

**Application for Water Right
Temporary or Drought Temporary 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 temporary 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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FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: 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 Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: [Certificate 91597 \(Attachment A\)](#)**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2021 End Year: 2025.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map. ([Attachment B](#))
- Completed Evidence of Use Affidavit and supporting documentation. ([Attachment C](#))
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved. ([Attachment D](#))
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.) ([The Port owns all of the lands/water rights associated with this transfer](#))
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district. ([Attachment E](#))
- 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. ([Attachment F](#))
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

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

<input type="checkbox"/> Application fee not enclosed/or is insufficient <input type="checkbox"/> Land Use Form not enclosed or incomplete <input type="checkbox"/> Additional signature(s) required Other/Explanation _____ Staff: _____ 503-986-0 _____	<input type="checkbox"/> Map not included or incomplete <input checked="" type="checkbox"/> Part 6 13 incomplete Date: ____/____/____
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Part 2 of 5 – Temporary Transfer Application Map Checklist

Your temporary transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the temporary transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- 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 temporary 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) to convey water to the new temporary place of use, 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 Port of Morrow, Attn: Miff Devin		PHONE NO. 541-481-7467	ADDITIONAL CONTACT NO.
ADDRESS 2 Marine Drive			FAX NO.
CITY Boardman	STATE OR	ZIP 97818	E-MAIL MiffD@portofmorrow.com
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 GSI Water Solutions, Attn: Bruce Brody-Heine		PHONE NO. 971-200-8519	ADDITIONAL CONTACT NO.
ADDRESS 147 Shevlin Hixon Drive, Suite 201			FAX NO.
CITY Bend	STATE OR	ZIP 97702	E-MAIL bbheine@gsiws.com
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.			

Explain in your own words what you propose to accomplish with this transfer application and why:
 The applicant proposes to temporarily change the place of use and point of diversion for a portion of an irrigation right. This temporary transfer application is nearly identical to the previously authorized temporary transfer, T-12587, which terminated in 2020, with the exception that this application includes additional acres be temporarily moved.

In addition, an application for a permanent transfer for a portion Certificate 91597, (T-13107), that includes the areas associated with this temporary transfer application is currently being processed by the Department, and the applicant understands that this temporary transfer would need to be terminated prior to a final order is issued for the permanent transfer.

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

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


 Applicant signature

Miff Devin, Port of Morrow
 Print Name (and Title if applicable)

2-10-21
 Date

 Applicant signature

 Print Name (and Title if applicable)

 Date

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 landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

Note: The Port owns all of the lands associated with this transfer with the exception of 2 parcels. The quitclaims in Attachment D document that the Port retains ownership of the water rights associated with these parcels.

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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME Columbia Improvement District	ADDRESS 501 NE Columbia Ave.	
CITY Boardman	STATE OR	ZIP 97818

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 N/A	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Morrow County Planning Department	ADDRESS P.O. Box 40	
CITY Irrigon	STATE OR	ZIP 97844

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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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 rows to tables within the form.

Water Right Certificate # 91597

Description of Water Delivery System

System capacity: 43.95 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. Water is pumped from the Columbia River diversion into the Port's irrigation system and delivered to the appropriate fields on the Port property, and water under the temporary transfer is diverted from the Columbia Improvement District (CID) diversion and delivered to the temporary place of use through the CID delivery system.

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)
Columbia River Diversion	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		5	N	25	E	35	SW	SE	3	80 feet North and 2480 feet West from Southeast corner of Section 35
CID POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4	N	25	E	2	NE	NW	7	150 feet South and 2990 feet West from Northeast corner of Section 2

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

- Place of Use (POU) Appropriation/Well (POA)
- Point of Diversion (POD) Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

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

- Place of Use (POU) Point of Appropriation/Well (POA)
- Character of Use (USE) Additional Point of Appropriation (APOA)
- Point of Diversion (POD) Additional Point of Diversion (APOD)

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

- Yes Complete only the Proposed ("to" 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.

For Place 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: Permits G-17516, G-17354, S-55061, S-55190, S-55192, S-54633



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) 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)

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) 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

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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 Temporary Changes to Water Right Certificate # 91597

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

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	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
Please see Attachments B and G as described below							Irrigation	Col River Div.	11/5/1971	POU/POD	Please see Attachments B and G						Irrigation	CID Div.	11/5/1971							
TOTAL ACRES							781.7	TOTAL ACRES							781.7											

Additional remarks: **Both PODs are existing diversions (pump stations) in the Columbia River near to each other on the south bank of the Columbia River. Please see Attachment B for a map of the proposed temporary changes and Attachment G for a table of acreage associated with the temporary changes.**

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Attachment A

Water Right Certificate 91597

Application for a Temporary Water Right Transfer – Port of Morrow

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STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PORT OF MORROW
PO BOX 200
2 MARINE DR
BOARDMAN OR 97818

WESTLAND ENTERPRISES, LLC
C/O ROBERT LEVY
822 HWY S #423
HERMISTON OR 97838

confirms the right to the use of water perfected under the terms of Permit S-35694. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the points of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCES OF WATER:

COLUMBIA RIVER, A TRIBUTARY OF THE PACIFIC OCEAN, AND
POA #1 - TOADVIN POND IN THE UMATILLA RIVER BASIN

PURPOSE OR USES:

IRRIGATION OF 2183.0 ACRES FROM COLUMBIA RIVER,
IRRIGATION OF 403.2 ACRES FROM POA #1 - TOADVIN POND, AND
MUNICIPAL USE FROM COLUMBIA RIVER

MAXIMUM RATES:

43.95 CUBIC FEET PER SECOND (CFS) FROM COLUMBIA RIVER, BEING 42.16 CFS FOR IRRIGATION OF 2183.0 ACRES AND NO MORE THAN 1.79 CFS FOR MUNICIPAL USE, FURTHER LIMITED TO 417.6 ACRE-FEET PER THE SEASON OF USE, AND
7.79 CFS FROM POA #1 - TOADVIN POND FOR IRRIGATION OF 403.2 ACRES

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 5, 1971

The points of diversion/appropriation are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
4 N	25 E	WM	10	NW NE		POA #1 - TOADVIN POND (NEW WELL) - 1197 FEET SOUTH AND 1340 FEET WEST FROM NE CORNER, SECTION 10
5 N	25 E	WM	35	SW SE	3	COLUMBIA RIVER DIVERSION (ORIGINAL DIVERSION) - 80 FEET NORTH AND 2480 FEET WEST FROM SE CORNER, SECTION 35

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

A description of the place of use is as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Source
4 N	25 E	WM	1	NE NE	1	30.3	Columbia River
4 N	25 E	WM	1	NW NE	2	33.8	Columbia River
4 N	25 E	WM	1	SW NE		34.3	Columbia River
4 N	25 E	WM	1	SE NE		20.0	Columbia River
4 N	25 E	WM	1	NE NW	3	0.8	Columbia River
4 N	25 E	WM	1	NW NW	4	5.9	Columbia River
4 N	25 E	WM	1	SW NW		25.1	Columbia River
4 N	25 E	WM	1	SE NW		37.3	Columbia River
4 N	25 E	WM	1	NE SW		35.8	Columbia River
4 N	25 E	WM	1	NW SW		18.3	Columbia River
4 N	25 E	WM	1	NE SE		35.4	Columbia River
4 N	25 E	WM	1	NW SE		34.7	Columbia River
4 N	25 E	WM	1	SW SE		11.7	Columbia River
4 N	25 E	WM	1	SE SE		33.8	Columbia River
4 N	25 E	WM	2	NE NE	1	35.5	Columbia River
4 N	25 E	WM	2	NW NE	5	3.3	Columbia River
4 N	25 E	WM	2	SE NE		29.3	Columbia River
4 N	25 E	WM	12	NE NE		38.1	Columbia River
4 N	25 E	WM	12	NW NE		17.5	Columbia River
4 N	25 E	WM	12	SW NE		9.2	Columbia River
4 N	25 E	WM	12	SE NE		15.2	Columbia River
4 N	25 E	WM	12	SE NW		0.1	Columbia River
4 N	25 E	WM	23	NE NE		31.6	Toadvin Pond (Well)
4 N	25 E	WM	23	NW NE		30.5	Toadvin Pond (Well)
4 N	25 E	WM	23	SW NE		35.8	Toadvin Pond (Well)
4 N	25 E	WM	23	SE NE		31.3	Toadvin Pond (Well)
4 N	25 E	WM	23	NE NW		31.4	Toadvin Pond (Well)
4 N	25 E	WM	23	NW NW		30.8	Toadvin Pond (Well)
4 N	25 E	WM	23	SW NW		35.6	Toadvin Pond (Well)
4 N	25 E	WM	23	SE NW		36.3	Toadvin Pond (Well)
4 N	25 E	WM	23	NE SW		5.0	Toadvin Pond (Well)
4 N	25 E	WM	23	NW SW		4.1	Toadvin Pond (Well)
4 N	25 E	WM	23	NE SE		32.2	Toadvin Pond (Well)
4 N	25 E	WM	23	NW SE		35.8	Toadvin Pond (Well)
4 N	25 E	WM	23	SW SE		29.9	Toadvin Pond (Well)
4 N	25 E	WM	23	SE SE		32.9	Toadvin Pond (Well)
4 N	26 E	WM	4	SW NW		12.8	Columbia River
4 N	26 E	WM	4	NW SW		0.5	Columbia River
4 N	26 E	WM	4	SW SW		31.2	Columbia River
4 N	26 E	WM	5	SW NE		2.4	Columbia River
4 N	26 E	WM	5	NE SW		13.6	Columbia River
4 N	26 E	WM	5	NW SW		20.7	Columbia River
4 N	26 E	WM	5	SW SW		9.7	Columbia River

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IRRIGATION

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Source
4 N	26 E	WM	5	SE SW		1.7	Columbia River
4 N	26 E	WM	5	NE SE		0.4	Columbia River
4 N	26 E	WM	5	NW SE		29.4	Columbia River
4 N	26 E	WM	5	SW SE		18.2	Columbia River
4 N	26 E	WM	5	SE SE		36.5	Columbia River
4 N	26 E	WM	6	SW NE		0.5	Columbia River
4 N	26 E	WM	6	SE NE		6.6	Columbia River
4 N	26 E	WM	6	NE NW	3	31.1	Columbia River
4 N	26 E	WM	6	NW NW	4	34.5	Columbia River
4 N	26 E	WM	6	SW NW	5	12.0	Columbia River
4 N	26 E	WM	6	SE NW		8.5	Columbia River
4 N	26 E	WM	6	NE SW		32.4	Columbia River
4 N	26 E	WM	6	NW SW	6	30.9	Columbia River
4 N	26 E	WM	6	SW SW	7	39.7	Columbia River
4 N	26 E	WM	6	SE SW		40.1	Columbia River
4 N	26 E	WM	6	NE SE		34.3	Columbia River
4 N	26 E	WM	6	NW SE		31.0	Columbia River
4 N	26 E	WM	6	SW SE		33.7	Columbia River
4 N	26 E	WM	6	SE SE		18.0	Columbia River
4 N	26 E	WM	7	NE NE		36.3	Columbia River
4 N	26 E	WM	7	NW NE		32.9	Columbia River
4 N	26 E	WM	7	SW NE		29.6	Columbia River
4 N	26 E	WM	7	SE NE		24.6	Columbia River
4 N	26 E	WM	7	NE NW		30.6	Columbia River
4 N	26 E	WM	7	NW NW	1	29.3	Columbia River
4 N	26 E	WM	7	SW NW	2	30.5	Columbia River
4 N	26 E	WM	7	SE NW		40.9	Columbia River
4 N	26 E	WM	7	NE SW		11.2	Columbia River
4 N	26 E	WM	7	NW SW	3	0.4	Columbia River
4 N	26 E	WM	7	NE SE		15.7	Columbia River
4 N	26 E	WM	7	NW SE		0.9	Columbia River
4 N	26 E	WM	7	SE SE		0.6	Columbia River
4 N	26 E	WM	8	NE NE		34.9	Columbia River
4 N	26 E	WM	8	NW NE		39.1	Columbia River
4 N	26 E	WM	8	SW NE		19.4	Columbia River
4 N	26 E	WM	8	SE NE		23.0	Columbia River
4 N	26 E	WM	8	NE NW		17.6	Columbia River
4 N	26 E	WM	8	NW NW		21.7	Columbia River
4 N	26 E	WM	8	SW NW		21.2	Columbia River
4 N	26 E	WM	8	SE NW		30.2	Columbia River
4 N	26 E	WM	8	NE SW		34.4	Columbia River
4 N	26 E	WM	8	NW SW		30.5	Columbia River
4 N	26 E	WM	8	SW SW		6.5	Columbia River
4 N	26 E	WM	8	SE SW		14.9	Columbia River
4 N	26 E	WM	8	NE SE		34.2	Columbia River
4 N	26 E	WM	8	NW SE		33.3	Columbia River
4 N	26 E	WM	8	SW SE		32.5	Columbia River
4 N	26 E	WM	8	SE SE		33.5	Columbia River
4 N	26 E	WM	9	NE NE		12.7	Columbia River
4 N	26 E	WM	9	NW NE		2.8	Columbia River
4 N	26 E	WM	9	SW NE		35.9	Columbia River

