



***13750 SE Locks Loop Rd***  
***Dayton, OR***

**An unprecedented offering of 211.45 acres of fertile, establish farmland**

Spanning over 5 tax lots, this cultivated acreage boasts cleared, tillable land with water rights for irrigation. A beautifully situated pond graces the property, creating a picturesque backdrop for the main house while extensive outbuildings provide for equipment and implement storage as well as farm labor parking. The total offering encompasses three houses:

3,312 sq ft home with 3 bedrooms, 1 bathroom

3,076 sq ft home with 4 bedrooms, 3 bathrooms

1,013 sq ft home with 3 bedrooms, 1 bathroom

Endless potential for large scale agribusiness ventures and nursery row crops with easy farm implement and semi access. Central Yamhill County location and breathtaking panoramic views create idyllic setting should the main house be updated into a modern waterfront estate.





## *Water Rights*

Cert:ZZ135 OR *		POD Description							
ELSIE COLE RT 2 BOX 283 DAYTON, OR 97114		Name: POD 1 - UNNAMED STREAM > YAMHILL RIVER T.R.S-QQ: 4.00S-3.00W-8-NW SW/4 45 Location: NONE GIVEN Description:							
POD Uses (Click to Collapse...)									
IRRIGATION (Primary)									
Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
11/2/1951	1.5	0.75(est)			1/80	2.50000	1/1	12/31	

Search Criteria			
Type of Water Right:	<input checked="" type="checkbox"/> Ground Water <input checked="" type="checkbox"/> Surface Water <input checked="" type="checkbox"/> Storage		
Distance from Stream(ft.):	<input type="text"/>		
Day in Year Month: 6 Day: 1		Include Supplemental <input type="checkbox"/>	
Priority Date	11/2/1951		
Comparison Type	Junior		
Direction	Upstream		
		<input checked="" type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Domestic <input checked="" type="checkbox"/> Fish <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Irrigation <input checked="" type="checkbox"/> Instream <input checked="" type="checkbox"/> Livestock <input checked="" type="checkbox"/> Mining <input checked="" type="checkbox"/> Miscellaneous <input checked="" type="checkbox"/> Municipal <input checked="" type="checkbox"/> Power <input checked="" type="checkbox"/> Recreational <input checked="" type="checkbox"/> Storage <input checked="" type="checkbox"/> Wildlife	

Cert:ZZ135 OR *		POD Description							
ELSIE COLE RT 2 BOX 283 DAYTON, OR 97114		Name: POD 2 - A RESERVOIR > YAMHILL RIVER T.R.S-QQ: 4.00S-3.00W-8-NW SW/4 45 Location: NONE GIVEN Description:							
POD Uses (Click to Collapse...)									
IRRIGATION (Primary)									
Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
11/2/1951	1.5	0.75(est)			2.50000	1/1	12/31		

Search Criteria			
Type of Water Right:	<input checked="" type="checkbox"/> Ground Water <input checked="" type="checkbox"/> Surface Water <input checked="" type="checkbox"/> Storage		
Distance from Stream(ft.):	<input type="text"/>		
Day in Year Month: 6 Day: 1		Include Supplemental <input type="checkbox"/>	
Priority Date	11/2/1951		
Comparison Type	Junior		
Direction	Upstream		
		<input checked="" type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Domestic <input checked="" type="checkbox"/> Fish <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Irrigation <input checked="" type="checkbox"/> Instream <input checked="" type="checkbox"/> Livestock <input checked="" type="checkbox"/> Mining <input checked="" type="checkbox"/> Miscellaneous <input checked="" type="checkbox"/> Municipal <input checked="" type="checkbox"/> Power <input checked="" type="checkbox"/> Recreational <input checked="" type="checkbox"/> Storage <input checked="" type="checkbox"/> Wildlife	

STATE OF OREGON  
COUNTY OF YAMHILL  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That** **ELSIE V. COLE**

of Route 2, Box 283, Dayton, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of unnamed stream & reservoir constructed under App. No. R-26608, Per. No. R-1275 a tributary of Yamhill River for the purpose of irrigation under Permit No. 20840 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from November 2, 1951

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.5 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, as projected within Martin DMC #45, Section 8, Township 4 South, Range 3 West, W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ~~one~~ <sup>one-eighth</sup> of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-1275,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

26.2 acres in the SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>  
28.6 acres in the NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>  
8.6 acres in the SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>  
Section 7  
25.8 acres in the SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>  
0.4 acres in the NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>  
30.0 acres in the SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>  
1.4 acres in the SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>  
Section 8  
Township 4 South, Range 3 West, W. M.  
all as projected within Martin DMC #45

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

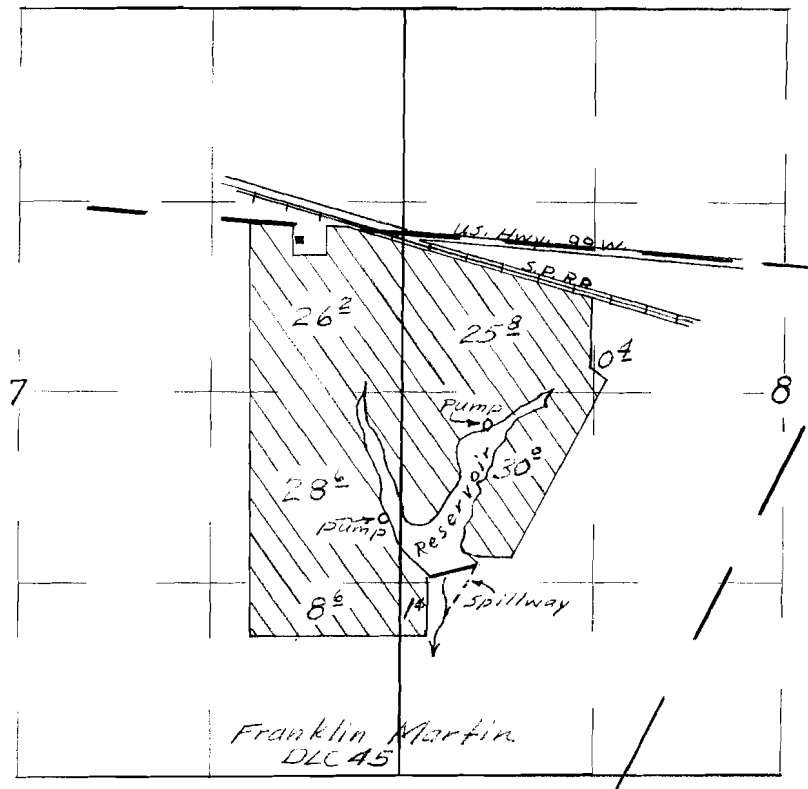
WITNESS the signature of the State Engineer, affixed

this 7th day of March, 1957.

