

# Application for Permanent Water Right Transfer

## Part 1 of 5 – Minimum Requirements Checklist



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

**This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

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

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- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: Cert 89856 and Cert 89858**  
Please include a separate Part 5 for each water right. (See instructions on page 6)

**Attachments:**

- Completed 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.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

**(For Staff Use Only)**

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

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Evidence of Use Form not enclosed or incomplete
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503-986-0 \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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## Part 2 of 5 – Transfer Application Map

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.

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

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## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>JB Land LLC c/o Greg Juul</b>		PHONE NO. <b>541 571 1043</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>P.O. Box 130</b>			FAX NO.
CITY <b>Hermiston</b>	STATE <b>OR</b>	ZIP <b>97838</b>	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME <b>DGV Consulting, PLLC c/o Dale VanSchoiack</b>		PHONE NO. <b>509 627 8717</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>2141 S Lyle St.</b>			FAX NO.
CITY <b>Kennewick</b>	STATE <b>WA</b>	ZIP <b>99337</b>	E-MAIL <b>dalevconsulting@gmail.com</b>
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

A cattle feedlot is being developed in the northeasterly portion of the farm. The feedlot development has taken all of irrigation circle C 14 out of production. At this time, it has also encroached on a portion of irrigation circle C 13. Eventually it will take the entire north easterly half of circle C 13 out of production. This transfer will relocate the acres affected by the feedlot development to other farm ground that is presently being irrigated with a portion of conserved water resulting from CW 64. The conserved water will be put back instream once this transfer is approved.

Two small half irrigation circles, C 15 and C 16 have been installed on land in the NW NW quarter of Section 35 that previously was irrigated with hand lines. This resulted in a reduction of the total land being irrigated in this quarter quarter section. The land that is no longer being irrigated in the quarter quarter section will also be relocated with this transfer.

Water right Certificates 89856 and 89858 involve a hodge podge of irregular shaped parcels of ground. The irregular shaped parcels were created when the Bureau of Reclamation constructed a canal through the farm that resulted in a new configuration of the irrigation circles on the property. Along with the transfer in the place of use of the acreage impacted by the feedlot development and the installation of the two small half circles, I want to reconfigure the remaining Certificate 89856 and 89858 water rights on the rest of the farm in a manner that eliminates the irregular shaped parcels and consolidates them in a logical manner that will be more manageable.

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

### Check One Box

- By signing this application, I understand that, upon receipt of the draft preliminary determination 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 690-380-4010(5); OR

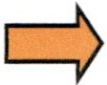
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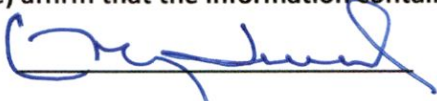
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
  - I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.
- 

**By my signature below, I confirm that I understand:**

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: East Oregonian.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).

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



  
Applicant Signature

Greg Juul, JB Land LLC, Authorized Representative

Date 10/23/2020

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No *If NO, include signatures of all 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.*

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Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold?  Yes  No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: [https://www.oregon.gov/owrd/WRDFormsPDF/Transfer\\_Property\\_Transactions.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf)

RECEIVING LANDOWNER NAME <b>Not Applicable</b>			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

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Describe any special ownership circumstances here: **Not Applicable**

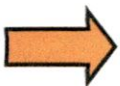
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- Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME <b>East Improvement District</b>	ADDRESS <b>31056 E. Walls Road</b>	
CITY <b>Hermiston</b>	STATE <b>OR</b>	ZIP <b>97838</b>

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

ENTITY NAME <b>Not Applicable</b>	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME <b>Umatilla County</b>	ADDRESS <b>216 SE 4th</b>	
CITY <b>Pendleton</b>	STATE <b>Oregon</b>	ZIP <b>97801</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP <b>13548</b>

**Part 5 of 5 – Water Right Information**

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

**CERTIFICATE # Cert 89856**

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**Description of Water Delivery System**

System capacity: 1.63 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

**JB LAND LLC IRRIGATION SYSTEM DESCRIPTION**

The Superior Farms, JB Land LLC authorized point of diversion is in SE1/4 SW1/4, Section 7, T5N, R30E, W.M. Water for irrigation is withdrawn at the point of diversion from the south bank of the Columbia River with four pumps, three 500 hp units and one 250 hp unit, totaling 1750 hp.

