

Application for Water Right Temporary Transfer



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

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

Part 1 of 4 – Temporary Transfer Application Minimum Requirements Checklist

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Completed Applicant Information and Signature. **NOTE: If the applicant is a public agency, corporation or business, trust, or other organization, the title or authority of the person who signs the application on behalf of the entity and evidence of signatory authority or a signed statement that such authority exists must be included.**
- ☒ Part 4 – Information about Transferred Water Rights/Determined Claims: How many water rights/determined claims are to be transferred? 1
List them here: Cert. 33868
Please include a separate Part 4 for each water right. **NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.**
Temporary Transfer Period (one to five years) Begin Year: 2027 **End Year:** 2031

- ☒ **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_fee

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Required Attachments:

- ☒ Completed Temporary Transfer Application Map.
- ☒ YES ☐ N/A Completed Evidence of Use Affidavit and supporting documentation.
- ☒ YES ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. **NOTE: This form is not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.)**
- ☒ Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- ☒ YES ☐ N/A Affidavit(s) of Consent from Deeded Landowner(s) or Deeded Water Right Holder(s) **NOTE: only if the applicant does not own the land on which the water right is located or if the water right was severed from the land and conveyed separately to other individuals/ entities.**
- ☐ YES ☒ N/A Supplemental Form D –water rights/claims proposed for transfer are or will be located within or served by an irrigation or other water district AND the district **is not** the applicant

Required Groundwater Attachments:

- ☐ YES ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ YES ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

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

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

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

Applicant Information

APPLICANT/BUSINESS NAME Blue Heaven Properties, LLC	PHONE NO(S) 503-932-1180	EMAIL ADDRESS breymanfarms@aol.com	
ADDRESS PO Box 607	CITY Independence	STATE OR	ZIP 97351

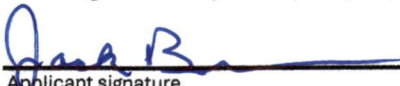
DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE.

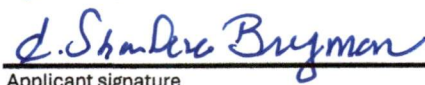
IMPORTANT NOTE - Electronic forms of documents: Beginning on April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system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

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

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

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

→ 
Applicant signature


Applicant signature

JACK BREYMAN
Print Name (and Title if applicable)

E. Shurlene Breyman
Print Name (and Title if applicable)

9-21-26
Date

9-21-26
Date

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

AGENT/BUSINESS NAME Will McGill Surveying, LLC	PHONE NO(S) 503-931-0210	EMAIL ADDRESS grant@mcgillwaterrights.com	
ADDRESS 15333 Pletzer Rd. SE	CITY Turner	STATE OR	ZIP 97392

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

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

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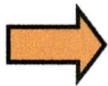
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- ☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. **NOTE: Complete Supplemental Form D.**

IRRIGATION DISTRICT NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL
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- ☐ Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

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

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

ENTITY NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL
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PROPOSED CHANGES

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

NOTE: A change in Place of Use is Required.

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

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

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

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

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

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

It is proposed to move Cert. 33868 to cover crops on TL 200 with a better priority date and protect them from regulations. Cert. 41566 will be layered on the "To" lands, but will just remain unused in its current place of use until Cert. 33868 reverts back to the original POU.

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

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

WATER RIGHT CERTIFICATE# 33868

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

System capacity: 1.3 ☒ Cubic Feet per Second (CFS) ☐ Gallons Per Minute (GPM) ☐ Acre-Feet (AF)

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

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

25 HP centrifugal pump delivered water through 5" aluminum mainline to 3" handlines with 25 rainbird impact sprinklers.

Amount proposed for transfer: 0.37 ☒ CFS ☐ GPM ☐ AF

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

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

- Name of Decree: _____

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

- Permit # S-27290 and the name(s) appearing on the permit: Donald E Brostrom

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

Special Order Volume # _____, Page # _____

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

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

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

Authorized POA/POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Brostrom POD	9	S	6	W	24	SE	SW	49

Measured Distances (from a recognized survey corner)

1850' S and 740' W from the NE corner, DLC 49

If authorized point is groundwater:

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

AND/OR

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

OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate if less than full rate of water right	☐ CFS ☐ GPM
L-									

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Part 4 of 4 continued – Temporary Transfer Application