LEWIS A. STANLEY

State Engineer

T. 4 S. R. 3 W. W. M.



Final Proof Survey  
Under

Application No. R-26608  
26609 Permit No. R-1275  
20840  
In Name Of

Elsie V. Cole

Surveyed June 6 1955, by T. Jones

# APPLICATION FOR PERMIT

## To appropriate the Public Waters of the State of Oregon

We 1, E. P. Cole, D. S. Forrester & Lloyd Forrester  
(Name of applicant)  
of Route 2, Dayton, Oregon  
(Mailing address)  
State of Oregon, do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, **SUBJECT TO EXISTING RIGHTS:**

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is Unnamed stream and reservoir  
(Name of stream)  
a tributary of Yamhill River

2. The amount of water which the applicant intends to apply to beneficial use is 1.52  
cubic feet per second. From unnamed stream and reservoir  
(If water is to be used from more than one source, give quantity from each)

\*\*3. The use to which the water is to be applied is Irrigation  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 2380 ft. S 27°W and 1735 ft. W from the N.E.  
(N. or S.) (E. or W.)  
corner of Franklin Martin D.L.C., Not. 1037, Cl. 45. This tie being  
(Section or subdivision)  
to station 0+00 of the Dam. See accompanying map. Portable pumping  
will be employed to remove water from the reservoir.

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the N.W. 1/4 of S.W. 1/4 of Sec. 8, Tp. 4 South  
(Give smallest legal subdivision) (N. or S.)  
R. 3 West, W. M., in the county of Yamhill  
(E. or W.)

5. The to be  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the of Sec. 8, Tp. 4 South  
(Smallest legal subdivision) (N. or S.)  
R. 3 West, W. M., the proposed location being shown throughout on the accompanying map.  
(E. or W.)

### DESCRIPTION OF WORKS

#### Diversion Works—

6. (a) Height of dam 38 feet, length on top 265 feet, length at bottom  
25 feet; material to be used and character of construction Earth fill  
(Loose rock, concrete, masonry, etc.)  
wasteway around end of dam.  
(rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Armco Model 101, cast iron  
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description Two 4" centrifugal type  
(Size and type of pump)  
pumps with 20 Hp. electric motors.  
(Size and type of engine or motor to be used, total head water to be lifted, etc.)  
Head not to exceed 45 ft.

\*A different form of application is provided where storage works are contemplated.

\*\*Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

## Canal System or Pipe Line—

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) ..... feet; width on bottom ..... feet; depth of water ..... feet; grade ..... feet fall per one thousand feet.

(b) At ..... miles from headgate: width on top (at water line) ..... feet; width on bottom ..... feet; depth of water ..... feet; grade ..... feet fall per one thousand feet.

(c) Length of pipe, ..... ft.; size at intake, ..... in.; size at ..... ft. from intake ..... in.; size at place of use ..... in.; difference in elevation between intake and place of use, ..... ft. Is grade uniform? ..... Estimated capacity, ..... sec. ft.

## 8. Location of area to be irrigated, or place of use

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
WILLAMETTE MERIDIAN				
Cole's Property				
4 South	3 West	7	S.E. $\frac{1}{4}$ of N.E. $\frac{1}{4}$	1.7 acres
"	"	7	N.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$	4.0 "
"	"	8	S.W. $\frac{1}{4}$ of N.W. $\frac{1}{4}$	28.4 "
"	"	8	S.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$	1.5 "
"	"	8	N.W. $\frac{1}{4}$ of S.W. $\frac{1}{4}$	19.5 "
Forrester's Property				
4 South	3 West	7	S.E. $\frac{1}{4}$ of N.E. $\frac{1}{4}$	28.1 "
"	"	7	N.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$	27.3 "
"	"	7	S.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$	9.7 "
"	"	8	S.W. $\frac{1}{4}$ of N.W. $\frac{1}{4}$	1.0 "
Combined total				121.2 Acres

(If more space required, attach separate sheet)

(a) Character of soil ..... Loam top soil

(b) Kind of crops raised ..... Pasture, seed &amp; rotated truck garden.

## Power or Mining Purposes—

9. (a) Total amount of power to be developed ..... theoretical horsepower.

(b) Quantity of water to be used for power ..... sec. ft.

(c) Total fall to be utilized ..... feet.

(Head)

(d) The nature of the works by means of which the power is to be developed

(e) Such works to be located in ..... of Sec. ....

(Legal subdivision)

Tp. ...., R. ...., W. M. ....

(No. N. or S.)

(No. E. or W.)

(f) Is water to be returned to any stream? .....

(Yes or No)

(g) If so, name stream and locate point of return

....., Sec. ...., Tp. ...., R. ...., W. M. ....

(No. N. or S.)

(No. E. or W.)

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

PROPERTY DESCRIPTIONS

152-183 S. P. COLE

Situate in Yamhill County, Oregon and beginning at a point North 85° West 21.51 ch. from stone at the Northeast corner of the Franklin Martin D.L.C., Not. 1037, Claim 45 in Tp. 4 South, Range 3 West of the Willamette Meridian; thence South 27° 36' West with the West line of County, Survey No. 2388, 36.07 ch. to stake; thence N. 73° 07' West along fence 15.26 ch. to an oak 24" in diameter for corner; thence North 7° 02' West along fence 10.77 ch. to anchor post; thence North 26° 31' East along fence 21.09 ch. to North line of said Martin Claim in County Road; thence South 85° 00' East along claim line and County Road 23.28 ch. to place of beginning. Containing 68.37 acres excepting 2.00 acres in S. P. Right-of-Way, leaving 66.37 acres.

152-183 D. S. & LLOYD FORRESTER

Beginning at a point in center of County road North 85° West 44.85 ch. from the Northeast corner of Franklin Martin D.L.C.; thence South 27° West 20.85 ch.; thence South 6° 38' East 10.82 ch.; thence South 73° 10' East 15.15 ch.; thence South 28° West 9.00 ch.; thence West 4.15 ch.; thence North 89° 32' West 19.36½ ch. to the Southeast corner of lot 30 of "Fisk Subdivision; thence North 43.57 ch. to the center of the County road now there; thence South 85° East 21.55 ch. to the place of beginning. Containing 74 acres more or less. Saving and excepting therefrom right-of-way of the Southern Pacific Company and all dedicated roads and highways.

