

Application for Temporary Transfer RENEWAL



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

Check all items included with this application. (N/A = Not Applicable)	
☒	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.
☒	Temporary Transfer to be renewed: T- <u>13252</u> NOTE: For the transfer to be eligible for renewal, the approval of the Temporary Transfer Application must be within the past five (5) years. Please indicate the date the Temporary Transfer was approved: <u>04/27/2022</u> Temporary Transfer Renewal Period (one to five years): Begin Year: <u>2027</u> End Year: <u>2031</u>
☒	Application Fee - Renewal fee required by ORS 536.050. (The fee is the same as the Temporary Transfer 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:	
☒ 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. NOTE: Water right ownership is separate from real property ownership. See attached docs.
☒ 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. NOTE: Attached agreement with water right owner provides consent.
☐ 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

Received by OWRD
JUL 23 2025
Salem, OR

Application for Temporary Transfer RENEWAL
Applicant Information and Signature

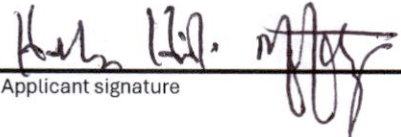
Applicant Information			
APPLICANT/BUSINESS NAME Helen Heidi Affentranger	PHONE NO(S) 503-961-5087	EMAIL ADDRESS haffentranger@gmail.com	
ADDRESS 16971 South Clackamas River Drive	CITY Oregon City	STATE OR	ZIP 97045
DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE. HOWEVER, ANY FINAL ORDER WILL BE SENT BY REGULAR MAIL.			
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. Documents attached.**
- ☐ The person signing this application is doing so on behalf of a public agency, corporation or business, trust, or other organization and must provide evidence of signatory authority or a signed statement that such authority exists must be attached to this application.

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

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

➔


Applicant signature

Helen Heidi Affentranger

Print Name (and Title if applicable)

June 19, 2026

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.			
APPLICANT/BUSINESS NAME Shonee Langford/ Schwabe Williamson & Wyatt, P.C.	PHONE NO(S) 503-540-4261	EMAIL ADDRESS slangford@schwabe.com	
ADDRESS 530 Center St. NE, Suite 730	CITY Salem	STATE OR	ZIP 97301
DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE. HOWEVER, ANY FINAL ORDER WILL BE SENT BY REGULAR MAIL.			
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.			

Received by OWRD

JUL 23 2026

Salem, OR

TACS

4/1/2026

Temporary Transfer Renewal
Page 2

14908 - =

Application for Temporary Transfer RENEWAL STATEMENT



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

State of Oregon)
) SS
County of Clackamas)

Statement of Oath

I/We (or authorized agent), Helen Heidi Affentranger,
Residing at (include city, state, zip) 16971 South Clackamas River Drive, Oregon City, OR 97045,
mailing address (include city, state, zip) same as residence,
telephone no.(s) 503-961-5087, e-mail address haffentranger@gmail.com,
being first duly sworn depose and say:

1. I/We are requesting renewal of Temporary Transfer Application T- 13252;
2. All changes previously approved under the temporary transfer remain the same;
3. The use of water under the previously approved temporary transfer was made in accordance with the terms and conditions of the approval order;
4. All measurement devices required as a condition of the previously approved temporary transfer will remain in place and in good working order; and
5. I/We will continue to comply with all other conditions of the previously approved temporary transfer.

Helen Heidi Affentranger
Affiant Signature

Helen Heidi Affentranger
Printed Name

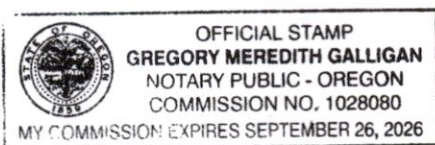
June 19, 2024
Date

Affiant Signature

Printed Name

Date

Subscribed and Sworn to before me this 19 day of June, 20 26.



[Signature]
Notary Public for Oregon

My commission expires 9-26-26.

