

CTI

Regular

Name B & G Resources, Inc.
c/o Kenneth G. Gustafson
Address 1825 SE St. Andrews Dr.
Portland, OR 97202

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Umatilla River ; McKay Reservoir

Trib. of Columbia River

Use Irrigation County Umatilla

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# S-20936 Per # S-116393 Cert # 95219 PR Date 7/3/1945

App# 11 Per # 11 Cert # 95220 PR Date 11

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

Date	FEES PAID	
	Amount	Receipt #
<u>07/28/22</u>	<u>\$3060.00</u>	<u>138773</u>

Change in POV, APOD
Date Filed 7-28-2022
Initial notice date 8-9-2022
DPD issued date _____
PD issued date _____
PD notice date _____
Date of FO _____ Vol _____ Page _____

Date	FEES REFUNDED	
	Amount	Receipt #

C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____

Assignments: _____

Irrigation District _____

Agent Schroeder Law Offices - counsel@water-law.com

CWRE _____
CC's list B.O.R. / Umatilla County

- Oversized map - Location _____



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

August 8, 2022

B AND G RESOURCES INC.
KENNETH G. GUSTAFSON
1825 SE ST. ANDREWS DR
PORTLAND, OR 97202

Reference: Application T-14062

On July 28, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$3060.00. Our receipt number 138773 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use or from the new point of diversion until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

If the land is sold before the application is approved, the buyer's consent to the application will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

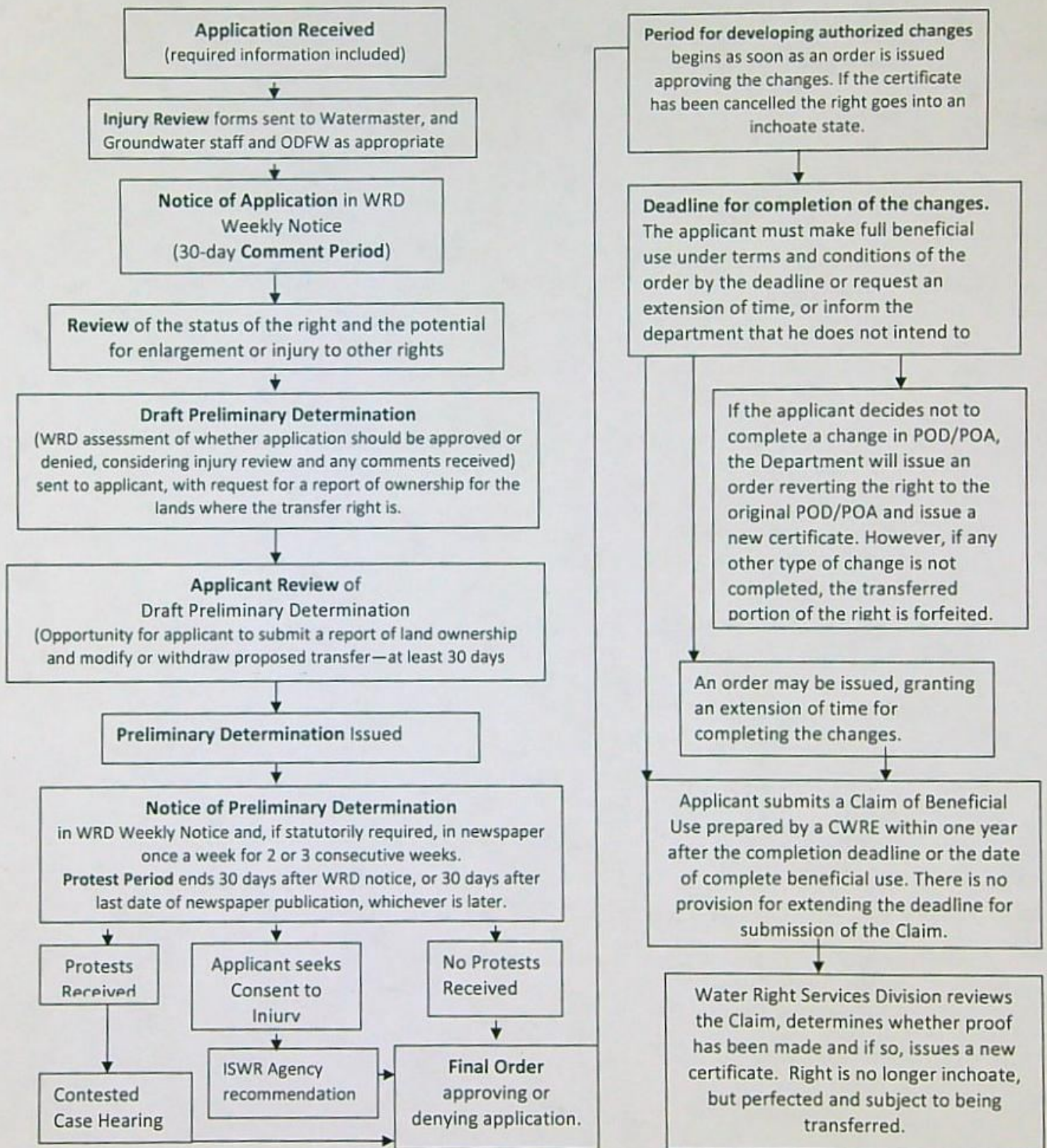
If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #5, Gregory M. Silbernagel (*via email*)
Schroeder Law Offices, Agent
Bureau of Reclamation
Umatilla County

Enclosure

Regular Transfer Process (including "Proving Up" on the changes)

OAR 690 Division 380



Application for Permanent Water Right Transfer

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

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](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? 2 List them here: Certificate 95219 and Certificate 95220**
 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 (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

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

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. **CWRD**

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 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME B & G Resources, Inc. c/o Kenneth G. Gustafson		PHONE NO. (503) 221-5117	ADDITIONAL CONTACT NO.
ADDRESS 1825 SE St. Andrews Dr.			FAX NO.
CITY Portland	STATE OR	ZIP 97202	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME Schroeder Law Offices		PHONE NO. (503) 281-4100	ADDITIONAL CONTACT NO.
ADDRESS 1915 NE Cesar E. Chavez Blvd			FAX NO.
CITY Portland	STATE OR	ZIP 97212	E-MAIL counsel@water-law.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 reason for the change is that the Umatilla River changed location after the flooding in spring of 2020, making a portion of the place of use inaccessible for both certificates. Additionally, a new point of diversion needs to be added to accommodate the change in place of use for Certificate 95219.

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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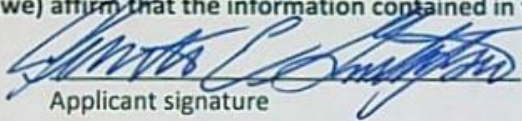
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By my signature below, I confirm that I understand:

- 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 in Pendleton.
- 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.



