

Application for Water Right Instream Transfer

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

Application for Instream Water Right Transfer Part 1 of 5 – Minimum Requirements Checklist

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
 - ☒ Part 2 – Completed Map Checklist.
 - ☒ **FEE** – Application Fee required by ORS 536.050, payable by check to the Oregon Water Resources Department, the online fee calculator is located:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator/.
Note: Instream transfers are considered both a change in place of use and character of use. In addition, an automatic 50% fee waiver applies to all instream transfers.
 - ☒ 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 – Completed Instream Use Information.
 - ☒ Part 5 – Information about the Transferred Water Rights: **How many water rights are to be transferred? 3 List them here: Certs 31197 IR, 42847 IR, 47193 (IR and IS)**
Please include a separate Part 5 for each water right. (See instructions on page 9)
- Attachments:**
- ☒ Completed Instream Transfer Application Map.
 - ☒ Completed Evidence of Use Affidavit and supporting documentation.
 - ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
 - ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
 - ☒ Land Use Notice - Notice of the intent to file an instream transfer application must be provided to each affected local government along the proposed reach. **Copies of the notices must be enclosed with the instream transfer application.**

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Application for Instream Water Right Transfer
Part 2 of 5 – Map Checklist

Your transfer 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.

- ☒ A north arrow, a legend, and scale.
- ☒ Township, range, section and quarter-quarter (QQ), including tax lots, donation land claims and government lots, if appropriate;
- ☒ If an irrigation right, nursery use, or other similar uses, the number of acres to be leased or transferred in each quarter-quarter must be clearly labeled and hachured to differentiate between the acres being leased or transferred and any remaining acreage must be identified;
- ☒ If the place of use on the water right is broken down by more than one priority date, or source stream, and/or diversion the map must identify each with separate hachuring and clearly label what is being changed;
- ☒ Identify the point(s) of diversion authorized on the water right. If the water right does not identify the point(s) of diversion, include information in the application to identify where the point of diversion is located;
- ☒ Provide a statement describing the proposed instream reach or point; and
- ☒ If the existing water right proposed for instream lease or transfer is for municipal or quasi-municipal water use, a map is not required.
- ☒ If **more than three** water rights are involved, separate maps are needed for each water right.
- ☒ The map need not be prepared by a certified water right examiner.

DESCHUTES BASIN ONLY SECTION

Is this application being submitted as a Mitigation Project within the Deschutes Basin Groundwater Mitigation Program:

☐ Yes ☒ No

☐ If Yes: Who are the credits to be assigned to when created? _____

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Application for Instream Water Right Transfer
Part 3 of 5 – Application Information and Signature

Is this a ☒ Permanent Instream Transfer or ☐ Time-Limited Instream Transfer?

Applicant Information

APPLICANT/BUSINESS NAME (As Attn:/POC only) Carolyn Menke/Greenbelt Land Trust, Inc.			PHONE NO. 541-752-9609	ADDITIONAL CONTACT NO.
ADDRESS PO Box 1721				FAX NO.
CITY Corvallis	STATE OR	ZIP 97339	E-MAIL carolyn@greenbeltlandtrust.org	
DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE. HOWEVER, ANY PROPOSED FINAL ORDER WILL BE SENT BY CERTIFIED MAIL AND ANY CERTIFICATE BY STANDARD 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 (wr_d_automated_email@water.oregon.gov). Consider adding this email address to your safe sender list. The department will send proposed final orders by certified mail and any certificate that may be issued by standard mail.				

