

Temporary

Name Kauer Family Farms, triple K farmsAttn Dave KauerAddress 7325 SE Amity Dayton HwyAmity Oregon 97101

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Little Luckiamute river, unnamed streamTrib. of Luckiamute river, Little Luckiamute riverUse IrrigationCounty Polk

Quantity of water (CFS)

No. of Acres

Name of ditch

App# S-53198Per # S39475Cert # 47648PR Date 6/3/1975App# S-46755Per # S34153Cert # 39185PR Date 2/10/1979

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

Change in POD APDDate Filed 9/4/2020Initial notice date 9/22/2020

DPD issued date

PD issued date

PD notice date

Date of FO 11/9/2020Vol 118Page 28-325/10/2021120483-84

C-Date

COBU due date

COBU Received date

Certificate issued

FEES PAID

Date

Amount

Receipt #

9-4-2020\$1,283.08133403

FEES REFUNDED

Amount

Receipt #

Assignments:

Irrigation District

Agent Bull Ferber BK water right Consulting Bull@bkwr.com

CWRE

CC's list Polk county☐ - Oversized map - Location



Oregon
Kate Brown, Governor

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

May 10, 2021

KAUER FAMILY FARMS/TRIPLE K FARMS
DAVE KAUER
7325 SE AMITY DAYTON HWY
AMITY, OR 97101

Re: Termination of Transfer T-13520, 13429, 13180

The Department received a voluntary request of Termination on May 10, 2021. Enclosed is a copy of the order signed by the Director of Oregon Water Resources Department terminating the above Transfer by Special Order Vol. 120 Page 483-488.

Transfers are of no further force or effect.

If you have any questions please contact Kelly Starnes, by telephone at (503) 986-0886 or by e-mail at Scott.A.Grew@oregon.gov.

Sincerely,

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

cc: , Watermaster Dist. # (via email)
William Ferber, Agent
Planning Department

Enclosure

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

In the Matter of Temporary Transfer
T-13520, Polk County, Oregon

) ORDER TERMINATING A
) TEMPORARY TRANSFER

NOV 11 2021

Authority

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

Applicant

KAUER FAMILY FARMS, TRIPLE K FARMS
ATTN: DAVE KAUER
7325 SE AMITY DAYTON HWY
AMITY, OR 97101

Findings of Fact

1. On November 9, 2020, the Water Resources Department issued an order approving the temporary changes proposed in Application T-13520. The order was recorded in Special Order Volume 118, Pages 28-32.
2. Under the order, the water right would revert to the authorized place of use at the end of the 2024 irrigation season.
3. The most recent use of water at the place of use authorized under the temporary transfer was during the 2020 irrigation season.
4. On April 16, 2021, the applicant DAVE KAUER submitted a written request that the temporary transfer be voluntarily terminated.

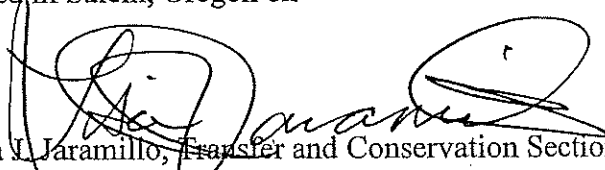
This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review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

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

Temporary Transfer T-13520 is terminated. The use shall revert to the place of use authorized under Certificates 39185 and 47648. Water may not be used at the authorized place of use during the same season in which water was used under the Temporary Transfer.

Dated in Salem, Oregon on

MAY 10 2021



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

Mailing date:

MAY 11 2021

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13520

Transfer Type: Temporary Transfer

Transfer Specialist: *Joan*

*Termination
Scott*

Applicant: DAVE KAUER 7325 SE AMITY DAYTON HWY AMITY, OR 97101 Email: _____ Phone: _____		Agent: ☐ N/A WILLIAM FERBER PO BOX 13434 SALEM, OR 97309 Email: _____ Phone: _____	
Irrigation District: ☐ N/A Email: _____		CWRE: ☐ N/A Email: _____	
Affected Local Gov'ts: ☐ N/A Polk County Planning Department Email: _____		Affected Tribal Gov't: ☐ N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: ☐ N/A Email: _____		Receiving Landowner: ☐ N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	S-45755	S-34153	39185	☐ Yes ☐ No	
☐	S-53198	S-39475	47648	☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions:

Rec'd: September 22, 2020	Proposed Action(s): ADDITIONAL POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 1283.08	WM District: 22	ODFW District:
Initial Public Notice: September 22, 2020	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent ☐		GW Review sent: ☐ N/A
County sent cc: of Ack Letter ☐	BOR notified (date): ☐ N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: 10-9-20 Initials: <i>Joan</i>	Date: 10/9/20 Initials: <i>Scott</i>	Date: _____ Initials: _____	Date: 10/20/20 Initials: <i>PKS</i>	Date: 10-26-20 Initials: <i>Joan</i>	Date: _____	Date: 11/9/2020

Special Issues: _____

Special Order Volume: Vol. ~~113~~ Pages _____

Termination order Vol. 120, Pages 483-84
 MAY 10 2021

coord.
initials

4/26/21
PKS

Mailing date 5/10/2021
 corrected
 4/29/21

GREW Scott A * WRD

From: bill@bkwrc.com
Sent: Friday, April 16, 2021 4:17 PM
To: GREW Scott A * WRD
Cc: Dave Kauer
Subject: RE: Temporary transfers

Afternoon Scott,

Yes, the third Temporary Transfer to withdraw is T 13520.

Have a good weekend,
Bill

*William (Bill) Ferber CWRE, PE
BK Water Right Consulting LLC
PO Box 13
Brush Prairie, Washington 98606*

Phone: 503.910.9212
FAX: 1 503.339.9536
Email: bill@bkwrc.com

From: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Sent: Friday, April 16, 2021 13:20
To: bill@bkwrc.com
Cc: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Subject: FW: Temporary transfers

Bill,

Can you confirm for me for the record that Dave intended for T-13520. There was a number omitted from his request below.

Thank you!

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

From: David Kauer <davidk755@yahoo.com>
Sent: Friday, April 16, 2021 11:54 AM
To: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Subject: Temporary transfers

Scott would you please withdraw t13180 t13429 t1350. Thank you. Dave Kauer Kauer Family Farms

GREW Scott A * WRD

From: David Kauer <davidk755@yahoo.com>
Sent: Monday, April 19, 2021 1:07 PM
To: GREW Scott A * WRD; bill@bkwrc.com
Cc: GREW Scott A * WRD
Subject: Re: Temporary transfers

No water has been used so far this year. Thx. Dave

Sent from Yahoo Mail for iPhone

On Monday, April 19, 2021, 11:29 AM, GREW Scott A * WRD <Scott.A.Grew@oregon.gov> wrote:

Bill,

I just wanted to confirm if water has been used this irrigation season (2021) on the temporary POU for Transfers T-13180, T-13429 and T-13520.

Please confirm.

Scott Grew

Transfer Specialist

Oregon Water Resources Department

503-986-0890

From: bill@bkwrc.com <bill@bkwrc.com>
Sent: Friday, April 16, 2021 4:17 PM
To: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
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Subject: RE: Temporary transfers

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Bill

William (Bill) Ferber CWRE, PE

BK Water Right Consulting LLC

PO Box 13

Brush Prairie, Washington 98606

Phone: 503.910.9212

FAX: 1 503.339.9536

Email: bill@bkwrc.com

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Thank you!

Scott Grew

Transfer Specialist



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

November 9, 2020

KAUER FAMILY FARMS/TRIPLE K FARMS
DAVE KAUER
7325 SE AMITY DAYTON HWY
AMITY, OR 97101

REFERENCE: Temporary Transfer Application T-13520

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

The temporary change shall be effective at the **beginning of the irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2024 irrigation season**.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Joan Smith, by telephone at (503) 986-0892 or by e-mail at Joan.M.Smith@oregon.gov.

