

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 76713**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

Part 2 of 5 – Transfer Application Map

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

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

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

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
2	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1</u> (2a) Subtract 1 from the number in line 2a = <u>0</u> (2b) <i>If only one change, this will be 0</i> Multiply line 2b by \$1090 and enter »	2	0
3	Number of water rights included in transfer <u>1</u> (3a) Subtract 1 from the number in 3a above: <u>0</u> (3b) <i>If only one water right this will be 0</i> Multiply line 3b by \$610 and enter »	3	0
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed _____ (4a) Do you propose to add or change additional wells? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 _____ (4b) Add line 4a to line 4b and enter »	4	0
5	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see below*): <u>0.11</u> (5a) Subtract 1.0 from the number in 5a above: <u>-0.89</u> (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$410, then enter on line 5 »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$1,360
7	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 »	7	N/A
8	Subtract line 7 from line 6 » Transfer Fee:	8	\$1,360

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*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

- For irrigation calculate cfs for each water right involved as follows:
 - Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
 - If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
- Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$990.00
2	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i> Multiply line 2b by \$480 and enter »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Threemile Canyon Farm, LLC (Greg Harris, Farm Manager)		PHONE NO. 541-481-9274	ADDITIONAL CONTACT NO. (541) 314-8651
ADDRESS 75906 Threemile Road			FAX NO.
CITY Boardman	STATE OR	ZIP 97818	E-MAIL gharris@rdoffutt.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 Jon Travis, CWRE		PHONE NO.	ADDITIONAL CONTACT NO. 509-979-0332 Cell
ADDRESS 8019 W. Quinault Avenue, Suite 201			FAX NO.
CITY Kennewick	STATE WA	ZIP 99336	E-MAIL jtravis@geoengineers.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:
Over time the circle has shifted northwards as recorded by newer GPS technology. This transfer application is submitted to correctly show where the 4.5 acres currently exist.

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

Check One Box

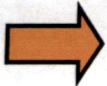
- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: East Oregonian.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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



[Signature]
Applicant signature

Greg Harris - Farm Manager 12/06/2022
Print Name (and Title if applicable) 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 deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

Check the following boxes that apply:

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

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

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

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

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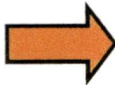
RECEIVING LANDOWNER NAME Non-Applicable		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	E-MAIL
Describe any special ownership circumstances:			
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner			

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

IRRIGATION DISTRICT NAME Non-Applicable	ADDRESS	
CITY	STATE	ZIP

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 Non-Applicable	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Morrow County Planning Department	ADDRESS	
CITY Irrigon	STATE OR	ZIP 978

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 additional rows to tables within the form.

CERTIFICATE # 76713

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Description of Water Delivery System

System capacity: **450.0** cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is pumped from the river at the RDO river station with combined 21,500 HP into a 72 inch buried cement SML mainline to the RDO booster station of 16,500 HP into 52,000 feet of 60 inch buried steel mainline to 17,500 feet of 42 inch buried steel CML mainline to 5,207 feet of 16 inch buried PVC, to 1,660 10 inch buried PVC to center pivots.**

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)
1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	4	N	22	E	36	NW	SE		1657 feet North and 2166 feet West from the SE corner of Section 36
2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	4	N	22	E	36	NW	SE		1668 feet North and 1997 feet West from the SE corner of Section 36

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 76713

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

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AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	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		
3	N	24	E 28	SW NW	100	N/A	2.4	Irrigation	POD 1 & 2	1976	POU	3	N	24	E 28	NW NW	100	N/A	2.4	Irrigation	POD 1 & 2	1976
3	N	24	E 28	SE NW	100	N/A	2.1	Irrigation	POD 1 & 2	1976	POU	3	N	24	E 28	NE NW	100	N/A	2.1	Irrigation	POD 1 & 2	1976
TOTAL ACRES:						4.5						TOTAL ACRES:						4.5				

Additional remarks: The 4.5 acres have been consistently irrigated over the years as part of circle 642. This application is submitted to reflect the correct location as evidenced and recorded by up-to-date technology.

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.