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

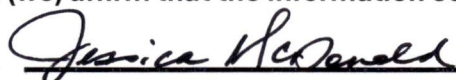
AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE. HOWEVER, ANY PROPOSED FINAL ORDER WILL BE SENT BY CERTIFIED MAIL AND ANY CERTIFICATE BY STANDARD MAIL. PLEASE SEE IMPORTANT NOTE ABOVE.				
Explain in your own words what you propose to accomplish with this transfer application, and why: We wish to permanently transfer surface water rights to instream use to benefit fish and wildlife habitat. If you need additional space, continue on a separate piece of paper and attach to application as "Attachment 1"				

Check one box

- ☒ By signing this application, I understand that, upon receipt of the initial review and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4000(5)(b)(B); **OR**
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor, **OR**
- ☐ I affirm that the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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



Applicant signature

Jessica McDonald, Executive Director

Print Name (and Title if applicable)

9/22/26

Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the person signing this application on behalf of a public agency, corporation or business, trust, or other organization? ☒ Yes* ☐ No

**If Yes evidence of signatory authority or a signed statement that such authority exists must be attached to this application.*

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

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

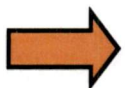
Check the following boxes that apply:

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction the proposed instream reach will be located.

ENTITY NAME Polk County	ADDRESS 850 Main Street	
CITY Dallas	STATE OR	ZIP 97338

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME Received	ADDRESS	
CITY SEP 28 2026	STATE	ZIP

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Application for Instream Water Right Transfer

Part 4 of 5 – Proposed Instream Use Information

Identify the Public Use for which the instream right is requested (mark at least one)	
X	Conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife
	Recreation
	Navigation
	Pollution Abatement

Instream use proposed to be created by the instream transfer					
Certificate #	Priority Date	Source	Proposed Instream Period	Rate (CFS)*	Volume (AF)**
31197	3/10/1958	LUCKIAMUTE	6/23 - 9/30	0.44	88.0
42847	3/19/1970	WILLAMETTE	6/23 - 9/30	0.45	89.25
47193 (IR)	3/2/1971	LUCKIAMUTE	6/23 - 9/30	0.02	4.25
47193 (IS)	3/2/1971	LUCKIAMUTE	6/23 - 9/30	0.35	70

***Tip:** To calculate rate (if other than the rate allowed by the right), divide the volume by the number of days in the period and then divide by 1.983471; or

****Tip:** To calculate volume, multiply the rate by the number of days in the instream period and then multiply by 1.983471.

Note: The instream rate may not exceed the max rate allowed by the existing right(s) and the total volume may not exceed to max volume or duty allowed by the existing right(s).

Additional Information: _____.

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Identify the location of the proposed instream water right.	
X	Water is requested to be protected at a point. Location (i.e. the point of diversion (POD) – use the POD Name or Number from Table 1): 31197= POD 1; 42847= North POD; 47193 = POD 3.
	Water is requested to be protected within a reach: Location of proposed reach (If an instream water right reach is requested, identify the upstream and downstream extent of the reach): _____.

QWRD

For a Time Limited Instream Transfer	
	Years to be active: Begin Year _____ to End Year _____
	Conditions to terminate early if needed: Conditions: _____. No Conditions: _____. (If no conditions, this will not be able to be terminated early no matter what)

Please use a separate Part 5 for each water right being changed. See instructions on page 9, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

[illegible]

TACS

SURFACE WATER RIGHT CERTIFICATE # 42847

Table 1. Location of Existing Authorized Point(s) of Diversion (POD(s))

POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot	Measured Distances (from a recognized survey corner)
POD 1 (NORTH)	10	S	4	W	2	SW	SW	52	550 FEET NORTH AND 3060 FEET EAST FROM NE CORNER, RUSSEL DLC 69
POD 2 (SOUTH)	10	S	4	W	11	SW	NW		1970 FEET SOUTH AND 1540 FEET WEST FROM N1/4 CORNER, SECTION 11

Description of Water Delivery System

System capacity: **0.65** ☒ Cubic Feet per Second (CFS) ☐ Gallons Per Minute (GPM) ☐ Acre-Feet (AF)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Please provide as much detail as possible **Info for N POD only. Pump on bank of Willamette, water pumped through above ground piping to automatic gun sprinklers on grid within field.**

Will ALL of the change(s) proposed above affect the entirety of the water right?