Applicant signature

Kenneth Gustafson, President
Print Name (and Title if applicable)

June 22, 2022
Date

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Applicant signature

Print Name (and Title if applicable)

Date

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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

RECEIVING LANDOWNER NAME		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	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 Bureau of Reclamation	ADDRESS 1150 N. Curtis Road, Suite 100	
CITY Boise	STATE ID	ZIP 83706-1234



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 Umatilla County	ADDRESS 721 SE Hailey Ave #3	
CITY Pendleton	STATE OR	ZIP 97801

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version.

Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
- OR
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
- OR
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

Microsoft Word 2010

- Unlock the document by clicking the **Review** tab; toggle the **Restrict Editing** icon at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "Allow only this type of editing in the document: **Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 6 of 9 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

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Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

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 # 95220

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Description of Water Delivery System

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System capacity: 0.79 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. The system uses a 20 hp electrical pump and 1/2 mile of wheel lines.

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)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2	N	30	E	12	NW	NE	400	540 FEET SOUTH AND 1660 FEET WEST FROM NE CORNER, SECTION 12

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 # 95220

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

AUTHORIZED (the "from" or "off" lands) 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
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													POU	2	N	30	E	1	SW	SE	400		2.1		POD 1	1945
													POU	2	N	30	E	12	NE	NE	400		1.3		POD 1	1945
													POU	2	N	30	E	12	NW	NE	400		2.0		POD 1	1945
TOTAL ACRES:											TOTAL ACRES:										5.4					

Additional remarks: The CWRE who prepared the transfer maps decided to pick up and move the entire water right rather than changing small portions which would have been more complicated.

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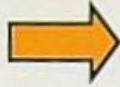
AUG 01 2022

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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:.



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 # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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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

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 # 95219

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Description of Water Delivery System

AUG 01 2022

System capacity: 0.79 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. The system uses a 20 hp electrical pump and 1/2 mile of wheel lines.

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)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2	N	30	E	12	NW	NE	400	540 FEET SOUTH AND 1660 FEET WEST FROM NE CORNER, SECTION 12
POD 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	31	E	18	NW	NE	5400	1175 FEET SOUTH AND 3240 FEET EAST FROM NW CORNER, SECTION 18

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water 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 # 95219

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

AUTHORIZED (the "from" or "off" lands) 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	
																										POD #6	1901
													POU	2	N	30	E	12	NE	NE	400		7.4			POD 1	1945
													POU	2	N	30	E	12	SE	NE	400		0.7			POD 1	1945
													POU	2	N	31	E	7	SW	NW	5400		0.7			POD 1	1945
													POU/APOD	2	N	31	E	7	SE	SW	5400		6.1			POD 2	1945
													POU/APOD	2	N	31	E	18	NE	NW	5400		8.3			POD 2	1945
													POU/APOD	2	N	31	E	18	NW	NE	5400		3.0			POD 2	1945
TOTAL ACRES:											TOTAL ACRES:										26.2						

Additional remarks: The CWRE who prepared the transfer maps decided to pick up and move the entire water right rather than changing small portions which would have been more complicated.

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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:



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 # _____;
Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

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, KENNETH GUSTAFSON, in my capacity as OWNER / USER,
 mailing address 1825 SE ST. ANDREWS DR. PORTLAND, OR 97202
 telephone number (503)221-5117, being first duly sworn depose and say:

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 AUG 01 2022
 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)

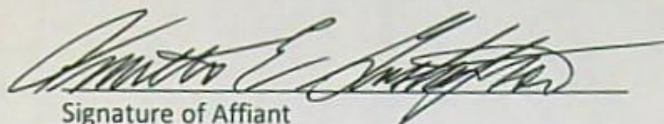
- OR
- Confirming Certificate # 95219 has been issued within the past five years; OR
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of 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.): IRRIGATION FOR PASTURE

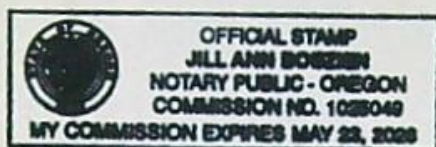
OWRD

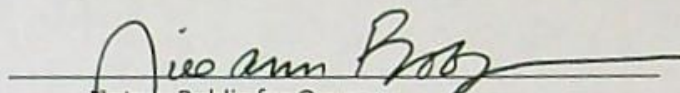
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.


Signature of Affiant

6/22/2022
Date

Signed and sworn to (or affirmed) before me this 22ND day of JUNE, 2022.




Notary Public for Oregon
My Commission Expires: 5/23/2026

Supporting Documents	Examples
<input checked="" 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 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.terraserver.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

RECEIVED

AUG 01 2022

OWRD

THIS CERTIFICATE ISSUED TO

B & G RESOURCES
c/o KENNETH E. GUSTAFSON
5200 SW MACADAM, SUITE 470
PORTLAND OR 97201

confirms the right to the use of water perfected under the terms of Permit S-16393. 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 point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: UMATILLA RIVER AND MCKAY RESERVOIR, CONSTRUCTED UNDER APPLICATION R-7526 AND PERMIT R-584, TRIBUTARY OF THE COLUMBIA RIVER

PURPOSE OR USE: IRRIGATION OF 26.2 ACRES

MAXIMUM RATE: 0.655 CUBIC FOOT PER SECOND

DATE OF PRIORITY: JULY 3, 1945

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	30 E	WM	12	NW NE	NEW POD - 540 FEET SOUTH AND 1660 FEET WEST FROM NE CORNER, SECTION 12

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

The use of water shall be subject to Contract Number 14-06-100-1336, or successor contract, with the Bureau of Reclamation.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	30 E	WM	1	SW SE	3.7
2 N	30 E	WM	12	NE NE	11.1
2 N	30 E	WM	12	NW NE	11.3
2 N	30 E	WM	12	SE NE	0.1

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 water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director in good working order, at each point of diversion. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.

The water user shall maintain and operate the fish screen at the new point of diversion consistent with Oregon Department of Fish and Wildlife's (ODFW) operational and maintenance standards.

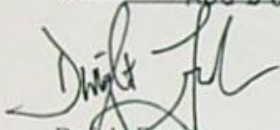
The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	30 E	WM	12	SE NE	ORIGINAL POD - 1330 FEET SOUTH AND 610 FEET WEST FROM NE CORNER, SECTION 12

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

This certificate is issued to confirm changes in POINT OF DIVERSION and PLACE OF USE approved by an order of the Water Resources Director entered MARCH 21, 2011, at Special Order Volume 83, Page 839, approving Transfer Application T-10948, supersedes Certificate 80564, State Record of Water Right Certificates.

Issued AUG 28 2020



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

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Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) ss
 County of UMATILLA)

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AUG 01 2022

I, KENNETH GUSTAFSON, in my capacity as OWNER / USER,
 mailing address 1825 SE ST. ANDREWS DR. PORTLAND, OR 97202
 telephone number (503)221-5117, being first duly sworn depose and say:

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)

- OR
- Confirming Certificate # 95220 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)

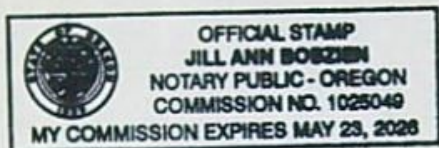
3. The water right was used for: (e.g., crops, pasture, etc.): IRRIGATION FOR PASTURE

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.