Authorized POD/POA - Table 1A Continued

WATER RIGHT CERTIFICATE # 33868

Authorized POA/POD Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot		
Measured Distances (from a recognized survey corner)								
If authorized point is groundwater: ☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate if less than full rate of water right
L-								☐ CFS ☐ GPM
Measured Distances (from a recognized survey corner)								
If authorized point is groundwater: ☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate if less than full rate of water right
L-								☐ CFS ☐ GPM
Measured Distances (from a recognized survey corner)								
If authorized point is groundwater: ☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate if less than full rate of water right
L-								☐ CFS ☐ GPM
Measured Distances (from a recognized survey corner)								
If authorized point is groundwater: ☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate if less than full rate of water right
L-								☐ CFS ☐ GPM

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

WATER RIGHT CERTIFICATE # 33868

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

Proposed POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
POD A	9	S	5	W	19	SE	NE	70

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

Measured Distances (from a recognized survey corner)

1530' S and 740' W from the NE corner, section 19

Fish Screen Information:

☐ Yes ☒ No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532

If Yes, please submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter.

Additional Information/Remarks:

POD A is screened, but an approval letter has not been required.

Proposed POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot

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

Measured Distances (from a recognized survey corner)

Fish Screen Information:

☐ Yes ☐ No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532

If Yes, please, submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter.

Additional Information/Remarks:

Proposed POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot

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

Measured Distances (from a recognized survey corner)

Fish Screen Information:

☐ Yes ☐ No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532

If Yes, please, submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter.

Additional Information/Remarks:

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

WATER RIGHT CERTIFICATE # 33868

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

Proposed POA/APOA(s) Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot

Measured Distances (from a recognized survey corner) Type of Change (from Page 4): ☐ POA or ☐ APOA

- ☐ Well log attached and associated with the well described above **and** on the accompanying application map.
AND/OR
☐ No well log is available - construction of the authorized well is provided in table below.

OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate if less than full rate of water right
L-								☐ CFS ☐ GPM

Proposed POA/APOA(s) Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot

Measured Distances (from a recognized survey corner) Type of Change (from Page 4): ☐ POA or ☐ APOA

- ☐ Well log attached and associated with the well described above **and** on the accompanying application map.
AND/OR
☐ No well log is available - construction of the authorized well is provided in table below.

OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate if less than full rate of water right
L-								☐ CFS ☐ GPM

Proposed POA/APOA(s) Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot

Measured Distances (from a recognized survey corner) Type of Change (from Page 4): ☐ POA or ☐ APOA

- ☐ Well log attached and associated with the well described above **and** on the accompanying application map,
AND/OR
☐ No well log is available - construction of the authorized well is provided in table below.

OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate if less than full rate of water right
L-								☐ CFS ☐ GPM

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

CERTIFICATE# 33868

WATER RIGHT CERTIFICATE# 33868

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

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

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

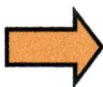
NOTE: List only that part or portion of the Water Right Certificate that will be changed.

[illegible]

Additional remarks:

For Place of Use - Irrigation Water Rights ONLY

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



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

**Part 4 of 4 continued – Temporary Transfer Application
Proposed POU "TO" LANDS**

WATER RIGHT CERTIFICATE# 33868

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

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

Proposed POD/APOD(s) or POA/APOA(s) Name(s) from Table 1B (SW or GW)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot	Acres	Authorized Use	Priority Date
POD A	9	S	5	W	19	SE	NE	70	17.9	Irrigation	4/3/1961
POD A	9	S	5	W	19	NE	SE	70	2.3	Irrigation	4/3/1961
POD A	9	S	5	W	20	NW	NW	70	0.6	Irrigation	4/3/1961
POD A	9	S	5	W	20	SW	NW	70	9.0	Irrigation	4/3/1961
TOTAL ACRES									29.8		

Additional remarks:

Cert. 41566 will be layered on the "To" lands, but will just remain unused in its current place of use until Cert. 33868 reverts back to the original POU.