☐ Yes - If Yes, Table 2 does not need to be completed. ☒ No - If No, Complete Table 2.

Table 2. Description of Existing AUTHORIZED (the “from” or “off” lands) Place of Use / Character of Use BEFORE PROPOSED CHANGES to Water Right Certificate.

NOTE: List only that part or portion of the water right that will be changed. If more than one POD serves the lands, specify the acreage associated with each POD.

Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot	Acres	POD Name from Table 1A	Authorized Use	Priority Date
10	S	4	W	2	NW	SW	DLC 52	0.7	1 (N)	IR	3/19/1970
10	S	4	W	2	SW	SW	DLC 52	10.8	1 (N)	IR	3/19/1970
10	S	4	W	3	NE	SE	DLC 52	0.9	1(N)	IR	3/19/1970
10	S	4	W	3	SE	SE	DLC 52	21.4	1 (N)	IR	3/19/1970
10	S	4	W	10	NE	NE		1.0	1 (N)	IR	3/19/1970
10	S	4	W	11	NW	NW	LOT 8	0.9	1 (N)	IR	3/19/1970
TOTAL ACRES								35.7			

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SURFACE WATER RIGHT CERTIFICATE # 47193

Table 1. Location of Existing Authorized Point(s) of Diversion (POD(s))

POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot	Measured Distances (from a recognized survey corner)
POD 3	10	S	4	W	3	NW	SE		330 FEET SOUTH AND 1240 FEET EAST FROM C1/4 CORNER, SECTION 3

Description of Water Delivery System

System capacity: **1.02** ☒ Cubic Feet per Second (CFS) ☐ Gallons Per Minute (GPM) ☐ Acre-Feet (AF)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Please provide as much detail as possible **Pump on bank of Luckiamute entered below ground pipeline under road, then in above ground pipe/tubing to automatic gun sprinkler.**

Will ALL of the change(s) proposed above affect the entirety of the water right?

☐ Yes - If Yes, Table 2 does not need to be completed. ☒ No - If No, Complete Table 2.

Table 2. Description of Existing AUTHORIZED (the "from" or "off" lands) Place of Use / Character of Use BEFORE PROPOSED CHANGES to Water Right Certificate.

NOTE: List only that part or portion of the water right that will be changed. If more than one POD serves the lands, specify the acreage associated with each POD.

Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot	Acres	POD Name from Table 1A	Authorized Use	Priority Date
10	S	4	W	2	NW	SW	DLC 52	10.5	POD 3	IS	3/2/1971
10	S	4	W	3	SE	NE	DLC 52; LOT 7	0.5	POD 3	IS	3/2/1971
10	S	4	W	3	NE	SE	DLC 52 LOT 6	8.7	POD 3	IS	3/2/1971
10	S	4	W	3	NE	SE	DLC 52	8.3	POD 3	IS	3/2/1971
10	S	4	W	3	NE	SE	LOT 6	1.7	POD 3	IR	3/2/1971
TOTAL ACRES								29.2			

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Oregon Water Resources Department
Transfer Fee Calculation for Instream Transfer

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Today's Date: Wednesday, September 9, 2026

Fee Calculation

Base Fee (includes place of use and character of use to instream for one water right for up to 1 cfs) \$3,675.00

Fill in information below— Check each box that applies.

Enter total number of water rights included in transfer. \$1,830.00

☐ Check this box if you propose to change one or more NON-irrigation rights.

☒ Check this box if you propose to change one or more irrigation rights.

Enter the following for the primary certificates on the land included in the transfer.

(If a supplemental certificate also covers the same land as an included primary right, only list the primary.)