[Handwritten Signature]
Signature of Affiant

6/22/2022
Date

Signed and sworn to (or affirmed) before me this 22ND day of June, 2022



[Handwritten Signature]
Notary Public for Oregon
My Commission Expires: 5/23/2026

Supporting Documents	Examples
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<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

RECEIVED

AUG 01 2022

OWRD

THIS CERTIFICATE ISSUED TO

B & G RESOURCES
c/o KENNETH E. GUSTAFSON
5200 SW MACADAM, SUITE 470
PORTLAND OR 97201

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SOURCE OF WATER: UMATILLA RIVER AND MCKAY RESERVOIR, CONSTRUCTED UNDER APPLICATION R-7526 AND PERMIT R-584, A TRIBUTARY OF THE COLUMBIA RIVER

PURPOSE OR USE: IRRIGATION OF 5.4 ACRES

MAXIMUM RATE: 0.135 CUBIC FOOT PER SECOND

DATE OF PRIORITY: JULY 3, 1945

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	30 E	WM	12	NW NE	NEW POD - 540 FEET SOUTH AND 1660 FEET WEST FROM NE CORNER, SECTION 12

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

The use of water shall be subject to Contract Number 14-06-100-1336, or successor contract, with the Bureau of Reclamation.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 N	30 E	WM	12	NE NE		1.0
2 N	30 E	WM	12	SE NE		2.6
2 N	31 E	WM	7	NW NW	1	0.1
2 N	31 E	WM	7	SW NW	2	1.7

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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The water user shall maintain and operate the fish screen at the new point of diversion consistent with Oregon Department of Fish and Wildlife's (ODFW) operational and maintenance standards.

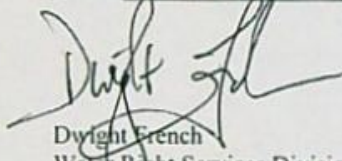
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This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered MARCH 21, 2011, at Special Order Volume 83, Page 839, approving Transfer Application T-10948, supersedes Certificate 83483, State Record of Water Right Certificates.

Issued AUG 28 2020



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

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AUG 01 2022

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MAP 2N3012; TL 400
2N31; TL 5400

Land Use Information Form



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

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APR 26 2022

UMATILLA COUNTY
PLANNING DEPARTMENT

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

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AUG 01 2022

NOTE TO LOCAL GOVERNMENTS

OWRD

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

MAP 2N3012; TL 400
2N31; TL 5400

Land Use Information Form



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

RECEIVED

AUG 01 2022

Applicant(s): B & G Resources c/o Schroeder Law Offices, PC Attn: Sarah Liljefelt

Mailing Address: 1915 NE Cesar E Chavez Blvd

City: Portland

State: OR

Zip Code: 97202

Daytime Phone: (503) 281-4100

OWRD

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>2N</u>	<u>30E</u>	<u>12</u>	<u>NW NE</u>	<u>400</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>2N</u>	<u>30E</u>	<u>12</u>	<u>NE NE</u>	<u>400</u>		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>2N</u>	<u>30E</u>	<u>12</u>	<u>SE NE</u>	<u>400</u>		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>2N</u>	<u>30E</u>	<u>1</u>	<u>SW SE</u>	<u>400</u>		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>2N</u>	<u>31E</u>	<u>7</u>	<u>SW NW</u>	<u>5400</u>		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>2N</u>	<u>31E</u>	<u>7</u>	<u>SE SW</u>	<u>5400</u>		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>2N</u>	<u>31E</u>	<u>18</u>	<u>NE NW</u>	<u>5400</u>		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>2N</u>	<u>31E</u>	<u>18</u>	<u>NW NE</u>	<u>5400</u>		<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Umatilla County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) Umatilla River and McKay Reservoir

Estimated quantity of water needed: 0.790 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

Changed place of use and point of diversion due to changed location of Umatilla River after Spring 2020 flooding.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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AUG 01 2022

OWRD

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 152.056(A)

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	AUG 01 2022	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Farm use as defined in ORS 215.203 and UCDC 152.003

Name: Megan Davchevski Title: Planner

Signature: Megan Davchevski Phone: 541-278-6253 Date: 4/27/2022

Government Entity: Umatilla County Planning Dept.

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

REEL 296 PAGE 0886

222533

AFTER RECORDING RETURN TO:

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO:

B&G Resources, Inc.
3132 SE Tindall Circle
Portland, OR 97202

B&G Resources, Inc.
3132 SE Tindall Circle
Portland, OR 97202

STATUTORY BARGAIN AND SALE DEED

Nomad Alfalfa, Inc., an Oregon corporation, and Gloria M. Lewis, an individual, jointly Grantor, conveys to B&G Resources, Inc., an Oregon corporation, Grantee, the following described real property:

The real property described in Exhibit "A" attached hereto, together with all appurtenances thereto, except this deed does not convey any mineral rights relating to the real property which is the subject of this deed.

The true consideration for this conveyance is \$20,000.

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.

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Executed this 28 day of August, 1996.

AUG 30 1996

UMATILLA COUNTY RECORDS

GRANTOR:

Nomad Alfalfa, Inc.
an Oregon corporation

Gloria M. Lewis, President
Gloria M. Lewis, President

President
Gloria M. Lewis

STATE OF OREGON }
County of Multnomah } ss.

This instrument was acknowledged before me this 28th day of August, 1996, by Gloria Lewis, President of Nomad Alfalfa, Inc., on behalf of the corporation.



NOTARY PUBLIC FOR OREGON
My Commission Expires: 08/25/00

(Acknowledgments continued on next page)

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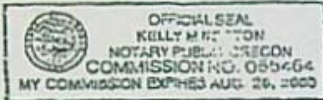
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REEL 296 PAGE 0887

(Acknowledgments continued from next page)

STATE OF OREGON }
County of Washington } ss.

This instrument was acknowledged before me this 25th day of August, 1996, by Gloria Lewis.