From the river pumping station a 24” mainline extends in a southeast direction 600 ft +/- and then bends to the southwest and extends 2650 ft +/- to a point on the north side of Hwy 37, it then bends slightly to the east and continues in a southwesterly direction 3040 ft +/-, crossing beneath Hwy 37 and a USBR canal, to a point near the northwest corner of Section 19, T5N, R30E, W.M. where it crosses beneath a BPA power line and onto the farm. From this point it continues southwest 2640 ft +/- and then bends to the west and continues 12,800 ft +/- reducing in size along its length. Branch pipelines connect to the main pipe and extend to the pivots of twenty-one circular irrigation machines which irrigate the ground covered in the water right certificate. There are also some irregular shaped parcels of ground that are irrigated with handlines.

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**  
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
<b>POD #1</b>	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	<b>NA</b>	<b>5 N</b>	<b>30 E</b>	<b>7</b>	<b>SE</b>	<b>SW</b>		<b>460' N &amp; 1680' E from the SW Cor of Sec 7</b>
<b>POD #2</b>	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed APOD	<b>NA</b>	<b>5 N</b>	<b>30 E</b>	<b>8</b>	<b>SW</b>	<b>NW</b>		<b>2860' N &amp; 70' E from the SW Cor of Sec 8</b>
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                    | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE)                           | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                         | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD)  | <input type="checkbox"/> Substitution (SUB)                       |
| <input type="checkbox"/> Surface Water POD to Ground Water<br>POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)              |

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

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

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**For Place of Use or Character of Use Changes**

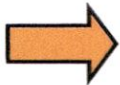
Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands?  Yes  No

If YES, list the certificate, water use permit, or ground water registration numbers: **Permit G 16102, Permit S-55114, Permit S-55262, and Permit S-55263, CW-64 AND CW-65.**

**Permit G 16102 authorizes supplemental irrigation on the land involved in this transfer. A Claim of Beneficial Use was submitted on 11/27/2017 for Permit G-16102 which included the supplemental use. This claim was amended on 6/22/20 to eliminate the supplemental use, and therefore, this transfer is not affected by Permit G-16102.**

**Permits S-55114, S-55262, and S-55263 are all in the name of East Improvement District. They involve mitigation water. The authorized place of use (POU) for these permits is extensive and it includes the land associated with this transfer. While the POU includes the land associated with this transfer no water is being used or will be used under the permits for the land associated with this transfer. This will be the case beginning with the 2021 irrigation season and remain in effect during subsequent irrigation seasons while the transfer application is being processed up until the time the transfer is no longer active or is finalized with the submission of a Claim of Beneficial Use. The nonuse of water under Permits S-55114, S-55262, and S-55263 is only temporary. Once the transfer is no longer active or is finalized the lands in this transfer will again be layered with the permits and water associated with the permits can be used for the land associated with this transfer.**

**Small portions of the rights being transferred are being placed on lands that presently have CW-64 and CW-65 rights. The CW-64 and CW-65 rights being replaced with rights associated with this transfer will be removed and placed instream when this transfer is approved.**



Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

**For Substitution** (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # **NA**;  
Surface water primary Certificate # **NA**.