Certificate #	Total acres in the water right	# of acres to be transferred	Total cfs in the water right certificate	OR If certificate does not list cfs, enter 1/___ cfs per acre	Transfer cfs
31197	35.2	35.2	0.44		0.44
42487	51.7	35.7	0.65		0.448839
47193	81.4	1.7	1.02		0.021302

Total Transfer CFS(rounded up to the next whole cfs): 1.00

Subtotal: \$5,505.00

Fish-Friendly Discount: (\$2,752.50)

Transfer Fee: \$2,752.50

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greenbelt land trust

101 SW Western Suite #111 • Correspondence to PO Box 1721 • Corvallis, OR

Greenbelt Land Trust Board of Directors Meeting
9/24/2024
Board Resolution

It is resolved that:

The Executive Director, Jessica McDonald, is an authorized signer for Greenbelt Land Trust.

Jessica McDonald, Executive Director:

Approved this 24th day of September, 2024

Chris Bentley, Board of Directors Secretary

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Greenbelt Land Trust ♦ PO Box 1721, Corvallis, OR 97339

September 2, 2026

Polk County Planning Division
850 Main Street
Dallas, OR 97338

To Whom it May Concern:

The Water Resources Department requires applicants intending to file an application to transfer a water right to instream purposes to notify local governments that could be affected, so that the local government can make sure that the proposed new use does not result in a land use that would be incompatible with its comprehensive plan.

As such, we are notifying you that we intend to submit an application to the Oregon Water Resources Department proposing to transfer the following:

- a portion of water right certificate 42847 to instream use. The proposed place of instream use would be in the Willamette River from June 23 to September 30;
- the entirety of water right certificate 31197 to instream use. The proposed place of instream use would be in the Luckiamute River from June 23 to September 30; and
- a portion of water right certificate 47193 to instream use. The proposed place of instream use would be in the Luckiamute River from June 23 to September 30.

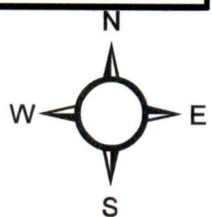
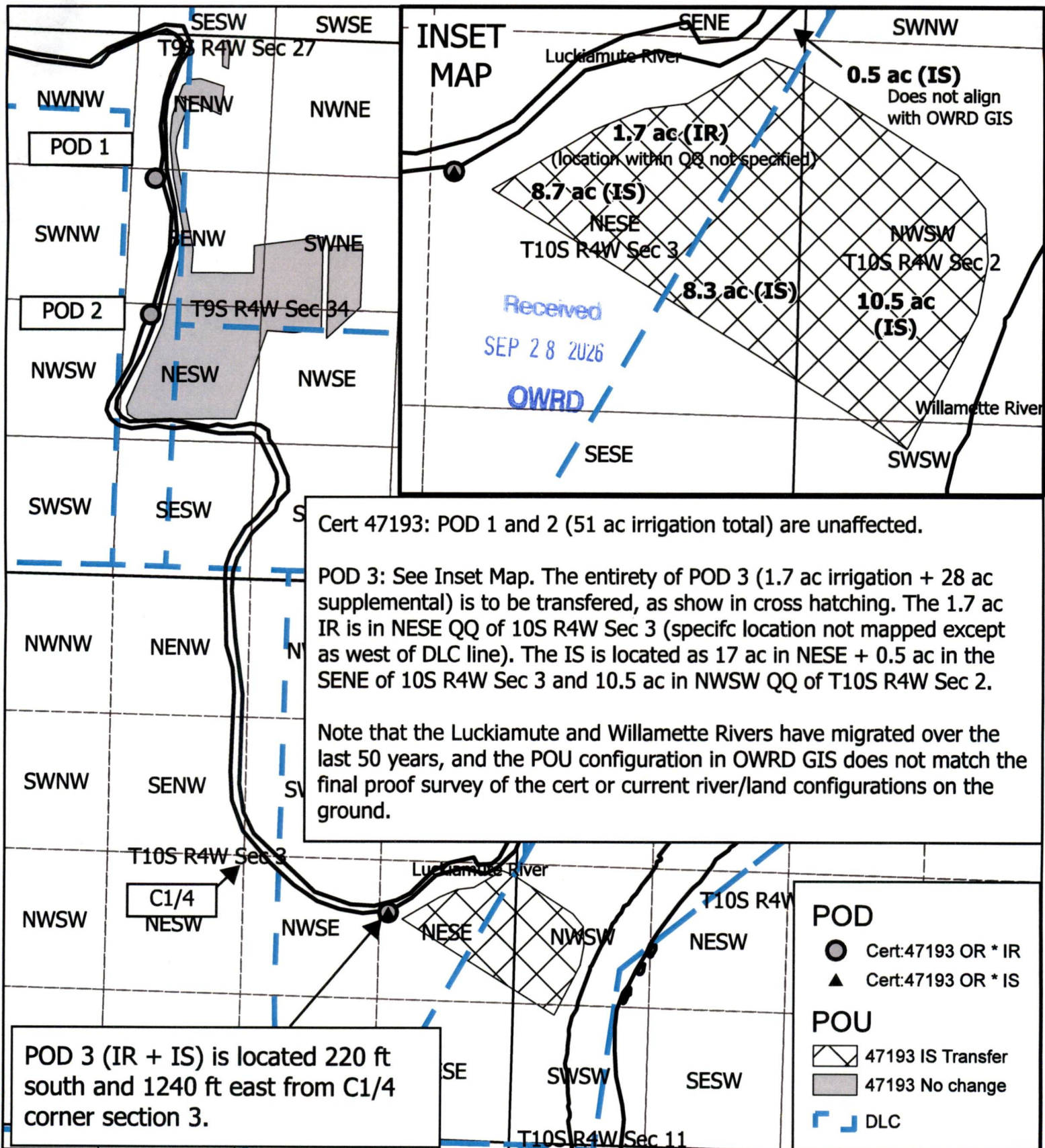
If you have any questions regarding the proposed application, or are interested in receiving additional information, please call me at 541-752-9609 or email at carolyn@greenbeltlandtrust.org

