, Claim No. 39, Notification No. 1618; thence West along the North line of said claim 11.16 chains to the Northwest corner of said claim; thence South 45' West along the West line of said claim 4.40 chains; thence West 53.68 chains; thence North 82 links to the place of beginning.

SAVE AND EXCEPTING from the above, that certain tract or parcel of land sold to the State of Oregon, by and through its State Highway Commission as set forth in that certain deed recorded September 30, 1953, in Volume 151, Page 736, Deed Records for Polk County, Oregon.

ALSO SAVE AND EXCEPT that Parcel laid out and described on Partition No. 1990-0025 in the Northwest quarter of Section 6, Township 8 South, Range 4 West of the Willamette Meridian in Polk County, Oregon.

SUBJECT TO:

1. As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
2. Rights of the public in streets, roads and highways.
3. Access Restrictions, including the terms and provisions thereof, contained in deed from O. W. Kellogg and Maud M. Kellogg, husband and wife, to the State of Oregon, by and through its Department of Transportation, dated September 29, 1953, and recorded September 30, 1953, in Volume 151, Page 736, Deed Records for Polk County, Oregon.

Modification of said Access Restrictions, including the terms and provisions thereof, recorded April 20, 1954, in Volume 153, Page 612, Deed Records for Polk County, Oregon.

4. Lease, including the terms and provisions thereof, as disclosed by Subordination of Lease by and between Vincent E. Haworth and Joanna Haworth, Lessors, and Edward Brown, Lessee, recorded November 9, 1979, in Volume 144, Page 1964, Book of Records for Polk County, Oregon.
5. Easement as disclosed by Partition No. 1990025, Polk County, Oregon.
6. Any liens or encumbrances suffered or permitted by the grantees herein.

Parcel 2: (9730 Orrs Corner Rd., Rickreall, Oregon; R 084060000100, Ref. Parcel Number 165967)

PARCEL A:

Beginning at a point 15.97 chains South and 5.76 chains West from the Southeast corner of the Donation Land Claim of James Kimsey and wife, Notification No. 99, Claim No. 54, in Township 8 South, Range 4 West of the Willamette Meridian, in Polk County, Oregon; running thence East 59.20 chains to the West line of the Donation Land Claim of Alonzo Wood Claim No. 39, at a point 19.55 chains South from the Northwest corner of said Claim; thence South 45' West along the West line of said Claim, 15.45 chains to the Southeast corner of Lot 5, in Section 6, Township 8 South, Range 4 West of the Willamette Meridian, in Polk County, Oregon; running thence West 58.97 chains; thence North 15.82 chains to the place of beginning.

SAVE and EXCEPT that portion conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded October 29, 1953, in Book 152, Page 202, Book of Records for Polk County, Oregon.

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PARCEL B:

Beginning at the Southeast corner of the Donation Land Claim of James Kimsey and wife, Notification No. 99, Claim No. 54, in Township 8 South, Range 4 West of the Willamette Meridian, in Polk County, Oregon; thence South 82.00 links; thence East 53.68 chains to the West line of the Alonzo Wood Donation Land Claim; thence South 54' West along said West line of the said Wood Donation Land Claim, 15.15 chains; thence West 59.20 chains to the East line of the Eben B. Hill Donation Land Claim; thence North along said East line 15.97 chains to the South line of the said James Kimsey Donation Land Claim; thence East along said South line 5.76 chains to the place of beginning.

SAVE and EXCEPT that portion conveyed to the State of Oregon, by its State Highway Commission, by Deed recorded October 29, 1953, in Book 152, Page 202, Book of Records for Polk County, Oregon.

PARCEL C:

Beginning at the quarter Section post on the line between Section 6, Township 8 South, Range 4 West, and Section 1, Township 8 South, Range 5 West of the Willamette Meridian, Polk County, State of Oregon; thence North 31.79 chains; thence East 20.00 chains; thence South 31.79 chains; thence west 20.00 chains to the place of beginning.

SAVE and EXCEPTING 2.00 acres in a square out of the Northeast corner of said premises more particularly described as follows: Beginning at a point 5.76 chains West of the Southeast corner of the Donation Land Claim of James Kimsey and wife, Notification No. 99, Claim No. 54, in Section 6, Township 8 South, Range 4 West of the Willamette Meridian, in Polk County, Oregon; thence running West 4.47 chains; thence South 4.47 chains; thence East 4.47 chains; thence North 4.47 chains to the point of beginning.

PARCEL 3: (Parcel Number R 094280000100, Ref. Parcel Number 213693; and Parcel Number R 094330000200, Ref. Parcel Number 214434)

Beginning at the Southeast corner of the C. T. Davidson Donation Land Claim, Notification Number 1554, Claim Number 50, running thence West to the intersection of the South line of said claim with the West line of the Luckiamute River, thence Southerly and Easterly, following the said West bank to a point where the said river crosses the West line of the Elijah D. Butler Donation Land Claim, Notification Number 2567, Claim Number 68; thence Northerly along the West line to place of beginning, being in Section 33, Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon.

ALSO the following described property: The West half of the Donation Land Claim of Elijah D. Butler and Sarah E. Butler, his wife, and marked and designated on the official plats and surveys of the United States as Notification No. 1567, Claim No. 68, being parts of Sections 27, 28, 33, and 34, Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon.

SAVE AND EXCEPT: Beginning at a point on the West line of the Elijah D. Butler Donation Land Claim No. 68, Township 9 South, Range 4 West of the Willamette

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Meridian in Polk County, Oregon, which is 2920.64 feet South of the Northeast corner of the C.T. Davidson Donation Land Claim, No. 50, in said Township and Range, thence along said Donation Land Claim line South 152.47 feet; thence South 87° East 242.00 feet; thence North 180.00 feet; thence North 87° West 242.00 feet to a point on said Donation Land Claim line; thence South 27.53 feet to the point of beginning.

