

# Application for Permanent Water Right Transfer



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

## Part 1 of 5 – Minimum Requirements Checklist

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

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: Certificate 80295**

**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.) **Applicant owns water right separately from underlying land in Tax Lot 3100 per attached Certificate of Ownership Update Form and Statutory Warranty Deed.**
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. **Items a, b, c, and d above apply to this transfer.**
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

**(For Staff Use Only)**

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

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

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

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

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## Part 2 of 5 – Transfer Application Map

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

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

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





## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>St. Hilaire Brothers Hermiston Farm LLC</b>		PHONE NO. <b>(541) 564-1000</b>	ADDITIONAL CONTACT NO. <b>See agent contact info.</b>
ADDRESS <b>84186 HWY 37</b>			FAX NO.
CITY <b>Hermiston</b>	STATE <b>OR</b>	ZIP <b>97838</b>	E-MAIL <b>carl@jshfarms.com</b>
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>			

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

AGENT/BUSINESS NAME <b>Shonee Langford (SCHWABE, WILLIAMSON AND WYATT, P.C.)</b>		PHONE NO. <b>(503) 540-4261</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>530 CENTER ST. NE, SUITE 730</b>			FAX NO. <b>(503) 796-2900</b>
CITY <b>SALEM</b>	STATE <b>OR</b>	ZIP <b>97301</b>	E-MAIL <b>slangford@schwabe.com</b>
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>			

Explain in your own words what you propose to accomplish with this transfer application, and why:  
**This is to make permanent the temporary transfers T-10590, T-11616, T-12821, and T-14028.**

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

### Check One Box

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

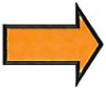
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**By my signature below, I confirm that I understand:**

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: \_\_\_\_\_.
- 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.**



Carl St. Hilaire  
 Applicant signature

ST. HILAIRE BROTHERS HERMISTON FARM, LLC By: Carl St. Hilaire, Manager  
 Print Name (and Title if applicable)

10/15/2024  
 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 \*NOTE: The applicant is the sole owner of the water right proposed for transfer, a portion of which is owned by the applicant and another portion of which is located on land owned by Llyod and Lois Piercy. Ownership of the water right has been severed from the land by deed from Llyod and Lois Piercy to the applicant, St. Hilaire Brothers Hermiston Farm, LLC. Please see attached copies of the related Certificate of Ownership Update Form and Statutory Warranty Deed, which are on file with the Oregon Water Resources Department. Please direct and questions concerning ownership of the water rights to applicant's agent, Shonee Langford.

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.

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

[https://www.oregon.gov/owrd/WRDFormsPDF/Transfer\\_Property\\_Transactions.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf)

RECEIVING LANDOWNER NAME			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 <b>East Improvement District</b>	ADDRESS <b>3750 SW Marshall Place</b>		
CITY <b>Pendleton</b>	STATE <b>OR</b>	ZIP <b>97801</b>	

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	ADDRESS		
CITY	STATE	ZIP	



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

ENTITY NAME <b>Umatilla County</b>	ADDRESS <b>200 SE 4<sup>th</sup> Street</b>		
CITY <b>Pendleton</b>	STATE <b>OR</b>	ZIP <b>97801</b>	

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	

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## Part 5 of 5 – Water Right Information

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

CERTIFICATE # 80295

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### Description of Water Delivery System

System capacity: 28.31 cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **The source of water for this system is groundwater. There are four wells on the property. Well #1 (UMAT 3007) is 600 feet deep, Well #2 (UMAT 3004) is 600 feet deep, Well #3 (UMAT 3000) is 665 feet deep, and Well #4 (UMAT 2999) is 950 feet deep. Wells #1, #2, and #3 all have 16 inch casings while Well #4 has an 18 inch casing. There are 500 hp turbine pumps in each well. Well #2 has a 50 hp centrifugal booster pump and Well #3 has two 60 hp centrifugal booster pumps. The system has a looping network of mainlines that connect the four wells. This network is also connected to a regulating reservoir that maintains a constant head throughout the system. Twenty-seven center pivots are supplied off the mainline loop through laterals. In addition to the center pivots, areas can be irrigated using wheel-lines and/or handlines from risers located along sections of mainline. The head maintained by the regulating reservoir is adequate to operate all but three of the center pivots which each has its own small booster pump. All the pipelines are buried; all of the mainlines are now PVC as well as all but two of the laterals which are still steel. Pipe sizes of the various sections vary depending on the required capacity through that section; sizes range from 30 inch down to 4 inch. There is a flow meter at each of the four wells. These meters are read weekly and monthly totals are reported annually.**

**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)
Well #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 3007	4	N	30	E	33	SE	SW	3103	1030'N & 2420'E FROM SW CORNER SECTION 33
Well #2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 3004	4	N	30	E	32	SW	SE	3103	980'N & 1640'W FROM SW CORNER SECTION 33
Well #3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 3000	4	N	30	E	29	NE	SE	3103	2170'N & 50'W FROM SW CORNER SECTION 28
Well #4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 2999	4	N	30	E	28	SE	NE	3103	930'N & 240'W FROM E1/4 CORNER SECTION 28

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

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

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

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

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

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

**Table 2. Description of Changes to Water Right Certificate # 80295**

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			
4	N	30	E 27	NE NW	3103		1.4	Irrigation	4 Wells	2/15/78	POU	4	N	30	E 29	SW SE	3103		9.3	Irrigation	4 Wells	2/15/78	
4	N	30	E 27	NW NW	3103		1.5	Irrigation	4 Wells	2/15/78	POU	4	N	30	E 29	SE SE	3103		15.1	Irrigation	4 Wells	2/15/78	
4	N	30	E 27	SW NW	3103		1.1	Irrigation	4 Wells	2/15/78	POU	4	N	30	E 31	NE NE	3103		28.2	Irrigation	4 Wells	2/15/78	
4	N	30	E 27	SE NW	3103		1.1	Irrigation	4 Wells	2/15/78	POU	4	N	30	E 31	NW NE	3103		27.6	Irrigation	4 Wells	2/15/78	
4	N	30	E 27	NE SW	3103		1.3	Irrigation	4 Wells	2/15/78	POU	4	N	30	E 31	SW NE	3103		26.6	Irrigation	4 Wells	2/15/78	
4	N	30	E 27	NW SW	3103		2.0	Irrigation	4 Wells	2/15/78	POU	4	N	30	E 31	SE NE	3103		27.8	Irrigation	4 Wells	2/15/78	
4	N	30	E 27	SW SW	3103		10.7	Irrigation	4 Wells	2/15/78	POU	4	N	30	E 31	NE SE	3103		22.3	Irrigation	4 Wells	2/15/78	
4	N	30	E 27	SE SW	3103		1.5	Irrigation	4 Wells	2/15/78	POU	4	N	30	E 31	NW SE	3103		2.7	Irrigation	4 Wells	2/15/78	
4	N	30	E 28	NE NE	3103		0.7	Irrigation	4 Wells	2/15/78	POU	4	N	30	E 31	SW SE	3103		8.8	Irrigation	4 Wells	2/15/78	
4	N	30	E 28	NW NE	3103		0.2	Irrigation	4 Wells	2/15/78	POU	4	N	30	E 31	SE SE	3103		40.2	Irrigation	4 Wells	2/15/78	
4	N	30	E 28	SW NE	3103		16.4	Irrigation	4 Wells	2/15/78	POU	4	N	30	E 32	NW NE	3103		2.0	Irrigation	4 Wells	2/15/78	
4	N	30	E 28	SE NE	3103		1.9	Irrigation	4 Wells	2/15/78	POU	4	N	30	E 32	NE NW	3103		40.4	Irrigation	4 Wells	2/15/78	
4	N	30	E 28	NE NW	3103		2.8	Irrigation	4 Wells	2/15/78	POU	4	N	30	E 32	NW NW	3103		29.7	Irrigation	4 Wells	2/15/78	
SUBTOTAL ACRES:						42.6						SUBTOTAL ACRES:						280.7					