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AUG 1 1951  
STATE ENGINEER  
SALEM, OREGON

County, having a present population of \_\_\_\_\_  
in 19\_\_\_\_  
the state number of families to be supplied \_\_\_\_\_  
(NAME counties N, W, E, and S in all cases)

- 11. Estimated cost of proposed works, \$ 15,000.00
- 12. Construction work will begin on or before August 1951
- 13. Construction work will be completed on or before Fall of 1951
- 14. The water will be completely applied to the proposed use on or before June 1952

*E. P. Cole*  
(Signature of applicant)

*D. S. Forester*  
*Hayden W. Forester*

Remarks: The unnamed stream, from which the applicants plan on taking water, flows only a small amount during the summer months. Consequently they intend on constructing an earthen dam, located as shown on the accompanying map, for the purpose of storing the surplus water for use at a more convenient time.

STATE OF OREGON, }  
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for \_\_\_\_\_

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before \_\_\_\_\_, 19 \_\_\_\_\_

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

STATE ENGINEER

PERMIT

STATE OF OREGON,

County of Marion,

This is to certify that I have examined the foregoing application and do hereby grant the same, **SUBJECT TO EXISTING RIGHTS** and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 1.515 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from an unnamed stream and re- servoir to be constructed under App. No. R-26608, Per. No. R- 1275

The use to which this water is to be applied is irrigation

If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir to be constructed under Permit No. R- 1275

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is November 2, 1951

Actual construction work shall begin on or before March 31, 1953 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1954

Complete application of the water to the proposed use shall be made on or before October 1, 1955

WITNESS my hand this 31st day of March 1952

*Chas. E. Stickler*  
STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1933.

Application No. 26609

Permit No. 20840

PERMIT

TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE  
OF OREGON

Division No. District No.

This instrument was first received in the  
office of the State Engineer at Salem, Oregon,  
on the 2nd day of November,  
1951, at 8:00 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

Recorded in book No. 20840 of

Permits on page

STATE ENGINEER

Drainage Basin No. 2 Page 905

Fees Paid 3.00



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

# Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. TYPE OF TRANSFER APPLICATION

Please check one	
<input type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input checked="" type="checkbox"/> Temporary Transfer (1 to 5 yrs) • total number of years: <u>5</u> <sup>SH</sup> (begin year: <u>2009</u> ) (end year: <u>2013</u> <u>2010</u> <sup>WT</sup> )	<input type="checkbox"/> Permanent <input type="checkbox"/> Time-Limited <input type="checkbox"/> Drought Transfer <input type="checkbox"/> Other

## 2. APPLICANT INFORMATION

Name: Wayland Henry  
First Last  
Address: 14200 Hwy 99  
Dayton OR 97111  
City State Zip  
Phone: 503 864 8195  
Home Work Other  
Fax: \_\_\_\_\_ E-Mail address: \_\_\_\_\_