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

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

Ground water supplemental Permit or Certificate # N/A;
Surface water primary Certificate # N/A.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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

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

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

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Attachment #1

Transfer Application Map

POU Transfer Application for Certificate 76713

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Attachment #2

Evidence of Use Affidavit and Supporting Documents – C.76713

POU Transfer Application for Certificate 76713

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Application for Water Right Transfer

Evidence of Use Affidavit



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

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

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State of Oregon)
) ss
 County of MORROW)

I, GREG HARRIS, in my capacity as FARM MANAGER,
 mailing address 76906 THREEMILE ROAD, BOARDMAN, OR 97818
 telephone number (541)481-9274, 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 # 76713; **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)

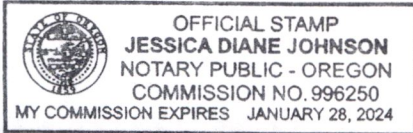
3. The water right was used for: (e.g., crops, pasture, etc.): POTATOES, CORN, CARROTS, HEMP, ONIONS, PEAS, ALFALFA

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.

J. Ham
Signature of Affiant

12/06/2022
Date

Signed and sworn to (or affirmed) before me this 6th day of December, 2022.



Jessica D Johnson
Notary Public for Oregon
My Commission Expires: 01/28/2024

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input checked="" 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. 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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Booster Pump Sub Sta Boardman Or (item#7) (meter#81957107)				
Period	On-Peak	Off-Peak	Average Temperature	Billing total
Nov-22	312000	528000	57.59	\$72,200
Oct-22	1672000	2928000	66.69	\$280,017
Sep-22	2856000	4736000	78.02	\$389,802
Aug-22	3376000	5568000	78.08	\$445,653
Jul-22	1800000	2792000	65.88	\$282,353
Jun-22	672000	1104000	55.95	\$142,704
May-22	440000	728000	46.03	\$105,009
Apr-22	640000	1072000	46.95	\$116,655
Mar-22	0	0	39.47	\$11,949
Feb-22	0	0	35.62	\$11,942
Jan-22	0	0	32.12	\$12,092
Dec-21	0	0	45.41	\$12,137
Nov-21	192000	320000	51.74	\$47,734
Oct-21	1408000	2352000	64	\$238,541
Sep-21	3424000	5688000	73.17	\$478,272
Aug-21	2288000	5312000	77.53	\$415,275
Jul-21	1904000	4368000	72.52	\$363,999
Jun-21	1256000	2136000	59.78	\$239,695
May-21	1016000	1680000	51.91	\$177,602
Apr-21	848000	1424000	45.67	\$142,976
Mar-21	32000	40000	36.14	\$32,370
Feb-21	0	0	39.29	\$12,215
Jan-21	0	0	37.93	\$14,888
Dec-20	8000	16000	41.45	\$35,296
Nov-20	720000	440000	54	\$94,841

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Willow Cove Sub Sta Boardman Or (Item#85) (Meter# 82711681)				
Period	On-Peak	Off-Peak	Average Temperature	Billing total
22-Dec	0	0	34.85	\$8,682
22-Nov	376000	624000	57.59	\$79,496
22-Oct	1400000	2320000	66.69	\$226,968
22-Sep	1944000	3224000	78.02	\$293,401
22-Aug	2304000	3784000	78.08	\$333,414
22-Jul	1488000	2328000	65.88	\$245,976
22-Jun	640000	1208000	55.95	\$148,847
22-May	488000	824000	46.03	\$113,208
22-Apr	656000	1080000	46.95	\$128,100
22-Mar	0	0	39.47	\$15,800
22-Feb	0	0	35.62	\$15,800
22-Jan	0	0	32.12	\$15,737
21-Dec	0	0	45.41	\$15,725
21-Nov	464000	776000	51.74	\$111,286
21-Oct	2264000	3784000	64	\$388,445
21-Sep	3536000	5880000	71.66	\$541,062
21-Aug	3360000	7680000	78.39	\$612,104
21-Jul	3008000	7216000	72.65	\$578,942
21-Jun	2416000	4160000	59.78	\$417,971
21-May	2144000	3560000	51.63	\$358,197
21-Apr	1696000	2808000	45.74	\$293,034
21-Mar	48000	72000	36.14	\$60,671
21-Feb	0	0	40.28	\$15,677
21-Jan	0	0	36.86	\$19,983
20-Dec	32000	24000	40.92	\$68,675
20-Nov	1768000	1144000	53.7	\$216,304