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**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # **NA**

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**For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:**

**NA** Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

**Tip:** You may search for well logs on the Department’s web page at:

[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**AND/OR**

**NA** Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best

estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

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

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

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

**CERTIFICATE # Cert 89858**

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**Description of Water Delivery System**

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System capacity: 13.06 cubic feet per second (cfs) **OR**  
 \_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

**JB LAND LLC IRRIGATION SYSTEM DESCRIPTION**

**The Superior Farms, JB Land LLC authorized point of diversion is in SE1/4 SW1/4, Section 7, T5N, R30E, W.M. Water for irrigation is withdrawn at the point of diversion from the south bank of the Columbia River with four pumps, three 500 hp units and one 250 hp unit, totaling 1750 hp.**

**From the river pumping station a 24" mainline extends in a southeast direction 600 ft +/- and then bends to the southwest and extends 2650 ft +/- to a point on the north side of Hwy 37, it then bends slightly to the east and continues in a southwesterly direction 3040 ft +/-, crossing beneath Hwy 37 and a USBR canal, to a point near the northwest corner of Section 19, T5N, R30E, W.M. where it crosses beneath a BPA power line and onto the farm. From this point it continues southwest 2640 ft +/- and then bends to the west and continues 12,800 ft +/- reducing in size along its length. Branch pipelines connect to the main pipe and extend to the pivots of twenty-one circular irrigation machines which irrigate the ground covered in the water right certificate. There are also some irregular shaped parcels of ground that are irrigated with handlines.**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
<b>POD #1</b>	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	<b>NA</b>	<b>5</b>	<b>N</b>	<b>30</b>	<b>E</b>	<b>7</b>	<b>SE</b>	<b>SW</b>		<b>460' N &amp; 1680' E from the SW Cor of Sec 7</b>
<b>POD #2</b>	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed APOD	<b>NA</b>	<b>5</b>	<b>N</b>	<b>30</b>	<b>E</b>	<b>8</b>	<b>SW</b>	<b>NW</b>		<b>2860' N &amp; 70' E from the SW Cor of Sec 8</b>
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                    | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE)                           | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                         | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD)  | <input type="checkbox"/> Substitution (SUB)                       |
| <input type="checkbox"/> Surface Water POD to Ground Water<br>POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)              |

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

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

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

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

**Table 2. Description of Changes to Water Right Certificate # 89858**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.  
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)											
The listing that appears on the certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES											
List only that part or portion of the water right that will be changed.										are made.											
Twp	Rng	Sec	¼	¼	Tax Lot/lot or DLC	Gvt Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	¼	¼	Tax Lot/lot or DLC	Gvt Acres	New Type of USE	POD(s) to be used (from Table 1)	Priority Date	
										POU/APOD	5	N	29	E	24	SW	NE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SW	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SW	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SW	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SW	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	SE	SE	102	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	24	NE	SE	102	Irrig	POD #1	3/13/72

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Table 2 for Certificate 89858 Continued

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AUTHORIZED (the "from" or "off" lands)  
The listing that appears on the certificate BEFORE PROPOSED CHANGES  
List only that part or portion of the water right that will be changed.

Proposed Changes (see "CODES" from previous page)

PROPOSED (the "to" or "on" lands)  
The listing as it would appear AFTER PROPOSED CHANGES are made.

Twp	Rng	Sec	1/4	1/4	Tax Lot/lot or DLC	Gvt Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4	1/4	Tax Lot/lot or DLC	Gvt Acres	New Type of USE	POD(s) to be used (from Table 1)	Priority Date		
<b>EXAMPLE</b>																						
										POU/APOD	5	N	29	E	25	SE	NE	2800	0.5	Irrig	POD #1 POD #2	3/13/72
										POU/APOD	5	N	29	E	25	NE	NW	2800	34.2	Irrig	POD #1 POD #2	3/13/72
										POU/APOD	5	N	29	E	25	NW	NW	2800	35.0	Irrig	POD #1 POD #2	3/13/72
										POU/APOD	5	N	29	E	25	SW	NW	2800	12.0	Irrig	POD #1 POD #2	3/13/72
										POU/APOD	5	N	29	E	25	SE	NW	2800	3.6	Irrig	POD #1 POD #2	3/13/72
										POU/APOD	5	N	29	E	25	NW	SW	2800	18.5	Irrig	POD #1 POD #2	3/13/72
										POU/APOD	5	N	29	E	25	SW	SW	2800	21.9	Irrig	POD #1 POD #2	3/13/72
										POU/APOD	5	N	29	E	26	NE	NE	2701	13.3	Irrig	POD #1 POD #2	3/13/72
										POU/APOD	5	N	29	E	26	SW	NE	2701	13.1	Irrig	POD #1 POD #2	3/13/72
										POU/APOD	5	N	29	E	26	SE	NE	2701	35.8	Irrig	POD #1 POD #2	3/13/72
										POU/APOD	5	N	29	E	26	SE	NW	2701	0.6	Irrig	POD #1 POD #2	3/13/72
										POU/APOD	5	N	29	E	26	NE	SW	2701	17.4	Irrig	POD #1 POD #2	3/13/72
TOTAL ACRES:											CONTINUED ON NEXT PAGE											