RECEIVED

APR 29 2009

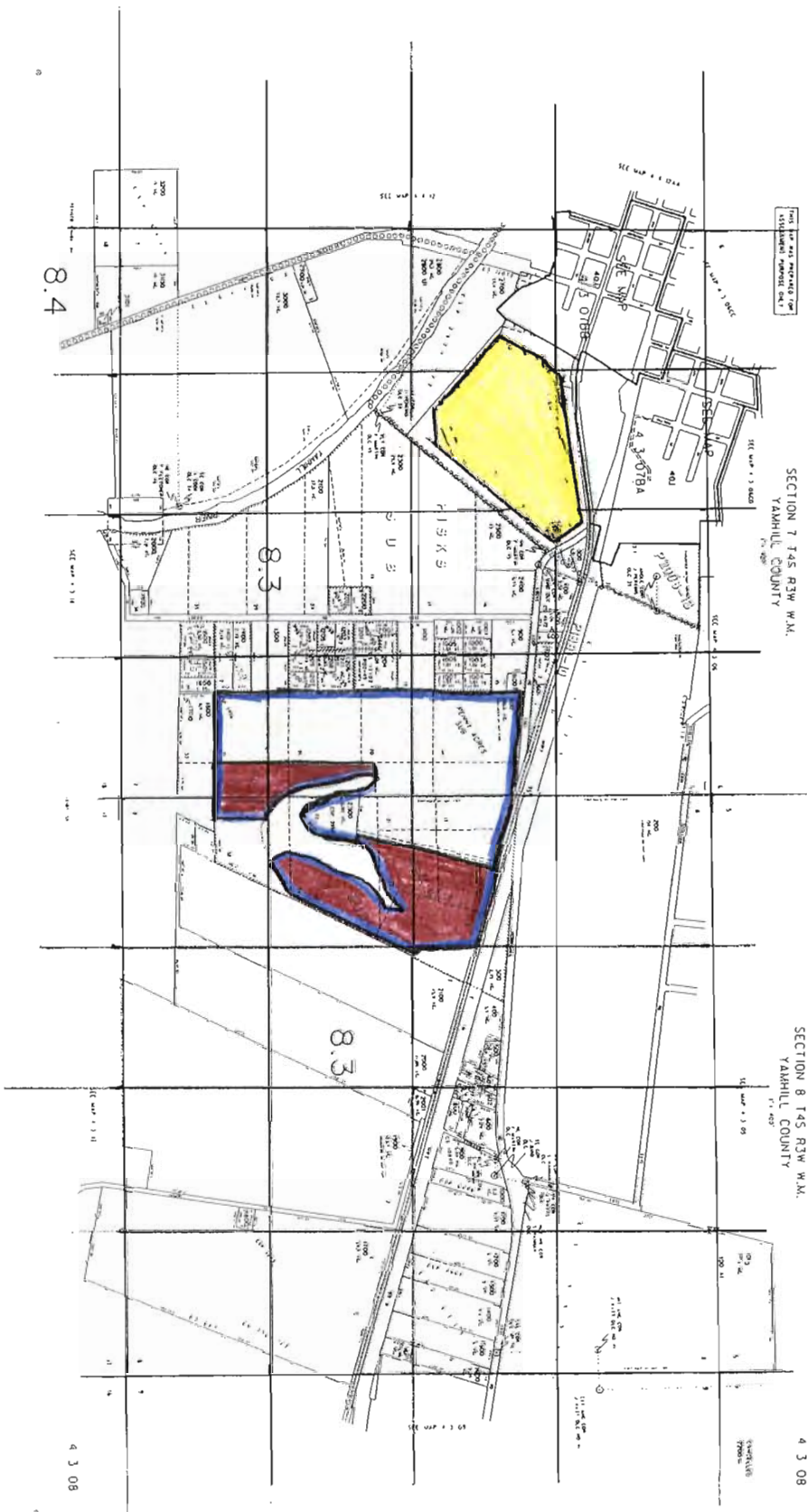
WATER RESOURCES DEPT  
SALEM, OREGON

## 3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: \_\_\_\_\_  
First Last  
Address: \_\_\_\_\_  
\_\_\_\_\_  
City State Zip  
Phone: \_\_\_\_\_  
Home Work Other  
Fax: \_\_\_\_\_ E-Mail address: \_\_\_\_\_

- If an agent is listed above, please check one of the following:
  - ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
  - ☐ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.



TO



EXISTING 22135



FROM

1" = 800'

RECEIVED  
APR 29 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

82410-00

Yong X-fer

11113

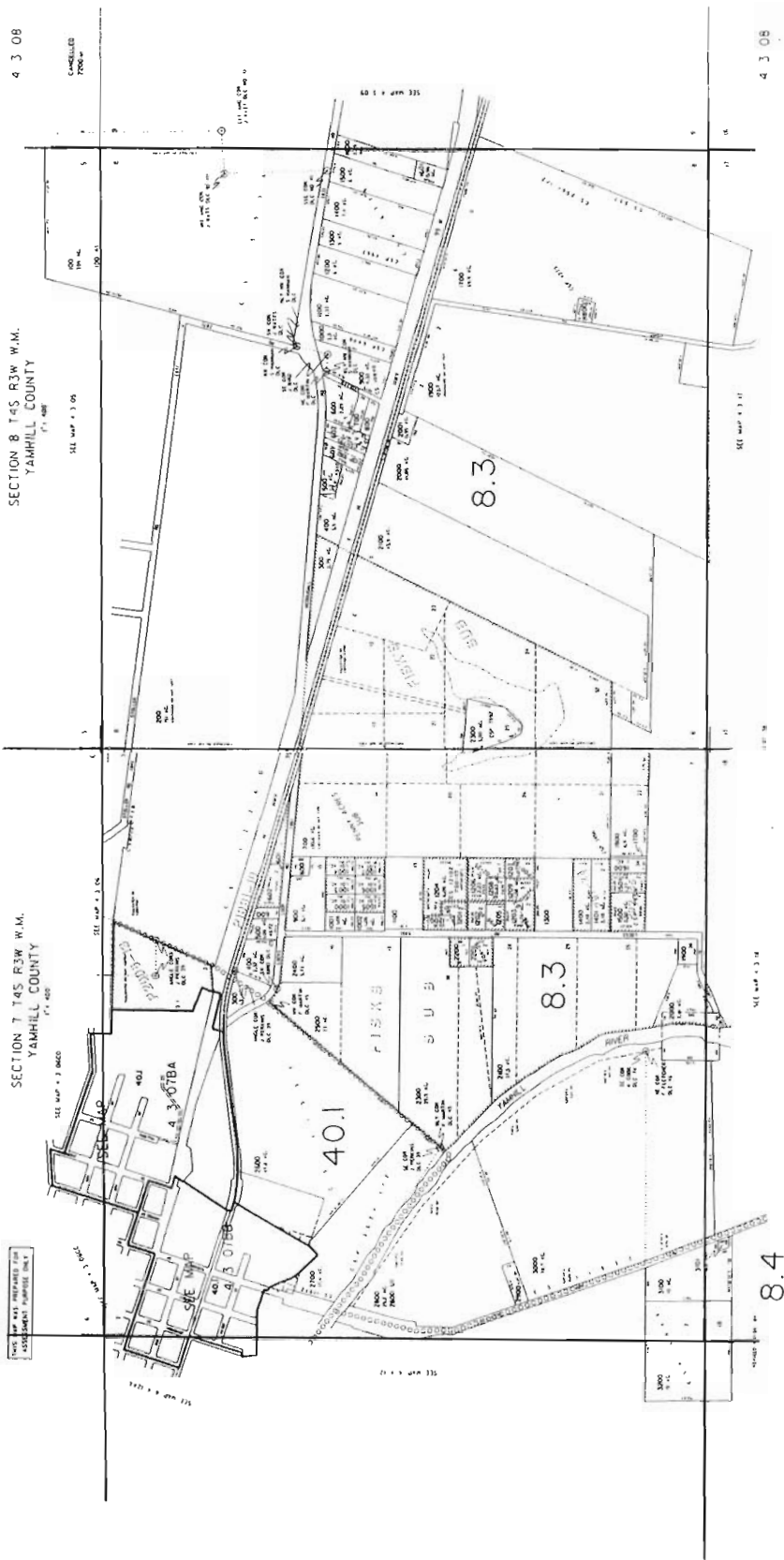


4 3 08

SECTION 8 T4S R3W W.M.  
YAMHILL COUNTY  
T4S R3W W.M.

SECTION 7 T4S R3W W.M.  
YAMHILL COUNTY  
T4S R3W W.M.

