

**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.

RECEIVED
MAY 22 2023
OWRD

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.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? One List them here: Cert 76617**
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: Mar 2023 End Year: Nov 2023.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- 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.
- 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 (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/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part ____ is incomplete
<input type="checkbox"/> Additional signature(s) required	

Other/Explanation _____

Staff: _____ Phone: _____ Date: ____/____/____

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°).

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: <u>One</u> (2a) Subtract 1 from the number in 3a above: <u>0</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	0
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3	3	
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>3.2</u> (4a) Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	8.64
5	Add entries on lines 1 through 4 above » » » » » » » » » » » » Subtotal:	5	
6	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 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	6	
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » » » Transfer Fee:	7	0

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » » » » » » » Transfer Fee:	3	958.64

*Example for Line 2a 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:

1. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs ($x 45 ac = 0.56 cfs$).
2. 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 ac x 0.0125 cfs/ac = 0.56 cfs)
3. 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 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

RECEIVED

MAY 22 2023

14250 -

OWRD

TACS

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Pollock & Son, Inc c/o Bryce Pollock			PHONE NO. (541) 720-1781	ADDITIONAL CONTACT NO.
ADDRESS 78691 AGNEW ROAD				FAX NO.
CITY HERMISTON	STATE OR	ZIP 97838	E-MAIL 'BRYCE POLLOCK' <BRYCEPOLLOCK16@GMAIL.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 WILLIAM PORFILY			PHONE NO. (541) 561-7259	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 643				FAX NO.
CITY STANFIELD	STATE OR	ZIP 97838	E-MAIL WPORFILY@GMAIL.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:
To grow water melons under drip irrigation and maintain the land owners' water right in good standing.

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

Bryce Pollock
 Print Name (and Title if applicable)

5/2/23
 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.

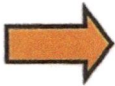
RECEIVED
 MAY 22 2023
 OWRD

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 WESTLAND IRRIGATION DISTRICT	ADDRESS P.O. Box 944	
CITY HERMISTON	STATE OR	ZIP 97838

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 UMATILLA COUNTY	ADDRESS 216 S.E. 4TH	
CITY Pendleton	STATE OR	ZIP 97838

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED

MAY 22 2023

OWRD

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 # 76617

RECEIVED

Description of Water Delivery System

MAY 22 2023

System capacity: 0.26 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

OWRD

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.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appr The well is equipped with a 15 horse power submersible pump. A 1/2 inch pipeline will deliver the water to a drip line irrigation system which will be used to irrigate the watermelons.

ropriation (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)
Well	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1552	4 N	27 E	25	NE SE		450 south and 850 feet west from the E1/4 corner, section 25
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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.

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 # 76617

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			
4	N	27	E 25	NE SE	500		3.2	Irr	Well	6/3/68	POU	4	N	27	E 25	SW SE	500		1.9	Irr	Well	6/3/68	
											POU	4	N	27	E 25	SE SE	500		1.3	Irr	Well	6/3/68	
TOTAL ACRES							3.2	TOTAL ACRES															3.2

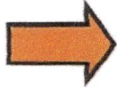
Additional remarks: _____

RECEIVED
MAY 22 2023
OWRD

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: _____



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
N/A										

RECEIVED

MAY 22 2023

OWRD

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"PETRO STOPPING CENTERS, L.P.", A DELAWARE LIMITED PARTNERSHIP,

WITH AND INTO "TA OPERATING LLC" UNDER THE NAME OF "TA OPERATING LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2008, AT 8:53 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE FIRST DAY OF SEPTEMBER, A.D. 2008.