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IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Source
4 N	26 E	WM	9	SE NE		38.3	Columbia River
4 N	26 E	WM	9	NE NW		0.4	Columbia River
4 N	26 E	WM	9	NW NW		27.4	Columbia River
4 N	26 E	WM	9	SW NW		25.9	Columbia River
4 N	26 E	WM	9	SE NW		28.4	Columbia River
4 N	26 E	WM	9	NE SW		36.8	Columbia River
4 N	26 E	WM	9	NW SW		37.1	Columbia River
4 N	26 E	WM	9	SW SW		31.2	Columbia River
4 N	26 E	WM	9	SE SW		32.2	Columbia River
4 N	26 E	WM	9	NE SE		30.5	Columbia River
4 N	26 E	WM	9	NW SE		36.4	Columbia River
4 N	26 E	WM	9	SW SE		30.0	Columbia River
4 N	26 E	WM	9	SE SE		30.8	Columbia River

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MUNICIPAL USE					
Twp	Rng	Mer	Sec	Q-Q	Source
4 N	25 E	WM	1	ALL	Columbia River
4 N	25 E	WM	2	ALL	Columbia River
4 N	25 E	WM	3	S1/2 S1/2 N1/2 SE1/4	Columbia River
4 N	25 E	WM	3	S1/2 SE1/4	Columbia River
4 N	25 E	WM	3	S1/2 S1/2 N1/2 SW1/4	Columbia River
4 N	25 E	WM	3	S1/2 SW1/4	Columbia River
4 N	25 E	WM	4	S1/2 S1/2 N1/2 SE1/4	Columbia River
4 N	25 E	WM	4	S1/2 NE1/4 SW1/4	Columbia River
4 N	25 E	WM	4	SE1/4 SW1/4	Columbia River
4 N	25 E	WM	9	N1/2 NE1/4	Columbia River
4 N	25 E	WM	9	N1/2 S1/2 NE1/4	Columbia River
4 N	25 E	WM	9	NE1/4 NW1/4	Columbia River
4 N	25 E	WM	9	N1/2 SE1/4 NW1/4	Columbia River
4 N	25 E	WM	10	ALL	Columbia River
4 N	25 E	WM	11	ALL	Columbia River
4 N	25 E	WM	12	ALL	Columbia River
4 N	25 E	WM	13	ALL	Columbia River
4 N	25 E	WM	14	ALL	Columbia River
4 N	25 E	WM	15	ALL	Columbia River
4 N	25 E	WM	22	ALL	Columbia River
4 N	25 E	WM	23	ALL	Columbia River
4 N	25 E	WM	24	ALL	Columbia River
4 N	26 E	WM	3	NW1/4 NW1/4 NW1/4	Columbia River
4 N	26 E	WM	4	ALL	Columbia River
4 N	26 E	WM	5	ALL	Columbia River
4 N	26 E	WM	6	ALL	Columbia River
4 N	26 E	WM	7	ALL, NORTH OF STATE HWY #730 AND U.P.R.R.	Columbia River
4 N	26 E	WM	8	ALL, NORTH OF U.P.R.R.	Columbia River
4 N	26 E	WM	9	ALL	Columbia River
4 N	26 E	WM	18	NW1/4, SOUTH OF FRONTAGE ROAD	Columbia River
5 N	26 E	WM	31	ALL, SOUTH OF COLUMBIA BLVD	Columbia River
5 N	26 E	WM	32	ALL	Columbia River
5 N	26 E	WM	33	ALL	Columbia River

Water shall be acquired from the same surface water source as the original point of diversion.

The quantity of water diverted at the new point of diversion (Toadvin Pond – Well), together with that diverted at the original point of diversion (Columbia River), shall not exceed the quantity of water lawfully available at the original point of diversion.


The water user shall maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate is issued to confirm changes in PLACE OF USE, POINT OF DIVERSION FROM SURFACE WATER TO GROUNDWATER (Toadvin Pond - Well), and CHARACTER OF USE approved by an order of the Water Resources Director entered NOVEMBER 29, 2004, at Special Order Volume 62, Page 236, approving Transfer Application 9601. This certificate is also issued to confirm non-completion of a change in point of diversion in accordance with OAR 690-380-6010, approved by an order of the Water Resources Director entered APRIL 27, 2016, at Special Order 98, Page 984. This certificate, together with Certificate 80921, supersedes Certificate 76360, State record of Water Right Certificates.

This certificate is issued to correct a scrivener's error by omission of the specific date of issuance of the non-completion of a change in point of diversion order and supersedes Certificate 91339.

Issued JUL 01 2016



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

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Attachment C
Evidence of Use Affidavit and Documentation
Application for a Temporary Water Right Transfer – Port of Morrow

13613 -

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 MORROW)

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 SALEM, OREGON

I, RYAN NEAL, in my capacity as EXECUTIVE DIRECTOR,
 mailing address PORT OF MORROW, 2 MARINE DRIVE, BOARDMAN, OR 97818
 telephone number (541)481-7678, 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 # 91597 (INCLUDING TEMPORARY TRANSFER T-12587); **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)

13613 -

3. The water right was used for: (e.g., crops, pasture, etc.): 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]
 Signature of Affiant

2-10-21
 Date

Signed and sworn to (or affirmed) before me this 10th day of February, 2021.



[Signature]
 Notary Public for Oregon

My Commission Expires: 09/17/2022

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 confirming 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"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<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"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<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.</p> <p>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 – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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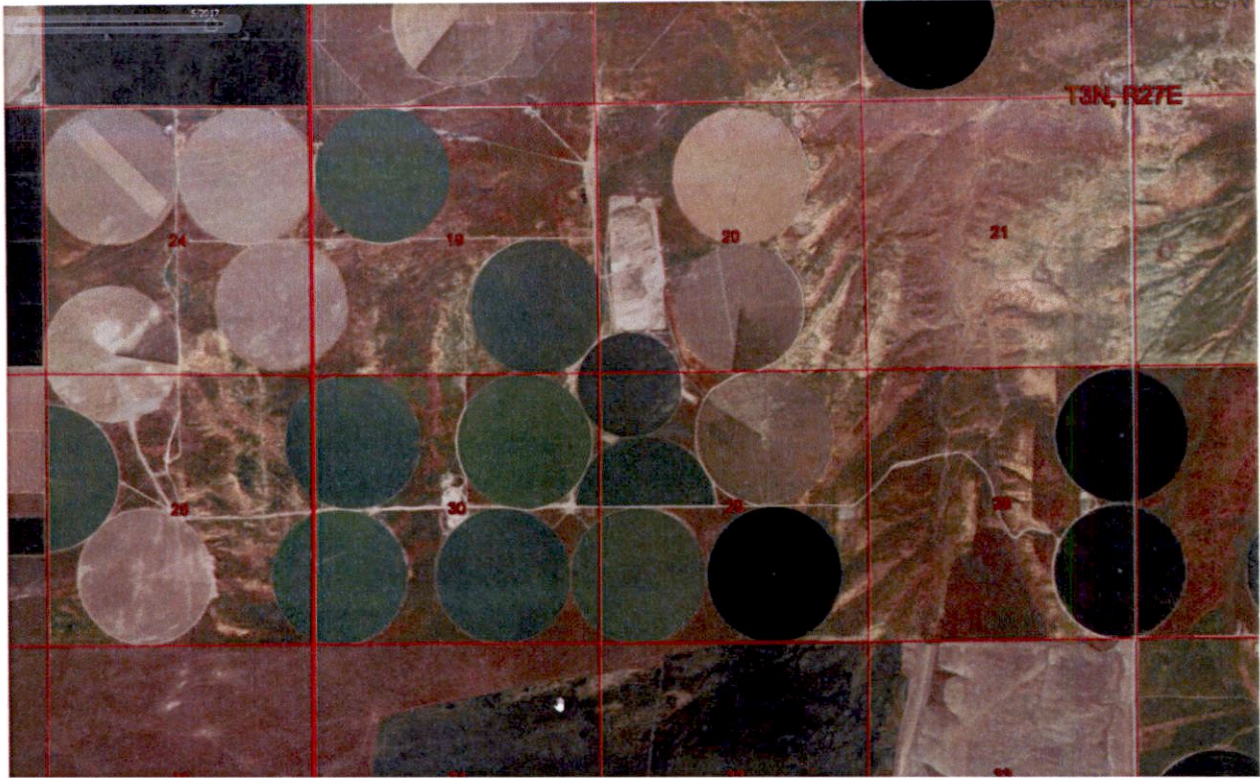
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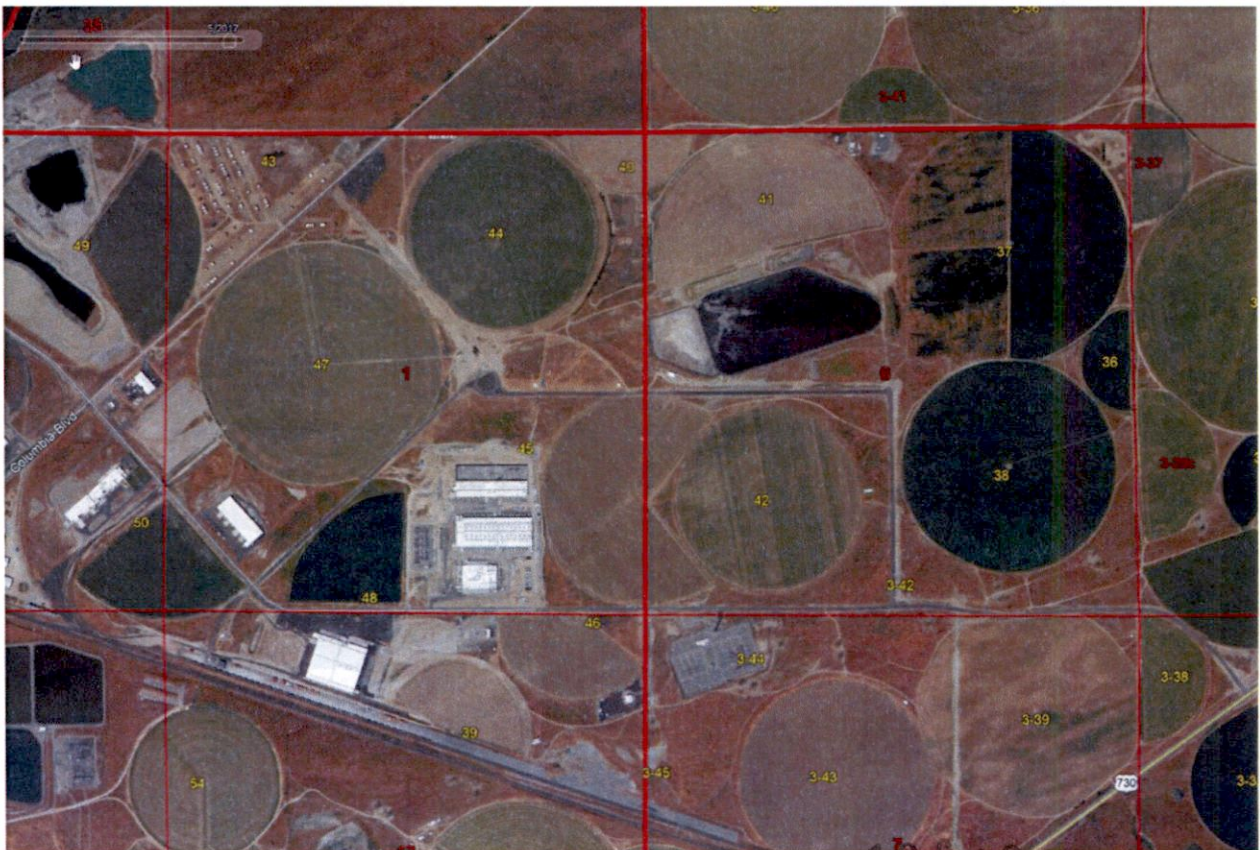
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Google Earth Aerial Photo 5/2017 – Temporary Transfer (T-12587) to lands -
Documentation of Beneficial Use



Google Earth Aerial Photo 5/2017 – Certificate 91597 Remaining Lands (after Temp Transfer T-12587) –
Documentation of Beneficial Use



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acre-feet per acre for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: COLUMBIA RIVER, a tributary of THE PACIFIC OCEAN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 N	25 E	WM	35	SW SE	3	COLUMBIA RIVER DIVERSION (ORIGINAL DIVERSION) - 80 FEET NORTH AND 2480 FEET WEST FROM THE SE CORNER OF SECTION 35