Sincerely,

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

cc: Joel M. Plahn, Watermaster Dist. # 22 (via email)
William Ferber, Agent
Polk County Planning Department

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-13520, Polk County	)	TEMPORARY CHANGES IN PLACE
	)	OF USE, AND AN ADDITIONAL
	)	POINT OF DIVERSION

Authority

Oregon Revised Statute (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

KAUER FAMILY FARMS, TRIPLE K FARMS
ATTN: DAVE KAUER
7325 SE AMITY DAYTON HWY
AMITY, OR 97101

Findings of Fact

1. On September 22, 2020, KAUER FAMILY FARMS, TRIPLE K FARMS, ATTN: DAVE KAUER, filed an application to temporarily change the place of use and an additional point of diversion to serve the proposed place of use under Certificates 39185 and 47648 for a period of 5 years. The Department assigned the application number T-13520.
2. Notice of the application for transfer was published on September 22, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The portion of the first right to be temporarily transferred is as follows:

Certificate:	39185 in the name of J.L. HENDRICKSON (perfected under Permit S-34153)
Use:	IRRIGATION of 50.4 ACRES
Priority Date:	FEBRUARY 10, 1969
Rate:	0.63 CUBIC FOOT PER SECOND

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

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: UNNAMED STREAM, tributary to LITTLE LUCKIAMUTE RIVER

Authorized Point of Diversion

Twp	Rng	Mer	Sec	Q-Q	GLOT	Measured Distances
8 S	5 W	WM	31	NW SW	2	1350 FEET NORTH AND 925 FEET EAST FROM THE SW CORNER OF SECTION 31
8 S	5 W	WM	31	NW SW	2	2330 FEET NORTH AND 80 FEET EAST FROM THE SW CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
8 S	6 W	WM	36	NW SE	56	0.5
8 S	6 W	WM	36	NW SE	56	0.1
8 S	6 W	WM	36	SW SE	56	23.0
8 S	6 W	WM	36	SW SE	56	1.0
9 S	6 W	WM	1	SE SW	56	3.9
9 S	6 W	WM	1	SE SW	56	4.7
9 S	6 W	WM	1	NW NE	58	4.0
9 S	6 W	WM	1	NE NW	58	0.4
9 S	6 W	WM	1	SW SE	3	10.1
9 S	6 W	WM	1	NW NE	2	1.3
9 S	6 W	WM	1	SE SE	-	1.4
Total:						50.4

4. Temporary Transfer Application T-13520 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
8 S	6 W	WM	36	NE NE	56	0.5
8 S	6 W	WM	36	NW NE	56	1.1
8 S	6 W	WM	36	NW NE	56	0.4
8 S	6 W	WM	36	SW NE	56	22.6
8 S	6 W	WM	36	SW NE	56	1.0
8 S	6 W	WM	36	SE NE	56	1.7
8 S	6 W	WM	36	SE NE	56	11.4
8 S	6 W	WM	36	SE NE	2	0.9
8 S	6 W	WM	36	SE NW	56	1.6
8 S	6 W	WM	36	NE SW	56	0.2
8 S	6 W	WM	36	NE SE	56	1.6
8 S	6 W	WM	36	NW SE	56	7.4
Total:						50.4

5. The second right to be temporarily transferred is as follows:

Certificate: 47648 in the name of J L. HENDRICKSON (perfected under Permit S-39475)

Use: IRRIGATION of 29.2 ACRES

Priority Date: JUNE 3, 1975

Rate: 0.37 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: LITTLE LUCKIAMUTE RIVER, tributary of LUCKIAMUTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
8 S	6 W	WM	36	NE NE	1	1180 FEET SOUTH AND 720 FEET WEST FROM THE NE CORNER OF SECTION 36

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
8 S	6 W	WM	36	SE NW	56	1.00
8 S	6 W	WM	36	NE SW	56	13.00
8 S	6 W	WM	36	NW SW	56	12.90
8 S	6 W	WM	36	SW SW	56	2.30
Total:						29.20

6. Temporary Transfer Application T-13520 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
8 S	6 W	WM	36	NW NE	1	0.05
8 S	6 W	WM	36	NW NE	1	0.05
8 S	6 W	WM	36	NW NE	56	6.90
8 S	6 W	WM	36	NW NE	56	1.30
8 S	6 W	WM	36	NW NE	56	0.40
8 S	6 W	WM	36	SW NE	56	6.50
8 S	6 W	WM	36	SW NE	56	1.00
8 S	6 W	WM	36	SE NW	56	11.50
8 S	6 W	WM	36	SE NW	56	0.10
8 S	6 W	WM	36	SE NW	56	0.90
8 S	6 W	WM	36	NE SW	56	0.30
8 S	6 W	WM	36	NE SW	56	0.20
Total:						29.2

7. An additional point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-13520 proposes to move the authorized point of diversion approximately 1253.0 feet north to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	5 W	WM	31	NW SW	2230 FEET NORTH AND 80 FEET EAST FROM SW CORNER OF SECTION 31

Temporary Transfer Review Criteria

8. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
10. The proposed changes would not result in enlargement of the rights.
11. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

The temporary changes in place of use and additional point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-13520 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use and additional point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-13520 are approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2020, 2021, 2022, 2023 and 2024 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2024 irrigation season. The authorization to use the additional point of diversion shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 39185 and 47648 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.

6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 39185 and 47648.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. The use of the remaining water rights described by Certificate 39185 and 47648 shall continue to be in accordance with the terms and conditions of Certificates 39185 and 47648.

Dated in Salem, Oregon on

NOV 09 2020



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

Mailing Date:

NOV 10 2020



Oregon
Kate Brown, Governor

Water Resources Department

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

September 22, 2020

DAVE KAUER
7325 SE AMITY DAYTON HWY
AMITY, OR 97101

Reference: Application T- 13520

On September 22, 2020, we received your water right Transfer application. The application was accompanied by \$1283.08. Our receipt number 133403 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change.

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

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

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

Cc: Watermaster Dist. #22 (via email)
Polk County
William Ferber, Agent

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **133403**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM:

Triple K Farms, LLC

BY: _____

CASH: ☐

CHECK: #

1548

OTHER: (IDENTIFY) ☐

APPLICATION

PERMIT

TRANSFER

T-13520

TOTAL REC'D

\$ 1,283.08

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY) _____

\$

0243 I/S Lease _____

0244 Muni Water Mgmt. Plan _____

0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

RECORD FEE

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

1,283.08

WELL CONSTRUCTION

EXAM FEE

\$

0218 WELL DRILL CONSTRUCTOR

0219

LICENSE FEE

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT: **133403**

DATED: *9-4-2020* BY: *[Signature]*

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

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



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

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

RECEIVED

SEP 04 2020

FOR ALL TEMPORARY TRANSFER APPLICATIONS

OWRD

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 2 List them here: C 47648, C 39185**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year: 2020 End Year: 2024.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)

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

___ Application fee not enclosed/or is insufficient ___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete
___ Additional signature(s) required ___ Part ___ is incomplete
Other/Explanation _____
Staff: _____ 503-986-0 _____ Date: ____/____/____

13520

Part 2 of 5 – Temporary Transfer Application Map Checklist

OWBD

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

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

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

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FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00
2	Number of water rights included in transfer: <u>2 (2a)</u> Subtract 1 from the number in 3a above: <u>1 (2b)</u> If only one water right this will be 0 Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » » » » »	2	\$260.00
3	Do you propose to change the place of use for a non-irrigation use? ☒ No: enter 0 on line 3 » » » » » » » » » » » » » » » » ☐ Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$200.00, then enter on line 3	3	0
4	Do you propose to change the place of use for an irrigation use? ☐ No: enter 0 on line 4 » » » » » » » » » » » » » » » » ☒ Yes: enter the number of acres for the portions of the rights to be transferred: _____ (4a) Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »	4	\$183.08
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	5	\$1253.08
6	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »	6	0
7	Subtract line 6 from line 5 » » » » » » » » » » » » Transfer Fee:	7	\$1283.08