Thank you,

Carolyn Menke, Stewardship Director

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Cert 47193 IR & IS



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, Jessica McDonald, in my capacity as Executive Director, Greenbelt Land Trust, Inc.,
mailing address PO Box 1721, Corvallis, OR 97379,
telephone no.(s) 541-752-9609, e-mail address jessica@greenbeltlandtrust.org,

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:

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

During the acquisition of the Property, we inventoried and assessed water rights and usage as part of our process.

2. I attest that I have read and understand the terms and conditions of water use under Certificate # 47193, 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 # 47193 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 # 47193 through the current water delivery system used to apply water or the system that was in place at some point within the five years prior to submittal of this Transfer Application.

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

- ☒ Pump(s) in stream: Cornell 30-50 hp pump, generating 500-1000 gpm.
- ☐ 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):
Pump situated on bank of Luckiamute.
- ☐ Gravity Ditch:
- ☐ Pipeline:
- ☒ Sprinklers: Automated gun sprinkler
- ☐ Other (also include its general location in the description):

6. Can you attest to beneficial water use under Certificate # 47193 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?

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- ☐ 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]

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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):

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

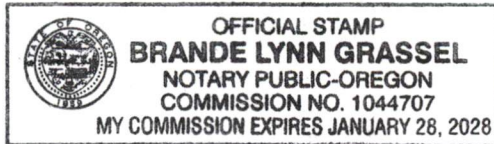
Jessica McDonald
Affiant Signature

Jessica McDonald
Printed Name

9/22/26
Date

Benton
Oregon

Signed and sworn to (or affirmed) before me this 22 day of September, 2026.