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
4 N	25 E	WM	1	SW NE		4.1
4 N	25 E	WM	1	NE SE		0.8
4 N	25 E	WM	1	NW SE		29.8
4 N	25 E	WM	1	SW SE		11.7
4 N	25 E	WM	1	SE SE		22.1
4 N	25 E	WM	2	NE NE	1	21.3
4 N	25 E	WM	2	NW NE	5	3.3
4 N	25 E	WM	2	SE NE		17.0
4 N	25 E	WM	12	NE NE		15.5
4 N	25 E	WM	12	NW NE		2.7
4 N	25 E	WM	12	SE NE		13.6
4 N	26 E	WM	6	NE SW		18.1
4 N	26 E	WM	6	NW SW	6	18.0
4 N	26 E	WM	6	SW SW	7	20.5
4 N	26 E	WM	6	SE SW		19.1
4 N	26 E	WM	6	NW SE		0.7
4 N	26 E	WM	6	SW SE		15.0
4 N	26 E	WM	7	NE NE		36.3
4 N	26 E	WM	7	NW NE		32.9
4 N	26 E	WM	7	SW NE		29.6
4 N	26 E	WM	7	SE NE		24.6
4 N	26 E	WM	7	NE NW		30.6
4 N	26 E	WM	7	NW NW	1	29.3
4 N	26 E	WM	7	SW NW	2	30.5
4 N	26 E	WM	7	SE NW		40.9
4 N	26 E	WM	7	NE SW		11.2
4 N	26 E	WM	7	NW SW	3	0.4
4 N	26 E	WM	7	NW SE		0.9
Total						500.5

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4. Temporary Transfer Application T-12587 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
3 N	26 E	WM	25	NE NE		8.3
3 N	26 E	WM	25	SE NE		8.2
3 N	26 E	WM	25	NE SE		20.5
3 N	26 E	WM	25	SE SE		20.7
3 N	27 E	WM	29	NE SW		20.2
3 N	27 E	WM	29	NW SW		37.2

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
3 N	27 E	WM	29	SW SW		37.2
3 N	27 E	WM	29	SE SW		20.2
3 N	27 E	WM	30	NE NW		7.2
3 N	27 E	WM	30	NW NW	1	47.2
3 N	27 E	WM	30	SW NW	2	46.9
3 N	27 E	WM	30	SE NW		7.2
3 N	27 E	WM	30	NE SW		5.6
3 N	27 E	WM	30	NW SW		41.9
3 N	27 E	WM	30	SW SW		41.9
3 N	27 E	WM	30	SE SW		5.6
3 N	27 E	WM	30	NE SE		25.2
3 N	27 E	WM	30	NW SE		37.1
3 N	27 E	WM	30	SW SE		37.1
3 N	27 E	WM	30	SE SE		25.1
Total						500.5

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5. An additional point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12587 proposes the additional point of diversion approximately 550 feet downstream to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
4 N	25 E	WM	2	NE NW	7	150 FEET SOUTH AND 2990 FEET WEST FROM THE NE CORNER OF SECTION 2

6. Temporary Transfer Application T-12587 proposes to temporarily transfer a water right within the boundaries of Columbia Improvement District. The district was notified of the proposed temporary transfer and indicated that the district did not object to the transfer.

Temporary Transfer Review Criteria

7. 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.
8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
9. The proposed changes would not result in enlargement of the right.
10. The proposed changes 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(5) 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 and additional point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-12587 are 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 and additional point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-12587 are approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2017, 2018, 2019, and 2020 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2020 irrigation season. The authorization to use the additional point of diversion shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. A subsequent application for permanent transfer of Certificate 91597 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 91597.
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. Water use measurement conditions:
 - a. **Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
9. The use of the remaining water right described by Certificate 91597 shall continue to be in accordance with the terms and conditions of Certificate 91597.

Dated at Salem, Oregon this 24 day of March, 2017.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

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Mailing Date: MAR 29 2017

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Attachment D
Recorded Deeds and Quitclaims for Water Rights
Application for a Temporary Water Right Transfer – Port of Morrow

QUIT CLAIM DEED
Water Rights Conveyance Agreement
For Transfer of Interests in Water Rights

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Grantor's Name:
United States of America, Department of Energy,
Bonneville Power Administration, Grantor

FEB 13 2017

Grantees Name: Port of Morrow, an Oregon port
district

After recording return to:
Monahan, Grove & Tucker
105 North Main
Milton-Freewater, OR 97862

NOHROW COUNTY, OREGON 2017-41280
D-QD
Doc# 1 Doc=25 TC 11/08/2017 10:48:38 AM
\$30.00 \$11.00 \$20.00 \$10.00 \$71.00



0903298720170641280000005
I Make Oath, Deputy Clerk for Morrow
County, Oregon, verify that the foregoing
contents hereof are true and correct to the best
of my knowledge and belief.
Bobbi Childers - County Clerk



Until a change is requested, all tax statements shall
be sent to the following address:

No Change

United States of America, Department of Energy, Bonneville Power Administration,
Grantor, releases and quitclaim to Port of Morrow, an Oregon port district, Grantee, all right, title
and interest in all water rights appurtenant to the following described real property.

Parcel 2 of Partition Plat 2013-02 in Section 7, Township 4 North, Range 26 East, W.M.
4N26E06 Tax lot 102 (hereinafter "Subject Lands").

The water rights are further identified in and described as Oregon Water Resources
Department Water Rights Certificate 91597, permit S-35694 as they apply to the Subject
Property.

The true consideration for this conveyance is other value acknowledged and received.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject
Lands that Grantor, as owner of the Subject Lands, approved the transfer (including a change in
the place and type of use and point of diversion) of the water rights that are appurtenant to the
Subject Land; that the interest in the water rights appurtenant to the Subject Lands shall not be
conveyed in subsequent real estate transactions of the Subject Lands; and that upon completion
of a transfer, by election of Grantor, the Subject Lands will have no acres of appurtenant water
rights remaining.

1 - Quitclaim Deed -
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Further, upon signing this deed, Grantor shall no longer be liable for any assessments or
charges pertaining to the water rights transferred hereunder.

In addition to the water rights described herein, all interest in these and any other water
rights that may be later determined are appurtenant to the Subject lands are included in this
transaction.

This document is binding upon successors and permitted assignees of the parties to this
Agreement.

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

Dated this 8 day of February, 2017.

United States of America, Department of
Energy, Bonneville Power Administration,
Grantor

By: *Shirley A. Billings*

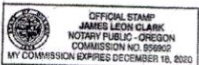
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2 - Quitclaim Deed -
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STATE OF OREGON,)
County of Marion) ss.

February 8, 2017.

Personally appeared the above named Person who is the Authorized Agent
of United States of America, Department of Energy, Bonneville Power Administration, Grantor
and acknowledged the foregoing instrument was signed in behalf of said Grantor by authority of
Grantor and to be the signors voluntary act and deed. Before me.



J. L. Clark
NOTARY PUBLIC FOR OREGON

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3 - Quitclaim Deed -
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QUIT CLAIM DEED
Water Rights Conveyance Agreement
For Transfer of Interests in Water Rights

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Grantor's Name:
VAData, Inc., a Delaware Corporation, Grantor

Grantees Name: Port of Morrow, an Oregon Port
District

After recording return to:
Monahan, Grove & Tucker
105 North Main
Milton-Freewater, OR 97862

Until a change is requested, all tax statements shall
be sent to the following address:

No Change

VAData, Inc., a Delaware corporation, Grantor, releases and quitclaim to Port of
Morrow, an Oregon port district, Grantee, all right, title and interest in all water rights
appurtenant to the following described real property.

Parcel 1 of Partition Plat 2014-02 in Section 1 of Township 4 North, Range 25 East,
W.M. 4N25E01 Tax Lot 102 (hereafter "Subject Lands")

Parcel 2 of Partition Plat 2016-06 in Section 7 of Township 4 North, Range 26 East,
W.M. 4N26E07 Tax Lot 103 (hereafter "Subject Lands")

These water rights are further identified in and described as Oregon Water Resources
Department Water Rights Certificate 91597, permit S-35694 as they apply to the Subject
Property.

4N25E11 Tax Lots 700 & 800 said property more specifically described in Exhibit A
attached hereto and incorporated herein (hereafter "Subject Lands")

These water rights are further identified in and described as Oregon Water Resources
Department Water Rights Certificate 79926 (Primary), 79929 (Supplemental), & 87872
(Supplemental)

The true consideration for this conveyance is other value acknowledged and received.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject
Lands that Grantor, as owner of the Subject Lands, approved the transfer (including a change in
the place and type of use and point of diversion) of the water rights that are appurtenant to the
Subject Lands; that the interest in the water rights appurtenant to the Subject Lands shall not be
conveyed in subsequent real estate transactions of the Subject Lands; and that upon completion
of a transfer, by election of Grantor, the Subject Lands will have no acres of appurtenant water
rights remaining.

Further, upon signing this deed, Grantor shall no longer be liable for any assessments or
charges pertaining to the water rights transferred hereunder.

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Agreement.

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

Dated this 17 day of November, 2017.

Grantor:

VAData, Inc., a Delaware corporation

By: *Nat Sahstrom*
Name: Nat Sahstrom
Title: Vice President

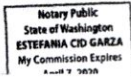
STATE OF WASHINGTON)
COUNTY OF KING)

ACKNOWLEDGEMENT

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and s/he acknowledged that s/he signed this instrument, on oath stated that s/he was authorized to execute the instrument and acknowledged it as the _____ of VAData, Inc., a Delaware corporation, to be the free and voluntary act of such company for the uses and purposes mentioned in the instrument.

WITNESS by hand and official seal, this 17 day of November, 2017.

[Signature]
[Signature of Notary]
Estefania Cid Garza
[Print Name of Notary]
Notary Public in and for the State of _____



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Exhibit A

4N25E11 Tax Lot 700

As filed in Morrow County Deed Records, Instrument No. 2014-34183:

The North 358.60 feet of the East 527.49 feet (as measured perpendicular to Section lines) of the Northeast Quarter of the Southwest Quarter lying North of Highway 30, also known as Interstate 84, in Section 11, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

Together with the North 358.60 feet of the West 40.00 feet (as measured perpendicular to Section lines) of the Northwest Quarter of the Southeast Quarter of said Section 11, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon, and containing 203,544.72 square feet or 4.673 acres more or less.

Said Description is to facilitate and carry out the requirements for realignment of property lines pursuant to Property Line Adjustment PLA-N-176-14 approved by the Morrow County Planning Commission on February 18, 2014.

4N25E11 Tax Lot 800

As filed in Morrow County Deed Records, Instrument No. 2014-34184:

The Northeast Quarter of the Southwest Quarter lying North of Highway 30, also known as Interstate 84, in Section 11, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon, excepting therefrom the North 358.60 feet of the East 527.49 feet of said Northeast Quarter of Southwest Quarter as measured perpendicular to said Section lines.

Together with that portion of the Northwest Quarter of the Southeast Quarter lying North of Highway 30, also known as Interstate Highway 84, in Section 11, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon, excepting therefrom the North 358.60 feet of the West 40.00 feet of said Northwest Quarter of Southeast Quarter as measured perpendicular to said Section lines and in total containing 2,767,129.57 square feet or 63.525 acres more or less.

Said Description is to facilitate and carry out the requirements for realignment of property lines pursuant to Property Line Adjustment PLA-N-176-14 approved by the Morrow County Planning Commission on February 18, 2014.

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Part of Morrow
Miff Devin
MiffD@portofmorrow.com

LOT BOOK REPORT

Date: April 10, 2020

Order No. 11127

WE HAVE SEARCHED OUR TRACT INDICES ON THE FOLLOWING DESCRIBED PROPERTY:

SEE EXHIBIT "A" ATTACHED HERETO---

AND AS OF April 9, 2020, at 8:00 A.M.