Additional remarks: Table 2 continues on following five pages. The acres on each page are subtotaled with the grand totals on last page.



**Table 2. (Continued) Description of Changes to Water Right Certificate # 80295**

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	30	E	28	NW	NW	3103	1.6	Irrigation	4 Wells	2/15/78	POU	4	N	30	E	32	SW	NW	3103	16.6	Irrigation	4 Wells	2/15/78	
4	N	30	E	28	SW	NW	3103	3.3	Irrigation	4 Wells	2/15/78	POU	4	N	30	E	32	SE	NW	3103	25.7	Irrigation	4 Wells	2/15/78	
4	N	30	E	28	SE	NW	3103	20.3	Irrigation	4 Wells	2/15/78	POU	4	N	30	E	32	NE	SW	3103	35.9	Irrigation	4 Wells	2/15/78	
4	N	30	E	28	NE	SW	3103	0.7	Irrigation	4 Wells	2/15/78	POU	4	N	30	E	32	NW	SW	3103	31.6	Irrigation	4 Wells	2/15/78	
4	N	30	E	28	NW	SW	3103	3.9	Irrigation	4 Wells	2/15/78	POU	4	N	30	E	32	SW	SW	3103	14.2	Irrigation	4 Wells	2/15/78	
4	N	30	E	28	SW	SW	3103	2.0	Irrigation	4 Wells	2/15/78	POU	4	N	30	E	32	SE	SW	3103	2.1	Irrigation	4 Wells	2/15/78	
4	N	30	E	28	SE	SW	3103	1.0	Irrigation	4 Wells	2/15/78	POU	3	N	30	E	6	NE	NE	3103	3.1	Irrigation	4 Wells	2/15/78	
4	N	30	E	28	NE	SE	3103	0.2	Irrigation	4 Wells	2/15/78	POU													
4	N	30	E	28	NW	SE	3103	2.2	Irrigation	4 Wells	2/15/78	POU													
4	N	30	E	28	SW	SE	3103	3.0	Irrigation	4 Wells	2/15/78	POU													
4	N	30	E	28	SE	SE	3103	9.4	Irrigation	4 Wells	2/15/78	POU													
4	N	30	E	29	NE	NE	3103	1.7	Irrigation	4 Wells	2/15/78	POU													
4	N	30	E	29	NW	NE	3103	2.3	Irrigation	4 Wells	2/15/78	POU													
SUBTOTAL ACRES:							51.6						SUBTOTAL ACRES:							129.2					

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**Table 2. (Continued) Description of Changes to Water Right Certificate # 80295**

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	30	E	29	SW	NE	3103		1.4	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	29	SE	NE	3103		1.5	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	29	NE	NW	3103		0.4	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	29	NE	SE	3103		11.5	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	29	NW	SE	3103		1.4	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	29	SW	SE	3103		0.9	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	32	NE	NE	3103		1.5	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	32	NW	NE	3103		1.6	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	32	SW	NE	3103		0.4	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	32	SE	NE	3103		1.0	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	32	NE	SE	3103		6.4	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	32	NW	SE	3103		19.0	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	32	SW	SE	3103		11.2	Irrigation	4 Wells	2/15/78	POU									
SUBTOTAL ACRES:							58.2						SUBTOTAL ACRES:									

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**Table 2. (Continued) Description of Changes to Water Right Certificate # 80295**

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	30	E	32	SE	SE	3103	10.8	Irrigation	4 Wells	2/15/78	POU											
4	N	30	E	33	NE	NE	3103	31.4	Irrigation	4 Wells	2/15/78	POU											
4	N	30	E	33	NW	NE	3103	7.7	Irrigation	4 Wells	2/15/78	POU											
4	N	30	E	33	SE	NE	3103	16.7	Irrigation	4 Wells	2/15/78	POU											
4	N	30	E	33	NE	NW	3103	19.7	Irrigation	4 Wells	2/15/78	POU											
4	N	30	E	33	NW	NW	3103	0.2	Irrigation	4 Wells	2/15/78	POU											
4	N	30	E	33	SW	NW	3103	1.3	Irrigation	4 Wells	2/15/78	POU											
4	N	30	E	33	SE	NW	3103	7.1	Irrigation	4 Wells	2/15/78	POU											
4	N	30	E	33	NE	SW	3103	5.4	Irrigation	4 Wells	2/15/78	POU											
4	N	30	E	33	SE	SW	3103	15.2	Irrigation	4 Wells	2/15/78	POU											
4	N	30	E	33	NE	SE	3103	16.1	Irrigation	4 Wells	2/15/78	POU											
4	N	30	E	33	NW	SE	3103	14.4	Irrigation	4 Wells	2/15/78	POU											
4	N	30	E	33	SW	SE	3103	8.3	Irrigation	4 Wells	2/15/78	POU											
SUBTOTAL ACRES:							154.3						SUBTOTAL ACRES:										

**Table 2. (Continued) Description of Changes to Water Right Certificate # 80295**

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AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
4	N	30	E	33	SE	SE	3103		21.2	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	34	NE	NW	3103		7.7	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	34	NW	NW	3103		30.6	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	34	SW	NW	3103		7.7	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	34	SE	NW	3103		1.0	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	34	NE	SW	3103		1.0	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	34	NW	SW	3103		11.1	Irrigation	4 Wells	2/15/78	POU									
4	N	30	E	34	SW	SW	3103		1.5	Irrigation	4 Wells	2/15/78	POU									
3	N	30	E	4	NE	NE	3103		6.3	Irrigation	4 Wells	2/15/78	POU									
3	N	30	E	4	NW	NE	3103		1.3	Irrigation	4 Wells	2/15/78	POU									
3	N	30	E	4	SW	NE	3103		1.7	Irrigation	4 Wells	2/15/78	POU									
3	N	30	E	4	SE	NE	3103		1.6	Irrigation	4 Wells	2/15/78	POU									
3	N	30	E	4	NE	NW	3103		2.3	Irrigation	4 Wells	2/15/78	POU									
SUBTOTAL ACRES:							95.0						SUBTOTAL ACRES:									