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Table 2 for Certificate 89858 Continued

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AUTHORIZED (the "from" or "off" lands)  
The listing that appears on the certificate BEFORE PROPOSED CHANGES  
List only that part or portion of the water right that will be changed.

PROPOSED (the "to" or "on" lands)  
The listing as it would appear AFTER PROPOSED CHANGES  
are made.

Twp	Rng	Sec	1/4	1/4	Tax Lot/lot or DLC	Gvt Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4	1/4	Tax Lot/lot or DLC	Gvt Acres	New Type of USE	POD(s) to be used (from Table 1)	Priority Date		
											5	N	29	E	26	SE	SW	2701	3.8	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	26	SE	SW	2701	3.8 <td>Irrig <td>POD #1 <td>3/13/72</td> </td></td>	Irrig <td>POD #1 <td>3/13/72</td> </td>	POD #1 <td>3/13/72</td>	3/13/72
										POU/APOD	5	N	29	E	26	NE	SE	2701	28.9 <td>Irrig <td>POD #1 <td>3/13/72</td> </td></td>	Irrig <td>POD #1 <td>3/13/72</td> </td>	POD #1 <td>3/13/72</td>	3/13/72
										POU/APOD	5	N	29	E	26	NW	SE	2701	36.0 <td>Irrig <td>POD #1 <td>3/13/72</td> </td></td>	Irrig <td>POD #1 <td>3/13/72</td> </td>	POD #1 <td>3/13/72</td>	3/13/72
										POU/APOD	5	N	29	E	26	SW	SE	2701	19.7 <td>Irrig <td>POD #1 <td>3/13/72</td> </td></td>	Irrig <td>POD #1 <td>3/13/72</td> </td>	POD #1 <td>3/13/72</td>	3/13/72
										POU/APOD	5	N	29	E	26	SE	SE	2701	25.2 <td>Irrig <td>POD #1 <td>3/13/72</td> </td></td>	Irrig <td>POD #1 <td>3/13/72</td> </td>	POD #1 <td>3/13/72</td>	3/13/72
										POU/APOD	5	N	29	E	35	NE	NE	3200	26.5 <td>Irrig <td>POD #1 <td>3/13/72</td> </td></td>	Irrig <td>POD #1 <td>3/13/72</td> </td>	POD #1 <td>3/13/72</td>	3/13/72
										POU/APOD	5	N	29	E	35	NE	NE	3200	2.0 <td>Irrig <td>POD #1 <td>3/13/72</td> </td></td>	Irrig <td>POD #1 <td>3/13/72</td> </td>	POD #1 <td>3/13/72</td>	3/13/72
										POU/APOD	5	N	29	E	35	NE	NE	3204	2.0 <td>Irrig <td>POD #1 <td>3/13/72</td> </td></td>	Irrig <td>POD #1 <td>3/13/72</td> </td>	POD #1 <td>3/13/72</td>	3/13/72
										POU/APOD	5	N	29	E	35	NW	NE	3200	23.9 <td>Irrig <td>POD #1 <td>3/13/72</td> </td></td>	Irrig <td>POD #1 <td>3/13/72</td> </td>	POD #1 <td>3/13/72</td>	3/13/72
										POU/APOD	5	N	29	E	35	NW	NE	3204	6.3 <td>Irrig <td>POD #1 <td>3/13/72</td> </td></td>	Irrig <td>POD #1 <td>3/13/72</td> </td>	POD #1 <td>3/13/72</td>	3/13/72
										POU/APOD	5	N	29	E	35	SW	NE	3200	34.5 <td>Irrig <td>POD #1 <td>3/13/72</td> </td></td>	Irrig <td>POD #1 <td>3/13/72</td> </td>	POD #1 <td>3/13/72</td>	3/13/72
										POU/APOD	5	N	29	E	35	SE	NE	3200	0.8 <td>Irrig <td>POD #1 <td>3/13/72</td> </td></td>	Irrig <td>POD #1 <td>3/13/72</td> </td>	POD #1 <td>3/13/72</td>	3/13/72
										POU/APOD	5	N	29	E	35	NE	NW	3200	34.8 <td>Irrig <td>POD #1 <td>3/13/72</td> </td></td>	Irrig <td>POD #1 <td>3/13/72</td> </td>	POD #1 <td>3/13/72</td>	3/13/72
TOTAL ACRES:											CONTINUED ON NEXT PAGE											