THE LAST DEED OF RECORD RUNS TO:

PORT OF MORROW, an Oregon municipal corporation---

WE FIND THE FOLLOWING APPARENT ENCUMBRANCES WITHIN 10 YEARS PRIOR TO THE EFFECTIVE DATE HEREIN:

- Any additional taxes which may become a lien if said property loses its Tax-Exempt Status. (Affects a part of Parcel 1)
- The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment. (Affects Parcels 1, 2, 3, 4, 5 & 9)
- The assessment roll and the tax roll disclose that the within described premises were specially assessed as Enterprise Zone Exempt. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment. (Affects a part of Parcel 1)
- Taxes for 2019-20 \$154,299.17; Balance of \$52,109.80 Due + Interest, if any. (Account No. 4N-25-02 / 100 A4) *Parcel 1 (Reference No. 10607) Building/Structure** **Assessed in the name of: Pacific Ethanol Columbia, LLC
- Taxes for 2019-20 \$7,594.22; Balance of \$2,565.60 Due + Interest, if any. (Account No. 4N-25-02 / 100 A4) *Parcel 1 (Reference No. 10673) Personal Property** **Assessed in the name of: Pacific Ethanol Columbia, LLC
- Taxes for 2019-20 \$11,930.46 Balance Due + Interest, if any. Taxes for 2018-19 \$7,128.51 Balance Due + Interest, if any. Taxes for 2017-18 \$25,856.73 Balance Due + Interest, if any. Taxes for 2016-17 \$24,120.73; Balance of \$16,186.27 Due + Interest, if any. (Account No. 4N-25-02 / 100 A7) *Parcel 1 (Reference No. 10831) Building/Structure** **Assessed in the name of: Klean Industries Boardman LLC

- Taxes for 2019-20 \$36,396.33; Balance of \$24,595.91 Due + Interest, if any. (Account No. 4N-25-02 / 100 A8) *Parcel 1 (Reference No. 10834)
- Taxes for 2019-20 \$4,052.70; Balance of \$2,738.43 Due + Interest, if any. (Account No. 4N-25-02 / 100 A9) *Parcel 1 (Reference No. 10835) Building/Structure** **Assessed in the name of: Jain Farm Fresh Foods, Inc-Did
- Taxes for 2019-20 \$488.91; Balance of \$328.12 Due + Interest, if any. (Account No. 4N-25-02 / 100 A9) *Parcel 1 (Reference No. 10713) Personal Property** **Assessed in the name of: Jain Farm Fresh Foods, Inc-Did
- Taxes for 2019-20 \$242,830.92; Balance of \$82,008.69 Due + Interest, if any. (Account No. 4N-25-02 / 100 A14) *Parcel 1 (Reference No. 11302) Machine/Equipment** **Assessed in the name of: Pacific Ethanol Columbia, LLC
- Taxes for 2019-20 \$770.06 Balance Due + Interest, if any. Taxes for 2018-19 \$792.05 Balance Due + Interest, if any. Taxes for 2017-18 \$20,579.90 Balance Due + Interest, if any. Taxes for 2016-17 \$70,339.59; Balance of \$47,201.57 Due + Interest, if any. (Account No. 4N-25-02 / 100 A15) *Parcel 1 (Reference No. 11306) Machine/Equipment** **Assessed in the name of: Klean Industries Boardman LLC
- Taxes for 2019-20 \$17,732.71; Balance of \$11,982.58 Due + Interest, if any. (Account No. 4N-25-02 / 100 A16) *Parcel 1 (Reference No. 11307) Machine/Equipment** **Assessed in the name of: Jain Farm Fresh Foods, Inc-Did
- Taxes for 2019-20 \$11,513.91; Balance of \$3,837.97 Due + Interest, if any. (Account No. 4N-25-02 / 100 A18) *Parcel 1 (Reference No. 11892) Building/Structure** **Assessed in the name of: Kodiak Carbonic LLC
- Taxes for 2019-20 \$2,971.00; Balance of \$990.33 Due + Interest, if any. (Account No. 4N-25-02 / 100 A18) *Parcel 1 (Reference No. 11898) Personal Property** **Assessed in the name of: Kodiak Carbonic LLC
- Taxes for 2019-20 \$73,645.86; Balance of \$24,548.62 Due + Interest, if any. (Account No. 4N-25-02 / 100 A19) *Parcel 1 (Reference No. 11893) Machine/Equipment** **Assessed in the name of: Kodiak Carbonic LLC
- The premises are within the boundaries of the West Extension Irrigation District, and are subject to the levies, assessments and easements thereof, if any. (Affects Parcels 1, 8 & 9)
- Option, including the terms and provisions thereof, between Port of Morrow, an Oregon municipal corporation, as Grantee, and CMN, Inc., a Washington corporation, as Buyer, a Memorandum of which was dated August 31, 2007, recorded September 28, 2007, as Microfilm No. 2007-20429, Morrow County Microfilm Records. (Affects Parcel 4)
- Option Agreement, including the terms and provisions thereof, between The Port of Morrow, a municipal corporation, as Seller, and Boardman Acquisition, LLC, a Delaware limited liability company, as Buyer, a Memorandum of which was dated August 3, 2011, recorded August 29, 2011, as Microfilm No. 2011-28702, Morrow County Microfilm Records. (Affects Parcel 2)

19. UCC Financing Statement executed by Cascade Specialties, Inc., as Debtor, to GE Capital Commercial Inc., as Secured Party, filed October 7, 2013, as Microfilm No. 2013-33163, Morrow County Microfilm Records, and relating to equipment, fixtures, and other assets. (Affects Parcels 1, 3, 4, 5, 6, 7, and other property also)

20. UCC Financing Statement executed by Cascade Specialties, Inc., as Debtor, to GE Capital Commercial Inc., as Secured Party, filed November 29, 2013, as Microfilm No. 2013-33451, Morrow County Microfilm Records, and relating to equipment, fixtures, and other assets. (Affects Parcels 1, 3, 4, 5, 6, 7, and other property also)

21. Lease, including the terms and provisions thereof, between Port of Morrow, as Landlord, and VADATA, Inc., as Tenant, a Memorandum of which was dated February 15, 2015, recorded April 8, 2015, as Microfilm No. 2015-35805, Morrow County Microfilm Records. (Affects Parcel 2)

22. Purchase Option, including the terms and provisions thereof, between Port of Morrow, an Oregon municipal corporation, as Optionor, and VaData, Inc., a Delaware corporation, as Optionee, a Memorandum of which was dated April 14, 2017, recorded April 14, 2017, as Microfilm No. 2017-40078, Morrow County Microfilm Records. (Affects Parcel 9)

23. Any parties in possession, and/or unrecorded leases or agreements, if any.

NOTE: Taxes for 2019-20 \$73,704.28 Paid in Full (Account No. 4N-25-02 / 100) *Parcel 1 (Reference No. 4282)

NOTE: Taxes for 2019-20 \$0.00 Paid in Full (Account No. Split Code) *Parcel 1 (Reference No. 12349)

NOTE: Taxes for 2019-20 \$4,546.94 Paid in Full (Account No. 4N-25-02 / 100 A1) *Parcel 1 (Reference No. 9511) Building/Structure** **Assessed in the name of: Cadman Materials Inc.

NOTE: Taxes for 2019-20 \$3,857.10 Paid in Full (Account No. 4N-25-02 / 100 A1) *Parcel 1 (Reference No. 70190) Personal Property** **Assessed in the name of: Cadman Materials Inc.

NOTE: Taxes for 2019-20 \$5,423.66 Paid in Full (Account No. 4N-25-02 / 100 A6) *Parcel 1 (Reference No. 10662) Building/Structure** **Assessed in the name of: Tidewater Terminal Co

NOTE: Taxes for 2019-20 \$442.63 Paid in Full (Account No. 4N-25-02 / 100 A7) *Parcel 1 (Reference No. 10830) Personal Property** **Assessed in the name of: Klean Industries Boardman LLC

NOTE: Taxes for 2019-20 \$1,390.83 Paid in Full (Account No. 4N-25-02 / 100 A10) *Parcel 1 (Reference No. 10840) Machine/Equipment** **Assessed in the name of: John Zink Company, LLC

NOTE: Taxes for 2019-20 \$24.07 Paid in Full (Account No. 4N-25-02 / 100 A13) *Parcel 1 (Reference No. 11253) Machine/Equipment** **Assessed in the name of: Amerigas Propane, LP

NOTE: Taxes for 2019-20 \$4,165.40 Paid in Full (Account No. 4N-25-02 / 100 A17) *Parcel 1 (Reference No. 11340) Machine/Equipment** **Assessed in the name of: Cadman Materials Inc.

NOTE: Taxes for 2019-20 \$143.26 Paid in Full (Account No. 4N-25-02 / 100 A20) *Parcel 1 (Reference No. 12202) Machine/Equipment** **Assessed in the name of: Solemis, LLC

NOTE: Taxes for 2019-20 \$74,157.03 Paid in Full (Account No. 4N-25-01 / 100) *Parcel 2 (Reference No. 4278)

NOTE: Taxes for 2019-20 \$8,569.38 Paid in Full (Account No. 4N-25-01 / 100) *Parcel 2 (Reference No. 10575) Personal Property** **Assessed in the name of: Tredit Tire & Wheel Co Inc

NOTE: Taxes for 2019-20 \$1,779.23 Paid in Full (Account No. 4N-25-01 / 100 A4) *Parcel 2 (Reference No. 12414) Machine/Equipment** **Assessed in the name of: Tredit Tire & Wheel Co Inc

NOTE: Taxes for 2019-20 \$52,462.53 Paid in Full (Account No. 4N-25-12 / 103) *Parcel 3 (Reference No. 4371)

NOTE: Taxes for 2019-20 \$3,264.86 Paid in Full (Account No. 4N-25-12 / 103) *Parcel 3 (Reference No. 11146) Personal Property** **Assessed in the name of: Waste Connections US, Inc dba Northwest Container Services, Inc

NOTE: Taxes for 2019-20 \$0.00 Paid in Full (Account No. 4N-25-12 / 103) *Parcel 3 (Reference No. 12256) Personal Property** **Assessed in the name of: LS Transport

NOTE: Taxes for 2019-20 \$629.42 Paid in Full (Account No. 4N-26-06 / 101) *Parcel 4 (Reference No. 3176)

NOTE: Taxes for 2019-20 \$136.18 Paid in Full (Account No. 4N-26-06 / 102) *Parcel 5 (Reference No. 11387)

NOTE: Taxes for 2019-20 \$21,925.69 Paid in Full (Account No. 4N-26-06 / 103) *Parcel 6 (Reference No. 11386)

NOTE: Taxes for 2019-20 \$21,925.69 Paid in Full (Account No. 4N-26-06 / 104) *Parcel 7 (Reference No. 11455)

NOTE: Taxes for 2019-20 \$8,050.28 Paid in Full (Account No. 4N-26-07 / 100) *Parcel 8 (Reference No. 3178)

NOTE: Taxes for 2019-20 \$159.47 Paid in Full (Account No. 4N-26-08 / 202) *Parcel 9 (Reference No. 11009)

NOTE: Any map or sketch enclosed or attached hereto is furnished for information purposes only to assist in property location. No representation is made as to accuracy of the map and Mid-Columbia Title Company assumes no liability for any loss occurring by reason of reliance thereon.

THIS IS NOT A COMMITMENT TO ISSUE TITLE INSURANCE, OR A PRELIMINARY TITLE REPORT, and no Examination has been made of the Title to the above described property. The search of our tract indices was limited to apparent monetary encumbrances, and therefore above listings do not include additional matters which may have been disclosed by an examination of the record title. The Liability in connection with this Lot Book Service is expressly limited to the sum paid therefore, and the issuing company will not otherwise be responsible for errors and omissions therein. The charge for this service will not include supplemental reports.

MID-COLUMBIA TITLE COMPANY

RENEE J. GRACE
TITLE OFFICER

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EXHIBIT "A" Legal Description

PARCEL 1:

Parcel 1 of PARTITION PLAT 2014-3, in Section 2, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

PARCEL 2:

Parcel 1 of PARTITION PLAT 2008-8, in Section 1, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

PARCEL 3:

A parcel of land located in Section 12, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon, described as follows:

That portion of the Northeast Quarter and the North Half of the Northwest Quarter lying North of the North right of way line of the Union Pacific Railroad.

EXCEPTING THEREFROM all roads and road rights of way.

PARCEL 4:

Parcel 1 of PARTITION PLAT 2019-16, in Section 5, Township 4 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

PARCEL 5:

Parcel 3 of PARTITION PLAT 2011-19, in Section 5, Township 4 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

PARCEL 6:

Parcel 1 of PARTITION PLAT 2012-6, in Section 6, Township 4 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

PARCEL 7:

Parcel 2 of PARTITION PLAT 2012-6, in Section 6, Township 4 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