SAVE AND EXCEPT: Any portion of the above described tract lying within the right of way limits of public roads and highways.

SUBJECT TO:

1. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land and in addition thereto a penalty may be levied if notice of disqualification is not timely given.
2. The following matters are excluded from the coverage of the policy based on the proximity of the property to Luckiamute River,
 - 1) Rights of the public and governmental bodies (including claims of ownership) to that portion of the premises lying below the high water mark of the Luckiamute River as it now exists or has existed.
 - 2) Any adverse claim based on the assertion that:
 - a) Some portion of said land has been created by artificial means, or has accreted to such portion so created.
 - b) some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Luckiamute River or has been formed by accretion to such portion.
 - c) any adverse claim based upon the assertion that the Luckiamute River has changed its location.
3. An easement created by instrument, including the terms and provisions thereof, dated June 14, 1974, Recorded June 25, 1974, in Book 59, Page 665, Book of Records, Polk County, Oregon, in favor of R. C. Warner and Nadene Warner (TL 101) for maintaining water line and pump. Affects as set forth in document.
4. An easement created by instrument, including the terms and provisions thereof, dated September 1, 1992, Recorded September 10, 1992 in Book 258, Book of Records, Polk County, Oregon, in favor of adjacent property owner (TL 101) for septic drainfield.

PARCEL 4: (13025 Corvallis Road, Independence, OR 97351, Parcel Number R094330000300, Ref. Parcel Number 214447; Parcel Number R094280000400, Ref. Parcel Number 213747; Parcel Number R094280000500, Ref. Parcel Number 213750; Parcel Number R094330000100, Ref. parcel Number 214421; Parcel Number R094330000400, Ref Parcel Number 214450; and Parcel Number R094340000600, Ref Parcel Number 214517)

(Sayer Parcel)

Commencing at the Southwest corner of the property described as the West one half of the Donation Land Claim of Elijah D. Bu and Sarah E. Butler, his wife, situate in Polk County, Oregon, and marked and designated on the official plats and of the United States as Notification No. 1567, Claim No. 68, being parts of Sections 27, 28, 33, and 34, in Township 9 South, Range 4 West of the Willamette Meridian; and running thence to the Southeast corner of the above-described premises; running thence North along the East line of said premises to the Luckiamute River; thence Westerly along the South bank of said Luckiamute River to where the said river crosses the West line of the above described premises; thence South along the West line of said premises to the place of beginning.

ALSO Government Lots 5 and 6 and all Government Lot 4 that lies South of the Luckiamute River in Section 28, Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon.

ALSO Government Lots 2, 3, 4, 5, 6, 7, 8, and 9, and the Southeast quarter of the Southwest quarter of Section 33 in Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon.

ALSO Beginning at the northeast corner of Government Lot 1 of said Section 33; thence running South a distance of 28.59 chains to the township line; thence West along said line a distance of 13.0 chains; thence North a distance of 28.59 chains; thence East a distance of 13.0 chains to the place of beginning. All lying in Section 33, Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon.

ALSO All of the Donation Land Claim of P. W. Lovelady, Notification No. 1584, Claim No. 49, in Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon.

ALSO Beginning at the Southeast corner of said Lovelady claim; thence running East to the Southeast corner of Government Lot 4 of Section 34; thence North to said Luckiamute River; thence Northerly along and following the meanderings of said river to point which is 10.44 chains West and 6.7 chains North of the Northeast corner of said P. W. Lovelady Donation Land Claim; thence South a distance of 6.77 chains to the North line of said Claim; thence East a distance of 10.44 chains to the Northeast corner of said claim; thence South along the East line of said claim, a distance of 67.36 chains to the place of beginning, lying in Section 34, Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon.

SAVE AND EXCEPT from the above described tracts of land that certain tract of land conveyed to Ben M. Griffith et ux by deed recorded May 13, 1947, in Volume 128, Page 351, Deed Records for Polk County, Oregon, and more particularly described as follows: Beginning at the Southeast corner of the C. T. Davidson Donation Land Claim, Notification No. 1554, Claim No. 50; and running thence West to the intersection of the South line of said claim with the West line of the Luckiamute River thence Southerly and Easterly following the said West bank to a point where the said river crosses the West line of the Elijah D. Butler Donation Land Claim, Notification No. 1567, Claim No. 68; thence Northerly along the West

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line to the place of beginning, being in Section 33, Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon.

ALSO, SAVE AND EXCEPT that certain tract of land conveyed to Mountain States Power Co., by deed recorded May 29, 1951, in Volume 145, page 6, Deed Records for Polk County, Oregon, and more particularly described as follows: That portion of Government Lot 8 of Section 33, Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon, bounded and particularly described as follows: Beginning at a point on the East boundary and said Government Lot 8 that is 167.64 feet East and North 0°13' East 1603.66 feet from the Northeast corner of the Amon Pyburn Donation Land Claim No. 67 (said Donation Land Claim corner being on the South boundary of Government Lot 9 of said Section 33) and running thence North 0°13' East along the East boundary of said Government Lot 8, a distance of 317.10 feet; thence South 89°46' West a distance of 152.15 feet; thence South 25°03' East a distance of 350.59 feet, more or less, to the point of beginning; subject to the rights of the public in Market Roads No. 7 and 9 along the North and East sides of said parcel.

ALSO SAVE AND EXCEPT that portion of the above described tracts of land lying within the boundaries of public roads and highways.

ALSO SAVE AND EXCEPT a parcel of land lying in the Preston W. Lovelady Donation Land Claim No. 49, Township 9 South, Range 4 West, Willamette Meridian and in Government Lots 6 and 7 in Section 33, Township 9 South, Range 4 West, Willamette Meridian, in Polk County, Oregon, as described in deed conveyed to Polk County, a political subdivision of the State of Oregon, recorded June 12, 1964, in Book 190, page 674, Deed Records for Polk County, Oregon.