Kelly M. Patton
NOTARY PUBLIC FOR OREGON
My Commission Expires: 08/26/00

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EXHIBIT A

All of those certain parcels of land heretofore acquired by Oregon-Washington Railroad and Navigation Company by Warranty Deed dated December 20, 1933, filed for record February 5, 1934, in Volume 147 of Deeds at Page 144 of the Records of Umatilla County, Oregon, being more particularly described in said deed as follows:

"Parcel One: An irregular shaped tract of land comprising a part of Sections One (1) and Twelve (12), of Township Two (2) North, Range Thirty (30) East of the Willamette Meridian, and a part of Section Seven (7), of Township Two (2) North, Range Thirty-One (31) East of the Willamette Meridian, being more particularly described as follows, to-wit:

Beginning at the southeast corner of said Section One (1); thence north along the east line of said Section One (1), to the northeast corner of the southeast quarter of the southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) thereof; thence west along the north line of the south half of the southeast quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) and the southeast quarter of the southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section One (1), to the northwest corner of the said southeast quarter of the southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$); thence south along the west line of the said southeast quarter of the southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), to an iron monument at a point six hundred eighty-nine (689) feet, more or less, north of the southwest corner thereof; thence south 19°57' west, seven hundred thirty-three (733) feet, more or less, to an iron monument at a point in the north line of said Section Twelve (12), two hundred fifty (250) feet, more or less, west of the northeast corner of the northwest quarter of the northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of said Section Twelve (12); thence west along the north line of said Section Twelve (12), to a point nine hundred forty (940) feet east of the northwest corner of said Section Twelve (12); thence south thirteen hundred twenty-four and five tenths (1324.5) feet, to a point in the south line of the northwest quarter of the northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of said Section Twelve (12), nine hundred forty (940) feet east of the southwest corner of said northwest quarter of the northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$); thence east along the south line of said northwest quarter of the northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) to the northwest corner of the southeast quarter of the northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of said Section Twelve (12); thence south along the west line of said southeast quarter of the northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) to the southwest corner thereof; thence east along the south line of said southeast quarter of the northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) to a

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point in the center of the channel of the Umatilla River; thence northwesterly along the said center of the channel of the Umatilla River, to a point which is four hundred sixty-two (462) feet north and three hundred ninety-six (396) feet west of the center of said Section Twelve (12); thence northwesterly in a direct line six hundred twenty (620) feet; to a point on the left bank of said Umatilla River; thence east six hundred (600) feet to a point fifty (50) feet east of the center of the old railroad grade of Oregon-Washington Railroad & Navigation Company; thence along a circular curve to the right, with a radius of five hundred twenty-three and seven tenths (523.7) feet along the old right of way of said Oregon-Washington Railroad & Navigation Company to a point one hundred sixty-five (165) feet south of the south line of the northwest quarter of the northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section Twelve (12); thence southeasterly on the southwest side of and along said old right-of-way and terminating at a point forty (40) feet from the high water mark of The Furnish Ditch Company's reservoir, which point bears north five hundred sixty (560) feet from the southeast corner of the southwest quarter of the northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section Twelve (12); thence south 52°15' east fifty-two (52) feet; thence north 33°15' east one hundred forty (140) feet; thence south 59°23' east three hundred ninety-eight (398) feet; thence south 9°48' east three hundred sixty-three (363) feet; thence south 10°30' west three hundred seventeen (317) feet, more or less, to a point on the north boundary line of Oregon-Washington Railroad & Navigation Company's right of way as now located in the northeast quarter of the southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Twelve (12); said point being three hundred ninety-three (393) feet, more or less, distant southeasterly, measured along said north boundary line of Oregon-Washington Railroad & Navigation Company's right of way, from the west boundary line of said northeast quarter of the southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$); thence southeasterly along the northerly right of way boundary line of said Oregon-Washington Railroad & Navigation Company as the same is now located through the northeast quarter of the southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Twelve (12) of Township Two (2) North, Range Thirty (30) East of the Willamette Meridian, and through the southwest quarter (SW $\frac{1}{4}$) and the southwest quarter of the southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Seven (7), Township 2 North, Range 31 East, Willamette Meridian, to a point on the east boundary line of said southwest quarter of the southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Seven (7); thence north along the east boundary line of said southwest quarter of the southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Seven (7), to the northeast corner thereof; thence west along the north boundary line of said southwest quarter of the southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and the southeast quarter of the southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section Seven (7), to the southeast corner of the northwest quarter of the southwest quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section Seven (7); thence north along the east boundary line of said northwest quarter of the southwest quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) and the southwest quarter of the northwest quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of said Section Seven (7), to the

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northeast corner of said southwest quarter of the northwest quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of said Section Seven (7); thence west along the north boundary line of said southwest quarter of the northwest quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of said Section Seven (7), to the section line common to said Section Seven (7) and said Section Twelve (12); thence north along said section line to the southeast corner of said section one (1), the place of beginning; excepting therefrom all that part of the northeast quarter of the northeast quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section Twelve (12) and the Southeast quarter of the Southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) and the South Half of the Southeast quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section One (1), that lies outside of the highwater boundary line of The Furnish Ditch Company's Reservoir; also except a piece or parcel of land, containing thirty-five (35) acres, more or less, being all that part of the southwest quarter of the southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and the southeast quarter of the southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section Seven (7), that lies north of Oregon-Washington Railroad & Navigation Company's right of way and east of a line parallel to and forty (40) feet above the highwater line of The Furnish Ditch Company's Reservoir.

Parcel Two: A tract of land, containing two (2) acres, more or less, being all that part of the northeast quarter of the southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Seven (7), Township 2 North, Range 31 East, Willamette Meridian, lying within The Furnish Ditch Company's Reservoir and extending back from said reservoir a distance of forty (40) feet above the highwater level in said reservoir.

Parcel Three: An irregular shaped tract of land comprising a part of the east half of the southeast quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Twelve (12) of Township Two (2) North, Range Thirty (30) East, of the Willamette Meridian, and a part of Sections Seven (7) and Eighteen (18) of Township Two (2) North, Range Thirty-One (31) East of the Willamette Meridian, being more particularly described as follows, to-wit:

Beginning at the southeast corner of the northwest quarter of the northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section Eighteen (18); thence north along the east line of said northwest quarter of the northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section Eighteen (18), to the southerly boundary line of Oregon-Washington Railroad & Navigation Company's right of way as now located in the said northwest quarter of the northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section Eighteen (18); thence northwesterly along the southerly right of way boundary line of said Oregon-Washington Railroad & Navigation Company as same is now located through the northwest quarter of the northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section Eighteen (18), the southwest quarter of the southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and the southeast quarter of the southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) and the west half of the southwest quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) of said Section Seven (7), and the northeast quarter of the southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Twelve (12), to a point on the southwesterly boundary line of