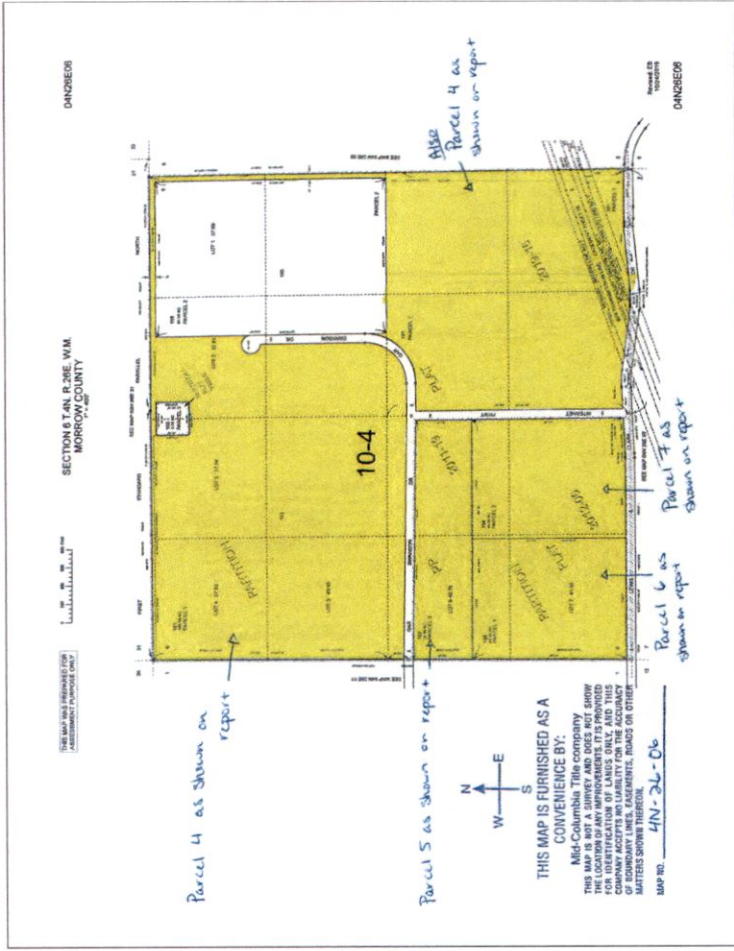
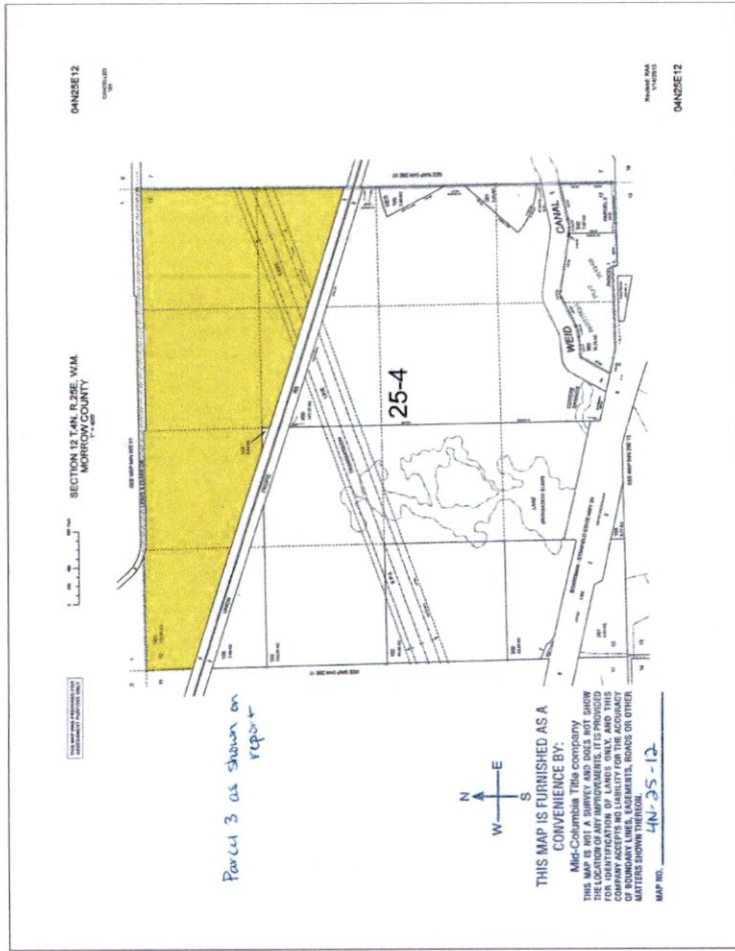
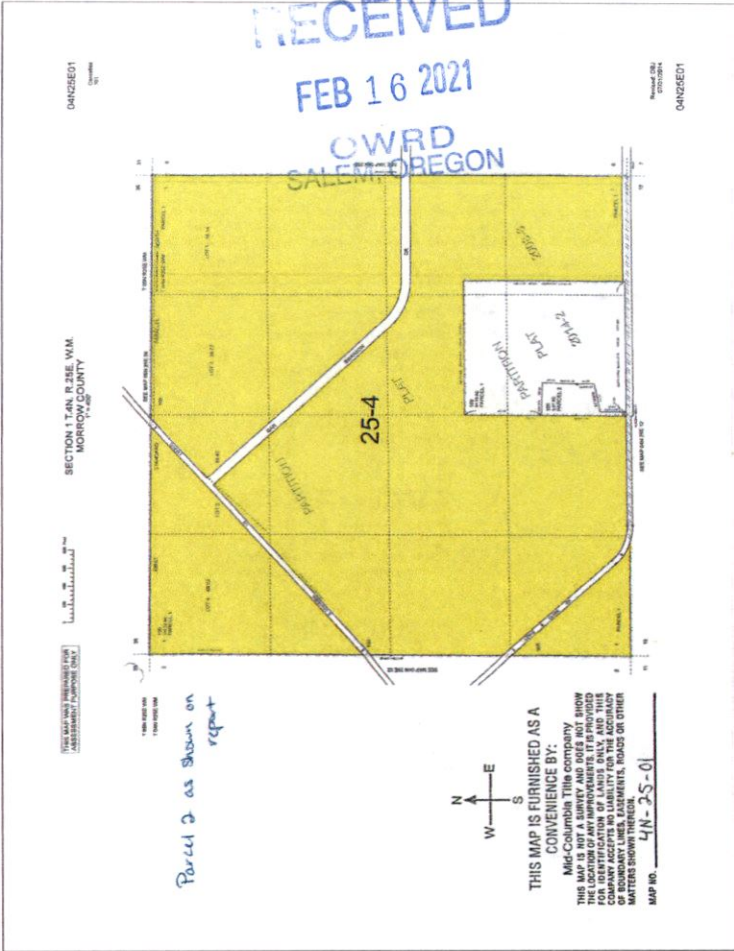
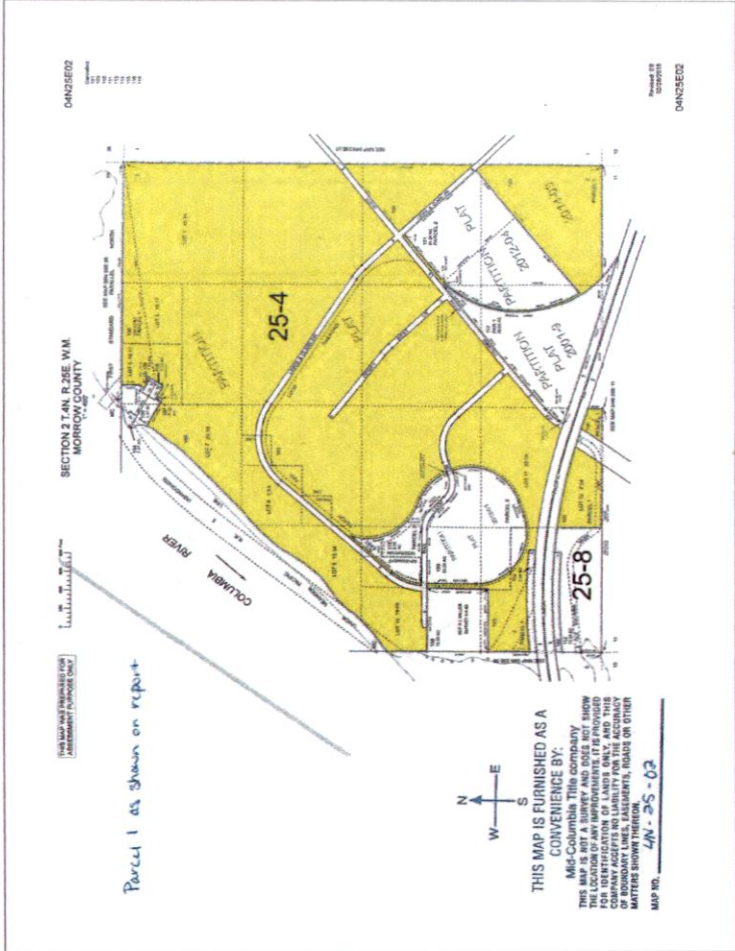
PARCEL 8:

Parcel 1 of PARTITION PLAT 2017-3, in Section 7, Township 4 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

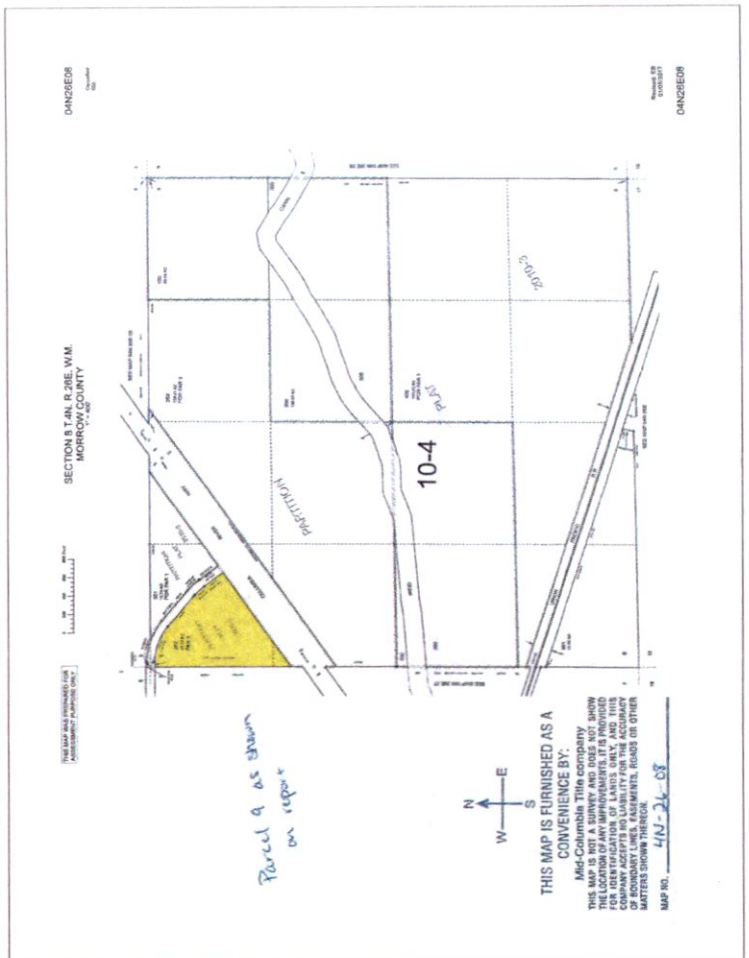
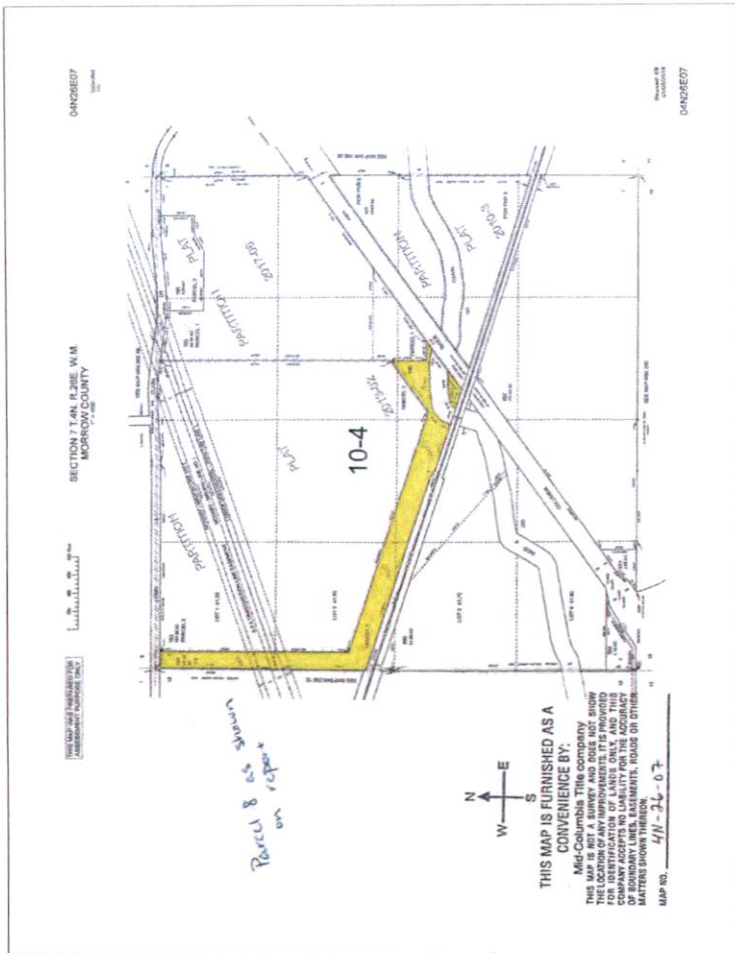
PARCEL 9:

Parcel 3 of PARTITION PLAT 2016-6, in Section 8, Township 4 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

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SALEM, OREGON



Port of Morrow
Miff Devin
MiffD@portofmorrow.com

LOT BOOK REPORT

Date: April 10, 2020

Order No. 11131

WE HAVE SEARCHED OUR TRACT INDICES ON THE FOLLOWING DESCRIBED PROPERTY:

- Parcel 1:** Parcel 1 of PARTITION PLAT 2014-2, in Section 1, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon.
- Parcel 2:** Parcel 1 of PARTITION PLAT 2017-6, in Section 7, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

AND AS OF April 9, 2020, at 8:00 A.M.