ALSO Beginning at the Southeast corner of the George W. Pyburn Donation Land Claim, Notification No. 1590, Claim No. 69, in Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence North along the East line of said Donation Land Claim a distance of 101.58 chains to the Northeast corner of said Claim; thence West a distance of 15.23 chains to the most Northerly Northwest corner of said claim; thence South a distance of 21.73 chains to the re-entrant corner on the North line of said Donation Land Claim; thence West on the North line of said Donation Land Claim a distance of 2.42 chains; thence South a distance of 79.83 chains, more or less, to the South line of said Donation Land Claim; thence East on the South line of said Donation Land Claim a distance of 17.65 chains to the place of beginning.

SAVE AND EXCEPT the West 20.0 feet of the South 66 chains of the above described tract reserved for a roadway.

PARCEL 5: (Parcel Number R 094320002000, Ref Parcel Number 214418)

(Sayer II Parcel)

Beginning 17.65 chains West of the Southeast corner of the George Pyburn Donation Land Claim No. 69 in Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence West 17.65 chains to the Southwest corner of the East half of said Claim No. 69; thence North 20 chains to an iron rod; thence East 17.65 chains to an iron rod; thence South 20 chains to the place of beginning.

EXCEPTING a strip of land 20 feet wide off the East side of said tract for a part of roadway North and South.

FURTHER SAVE AND EXCEPT that portion of the above described tract of land lying within the boundaries of public roads and highways.

PARCEL 6: (Parcel Number R073060000202A1, Ref Parcel Number 413813; Parcel Number R073060000202, Ref Parcel Number 479378; Parcel Number R063300000406, Ref Parcel Number 265720; Parcel Number R063310000201, Ref Parcel Number 265832; Parcel Number R063310000202, Ref Parcel Number 265845; Parcel Number R063310000300, Ref Parcel Number 265858; Parcel Number R063310000400, Ref Parcel Number 265861; Parcel Number R063310000500, Ref Parcel Number 265874; Parcel Number R064360000800, Ref Parcel Number 266417; Parcel Number R073060000301, Ref Parcel Number 266871; and Parcel Number R073060000304, Ref Parcel Number 266884)

PARCEL 1: Beginning at an iron pipe which is 39.830 chains South 84°00' West 6.195 chains North and 1018.08 feet North 12°56' East and 172.00 feet South 72°50' East and 311.20 feet South 78°00' East and 1100.00 feet South 81°04' East from the Southeast corner of the Walter M. Walker Donation Land Claim in Township 7 South, Range 3 West of the Willamette Meridian in Polk County, Oregon, said iron pipe being on the Southerly right of way line of a County Road; thence South 2°50' West 97.30 feet to an iron pipe; thence North 89°19' East 25.04 feet to an iron pipe; thence North 2°50' East 96.46 feet to a point on the Southerly line of said County Road; thence North 88° 46' West 25.00 feet to the place of beginning.

PARCEL 2: That portion of the following described tracts of land lying Easterly of County Road 648, (now known as Brush College Road) as now located: The East one-half (E ½) of the Donation Land Claim of Jesse D. Walling and Eliza Ann Walling, his wife, being Notification No. 247, Claim No. 52, in Section 31, Township 6 South, Range 3 West, Claim No. 48, in Sections 35 and 36, in Township 6 South, Range 4 West, and Claim No. 58, in Sections 1 and 2 in Township 7 South, Range 4 West, all being West of the Willamette Meridian in Polk County, Oregon.

ALSO: Beginning on the North line of said Jesse D. Walling and wife, Donation Land Claim at a point that is South 74°30' West 78.17 chains from the most Northerly Northeast corner of said Donation Land Claim; said beginning point being also the Northeast corner of the West one-half (W ½) of said Donation Land Claim; thence South 74°30' West along the North line of said Donation Land Claim 38.67 chains; thence South 15° East 22.64 chains; thence North 74°30' East 17 chains; thence North 15° West 7 chains; thence North 74°30' East 21.66 chains to the East line of the West one-half (W 1/2) of said Donation Land Claim; thence North 15° West 15.25 chains to the place of beginning.

ALSO: Beginning on the South boundary line of said J. D. Walling and wife Donation Land Claim at a point North 74° 40' East 21.18 chains from the Southwest corner of said Donation Land Claim; thence North 74° 40' East along the south boundary of said Donation Land Claim 35.74 chains; thence North 75°17' East along the South boundary line of said Donation Land Claim 21.99 chains to the Southeast Corner of the West one-half (W ½) of said Walling Donation Land Claim; thence

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North 15° West along the East boundary line of the West one-half (W1/2) of said Walling Donation Land Claim 25.59 chains to the Southeast corner of a tract of land heretofore conveyed to Eliza Ann Walling by the heirs of Jesse D. Walling; thence South 74°30' West 21.66 chains; thence South 15° East 7 chains; thence South 74°30' West 36.88 chains; thence South 15° East 17.63 chains to the place of beginning, in Section 36, Township 7 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, all being a part of the Jesse D. Walling and Eliza Ann Walling, his wife, Donation Land Claim No. 52, in Township 6 South, Range 3 West and No. 48, Township 6 South, Range 4 West, and No. 58, Township 7 South, Range 4 West, all West of the Willamette Meridian in Polk County, Oregon.

SAVE AND EXCEPT from the above described Parcel 2 an undivided one-half interest of all oil, gas and other hydrocarbons, in and under or that may be produced from a depth below 5130 feet of the surface of said premises without right of entry upon the surface of said premises for the purpose of drilling, exploring, refining or extracting such oil, gas and other hydrocarbons or other use of or rights in or to any portion of the surface of said premises to a depth of 500 feet below thereof.