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Attachment #3

Certificate 76713

POU Transfer Application for Certificate 76713

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STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

BAIC, INC.
75906 THREEMILE ROAD
BOARDMAN, OREGON 97818

confirms the right to use the waters of the COLUMBIA RIVER a tributary of the PACIFIC OCEAN, for IRRIGATION OF 8996.4 acres.

This right was perfected under Permit 41314. The date of priority is November 18, 1976. This right is limited to 224.9 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:
RDO River Pump Station - NW ¼ SE ¼, SECTION 36, TOWNSHIP 4 NORTH, RANGE 22 EAST, W.M.; 1657 FEET NORTH AND 2166 FEET WEST FROM THE SE CORNER OF SECTION 36.

Boeing River Pump Station - NW ¼ SE ¼, SECTION 36, TOWNSHIP 4 NORTH, RANGE 22 EAST, W.M.; 1668 FEET NORTH AND 1997 FEET WEST FROM THE SE CORNER OF SECTION 36.

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), PROVIDED that the combined use of water under permits 35425, 35426, 37346, 40920, 41314, and 41645 and the certificates issued in respect thereto shall not exceed 582 cubic feet per second at any one point in time, and PROVIDED FURTHER that before completion of consultation between the National Marine Fisheries Service (NMFS) and the Corps of Engineers (Corps) under section 7(a)(2) of the Endangered Species Act, final agency action by the Corps and conclusion of challenges, if any, arising out of this process, water users shall not use the Willow Creek Pump Station to pump or divert water from the Columbia River at a rate greater than 480 cfs.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands is further limited to 4.0 acre-feet for each acre irrigated during the irrigation season of each year, PROVIDED that the maximum volume of water diverted during a season under permits 35425, 35426, 37346, 40920, 41314, and 41645 and the certificates issued in respect thereto shall not exceed an average of 3 acre feet per acre times the total number of acres irrigated that season. The maximum number of acres to be irrigated under these permits and certificates is 41,000 acres.

A description of the place of use to which this right is appurtenant is as follows:

	ACRES		ACRES
NENE	0.7	NENE	28.7
SENE	7.3	NWNE	19.3
NESE	5.2	SWNE	27.5
SESE	0.3	SENE	15.9
SECTION 13		SECTION 1	
TOWNSHIP 3 NORTH, RANGE 23		TOWNSHIP 3 NORTH, RANGE 24	
EAST, W.M.		EAST, W.M.	

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	ACRES
NENW	33.5
NWNW	22.7
SWNW	35.4
SESW	40.0
NESW	27.3
NWSW	36.5
SWSW	40.3
SESW	24.4
NESE	16.7
NWSE	26.5
SWSE	40.3
SESE	38.2

SECTION 1

NENE	34.4
NWNE	22.6
SWNE	32.9
SENE	39.7
NENW	28.1
NWNW	5.8
SWNW	14.6
SESW	40.2
NESW	32.9
NWSW	39.7
SWSW	36.7
SESW	24.0
NESE	32.5
NWSE	38.2
SWSE	39.2
SESE	27.8

SECTION 2

NENE	2.5
NWNE	4.4
SWNE	38.6
SENE	31.5
NENW	4.4
NWNW	11.9
SWNW	35.8
SESW	30.0
NESW	14.9
NWSW	30.1
SWSW	38.8
SESW	27.2
NESE	32.6
NWSE	32.1
SWSE	40.1
SESE	35.0

SECTION 3

NENE	40.0
NWNE	36.3
SWNE	17.4
SENE	17.8
NENW	40.1
NWNW	35.5
SWNW	33.2
SESW	36.0
NESW	17.7
NWSW	29.6
SWSW	14.7
SESW	39.3
NESE	37.1
NWSE	26.7
SWSE	31.1
SESE	33.5

SECTION 4

TOWNSHIP 3 NORTH, RANGE 24 EAST, W.M.