THE LAST DEED OF RECORD RUNS TO:

AMAZON DATA SERVICES, INC., a Delaware corporation---

WE FIND THE FOLLOWING APPARENT ENCUMBRANCES WITHIN 10 YEARS PRIOR TO THE EFFECTIVE DATE HEREIN:

- Any additional taxes which may become a lien if said property loses its Tax-Exempt Status. (Affects a part of Parcel 2)
- The assessment roll and the tax roll disclose that the within described premises were specially assessed as Enterprise Zone Exempt. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment. (Affects Parcel 1 & 2)
- The premises are within the boundaries of the West Extension Irrigation District, and are subject to the levies, assessments and easements thereof, if any. (Affects Parcel 1)
- Water Rights Conveyance Agreement, including the terms and provisions thereof, in favor of Port of Morrow, an Oregon port district, as disclosed in Quitclaim Deed recorded December 13, 2017, as Microfilm No. 2017-41459, Morrow County Microfilm Records. (Affects Parcel 1 & 2)
- Construction Claim of Lien, filed by Ben-Ko-Matic Co. dba Owen Equipment Company vs. Buttercreek Contracting LLC, recorded August 10, 2018, as Microfilm No. 2018-42755, Morrow County Microfilm Records, in the amount of \$82,378.82. (Affects Parcel 1)
- Claim of Construction Lien, filed by C&E Rentals vs. Prim Systems, recorded April 25, 2019, as Microfilm No. 2019-44088, Morrow County Microfilm Records, in the amount of \$10,780.89. (Affects Parcel 2)

NOTE: Taxes for 2019-20	\$1,252,481.16 Paid in Full (Account No. 4N-25-01 / 102) *Parcel 1 (Reference No. 10766)
NOTE: Taxes for 2019-20	\$2,314,950.09 Paid in Full (Account No. 4N-25-01 / 102) *Parcel 1 (Reference No. 11251) Personal Property**
NOTE: Taxes for 2019-20	\$214,802.78 Paid in Full (Account No. 4N-25-01 / 102 A1) *Parcel 1 (Reference No. 11524)
NOTE: Taxes for 2019-20	\$110,719.75 Paid in Full (Account No. 4N-25-07 / 103) *Parcel 2 (Reference No. 12207)
NOTE: Taxes for 2019-20	\$316.52 Paid in Full (Account No. 4N-25-07 / 103) *Parcel 2 (Reference No. 12329) Personal Property**
NOTE: Taxes for 2019-20	\$0.00 Paid in Full (Account No. 4N-25-07 / 103 A1) *Parcel 2 (Reference No. 12327)

NOTE: Any map or sketch enclosed or attached hereto is furnished for information purposes only to assist in property location. No representation is made as to accuracy of the map and Mid-Columbia Title Company assumes no liability for any loss occurring by reason of reliance thereon.

THIS IS NOT A COMMITMENT TO ISSUE TITLE INSURANCE, OR A PRELIMINARY TITLE REPORT, and no Examination has been made of the Title to the above described property. The search of our tract indices was limited to apparent monetary encumbrances, and therefore above listings do not include additional matters which may have been disclosed by an examination of the record title. The liability in connection with this Lot Book Service is expressly limited to the sum paid therefore, and the issuing company will not otherwise be responsible for errors and omissions therein. The charge for this service will not include supplemental reports.

MID-COLUMBIA TITLE COMPANY

Renee Grace
RENEE J. GRACE
TITLE OFFICER

RECEIVED

FEB 16 2021

OWBD
SALES 13613

After recording return to:

Seth J. King
Perkins Cole LLP
1120 NW Couch St., Tenth Floor
Portland, Oregon 97209

GRANTOR:
Amazon Data Services, Inc.
f/k/a Vadata, Inc.

GRANTEE:
Amazon Data Services, Inc.



Until a change is requested, all tax statements shall be sent to Grantee at the following address:

No change

BARGAIN AND SALE DEED

AMAZON DATA SERVICES, INC. f/k/a VADATA, INC., a Delaware corporation ("Grantor"), conveys to AMAZON DATA SERVICES, INC., a Delaware corporation ("Grantee"), the real property located in Morrow County, Oregon and more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Property").

The true and actual consideration for this transfer in terms of dollars is \$0.00, but consists of other good and valuable consideration. The purpose of this deed is to place of record the new name of the owner of the Property.

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

[Signature appears on the following page.]

Parcel 1
Vesting Deed

DATED this 16th day of January 2020.

GRANTOR:
AMAZON DATA SERVICES, INC. f/k/a
VADATA, INC., a Delaware corporation

By: [Signature]
Name: Joe Mirank
Title: Authorized Signatory

STATE OF WASHINGTON)
COUNTY OF King) ss

I certify that I know or have satisfactory evidence that Joe Mirank is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the Authorized Signatory of AMAZON DATA SERVICES, INC. f/k/a VADATA, INC., a Delaware corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.



Dated: 1/16/2020
[Signature]
Notary Public for Washington
My appointment expires: 5-23-2022

**EXHIBIT A
LEGAL DESCRIPTION**

PARCEL 1 OF PARTITION PLAT 2014-2, A REPLAT OF PARCELS 2 AND 3 OF PARTITION PLAT 2008-6, IN THE COUNTY OF MORROW AND STATE OF OREGON.

RECEIVED
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OWRD
SALEM, OREGON

Parcel 2
Vesting Deed



After recording return to:
Vadata, Inc.
PO Box 80416
Seattle, Washington 98108-0416

Until a change is requested all tax statements shall be sent to the following address:

Vadata, Inc.
PO Box 80416
Seattle, Washington 98108-0416

File No.: NCS-796183-WA1 (vk)
Date: March 03, 2017



1ST AM STATUTORY SPECIAL WARRANTY DEED

Port of Morrow, an Oregon municipal corporation ("Grantor"), conveys and specially warrants to Vadata, Inc., a Delaware corporation, the following described real property free of encumbrances created or suffered by Grantor except as specifically set forth herein:

LEGAL DESCRIPTION: Real property (in the County of Morrow, State of Oregon, described as follows:

**PARCEL 2 OF PARTITION PLAT 2016-6,
IN THE COUNTY OF MORROW AND STATE OF OREGON.**

This property is free from liens and encumbrances, EXCEPT:

- 1. Covenants, conditions, restrictions and/or easements set forth on Exhibit A hereto.

The true consideration for this conveyance is \$2,977,800.00. (Here comply with requirements of ORS 93.030)

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

Dated this 11th day of April, 2017.

PORT OF MORROW,
an Oregon municipal corporation

By: Carry Neal
Name: Carry Neal
Title: County Manager



State of Oregon }
County of Morrow } ss.

This instrument was acknowledged before me on this 11th day of April, 2017
by Carry Neal

Carry Neal
Notary Public for Oregon
My commission expires: 01/18/2019

Exhibit A

- Unpatented mining claims whether or not shown by the Public Records.
- Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
- The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
- The premises are within the boundaries of the West Extension Irrigation District, and are subject to the levies, assessments and easements thereof, if any.
- Transmission Line Easement, including the terms and provisions thereof, in favor of the United States of America, recorded September 19, 1955, in Book 60, Page 1, Morrow County Deed Records.
- Reservations of minerals, ditches, Federal Aid Highway, and right of way for water storage, flowage, flooding and seepage, as in Patent from the United States of America, recorded August 13, 1958 as M-866, Morrow County Microfilm Records.
- Mineral Reservations, including the terms and provisions thereof, as contained in deed from Burlington Northern Inc., recorded November 1, 1973 as M-6184, Morrow County Microfilm Records.
- Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded November 1, 1973, as Microfilm No. M-6185, Morrow County Microfilm Records.
- Memorandum of Waste Water Agreement, including the terms and provisions thereof, by and between the Port of Morrow and Kalzen Holdings, LLC, recorded September 21, 2005 as Microfilm No. 05014913, Morrow County Microfilm Records.
Partial Release of Easement and Waste Water Agreement, including the terms and provisions thereof, recorded September 03, 2013, as Microfilm No. 2013-32954, Morrow County Microfilm Records.
- Easement for Irrigation Purposes, including the terms and provision thereof, by and between the Port of Morrow and Kalzen Holdings, LLC, recorded September 21, 2005 as Microfilm No. 05014914, Morrow County Microfilm Records.

First Modification of "Easement for Irrigation Purposes", including the terms and provisions thereof, recorded March 23, 2006 as Microfilm No. 2006-16276, Morrow County Microfilm Records.

Second Modification of "Easement for Irrigation Purposes", including the terms and provisions thereof, recorded May 13, 2010 as 2010-25978, Morrow County Microfilm Records.

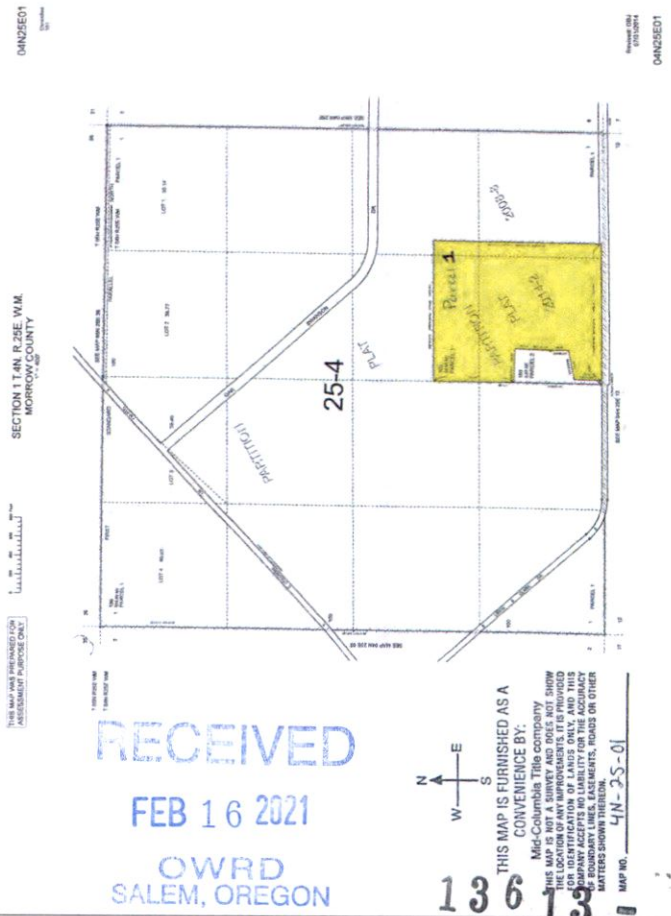
- Reservations, including the terms and provisions thereof, as disclosed in Statutory Warranty Deed in which Kalzen Holdings, LLC, an Oregon limited liability company, is Grantor and Port of Morrow, an Oregon Port District, is Grantee, recorded May 13, 2010 as 2010-25975, Morrow County Microfilm Records.

Partial Release of Easement and Waste Water Agreement, including the terms and provisions thereof, recorded September 03, 2013, as Microfilm No. 2013-32954, Morrow County Microfilm Records.

- Covenants, Conditions, and Restrictions, including the terms and provisions thereof, by and between, Port of Morrow and Boardman Acquisition LLC, recorded August 10, 2012 as Microfilm No. 2012-30696, and rerecorded as M-2012-31115, Morrow County Microfilm Records.

Amendment to Declaration and Grant of Covenant to Restrict Development, including the terms and provisions thereof, recorded May 23, 2016, as Microfilm No. 2016-38176, Morrow County Microfilm Records.

- Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS survey made by RSI Rogers Surveying Incorporated, P.S. on November 08, 2016 last revised February 14, 2017, designated Job Number 31416 :
(A) Fence at southeast section of subject property crosses into US Hwy 730 Right of Way by an undisclosed distance; (B) Power pole and guy anchors at southeast section of subject property are without benefit of easement; (C) Two field roads at southwest section of subject property allow for ingress and egress to and from subject property without benefit of easement; (D) Two field roads at the northwest section of subject property allow for ingress and egress to and from subject property without benefit of easement.
- Taxes for the fiscal year 2017-2018, a lien not yet due and payable. (Account No. 4N-26-07/103)



The lands described herein are acquired for the Bonneville Power Administration, pursuant to the Bonneville Project Act, of August 20, 1937, as amended, 16 U.S.C. §§ 832 et seq.; the Federal Columbia River Transmission System Act, of October 18, 1974, as amended, 16 U.S.C. §§ 838 et seq.; the Department of Energy Organization Act, of August 4, 1977, as amended, 42 U.S.C. § 7152; and the Pacific Northwest Electric Power Planning and Conservation Act, of December 5, 1980, as amended, 16 U.S.C. §§ 839 et seq.

Accepted for the
UNITED STATES OF AMERICA

Erin Mann
Signature
Acting Administrator - CPO
Title (if applicable)
8/28/13
Date

Gray Neal
Grantor Signature
General Manager
Title (if applicable)
8-22-13
Date

Lead Tract No. LNHR-SS-1 Fee 2 of 2

BPA 10/2012

U.S. DEPARTMENT OF ENERGY
BONNEVILLE POWER ADMINISTRATION

OFFICIAL/FIDUCIARY ACKNOWLEDGMENT

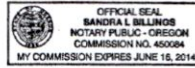
Washington, Oregon, Idaho, Montana, and California

State of Oregon)
County Morrow) ss

On this 22 day of August, 2013, before me personally
appeared Gray Neal, known to me or
proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as
the General Manager of the BPA of Morrow

acknowledged to me that _____ he executed the same freely and voluntarily in such capacity; and on
oath stated that _____ he was authorized to execute said instrument in such official or representative
capacity.

Sandra L Billings
Signature
Sandra L Billings
Print Name



(SEAL)

Notary Public in and for the
State of Oregon
Residing at Kennelick WA
My commission expires June 15, 2014

BPA FEBRUARY 2008

LNHR-SS-1

Parcel 2 of Partition Plat No. 2013-2, being a portion of Section 7, Township 4 North,
Range 26 East of the Willamette Meridian, in the County of Morrow and State of
Oregon.