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Business Registry Business Name Search

[New Search](#)

Business Entity Data

09-19-2023

09:14

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
696865-83	DLLC	ACT	OREGON	06-21-1999	06-21-2024	
Entity Name	BLUE HEAVEN PROPERTIES, LLC					
Foreign Name						

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[New Search](#)

Associated Names

Salem, OR

Type	PPB	PRINCIPAL PLACE OF BUSINESS		
Addr 1	6985 RIVERSIDE DR S			
Addr 2				
CSZ	SALEM	OR	97306	Country UNITED STATES OF AMERICA

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

for general information about registered agents and service of process.						
Type	AGT	REGISTERED AGENT	Start Date	07-05-2019	Resign Date	
Of Record	1224169-93	SG CORPORATE SERVICES, LLC				
Addr 1	250 CHURCH ST SE STE 200					
Addr 2						
CSZ	SALEM	OR	97301	Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS		
Addr 1	PO BOX 607			
Addr 2				
CSZ	INDEPENDENCE	OR	97351	Country UNITED STATES OF AMERICA

Type	MGR	MANAGER			Resign Date	
Name	DAVID	J	BREYMAN	JR		
Addr 1	PO BOX 607					
Addr 2						
CSZ	INDEPENDENCE	OR	97351	Country	UNITED STATES OF AMERICA	

Type	MGR	MANAGER			Resign Date	
Name	E	SHARLENE	BREYMAN			
Addr 1	PO BOX 607					
Addr 2						
CSZ	INDEPENDENCE	OR	97351	Country	UNITED STATES OF AMERICA	

AFTER RECORDING RETURN TO:

Lane P. Shetterly
PO Box 105
Dallas, OR 97338

SEND TAX STATEMENTS TO:

Donald E. Brostrom and Frances E.
Brostrom, Trustees of The Donald E.
Brostrom and Frances E. Brostrom Trust
16804 Maple Grove Rd.
Monmouth, OR 97361

CONSIDERATION: \$0.00

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9624 300

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Salem, OR

Space for Recording Label

RECORDED IN POLK COUNTY
Valerie Unger, County Clerk

2021-004643



\$101.00

00396129202100046430030030

03/16/2021 10:10:03 AM

REC-WD Cnt=1 Stn=1 K. WILLIAMS
\$15.00 \$10.00 \$11.00 \$60.00 \$5.00

SPECIAL WARRANTY DEED

Donald E. Brostrom and Frances E. Brostrom, Grantors, convey and warrant to The Donald E. Brostrom and Frances E. Brostrom Trust, Donald E. Brostrom and Frances E. Brostrom, Trustees, Grantees, the following described real property, located in Polk County, Oregon, free of encumbrances except as specifically set forth herein, to wit:

See Exhibit A

Grantors covenant that Grantors are seized of an indefeasible estate in the real property described above in fee simple, that Grantors have good right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantors warrant and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantors, provided that the foregoing covenants are limited to the extent of coverage available to Grantors under any applicable standard or extended policies of title insurance, it being the intention of the Grantors to preserve any existing title insurance coverage.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8,

OREGON LAWS 2010.

There is no consideration for this conveyance.

DATED: March 15, 2021.

Received by OWRD
SEP 21 2026
Salem, OR

Donald E. Brostrom
Donald E. Brostrom

Frances E. Brostrom
Frances E. Brostrom

STATE OF OREGON,)
) ss.
County of Polk.)

The foregoing instrument was acknowledged before me this 15th day of March, 2021, by Donald E. Brostrom.



Sarah Anna Buhler
NOTARY PUBLIC FOR OREGON

STATE OF OREGON,)
) ss.
County of Polk.)

The foregoing instrument was acknowledged before me this 15th day of March, 2021, by Frances E. Brostrom.



Sarah Anna Buhler
NOTARY PUBLIC FOR OREGON

H:\Wills&TrustsA-M\L\BrostromDonaldFrances\SpecialWarrantyDeed.wpd

EXHIBIT A

LEGAL DESCRIPTION:

BEGINNING AT AN IRON PIPE ONE-HALF INCH IN DIAMETER 18 INCHES LONG IN THE MIDDLE OF THE OLD COUNTY ROAD AT 16.22 CHAINS SOUTH AND 13.25 CHAINS WEST OF THE NORTH EAST CORNER OF THE JOHN M. ZUMWALT AND WIFE DONATION LAND CLAIM, NOTIFICATION NO. 5076, CLAIM NO. 49, IN SECTION 24 OF TOWNSHIP 9 SOUTH, RANGE 6 WEST OF THE WILLAMETTE MERIDIAN IN POLK COUNTY, OREGON; THENCE WEST A DISTANCE OF 11.27 CHAINS TO AN IRON PIPE ONE-HALF INCH IN DIAMETER, 18 INCHES IN THE GROUND; THENCE SOUTH A DISTANCE OF 11.00 CHAINS TO A ONE-HALF INCH IRON PIPE; THENCE NORTH 89° 18' EAST A DISTANCE OF 2.05 CHAINS TO A ONE-HALF INCH IRON PIPE; THENCE NORTH 1° 23' EAST A DISTANCE OF 4.78 CHAINS TO AN IRON PIPE ONE-HALF INCH IN DIAMETER; THENCE NORTH 89° 57' EAST A DISTANCE OF 9.10 CHAINS TO A ONE-HALF INCH IRON PIPE; THENCE NORTH A DISTANCE OF 6.24 CHAINS TO THE PLACE OF BEGINNING.