Received by OWRD

JUL 23 2026

4/1/2026

Salem OR

Temporary Transfer Renewal
Page 3

TACS

14908-

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.

Received by OWRD

JUL 23 2026

Salem, OR

This page intentionally left blank.

Received by OWRD

JUL 23 2026

Salem, OR

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 <u>Heidi Affentranger</u>		PHONE <u>503.961.5087</u>	EMAIL <u>haffentranger@gmail.com</u>	
MAILING ADDRESS <u>16975 Clackamas River Drive</u>		CITY <u>Oregon City</u>	STATE <u>OR</u>	ZIP <u>97045</u>

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>2S</u>	<u>2E</u>	<u>14</u>	<u>NE NE</u>	<u>100? 200</u>		☐ Diverted	☐ Conveyed	☐ Used	<u>Nursery</u>
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

Received by OWRD

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

Clackamas County.
No City.

JUL 23 2026

Salem, OR

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) Clackamas River

Estimated quantity of water needed: _____ ☐ 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:

An existing intake will be re-used, water piped to a holding pond, and pumped to 11.6 acres.

See Page 4 ➔

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): ZDO 401 - Exclusive Farm Use
- ☐ 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.

Notes: The property is zoned EFU and contains crops on the property. Based on the crops located on the property staff presumes it will be used for watering crops or for additional farm uses. Farm Uses are allowed outright in EFU.

Name: Aldo Rodriguez Title: Planner 1

Signature: Aldo Rodriguez Digitally signed by Aldo Rodriguez Date: 2026.07.07 10:18:10 -07'00' Date: 7/7/2026

Government Entity: Clackamas County Phone: 503-742-4541

From: [Langford, Shonee D.](#)
To: ["COURCHANE Corey A * WRD"](#)
Cc: [LANDVOIGT Amy J * WRD](#); [JARAMILLO Lisa J * WRD](#); ["STARNES Patrick K * WRD"](#); ["Heidi Affentranger"](#)
Subject: RE: Helen Heidi Affentranger, T-13252 [IWOV-pdx.FID4764540]
Date: Wednesday, February 16, 2022 4:13:34 PM
Attachments: [13252-def-ltr-2022.pdf](#)
[Consent from Water Right Owner.pdf](#)
[OR Property Information Report - 12011319 2.PDF.pdf](#)

Corey,

We would like to start by addressing items 1 and 4 of the attached deficiency letter. The situation is a bit unusual, and I want to make sure we're all on the same page.

On September 10, 2014, OWRD approved Ms. Affentranger's application for temporary transfer T-11240, which was in effect for the irrigation seasons of 2015-2019. Ms. Affentranger is now seeking approval of an identical temporary transfer for another five years. If there are any differences between T-11240 and this application, they are unintentional and we will amend the pending application as may be needed to address them (I haven't had a chance to carefully compare the applications yet). The "from" and "to" lands are intended to be the same as before.

For prior transfer T-11240, the department accepted the applicant's agreement with DR Horton and affiliated entity DRH Energy, Inc. (copy attached), together with the attached property information report, as sufficient proof of ownership and consent to the transfer. We note that as of 10/18/2012, the attached property report confirmed that **DRH Energy, Inc. had severed and reserved ownership of the water rights separate from the underlying real property**. As owner of the water rights, DRH Energy then entered into the attached agreement with Ms. Affentranger, which expressly authorizes her to use the 11.6 acres of water rights indefinitely, and to continue applying for temporary transfers so long as the agreement is in effect.

Since then, a subdivision has been built on the "from" lands. Our understanding is that DRH Energy, Inc. still owns the water rights separate from the real property, and those rights were never conveyed to any of the individual landowners within the subdivision. If this were a permanent transfer, we would submit the attached documentation as "other documentation demonstrating that the applicant is authorized to pursue the transfer" pursuant to OAR 690-380-4010(5)(c)(C).