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DEC 23 2024  
11:00 AM

**Table 2. (Continued) Description of Changes to Water Right Certificate # 80295**

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
3	N	30	E	4	NW	NW	3103	0.4	Irrigation	4 Wells	2/15/78	POU											
3	N	30	E	4	SW	NW	3103	0.2	Irrigation	4 Wells	2/15/78	POU											
3	N	30	E	4	SE	NW	3103	0.5	Irrigation	4 Wells	2/15/78	POU											
3	N	30	E	5	NE	NE	3103	3.2	Irrigation	4 Wells	2/15/78	POU											
3	N	30	E	5	NW	NE	3103	1.4	Irrigation	4 Wells	2/15/78	POU											
3	N	30	E	5	SW	NE	3103	1.3	Irrigation	4 Wells	2/15/78	POU											
3	N	30	E	5	SE	NE	3103	1.2	Irrigation	4 Wells	2/15/78	POU											
SUBTOTAL ACRES:							8.2						SUBTOTAL ACRES:										
TOTAL ACRES:							409.9						TOTAL ACRES:							409.9			

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

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

If YES, list the certificate, water use permit, or ground water registration numbers: Permits S-55114, S-55263, S-55262, and S-55167 under the East Improvement District and Permit S-55183.



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 # \_\_\_\_\_.

**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](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

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# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

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State of Oregon )  
 ) ss  
 County of UMATILLA)

I, CARL ST. HILAIRE, in my capacity as OWNER/MANAGER,

mailing address ST. HILAIRE BROTHERS HERMISTON FARM, LLC; 84186 HWY 37; HERMISTON, OR 97838

telephone number (541)314-5500, being first duly sworn depose and say:

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

- Personal observation       Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # \_\_\_\_\_; **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)
80295/T14028	4	N	30	E	WM	29	SW	SW		9.5
80295/T14028	4	N	30	E	WM	29	SE	SW		9.2
80295/T14028	4	N	30	E	WM	30	SW	SE		0.2
80295/T14028	4	N	30	E	WM	30	SE	SE		0.2
80295/T14028	4	N	30	E	WM	31	NE	NE		31.2
80295/T14028	4	N	30	E	WM	31	NW	NE		31.6
80295/T14028	4	N	30	E	WM	31	SW	NE		23.4
80295/T14028	4	N	30	E	WM	31	SE	NE		23.6
80295/T14028	4	N	30	E	WM	31	NE	SE		22.9
80295/T14028	4	N	30	E	WM	31	NW	SE		16.5
80295/T14028	4	N	30	E	WM	31	SW	SE		23.3
80295/T14028	4	N	30	E	WM	31	SE	SE		32.2
80295/T14028	4	N	30	E	WM	32	NE	NW		36.2
80295/T14028	4	N	30	E	WM	32	NW	NW		36.2

80295/T14028	4	N	30	E	WM	32	SW	NW		18.6
80295/T14028	4	N	30	E	WM	32	SE	NW		22.6
80295/T14028	4	N	30	E	WM	32	NE	SW		36.6
80295/T14028	4	N	30	E	WM	32	NW	SW		28.2
80295/T14028	4	N	30	E	WM	32	SW	SW		2.8
80295/T14028	4	N	30	E	WM	32	SE	SW		4.9

**OR**

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

**(continues on reverse side)**

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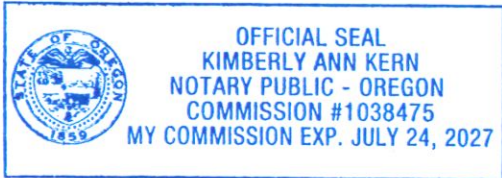
3. The water right was used for: (e.g., crops, pasture, etc.): VARIOUS CROPS

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

[Signature]  
Signature of Affiant

10/15/2024  
Date

Signed and sworn to (or affirmed) before me this 15<sup>th</sup> day of October, 2024.



Kimberly Ann Kern  
Notary Public for Oregon

My Commission Expires: July 24, 2027

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>● Power usage records for pumps associated with irrigation use</li> <li>● Fertilizer or seed bills related to irrigated crops</li> <li>● Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>● District assessment records for water delivered</li> <li>● Crop reports submitted under a federal loan agreement</li> <li>● Beneficial use reports from district</li> <li>● IRS Farm Usage Deduction Report</li> <li>● Agricultural Stabilization Plan</li> <li>● CREP Report</li> </ul>
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph  Aerial Image from MAXAR Taken on July 24 <sup>th</sup> , 2023	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 – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terraServer.com">www.terraServer.com</a>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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**MAXAR Aerial Image**  
**July 24<sup>th</sup>, 2023**



Center Pivots 30, 31, 32, & 33

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

# Certificate of Water Right Ownership Update

## NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. *If for multiple rights, a separate form for each right will be required.*

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

*Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.*

## PROPERTY SELLER INFORMATION

Applicant(s): Lloyd P. and Lois J. Piercy  
First Last  
 Mailing Address: 33297 Riverview Drive  
Hermiston OR 97838  
City State Zip  
 Phone: 541-567-1506 541-376-8442  
Home Work Other

## PROPERTY BUYER INFORMATION

Applicant(s): St. Hilaire Brothers Hermiston Farm, LLC ATTN: Carl St. Hilaire, Manager  
First Last  
 Mailing Address: 84186 Highway 37  
Hermiston OR 97838-6393  
City State Zip  
 Phone: 541-564-1000  
Home Work Other

## PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Umatilla Township: 3N, 4N Range: 30E Section: See deed  
 Tax Lot Number(s): See attached description of new partition parcel

Street address of water right property: N/A

Water Right Information (attach copy of water right permit or certificate & final proof map):

Application #: G-8647 Permit #: G-7929 Certificate or Page #: 80295

Will all the lands associated with this water right be owned by the buyer?  Yes  No Buyer owns entire Certificate, but not all lands described therein. See attached.

Name of individual completing this form: Shonee D. Langford, Attorney Phone: 503-540-4261

Signature:  Date: 2/3/15

*Please be sure to attach a copy of your property deed or legal description of the property.*



**Attachment to Ownership Update**

**Certificate 80295**

St. Hilaire Brothers Hermiston Farm, LLC (St. Hilaire) has purchased the real property described as follows:

Parcel 2 of Partition Plat No. 2014- 11, recorded on 11/24/2014  
    , 2014, as Instrument No. 2014- 6230418, Office of County  
Records, Umatilla County, Oregon.