PARCEL 3: Beginning in the center of the County Road at a point which is 455.20 feet North 75°15' East from a stone set for the Southeast corner of the John Phillips Donation Land Claim in Township 6 South, Range 3 West of the Willamette Meridian, Polk County, Oregon; thence South 75°15' West 455.20 feet to said stone; thence South 89°51' West, along the South line of said claim, 122.75 feet; thence South 0°02' West 1734.20 feet to a point on the Northerly line of the Jesse Walling Donation Land Claim; thence North 74° 41' East, along the Northerly line of the said Walling claim, 583.83 feet; thence North 0°02' East 1696.21 feet to the place of beginning.

SAVE AND EXCEPT that portion of the above described premises lying within the limits of public roads and roadways.

FURTHER SAVE AND EXCEPT an undivided one-half interest of all oil, gas and other hydrocarbons, in and under or that may be produced from a depth below 500 feet of the Surface of said premises without right of entry upon the surface of said premises for the purpose of drilling, exploring, refining or extracting such oil, gas and other hydrocarbons or other use of or rights in or to any portion of the surface of said premises to a depth of 500 feet below thereof.

PARCEL 4: Beginning on the South line of the John Phillips Donation Land Claim in Township 6 South, Range 3 West of the Willamette Meridian in Polk County, Oregon, at a point which is 122.75 feet South 89°41' West from a stone set for the Southeast corner of said claim; thence South 0°02' West 1734.20 feet to a point on the Northerly line of the Jesse Walling Donation Land Claim; thence South 74°41' West, along the Northerly line of said Walling claim, 550.28 feet to the Southeast corner of a tract of land conveyed to Frank Crawford by deed recorded in Volume 109, Page 422, Deed Records for Polk County, Oregon; thence North 0°02' East, along the East line of the said Crawford Tract, 1878.17 feet to a point on the South line of the said Phillips claim; thence North 89° 41' East, 530.65 feet to the place of beginning.

EXCEPTING THEREFROM premises described in deed to Blanche V. Snyder, recorded June 4, 1968, in Volume 210, Page 694, Deed Records for Polk County, Oregon.

ALSO EXCEPTING THEREFROM premises described in deed to Mae I. Hampton, recorded June 4, 1968, in Volume 210, Page 695, Deed Records for Polk County, Oregon.

ALSO EXCEPTING THEREFROM an undivided one-half interest of all oil, gas and other hydrocarbons, in and under or that may be produced from a depth below 500 feet of the surface of said premises without right of entry upon the surface of said premises for the purpose of drilling, exploring, refining or extracting such oil, gas and other hydrocarbons or other use of or rights in or to any portion of the surface of said premises to a depth of 500 feet below thereof.

PARCEL 5: Beginning on the South line of the John Phillips Donation Land Claim in Township 6 South, Range 3 West of the Willamette Meridian in Polk County, Oregon, at a point which is 122.75 feet South 89° 51' West from a stone marking the Southeast corner of said claim; thence South 0°02' West along the East line of that tract of land conveyed to Harold D. Jones and Marjorie I. Jones, by instrument recorded in Volume 193, Page 378, Deed Records for Polk County, Oregon. 180.00 feet; thence South 89°51' West, parallel with said South line, a distance of 140.00 feet; thence North 0°02' East, parallel with the said East line, 180.00 feet to a point on the South line of said Phillips claim; thence North 89°51' East along said Claim line, 140.00 feet to the place of beginning.

SAVE AND EXCEPT an undivided one-half interest of all oil, gas and other hydrocarbons, in and under or that may be produced from a depth below 500 feet of the surface of said premises without right of entry upon the surface of said premises for the purpose of drilling, exploring, refining or extracting such oil, gas and other hydrocarbons or other use of or rights in or to any portion of the surface of said premises to a depth of 500 feet below thereof.

PARCEL 6: Beginning on the South line of the John Phillips Donation land Claim in Township 6 South, Range 3 West of the Willamette Meridian, Polk County, Oregon, at a point which is 413.40 feet South 89°51' West from a stone marking the Southeast corner of said claim; thence South 0°02' West parallel to the East line of that tract of land conveyed to Harold D. Jones and Marjorie I. Jones, by instrument recorded in Volume 193, Page 378, Deed Records for said county, 363.00 feet; thence South 89°51' West, parallel to said South line, 160 feet to a point; thence North 0°02' East parallel to the East line of said Crawford Tract 363 feet to a point on the South line of said Phillips claim; thence North 89°51' East along said South line, 160 feet to the place of beginning.

TOGETHER WITH a perpetual nonexclusive easement to use a strip of land 20 feet wide, the center line of which is located as follows across the Servient Estate: Beginning at a point on the North line of Brush College Road in Polk County, Oregon, said point being North 42°27' West 1212.85 feet from the Southeast corner of the W. M. Walker Donation Land Claim No. 62, in Section 6, Township 7 South, Range 3 West of the Willamette Meridian in Polk County, Oregon; thence North 05°11' East 1964.96 feet; thence South 62°01' West 627.92 feet; thence North 00°52'

East 2326.87 feet to a point and terminus, said terminus point being approximately 22 feet North of the North line of the W. M. Walker Donation Land Claim No. 43 and approximately South 76° West 1201.35 feet from the Northeast corner of W. M. Walker Donation Land Claim No. 43 in Section 31, Township 6 South, Range 3 West of the Willamette Meridian in Polk County, Oregon.

SAVE AND EXCEPT from the above Parcel 6 an undivided one-half interest of all oil, gas and other hydrocarbons, in and under or that may be produced from a depth below 500 feet of the surface of said premises without right of entry upon the surface of said premises for the purpose of drilling, exploring, refining or extracting such oil, gas and other hydrocarbons or other use of or rights in or to any portion of the surface of said premises to a depth of 500 below thereof.