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the old right of way of said Oregon-Washington Railroad & Navigation Company in the northeast quarter of the southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Twelve (12), distant fifty (50) feet southwesterly from, measured at right angles to, the center line of the old main track of said Oregon-Washington Railroad & Navigation Company as said old main track was formerly constructed and operated over and across the east half of the southeast quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) of said Section Twelve (12) and the southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section Seven (7); thence southeasterly along said southwesterly boundary line of the old right of way, parallel with the center line of said old main track, to a point on the north boundary line of the southeast quarter of the southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Twelve (12); thence west along the north boundary line of said southeast quarter of the southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Twelve (12), following said southwesterly boundary line of the old right of way, to a point, distant one hundred (100) feet southwesterly from, measured at right angles to, the center line of said old main track; thence southeasterly, along said southwesterly boundary line of the old right of way, parallel with the center line of said old main track, to a point on the section line common to said Section Twelve (12), Township 2 North, Range 30 East, Willamette Meridian, and said Section Seven (7), Township 2 North, Range 31 East, Willamette Meridian; thence south along the section line common to said Section Twelve (12) and said Section Seven (7) to the southwest corner of said Section Seven (7); thence east along the section line common to said Section Seven (7) and said Section Eighteen (18) to an iron monument at a point five hundred thirty-eight (538) feet, more or less, west of the northeast corner of the northwest quarter of the northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of said Section Eighteen (18); thence south 65°21' east five hundred ninety-two (592) feet, more or less, to an iron monument at a point on the east line of the northwest quarter of the northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of said Section Eighteen (18), distant two hundred forty-seven (247) feet, more or less, south of the northeast corner thereof; thence continuing south 65°21' east, seven hundred ninety-seven and five tenths (797.5) feet; thence south 49°29' east, one hundred eighty-five (185) feet; thence south 52°17' east, five hundred (500) feet; thence south 79°35' east, eighty and nine tenths (80.9) feet, more or less, to a point in the west line of the northwest quarter of the northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section Eighteen (18), distant ten hundred forty (1040) feet, more or less, south of the quarter section corner common to said Sections Seven (7) and Eighteen (18); thence south along the west line of said northwest quarter of the northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section Eighteen (18), to the southwest corner thereof; thence east along the south line of said northwest quarter of the northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section Eighteen (18), to the southeast corner thereof, the place of beginning; excepting therefrom, a piece or parcel of land, containing twenty-six (26) acres, more or less, being all that part of the southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section Seven (7), Township 2 North,

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Range 31 East, Willamette Meridian, that lies outside of the highwater boundary line of The Furnish Ditch Company's Reservoir as said Reservoir now exists.

Alternative Description of all Property Above Described

The tracts of land hereinbefore described are hereby further described for greater certainty as follows:

Parcel A: All that property in Section One (1), Township 2 North, Range 30 East, Willamette Meridian, Umatilla County, Oregon, conveyed by Samuel Smith, an unmarried man, to The Furnish Ditch Company, by deed dated February 25, 1909, and recorded in Vol. 58 on page 385 of Deed Records of said Umatilla County; also, all that property in said Section One (1) conveyed by Lee Hummell and Mary L. Hummell, his wife, to The Furnish Ditch Co. by deed dated April 21, 1913 and recorded in Book 82 at page 558 Deed Records of said County; also

All that property in Section Twelve (12), Township 2 North, Range 30 East, Willamette Meridian, Umatilla County, Oregon, as conveyed by Matt Saari, an unmarried man, to The Furnish Ditch Company, by deed dated February 25, 1909, and recorded in Vol. 59 at page 96 of Deed Records of said County; also all that property in said Section Twelve (12) as conveyed by Oregon-Washington Railroad & Navigation Company to Furnish Ditch Company by deed dated February 20, 1912, and recorded in Vol. 78 at page 74 of Deed Records of said County; also all that property in said Section Twelve (12) conveyed by Herman Holverson, husband of Anna Holverson, to The Furnish Ditch Company by deed dated February 27, 1909 and recorded in Book 59 at page 88, Deed Records of said County; also all that property in said Section Twelve (12) conveyed by Anna Holverson, wife of Herman Holverson, to The furnish Ditch Company by deed dated February 27, 1909, recorded in Book 59 at page 91, Deed Records of said County; also

All that property in said Section Twelve (12) conveyed by American National Bank of Pendleton to Furnish Ditch Company by deed dated October 20, 1915, recorded in Book 94 at page 4, Deed Records of said County; also

All that property in said Section Twelve (12) conveyed by James L. Smith and Hattie Smith, his wife, to The Furnish Ditch Company by deed dated December ____, 1913, filed for record on January 3, 1914 and recorded in Book 61 at page 406, Deed Records of said County; excepting therefrom the areas in said Section Twelve (12) conveyed by The Furnish Ditch Co. to Lee Hummell by deed dated May 12, 1915, and recorded in Book 91 at page 211, Deed Records of said County; also except the areas in said Section Twelve (12) conveyed by Furnish Ditch Company to J. A. Turnbow by deed dated August 31, 1912, and recorded in Book 81 at page 192, Deed Records of said County; also except the areas in said Section Twelve (12) conveyed by The Furnish

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Ditch Co. to J. A. Turnbow by deed dated December 8, 1914, and recorded in Book 90 at page 90, Deed Records of said County; also except in the area in said Section Twelve (12) and said Section One (1) conveyed by The Furnish Ditch Company to Christopher Stanull by deed dated June 21, 1916, and recorded in Book 95 at page 232, Deed Records of said County; and also except the areas in said Section Twelve (12) conveyed by The Furnish Ditch Company to Oregon-Washington Railroad & Navigation Company by deed dated December 5, 1911, and recorded in Vol. 78 at page 268 of Deed Records of said County;

Parcel B: All that property in Section Seven (7), Township 2 North, Range 31 East, Willamette Meridian, Umatilla County, Oregon, conveyed by Oregon-Washington Railroad & Navigation Company to Furnish Ditch Company by deed dated February 20, 1912, and recorded in Vol. 78 at page 74 of Deed Records of said County; also

All that property in said Section Seven (7) conveyed by Herman Holverson, husband of Anna Holverson, to The Furnish Ditch Company by deed dated February 27, 1909, and recorded in Book 59 at page 88 of Deed Records of said County; also

All that property in said Section Seven (7) conveyed by Anna Holverson, wife of Herman Holverson, to The Furnish Ditch Company by deed dated February 27, 1909, and recorded in Book 59 at page 91 of Deed Records of said County; also

All that property in said Section Seven (7) conveyed by W. M. Smith and Katie Smith, husband and wife, to The Furnish Ditch Company by deed dated February 25, 1909 and recorded in Book 59 on page 89 of Deed Records of said County; also

All that property in said Section Seven (7) conveyed by J. L. Smith and Hattie Smith, husband and wife, to The Furnish Ditch Company by deed dated February 25, 1909, and recorded in Book 59 on page 90 of Deed Records of said County; also

All that property in said Section Seven (7) conveyed by J. E. Perigo and Mollie E. Perigo, his wife, to The Furnish Ditch Company by deed dated September 2, 1919, and recorded in Book 106 at page 240 of Deed Records of said County; also

All that property in said Section Seven (7) conveyed by American National Bank of Pendleton to Furnish Ditch Company by deed dated October 20, 1915 and recorded in Book 94 on page 4, Deed-Records of said County; also

All that property in said Section Seven (7) conveyed by Inland Irrigation Co., Inc., to The Furnish Ditch Co. by deed dated August 15, 1919, and recorded in Book 106 at page 219 of Deed Records of said County; excepting therefrom the areas in said Section Seven (7) conveyed by The Furnish Ditch Company to

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J. E. Perigo by deed dated May 16, 1919 and recorded in Book 106 at page 247, Deed Records of said County; also except the areas in said Section Seven (7) conveyed by The Furnish Ditch Company to Oregon-Washington Railroad & Navigation Company by deed dated December 5, 1911, and recorded in Vol. 78 at page 268, Deed Records of said County; also except the area in said Section Seven (7) conveyed by Furnish Ditch Company to Domatilla Gross by deed dated December 8, 1915, and recorded in Book 94 on page 583, Deed Records of said County.