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	ACRES
NENE	40.6
NWNE	33.9
SWNE	32.9
SENE	29.5
NENW	17.3
SENW	8.5
NESW	16.5
SESW	2.0
NESE	39.5
NWSE	35.1
SWSE	19.4
SESE	35.7

SECTION 5	
SESE	0.4

SECTION 7	
NENE	32.5
NWNE	7.0
SENE	4.4
SWSW	2.3

SECTION 8	
NENE	39.7
NWNE	30.9
SWNE	32.9
SENE	33.3
NENW	33.3
NWNW	23.8
SWNW	32.1
SENW	38.7
NESW	6.0
NWSW	1.4
NESE	35.3
NWSE	38.6
SWSE	3.1
SESE	13.7

SECTION 9	
NENE	13.7
NWNE	29.2
NENW	5.5
NWNW	19.2
SWNW	40.1
SENW	11.8
NESW	2.2
NWSW	31.9
SWSW	37.0
SESW	4.5

SECTION 10	
NWNE	0.3

SECTION 11	
NENE	27.3
NWNE	21.1
SWNE	8.9
SENE	30.2
NENW	0.2
NWNW	3.8

SECTION 12	
NENW	5.0
NWNW	20.1
SWNW	40.2
SENW	20.6
NESW	3.2
NWSW	16.1

SECTION 15	
NENE	2.9
SENE	15.8
NESE	1.7

SECTION 16

TOWNSHIP 3 NORTH, RANGE 24 EAST, W.M.

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OWRD

	ACRES
NWNE	0.2
SWNE	23.3
SENE	1.8
NENW	3.1
NWNW	10.2
SWNW	7.3
SENW	39.1
NESW	31.8
NWSW	18.0
SWSW	39.8
SESW	29.6
NESE	13.1
NWSE	40.3
SWSE	25.0
SESE	2.1

SECTION 17

NENE	33.0
NWNE	15.2
SWNE	33.3
SENE	30.9
NENW	4.8
NWNW	3.8
SWNW	43.1
SENW	35.3
NESW	21.5
NWSW	50.0
SWSW	23.9
SESW	16.1
NESE	34.3
NWSE	31.5
SWSE	1.0
SESE	4.7

SECTION 18

SENE	8.0
NESE	34.5
NWSE	0.1
SWSE	7.3
SESE	34.1

SECTION 19

NENE	18.2
NWNE	39.5
SWNE	36.9
SENE	7.9
NENW	22.1
NWNW	17.2
SWNW	39.2
SENW	35.3
NESW	32.9
NWSW	32.3
SWSW	39.8
SESW	36.1
NESE	18.7
NWSE	40.6
SWSE	36.5
SESE	8.9

SECTION 20

NENW	28.1
NWNW	28.0
SWNW	30.2
SENW	30.0
NESW	26.5
NWSW	32.4
SWSW	32.6
SESW	32.1
SWSE	0.1

SECTION 21

TOWNSHIP 3 NORTH, RANGE 24 EAST, W.M.

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	ACRES
NWNE	0.3
NENW	35.2
NWNW	35.8
SWNW	2.4
SENW	2.1
SWSW	28.9
SESW	25.7

SECTION 28

NENE	20.8
NWNE	39.8
SWNE	35.5
SENE	7.9
NENW	33.1
NWNW	30.2
SWNW	39.5
SENW	35.4
NESW	33.1
NWSW	29.4
SWSW	39.5
SESW	36.2
NESE	20.1
NWSE	39.9
SWSE	35.7
SESE	8.7

SECTION 29

NENE	37.7
NWNE	13.1
SWNE	29.7
SENE	30.3
NESW	1.3
SWSW	12.7
SESW	37.0
NESE	29.5
NWSE	33.6
SWSE	30.5
SESE	30.4

SECTION 30

NENE	28.7
NWNE	33.6
SWNE	20.3
SENE	23.4
NENW	20.6
NWNW	30.9
SWNW	36.4
SENW	39.1
NESW	33.1
NWSW	41.3
SWSW	44.7
SESW	25.4
NESE	36.0
NWSE	38.3
SWSE	38.0
SESE	19.8

SECTION 31

NENE	21.3
NWNE	40.0
SWNE	19.9
SENE	5.2
NENW	33.7
NWNW	29.5
SWNW	27.3
SENW	31.1

SECTION 32

TOWNSHIP 3 NORTH, RANGE 24 EAST, W.M.