With that understanding, we respectfully request that the department accept the attached documentation as proof of DRH Energy, Inc.'s ownership of the water rights and consent to the transfer. Please let us know if that will work, as it did for T-11240.

Sincerely,

Shonee

Shonee Langford

Of Counsel

D: 503-540-4261

C: 503-807-2082

Received by OWRD

JUL 23 2026

Salem, OR

14908 -

slangford@schwabe.com

SCHWABE, WILLIAMSON & WYATT

CLIENT SHOWCASE | INNOVATING FOR GOOD

From: COURCHANE Corey A * WRD <Corey.A.COURCHANE@water.oregon.gov>
Sent: Wednesday, February 9, 2022 8:31 AM
To: haffentranger@gmail.com; Langford, Shonee D. <SLangford@SCHWABE.com>
Cc: LANDVOIGT Amy J * WRD <Amy.J.LANDVOIGT@water.oregon.gov>
Subject: Helen Heidi Affentranger, T-13252

Good morning,

Please see attached, and let me know if I may be of further assistance.

Thank you,

Corey Courchane

**COREY A COURCHANE | TRANSFER SPECIALIST
TRANSFER AND CONSERVATION SECTION**

Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301

Work cell: 503 979-3917 | Fax: 503 986-0901

Email: corey.a.courchane@water.oregon.gov | Web: <http://www.oregon.gov/OWRD>

Received by OWRD

JUL 23 2026

Salem, OR

14908 -



WFG National Title Insurance Company
a Williston Financial Group company

Title Department
12909 SW 68th Pkwy, Suite 350
Portland, OR 97223
Phone (503) 431-8500 Fax (503) 684-2978

PROPERTY INFORMATION REPORT

Date: October 18, 2012

File No.: 12011319

Property Address: Legal: 22E12 SW Lt2, 559.3' N and 423.3" W S 1/4 COR Sec. 12, 2, 2E, , OR

Oregon Water Resources Department
Patrick Starnes
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Fax:

Your Reference: Transfer Application T-11240

REPORT FEE: \$200.00

The information contained in this report is furnished by WFG National Title Company (the "Company") as an information service based on the records and the indices maintained by the Company for the county identified below. This report is not to be considered as title insurance nor is it a preliminary title report issued for the purpose of title insurance. No examination has been made of the Company's records, other than as specifically set forth in this report. **The effective date of this report is June 13, 2012**

REPORT FINDINGS

- A. The land referred to in this report is located in the county of Clackamas State of Oregon, and is described as follows:

SEE ATTACHED EXHIBIT "A"

- B. As of the Effective Date and according to the last deed of record, we find the title to the land to be vested as follows:

DRH Energy, Inc., a Colorado corporation as to the oil rights, mineral rights, natural gas rights, rights to all other hydrocarbons by whatsoever name known, geothermal heat rights or rights in geothermal substances, water rights and claims or rights to water and all products derived from any of the foregoing; and D.R. Horton, Inc.-Portland, a Delaware corporation as to the remainder, as to Parcel I

and

Linda B. Talbert, as to Parcel II

and

Terry W. Emmert, as to Parcel III

and

Lot 145, LLC, an Oregon limited liability company, as to Parcel IV

- C. As of the Effective Date and according to the Public Records, the Land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:

1. Unpaid Taxes for 2012-2013

Levied Amount	:	\$50,561.73, plus interest and fees, if any
Property ID No.	:	05015192
Levy Code	:	012-235
Map Tax Lot No.	:	22E12-00104

2. Unpaid Taxes for 2012-2013

Levied Amount	:	\$17,020.32, plus interest and fees, if any
Property ID No.	:	05015193
Levy Code	:	012-149
Map Tax Lot No.	:	22E12-00194

3. Unpaid Taxes for 2012-2013

Levied Amount	:	\$3,512.19, plus interest and fees, if any
Property ID No.	:	00481687
Levy Code	:	012-195
Map Tax Lot No.	:	22E12-00101