Portions of the water rights under Certificate 80295 are appurtenant to the above-described real property and portions are appurtenant to adjacent real property owned by Lloyd and Lois Piercy (Piercy).

Piercy has conveyed all water rights described in Certificate 80295 to St. Hilaire, including portions of the water rights that are appurtenant to property still own by Piercy (see attached deed).

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STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This is to certify, That MERLE GEHRKE

of Route 2, Box 13, Echo, State of Oregon 97826, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Four wells

a tributary of Stage Gulch for the purpose of irrigation of 2289.4 acres

under Permit No. G-7929 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from February 15, 1978 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 28.61 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the SE 1/4 SW 1/4, Section 33, SW 1/4 SE 1/4, Section 32, NE 1/4 SE 1/4, Section 29, SE 1/4 NE 1/4, Section 28, T4N, R30E, WM; Well 1-1030 feet North and 2420 feet East, Well 2-980 feet North and 1640 feet West, both from SW Corner Section 33, Well 3-2170 feet North and 50 feet West from SE Corner Section 29, Well 4-930 feet North and 240 feet West from E 1/4 \* The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth 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 3 acre-feet per acre for each acre irrigated during the irrigation season of each year

and shall conform to such reasonable rotation system as may be ordered by the proper state officer. A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

\* Corner Section 28.

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30.4 acres NE 1/4 NW 1/4  
35.4 acres NW 1/4 NW 1/4  
36.6 acres SW 1/4 NW 1/4  
33.2 acres SE 1/4 NW 1/4  
32.0 acres NE 1/4 SW 1/4  
35.4 acres NW 1/4 SW 1/4  
39.9 acres SW 1/4 SW 1/4  
28.8 acres SE 1/4 SW 1/4  
Section 27

39.2 acres NE 1/4 NE 1/4  
39.6 acres NW 1/4 NE 1/4  
36.4 acres SW 1/4 NE 1/4  
34.0 acres SE 1/4 NE 1/4  
34.4 acres NE 1/4 NW 1/4  
31.6 acres NW 1/4 NW 1/4  
32.2 acres SW 1/4 NW 1/4  
30.8 acres SE 1/4 NW 1/4  
40.0 acres NE 1/4 SW 1/4  
31.6 acres NW 1/4 SW 1/4  
30.9 acres SW 1/4 SW 1/4  
40.0 acres SE 1/4 SW 1/4  
40.0 acres NE 1/4 SE 1/4  
38.0 acres NW 1/4 SE 1/4  
32.4 acres SW 1/4 SE 1/4  
39.8 acres SE 1/4 SE 1/4  
Section 28

38.4 acres NE 1/4 NE 1/4  
31.1 acres NW 1/4 NE 1/4  
32.0 acres SW 1/4 NE 1/4  
33.0 acres SE 1/4 NE 1/4  
32.0 acres NE 1/4 SE 1/4  
30.4 acres NW 1/4 SE 1/4  
31.4 acres SW 1/4 SE 1/4  
42.2 acres SE 1/4 SE 1/4  
Section 29

31.4 acres NE 1/4 NE 1/4  
15.2 acres NW 1/4 NE 1/4  
38.8 acres SW 1/4 NE 1/4  
35.0 acres SE 1/4 NE 1/4  
36.0 acres NE 1/4 SE 1/4  
35.2 acres NW 1/4 SE 1/4  
10.5 acres SW 1/4 SE 1/4  
16.0 acres SE 1/4 SE 1/4  
Section 32

37.2 acres NE 1/4 NE 1/4  
38.8 acres NW 1/4 NE 1/4  
40.0 acres SW 1/4 NE 1/4  
34.4 acres SE 1/4 NE 1/4  
38.1 acres NE 1/4 NW 1/4  
39.4 acres NW 1/4 NW 1/4  
38.5 acres SW 1/4 NW 1/4  
39.1 acres SE 1/4 NW 1/4  
24.1 acres NE 1/4 SW 1/4  
40.0 acres NW 1/4 SW 1/4  
24.4 acres SW 1/4 SW 1/4  
17.4 acres SE 1/4 SW 1/4  
18.8 acres NE 1/4 SE 1/4  
39.0 acres NW 1/4 SE 1/4  
13.2 acres SW 1/4 SE 1/4  
22.4 acres SE 1/4 SE 1/4  
Section 33

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38.6 acres NE 1/4 NW 1/4  
38.5 acres NW 1/4 NW 1/4  
37.0 acres SW 1/4 NW 1/4  
34.0 acres SE 1/4 NW 1/4  
12.8 acres NE 1/4 SW 1/4  
27.9 acres NW 1/4 SW 1/4  
2.8 acres SW 1/4 SW 1/4

Section 34

Township 4 North, Range 30 East, Wm

18.8 acres NE 1/4 NE 1/4  
36.4 acres NW 1/4 NE 1/4  
17.6 acres SW 1/4 NE 1/4  
33.2 acres SE 1/4 NE 1/4  
27.6 acres NE 1/4 NW 1/4  
0.6 acres NW 1/4 NW 1/4  
0.2 acres SW 1/4 NW 1/4  
7.2 acres SE 1/4 NW 1/4

Section 4

35.4 acres NE 1/4 NE 1/4  
28.0 acres NW 1/4 NE 1/4  
29.6 acres SW 1/4 NE 1/4  
27.2 acres SE 1/4 NE 1/4

Section 5

Township 3 North, Range 30 East, WM

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*The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.*