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	ACRES
NESW	10.8
NWSW	40.1
SWSW	16.4
SESW	1.9
NESE	0.2
NWSE	0.3
SWSE	33.7
SESE	9.6

SECTION 32

NENW	29.1
NWNW	32.3

SECTION 33

TOWNSHIP 3 NORTH, RANGE 24 EAST, W.M.

NWNE	13.3
SWNE	13.4
NENW	37.3
NWNW	11.0
SWNW	35.0
SENW	38.8
NESW	37.0
NWSW	33.9
SWSW	34.1
SESW	38.3
NWSE	6.9
SWSE	7.0

SECTION 27

NENE	2.4
NWNE	27.6
SWNE	36.1
SENE	39.8
NENW	31.6
NWNW	0.3
SWNW	31.7
SENW	35.6
NESW	36.3
NWSW	38.4
SWSW	21.5
SESW	38.5
NESE	36.4
NWSE	25.1
SWSE	34.6
SESE	40.4

SECTION 28

SWNE	0.1
SENE	28.0
SENW	0.3
NESW	35.8
NWSW	4.3
SWSW	18.6
SESW	34.0
NESE	32.3
NWSE	24.4
SWSE	33.5
SESE	37.4

SECTION 29

SWSE	0.2
SESE	22.2

SECTION 30

NENE	39.6
NWNE	2.5
SENE	8.5
NESE	0.6

SECTION 31

TOWNSHIP 4 NORTH, RANGE 24 EAST, W.M.

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	ACRES
NENE	38.4
NWNE	34.5
SWNE	31.6
SENE	35.4
NENW	35.9
NWNW	36.8
SWNW	27.7
SENW	37.5
NESW	28.8
NWSW	26.3
SWSW	7.0
SESW	40.0
NESE	39.5
NWSE	23.8
SWSE	35.4
SESE	36.8

SECTION 32

NENE	36.7
NWNE	16.6
SWNE	32.0
SENE	39.4
NENW	38.5
NWNW	34.7
SWNW	34.2
SENW	37.9
NESW	39.0
NWSW	28.4
SWSW	25.1
SESW	37.9
NESE	33.4
NWSE	33.5
SWSE	30.8
SESE	31.8

SECTION 33

NWNE	2.1
SWNE	2.2
NENW	35.1
NWNW	35.2
SWNW	32.0
SENW	36.1
NESW	26.5
NWSW	37.5
SWSW	37.9
SESW	26.6

SECTION 34

NESE	15.1
NWSE	14.7
SWSE	38.1
SESE	38.2

SECTION 35

NESW	11.5
NWSW	11.1
SWSW	37.7
SESW	38.4
NESE	23.9
NWSE	24.0
SWSE	35.9
SESE	35.8

SECTION 36

TOWNSHIP 4 NORTH, RANGE 24 EAST, W.M.

8996.4

Water user shall install, operate and maintain a continuous telemetric measurement and recording device for rate and volume of water use, and shall report monthly volumes of water use to the Water Resources Department on an annual basis. The information shall be available to the State as a public record at any time. Further, the Director may require water user to report general water use information, including the place and nature of use of water under the permit.

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Certificate holders shall contribute \$1,250,000 to the Oregon Water Trust to be used for acquisition of instream water rights in tributaries of the Columbia River on the terms and conditions described in the Water Resources Department Final Order dated February 28, 2001 authorizing issuance of this Certificate.

Certificate holders shall request that the consultation between NMFS (and the USFWS if applicable) and the Corps under section 7(a)(2) of the ESA address issues related to attraction flows from existing and future pumping, screening, ongoing and future dredge operations and effects of Certificate Holders' water withdrawals on Columbia River System target flows.