PARCEL 7: That tract of land lying within Section 31, Township 6 South, Range 3 West, and Section 6, Township 7 South, Range 3 West of the Willamette Meridian in Polk County, Oregon, more particularly described as follows: Beginning at the Northeast corner of the Donation Land Claim of Walter M. Walker and wife in Township 6 South, Range 3 West of the Willamette Meridian, Polk County, Oregon, said point being marked by a stone 24x12x12 inches; thence North 75°17' East 3.44 chains along the South line of Donation Land Claim of Jesse O. Walling; thence South 0°02' West 73.01 chains to the County Road from which an iron pipe bears North 50 links and an oak tree 14 inches in diameter bears North 81°10' East 3.1 links; thence North 56°57' West 19 links, along the South Road; thence North 39°15' West 2.80 chains, along the County Road; thence North 49°40' West 1.80 chains, along said Road to the East line of the Donation Land Claim of Walter M. Walker; thence North 53° West 5 chains, along the County Road; thence North 79° West 3.22 chains, along the County Road; thence North 85° West 8 chains along the County Road; thence North 22.72 chains; thence South 72° West 2.74 chains; thence North 38.20 chains to the North line of the Walter M. Walker Claim; thence North 75°17' East 18.43 chains along the North line of said claim to the place of beginning.

SAVE AND EXCEPT: Beginning at a point which is 227.04 feet North 75°17' East and 2948.05 feet South 0°02' West of the Northeast corner of the Walter M. Walker Donation Land Claim in Township 6 South, Range 3 West of the Willamette Meridian, Polk County, Oregon; running thence the following bearings and distances: South 0°02' West 1903.61 feet to the center of the County Road, North 56°57' West 12.54 feet along center of County Road, North 39°15' West 184.80 feet along center of County Road, North 49°40' West 118.80 feet along center of County Road, North 53°00' West 330.00 feet along center of County Road, North 79°00' West 97.16 feet along center of County Road, North 0°06'33" West 1459.63 feet to a point, East 580.00 feet to the point of beginning.

SAVE AND EXCEPT all that portion lying within public road and/or highways.

ALSO SAVE AND EXCEPT: Beginning at a 1" axle at the Northeast corner of the Walter Walker Donation land Claim No. 43 in Section 31, Township 6 South, Range 3 West, Willamette Meridian, Polk County, Oregon; thence North 76°44'51" East 226.38 feet to a 5/8" rod; thence South 0°01'24" West 2914.99 feet to a 5/8" rod; thence North 89°55'23" West 580.00 feet to a 5/8" rod; thence South 0°25'04" East 289.62 feet to a 5/8" rod at the true point of beginning; thence North 89° 55'23" West 349.26 feet to a 5/8" rod; thence South 4°04'05" West 1114.45 feet to a 5/8" rod on

the North right of way line of Brush College Road; thence along said right of way, South 89°04'26" East 323.54 feet to a 5/8" rod; thence South 7°21'07" East 108.75 feet to a 5/8" rod; thence leaving said right of way, North 0°05'04" West 1138.36 feet to said true point of beginning; all in the Northwest quarter of Section 6, Township 7 South, Range 3 West, Willamette Meridian, Polk County, Oregon.

PARCEL 8: All of the following described property lying North of the Northerly line of County Road No. 738:

Beginning at a post 18.43 chains South 75°17' West of the Northeast corner of the Donation Land Claim of Walter M. Walker and wife, Notification No. 138, claim Nos. 43, 46, 57, and 62, being part of Sections 36, 31, 6 and 1, Townships 6 and 7 South, Ranges 3 and 4 West of the Willamette Meridian, Polk County, Oregon; and running thence South 75°17' West 30.10 chains to a post; thence South 40.00 chains to a post; thence North 72° East 29.81 chains to a post; thence North 38.20 chains to a post and the place of beginning, and being a part of aforesaid Donation Land Claim.

ALSO: Beginning at the Southeast corner of the Donation Land Claim of Walter M. Walker and wife, Notification No. 138, in Township 7 South, Range 3 West of the Willamette Meridian; And running thence North 9.85 chains to the center of the County Road; thence North 53° West, following the center of said road, 5.07 chains; thence North 79° West, 3.26 chains; thence West 8.00 chains to a post in the road; thence North 22.72 chains; thence South 72° West 25.38 chains to the Township line; thence South along the Township line 33.00 chains, more or less, to the South line of said Donation Land Claim; thence North 84° East 39.80 chains to the place of beginning, and being a part of said Donation Land Claim.

ALSO: Beginning South 84° West 39.43 chains and North 6.195 chains from the Southeast corner of Walter M. Walker's Claim No. 62 in Township 7 South, Range 3 West of the Willamette Meridian, on the Range line between Ranges 3 and 4 at a 1 inch pipe; thence North along Range line 26.34 chains to a stone; thence South 72° West 7.50 chains to a stone; thence South 0°30' East 24.117 chains to a 1 inch pipe; thence North 88°51' East 6.95 chains to the place of beginning. All situated in the County of Polk, State of Oregon.

Parcel 7: (Parcel Number R063050000100; Ref Parcel Number 275949)

Batz Tract 1:

Beginning at the intersection of the North line of the George K. Gay Donation Land Claim in Township 6 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, with the East line of the Salem-Dayton Highway; thence West along the North line of said claim to a point which is 20.96 chains East from the Northwest corner thereof; thence Southerly along the East line of an 80 acre tract conveyed by deed recorded in Volume 0, page 240, of Yamhill County Deed Records, a distance of 38.12 chains to a stone on the line dividing said Claim into North and South halves; thence East along said dividing line 3887 feet to a stone at the Southern corner of the North half of said Claim; thence North 12° East along the East line of said Claim to the Southeast corner of that tract conveyed to Palmer Creek Water District Improvement Company by deed recorded in Film Volume 63, page 31, Deed and Mortgage Records; thence North 73°20'48" West 156 feet, more or less, to an iron pipe set on the East line of the Salem-Dayton Highway; thence Northerly

along the East line of said Highway 154 feet to an iron pipe; thence South 71° East 130 feet, more or less, to the East line of said Gay Claim; thence North 12° East along the East line of said Claim to the Southeast corner of that tract conveyed to Roy C. Gifford, et ux, by deed recorded in Film Volume 46, page 784, Deed and Mortgage Records, said point being Northeasterly along the Easterly line of said Highway 32 feet and South 71° East from the Northwest corner of said Palmer Creek tract; thence North 71° West to the Easterly line of said Highway; thence Northeasterly along the East line of said Highway to the place of beginning.