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Table 2 for Certificate 89858 Continued

AUTHORIZED (the "from" or "off" lands)  
The listing that appears on the certificate BEFORE PROPOSED CHANGES  
List only that part or portion of the water right that will be changed.

PROPOSED (the "to" or "on" lands)  
The listing as it would appear AFTER PROPOSED CHANGES  
are made.

Twp	Rng	Sec	1/4	1/4	Tax Lot/lot or DLC	Gvt Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4	1/4	Tax Lot/lot or DLC	Gvt Acres	New Type of USE	POD(s) to be used (from Table 1)	Priority Date	
<b>EXAMPLE</b>																					
										POU/APOD	5	N	29	E	35	NW	NW	3200	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	35	SW	NW	3200	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	35	SE	NW	3200	Irrig	POD #1	3/13/72
										POU/APOD	5	N	29	E	36	SE	NE	2900	Irrig	POD #1	3/13/72
										POU/APOD	5	N	30	E	18	SE	SE	903	Irrig	POD #1	3/13/72
										POU/APOD	5	N	30	E	19	NW	SW	1003	Irrig	POD #1	3/13/72
										POU/APOD	5	N	30	E	19	SW	SW	1003	Irrig	POD #1	3/13/72
										POU/APOD	5	N	30	E	30	NW	NW	1100	Irrig	POD #1	3/13/72
										POU/APOD	4	N	30	E	6	NW	NE	600	Irrig	POD #1	3/13/72
										POU/APOD	4	N	30	E	6	NE	NW	700	Irrig	POD #1	3/13/72
TOTAL ACRES:											TOTAL ACRES:										
											868.5										

**For Place of Use or Character of Use Changes**

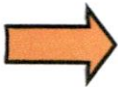
Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands?  Yes  No

If YES, list the certificate, water use permit, or ground water registration numbers: **Permit G 16102, Permit S-55114, Permit S-55262, and Permit S-55263, CW-64 AND CW-65.**

**Permit G 16102 authorizes supplemental irrigation on the land involved in this transfer. A Claim of Beneficial Use was submitted on 11/27/2017 for Permit G-16102 which included the supplemental use. This claim was amended on 6/22/20 to eliminate the supplemental use, and therefore, this transfer is not affected by Permit G-16102.**