LNHR-SS-1 contains 187.00 acres more or less.

EXHIBIT A

Exhibit B

Following is a list of Schedule B exceptions contained in AmeriTitle Preliminary Title Report, dated June 26,
2013, Policy No. 0006196 prepared by Stewart Title Guaranty Company located in Pendleton, Oregon, 112 S.E.
Court Avenue, are expressly excepted from the warranty:

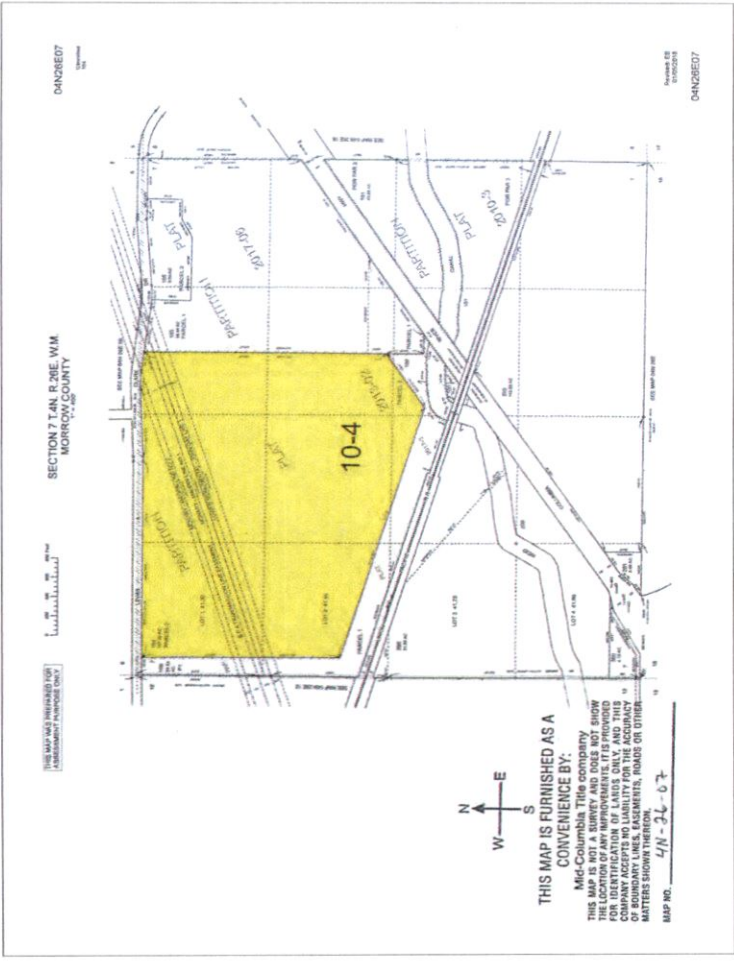
Items 1-6 in the schedule B title report General Exceptions:

Transmission Line Easement in favor of the United States (BPA), including the terms and provisions
thereof, Recorded September 19, 1955, Book 60 Page 1, Deed of Records of Morrow County.

Reservation of mineral rights Recorded November 1, 1973, as Microfilm No. M-6184, Microfilm Records
of Morrow County.

Right of way easement granted to Umanilla Electric Cooperative, an Oregon Cooperative Corporation,
recorded October 17, 2011 as Microfilm No. M-2012-30696, Microfilm Records of Morrow County.

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MC Mid-Columbia Title Company
 205 E. BOARDMAN AVE. / P.O. BOX 290 • BOARDMAN, OR 97818
 (541) 481-2220 • FAX (541) 481-3290

Port of Morrow
 Mill Devin
 MID@portofmorrow.com

LOT BOOK REPORT

Date: April 13, 2020 Order No. 11133

WE HAVE SEARCHED OUR TRACT INDICES ON THE FOLLOWING DESCRIBED PROPERTY:
 Parcel 2 of PARTITION PLAT 2017-6, in Section 7, Township 4 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon—

AND AS OF April 9, 2020, at 8:00 A.M.
THE LAST DEED OF RECORD RUNS TO:
 UMATILLA ELECTRIC COOPERATIVE ASSOCIATION, an Oregon cooperative association--

WE FIND THE FOLLOWING APPARENT ENCUMBRANCES WITHIN 10 YEARS PRIOR TO THE EFFECTIVE DATE HEREIN:

1. The premises are within the boundaries of the West Extension Irrigation District, and are subject to the levies, assessments and easements thereof, if any.
2. Water Rights Conveyance Agreement, including the terms and provisions thereof, in favor of Port of Morrow, an Oregon port district, as disclosed in Quitclaim Deed recorded December 13, 2017, as Microfilm No. 2017-41459, Morrow County Microfilm Records.

NOTE: Taxes for 2019-20 \$4,598.05 Paid in Full
(Account No. 4N-26-07 / 105)
(Reference No. 12333)

NOTE: Any map or sketch enclosed or attached hereto is furnished for information purposes only to assist in property location. No representation is made as to accuracy of the map and Mid-Columbia Title Company assumes no liability for any loss occurring by reason of reliance thereon.

THIS IS NOT A COMMITMENT TO ISSUE TITLE INSURANCE, OR A PRELIMINARY TITLE REPORT, and no Examination has been made of the Title to the above described property. The search of our tract indices was limited to apparent monetary encumbrances, and therefore above listings do not include additional matters which may have been disclosed by an examination of the record title. The Liability in connection with this Lot Book Service is expressly limited to the sum paid therefore, and the issuing company will not otherwise be responsible for errors and omissions therein. The charge for this service will not include supplemental reports.

MID-COLUMBIA TITLE COMPANY

RENEE J. GRACE
 TITLE OFFICER

AFTER RECORDING RETURN TO:
 Seth J. King
 Perkins Coie LLP
 1120 NW Couch St., Tenth Floor
 Portland, OR 97209

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:
 Umatilla Electric Cooperative Association
 c/o General Manager and Chief Executive Officer
 750 W. Elm Ave.
 PO Box 1148
 Hermiston, OR 97838

GRANTOR: Vadata, Inc.
 GRANTEE: Umatilla Electric Cooperative Association

STATUTORY SPECIAL WARRANTY DEED

VADATA, INC., a Delaware corporation ("Grantor") conveys and specially warrants to UMATILLA ELECTRIC COOPERATIVE ASSOCIATION, an Oregon cooperative corporation ("Grantee"), the following described real property, together with all improvements thereon and appurtenances thereto belonging:

THAT CERTAIN REAL PROPERTY LOCATED IN THE COUNTY OF MORROW, STATE OF OREGON, DESCRIBED AS FOLLOWS:

PARCEL 2 OF PARTITION PLAT NO. 2017-6, MORROW COUNTY, OREGON, CONSISTING OF 9.90 ACRES, MORE OR LESS

("Property").

The true and actual consideration for this transfer in terms of dollars is \$0.00, but consists of other good and valuable consideration.

The Property conveyed hereby is free and clear of encumbrances created or suffered by the Grantor, except as specifically set forth on the attached Exhibit A, which by this reference is hereby incorporated herein as if set forth in full. The Property shall be held, transferred, sold, conveyed, and occupied subject to the following additional covenants, reservations, restrictions, easements, conditions, assessments, charges, liens, and other provisions set forth in this Deed:

1. **Permitted Use.** The Property shall be developed, owned, and used solely as follows ("Permitted Use"): (a) the "Primary Use" which shall be for the purpose of erecting and maintaining an electrical substation and the uses directly related to the operation thereof by Grantee, for the sole and exclusive benefit of the adjacent parcel owned by Grantor

★ Vesting Deed ★

MORROW COUNTY, OREGON **2018-42695**
 15-WD 07/27/2018 01:18:01 PM
 CD#1 \$10.00 \$20.00 \$50.00 \$111.00
 1 Bobbi Childers, County Clerk for Morrow County, Oregon, certifies that the instrument identified herein was recorded in the Clerk's records.
 Bobbi Childers - County Clerk

and generally described as Parcel 1 of Partition Plat No. 2017-6, Morrow County, Oregon ("Grantor Parcel"); and (b) the "Secondary Use" which shall be any use of the substation by Grantee for other utility purposes that do not interfere with the Primary Use. Attached as Exhibit B is a one-line diagram depicting the facilities Grantee will use to conduct the Primary Use ("Primary Use Facilities"). Any facility not identified on Exhibit B as Primary Use Facilities, including modifications or additions to the substation made for a purpose other than Primary Use, shall be deemed part of Grantee's system for the purpose of conducting the Secondary Use ("Secondary Use Facilities").

2. **Repurchase Option.** In the event Grantee: (i) is acquired in its entirety by another entity; (ii) ceases to operate as an electric cooperative; or (iii) uses the Primary Use Facilities for any purpose other than conducting the Primary Use, Grantor shall have the right and option, but not the obligation, to repurchase the Property at any time thereafter ("Repurchase Option") at no cost to Grantor. Grantor may exercise the Repurchase Option by delivering notice of such election to Grantee ("Repurchase Notice") and, at Grantor's option, but with no obligation to do so, recording a copy of the Repurchase Notice among the Public Records of Morrow County, Oregon. If Grantor exercises the Repurchase Option, the transaction for the sale and repurchase of the Property shall be closed ("Repurchase Closing") at a location and on a day designated by Grantor after obtaining approval by the Rural Utility Service of the United States Department of Agriculture, if necessary. In the event that Grantee adds Secondary Use Facilities to the Property after conveyance by Grantor to Grantee that are not funded by Grantor, then Grantor's Repurchase Option shall be contingent upon payment to Grantee of the depreciated value of the Secondary Use Facilities. Grantor's Repurchase Option shall be forfeited and shall cease to exist in the event Grantor sells, transfers or otherwise disposes of its interest and ownership in Grantor's facility located on the Grantor Parcel (except transfers to any of Grantor's affiliates or in connection with any merger, consolidation, reorganization, sale of all or substantially all of its assets or any similar transaction) or discontinues receipt of electrical services from Grantee to that facility. This Repurchase Option may be assigned by Grantor to its affiliates or in connection with any merger, consolidation, reorganization, sale of all or substantially all of its assets or any similar transaction. Other than as set forth in the foregoing sentence, this Repurchase Option is limited to Grantor and may not be assigned. This Repurchase Option shall survive for a period of eighty-five (85) years after the date of execution of the Deed and shall automatically terminate of its own terms on the eighty-fifth (85th) anniversary of the execution of the Deed without the necessity of any further filing or documentation. Notwithstanding the foregoing, in the event Grantor exercises the Repurchase Option, Grantee shall have the right to negate Grantor's exercise of the Repurchase Option by paying Grantor Fair Market Value for the Property ("FMV Payment"), less the value of any improvements funded by Grantee, at or prior to the Repurchase Closing. Upon Grantor's receipt of the FMV Payment, Grantor's right to exercise the Repurchase Option in the future shall automatically terminate. Unless mutually determined by Grantor and Grantee, "Fair Market Value" for purposes of this deed shall be determined by an appraiser with at least ten (10) years' experience appraising industrial/warehouse properties in the market in which the Property is located and which Grantor and Grantee mutually agree will conduct the appraisal.

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- Grantee agrees to indemnify and hold Grantor, its successors and assigns, harmless from and against all losses including, without limitation, investigative and remediation costs, incurred by Grantor, its successors and/or assigns, as a result of the existence, disposal or release on, to or from, the Property of hazardous materials or violations of environmental laws, caused by Grantee's activity on the Property.

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

Dated this 25 day of July, 2018.

VADATA, INC.
By: [Signature]
Name: Joe DePaulo
Title: Vice President

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Joe DePaulo is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the Vice President of VADATA, INC., a Delaware corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: July 25, 2018

Notary Public
State of Washington
ESTEFANIA CID GARZA
My Commission Expires
April 7, 2020

Notary Public for Washington
My appointment expires: 04-07-2020

EXHIBIT "A" TO STATUTORY SPECIAL WARRANTY DEED

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
 - Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
 - Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
 - Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
 - Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.
 - Unpatented mining claims whether or not shown by the public records.
 - Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
 - 2017-2018 Morrow County Taxes.
 - The rights of the public in roads and highways.
 - The premises are within the boundaries of the West Extension Irrigation District, and are subject to the levies, assessments and easements thereof, if any.
 - Reservations, including the terms and provisions thereof, as reserved in deed from the Northern Pacific Railroad Company, to Oregon Land & Water Company, in Book S, Page 342, Morrow County Deed Records.
 - Mineral Reservations, including the terms and provisions thereof, as contained in deed from Burlington Northern Inc., recorded November 1, 1973 as M-6184, Morrow County Microfilm Records.
 - Memorandum of Waste Water Agreement, including the terms and provisions thereof, by and between the Port of Morrow and Kaizen Holdings, LLC, recorded September 21, 2005 as Microfilm No. 05014913, Morrow County Microfilm Records.
- Partial Release of Easement and Waste Water Agreement, including the terms and provisions thereof, recorded September 3, 2013, as Microfilm, No. 2013-32954, Morrow County Microfilm

Records.

14. Easement for Irrigation Purposes, including the terms and provisions thereof, by and between the Port of Morrow and Kaizen Holdings, LLC, recorded September 21, 2005 as Microfilm No. 05014914, Morrow County Microfilm Records.