Parcel C: All that property in Section Eighteen (18), Township 2 North, Range 31 East, Willamette Meridian, Umatilla County, Oregon, conveyed by Inland Irrigation Co., Inc. to The Furnish Ditch Co. by deed dated August 15, 1919, and recorded in Book 106 at page 239, Deed Records of said County; also

All that property in said Section Eighteen (18) conveyed by J. E. Smith Livestock Company to Furnish Ditch Company by deed dated November 14, 1913, and recorded at page 27 in Book 89, Deed Records of said County."

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State of Oregon)
County of Umatilla)
This instrument was received and recorded on
08-30-96 at 12:35
in the record of document code type DE-845

Location 2296-0186
Document number 1996-222533
Fee 75.00

Office of County Records
Received by [Signature]
Records Officer

Laura A. Schroeder
Oregon, Idaho,
Nevada, Washington & Utah

Therese A. Ure Stix
Oregon & Nevada



SCHROEDER
LAW OFFICES, P.C.

William F. Schroeder
(1928 - 2015)

James Browitt
Of Counsel
Idaho & Washington

July 28, 2022

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VIA U.S. MAIL

Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, Oregon 97301

RE: B & G Resources, Inc. c/o Ken Gustafson: Application for Permanent Water Right Transfer for Certificate 95219 (Permit S-16393, Application S-20936) and Certificate 95220 (Permit S-16393, Application S-20936)

To Whom It May Concern:

Enclosed on behalf of B & G Resources, Inc c/o Ken Gustafson, please find an Application for Permanent Water Right Transfer for Certificate 95219 and Certificate 95220 with the required enclosures.

Please note, the required application fee of \$3,060 was previously sent via U.S. Mail on July 25, 2022, under check number 29579. We have spoken with Kim Hall in the Accounts Receivable section and she is aware of the early submission of this payment.

If you have any questions, please contact our office at 503-281-4100.

Very truly yours,
SCHROEDER LAW OFFICES, P.C.

Laura A. Schroeder

LAS:rms

Enclosures

cc: client

1915 NE Cesar E. Chavez Boulevard, Portland, Oregon 97212 (503) 281-4100

10615 Double R Boulevard, Suite 100, Reno, Nevada 89521 (775) 786-8800

www.water-law.com counsel@water-law.com

WATER RIGHTS TRANSFER MAP

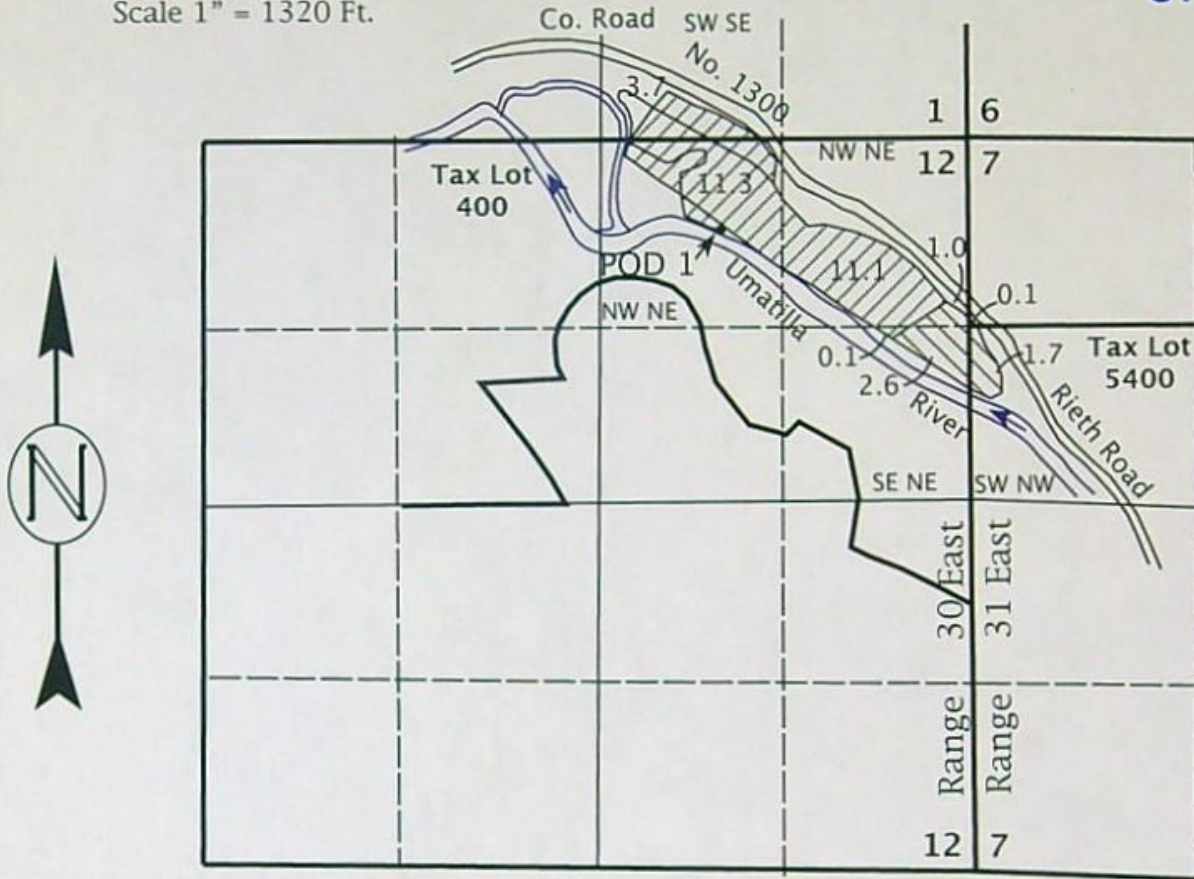
In Name of
 B & G Resources c/o Kenneth E. Gustafson
 T.2N, R.30 E. & T.2N, R.31 E.
 Sections 1, 12, & 7
 Umatilla County
 Scale 1" = 1320 Ft.

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Certificates 95219 & 95220

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POD 1 Located 540' S & 1660' W of NE Corner Section 12
 NW 1/4 NE 1/4 of Section 12, T.2N, R.30 EWM

 Permit #S-16393, Cert. 95219
 Transferred From This Location
 26.2 Ac. Supplied By POD 1

 Permit #S-16393, Cert. 95220
 Transferred From This Location
 5.4 Ac. Supplied By POD 1



Expires 12-31-22



Rev. 07-12-2022

This Map is for the purpose of identifying the location of Water Rights only and is not intended to provide the legal dimensions or locations of property ownership lines.