*WITNESS the signature of the Water Resources Director, affixed*

*this date. December 17, 1984*

*/s/ William H. Young*

*Water Resources Director*

Recorded in State Record of Water Right Certificates, Volume 47 , page 52675

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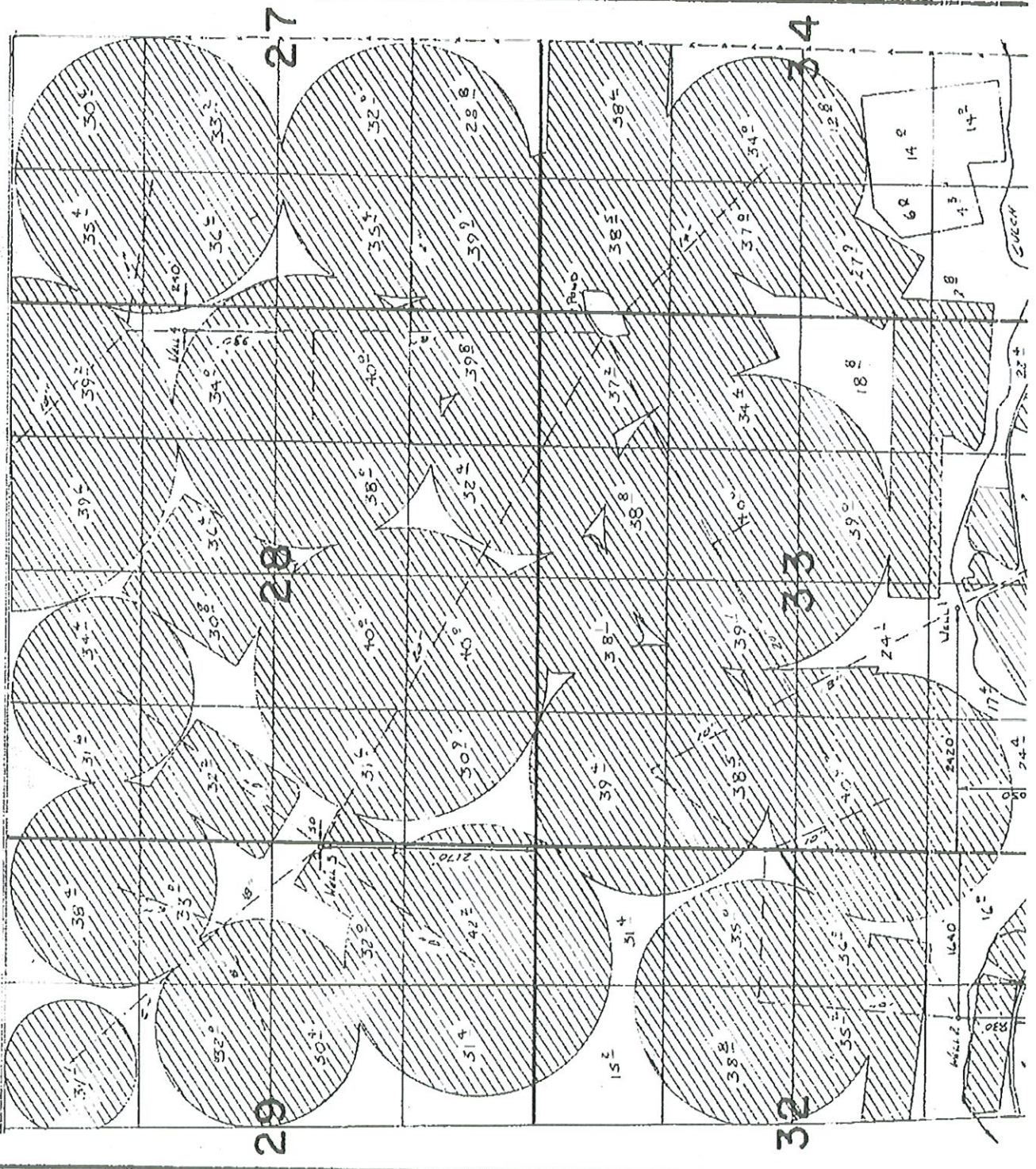
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T. 84N., R. 30E., W.M.



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After Recording, Return To:  
Pioneer Escrow Company  
PO Box 187  
Hermiston, Oregon 97838

2014-6240391 1 of 3

State of Oregon  
County of Umatilla



Instrument received  
and recorded on  
12/19/2014 11:57:18 AM

in the record of instrument  
code type DE

Instrument number 2014-624039  
Fee \$64.0

Send All Tax Statements To:  
St. Hilaire Brothers Hermiston Farm, LLC  
84186 Highway 37  
Hermiston, OR 97838-6393

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Office of County Records

*Steven Churchill*

Records Officer  
1023363 P3

Consideration: \$5,750,000, and  
Good and Valuable Consideration paid to a Qualified  
Intermediary pursuant to an IRC Section 1031 Tax Deferred Exchange

Umatilla County  
Received: 12/19/2014



1023363

STATUTORY WARRANTY DEED  
Lloyd P. Piercy and Lots J. Piercy  
To  
St. Hilaire Brothers Hermiston Farm, LLC  
ORS 93.855

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FEB 05 2015

SALEM, OR

LLOYD P. PIERCY and LOIS J. PIERCY, GRANTORS, convey and warrant to ST. HILAIRE BROTHERS HERMISTON FARM, LLC, an Oregon limited liability company, GRANTEE, the following described real property and water rights situated in Umatilla County, Oregon, free of encumbrances except as specifically set forth herein, to-wit:

Parcel 2 of Partition Plat No. 2014-11, (Instrument No. 2014-6230418, Office of Umatilla County Records) located in Sections 4 and 5 of Township 3 North, Range 30, and Sections 27, 28, 29, 30, 31, 32, 33 and 34 of Township 4 North, Range 30, all being East of the Willamette Meridian, Umatilla County, Oregon. Excepting therefrom any portion lying in the County Road right-of-ways.

TOGETHER WITH all water rights appurtenant to the above-described real property, including but not limited to water rights evidenced by Certificate of Water Right 88817 and a portion of Certificate of Water Right 80295 (both perfected under Permit G-7929).

TOGETHER WITH water rights evidenced by a portion of Certificate of Water Right 80295 and appurtenant to the following described real property:

Parcel 3, Partition Plat 2014-11, recorded on November 24, 2014 as instrument No. 2014-6230418, Office of Umatilla County Records, Umatilla County, Oregon.

Also that certain parcel of land located South of Stage Gulch Road, described as follows:  
The North Half of Section 4 and the Northeast Quarter of Section 5, Township 3 North, Range 30 East, Willamette Meridian, Umatilla County, Oregon.

Also that portion of Section 33 and the East Half of Section 32, Township 4 North, Range 30 East, Willamette Meridian, Umatilla County, Oregon, lying South of the Centerline of Stage Gulch Road (Co. Rd. #1100) as it was rebuilt and as it exists in April 2014.

Excepting Therefrom that portion of said North Half of said Section 4 and the Northeast Quarter of said Section 5 lying North of the Centerline of Stage Gulch Road (Co. Rd. #1100) as it was rebuilt and as it exists in April 2014.

Subject to any and all water rights of way and roads,

**SUBJECT TO:**

- 1. As disclosed by the tax rolls the premises herein described have been zoned or classified for special use. At any time that said land is disqualified for such use said property will be subject to additional taxes and interest.

PIONEER TITLE CO. 43116-1  
126 SE COURT, PEND. OR 97801

14587 -

(4)



2. Easement, including the terms and provisions thereof  
Grantee : Umatilla Electric Cooperative Association  
Recorded : October 23, 1939 in Book 120, Page 623, Deed Records.



3. Easement, including the terms and provisions thereof  
Grantee : Inland Power & Light Company  
Recorded : January 19, 1923 in Book 123, Page 87, Deed Records.

4. Easement, including the terms and provisions thereof  
Grantee : Umatilla Electric Cooperative Association  
Recorded : August 6, 1947 in Book 180, Page 569, Deed Records.

5. Easement, including the terms and provisions thereof  
Grantee : Umatilla Electric Cooperative Association  
Recorded : August 6, 1947 in Book 180, Page 578, Deed Records.