Batz Tract 2:

Parcel 1: Being a part of the Adam Matheny Donation Land Claim, Notification No. 1633, Claim No. 60 and a part of the William Miller Donation Land Claim, Notification No. 280, Claim No. 65 in Sections 32 and 33, in Township 5 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and beginning at an iron pipe set in the center of the County Road at a point South 5°09' East 6.312 chains from an iron pipe at the Southwest corner of the Daniel Matheny Donation Land Claim; thence North 88°26' West along the center of ditch, 1.020 chains to angle in ditch; thence North 66°27' West along the center of ditch, 5.140 chains to angle in ditch; thence North 88°19' West along the center of ditch, 19.030 chains to angle in ditch; thence North 84°26' West along the center of ditch, 9.934 chains to angle in ditch; thence South 71°32' West along the center of ditch, 14.385 chains to stake at bend in ditch and end of line fence; thence South 88°21' West along line fence, 17.020 chains to anchor post at the Northwest corner thence South 9°00' West along fence 23.543 chains to stake set for the Southwest corner of Lot 3 and the Northwest corner of Lot 4; thence East on line between Lots 3 and 4 of County Survey No. 2815, 67.992 chains to a point in the center of the County Road; thence North 4° 14' East along the center of County Road, 15.336 chains to angle in road; thence North 1°03' East along the center of road, 4.772 chains to angle in road; thence North 3°33' West along the center of road, 4.621 chains to the place of beginning and being designated as Lots 1, 2, and 3 of County Survey No. 2815 of Yamhill County, Oregon.

Parcel 2: Being a part of the William Miller Donation Land Claim, Notification No. 280, Claim No. 59 in Sections 4 and 5, Township 6 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and beginning at a stake set North 89°25' East 25.780 chains and North 9°00' East 17.467 chains from stone ml the Southwest corner of said Claim; thence East on line between Lot 4 and 5 of County Survey No. 2815, 68.704 chains to a point in the center of the County Road; thence North 4°41' East along the center of road, 8.458 chains to the Northeast corner of Lot 4 and the Southeast corner of Lot 3; thence West on line between Lots 3 and 4, 67.992 chains to stake; thence South 9°00' West 8.540 chains to the place of beginning, and being designated as Lot 4 of County Survey No. 2815, County Surveys of Yamhill County, Oregon.

SAVE AND EXCEPT:

- (1) As disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.

- (2) Rights of the public in streets, roads and highways.
- (3) Anchor Permit, including the terms and provisions thereof, granted by H. W. Torbet and Gladys N. Torbet, husband and wife, to Portland General Electric Company, Portland, Oregon, recorded August 11, 1958, in Volume 167, page 528, Deed Records for Polk County, Oregon. (Affects Tract I)
- (4) Anchor permit, including the terms and provisions thereof, granted by H. W. Torbet and Gladys N. Torbet, husband and wife, to Portland General Electric Company, Portland Oregon, dated May 19, 1958, and recorded June 26, 1958, in Book 187, page 787, Deed Records for Polk County, Oregon. (Affects Tract I.)
- (5) Transmission line easement, given by Lloyd L. Lind and Mary Lind to Portland General Electric Co., recorded May 21, 1953, in Book 169, page 712, Yamhill County Deed Records. (Affects Tract 2.)
- (6) Anchor permit, including the terms and provisions thereof givers by Lloyd L. Lind and Mary Lind to Portland General Electric Company, dated April 22, 1958, and recorded May 2, 1958, in Book 187, page 397, Yamhill County Deed Records, (Affects Tract 2.)
- (7) Easement, including the terms and provisions thereof, form Lloyd L. and Mary Lind to Palmer Creek Water District Improvement Company, dated July 28, 1967, and recorded August 1, 1967, in Film Volume 61, pages 849 and 850, Deed and Mortgage Records for Yamhill County, Oregon, for construction and maintenance of irrigation system. (Affects Tracts 1. and 2.)
- (8) The premises herein described are within and subject to the statutory powers of Palmer Creek Water Irrigation District of Yamhill County, Oregon. (Affects Tracts 1. and 2.)
- (9) Line easement, including the terms and provisions thereof, from John A. Bats and Dolores J. Batz, husband and wife, to Portland General Electric Company, an Oregon corporation, recorded June 22, 1973, in Film Volume 94, page 2267, Deed and Mortgage Records of Yamhill County, Oregon. (Affects Tract 2.)

Parcel 8: (Parcel Number R084060000101, Ref Parcel Number 445841 and Parcel Number R084060000102, Ref Parcel Number 445854)

Parcel 1:

Beginning at a point 15.97 chains South and 5.76 chains West from the Southeast corner of the D.L.C. of James Kimsey and wife Lot. No. 99. Claim No. 54 in Township Eight (8) South. Range Four (4) West of the Willamette Meridian in Polk County, Oregon; running thence East 59.20 chains to the West line of the D.L.C. of Alonzo Wood Claim No. 39 at a point 19.55 chains South from the Northwest corner of said claim; thence South 45' West along the West line of said claim 15.45 chains to the Southeast corner of Lot No. 5 in Section 6, Township 8 South, Range 4 West of the Willamette Meridian. in Polk County. Oregon; running thence West 58.97 chains; thence North 15.82 chains to the place of beginning.