During the NMFS consultation, Certificate holders shall seek the views of ODFW, provide ODFW with copies of the Biological Assessment that the Corps submits to NMFS, and provide ODFW with copies of any draft Biological Opinion Certificate Holders receive from the Corps or NMFS.


Water use under this certificate shall be exercised consistent with and subject to the final conditions on water use, including screening, in the Corps permits for construction and maintenance of pump stations resulting from any NMFS consultation, following exhaustion of appeals, if any. Certificate holder shall, within 30 days following exhaustion of appeals, if any, submit to the Salem office of the Water Resources Department and to the office of the applicable Watermaster District, a copy of such Corps permits.

A condition of the final order extending the permit and approving issuance of this certificate is that the water user shall not farm, develop, or perform any activity in the Conservation Area described in Exhibits B and H of said order, except for activities that are in furtherance of the purpose of the Conservation Area and for activities that are consistent with implementation of any Multi-Species Candidate Conservation Agreement developed by BAIC, Inc. and approved by the U.S. Fish and Wildlife Service covering various federally unlisted upland species, including the Washington ground squirrel. In addition, the water user will not undertake any activity that is inconsistent with survival guidelines adopted pursuant to the state ESA listing process.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights.

WITNESS the signature of the Water Resources Director,

affixed this 28th day of February 2001.


 Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 76713.

Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # T-14142

Checked by <u>Dante</u>	Type of Change(s) Proposed: <u>NO</u> other changes allowed other than those listed	
Date <u>1-11-2023</u>		
Fee Received: \$1360	<input checked="" type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE	
Calculated Fee: \$1360		How many rights to be Transferred? <i>One</i>
Deficiencies and Observations: None		Certificate #(s) <i>76713</i>

If OK, check box; if not, fill in.

- 1. Is the applicant information complete? Have all the applicants listed at the top of the page signed at the bottom?
If not, what is missing? Whose signature is missing? _____
- 2. Has the applicant indicated that the place of use is in or near an irrigation district? Have they included a Form D? N/A.
Name of the District _____
- 3. Part 5 of application, has the applicant completed the entire page and does the information match the description of the explanation of the reasons on Part 4 of the application?
If not, you may need to contact the applicant or agent? _____
- 4. For multiple certificates, do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2? (*compare with OAR 690-380-3220-may need to return*)
If no, which certificates are missing a separate Part 5, tables 1 & 2? _____
- 5. Has the map been completed and signed by a CWRE? Does the map meet the requirements?
If not, what is missing? _____. Map waiver included?
- 6. If a change in point of appropriation, have the well logs been included? N/A.
- 7. If a change in place of use within Umatilla County, have the applicant(s) provided a Supplemental Form U? N/A.
- 8. Has applicant filled out the Minimum Requirements Checklist (Part 1 of 5)? Is the application complete? If not, what is missing (check Evidence of Use and Land Use)? _____
____ Land Use Missing, BUT meets requirements for exemption _____
- 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

- This application is deficient, and **CANNOT** be accepted.
It should be returned and the **deficiencies listed in the "staff" section at the bottom of Application Page 1**, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken:

_____ date _____

Permanent Transfer Application Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$410 »		
4		4	0
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 » » » » » » » » » »		
5		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	



8019 West Quinault Avenue, Suite 201
Kennewick, Washington 99336
509.209-2846

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December 29, 2022

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

RE: Place of Use Transfer Application for Certificate 76713 and Reimbursement Authority Request (Threemile Canyon Farms)

Dear Kelly:

On behalf of our client, Threemile Canyon Farms, please find enclosed a place of use transfer application for Certificate 76713, and a request for reimbursement authority processing.

Should you have any questions regarding the application or estimate request, please do not hesitate to contact me.

Sincerely,

Molly Reid
Senior Planner
(509) 209-2846 Direct Line
(541) 310-7264 Cell

Enclosures: Transfer Application and Attachments
Check #014235
Check #014208

Cc: GHarris, Threemile Canyon Farms
File

14142