4. Unpaid Taxes for 2012-2013

Levied Amount	:	\$6,241.91, plus interest and fees, if any
Property ID No.	:	01509709
Levy Code	:	012-237
Map Tax Lot No.	:	22e12-00102

5. Unpaid Taxes for 2009-2010

Levied Amount	:	\$5,271.39, plus interest and fees, if any
Property ID No.	:	05019326
Levy Code	:	012-149
Map Tax Lot No.	:	22E12D-01700

 Unpaid taxes for 2010-2011

Levied Amount	:	\$5,289.18, plus interest and fees, if any
---------------	---	--

 Unpaid taxes for 2011-2012

Levied Amount	:	\$5,215.21, plus interest and fees, if any
---------------	---	--

 Unpaid taxes for 2012-2013

Levied Amount	:	\$4,640.60, plus interest and fees, if any
---------------	---	--

EXHIBIT "A"

Parcel I:

Tract "E" Windswept Waters, in Section 12, Township 2 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon.

Parcel II:

A tract of land in Section 12, Township 2 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, being a portion of that tract conveyed to Howard S. Jansik and Lorrain P. Jansik, his wife, by Deed recorded in Book 533, page 112 and 113, Deed Records of Clackamas County, and being further described as lying within the following described boundary:

Beginning at an iron rod in the Northerly line of the above mentioned Jansik tract, that is North 74°37' East, a distance of 1373.4 feet from the most Westerly corner of said Jansik tract; thence South 20°56' East, a distance of 132.53 feet to an iron rod; thence North 69°04' East, a distance of 53.25 feet to an iron rod; thence continuing North 69°04' East, a distance of 300 feet, more or less, to the Easterly line of the above mentioned Jansik tract; thence Northwesterly along the Easterly line of the Jansik tract to the Northwest corner thereof; thence South 74°37' West, along the Northerly line of the Jansik tract, 345 feet, more or less to the point of beginning.

TOGETHER WITH an easement for road and utility purposes 18.00 feet in width, the centerline of which is the Southerly line of the above described tract.

EXCEPTING therefrom that portion thereof lying within Market Road No. 39.

Parcel III:

A tract of land in Section 12, township 2 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, being a portion of that tract described in Deed to Howard S. Jansik and Lorraine P. Jansik, husband and wife, recorded November 12, 1956 in Book 533, page 112 and 113, Deed Records of Clackamas County, and being further described as lying within the following described boundary:

Beginning at an iron rod in the Northerly line of the above mentioned Jansik Tract, that is North 74°37' East, 1373.4 feet from the most Westerly corner of said Jansik Tract, said point being the most Westerly corner of the parcel described in Warranty Deed to Robert E. Brittner and Ingeborg Brittner, recorded October 22, 1970 as Fee No. 70023944; thence along the Southwesterly line of said Brittner parcel, South 20°56' East, 132.53 feet to an iron rod at the most Southerly corner of said Brittner parcel; thence along the Southeasterly line of said Brittner parcel North 69°04' East, 34.47 feet to an iron rod and the true point of beginning of the parcel herein being described; thence South 05°21'53" West, 380.42 feet to an iron rod; thence North 86°56'27" East, 296.62 feet to an iron rod; thence North 26°01'57" East, 163.62 feet to an iron rod; thence North 69°46'27" East, 142.48 feet to an iron rod in the Southwesterly right of way line of Oregon State Highway No. 224; thence along said Southwesterly Highway right of way line, North 30°18'31" West, 326.57 feet to said Brittner Southwesterly line; thence along said Brittner Southwesterly line, South 69°04' West, 322.65 feet to the true point of beginning.

Parcel IV:

Lot 145, Rim at Windswept Waters, in the County of Clackamas and State of Oregon.