B Grassel
Notary Public for Oregon

My Commission Expires: 01/28/2028

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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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Evidence of use for cert 47193 – 6/18/2024

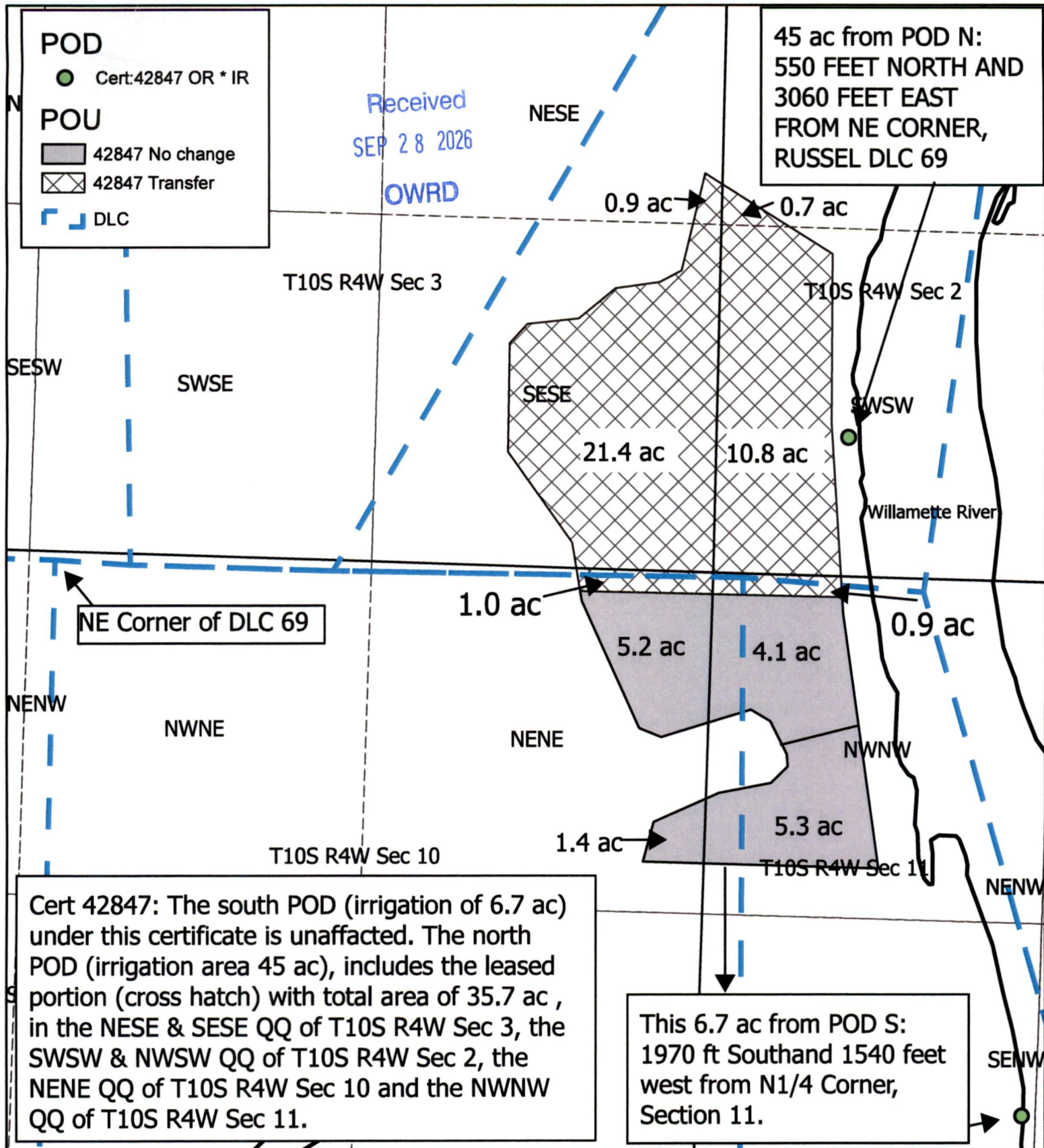
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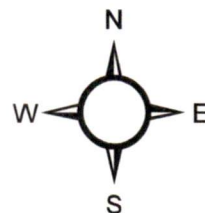
Cert 42847



0 350 700 1,400 US Feet

U:\GIS\GLT Projects\LuckiamuteConfluence\Maps\WaterRights.aprx

9/10/2026



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



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

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

NOTE: Supporting documentation must be attached.