THIS MAP WAS PREPARED FOR  
ASSIGNMENT PURPOSES ONLY



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APR 29 2009

WATER RESOURCES DEPT  
SALEM, OREGON

#### 4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.			22135
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** *(Description of Proposed Change(s) to a Water Right)* for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
  - ☒ Place of Use      ☐ Point of Diversion (POD)      ☐ Additional Point of Diversion
  - ☐ Character of Use      ☐ Point of Appropriation (POA, or well)      ☐ Additional POA
  - ☐ Instream Transfer      ☐ Surface Water POD to Ground Water POA
  - ☐ Substitution of Supplemental Groundwater right for Primary Surface water right
  - ☐ Historic POD change      ☐ Other
- Reason(s) for change(s): Crop rotation

#### 5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

*The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.*

1 20 hp pump, 3400' of 5" ml, 4090' of 4" ml, 260' of 2" pipe

- System capacity: 0.75 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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## 6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
  - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
  - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
  - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
  - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

**RECEIVED**

APR 29 2009

WATER RESOURCES DEPT  
SALEM, OREGON

## 7. AFFECTED DISTRICTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is 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? ☐ Yes ☒ No

*If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:*

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## 8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

Yamhill County

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## 9. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☒ Yes ☐ No

*If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners (for Permanent Transfers see Section 12(c)):*

Names of Current Landowner(s): \_\_\_\_\_  
First Last

Address: \_\_\_\_\_

\_\_\_\_\_  
City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☐ Yes ☒ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

*If "No", provide the following information:*

Names of Receiving Landowner(s): Four D's & K LLC  
First Last

Address: 601 S PARK ST

Carlton OR 97111  
City State Zip

- Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

## 10. Other Remarks (optional)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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## 11. ATTACHMENTS

Check each of the following attachments included with this application.  
The application will be returned if all required attachments are not included.

### Supplemental Form A –

#### Description of Proposed Change(s) to a Water Right

- ☒ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

### Supplemental Form B –

#### Evidence of Use Affidavit(s)

- ☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☒ The Evidence of Use Affidavit **must** be accompanied by **supporting documentation**.

#### Map

- ☐ *Water Right Transfer*  
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☒ *Temporary Transfer or Historical POD Change*  
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

#### Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☐ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

### Land Use Information For Proposed Changes:

#### For Instream Transfers:

- ☐ Notice of the intent to file an instream transfer application has been provided to each affected local government along the proposed reach, and copies of the notices are enclosed. (*For instream transfers a Land Use Information Form is not required.*)

#### For All Other Transfers:

- ☐ Land Use Information Form is enclosed; *or*
- ☒ **All** of the following criteria are met, therefore a Land Use Information Form is not required:
- ❶ In EFU zone or irrigation district,
  - ❷ Change in place of use only,
  - ❸ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
  - ❹ Irrigation only.

#### Fees:

- ☒ Amount enclosed: \$ \_\_\_\_\_  
See the Department's Fee Schedule at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.

#### Instream Water Right Transfers, also include:

### Supplemental Form C –

#### Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

#### Temporary Transfers, also include:

#### Recorded Deed:

- ☒ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

#### Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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WATER RESOURCES DEPT  
SALEM, OREGON**Before submitting your application to the Department, be sure you have:**

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

**12. SIGNATURES**▪ Check one of the following, as appropriate, and sign the application in the signature box below:

- ☐ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:
- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a notarized statement consenting to the transfer (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.
- ☐ I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized to pursue the transfer. I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.
- ☐ I (we) affirm that 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. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.
- ☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.
- ☒ I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (and affidavits of consent from any other landowners, if applicable) is enclosed.

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

 applicant signature	WAYLAND HENRY, OWNER name and title if applicable (print)	4/27/2009 date
_____ applicant signature	_____ name and title if applicable (print)	_____ date

T 11113

## Water Right Transfer Supplemental Form A

### DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

- Certificate Number or other identifying number: 22135

### 1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> <b>Change</b> (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> <b>Additional</b> (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> <b>Historic Point of Diversion or Appropriation Change</b> (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <b>instead of</b> the old point of diversion. The old point of diversion will <u>not</u> be used.) <input type="checkbox"/> <b>Point of Diversion Change due to Government Action</b> (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> <b>Exchange</b> (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> <b>All of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.) <input checked="" type="checkbox"/> <b>Only a portion of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.)	Proposed new use: <input type="checkbox"/> <b>Irrigation</b> <input type="checkbox"/> <b>Municipal</b> <input type="checkbox"/> <b>Quasi-municipal</b> <input type="checkbox"/> <b>Commercial</b> <input type="checkbox"/> <b>Industrial</b> <input type="checkbox"/> <b>Instream</b> (complete and attach <i>Supplemental Form C</i> ) <input type="checkbox"/> <b>Domestic</b> (indicate number of households) _____ <input type="checkbox"/> <b>Other</b> _____  <input type="checkbox"/> <b>Substitution</b> (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> <b>Supplemental Use to Primary Use</b> (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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## 2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certificated Right	22135 <small>Certificate Number</small>	20840 <small>Permit Number or Decree Name</small>
<input type="checkbox"/> Adjudicated, Non-certificated Right	 <small>Name of Decree</small>	 <small>Page Number</small>
<input type="checkbox"/> Permit for which Proof has been Approved	 <small>Permit Number</small>	 <small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Transferred Right for which Proof has been Filed	 <small>Previous Transfer Number</small>	 <small>Date Claim of Beneficial Use Submitted</small>

- Name on Permit, Certificate, or Decree: Elsie V. Cole
- County: Yamhill
- Authorized Use(s) to be Affected by Transfer: irrigation
- Priority Date(s): Nov. 2, 1951

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: \_\_\_\_\_  
an unnamed stream and a reservoir constructed under app. no. R-26608  
 Tributary to: Yamhill River

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

**For applications proposing a Change in Place of Use or Character of Use:**

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?  

☐ Yes    ☒ No    ☐ N/A – No Change in Place of Use or Character of Use

*If "Yes", what are the Permit, Registration or Certificate Numbers? \_\_\_\_\_*

*Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled**, except as provided in OAR 690-380-2240(5).*

▪ Certificate Number or other identifying number: 22135

The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

**Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:**

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L- )	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

**Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)**

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

▪ Certificate Number or other identifying number: 22135

**Will the ENTIRE water right be affected by this transfer?** ☐ Yes ☒ No

*If "Yes", the remainder of this page does not need to be completed. Go on to the next page.*

*If "No", the following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right to be affected by the change.)*

*Attach additional pages as necessary.*

*Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.*

**Location of Existing Authorized Place of Use to be Affected:**

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

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▪ Certificate Number or other identifying number: 22135

### 3. PROPOSED CHANGES TO THE WATER RIGHT

*Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.*

#### Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
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							<b>APR 29 2009</b>
							<b>WATER RESOURCES DEPT SALEM, OREGON</b>

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

*If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)*

*If "No", describe the anticipated construction for the proposed well(s) in the following table:*

#### Construction of Proposed Point(s) of Appropriation or Well(s)

*Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.*

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L- )	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

▪ Certificate Number or other identifying number: 22135

*Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.*

**Location of Proposed Place of Use:** (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer  
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
	4S	3W		7	SW NW		7.91
	4S	3W		7	NE NW		4.62
	4S	3W		7	NW NE		0.38
	4S	3W		7	SW NE		0.59
	4S	3W		7	SE NW		26.36

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

State Printing - 22108

STATE OF OREGON  
COUNTY OF YAMHILL  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That** **ELSIE V. COLE**

of Route 2, Box 283, Dayton, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of unnamed stream & reservoir constructed under App. No. R-26608, Per. No. R-1275 a tributary of Yamhill River for the purpose of irrigation under Permit No. 20840 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from November 2, 1951

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.5 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , as projected within Martin DEC #45, Section 8, Township 4 South, Range 3 West, W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-1275,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

26.2 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$   
28.6 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$   
8.6 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 7  
25.8 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$   
0.4 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$   
30.0 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$   
1.4 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 8.