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1. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
2. If the water right certificate does not list total cfs, but identifies the allowable use as $1/40$ or $1/80$ of a cfs per acre; multiply number of acres proposed for change by either $0.025 (1/40)$ or $0.0125 (1/80)$. (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
3. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Dave Kauer/Kauer Family Farms, Triple K Farms			PHONE NO. 503.835.1006	ADDITIONAL CONTACT NO.
ADDRESS 7325 SE Amity Dayton Hwy				FAX NO.
CITY Amity	STATE Oregon	ZIP 97101	E-MAIL davidk755@yahoo.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

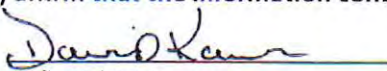
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME Bill Ferber/BK Water Right Consulting, LLC			PHONE NO. 503.910.9212	ADDITIONAL CONTACT NO.
ADDRESS PO Box 13434				FAX NO.
CITY Salem	STATE Oregon	ZIP 97309	E-MAIL bill@bkwrc.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application and why: Temporarily transfer water right place of use to lands that had their water rights temporarily transferred off earlier this year. This move is due to the fields being decimated by mice and the fields needing water to aid in the rehabilitation of the fields for next year's planting.

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

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


Applicant signature

David Kauer-Manager
Print Name (and Title if applicable)

8-14-20
Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

Affidavits of Consent attached.

Received by OWRD

SEP 14 2021

Salem, OR

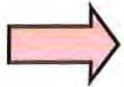
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☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Polk county	ADDRESS 850 Main Street	
CITY Dallas	STATE Oregon	ZIP 97338

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add rows to tables within the form.

Water Right Certificate # 47648

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Description of Water Delivery System

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System capacity: 4.02 cubic feet per second (cfs) OR

 gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Two (2) 50 hp Berkley pumps connect to 6"

mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
P.O.D. #1	☒ Authorized ☐ Proposed		8	S	6	W	36	NE	NE	1	1180' S and 720' W from NE Corner Section 36.
A.P.O.D	☐ Authorized ☒ Proposed		8	S	5	W	31	N W	S W	2	2330' N and 80' E from SW Corner Section 31.
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

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

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

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

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

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

☒ Yes

Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☐ No

Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 47648

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901			
"	"	"	" "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901			
										POU	8	S	6	W 36 NW NE	200	1	0.05	Irrig	A.P.O.D.	1975			
										POU	8	S	6	W 36 NW NE	506	1	0.05	Irrig	A.P.O.D.	1975			
										POU	8	S	6	W 36 NW NE	506	56	6.9	Irrig	A.P.O.D.	1975			
										POU	8	S	6	W 36 SW NE	506	56	6.5	Irrig	A.P.O.D.	1975			
										POU	8	S	6	W 36 SW NE	200	56	1.0	Irrig	A.P.O.D.	1975			
										POU	8	S	6	W 36 SE NW	506	56	11.5	Irrig	A.P.O.D.	1975			
										POU	8	S	6	W 36 SE NW	603	56	0.1	Irrig	A.P.O.D.	1975			
										POU	8	S	6	W 36 SE NW	200	56	0.9	Irrig	A.P.O.D.	1975			
										POU	8	S	6	W 36 NE SW	506	56	0.3	Irrig	A.P.O.D.	1975			
										POU	8	S	6	W 36 NE SW	603	56	0.2	Irrig	A.P.O.D.	1975			
										POU	8	S	6	W 36 NW NE	200	56	1.3	Irrig	A.P.O.D.	1975			
										POU	8	S	6	W 36 NW NE	506	56	0.4	Irrig	A.P.O.D.	1975			

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										APOD	8	S	5	W	31	NW	SW	200	1	---	Irrig	---	1975		
TOTAL ACRES																	TOTAL ACRES				29.2				

13520

For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: G 4480, G 8747 for Group Domestic use for another entity. These rights are not part of this Temporary Transfer.

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add rows to tables within the form.

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TACS

Description of Water Delivery SystemSystem capacity: 4.02 cubic feet per second (cfs) OR gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Two (2) 50 hp Berkley pumps connect to 6"

mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or Is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
P.O.D.	☒ Authorized ☐ Proposed		8	S	5	W	31	N W	S W	2	2330' N and 80' E of SW Corner Section 31
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

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

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

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

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

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 39185

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																						
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901		
"	"	"	" " " "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
8	S	6	W 36 NW SE	200	56	0.5				POU	8	S	6	W 36 NE NE	200	56	0.5	Irrig	P.O.D.	1969		
8	S	6	W 36 NW SE	603	56	0.1				POU	8	S	6	W 36 NW NE	506	56	1.1	Irrig	P.O.D.	1969		
8	S	6	W 36 SW SE	200	56	23.0				POU	8	S	6	W 36 NW NE	200	56	0.4	Irrig	P.O.D.	1969		
8	S	6	W 36 SW SE	603	56	1.0				POU	8	S	6	W 36 SW NE	200	56	22.6	Irrig	P.O.D.	1969		
8	S	6	W 36 SE SW	200	56	3.9				POU	8	S	6	W 36 SE NE	200	56	1.7	Irrig	P.O.D.	1969		
8	S	6	W 36 SE SW	603	56	4.7				POU	8	S	6	W 36 SE NW	200	56	1.6	Irrig	P.O.D.	1969		
9	S	6	W 1 NW NE	101	58	4.0				POU	8	S	6	W 36 NE SW	200	56	0.2	Irrig	P.O.D.	1969		
9	S	6	W 1 NE NW	101	58	0.4				POU	8	S	6	W 36 NW SE	200	56	7.4	Irrig	P.O.D.	1969		
8	S	6	W 36 SW SE	200	3	10.1	RECEIVED			POU	8	S	6	W 36 SW NE	200	56	1.0	Irrig	P.O.D.	1969		
18	S	6	W 1 NW NE	101	2	1.3	SEP 04 2020			POU	8	S	6	W 36 SE NE	200	56	11.4	Irrig	P.O.D.	1969		
5	S	6	W 36 SE SE	200	---	1.4				POU	8	S	6	W 36 SE NE	200	2	0.9	Irrig	P.O.D.	1969		
							OWRD			POU	8	S	6	W 36 NE SE	200	56	1.6	Irrig	P.O.D.	1969		
TOTAL ACRES						50.4						TOTAL ACRES						50.4				

SEP 04 2020

Water Right Certificate # 39185

For Place of Use Changes

OWRD

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

If YES, list the certificate, water use permit, or ground water registration numbers: G 4480, G 8747 for Group Domestic use for another entity. These rights are not part of this Temporary Transfer.

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

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AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Application for Water Right Transfer Evidence of Use Affidavit



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.
Supporting documentation must be attached.

State of Oregon)
) ss
County of POLK)

I, DAVE KAUER, in my capacity as TENANT FARMER, PARTNER IN TRIPLE K AND KAUER FAMILY FARMS,
mailing address 7145 SE AMITY DAYTON HWY, AMITY, OREGON 97101
telephone number (503)437-4027, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the **entire** place of use for
Certificate # 47648, 39185; **OR**

☐ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	1/4 1/4	Gov't Lot or DLC	Acres (if applicable)

OR

☐ Confirming Certificate # _____ has been issued within the past five years; **OR**

Received by OWRD

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**

SEP 14 2020

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for
non-use would be rebutted under ORS 540.610(2) is attached.

Salem, OR

☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

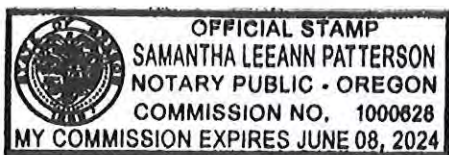
3. The water right was used for: (e.g., crops, pasture, etc.): IRRIGATION OF CROPS

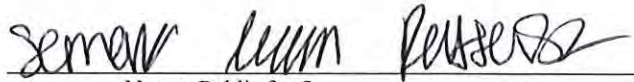
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.