**Permits S-55114, S-55262, and S-55263 are all in the name of East Improvement District. They involve mitigation water. The authorized place of use (POU) for these permits is extensive and it includes the land associated with this transfer. While the POU includes the land associated with this transfer no water is being used or will be used under the permits for the land associated with this transfer. This will be the case beginning with the 2021 irrigation season and remain in effect during subsequent irrigation seasons while the transfer application is being processed up until the time the transfer is no longer active or is finalized with the submission of a Claim of Beneficial Use. The nonuse of water under Permits S-55114, S-55262, and S-55263 is only temporary. Once the transfer is no longer active or is finalized the lands in this transfer will again be layered with the permits and water associated with the permits can be used for the land associated with this transfer.**

**Small portions of the rights being transferred are being placed on lands that presently have CW-64 and CW-65 rights. The CW-64 and CW-65 rights being replaced with rights associated with this transfer will be removed and placed instream when this transfer is approved.**



Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

**For Substitution** (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # **NA**;  
Surface water primary Certificate # **NA**.

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**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # **NA**

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**For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:**

**NA** Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

**Tip:** You may search for well logs on the Department’s web page at:  
[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**AND/OR**

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

**Table 3. Construction of Point(s) of Appropriation**

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

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

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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.wrd.state.or.us

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

State of Oregon )  
 ) ss  
 County of (UMATILLA)

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I, **Greg Juul**, in my capacity as Authorized Representative of **JB Land LLC**,  
 mailing address **P.O. Box 130, Hermiston, Oregon, 97838**.  
 telephone number **(541 571 1043)**, being first duly sworn depose and say:

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

- Personal observation                       Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # **89856** and # **89858**; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

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

**OR**

- Confirming Certificate # \_\_\_\_ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # \_\_\_\_ (For Historic POD/POA Transfers)

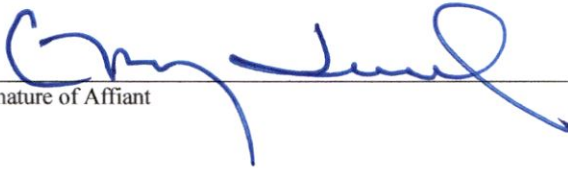
(continues on reverse side)

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3. The water right was used for: (e.g., crops, pasture, etc.): **PRODUCTION OF FARM CROPS, POTATOES, HAY, CORN, ONIONS, PASTURES AND OTHER CROPS.**

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

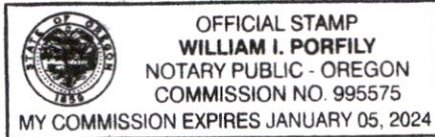
RECEIVED  
NOV 12 2020

  
Signature of Affiant

11-09-2020  
Date

OWRD

Signed and sworn to (or affirmed) before me this 9 day of NOV, 2020.



  
Notary Public for Oregon

My Commission Expires: 01-05-2024

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

13548

**William Porfily**

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**From:** William Porfily <wporfily@gmail.com>  
**Sent:** Monday, November 09, 2020 2:41 PM  
**To:** Dale VanSchoiack (dalevconsulting@gmail.com)  
**Cc:** generation2@eotnet.net  
**Subject:** Signed Affidavit of Use Form  
**Attachments:** Signed Affidavit of Use Form.pdf

RECEIVED

NOV 12 2020

OWRD

Afternoon Dale

Attached is a scan copy of the Signed and Notarized Evidence of Use Affidavit for the Feed Lot Transfer. I will put the original in the mail this afternoon addressed to Tamera Smith at OWRD.

**William Porfily**  
**PO Box 643**  
Stanfield , OR 97875  
Cel (541)561-7259  
E-Mail: [wporfily@gmail.com](mailto:wporfily@gmail.com)

Please excuse any misspellings,bad grammer or other typing errors.