Township 4 South, Range 3 West, W. M.  
all as projected within Martin DEC #45

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SALEM, OREGON

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 7th day of March, 1957.

T 1111.3

LEWIS A. STANLEY  
State Engineer

## STATE OF OREGON

COUNTY OF YAMHILL

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That ELSIE V. COLE

of Route 2, Box 283, Dayton, State of Oregon, has made proof  
to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of  
unnamed stream, tributary of Yamhill River, to be appropriated under Applica-  
tion No. 26609, Permit No. 20840,

for the purposes of  
irrigation

under Reservoir Permit No. R-1275 of the State Engineer, and that said right to store said  
waters has been perfected in accordance with the laws of Oregon; that the priority of the right  
hereby confirmed dates from November 2, 1951

that the amount of water entitled to be stored each year under such right, for the purposes afore-  
said, shall not exceed 122 acre-feet.

The reservoir is located in Section 7 (NE 1/4), Tp. 4 S., R. 3 W., W.M.  
3 (NW 1/4)  
both as projected within Martin DLC #15.

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WITNESS the signature of the State Engineer,

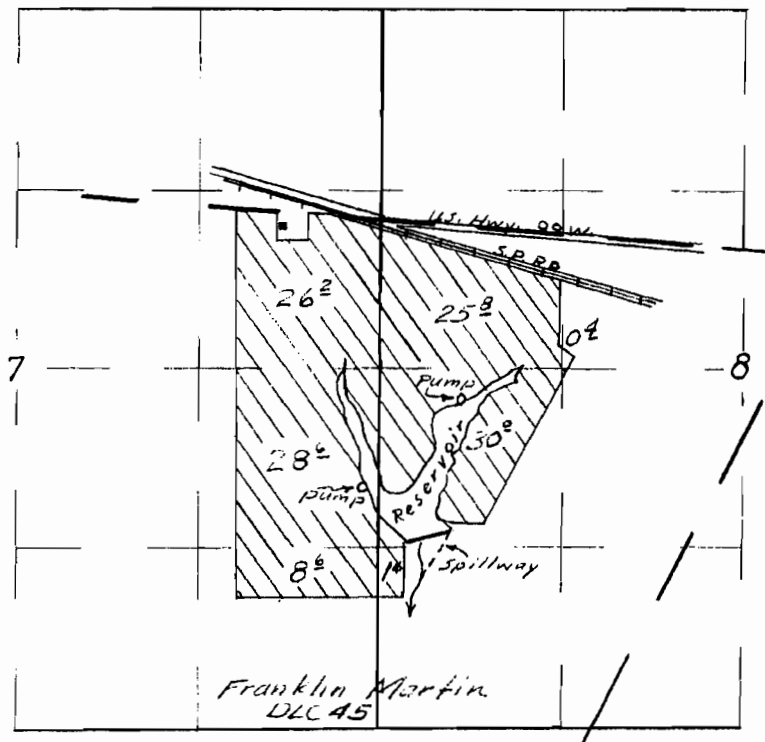
affixed this 7th day  
of March, 19 57.

LEWIS A. STANLEY

State Engineer.

T 11113  
Recorded in State Record of Water Right Certificates, Volume 16, page 22134.

T.4S. R.3W. W.M.



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Final Proof Survey  
Under

WATER RESOURCES DEPT  
SALEM, OREGON

Application No. R-26608 Permit No. R-1275  
26609 20440  
In Name Of

Elsie V. Cole

Surveyed June 6 1955, by T. Jones

T 11113

DFR-30-166

747

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-11113, Yamhill County	)	TEMPORARY CHANGE IN PLACE OF
	)	USE

**Authority**

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

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

**Applicant**

WAYLAND HENRY  
14200 HWY 99  
DAYTON, OR 97111

**Receiving Land Owner**

FOUR D'S & K, LLC  
601 S. PARK STREET  
CARLTON, OR 97111

**Findings of Fact**

1. On April 29, 2009, WAYLAND HENRY submitted an application to temporarily change the place of under Certificate 22135 for a period of 5 years; however, he failed to submit the required filing fees at that time. On July 27, 2010, the filing fees were submitted. The Department assigned the application number T-11113.
2. The portion of the right to be temporarily transferred is as follows:

<b>Certificate:</b>	22135 in the name of ELSIE V. COLE (perfected under Permit S-20840)
<b>Use:</b>	IRRIGATION of 39.86 ACRES
<b>Priority Date:</b>	NOVEMBER 2, 1951
<b>Rate:</b>	0.49 CUBIC FOOT PER SECOND
<b>Limit/Duty:</b>	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 2.5 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-1275.

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

**Source:** UNNAMED STREAM, tributary to the YAMHILL RIVER  
RESERVOIR constructed under App. No. R-26608, Permit No. R-1275.

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	DLC
4 S	3 W	WM	8	NW SW	45

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	3 W	WM	7	NE SE	45	6.31
4 S	3 W	WM	7	SE SE	45	3.50
4 S	3 W	WM	8	SW NW	45	11.11
4 S	3 W	WM	8	SE NW	45	0.04
4 S	3 W	WM	8	NW SW	45	17.50
4 S	3 W	WM	8	SW SW	45	1.40
Total						39.86

3. Temporary Transfer Application T-11113 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	3 W	WM	7	NW NE	45	0.38
4 S	3 W	WM	7	SW NE	45	0.59
4 S	3 W	WM	7	NE NW	45	4.62
4 S	3 W	WM	7	SW NW	45	7.91
4 S	3 W	WM	7	SE NW	45	26.36
Total						39.86

4. Notice of the application for transfer was published on August 3, 2010, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

***Temporary Transfer Review Criteria***

- Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
- The proposed change would not result in enlargement of the right.
- The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(6) if the Department later finds that the transfer is causing injury to any existing water right.