SAVE AND EXCEPT THAT PORTION OF SAID LAND DESCRIBED IN DEED TO POLK COUNTY, RECORDED MARCH 18, 1963 IN BOOK 185 AND PAGE 168, DEED RECORDS.

NOTE: THIS LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.

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SEP 21 2026

Salem, OR

FURNISHED AS A COUNTER BY:
UNION TITLE INSURANCE CO.
222 COUNTY STREET N.E., SALT LAKE

PAGE 174 PAGE 182

ACROSS THE STREET FROM THE CHURCHHOUSE

This Indenture Witnesseth, That SARA MADDOX now by marriage SARA TILL and GROVER C. TILL her husband

for the sum of Ten and no/100 DOLLARS in them said he vs. bargained and sold and by these presents do bargain, sell and convey to DONALD BROSTROM and FRANCES BROSTROM

husband and wife as tenants by the entirety the following described premises situate in Polk County, Oregon; to-wit:

Beginning at a stone 15.22 chains South of the Northeast corner of the John M. Zumwalt and wife Donation Land Claim, Notification No. 5076, Claim No. 49, in Section 24 of Township 9 South, Range 6 West of the Willamette Meridian in Polk County Oregon; thence West along the center of the old County Road 24.52 chains to an iron pipe one-half inch in diameter, 18 inches in the ground; thence South 22.61 chains to an iron pipe 1/2 inch in diameter, 18 inches in the ground; thence East 4.82 chains; thence North 52.20 East 24.85 chains; thence North 7.42 chains to the place of beginning.

SAVE AND EXCEPT therefrom, Beginning at an iron pipe 1/2 inch in diameter, 18 inches long in the middle of the old County Road at 16.22 chains South and 13.25 chains West of the Northeast corner of the said John M. Zumwalt and wife Donation Land Claim; thence West 11.27 chains to an iron pipe 1/2 inch in diameter, 18 inches in the ground; thence South 11.00 chains to a 1/2 inch iron pipe; thence North 89°18' East 2.05 chains to a 1/2 inch iron pipe; thence North 1°23' East 4.78 chains to an iron pipe 1/2 inch in diameter; thence North 89°57' East 9.10 chains to a 1/2 inch iron pipe; thence North 6.24 chains to the place of beginning.

SAVE AND EXCEPT from the last above described tract a strip of land 20 feet wide for a roadway, beginning at the Northeast corner of said tract and running thence West 8.00 chains to the State Highway.

Do, Give and to hold unto the said grantees, as tenants by entirety, their Heirs and Assigns forever AND the said SARA TILL hereby covenant to and with the said grantees, their Heirs and Assigns that she is the owner in fee simple of said premises; that said premises are free from all encumbrances except easement to Mountain States Power Company recorded in Volume 137, page 571, Deed Records for Polk County, Oregon.

and that she will WARRANT and DEFEND the same from all lawful claims whatsoever save and except as above stated.

WITNESS their hand and seal this 7 day of May 1960

Sara Till (SEAL)

Grover C. Till (SEAL)

(SEAL)

(SEAL)

STATE OF OREGON

County of Morton

On this 7 day of May 1960

personally appeared the above named

SARA TILL and GROVER C. TILL, her

husband

and acknowledged the foregoing instrument to be their voluntary act and deed.

[Signature]
Notary Public for Oregon
My Commission Expires

Oct 5, 1961

STATE OF OREGON

County of Polk

125156

I certify that the within instrument was received for record on the 7 day of May 1960 at 1:30 PM and recorded in Book 214 Page 130 of said county.