RECEIVED

MAY 22 2023

OWRD

2342992 8100M

080912866



You may verify this certificate online
at corp.delaware.gov/authvar.shtml

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 6821230

DATE: 08-29-08

14250 -

State of Delaware
 Secretary of State
 Division of Corporations
 Delivered 08:53 AM 08/29/2008
 FILED 08:53 AM 08/29/2008
 SRV 080912866 - 2342992 FILE

CERTIFICATE OF MERGER
OF
PETRO STOPPING CENTERS, L.P.
 (a Delaware limited partnership)
INTO
TA OPERATING LLC
 (a Delaware limited liability company)

Pursuant to Section 17-211 of the Revised Uniform Limited Partnership Act of the State of Delaware (the "DRULPA") and Section 18-209 of the Delaware Limited Liability Company Act (the "DLLCA"), TA Operating LLC, a Delaware limited liability company (the "Company"), hereby certifies the following information relating to the merger of Petro Stopping Centers, L.P., a Delaware limited partnership (the "Partnership") with and into the Company (the "Merger"):

FIRST: The name and jurisdiction of formation or organization of the Company and the Partnership are as follows:

<u>Name</u>	<u>State</u>
TA Operating LLC	Delaware
Petro Stopping Centers, L.P.	Delaware

SECOND: The Agreement and Plan of Merger setting forth the terms and conditions of the Merger (the "Merger Agreement"), has been approved, adopted, certified, executed and acknowledged by each of the Company and the Partnership in accordance with the provisions of Section 18-209 of the DLLCA and Sections 17-211 and 17-405 of the DRULPA.

THIRD: The name of the surviving limited liability company in the Merger is "TA Operating LLC" (the "Surviving Company").

FOURTH: The Certificate of Formation of the Company, as in effect immediately prior to the effective time of the Merger, shall be the Certificate of Formation of the Surviving Company.

FIFTH: The executed Merger Agreement is on file at the principal place of business of the Surviving Company, at 24601 Center Ridge Road, Suite 200, Westlake, OH 44145.

SIXTH: A copy of the Merger Agreement will be furnished by the Surviving Company, on request and without cost, to any member of the Company or partner of the Partnership.

RECEIVED

MAY 22 2023

OWRD

14250 -

SEVENTH: This Certificate of Merger shall become effective as of the 1st day of September, 2008.

[Signature Page Follows]

RECEIVED

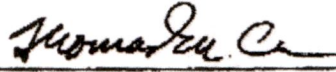
MAY 22 2023

OWRD

14250 -

IN WITNESS WHEREOF, this Certificate of Merger has been executed on this 29th day of August 2008.

TA OPERATING LLC

By: 
Thomas M. O'Brien
President and Chief Executive Office

RECEIVED

MAY 22 2023

OWRD

376 0017

WARRANTY DEED

RECEIVED

SEP 14 2000

UMATILLA COUNTY RECORDS

4/4

GERTRUDE M. JOHNSON, Grantor(s) hereby grant, bargain, sell, warrant and convey to: PETRO STOPPING CENTERS, L.P. A DELAWARE LIMITED PARTNERSHIP, Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of UMATILLA and State of Oregon, to wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE & 4N 27 1403 8-3 116884

SUBJECT TO: all those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below,*if any: and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

*SEE SCHEDULE I ATTACHED HERETO

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration for this conveyance is PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR

Until a change is requested, all tax statements shall be sent to Grantee at the following address: 6080 SURETY DRIVE, EL PASO, TX 79905

Dated this 7 day of September, 2000.

Amatilla 34231P



2000-3760017 1 of 4

Gertrude M. Johnson GERTRUDE M. JOHNSON,



State of Oregon County of UMATILLA

This instrument was acknowledged before me on September 7, 2000 by GERTRUDE M. JOHNSON.

Marcy M. Rosenberg (Notary Public for Oregon) My commission expires

ESCROW NO. HT-34231PA

Return to: PETRO STOPPING CENTERS, L.P. A DELAWARE LIMITED PARTNERSHIP 6080 SURETY DRIVE EL PASO, TX 79905

State of Oregon) County of Umatilla)

This instrument was received and recorded on

09-14-00 at 11:20

in the record of document code type DE-WD

Location R376-0017 Document number 2000-3760017 Fee 41.00

Office of County Records

Jean Lemphig Records Officer

RECEIVED

MAY 22 2023

OWRD

14250-



2000-3760017 2 of 4

SCHEDULE I

Permitted Exceptions

1. 2000-2001 State, County and School Taxes and thereafter, which constitute a lien against the property, but are not now due and payable.
2. Reservations of coal and iron, including the terms and provisions thereof, reserved in deed from Northern Pacific Railway Company to J. Frank Watson, recorded July 17, 1905, in Book 48, Page 115, Umatilla County Deed Records.
3. Right of Way for Electric Transmission and Distributing Lines, including the terms and provision thereof, in favor of Umatilla Electric Cooperative Association, recorded September 6, 1949 in Book 190, Page 140, Umatilla County Deed Records.
4. Access Restrictions, including the terms and provisions thereof as conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded April 20, 1966, in Book 284, Page 221, Umatilla County Deed Records.