State of Oregon)
County of Polk) SS
)

I, Jessica McDonald, in my capacity as Executive Director, Greenbelt Land Trust, Inc.,
mailing address PO Box 1721, Corvallis, OR 97339,
telephone no.(s) 541-752-9609, e-mail address jessica@greenbeltlandtrust.org,
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:

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

During the acquisition of the Property, we inventoried and assessed water rights and usage as part of our process.

2. I attest that I have read and understand the terms and conditions of water use under Certificate # 42847, 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 # 42847 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 # 42847 through the current water delivery system used to apply water or the system that was in place at some point within the five years prior to submittal of this Transfer Application.

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

- ☒ Pump(s) in stream: Pump (Berkeley) 50 - 75 hp. 6" suction and 4" on pressure - 800-1200 gpm
- ☐ 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):
Placed on bank of Willamette.
- ☐ Gravity Ditch:
- ☐ Pipeline:
- ☒ Sprinklers: Gun sprinklers connected via pipe.
- ☐ Other (also include its general location in the description):

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6. Can you attest to beneficial water use under Certificate # 42847 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

Jessica McDonald
Affiant Signature

Jessica McDonald
Printed Name

9/22/2026
Date

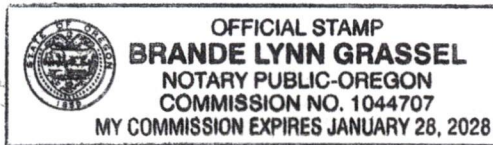
Benton
Oregon

Signed and sworn to (or affirmed) before me this 22 day of September, 2026

B Grasse

Notary Public for Oregon

My Commission Expires: 01/28/2028



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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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Imagery Date: 7/13/2022 44.94345, 56° N 123.90932, 45° W elev. 161 ft eye alt. 1892 ft

Google Earth

Evidence of use for cert 42847- 7/13/2022

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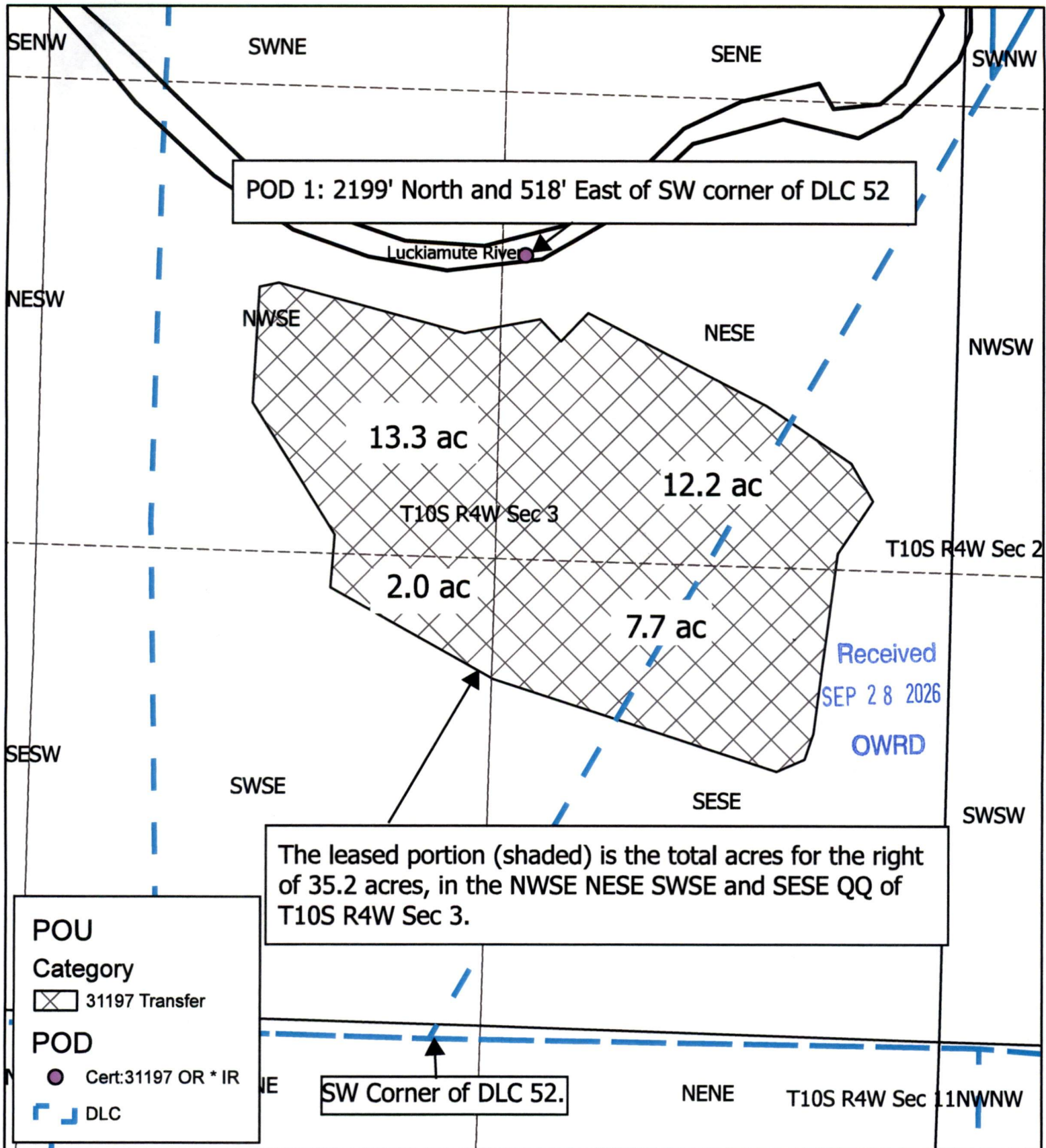
Evidence of use for cert 42847 – 6/18/2024