Signature of Affiant

8-10-2020
Date

Signed and sworn to (or affirmed) before me this 10th day of August, 2020.




Notary Public for Oregon

My Commission Expires: June 08, 2024

Supporting Documents	Examples
☐ Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
☒ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, 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 • CREP Report
☐ Aerial photos containing sufficient detail to establish location and date of photograph RECEIVED SEP 04 2020 OWRD	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

**CONSUMERS POWER INC.**P.O. BOX 1180
6990 WEST HILLS ROAD
PHILOMATH, OR 97370

(541) 929-3124 • (800) 872-9036

94 1 SP 0.500
TRIPLE K LLC
7145 SE AMITY DAYTON HWY
AMITY OR 97101-20044 94
C-1 P-2

Account Number [REDACTED]

Statement Date 07/08/2020

Due Date 08/01/2020

Billing Summary

LAST MONTH'S BILL	\$1,030.14
PAYMENTS - THANK YOU	\$1,030.14 CR
BALANCE FORWARD	\$0.00
Current Charges	\$1,153.39

Account Balance	\$1,153.39
-----------------	------------

Page 1 of 2

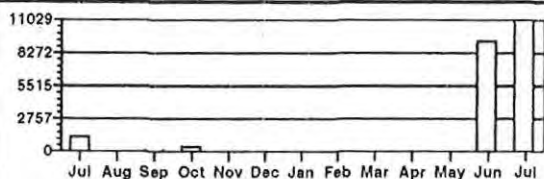
Any BALANCE FORWARD is subject
to DISCONNECTION of services.

Messages

Summer energy savings tip from CPI: A great way to use that summer heat and lower your bill is by using a heat pump water heater. These hot water heaters efficiently transfer the heat from the air to heat the water, which lowers your electric bill. CPI also offers substantial rebates, so call or visit us online for more information.

Location J L HENDRICKSON PL - Irrigation

Meter	From	Through	Days	Type	End Read	Start Read	Mult	Usage	Code	Rate
TD875	05/30/20	06/30/20	31	KWH	48620	37591	1	11029		034
TD875	05/30/20	06/30/20	31	KW	70.490		1	70.490		034



Monthly Usage

Average KWH per Day: 356

This Month Last Year: 43

Detail of Charges - Electric

Basic Service Charge	\$63.00
KWH Revenue	\$757.69
KW Revenue	\$332.70
Load Factor - 21%	
Total This Service	\$1153.39

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OWRD

Please Return This Stub With Your Payment Please do not staple or paperclip

Comments: _____

Cycle: 06

Account: [REDACTED]

Due Date for Current Bill: 08/01/2020

Amount Due: \$1,153.39

Amount Paying _____



One-Time Operation Roundup Donation:

\$ _____

TRIPLE K LLC
7145 SE AMITY DAYTON HWY
AMITY OR 97101-2004CONSUMERS POWER, INC.
PO BOX 1180
PHILOMATH OR 97370-1180

13520

Call for information

NOTION ABOUT YOUR BILL
Please call us at (541) 929-3124 or (800) 872-9036
day. Closed on Friday. In case of emergencies,
swearing service will take your call.

CONSUMERS POWER INC.
P.O. BOX 1180
6990 WEST HILLS ROAD
PHILOMATH, OR 97370

(541) 929-3124 • (800) 872-9036

82 1 SP 0.500
TRIPLE K LLC
7145 SE AMITY DAYTON HWY
AMITY OR 97101-2004

4 82
C-1 P-2



RECEIVED
SEP 04 2020
OWRD

Account Number	
Statement Date 06/08/2020	Due Date 07/01/2020

Billing Summary	
LAST MONTH'S BILL	\$0.00
NO PAYMENTS RECEIVED	\$0.00
BALANCE FORWARD	\$0.00
Current Charges	\$1,030.14
Account Balance	\$1,030.14

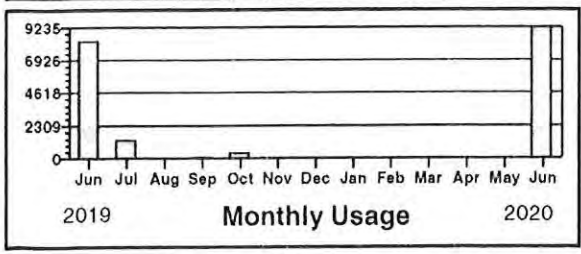
Page 1 of 2

Any BALANCE FORWARD is subject
to DISCONNECTION of services.

Messages
CPI offers rebates for your many home improvement projects. This includes windows to heat pumps and insulation and heat pump water heaters. Visit our website at www.cpi.coop, or give us a call for more information.

Location J L HENDRICKSON PL - Irrigation

Meter	From	Through	Days	Type	End Read	Start Read	Mult	Usage	Code	Rate
TD875	04/30/20	05/30/20	30	KWH	37591	28356	1	9235		034
TD875	04/30/20	05/30/20	30	KW	70.490		1	70.490		034



Average KWH per Day: 308
This Month Last Year: 266

Detail of Charges - Electric	
Basic Service Charge	\$63.00
KWH Revenue	\$634.44
KW Revenue	\$332.70
Load Factor - 18%	
Total This Service	\$1030.14

13520

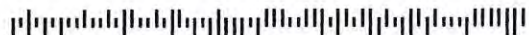
**CONSUMERS POWER INC.**

P.O. BOX 1180
6990 WEST HILLS ROAD
PHILOMATH, OR 97370

(541) 929-3124 • (800) 872-9036

2 1 SP 0.500
TRIPLE K LLC
7145 SE AMITY DAYTON HWY
AMITY OR 97101-2004

4 2
C-1 P-1



Account Number

Statement Date 07/08/2019

Due Date 08/01/2019

Billing Summary

LAST MONTH'S BILL	\$2,842.91
PAYMENTS - THANK YOU	\$2,842.91 CR
BALANCE FORWARD	\$0.00
Current Charges	\$2,003.43

Account Balance	\$2,003.43
------------------------	-------------------

Page 1 of 2

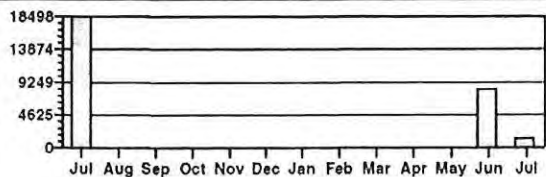
Any BALANCE FORWARD is subject
to DISCONNECTION of services.

Messages

Summer energy savings tip from CPI: Stay cool this summer with low cost cooling with a ductless heat pump. CPI offers substantial rebates to have one installed in your home. Call us or visit us online for more information.