6. Easement, including the terms and provisions thereof  
Grantee : Pacific Northwest Pipeline Corporation on  
Recorded : December 12, 1955 in Book 230, Page 308, Deed Records.

7. Easement, including the terms and provisions thereof  
Grantee : Umatilla Electric Cooperative Association  
Recorded : September 25, 1992 in Microfilm R-225, Page 1675, Office of Umatilla County Records.

8. Easement, including the terms and provisions thereof  
Grantee : Umatilla Electric Cooperative Association  
Recorded : September 25, 1992 in Microfilm R-225, Page 1678, Office of Umatilla County Records.

9. Easement, including the terms and provisions thereof  
Grantee : Umatilla Electric Cooperative Association  
Recorded : January 24, 1994 in Microfilm R-248, Page 13, Office of County Records.

10. Option and Easement Agreement, including the terms and provisions thereof  
First Party : Lloyd P. Piercy, et ux  
Second Party : Level 3 Communications LLC  
Recorded : August 5, 1999 in Document No. 1999-3550679, Office of County Records.

11. Option and Easement Agreement, including the terms and provisions thereof  
First Party : Lloyd P. Piercy, et ux  
Second Party : Level 3 Communications LLC  
Recorded : January 29, 2000 in Document No. 2000-3640664 Office of County Records.

12. Terms and Provisions contained under Access Easement  
Grantee : Lloyd P. Piercy, et ux  
Recorded : June 15, 2007 in Instrument No. 2007-5210094, Office of Umatilla County Records.

13. Easements shown on Partition Plat No. 2007-22  
Recorded : June 20, 2007 in Instrument No. 2007-5210330, Office of Umatilla County Records.

14. Oil and Gas Lease, including the terms and provisions thereof, disclosed by Notice and Memorandum and assignments thereof, between  
Lessor : Lloyd P. Piercy and Lois J. Piercy, husband and wife  
Lessee : Springfield Oil Company  
Dated : January 19, 2006  
Recorded : September 25, 2006, Instrument No. 2006-5080182,  
Umatilla County Records.

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- 15. Unrecorded Lease Agreement (for cell tower and appurtenances) given by Lloyd Piercy and Lois Piercy on May 29, 1998, to BMCT, L.P., a limited partnership. Said lease was assigned to Triton Cellular Partners of Bend LLC, Triton Communications LLC and their affiliates. Said lease was then assigned to RCC Holdings LLC.
- 16. Easements and covenants shown on Partition Plat No. 2014-11, Recorded on November 24, 2014, as instrument No. 2014-623118, Office of Umatilla County Records.  
6230418
- 17. Terms and provisions contained under Modification of Access Easement  
Grantor: Lucas A. Wagner, et. al.  
Grantee: Lloyd P. Piercy and Lois J. Piercy  
Recorded: November 14, 2014, in Instrument no. 2014-6230157, Office of Umatilla County Records.



The true and actual consideration for this conveyance is \$5,750,000 which includes irrigation equipment and water rights, and good and valuable consideration paid to a Qualified Intermediary pursuant to an IRC Section 1031 Tax Deferred Exchange

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

MADE, GRANTED AND DATED ON December 18, 2014.

[Signature]  
Lloyd P. Piercy  
Date: December 18, 2014

[Signature]  
Lois J. Piercy  
Date: 12/18, 2014

Received

DEC 27 2024

OWRD

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FEB 05 2015

SALEM, OR

STATE OF OREGON, COUNTY OF UMATILLA) ss

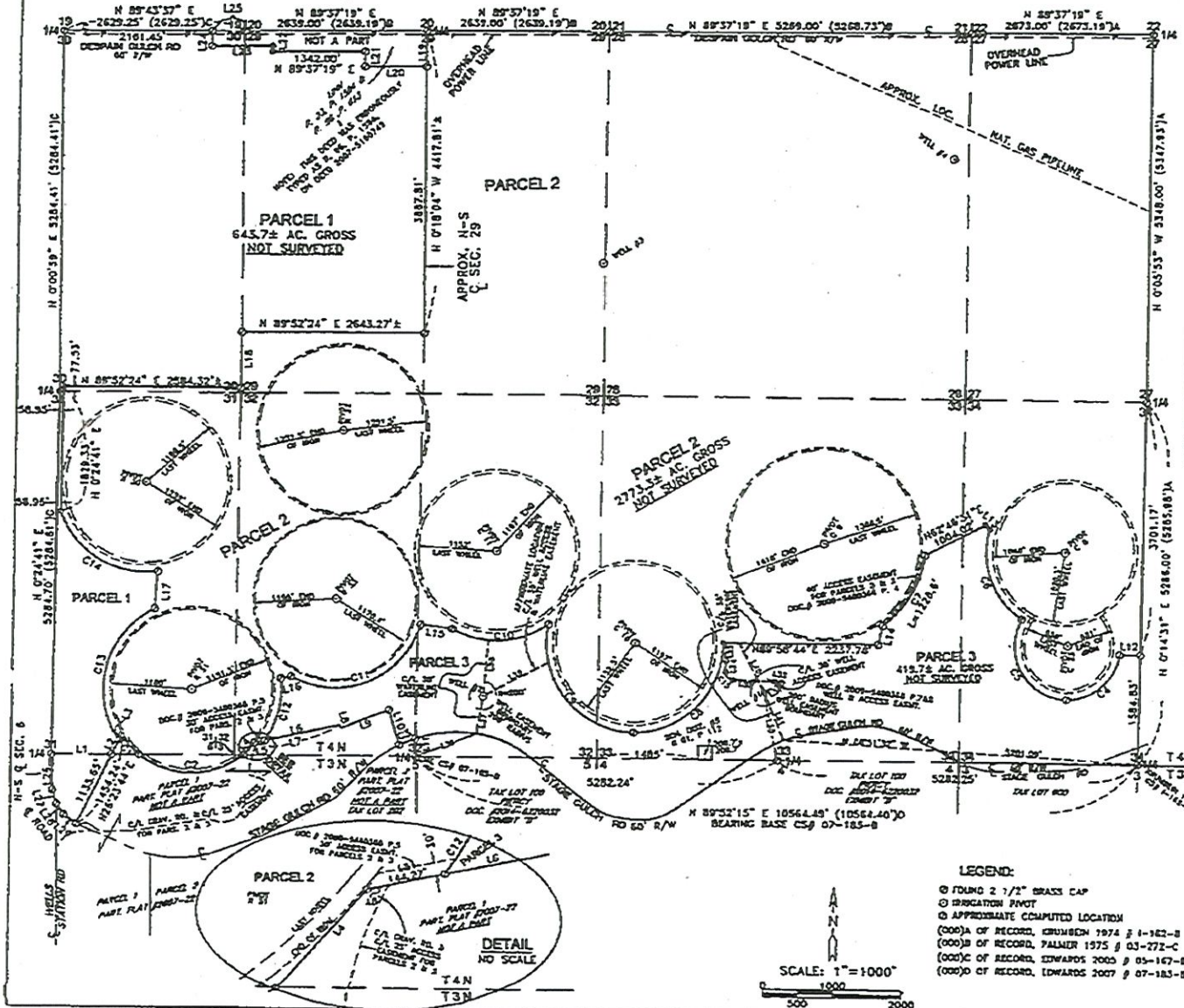
This instrument was acknowledged before me on December 18, 2014 by Lloyd P. Piercy and Lois J. Piercy.