13548

# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss  
 County of (UMATILLA)

RECEIVED  
 NOV 02 2020  
 OWRD

I, **Greg Juul**, in my capacity as Authorized Representative of **JB Land LLC**,  
 mailing address **P.O. Box 130, Hermiston, Oregon, 97838**,  
 telephone number (**541 571 1043**), being first duly sworn depose and say:

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

- Personal observation                       Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # **89856** and # **89858**; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

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

**OR**

- Confirming Certificate # \_\_\_\_ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # \_\_\_\_ (For Historic POD/POA Transfers)

(continues on reverse side)

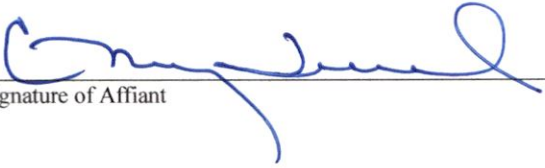
13548

3. The water right was used for: (e.g., crops, pasture, etc.): **PRODUCTION OF FARM CROPS, POTATOES, HAY, CORN, ONIONS, PASTURES AND OTHER CROPS.**

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

RECEIVED

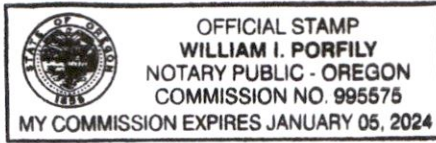
NOV 02 2020

  
Signature of Affiant

10/23/2020  
Date

OWRD

Signed and sworn to (or affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.



  
Notary Public for Oregon

My Commission Expires: JAN 05, 2024

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a “date stamp” or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

13548



## SMITH Tamera L \* WRD

---

**From:** dalevconsulting@gmail.com  
**Sent:** Monday, November 09, 2020 2:59 PM  
**To:** SMITH Tamera L \* WRD  
**Cc:** generation2@eotnet.net; 'William Porfily'  
**Subject:** RE: Transfer application for JB Land LLC c/o Greg Juul  
**Attachments:** Signed Affidavit of Use Form.pdf; Google Image Aug 2016.pdf

Tamera,

Attached is a new Evidence of Use Affidavit and a copy of a Google 2016 aerial image of the farm. To get the farm boundary to show up you need to print the Google image in color. I am told the original Evidence of Use Affidavit is being mailed to you today.

Thanks for bringing this to our attention.  
Please advise that these documents are what you need.

Thanks,  
Dale

---

**From:** SMITH Tamera L \* WRD <Tamera.L.Smith@oregon.gov>  
**Sent:** Saturday, November 7, 2020 12:34 PM  
**To:** dalevconsulting@gmail.com  
**Subject:** Transfer application for JB Land LLC c/o Greg Juul

Good afternoon Dale,

There are no aerial shots included in the application, as is checked under Supporting Documents in the Evidence of Use. Could you please email these to me?

Further, the "sworn to (or affirmed) before me" date is not filled out by the Notary. We will need that corrected by the Notary. I can accept an emailed copy to expedite the process, but will need the wet signature mailed in for the file.

I can hold onto the application for 7 days, at which time if I have not received the requested items I will be forced to mail everything back.

If you have any questions, please let me know.

Kindest regards,

Tamera Smith, Transfer Caseworker



13548

Thank you for contacting the Water Resources Department. I am currently teleworking in an effort to maintain services, while encouraging Oregonians to stay home, stay healthy, and save lives by reducing the spread of COVID 19. I will be checking email and voicemails Monday through Friday, and I will respond to your request as soon as possible.

Please note that due to the COVID-19, our operations are subject to change. Please visit our website at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) for updates on our operations.

We appreciate your understanding as we work to protect the health of Oregonians while also providing services.

# Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss  
County of (UMATILLA)

I, **Greg Juul**, in my capacity as Authorized Representative of **JB Land LLC**,  
mailing address **P.O. Box 130, Hermiston, Oregon, 97838**,  
telephone number (**541 571 1043**), being first duly sworn depose and say:

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

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for  
Certificate # **89856** and # **89858**; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

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

**OR**

- Confirming Certificate # \_\_\_\_\_ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # \_\_\_\_\_ (For Historic POD/POA Transfers)

(continues on reverse side)

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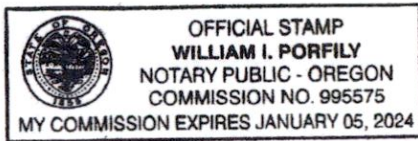
3. The water right was used for: (e.g., crops, pasture, etc.): **PRODUCTION OF FARM CROPS, POTATOES, HAY, CORN, ONIONS, PASTURES AND OTHER CROPS.**

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

  
Signature of Affiant

11-09-2020  
Date

Signed and sworn to (or affirmed) before me this 9 day of NOV, 2020.