Location J L HENDRICKSON PL - Irrigation

Meter	From	Through	Days	Type	End Read	Start Read	Mult	Usage	Code	Rate
TD875	05/31/19	06/29/19	29	KWH	27977	26733	1	1244		034
TD875	05/31/19	06/29/19	29	KW	70.490		1	70.490		034
TD875	05/31/19	06/29/19	29	KVAR	0.000		1	0.000		034



2018

Monthly Usage

2019

Average KWH per Day: 43

This Month Last Year: 385

Triple K Farms, LLC

Consumers Power Inc
880.00 • Utilities

Detail of Charges - Electric

Basic Service Charge	\$63.00
KWH Revenue	\$85.46
KW Revenue	\$332.70
Total This Service	\$481.16

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OWRD

7/15/2019

1464

2,046.30

US Bank

13520

2,046.30

After recording, return to:
Wallace O. Felsted
Kirton & McConkie
60 East South Temple, #1800
P. O. Box 45120
Salt Lake City, UT 84145-0120

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SEP 04 2020

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RECORDED IN POLK COUNTY
VALERIE UNGER, COUNTY CLERK

2003-000299

Tax statements to be sent to:
C/O LDS Church Tax Division
50 East North Temple St., 22nd Floor
Salt Lake City, Utah 84150-3620



\$46.00

Property No. 544-1412
(OR, Falls City - Orig Acq - Three Sisters)

REC-WD Cnt=1 Stn=1 A. CAPTAIN
\$25.00 \$10.00 \$11.00

01/07/2003 02:15:36 PM

SPECIAL WARRANTY DEED

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantor, with its principal office located at 50 East North Temple, Salt Lake City, Utah 84150, conveys and specially warrants to FARMLAND RESERVE, INC., a Utah nonprofit corporation, Grantee, of 50 East North Temple, Salt Lake City, Utah 84150, the following described real property, free of encumbrances created or suffered by the Grantor, except as specifically set forth herein:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Together with all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto, including, but not limited to easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the real property described on Exhibit "A," and all of Grantor's interest in and to oil, gas, geothermal, water and mineral rights, wells, all water rights appurtenant to said real property described on Exhibit "A," and all of Grantor's interest in and to any land lying in the bed of any body of water, waterway or public street, public road or public avenue in front of or adjoining the land, to have and to hold, the same in fee simple forever.

Subject to current taxes and assessments, reservations, easements, rights-of-way, covenants, conditions, restrictions, zoning matters, liens, and encumbrances and all other matters of record or enforceable at law or equity.

The true consideration for this conveyance is Zero Dollars (\$0.00).

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO

13520

1/5

Fidelity National Title Ticon Ace 38832

DETERMINE ANY LIMITS ON LAWSUTTS AGAINST FARMING OR FOREST PRACTICES
AS DEFINED IN ORS 30.930.

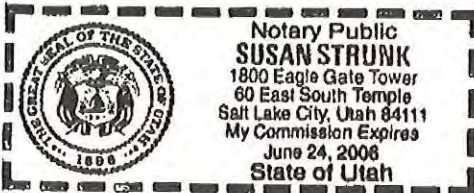
Dated this 31st day of December, 2002.

CORPORATION OF THE PRESIDING BISHOP OF
THE CHURCH OF JESUS CHRIST OF LATTER-
DAY SAINTS, a Utah corporation sole

By: John W. Creer
Its Authorized Agent

STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 31st day of December, 2002,
by John W. Creer, as Authorized Agent of Corporation of the Presiding Bishop of The Church of
Jesus Christ of Latter-day Saints, a Utah corporation sole.



Susan Strunk
Notary Public

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OWRD

RECEIVED

SEP 04 2020

EXHIBIT A

LEGAL DESCRIPTION

OWRD

PARCEL I:

A tract of land in Sections 6 and 7, Township 9, South, Range 5 West of the Willamette Meridian and in Section 1, Township 9 South, Range 6 West of the Willamette Meridian, Polk County, Oregon, said tract being bound by the following:

Beginning at a 2 inch brass disk set in concrete at the Southeast corner of the Julianna Jones Donation Land Claim No. 52 in said Section 7; thence North $05^{\circ}33'15''$ West, on an Easterly line of said Claim No. 52, 1475.18 feet to a 1 inch pipe; thence North $89^{\circ}36'36''$ West 2027.47 feet to the Easterly right of way line of Airlie Road (Market Road No. 8); thence South $12^{\circ}28'44''$ East, on the said right of way line, 577.62 feet to a 5/8 inch rod which is 40 feet from the centerline of said Airlie Road; thence South $09^{\circ}49'07''$ East, on the said right of way line, 200.54 feet to a 5/8 inch rod which is 30 feet from the said centerline; thence South $12^{\circ}27'41''$ East, on the said right of way line, 1299.03 feet to a 5/8 inch rod; thence South $14^{\circ}03'45''$ East, on the said right of way line, 349.76 feet to a 5/8 inch rod which is 40 feet from the said centerline; thence South $11^{\circ}49'09''$ East, on the said right of way line, 450.13 feet to a point which is 35 feet from the said centerline; thence South $11^{\circ}37'53''$ East, on the said right of way line, 339.74 feet to a point which is 30 feet from a point of spiral curve on the said centerline; thence continuing on the said right of way line on a non-circular curve left (40 feet from a spiral curve on the said centerline), the chord of which bears South $16^{\circ}56'36''$ East 441.19 feet; thence continuing on the said right of way line, 346.54 feet on a 924.93 foot radius circular curve left, the chord of which bears South $36^{\circ}43'13''$ East 344.52 feet to a 5/8 inch rod; thence South $57^{\circ}46'15''$ East, on the said right of way line, 440.99 feet to a 5/8 inch rod which is 40 feet from a point of tangent on the said centerline; thence South $60^{\circ}57'08''$ East, on the said right of way line, 1840.64 feet; thence South $89^{\circ}43'54''$ East 513.08 feet to a 5/8 inch rebar; thence North $01^{\circ}18'21''$ East, on an Easterly line of the Jonathan Ligget Donation Land Claim No. 53 in said Section 7, 264.14 feet to a 2 inch brass disk set in concrete marking the Northwest corner of the David R. Lewis Donation Land Claim No. 55; thence North $22^{\circ}45'19''$ West, on an Easterly line of said Claim No. 53, 214.14 feet to a 2 inch brass disk set in concrete marking the Southwest corner of the Sarah Bowman Donation Land Claim No. 51; thence North $22^{\circ}43'22''$ West, on an Easterly line of said Claim No. 53, 3283.36 feet to the point of beginning.

PARCEL II:

A tract of land in Section 36, Township 8 South, Range 6 West of the Willamette Meridian, the North 1/2 of Section 1, Township 9 South, Range 6 West of the Willamette Meridian, the Northwest 1/4 of Section 6, Township 9 South, Range 5 West of the Willamette Meridian, and the Southwest 1/4 of Section 31, Township 8 South, Range 5 West of the Willamette Meridian, all in Polk County, Oregon, said tract being bound by the following:

Beginning at a point on the center of the present channel of the Little Luckiamute River which is 95.65 feet North $42^{\circ}15'$ East and 264.00 feet, more or less, South $42^{\circ}09'29''$ East from the angle corner on the Northeast boundary of the William Burns Donation Land Claim No. 56 in said Section 36; thence Easterly, on the center of the said present channel, 890 feet, more or less, to the point at which the said center of the present channel intersects the center of an old channel of the said river; thence North $15^{\circ}52'40''$ East, on the center of the said old channel, 314 feet, more or less, to an angle point on the said center of the old channel; thence North $31^{\circ}16'09''$ East on the center of the said old channel, 108.46 feet to the point at which the center of