SCHWABE, WILLIAMSON & WYATT®
ATTORNEYS AT LAW

Equitable Center, 530 Center St., NE, Suite 400, Salem, OR 97301 | Phone 503.540.4262 | Fax 503.399.1645 | www.schwabe.com

MARTHA O. PAGEL

Admitted in Oregon and Washington

Direct Line: Salem 503-540-4260; Portland 503-796-2872

E-Mail: mpagel@schwabe.com

June 18, 2014

Christian Scott
DR Horton
4380 SW Macadam Ave Ste 100
Portland, OR 97239

Re: Agreement for Use of Water Rights
Our File No.: 125996-190303

Dear Chris:

Thank you for your on-going assistance in working with our client, Ms. Heidi Affentranger, to develop an arrangement by which Ms. Affentranger may use a portion of water rights held by DR Horton, through DRH Energy, Inc. (together, "DR Horton"). This letter is in response to your recent email and our phone conversation requesting certain clarifying changes in the letter agreement I sent to you on May 13, 2014.

As described further below, we understand DR Horton is willing to allow Ms. Affentranger to use a portion of Certificate of Water Right No. 29328 for an indefinite period of time, without charge, so long as the water right can be returned to DR Horton in the future. In return, Ms. Affentranger can provide some assistance to DR Horton by helping to protect and preserve the water right, as required by Oregon law. Following is additional background and a summary of the proposed terms and conditions for the agreement:

Background

Ms. Affentranger owns real property adjacent to the Clackamas River in Township 2 South, Range 2 East, Section 14, WM, in Clackamas County, Oregon. DR Horton developed the real property known as Windswept Waters located in Township 2 South, Range 2 East, Section 12, in Clackamas County, Oregon. Both properties are shown on the attached aerial photo (Exhibit 1). My research indicates that DRH Energy, Inc. holds certain water rights appurtenant to the Windswept Waters property, identified as Certificate of Water Right No. 29328 (the "Water Right") issued by the Oregon Water Resources Department and as reflected in the deed records of Clackamas County.

Portland, OR 503.222.9981 | Salem, OR 503.540.4262 | Bend, OR 541.749.4044 | Eugene, OR 541.686.3299
Seattle, WA 206.622.1711 | Vancouver, WA 360.694.7551 | Washington, DC 202.488.4302

PDX\125996\190303\MOP\13851320.3

14908 -

Received by OWRD

JUL 23 2026

Salem, OR

The Water Right was originally issued by OWRD in 1962 to Howard Jansek, a predecessor in interest to DR Horton. The Water Right authorizes withdrawal of water from the Clackamas River for irrigation of 49.2 acres on the Windswept Waters property, but the company does not currently have a need for irrigation.

Ms. Affentranger has a need for water rights to support a small farm operation on her property, but she is unable to obtain new water rights from OWRD because of current rules and restrictions that prohibit new irrigation diversions from the Clackamas River. Before learning of DR Horton's ownership interest in the property, Ms. Affentranger received authorization from a representative of the Jansek family to permanently move 11.6 acres of the Water Right from portions of the Windswept Waters property to her property, by filing a transfer application with OWRD. The transfer application also requests an additional point of diversion to allow Ms. Affentranger to withdraw water from the river at a location on her own property, without the need for access to the existing point of diversion on the Windswept Waters property. A "transfer" is the legal process by which OWRD may authorize a change in the type of use, location of use or point of diversion for an existing water right. In the course of pursuing the transfer application, Ms. Affentranger learned of DR Horton's ownership of the land and Water Right. She then contacted DR Horton representatives in an attempt to purchase a portion of the Water Right and continue with the transfer application process. A formal purchase proposal was submitted to DR Horton by letter dated March 13, 2013.