ENGINEERING - LAND SURVEYING - WATER RIGHTS
R. V. McKINNIS ENGINEERING
 79980 Prindle Loop Road
 Hermiston, Oregon 97838
 (541) -567-2017






WATER RIGHTS TRANSFER MAP

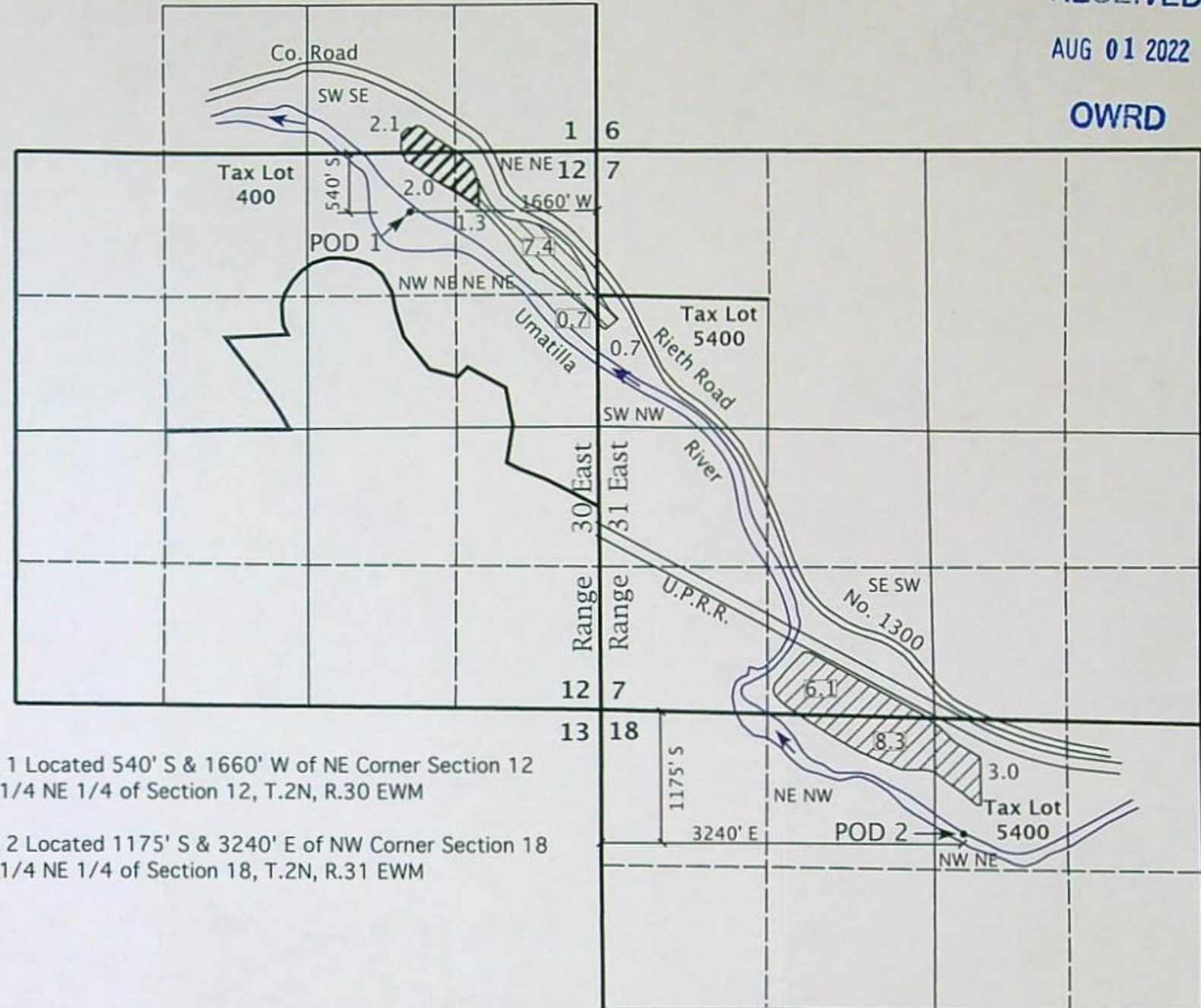
In Name of
 B & G Resources
 c/o Kenneth E. Gustafson
 T. 2N, R. 30 & 31 E.
 Sections 12, 7 & 18
 Umatilla County
 Scale 1" = 1320 Ft.

Certificates 95219 & 95220

 Permit #S-16393, Cert. 95219
 Transferred To This Location
 8.8 Ac. Supplied By POD 1

 Permit #S-16393, Cert. 95219
 Transferred To This Location
 17.4 Ac. Supplied By POD 2

 Permit #S-16393, Cert. 95220
 Transferred To This Location
 5.4 Ac. Supplied By POD 1



POD 1 Located 540' S & 1660' W of NE Corner Section 12
 NW 1/4 NE 1/4 of Section 12, T.2N, R.30 EWM

POD 2 Located 1175' S & 3240' E of NW Corner Section 18
 NW 1/4 NE 1/4 of Section 18, T.2N, R.31 EWM

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OWRD

This Map is for the purpose
 of identifying the location of
 Water Rights only and is not
 intended to provide the legal
 dimensions or locations of
 property ownership lines.



Expires 12-31-22

Rev. 07-12-2022

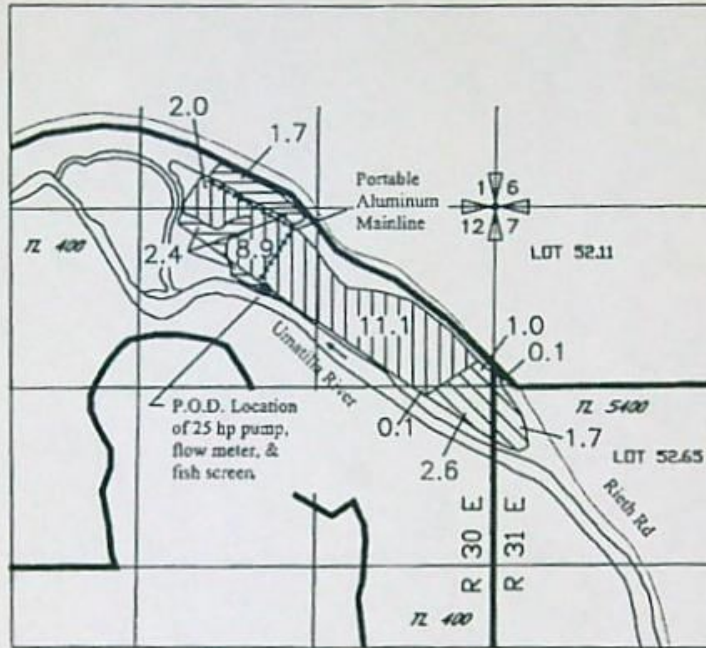
ENGINEERING - LAND SURVEYING - WATER RIGHTS
R. V. McKINNIS ENGINEERING
 79980 Prindle Loop Road
 Hermiston, Oregon 97838
 (541) -567-2017 

REVISED (7/21/20)
 CLAIM OF BENEFICIAL USE MAP
 FOR TRANSFER 10948
 IN THE NAME OF B & G RESOURCES
 c/o KENNETH E. GUSTAFSON
 SECTIONS 1 & 12, T2N, R30E & R31E, WM
 UMATILLA COUNTY