[Signature]
Recorder

Return to [Signature] Deputy

Box 130X 196

[Signature]

Received by OWRD
SEP 2 1 2026
Salem, OR

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SEP 21 2026

Salem, OR

FORM NO. 60 - WARRANTY DEED

174 183

KNOW ALL MEN BY THESE PRESENTS, That
Leon S. Post and Ethel M. Post, his wife,

in consideration of Ten and 00/100

granted
Dollars,

to them paid by Foster P. Hill and Thos. Hill, his wife,

granted

do hereby grant, bargain, sell and convey unto the said grantees, heirs and assigns, all the following real property, with the tenements, improvements and appurtenances situated in the County of Polk and State of Oregon, bounded and described as follows, to-wit:

Beginning at an iron pipe 21.75 chains South from the Northwest corner of the John Sheldon D. L. Co. No. 41 in T. 6 S. R. 5 E. M. 36, in Polk County, Oregon; and running South 60° chains; thence N. 73° E. 7.88 chains; thence N. 65° S. 6.50 chains to the County Road; thence S. 33° 15' W. 4.75 chains; thence S. 12° E. 1.65 chains; thence S. 25° E. 6.97 chains; thence S. 53° W. 1.51 chains; thence N. 39° 37' W. 11.03 chains to an iron pipe on the South line of the Falls City property; thence 75° S. 1.57 chains to an iron pipe; thence S. 66° E. 1.51 chains to the place of beginning.

Save and except, Beginning at a point which is South 33° 15' East 313.5 feet from the Northeast corner of the land deeded to R. E. Greenford et al by deed recorded in Vol. 115, Page 529, Deed Records for Polk County, Oregon; thence South 60° West 198 feet to a point; thence South 12° East 378 feet, more or less, to the east line of the Falls City Valsets County Road; thence Northeasterly along the east boundary of said County Road to a point which is South 12° East 110 feet from the place of beginning; thence North 12° West 110 feet to the place of beginning, situate in the D. L. Co. or John Sheldon Claim 41, T. 6 S. R. 5 E. M. 36, in Polk County, Oregon.

Net acreage conveyed, 10.17 acres, more or less.

To Have and to hold the above described and granted premises unto the said grantees, their heirs and assigns forever.
And the grantees do hereby covenant that the above land shall be and lawfully remain to be simple of the above granted premises free from all incumbrances. Excepted by Vol. 115, Page 529.

and that we, the said Foster P. Hill, Thos. Hill and assigns, shall warrant and forever defend the above granted premises, and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

Witness our hand and seal this 29 day of Feb 1959
Maurice M. Adams, Notary Public for Polk County, Oregon.
Ethel M. Post (REAL)
Leon S. Post (REAL)

County of Multnomah, On this 29 day of Feb 1959
Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Leon S. Post (signed with X) & Thos. Hill, his wife.

Who I know to me to be the identical individual(s) described to and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.
IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last first written.

My Commission Expires Commission Expires Mar 31, 1960

Warranty Deed

STATE OF OREGON
County of Polk

Know all men by these presents, that Foster P. Hill and Thos. Hill, his wife, do hereby grant, bargain, sell and convey unto the said grantees, heirs and assigns, all the following real property, with the tenements, improvements and appurtenances situated in the County of Polk and State of Oregon, bounded and described as follows, to-wit:

14930 -

Consent by Deeded Landowner or Deeded Water Right Holder

(If the applicant is not the owner of the lands on which the water right is located or if the water right was severed from the lands and conveyed separately to other individuals or entities)



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

Consent by Deeded Landowner or Deeded Water Right Holder

State of Oregon)
)ss
County of Polk)

I Frances Brostrom in my/our capacity as Owner,
mailing address (city, state, zip) 16804 Maple Grove Rd., Monmouth, OR 97361 e-mail _____ phone number 503-623-2111

duly sworn depose and say that I/We consent to the proposed change(s) to Water Right Certificate Number 33868

described in a Water Right Transfer Application (T-_____), submitted by:
(transfer number, if known)

Table 1. Description of Water Use

Certificate #	Township		Range		Mer	Sec	¼	¼	Tax Lot	Location (site address)
33868	9	S	6	W	WM	24	NE	SW	300	16804 Maple Grove Rd.
33868	9	S	6	W	WM	24	NE	SW	400	"
33868	9	S	6	W	WM	24	NW	SW	300	"
33868	9	S	6	W	WM	24	SW	SW	300	"
33868	9	S	6	W	WM	24	SW	SW	400	"
33868	9	S	6	W	WM	24	SE	SW	400	"
33868	9	S	6	W	WM	24	NW	SE	400	"

Frances E. Brostrom
Affiant Signature

Frances E. Brostrom
Printed Name

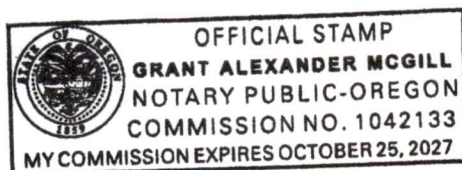
9-21-26
Date

Affiant Signature

Printed Name

Date

Subscribed and Sworn to before me this 21 day of September, 2026.