SAVE AND EXCEPT that portion conveyed to the state of Oregon, by and through its State Highway Commission by Deed recorded October 29, 1953 in Book 152, page 202. Book of Records for Polk County, Oregon.

Parcel 2:

Beginning at the Southeast corner of the Donation Land Claim of James Kimsey and wife, Notification Number 99, Claim Number 54. in Township 8 South, Range 4 West of the Willamette Meridian, in Polk County, Oregon; thence South 82 links; thence East 53.68 chains to the West line of the Alonzo Wood Donation Land Claim; thence South 54' West along said West line of the said Wood Donation Land Claim 15.15 chains; thence West 59.20 chains to the East line of the Eben B. Hill Donation Land Claim; thence North along said East line 15.97 chains to the South line of the said James Kimsey Donation Land Claim; thence East along said South line 5.76 chains to the place of beginning.

SAVE AND EXCEPT that portion conveyed to the State of Oregon, by and through its State Highway Commission by Deed recorded October 29, 1953 in book 152, page 202, Book of Records for Polk County, Oregon.

Parcel 3:

Beginning at the quarter section post on the line between Section 6, Township 8 South, Range 4 West and Section 1, Township 8 South, Range 5 West of the Willamette Meridian, Polk County, State of Oregon; thence North 31.79 chains; thence East 20.00 chains; thence South 31.79 chains; thence West 20.00 chains to the place of beginning.

SAVE AND EXCEPTING 2 acres in a square out of the Northeast corner of said premises more particularly described as follows: Beginning at a point 5.76 chains West of the Southeast corner of the Donation Land Claim of James Kimsey and wife, Notification No. 99, Claim No. 54. in Section 6, Township 8 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence running West 4.47 chains; thence South 4.47 chains; thence East .4.47 chains; thence North 4.47 chains to the point of beginning.

SUBJECT TO:

The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land and in addition thereto a penalty may be levied if notice of disqualification is not timely given; The rights of the public in and to that portion of the premises herein described lying within the limits of roads, streets and highways; Limited access provision in deed to the State of Oregon, recorded October 29, 1953, in Book 152, Page 202, Book of Records for Polk County, Oregon (Parcel I and II); Any lien or encumbrance made or permitted to be may by Grantee subsequent to August 15, 1990, the date of that contract recorded in Book 234, Page 2156, which this deed is given to fulfill.

To Have and To Hold the same unto the said Grantee and Grantee's heirs, 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 197.352. 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 APPROVED USES, 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 197.352."

In construing this deed and where the context so requires, the singular includes the plural.

DATED this 28 day of November, 2006.

Ditchen Land Company Limited Partnership, an Oregon limited partnership

By: David L. Ditchen
David L. Ditchen, General Partner

By: Eldon D. Ditchen
Eldon D. Ditchen, General Partner

STATE OF OREGON)
) ss.
County of Marion)

On this 28th day of November, 2006, before me personally appeared the above named DAVID L. DITCHEN and ELDON D. DITCHEN, GENERAL PARTNERS OF DITCHEN LAND COMPANY LIMITED PARTNERSHIP, and acknowledged the foregoing instrument to be their voluntary act and deed.



Diane L. Davis
Notary Public for Oregon
My Commission Expires: 3-7-08

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JUN 02 2006
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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, Duane Ditchen, in my capacity as Owner/Member, Ditchen Land Company, LLC,
mailing address 7385 Howell Prairie Rd. NE, Silverton, OR 97381,
telephone no.(s) 503-932-0561, e-mail address duane@gvfusa.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 lands.

☐ Professional expertise. Explain the specific grounds for your knowledge:

2. I attest that I have read and understand the terms and conditions of water use under Certificate #33876, 9480, 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 #33876, 9480 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 # 33876, 9480 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.

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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: 2- 40 HP centrifugal pumps, 2.3 cfs theoretical capacity
- ☐ 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: above ground aluminum mainline
- ☒ Sprinklers: handlines, big gun
- ☐ Other (also include its general location in the description):

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6. Can you attest to beneficial water use under Certificate # 33876, 9480 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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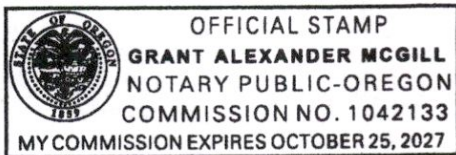
TACS

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

Duane C. Ditchen Duane C. Ditchen 5/27/26
Affiant Signature Printed Name Date

Signed and sworn to (or affirmed) before me this 27 day of May, 2026.