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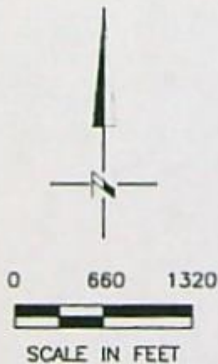
AUG 01 2022

OWRD



LEGEND

-  4.1 AC OF ORIGINATING CERT 80564 TRANSFERRED TO A NEW LOCATION AND PROVIDED WITH NEW P.O.D.
-  22.1 AC OF ORIGINATING CERT 80564 WATER RIGHT THAT ONLY INVOLVED A CHANGE IN P.O.D.
-  5.4 AC OF ORIGINATING CERT 83483 WATER RIGHT THAT ONLY INVOLVED A CHANGE IN P.O.D.
-  T2 5400 TAX LOT (TYP)
-  P.O.D. LOCATION: 540 FT SOUTH AND 1660 FEET WEST FROM THE NE CORNER OF SEC 12
-  PORTABLE ALUMINUM PIPELINE



RECEIVED

JUL 29 2020

OWRD

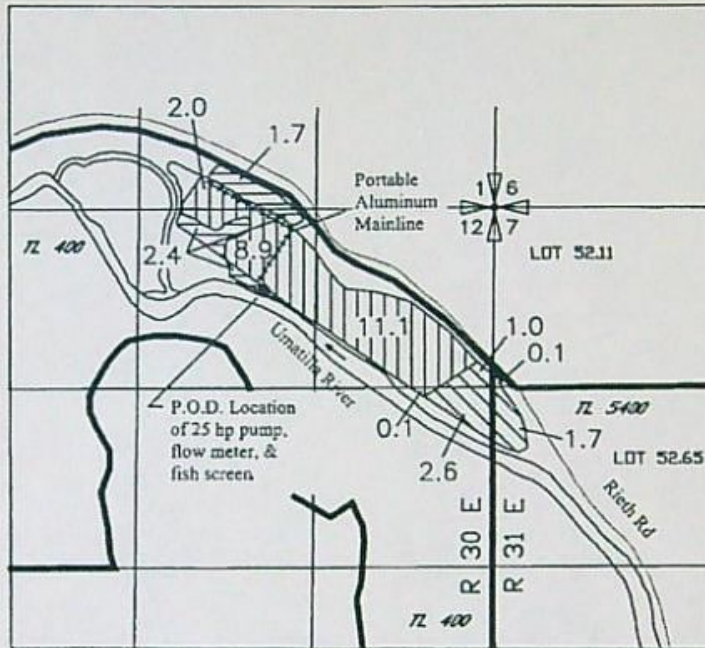


Renewal 6/30/22

NOTE: THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

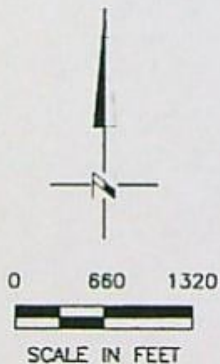
DGV Consulting, PLLC
 PHONE (509) 627-8717
 dalevconsulting@gmail.com
 Date: July 21, 2020




REVISED (7/21/20)
 CLAIM OF BENEFICIAL USE MAP
 FOR TRANSFER 10948
 IN THE NAME OF B & G RESOURCES
 c/o KENNETH E. GUSTAFSON
 SECTIONS 1 & 12, T2N, R30E & R31E, WM
 UMATILLA COUNTY



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 AUG 01 2022
 OWRD

LEGEND



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 JUL 29 2020
 OWRD



Renewal 6/30/22

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DGV Consulting, PLLC
 PHONE (509) 627-8717
 dalevconsulting@gmail.com
 Date: July 21, 2020

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 14062

Checked by: <u>Scott</u>	Type of Change(s) Proposed: <small>Mark the Proposed Changes</small>	Substitution	Supplemental to Primary	<input checked="" type="checkbox"/> POU	<input type="checkbox"/> POD	<input checked="" type="checkbox"/> APOD
Date: <u>8-2-22</u>		Gov Action	Surface to Ground	<input type="checkbox"/> USE	<input type="checkbox"/> POA	<input type="checkbox"/> APOA
Fee Received: <u>\$ 3060</u>						
Calculated Fee: <u>\$ 3060</u>				How many rights to be Transferred? <u>2</u>		
Additional Observations: _____				Certificate # <u>95219</u> <u>95220</u>		

If OK and complete, check box to the left; if NOT, fill in.

1. Is applicant information complete? Have all applicants listed at the top of the page signed at the bottom? If no, what is missing? Whose signature is missing? _____
2. Does applicant indicate the place of use is in or near an irrigation district? Is a Form D included? N/A.
Name of the district: _____
3. Part 5 of application, has the applicant(s) completed the entire page and does the information match the description of the explanation of the reasons for transfer on Part 4 of the application?
If no, you may need to contact the applicant or agent? _____
4. Is there only one (1) water right included in this transfer application?
If no, are the criteria of OAR 690-380-3220 for more than one WR met? Yes or No _____
If no, then the transfer application **CANNOT** be accepted. See attached "3220" Decision Tree Flowchart.
5. For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2? yes
If no, which certificate(s) are missing a separate Part 5 tables 1 & 2? _____
6. Is the map prepared and signed by a CWRE? Does the map meet requirements?
If no, what is missing? _____. Map waiver included? Yes No
7. If a change in point of appropriation (POA), have the well logs been included? N/A.
8. If a change in place of use (POU) within Umatilla County, have the applicant(s) provided a Supplemental Form U? N/A.
9. If all boxes on this checklist are checked (with no remaining deficiencies identified), **ACCEPT** the application. Put this application intake completeness check sheet in the transfer folder.

OR: If all boxes to the left are NOT checked, then 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: _____

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

RECEIPT # **138773**

(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Schroeder Law Offices
BY: P.C.

APPLICATION	
PERMIT	
TRANSFER	T-14062

CASH: CHECK: # 29579 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 306000

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY) _____	\$
0243 I/S Lease _____	
0244 Muni Water Mgmt. Plan _____	
0245 Cons. Water _____	

4270 WRD OPERATING ACCT

MISCELLANEOUS			
0407 COPY & TAPE FEES	\$		
0410 RESEARCH FEES	\$		
0408 MISC REVENUE: (IDENTIFY) _____	\$		
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$		
0240 EXTENSION OF TIME	\$		
WATER RIGHTS:			
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>30600.00</u>		
WELL CONSTRUCTION			
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$
OTHER (IDENTIFY) _____			

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD#	
0210 MONITORING WELLS	\$	CARD#	
OTHER (IDENTIFY) _____			

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____	TITLE _____	
OBJ. CODE _____	VENDOR # _____	
DESCRIPTION _____		\$

RECEIPT: **138773**

DATED: 07/28/22

BY: [Signature]

170.00 Oregon Water Resources Department
07/22/2022 Association for Permanent Water
Transfer 95219 95220

61497

3,060.00

3,060.00

RECEIVED

JUL 28 2022

OWRD

07/25/2022

29579

Gross:

3,060.00

Ded:

0.00 Net:

3,060.00