RECEIVED
MAY 22 2023
OWRD

Legal Description
File No. 34231



2000-3760017 3 of 4

Tract A:

Commencing at the Southeast corner of Section 25, Township 4 North, Range 27, East of the Willamette Meridian; thence North 72°24'37" West a distance of 1085.54 feet to the point of beginning of this description, said point being the intersection of the North line of that tract of land described as Parcel No. 1 conveyed from Doris S. Bounds to the Oregon State Highway Commission by Deed Recorded in Book 284, Page 221, Deed Records and the East line of the Meadow Valley County Road as described in Bargain and Sale Deed recorded in Book 228, Page 539, of the Umatilla County Deed Records; thence North 24°34'30" East along the Easterly line of the said Meadow Valley County Road a distance of 978.94 feet to a point that is on the Westerly line of that tract of land described as Parcel No. 3 conveyed from Doris S. Bounds to the Oregon State Highway Commission by Deed Recorded in Book 284, Page 221, Deed Records, said point being 50.00 feet North 88°04'22" West from Engineer's center line Station "MV2" 6+08.90 P.O.C. as described in the said parcel No. 3; thence along the Westerly line of the said Parcel No. 3, a distance of 234.62 feet along the arc of a 1004.94 foot radius circular curve to the left (long chord of which bears South 04°45'40" East a distance of 234.09 feet) to a point said point being South 78°33'00" West, 50.00 feet from Engineer's Centerline Station "MB2" 8+31.82 P.C.S. as described in the said Parcel No. 3;

thence South 11°35'41" East continuing along the Westerly line of the said Parcel No. 3, a distance of 247.76 feet to a point, said point being South 71°21'00" West 70 feet from Engineer's Centerline Station "MV2" 10+71.82 P.T. as described in the said Parcel No. 3; thence South 18°39' East continuing along the Westerly line of the said Parcel No. 3 a distance of 296.58 feet to a point, said point being South 71°21'00" West 70.00 feet from Engineer's Centerline Station "MV2" 13+68.40 P.O.T., said point also being the North line of the said Parcel No. 1 and North 12°53'06" East 501.72

feet from Engineer's Centerline Station "EB" 923+00 as described in the said Parcel No. 1; thence South 12°53'06" West and along the Northwesterly line of the said Parcel No. 1 a distance of 101.72 feet to a point that is North 12°53'06" East, 400.00 feet of Engineer's Centerline Station "EB" 923.00 as described in said Parcel No. 1; thence South 79°27'23" West and along the Northerly line of the said Parcel No. 1, a distance of 326.96 feet to a point that is North 12°53'06" East 270.00 feet of Engineer's Centerline Station "EB" 920+00 as described in the said Parcel No. 1; thence North 83°32'02" West and continue along the Northerly line of the said Parcel No. 1 a distance of 228.52 feet to the point of beginning of this description;

All being in the Southeast Quarter of Section 25, Township 4 North, Range 27, East of the Willamette Meridian, Umatilla County, Oregon;

RECEIVED

MAY 22 2023

OWRD

14250-



Tract B:

2000-3760017 4 of 4

Commencing at the Southeast corner of Section 25, Township 4 North, Range 27, East of the Willamette Meridian; thence North 75°57'28" West a distance of 2467.14 feet to the point of beginning of this description, said point also being North 12°53'06" East a distance of 205.00 feet from Engineer's centerline station "EB" 903+88.04 as described in Parcel No. 1 conveyed from Doris S. Bounds to the Oregon State Highway Commission by Deed recorded in Book 284, Page 221, Deed Records, said point also being on the North line of the said Parcel No. 1; thence North 00°33'53" West and parallel to the East line of the said section 25 a distance of 1668.06 feet to a point on the South line extended of that parcel described in Book 101, Page 307, Deed Records; thence North 89°26'07" East and at right angles to the East line of the said Section 25 and also along the South line and South line extended of that tract of land conveyed to School District No. 8, as recorded in Book 101, Page 307, Umatilla County Deed Records a distance of 2205.72 feet to a point on the Westerly line of the Meadow Valley County Road as described in Bargain and Sale Deed recorded in Book 228, Page 539, Deed Records; thence South 24°34'30" West along the Westerly line of the said Meadow Valley County Road a distance of 2147.50 feet to a point on the Northerly line of the said Parcel No. 1; thence North 83°32'02" West along the Northerly line of the said Parcel No. 1 a distance of 110.87 feet to a point that is North 12°53'06" East 225.00 feet of Engineers centerline station "EB"916+00 as described in the said Parcel No. 1; thence North 79°58'39" West and continuing along the Northerly line of the said Parcel No. 1, a distance of 400.50 feet to a point that is North 12°53'06" East 205.00 feet of Engineer's centerline station "EB"912+00 as described in the said Parcel No. 1; thence North 77°06'54" West and continuing along the Northerly line of the said Parcel No. 1, a distance of 811.96 feet to the point of beginning of this description;

All being in the Southeast quarter of Section 25, Township 4 North, Range 27, East of the Willamette Meridian and within Umatilla County, Oregon.

Also all that portion of vacated Meadow Valley County Road, recorded August 9, 1991 in Reel 209, Page 391, Umatilla County Microfilm Records.

RECEIVED

MAY 22 2023

OWRD

Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) ss
 County of **Umatilla**)

I, **BRYCE POLLOCK**, in my capacity as the **LESSEE**,
 mailing address: **78691 Agnew Road, Hermiston, OR 97838**
 telephone number **(541)720-1781**, being first duly sworn depose and say:

RECEIVED
 MAY 22 2023
 OWRD

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 # _____; **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)
76617	4	N	27	E	WM	25	NE	SE	TL 500	3.2

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)

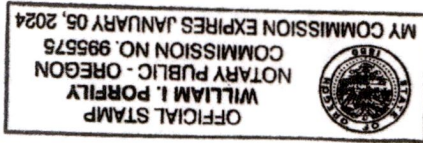
3. The water right was used for: (e.g., crops, pasture, etc.): Water Melons

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

5/8/23
Date

Signed and sworn to (or affirmed) before me this ____ day of _____, 20__.



[Signature]
Notary Public for Oregon

My Commission Expires: Jan 5, 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 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 2018 Aerial Photo	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. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

RECEIVED

MAY 22 2023

TACS

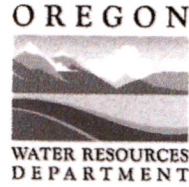
OWRD

Supplemental Form D

OWRD

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

NAME BRYCE POLLOCK			PHONE (HM)
PHONE (WK)	CELL (541) 720-1781 cell	FAX	
ADDRESS 78691 AGNEW ROAD			
CITY HERMISTON	STATE OR	ZIP 97838	E-MAIL** 'BRYCE POLLOCK' <BRYCEPOLLOCK16@GMAIL.COM>

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME WESTLAND IRRIGATION DISTRICT			PHONE (HM)
PHONE (WK) (541) 667-2030	CELL	FAX	
ADDRESS P.O. Box 944			
CITY HERMISTON	STATE OR	ZIP 97838	E-MAIL** Curtis Engbretson <CURTIS@WESTLANDIRRIGATION.COM

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

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

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

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	76617	YES <input type="checkbox"/> NO
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

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

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

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

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

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

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

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

COMMENTS OR ADDITIONAL INFORMATION

RECEIVED

MAY 22 2023

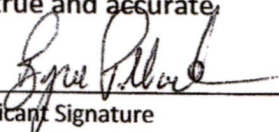
OWRD

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.


Applicant Signature

Bryce Pollock
Name (print)

5/9/23
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.

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

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

Signature of District Manager /Water Supplier

Name (print), Title

Date