  
Notary Public for Oregon

My Commission Expires: 01-05-2024

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
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<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

Google Image  
Aug 2016

Write a description for your map.

Legend

- Cold Springs

POD #1,  
Authorized POD

JB Land LLC  
Farm Boundary

Cold Springs

Pendleton-Cold-Springs-Hwy

740  
37



1 mi

Google Earth

**William Porfily**

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**From:** dalevconsulting@gmail.com  
**Sent:** Monday, November 09, 2020 9:43 AM  
**To:** generation2@eotnet.net  
**Cc:** 'William Porfily'  
**Subject:** FW: Transfer application for JB Land LLC c/o Greg Juul

RECEIVED  
NOV 12 2020  
OWRD

---

**From:** SMITH Tamera L \* WRD <[Tamera.L.Smith@oregon.gov](mailto:Tamera.L.Smith@oregon.gov)>  
**Sent:** Saturday, November 7, 2020 12:34 PM  
**To:** [dalevconsulting@gmail.com](mailto:dalevconsulting@gmail.com)  
**Subject:** Transfer application for JB Land LLC c/o Greg Juul

Good afternoon Dale,

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Further, the "sworn to (or affirmed) before me" date is not filled out by the Notary. We will need that corrected by the Notary. I can accept an emailed copy to expedite the process, but will need the wet signature mailed in for the file.

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Kindest regards,

Tamera Smith, Transfer Caseworker



Thank you for contacting the Water Resources Department. I am currently teleworking in an effort to maintain services, while encouraging Oregonians to stay home, stay healthy, and save lives by reducing the spread of COVID 19. I will be checking email and voicemails Monday through Friday, and I will respond to your request as soon as possible.

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We appreciate your understanding as we work to protect the health of Oregonians while also providing services.

13548

**Supplemental Form D**

**Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)**

[For transfers submitted under OAR Chapter 690 Division 380]



**Oregon Water Resources Department**

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

OWRD

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

**1. APPLICANT INFORMATION**

NAME JB Land LLC c/o Greg Juul		PHONE (HM)	
PHONE (WK)	CELL 541 571 1043	FAX	
ADDRESS P.O. Box 130			
CITY Hermiston	STATE OR	ZIP 97838	E-MAIL**

**2. DISTRICT or WATER SUPPLIER INFORMATION**

DISTRICT/WATER SUPPLIER NAME East Improvement District		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS 3750 SW Marshall Place			
CITY Pendleton	STATE OR	ZIP 97801	E-MAIL**

\*\* By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

**3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER**

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		S - 36169	C 89856	YES <input type="checkbox"/>
2.		S - 36169	C 89858	YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

\*Bureau of Reclamation

b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

**CURRENT ASSOCIATIONS** Please answer the following "yes" or "no" questions:

YES  NO  One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.

YES  NO  All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

**PROPOSED ASSOCIATIONS** Please answer the following "yes" or "no" questions:

YES  NO  One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.

YES  NO  All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

RECEIVED  
NOV 02 2020

COMMENTS OR ADDITIONAL INFORMATION

**4. APPLICANT'S SIGNATURE**

(1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:

email,  phone,  postal mail,  in person, or  other (please specify) \_\_\_\_\_

(2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

[Signature]      Greg Juhl      10/23/2020  
Applicant Signature      Name (print)      Date

OWRD

**5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER**

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

(1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

(2) The district/water supplier consents to the proposed water right transfer application.

YES  NO  After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES  NO  The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

[Signature]      member      10/23/2020  
Signature of District Manager /Water Supplier      Name (print), Title      Date