First Modification of "Easement for Irrigation Purposes," including the terms and provisions thereof, recorded March 23, 2006 as Microfilm No. 2006-16276, Morrow County Microfilm Records.

Second Modification of "Easement for Irrigation Purposes," including the terms and provisions thereof, recorded May 13, 2010 as 2010-25978, Morrow County Microfilm Records.

15. Reservations, including the terms and provisions thereof, as disclosed in Statutory Warranty Deed in which Kaizen Holdings, LLC, an Oregon limited liability company, is Grantor and Port of Morrow, an Oregon Port District, is Grantee, recorded May 13, 2010 as 2010-25975, Morrow County Microfilm Records.

Partial Release of Easement and Waste Water Agreement, including the terms and provisions thereof, recorded September 3, 2013, as Microfilm No. 2013-32954, Morrow County Microfilm Records.

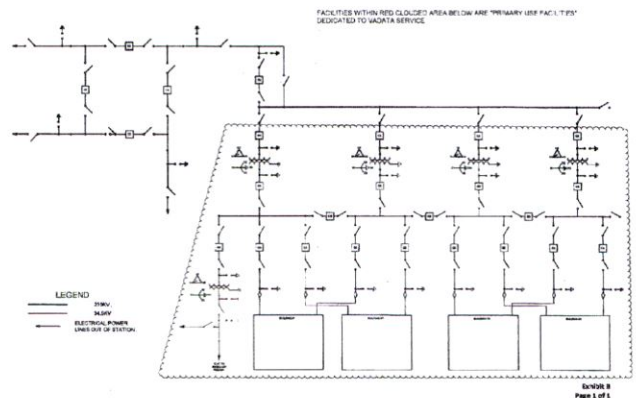
16. Covenants, Conditions, and Restrictions, including the terms and provisions thereof, by and between Port of Morrow and Boardman Acquisition LLC, recorded August 10, 2012 as Microfilm No. 2012-30696, and re-recorded as M-2012-31115, Morrow County Microfilm Records.

Amendment to Declaration and Grant of Covenant to Restrict Development, including the terms and provisions thereof, recorded May 23, 2016, as Microfilm No. 2016-38176, Morrow County Microfilm Records.

17. Memorandum of Purchase Option between Port of Morrow, an Oregon municipal corporation ("Optionor") and VAData, Inc., a Delaware corporation ("Optionee"), including the terms and provisions thereof, recorded April 14, 2017, as Microfilm No. 2017-40078, Morrow County Microfilm Records.

18. Quit Claim Deed Water Rights Conveyance Agreement for Transfer of Interests in Water Rights between VAData, Inc., a Delaware corporation as grantor and Port of Morrow, an Oregon port district as grantee, including the terms and provisions thereof, recorded December 13, 2017, as Microfilm No. 2017-41459, Morrow County Microfilm Records.

19. Unrecorded leases or agreements and right of the interest of parties in possession.



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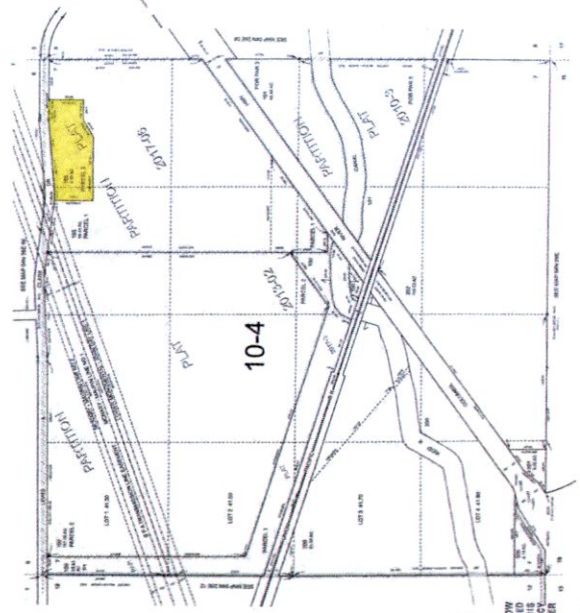
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04NR027

SECTION 774N, R. 20E, W.M.
MORROW COUNTY, OREGON

THIS MAP IS FOR INFORMATION ONLY
AND DOES NOT CONSTITUTE A
WARRANTY OR GUARANTEE



THIS MAP IS FURNISHED AS A
CONVENIENCE BY:
Mid-Columbia Title Company
This map is not a survey and does not show
the location of any improvement. It is provided
for information only. This company and its
agents accept no liability for the accuracy
of boundary lines, easements, roads or other
matters shown thereon.
MAP NO. 47N-36-07

04NR027

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Attachment E
Supplemental Form D

Application for a Temporary Water Right Transfer – Port of Morrow

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Supplemental Form D

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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

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

Form with fields: NAME (PORT OF MORROW, ATTN: MIFF DEVIN), PHONE (WK) (541-481-7467), ADDRESS (2 MARINE DRIVE), CITY (BOARDMAN), STATE (OR), ZIP (97818), E-MAIL (MIFFD@PORTOFMORROW.COM)

2. DISTRICT or WATER SUPPLIER INFORMATION

Form with fields: DISTRICT/WATER SUPPLIER NAME (COLUMBIA IMPROVEMENT DISTRICT), PHONE (WK) (541-481-9454), ADDRESS (501 NE COLUMBIA AVE.), CITY (BOARDMAN), STATE (OR), ZIP (97818), E-MAIL (CID001@CENTURYTEL.NET)

** 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:

Table with 5 columns: Application / Decree, Permit / Previous Transfer, Certificate, Is the water right in the name of a district, water supplier, or BOR*?, and checkboxes for YES/NO.

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

13613

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).

COMMENTS OR ADDITIONAL INFORMATION The Port of Morrow proposes to temporarily change the place of use and point of diversion for a portion of an irrigation right, Certificate 91597, through the end of the 2025 irrigation season. The proposed point of diversion is the Columbia Improvement District's POD on the Columbia River, located 150 feet South and 2990 feet West from the Northeast corner of Section 2, Township 4 North, Range 25 East, W.M. Water would be delivered to the temporary place of use through the CID delivery system.

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.

Miff Devin
Applicant Signature

Miff Devin
Name (print)

2-11-21
Date

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.

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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).

Mark Maynard
Signature of District Manager /Water Supplier

Mark Maynard
Name (print), Title

02/05/21
Date

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Attachment G
Table 2 Cont'd.: Changes to Certificate 91597
Application for a Temporary Water Right Transfer – Port of Morrow

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SALEM, OREGON



February 8, 2021

Kelly Starnes
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

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SALEM, OREGON

Dear Mr. Starnes:

GSI Water Solutions, Inc. (GSI), is submitting the enclosed application for a temporary transfer on behalf of the Port of Morrow. The application proposes to change the place of use and point of appropriation for a portion Certificate 91597 through the 2025 irrigation season (5 years). This temporary transfer application is nearly identical to the previously authorized temporary transfer, T-12587, which terminated in 2020, with the exception that this application includes additional acres be temporarily moved. The application and supporting documentation are enclosed along with a check in the amount of \$2,607.91 for the transfer fee.

An application for a permanent transfer of a portion of Certificate 91597, (T-13107), that includes the areas associated with this temporary transfer application is currently being processed by the Department. The applicant understands that this temporary transfer would need to be terminated prior to, or simultaneously with, the issuance of a final order for the permanent transfer T-13107 and look forward to working with you on a process to ensure this occurs.

If you have any questions regarding this application, please contact me at (971) 200-8519.

Sincerely,
GSI Water Solutions, Inc.,

A handwritten signature in blue ink that reads "Bruce Brody-Heine".

Bruce Brody-Heine, RG, CWRE
Principal Hydrogeologist

Enclosures: Application for Temporary Transfer
Check in the amount of \$2,607.91

13613 -

CC: Miff Devin, Port of Morrow

Table 2 cont'd: Changes to Certificate 91597, "From" Lands

Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date			
4	N	25	E	1	NE NE	100	Lot 1	19.3	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	1	NW NE	100	Lot 2	23.3	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	1	SW NE	100		27.5	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	1	SE NE	100		14.9	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	1	NE NW	100	Lot 3	0.8	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	1	NW NW	100	Lot 4	5.9	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	1	SW NW	100		16.9	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	1	SE NW	100		20.5	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	1	NE SW	100		34.8	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	1	NW SW	100		13.5	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	1	NE SE	100		0.8	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	1	NW SE	100		34.7	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	1	SW SE	102		11.7	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	1	SE SE	100		22.1	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	2	NE NE	100	Lot 1	35.5	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	2	NW NE	100	Lot 5	3.3	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	2	SE NE	100		29.3	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	12	NE NE	103		18.8	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	12	NW NE	103		3.0	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	25	E	12	SE NE	103		13.6	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	6	SW NE	100		0.5	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	6	SE NE	100		6.6	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	6	NE NW	101	Lot 3	2.5	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	6	SW NW	101	Lot 5	3.0	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	6	SE NW	101		8.5	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	6	NE SW	100 104		18.1	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	6	NW SW	100 103	Lot 6	18.0	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	6	SW SW	103	Lot 7	20.5	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	6	SE SW	104		19.1	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	6	NE SE	100		18.9	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	6	NW SE	100		13.9	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	6	SW SE	100		24.7	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	6	SE SE	100		10.0	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	7	NE NE	100		36.3	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	7	NW NE	100 102		32.9	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	7	SW NE	100 102		29.6	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	7	SE NE	100		24.6	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	7	NE NW	100 102		30.6	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	7	NW NW	100 102	Lot 1	29.3	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	7	SW NW	100 102	Lot 2	30.5	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	7	SE NW	100 102		40.9	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	7	NE SW	100 102		11.2	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	7	NW SW	100	Lot 3	0.4	Irrigation	Col. Riv.	11/5/1971	POU/POD
4	N	26	E	7	NW SE	102		0.9	Irrigation	Col. Riv.	11/5/1971	POU/POD
TOTAL ACRES								781.7				

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OWRD
SALEM, OREGON

13613

Table 2 cont'd: Changes to Certificate 91597, "To" Lands

Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date
3	N	26	E	24	NE	NE	1305		31.8	Irrigation	CID	11/5/1971
3	N	26	E	24	NW	NE	1305		31.2	Irrigation	CID	11/5/1971
3	N	26	E	24	SW	NE	1305		32.1	Irrigation	CID	11/5/1971
3	N	26	E	24	SE	NE	1305		33.0	Irrigation	CID	11/5/1971
3	N	26	E	24	NE	SE	1305		39.4	Irrigation	CID	11/5/1971
3	N	26	E	24	NW	SE	1305		13.4	Irrigation	CID	11/5/1971
3	N	26	E	24	SW	SE	1305		11.5	Irrigation	CID	11/5/1971
3	N	26	E	24	SE	SE	1305		36.4	Irrigation	CID	11/5/1971
3	N	26	E	25	NE	NE	1305		11.2	Irrigation	CID	11/5/1971
3	N	26	E	25	SE	NE	1305		11.6	Irrigation	CID	11/5/1971
3	N	26	E	25	NE	SE	1305		18.2	Irrigation	CID	11/5/1971
3	N	26	E	25	SE	SE	1305		16.8	Irrigation	CID	11/5/1971
3	N	27	E	19	SE	NW	1204		23.7	Irrigation	CID	11/5/1971
3	N	27	E	19	NW	SW	1204		13.5	Irrigation	CID	11/5/1971
3	N	27	E	19	SW	SW	1204		11.6	Irrigation	CID	11/5/1971
3	N	27	E	29	NE	SW	1701		13.4	Irrigation	CID	11/5/1971
3	N	27	E	29	NW	SW	1701		37.8	Irrigation	CID	11/5/1971
3	N	27	E	29	SW	SW	1701		37.4	Irrigation	CID	11/5/1971
3	N	27	E	29	SE	SW	1701		13.8	Irrigation	CID	11/5/1971
3	N	27	E	30	NE	NW	1700		5.9	Irrigation	CID	11/5/1971
3	N	27	E	30	NW	NW	1700		47.6	Irrigation	CID	11/5/1971
3	N	27	E	30	SW	NW	1700		48.5	Irrigation	CID	11/5/1971
3	N	27	E	30	SE	NW	1700		6.2	Irrigation	CID	11/5/1971
3	N	27	E	30	NE	SW	1700		12.9	Irrigation	CID	11/5/1971
3	N	27	E	30	NW	SW	1700		45.8	Irrigation	CID	11/5/1971
3	N	27	E	30	SW	SW	1700		43.4	Irrigation	CID	11/5/1971
3	N	27	E	30	SE	SW	1700		11.5	Irrigation	CID	11/5/1971
3	N	27	E	30	NE	SE	1700		24.0	Irrigation	CID	11/5/1971
3	N	27	E	30	NW	SE	1700		38.8	Irrigation	CID	11/5/1971
3	N	27	E	30	SW	SE	1700		37.0	Irrigation	CID	11/5/1971
3	N	27	E	30	SE	SE	1700		22.3	Irrigation	CID	11/5/1971
TOTAL ACRES									781.7			