[Signature]  
Notary Public State of Oregon NOTARY SEAL





**PARTITION PLAT 2014-11**  
 IN SECTIONS 4, 5 & 6, T 3 N, R 30 E, & IN SECS. 27, 28, 29, 30, 31,  
 32, 33, & 34, T 4 N, R 30 E, W.M., UMATILLA COUNTY, OREGON  
 #LD-4N-972-14



**CURVE TABLE:**

P	RADIUS	ARC	CHORD	DELTA
C-1	1213.97	384.71	N 47°24'45" W 382.00	187°15'04"
C-2	1213.97	1124.91	S 47°24'45" E 1319.00	77°15'07"
C-3	1188.50	250.84	N 87°30'24" E 230.80	74°14'41"
C-4	781.00	1106.00	N 87°30'24" E 1024.80	87°08'17"
C-5	781.00	1619.15	N 27°30'24" W 1344.50	112°24'56"
C-6	1148.50	1124.91	N 70°24'45" E 1024.80	77°07'11"
C-7	1148.50	1124.91	S 29°24'45" W 1124.80	87°30'24"
C-8	1213.97	2007.20	N 47°24'45" E 1319.00	87°30'24"
C-9	1213.97	2798.64	N 38°14'24" W 2007.20	101°27'02"
C-10	1342.00	1483.67	N 80°24'45" E 1404.84	65°17'30"
C-11	129.40	232.78	N 87°30'24" E 200.00	107°24'10"
C-12	129.40	342.78	N 17°30'24" E 124.37	47°30'00"
C-13	129.40	224.50	N 16°48'15" E 197.40	27°47'40"
C-14	129.40	182.50	N 30°48'30" E 168.54	27°30'40"
C-15	114.00	175.19	N 47°05'45" E 155.80	80°17'29"

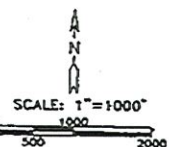
**LINE TABLE:**

L-1	B	BEARING	DISTANCE
L-1	B	N 89°52'24" E 384.34	
L-2	B	N 26°52'44" E 230.20	
L-3	B	N 27°24'44" E 348.60	
L-4	B	N 47°42'44" E 348.60	
L-5	B	N 70°24'45" E 1148.20	
L-6	B	N 70°24'45" E 1148.20	
L-7	B	N 29°24'45" W 1148.20	
L-8	B	N 10°24'45" W 1148.20	
L-9	B	N 47°24'45" W 442.70	
L-10	B	N 47°24'45" W 442.70	
L-11	B	N 27°24'45" W 358.54	
L-12	B	N 80°24'45" W 251.11	
L-13	B	N 80°24'45" W 251.11	
L-14	B	N 47°42'44" E 348.60	
L-15	B	N 17°30'24" E 230.20	
L-16	B	N 16°48'15" E 197.40	
L-17	B	N 30°48'30" E 168.54	
L-18	B	N 47°05'45" E 155.80	
L-19	B	N 47°05'45" E 155.80	
L-20	B	N 27°30'24" W 1344.50	
L-21	B	N 27°30'24" W 1344.50	

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR  
  
*Dennis Edwards*  
 OREGON  
 D. DENNIS EDWARDS  
 No. 12/5173015

STATE OF OREGON,  
 COUNTY OF UMATILLA  
 I certify that the foregoing was read and  
 recorded  
 ON November 24, 2014  
 at 11:21 a.m., in the record of  
 PLATS of said County,  
 YEAR NUMBER Side  
 2014 11  
 OFFICE OF COUNTY RECORDS  
 By: *Steve Campbell*, Record Officer  
 Fees \$ 78.00 No. 201-4-231015

THIS IS AN EXACT COPY: *Dennis Edwards*  
 D. DENNIS EDWARDS  
 SHEET 1 OF 2  
 JOB# 51401002  
 EDWARDS SURVEYING P.O. BOX 763  
 541-567-3336 HEALSTON, OREGON 97038  
 DRAWN BY JJC



**LEGEND:**  
 ○ FOUND 2 1/2" BRASS CAP  
 ○ IRIGATION PIVOT  
 ○ APPROXIMATE COMPUTED LOCATION  
 (000)A OF RECORD, CRUMBEN 1974 # 1-162-B  
 (000)B OF RECORD, PALMER 1975 # 03-272-C  
 (000)C OF RECORD, EDWARDS 2000 # 05-167-B  
 (000)D OF RECORD, EDWARDS 2007 # 07-183-B

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 14587 - DEC 27 2024  
 OWRD  
 FEB 05 2015  
 SALEM, OR



# PARTITION PLAT 2014-11

IN SECTIONS 4, 5 & 6, T 3 N, R 30 E, & IN SECTIONS 27, 28, 29, 30, 31, 32, 33, & 34, T 4 N, R 30 E, W.M., UMATILLA COUNTY, OREGON  
#LD-4N-972-14