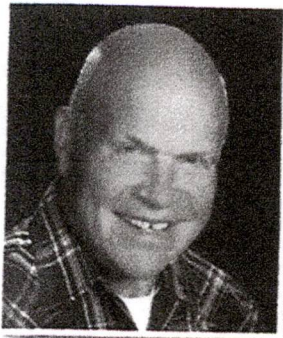


Notary Public for Oregon

My commission expires 10/25/2027

Received by OWRD

SEP 21 2026



Donald "Don" Brostrom

March 03, 1933 - September 22, 2023

Monmouth, Oregon

It is with extreme sadness that we announce the death of our beloved, Don Brostrom on September 22, 2023.

Don was born, Donald Ellis Brostrom, on March 3, 1933, in Ceresco, NE. to Carl Julius, Brostrom and Edna Lorene (Peason) Brostrom.

Farming was not going well in Nebraska in 1940, so Oregon relatives invited them to come west where there were many jobs. The family came west in March, shortly after Don's birthday. There were three sons by then and they all settled in the Airlie community. When Camp Adair was established in the area the family moved to Falls City, then bought a farm in the Airlie area when WWII ended.

Don was in the first graduation class at Central high schools in 1951. He enrolled as a freshman at Oregon College of Education (OCE now Western Oregon University) in the fall, and by December 1953 married classmate, Frances Williams. Thus started their careers as teachers. Don also got into coaching (especially basketball). He taught in several communities including Pedee, Ione, Central Linn, Albany, Bend, Willamina, and finally retired from teaching in the Dallas School district system.

Teaching was his career, but other than family, his greatest love was the outdoors where he was involved in farming, cattle, and logging.

Don is survived by his wife (of almost 70 years) Frances, sons Tracy (Nancy), Tod (Kathie), and daughter Lori. Also mourning his loss are grandchildren Kelsey (Jordan), Morgyn (Henry), Tyler, Brittany (Raymond), Riley (Jared) and Zachary. Three great-granddaughters also survive. Don was predeceased by his parents and brother Glenn. Surviving are brother Roger (Irene) and sister-in-law Phyllis.

A Celebration of Don's Life will be held on Thursday, October 12th at 1:00PM at Trinity Lutheran Church in Dallas. Memorial Contributions may be made to Trinity Lutheran Church. There will be a private family burial. Bollman's Tribute Center is caring for the family. To leave an online condolence or share a story with the family go to www.bollmantributecenter.com

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Salem, OR

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



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

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

NOTE: Supporting documentation must be attached.

State of Oregon)
County of Polk) ss
)

I, Frances Brostrom, in my capacity as Owner,
mailing address 16804 Maple Grove Rd., Monmouth, OR 97361,
telephone no.(s) 503-623-2111, e-mail address _____,

being first duly sworn depose and say:

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

Check only the box that applies:

☒ Personal observation. Explain the specific grounds for your knowledge:
Owner

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

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2. I attest that I have read and understand the terms and conditions of water use under Certificate #33868, and that I have attached copies of documents demonstrating beneficial water use consistent with those terms and conditions (i.e., documentation showing compliance with the terms and conditions of the right).

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

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

3. I attest that water was beneficially used under Certificate #33868 for the following purpose (e.g., crops, pasture, commercial, industrial, etc.): Crops

4. I attest that water from the authorized source was diverted/appropriated, conveyed, and applied to the authorized place of use under Certificate # 33868 through the current water delivery system used to apply water or the system that was in place at some point within the five years prior to submittal of this Transfer Application.