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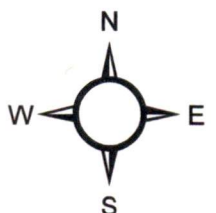
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Cert 31197



U:\GIS\GLT Projects\LuckiamuteConfluence\Maps\WaterRights.aprx

9/10/2026



14935 -

**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, Jessica McDonald, in my capacity as Executive Director, Greenbelt Land Trust, Inc.,

mailing address PO Box 1721, Corvallis, OR 97379,

telephone no.(s) 541-752-9609, e-mail address jessica@greenbeltlandtrust.org,

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:

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

During the acquisition of the Property, we inventoried and assessed water rights and usage as part of our process.

2. I attest that I have read and understand the terms and conditions of water use under Certificate # 31197, 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 # 31197 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 # 31197 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: 30-50 hp pump, generating 500-1000 gpm.
- ☐ 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):
Pump situated on bank of Luckiamute.
- ☐ Gravity Ditch:
- ☒ Pipeline: 6" mainline, 4" risers
- ☒ Sprinklers: Automated gun sprinkler
- ☐ Other (also include its general location in the description):

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6. Can you attest to beneficial water use under Certificate # 31197 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)
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NOTE: Table 2 is located on Page 5

Jessica McDonald
Affiant Signature

Jessica McDonald
Printed Name

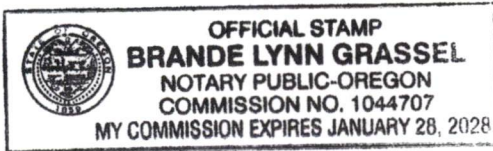
9/22/2026
Date

Benton
Oregon

Signed and sworn to (or affirmed) before me this 22 day of September, 2026.

Brassel
Notary Public for Oregon

My Commission Expires: 01/28/2028



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SEP 28 2026
OWRD

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Supporting Documents	Examples
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☒ 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/
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☐ Any other documentation with sufficient detail to support the affidavit attesting to beneficial use during the past 5 years	

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