After considering Ms. Affentranger's proposal DR Horton determined it does not desire to sell and permanently transfer any portion of the Water Right, but would be willing to allow Ms. Affentranger to use 11.6 acres of the Water Right, without charge, for an indefinite period of time, subject to the terms and conditions described below. Under this plan, Ms. Affentranger will withdraw the permanent transfer application previously filed with OWRD, and will submit instead an application for a temporary transfer. A "temporary transfer" is the legal process by which OWRD may authorize a change in the location of use and point of diversion for an existing water right for up to five years at a time. A temporary transfer may be renewed indefinitely for successive five-year periods, or may be terminated prior to the end of a five-year term with appropriate notice to OWRD. Upon termination of a temporary transfer, the water right reverts to its original terms and conditions regarding the location of use and point of diversion. In return, Ms. Affentranger will assist DR Horton in maintaining and protecting the Water Right by demonstrating on-going beneficial use for the 11.6 acres, as required by OWRD.

Terms and Conditions

1. DR Horton will allow Ms. Affentranger ("User") to use the 11.6 acres of water rights, without charge, under the authorization of a temporary transfer, as approved by OWRD, subject to the terms and conditions described in this letter agreement ("Agreement").
2. User will be responsible for withdrawing the pending permanent transfer application filed with OWRD in 2011 (Transfer Application T-11240) and for filing a new temporary transfer application, along with any subsequent renewal

SW

applications, to authorize a change in the location of use and point of diversion for use of the 11.6 acres to be modified. User will bear all costs of obtaining approval of the applications during the term of this Agreement. DR Horton hereby grants consent for User to file the temporary transfer application and subsequent renewal applications with OWRD, as may be needed for as long as this Agreement is in effect.

3. DR Horton may terminate this Agreement and temporary transfer then in effect by providing 90 days written notice to User. Upon receipt of such written notice, User will make arrangements with OWRD to terminate the temporary transfer authorization by the end of the 90-day notice period, thereby restoring the original terms and conditions of the Water Right for DR Horton. User will bear all costs of terminating the temporary transfer. Further, User's right to divert and use water under this Agreement shall cease upon the earlier of (a) 90 days after receipt of written notice from DR Horton, (b) User's voluntary discontinuance and abandonment of the use of water, and (c) any final determination by OWRD of non-compliance by Ms. Affentranger with the terms of the temporary transfer order.
4. During the term of this Agreement and for a period of one year following termination of the Agreement, User agrees to indemnify and defend DR Horton and its agents, employees, owners, officers and directors, as well as insurers and sureties, from any and all liability, loss, damage, causes of action, claims, or judgments (including attorney fees) because of injury or death to any person, including DR Horton employees, or damage to any property, or any costs DR Horton incurs to terminate the temporary transfer if User fails to complete her obligations under Paragraph 3 of this Agreement, or any other liability or claims against DR Horton that may occur or may be alleged to have occurred, arising out of User's use of water under this Agreement, which arise as a result of the acts or omissions of User or its servants, agents, and employees, except that in no instance shall User be required to indemnify DR Horton against liability for damages arising out of death or bodily injury to persons or damage to property caused in whole or in part by the gross negligence of DR Horton.
5. Any remedies to User for liability or claims against DR Horton that may occur or may be alleged to have occurred, arising out of the use of water under this Agreement shall be limited to actual damages, not to exceed \$1,000.
6. DR Horton makes no representations or warranties as to ownership of the Water Right.

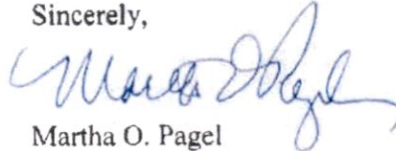
SW

Christian Scott
June 18, 2014
Page 4

To confirm DR Horton's acceptance of this Agreement, we ask that an authorized representative sign a copy of this letter in the space provided below, and return a copy of the signed Agreement to me.

Thank you, again, for your assistance in Ms. Affentranger's quest to find water rights for her small farm irrigation needs. We very much appreciate DR Horton's cooperation.