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

- ☒ Pump(s) in stream: 25 HP centrifugal
- ☐ Pump(s) in reservoir/pond:
- ☐ Pump(s) in well(s):
- ☐ Headgate in stream/canal:
- ☐ Headgate in reservoir pond:
- ☐ Other (describe also include its general location in the description):
- ☐ Gravity Ditch:
- ☒ Pipeline: 5" aluminum mainline
- ☒ Sprinklers: 3" handlines with rainbird impact sprinklers
- ☐ Other (also include its general location in the description):

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6. Can you attest to beneficial water use under Certificate # 33868 consistent with the terms and conditions of the water right, during the past five years on the **entire** place of use or a **portion** of the place of use?

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

Table 1. Description of Water Use

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

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

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

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

NOTE: This cannot be a remaining right certificate.

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

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

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

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

-OR-

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

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

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

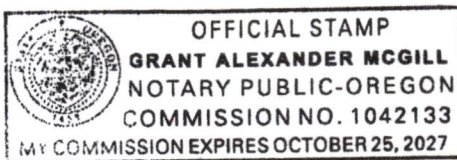
NOTE: Table 2 is located on Page 5

Frances E. Brostrom
Affiant Signature

Frances E. Brostrom
Printed Name

9-21-26
Date

Signed and sworn to (or affirmed) before me this 21 day of September, 2026.



Grant McGill
Notary Public for Oregon

My Commission Expires: 10/25/2027

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Table 2. Supporting Documentation

Supporting Documents	Examples
☐ A confirming water right certificate that was issued within the last five years. (NOT a remaining right certificate.)	• Copy of a water right certificate confirming the beneficial use of water under a Water Use Permit that shows date of issuance • Copy of a water right certificate confirming completion of a change in place of use, point of diversion/appropriation, or character of use authorized by an approved Water Right Transfer showing issuance date
☐ Records such as Farm Service Agency (FSA) crop reports, irrigation district records, Natural Resources Conservation Service (NRCS) farm management plan, or records of other water suppliers	• District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • Conservation Reserve Enhancement Program (CREP) Report
☒ Dated satellite imagery, aerial photos or other photographs containing sufficient detail to establish location and date of photograph (i.e., dated aerial photographs)	• Multiple photos can be submitted to show different areas of a water right • If photograph does not print with a "date stamp" or without the source identified, the date of the photograph and source should be added Sources for dated aerial photos: OSU – https://www.oregonexplorer.info OWRD – https://www.oregon.gov/owrd Google Earth – https://earth.google.com/
☐ Approved instream lease establishing beneficial use for instream purposes within the last 5 years	Copy of final order approving an instream lease that shows instream lease number and date of issuance
☐ If water has not been beneficially used in the past 5 years, documentation showing the right is not subject to forfeiture under ORS 540.610. (NOTE: Refer to ORS 540.610(2) for rebuttals to the presumption of forfeiture.)	• Copy of an agreement or contract for the use of reclaimed municipal water • Contract showing the authorized place of use enrolled in the Conservation Reserve Enhancement Program (CREP). • Copy of the Governor's executive order declaring a drought in the county within which the water right is located
☐ Any other documentation with sufficient detail to support the affidavit attesting to beneficial use during the past 5 years	

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Salem, OR

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Land Use Information Form



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

NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

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

WRD_DL_customerservice@water.oregon.gov.

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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 Blue Heaven Properties, LLC		PHONE 503-932-1180		EMAIL breymanfarms@aol.com	
MAILING ADDRESS PO Box 607			CITY Independence		STATE OR
					ZIP 97351

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
9S	5W	19	SENE	200	EFU	☒ Diverted	☐ Conveyed	☒ Used	farming
9S	5W	19	NESE	200	EFU	☐ Diverted	☐ Conveyed	☒ Used	farming
9S	5W	20	NWNW	200	EFU	☐ Diverted	☐ Conveyed	☒ Used	farming
9S	5W	20	SWNW	200	EFU	☐ Diverted	☐ Conveyed	☒ Used	farming
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Polk County

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

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.37 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

It is proposed to temporarily transfer certificate 33868 for 5 years to improve the priority date on TL 200 and protect the ability to irrigate crops through the season.

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See Page 4 →

SEP 2 1 2026

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.

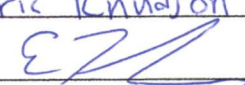
Please check the appropriate box below and provide the requested information

- ☒ 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): PC26 136.030(A)
- ☐ Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being Pursued."**

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

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

Name: Eric Knudson Title: Senior Planner

Signature:  Date: 9-21-26

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

Received by OWRD
SEP 21 2026
Salem, OR