CONTINUED

SEP 04 2020

OWRD

the said old channel intersects the Westerly line of the John Chamberlain Donation Land Claim No. 40 in said Section 36 at a point 82.00 feet South 14°16'05" East from the most Southerly Southeast corner of the Thomas Hart Donation Land Claim No. 39 in said Section 36; thence South 14°16'05" East, on the said Westerly Claim Line, 477.88 feet to a point on the center of the said old channel; thence South 06°55'36" West, on the center of the said old channel, 225 feet, more or less, to the center of the said present channel; thence Southerly, on the center of the said present channel, 610 feet, more or less, to the point at which the center of an old channel of the said river intersects the center of the said present channel; thence South 60°33'23" East, on the center of the said old channel, 185 feet, more or less, to the said Westerly line of said Claim No. 40; thence South 14°16'05" East, on the said Westerly Claim Line, 529.06 feet to an angle corner on the said Westerly Claim Line; thence South 40°54'41" East, on the said Westerly Claim Line, 2400.45 feet to the Southwest corner of the John Chamberlain Donation Land Claim No. 54 in said Section 31; thence North 80°00'16" East, on the South line of said Claim No. 54, 380 feet, more or less, to the center of the said river; thence Southerly, on the center of the said river 1770 feet, more or less, to a point which is 71.10 feet North 01°23'40" East and 1280.00 feet, more or less, North 61°30'58" East from the most Westerly Southwest corner of the Preston Bowman Donation Land Claim No. 39 in said Section 6; thence South 61°30'58" West 3930 feet, more or less, to the Northerly right of way line of Airlie Road (Market Road No. 8); thence North 40°31'07" West, on the said right of way line, 41.55 feet to a 5/8 inch rod which is 40 feet from a point of spiral curve on the centerline of said Airlie Road; thence North 43°28'41" West, on the said right of way line, 182.77 feet to a 5/8 inch rod which is 30 feet from the said centerline; thence North 40°22'56" West, parallel with said centerline, 599.69 feet to a 5/8 inch rod; thence North 37°32'31" West, on the said right of way line, 204.69 feet to a 5/8 inch rod which marks a point 40 feet from a point of tangent on the said centerline; thence continuing on the said right of way line on a non-circular curve left (40 feet from a spiral curve on the said centerline) the chord of which bears North 43°04'15" West 405.11 feet; thence continuing on the said right of way line 55.86 feet on a 1472.39 foot radius circular curve left, the chord of which bears North 49°28'22" West 55.85 feet; thence continuing on the said right of way line on a non-circular curve left (40 feet from a spiral curve on the said centerline) the chord of which bears North 55°52'56" West 405.05 feet to a 5/8 inch rod which is 40 feet from a point of spiral on the said centerline; thence North 61°32'19" West, on the said right of way line, 191.20 feet to a point 30 feet from the said centerline; thence North 58°33'26" West, on the said right of way line, 205.96 feet to a 5/8 inch rebar with a yellow plastic cap; thence North 27°49'03" East 2273.81 feet to a point which is 892.29 feet North 42°10'45" West and 2200.79 feet South 27°49'03" West from the Northeast corner of the said Claim No. 56 in said Section 36; thence North 47°12'35" West 1229.94 feet; thence South 38°08'27" West 2198.51 feet to the Northerly right of way line of said Airlie Road; thence North 34°49'10" West, on the said right of way line, 178.58 feet to a point which is 40.00 feet from a point of curve to spiral on the said centerline; thence continuing on the said right of way line, 192.08 feet on a 1185.92 foot radius circular curve left, the chord of which bears North 45°35'16" West 191.87 feet; thence North 56°21'02" West, on the said right of way line, 203.34 feet to a 5/8 inch rod which is 30 feet from a centerline point of spiral; thence North 55°13'08" West, on the said right of way line, 179.08 feet to the point of intersection of the said Northerly right of way line with the Easterly right of way line of King's Valley Highway (State Highway No. 223); thence continuing on the said Easterly right of way line, 136.59 feet on a 2814.79 foot radius circular curve right, the chord of which bears North 37°36'25" East 136.58 feet; thence continuing on the said right of way line on a non-circular curve right (50 feet from a spiral curve on the centerline of the said highway) the chord of which bears North 41°41'32" East 396.22 feet; thence North 43°00'57" East, 50 feet from and parallel with the said highway centerline, 3790

CONTINUED

4/5

feet, more or less, to the center of the Little Luckiamute River; thence Easterly on the center of the said river, 350 feet, more or less, to the point of beginning.

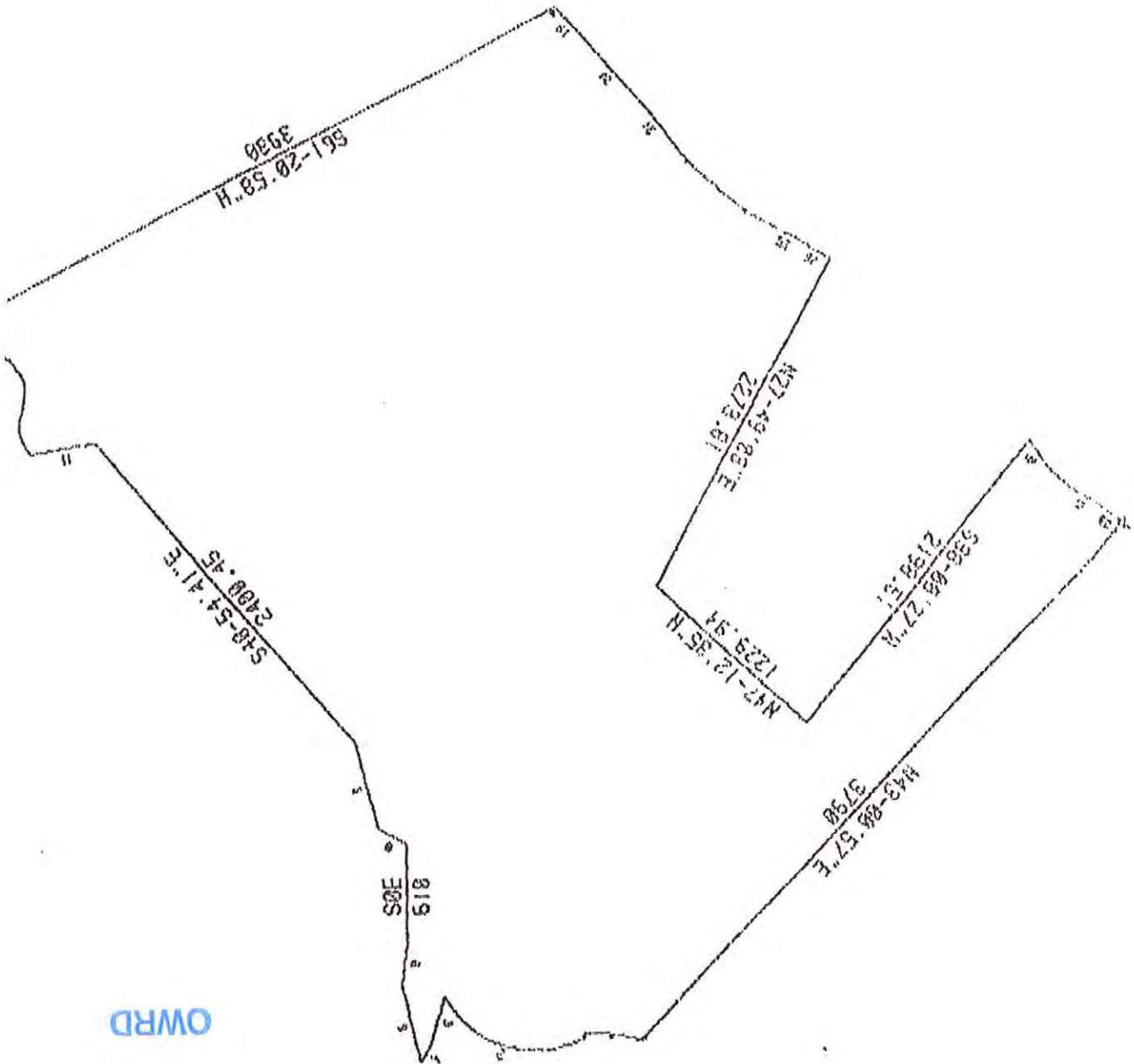
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SEP 04 2020
OWRD

Application for Water Right
Transfer
Consent by Deeded Landowner



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

RECEIVED

SEP 04 2020

OWRD

State of ~~Oregon~~ Washington)
)ss
County of Benton)

I Patrick Tolman in my/our capacity as Vice President, Farmland Reserve, Inc.,
mailing address PO Box 2308 Pasco, WA 99302,
telephone number (509) 734-1195, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number C 39185, C 47648
described in a Transfer Application (T-unknown) submitted by Dave Kauer,
(transfer number, if known)
on the property in tax lot number(s) 200, 506, Section 36, Township 8
South, Range 6 West, W.M., located at not assigned.
(site address)


Signature of Affiant

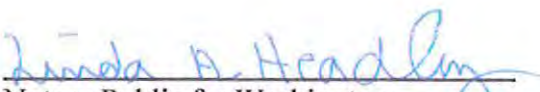
8/31/20
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 31st day of Aug, 2020.