Sincerely,

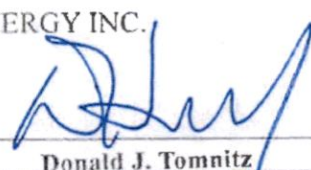


Martha O. Pagel

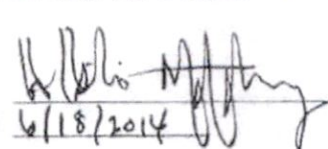
MOP:kdo
Enclosure
cc: Heidi Affentranger

AGREED AND ACCEPTED

DRH ENERGY INC.

By: 
Its: Donald J. Tomnitz
Date: June 30, 2014
President and CEO

HEIDI AFFENTRANGER

By: 
Date: 6/18/2014

SW



Google earth

feet 4000
km 1



EXHIBIT 1

14908 -

From: [SMITH Joan M * WRD](#)
To: [Langford, Shonee D.](#)
Subject: RE: Temporary Transfer Application T-13252 [IWOV-pdx.FID4764540]
Date: Thursday, March 17, 2022 11:04:23 AM
Attachments: [image004.jpg](#)
[image001.jpg](#)

Shonee, I read through the documents you provided, and I am accepting them as proof and moving forward with an approval at this point. I am still digging into the other items.

Joan

Joan Smith
Transfer Specialist
503-986-0892



From: Langford, Shonee D. <SLangford@SCHWABE.com>
Sent: Thursday, March 17, 2022 11:00 AM
To: SMITH Joan M * WRD <Joan.M.SMITH@water.oregon.gov>
Subject: RE: Temporary Transfer Application T-13252 [IWOV-pdx.FID4764540]

Thank you Joan. I'm looking forward to working with you. As you'll see, I posed a question relating to ownership of the water rights and landowner consent, and have been waiting for the department's response before we address other issues raised in Corey's deficiency letter.

Shonee

Shonee Langford

Of Counsel

D: 503-540-4261

C: 503-807-2082

slangford@schwabe.com

SCHWABE, WILLIAMSON & WYATT

CLIENT SHOWCASE | INNOVATING FOR GOOD

From: SMITH Joan M * WRD <Joan.M.SMITH@water.oregon.gov>
Sent: Wednesday, March 16, 2022 11:22 AM
To: Langford, Shonee D. <SLangford@SCHWABE.com>
Subject: Temporary Transfer Application T-13252

Shonee, I inherited this file and would like to complete it as soon as possible. I may contact you if I

Received by OWRD

JUL 23 2026

Salem. OR

14908 -

have any questions.

Joan

JOAN M. SMITH | TRANSFER SPECIALIST

TRANSFER & CONSERVATION SECTION

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0892

6025_OWRD_OREGON Logo_2017-COLOR



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

NOTICE: This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

14908 -

Received by OWRD

JUL 23 2026

Salem, OR



July 22, 2026

Shonee D. Langford
Admitted in Oregon, Washington and
Utah
D: 503-540-4261
C: 503-807-2082
slangford@schwabe.com

VIA UPS OVERNIGHT DELIVERY

Oregon Water Resources Department
725 Summer Street N.E., Suite A
Salem, OR 97301-1271

RE: Application for Temporary Transfer Renewal – T-13252
Our File No.: 125996-190303

Ladies and Gentlemen:

Enclosed for filing on behalf of Heidi Affentranger is an Application for Temporary Transfer Renewal and supporting documents, for renewal of previously-approved Temporary Transfer T-13252.

As of June 13, 2012, the ownership of this water right had been severed from ownership of the underlying real property. Then, on June 30, 2014, the owner of the water right entered into an agreement authorizing the applicant to file a temporary transfer application and subsequent renewal applications. The attached application includes copies of supporting documentation previously submitted to OWRD in connection with T-13252.

Please do not hesitate to call me with any questions, and thank you for your attention to this matter.

Best regards,

Shonee D. Langford

SDL:asc
Enclosure

Received by OWRD
JUL 23 2026
Salem, OR