### Conclusions of Law

The temporary change in place of use proposed in Temporary Transfer Application T-11113 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

### Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in Temporary Transfer Application T-11113 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2009, 2010, 2011, 2012, and 2013 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2013 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificate 22135 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 22135.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each point of diversion. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.
9. The use of the remaining water right described by Certificate 22135 shall continue to be in accordance with the terms and conditions of Certificate 22135.

Dated at Salem, Oregon this 8<sup>th</sup> day of September, 2010.

  
Phillip C. Ward, Director

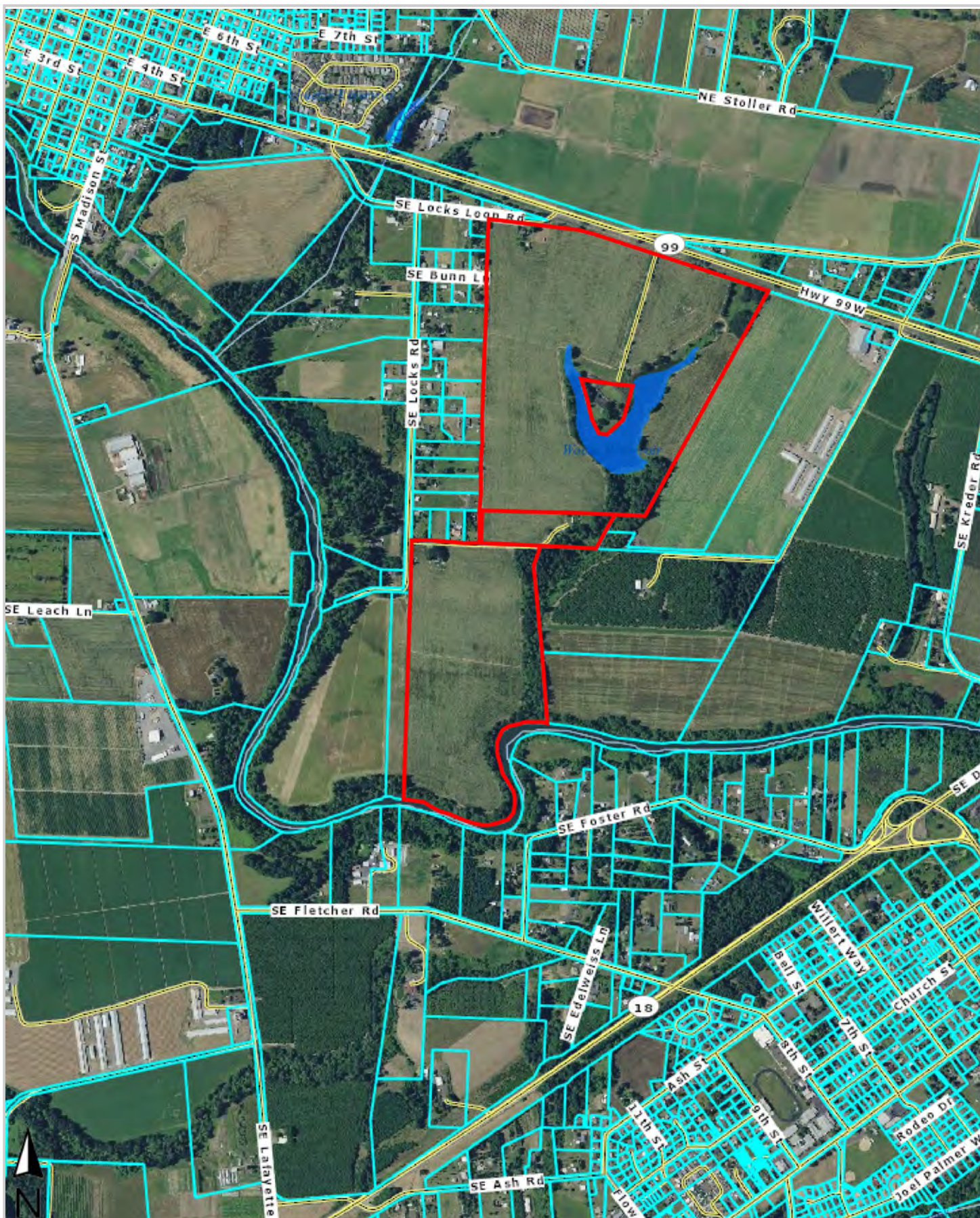
Mailing Date: SEP 09 2010



## *Property Maps*

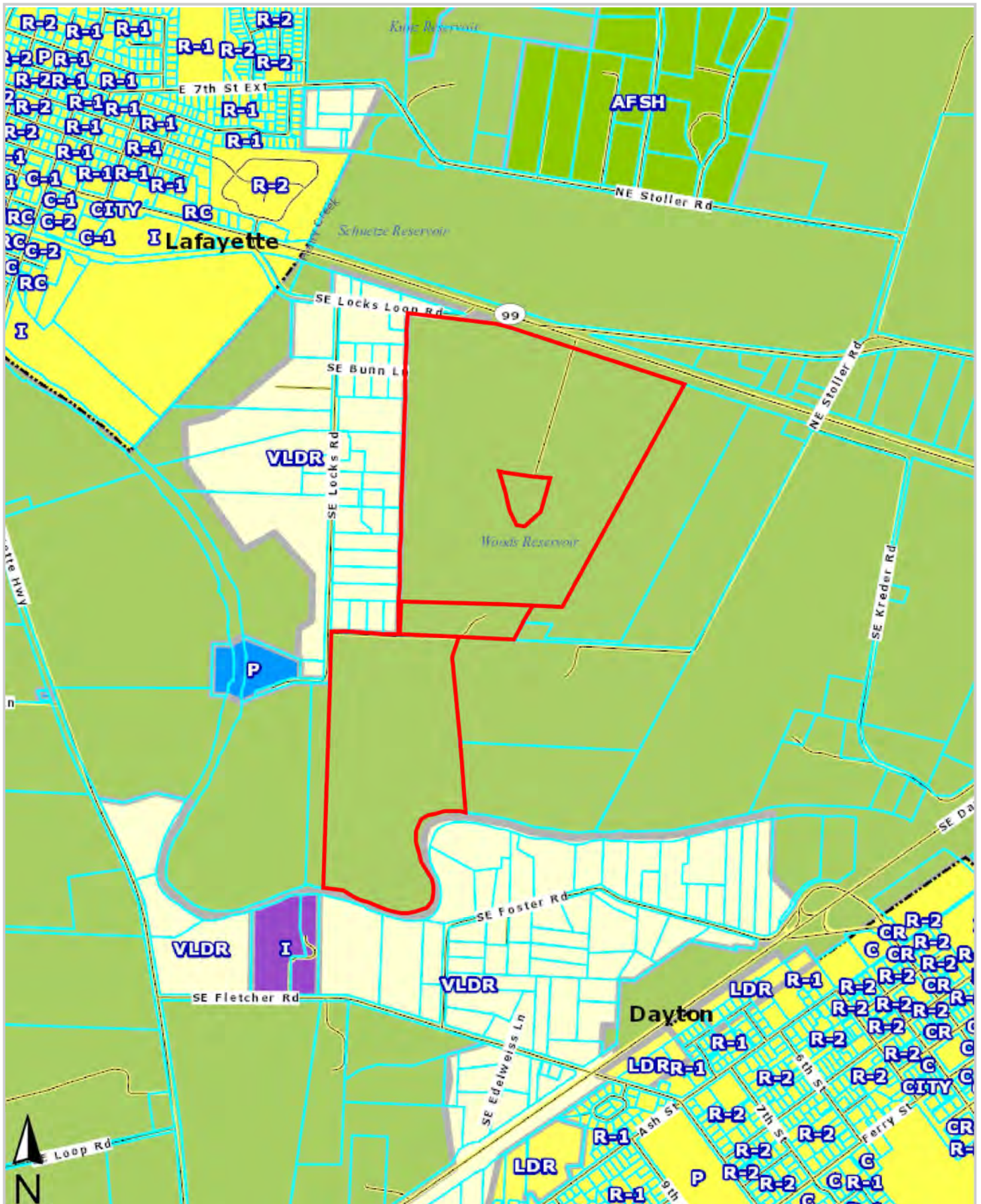






**TICOR TITLE COMPANY**

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



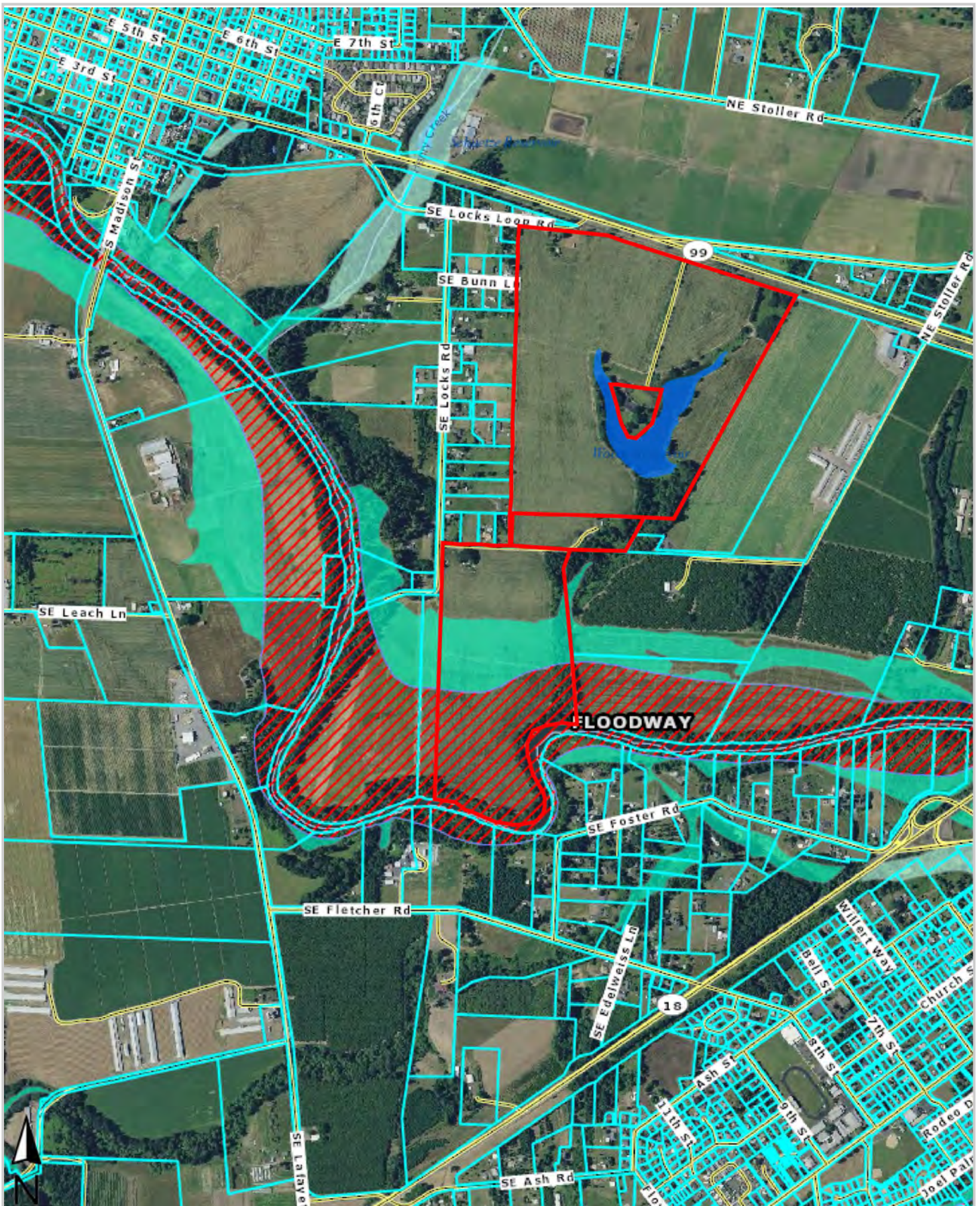




This map/plot is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



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# *NOTES*

# NOTES





# THE KELLY GROUP

REAL ESTATE



The Kelly Group Real Estate | 215 N Blaine Street, Newberg, OR 97132 | 503-538-4531

Home Packet Designed by The Kelly Group Real Estate. All information deemed reliable but not guaranteed. 11.23.2019