Notary Public for Washington

My commission expires 5/23/23

13520

Application for Water Right
Transfer
Consent by Deeded Landowner



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

State of Oregon Washington)
County of Benton)ss

Received by OWRD

SEP 14 2020

Salem, OR

I Patrick Tolman in my/our capacity as Vice President, Farmland Reserve, Inc.,
mailing address PO Box 2308 Pasco, WA 99302,
telephone number (509) 734-1195, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number C 39185, C 47648
described in a Transfer Application (T-unknown) submitted by Dave Kauer,
(transfer number, if known)
on the property in tax lot number(s) 200, 506, Section 36, Township 8
South, Range 6 West, W.M., located at not assigned.
(site address)

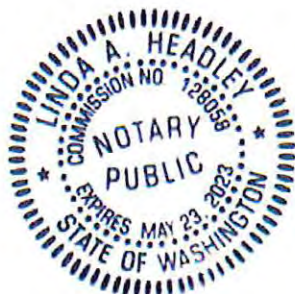

Signature of Affiant

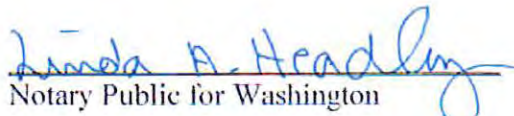
8/31/20
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 31st day of Aug, 2020.




Notary Public for Washington

My commission expires 5/23/23

13520

N.W. CORNER
SAMUEL J. GARDNER
DLC NO. 42

THIS MAP IS FOR ASSESSMENT AND
TAXATION PURPOSES ONLY

SEC. 36 T.8S. R.6W. W.M.
Polk County
1" = 400'

8.6.36

N.E. CORNER
SAMUEL J. GARDNER
DLC NO. 42

N.W. CORNER
WILLIAM BURNS
DLC NO. 58
402
299.21 AC.

See Map 8.6.25

CORNERS
DLC NO. 38

S.E. CORNER
DLC NO. 32

26 | 25
35 | 36

25 | 30
36 | 31

See Map 8.6.35

2-4

Canceled No.

400
403
500
601
604
700

N.E. CORNER
DLC NO. 54

ANGLE CORNER
JOHN CHAMBERLAN
DLC NO. 40

See Map 8.5.31

N.W. CORNER
PRESTON H. BOWMAN
DLC NO. 55

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SEP 04 2020

OWRD

36 | 31
1 | 0

8.6.36

2/20/2020

See Map 9.8.1

13520

N. CORNER
WILLIAM BURNS
DLC NO. 58

2-7

35 | 36
1 | 0

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SEP 04 2020

OWRD

T 8S & 9S, R5W & R6W, W.M.

Riverbend Farm

SECTION 36 WITHIN T8S R6W

SECTION 31 WITHIN T8S R5W

SECTION 1 WITHIN T9S R6W

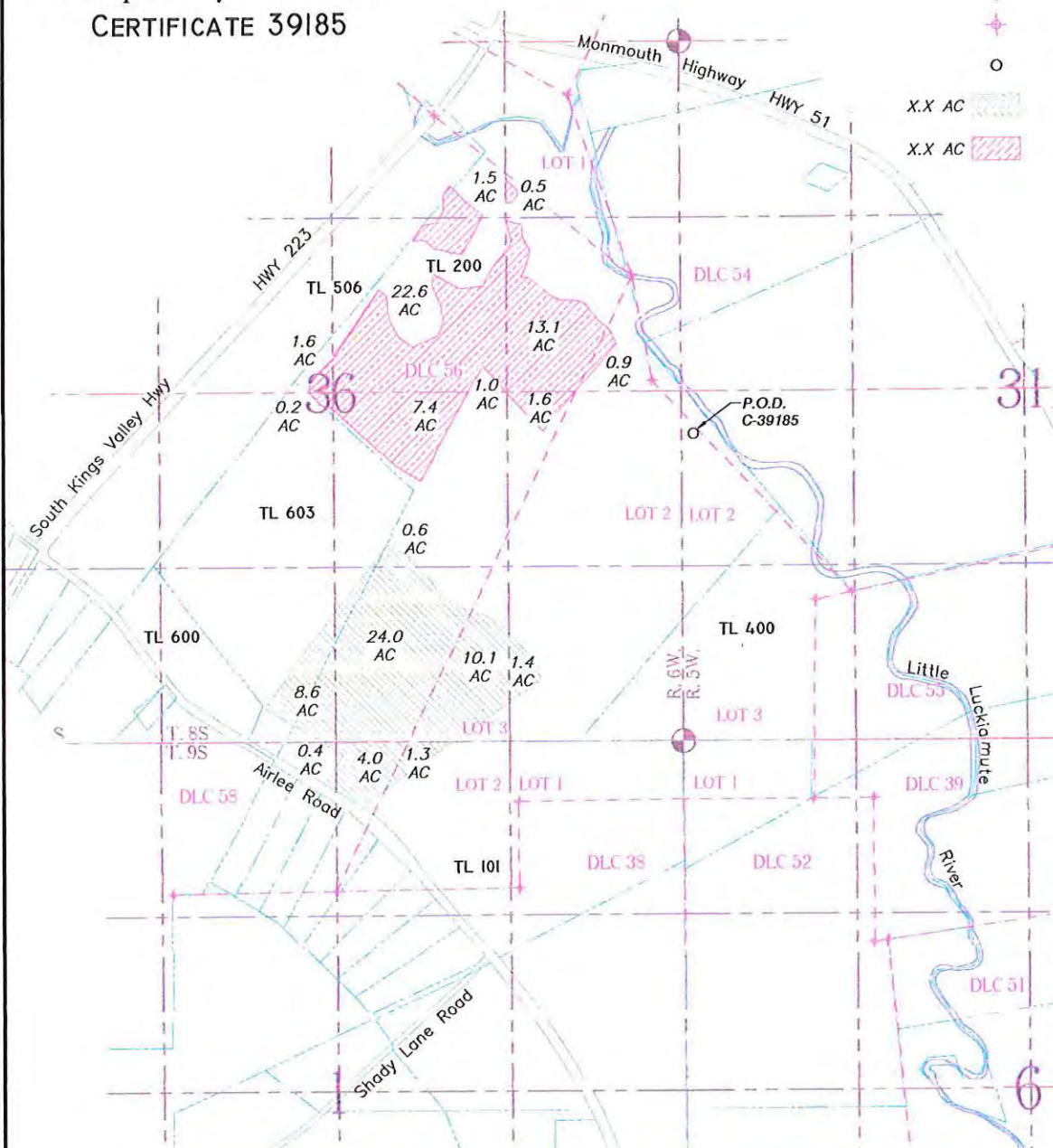
POLK COUNTY

LEGEND

- USGS GRID
- PROPERTY LINE
- DLC BOUNDARY
- ROADWAY
- RAILWAY
- WATER
- ⊕ SECTION CORNER
- ⊕ DLC CORNER
- DIVERSION POINT (P.O.D.)
- X.X AC FROM* ACRES
- X.X AC TO* ACRES

THIS MAP IS NOT
INTENDED TO PROVIDE
LEGAL DIMENSIONS OR
LOCATIONS OF
PROPERTY OWNERSHIP
LINES.

Temporary Transfer
CERTIFICATE 39185



SCALE:
1"=1320'

NOTES

DIVERSION POINT
(P.O.D.) COORDINATES:

P.O.D. IS LOCATED
2330 FT NORTH AND
80 FT EAST FROM
THE SW CORNER OF
SECTION 31.