Grant McGill
Notary Public for Oregon

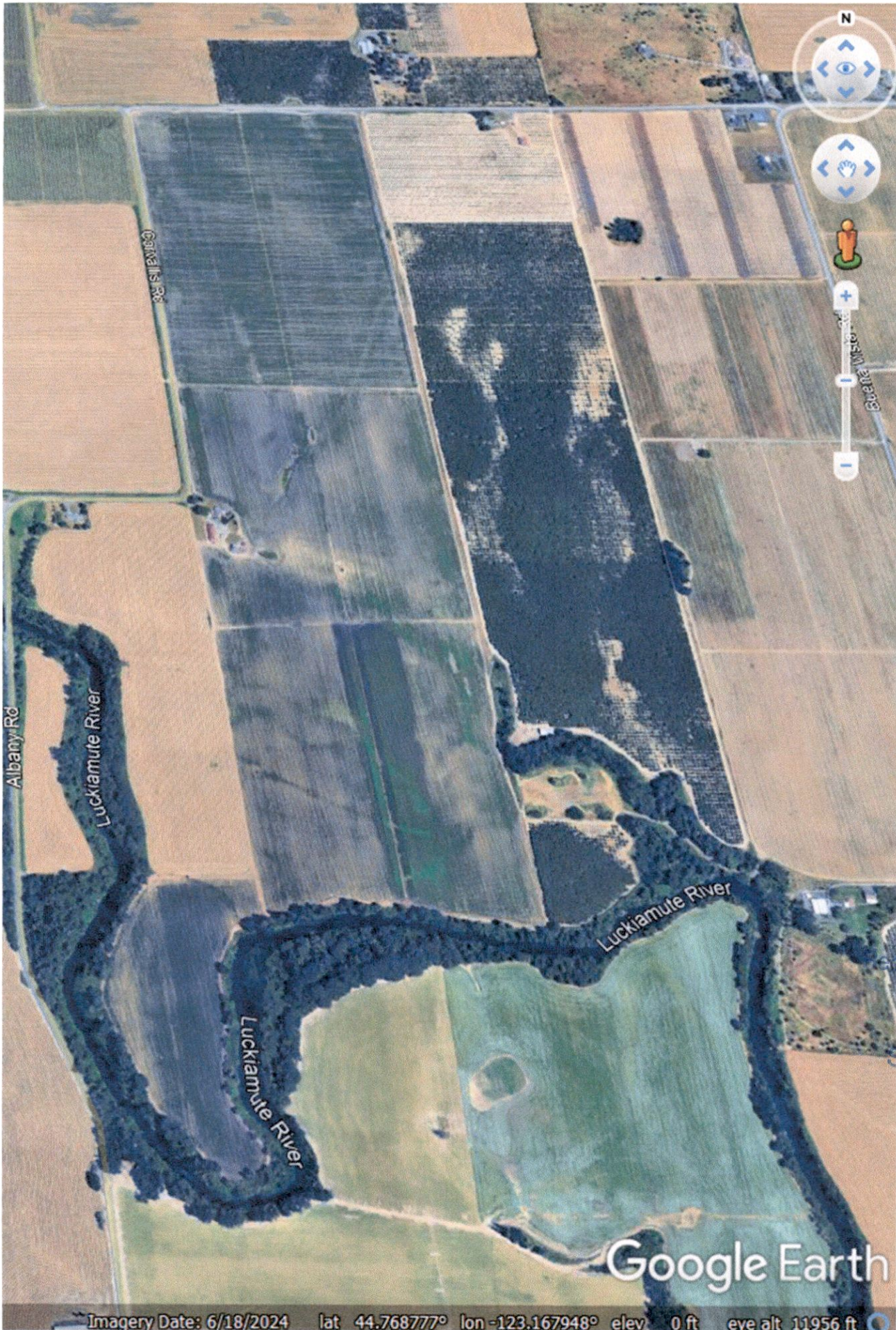
My Commission Expires: 10/25/2027

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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.)	• 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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Land Use Information Form



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

NOTE TO APPLICANTS

In order for your application to be processed by the Oregon Water Resources Department (OWRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be diverted, conveyed, used, and developed. Applications received by OWRD without the Land Use Information Form will be returned to you. Please be aware that your application cannot be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and used on federal lands only; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a. The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b. The application involves a change in place of use only;
 - c. The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d. The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a new water right or modifying an existing water right. The Oregon Water Resources Department (OWRD) requires applicants to obtain land use information to ensure the water right does not result in land uses that are incompatible with your comprehensive plan. Please complete the form and return it to the applicant for inclusion in their application.

You will receive notice via OWRD's weekly Public Notice once the applicant formally submits their request to OWRD. The notice will give more information about OWRD's water right process and provide additional comment opportunities. If you have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or WRD_DL_customerservice@water.oregon.gov.

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Land Use Information Form



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

NAME Ditchen Land Company, LLC		PHONE 503-932-0561	EMAIL duane@gvfusa.com	
MAILING ADDRESS 7385 Howell Prairie Rd. NE		CITY Silverton	STATE OR	ZIP 97381

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
9S	4W	33	SENE	300	EFU	☒ Diverted	☒ Conveyed	☐ Used	farming
9S	4W	33	SWNE	300	EFU	☐ Diverted	☒ Conveyed	☐ Used	farming
9S	4W	33	SENW	300	EFU	☐ Diverted	☒ Conveyed	☐ Used	farming
9S	4W	33	NESW	300	EFU	☐ Diverted	☒ Conveyed	☒ Used	farming
9S	4W	33	NWSW	300	EFU	☐ Diverted	☐ Conveyed	☒ Used	farming
9S	4W	33	SWSW	300	EFU	☐ Diverted	☐ Conveyed	☒ Used	farming
9S	4W	33	SESW	300	EFU	☐ Diverted	☐ Conveyed	☒ Used	farming
9S	4W	33	NWSE/ 5WSE	300	EFU	☐ Diverted	☐ Conveyed	☒ Used	farming

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

Polk

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

Type of application to be filed with the Oregon Water Resources Department:

- ☐ Permit to Use or Store Water
 ☒ Water Right Transfer
 ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License
 ☐ Exchange of Water
 ☐ Allocation of Conserved Water

Source of water:
☐ Reservoir/Pond
☐ Ground Water
☒ Surface Water (name) Luckiamute River

Estimated quantity of water needed: 319.5
☐ cubic feet per second
☐ gallons per minute
☒ acre-feet

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

Briefly describe:

It is proposed to temporarily transfer certificates 33876 and 9480 to cover crops in TL 300.
--

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See Page 4 →

Salem, OR

For Local Government Use Only

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

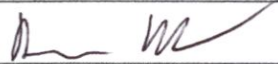
Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): PCZO 36.030 CA2
- ☐ Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being Pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Oregon Water Resources Department regarding this proposed use of water in the box below or on a separate sheet.

Name: Ricky Mera Title: Associate Planner

Signature:  Date: 6/1/26

Government Entity: Polk County Planning Division Phone: 503-623-9237

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