FILE PATH & NAME: G:\My Drive\PERSONAL\RIVERBEND KAUER FARMS TEMP XFER 2020\R1\KAUER RIVERBEND TT 2 081120.dwg

BK WATER RIGHT CONSULTING
PO Box 13434 Salem, Oregon 97309

Temporary Transfer Application Map - CERT 39185

APPLICATION#: PERMIT#: AMENDMENT#:

SHEET 2 OF 2

13520

T 8S & 9S, R5W & R6W, W.M.

Riverbend Farm

SECTION 36 WITHIN T8S R6W

SECTION 31 WITHIN T8S R5W

SECTION 1 WITHIN T9S R6W

POLK COUNTY

RECEIVED

SEP 04 2020

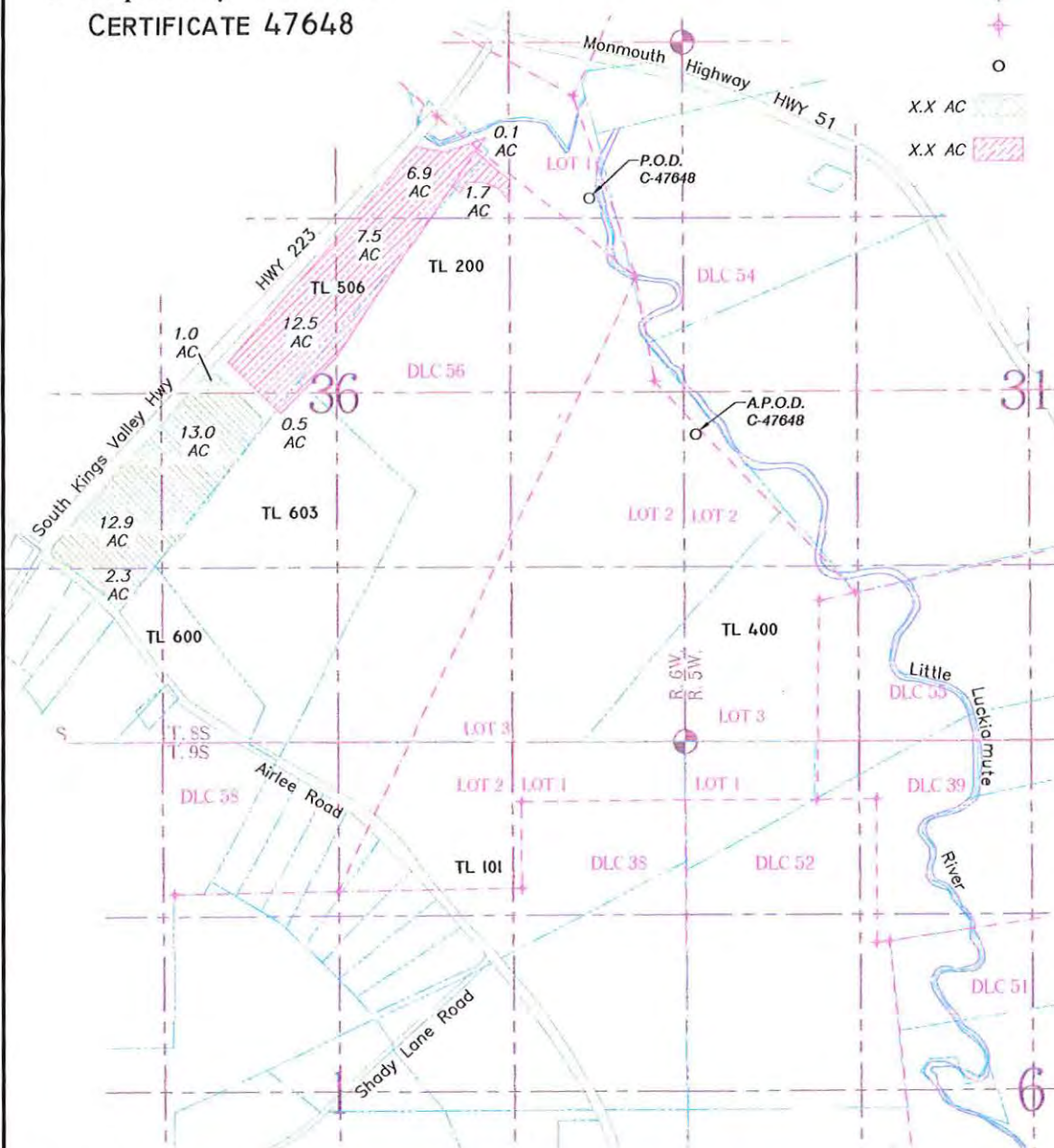
LEGEND

OWRD

- USGS GRID
- PROPERTY LINE
- DLC BOUNDARY
- ROADWAY
- RAILWAY
- WATER
- SECTION CORNER
- DLC CORNER
- DIVERSION POINT (P.O.D.)
- 'FROM' ACRES
- 'TO' ACRES

THIS MAP IS NOT
INTENDED TO PROVIDE
LEGAL DIMENSIONS OR
LOCATIONS OF
PROPERTY OWNERSHIP
LINES.

Temporary Transfer
CERTIFICATE 47648



SCALE:
1"=1320'

NOTES:

DIVERSION POINT
(P.O.D.) AND
ADDITIONAL DIVERSION
POINT (A.P.O.D.)
COORDINATES:

P.O.D. IS LOCATED
1180 FT SOUTH AND
720 FT WEST FROM
THE NE CORNER OF
SECTION 36.

A.P.O.D. IS LOCATED
2330 FT NORTH AND
80 FT EAST FROM
THE SW CORNER OF
SECTION 31.

FILE PATH & NAME: G:\My Drive\PERSONAL\RIVERBEND KAUER FARMS TEMP XFER 2020\R1\KAUER RIVERBEND TT 2 081120.dwg

BK WATER RIGHT CONSULTING
PO Box 13434 Salem, Oregon 97309

Temporary Transfer Application Map - CERT 47648

APPLICATION#:

PERMIT#:

AMENDMENT#:

SHEET 1 OF 2

13520

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

RECEIVED

SEP 04 2020

OWRD

Applicant(s): Dave Kauer/Kauer Family Farms

Mailing Address: 7325 SE Amity Dayton Hwy

City: Amity

State: Oregon Zip Code: 97101

Daytime Phone: 503.835.1006

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:
<u>8 S</u>	<u>6 W</u>	<u>36</u>	_____	<u>200</u>	<u>EFU</u>	☒ Diverted	☒ Conveyed	☒ Used	<u>Irrigation</u>
<u>8 S</u>	<u>6 W</u>	<u>36</u>	_____	<u>506</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>Irrigation</u>

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

Polk County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1.2 ☒ 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:

Transfer water rights to ground that will be planted in high value crop and rehabilitate after being decimated by mice.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

For Local Government Use Only

OWRD

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 uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): PCZO 136.030(A) *No development is proposed Farm Use in EPU*
- ☐ Land uses to be served by the proposed water uses (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
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

* Subject to compliance w/ PCZO 182.040 management plan for conflicting use w/in a riparian setback area if development occurs or vegetation removal.
 * Any non-structural development in the identified floodplain would require a non-structural floodplain development permit.

Name: Eve Adrian Title: Assoc. Planner
 Signature: [Signature] Phone: 503 623 9237 Date: 8/7/2020
 Government Entity: Polk County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

13520

Regular Temporary Water Right Transfer Application Checklist

Checked by Scott

Date 9/9/20 9/14/20

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

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

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

1. Page 1 of application: Are all attachments that have been checked actually included? revd 9/14/20
If not, what is missing? page 1 E.O.U. Att / page 4 sig page both missing
2. Are fees included and correct? \$1283.08
If not, the correct fee would be: \$1253.08 so the amount ^{over}missing is: \$30
3. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?
If not, whose signature is missing? _____
4. Are all listed certificates shown by WRIS as non-cancelled? yes N/c
If not, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.
5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☒ N/A ☐ Form D needed from _____ (district)
6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

page 1 evidence of use affidavit missing
page 4 of app signature page