## SURVEYOR'S CERTIFICATE & NARRATIVE:

I, C. DENNIS EDWARDS, AM A REGISTERED SURVEYOR OF THE STATE OF OREGON AND HAVE PREPARED THIS PLAT.  
THIS PLAT IS NOT SURVEYED. I SURVEYED AND SET MONUMENTS ON THE NORTH LINE OF PARCEL 1, PARTITION PLAT 2007-22 IN CS# 07-183-B, ON FEBRUARY 2007. I SURVEYED THE PLOTS AS SHOWN ON THIS MAP AND COMPUTED AND DESCRIBED THE LINE SHOWN AS THE LINE COMMON TO PARCELS 2 AND 3 FOR A THEN PROPOSED LEASE AGREEMENT. I SET NO MONUMENTS IN THAT SURVEY AND I DID NOT FILE IT. I FILED THAT SURVEY IN SEPTEMBER 2014 SO THE RELATION OF SAID LINE TO MONUMENTS WHICH WERE TIED CAN BE DETERMINED. THE LOCATION OF THE PLOTS SHOWN ON THIS MAP ARE AS THEY WERE IN 2008. I SAID THE BOUNDARIES SHOWN ON THIS MAP ON THE TOWNSHIP LINE AS SHOWN ON MY SURVEY # 07-183-B.  
THE EASEMENTS WHICH MAY AFFECT THIS PROPERTY ARE LISTED BELOW.  
THIS TRACT OF LAND IS DESCRIBED IN DEEDS TO LLOYD AND LUCY PIERCY RECORDED ON DOCUMENTS 2014-5220033, DEED # 8 AND 2014-5220173, DEED # 24 AND IS DESCRIBED AS FOLLOWS:  
DESCRIBING THE WEST HALF OF SECTIONS 27 AND 34; ALL OF SECTIONS 28, 29, 30, AND 31; THE EAST HALF OF SECTIONS 30 AND 31; ALL IN TOWNSHIP 4 NORTH, RANGE 30 EAST, WILLAMETTE MERIDIAN, UMATILLA COUNTY OREGON.  
EXCEPTING THEREFROM THAT TRACT OF LAND OWNED TO R. D. LINE IN THE NW 1/4 OF SAID SECTION 29 AND THE NE 1/4 OF SAID SECTION 30 AS DESCRIBED ON SEC. 24, PAGE 1204, AND ON PELL 94, PAGE 612, UMATILLA COUNTY DEED RECORDS.  
ALSO EXCEPTING THEREFROM THAT PORTION OF THE SE 1/8 OF SECTION 31 AND THE SW 1/4 OF SECTION 32 WHICH LIE WITHIN PARTITION PLAT 2007-22.  
ALSO EXCEPTING THEREFROM THAT PARCEL BELONGS TO SCHOOL DISTRICT #5 IN BOOK 01, PAGE 112, WHICH IS THE EAST 208.7 FEET OF THE WEST 1883.7 FEET OF THE SOUTH 508.7 FEET OF SAID SECTION 32.  
ALSO EXCEPTING THEREFROM THAT PORTION OF SECTION 33 AND THE EAST HALF OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 30 EAST, LYING SOUTH OF THE CENTERLINE OF STAGE GULCH ROAD (COL. REF. #1100) AS IT WAS REBUILT AND AS IT EXISTS IN APRIL 2014.  
ALSO EXCEPTING THEREFROM ANY AND ALL WATER RIGHTS OF WAY AND ROADS, DISPOSITIONS, CONVEYANCES, ALL THAT PORTION OF THE NW 1/4 OF SECTION 3 AND THE NE 1/4 OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 30 EAST, WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON LYING WITHIN PARTITION PLAT 2007-22.  
ALSO THAT PORTION OF THE NORTH HALF OF SECTION 4 AND THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 30 EAST, LYING NORTH OF THE CENTERLINE OF STAGE GULCH ROAD (COL. REF. #1100) AS IT WAS REBUILT AND AS IT EXISTS IN APRIL 2014.  
EXCEPTING THEREFROM ANY AND ALL WATER RIGHTS OF WAY AND ROADS.

## OWNER'S DECLARATION:

WE THE OWNERS OF THE HEREBY DESCRIBED LAND, HEREBY DECLARE THAT WE HAVE CAUSED THIS PLAT TO BE PREPARED.  
WE ACKNOWLEDGE THE ROADWAYS AND THE EASEMENTS AS LISTED BELOW. THE APPROXIMATE LOCATION OF SOME ARE SHOWN ON SHEET ONE.  
WE HEREBY DEDICATE 50 FOOT WIDE EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF IRRIGATION PIPELINES, AS SHOWN, FROM:  
WELL #1 SOUTHWESTERLY TO THE CENTERLINE OF STAGE GULCH ROAD,  
WELL #1 NORTHWESTERLY TO A POINT ON THE SOUTH LINE OF PARCEL 2,  
WELL #2 SOUTHERLY TO A POINT ON THE CENTERLINE OF STAGE GULCH ROAD,  
WELL #2 NORTHERLY TO A POINT ON THE SOUTH LINE OF PARCEL 2.  
THE ABOVE DESCRIBED EASEMENTS ARE FOR THE USE OF PARCEL 2 AND THE POSSIBLE FUTURE USE OF PARCEL 1 AND OF TAX LOT 100 WHICH LIES SOUTH OF SAID PARCEL 3.  
WE ALSO HEREBY DEDICATE A 200 FOOT RADIAL CIRCLE THE CENTER OF WHICH IS WELL #2 FOR PARCEL 2 TO ACCESS AND MAINTAIN SAID WELL #2.  
WE ALSO HEREBY DEDICATE A 30 FOOT WIDE EASEMENT FOR ACCESS TO WELL #2 AND FOR THE MAINTENANCE OF AN EXISTING PIPELINE, APPROXIMATELY AS SHOWN, RUNNING FROM SAID WELL #2 NORTHEASTERLY ALONG AN EXISTING PIPELINE TO A POINT ON THE SOUTHERLY LINE OF SAID PARCEL 2.  
THIS WELL AND ACCESS EASEMENT AND ALSO THE WELL AND ACCESS EASEMENT FOR WELL #1 AS SHOWN ON DOC. #2009-5480366, PAGES 7 & 8, ARE FOR THE USE OF PARCEL 2 AND THE POSSIBLE FUTURE USE OF PARCEL 1 AND OF TAX LOT 100 LYING SOUTH OF PARCEL 3.  
THE TWO ACCESS EASEMENTS WHICH RUN ALONG THE SOUTH LINE OF PARCEL 2, (THE 30' WIDE ONE LYING IN THE SW 1/4 OF SECTION 32 AND THE 40 FOOT WIDE ONE LYING IN THE EAST HALF OF SECTION 33), ARE FOR THE USE OF BOTH PARCELS 2 AND 3.

REGISTERED PROFESSIONAL LAND SURVEYOR  
*St. Dennis Edwards*  
OREGON  
JULY 16, 1971  
C. DENNIS EDWARDS  
#12345  
RENEWED 12/31/2013

LLOYD P. PIERCY, OWNER  
*Lloyd P. Piercy*  
LUCY P. PIERCY, OWNER

## EASEMENTS WHICH MAY AFFECT THIS PROPERTY

GRANTEE	DATE	DOCUMENT
DULAND POWER & LIGHT CO.	1923	B. 123, P. 27, DEED RECORDS
UMATILLA ELECTRIC COOP. ASSN.	1939	B. 120, P. 623, DEED RECORDS
"	1939	B. 120, P. 636, DEED RECORDS
"	1947	B. 180, P. 569, DEED RECORDS
"	1947	B. 180, P. 578, DEED RECORDS
"	1992	R. 225, P. 1675, UMATILLA COUNTY RECORDS
"	1992	R. 225, P. 1678, UMATILLA COUNTY RECORDS
"	1994	R. 248, P. 13, UMATILLA COUNTY RECORDS
PACIFIC NORTHWEST PIPELINE CORP.	1955	B. 230, P. 308, DEED RECORDS
LLOYD P. PIERCY, et al	2007	DOC. # 2007-5210094 UMATILLA COUNTY RECORDS
(EASEMENTS SHOWN ON PARTITION PLAT 2007-22)	2007	DOC. # 2007-5210336 UMATILLA COUNTY RECORDS

## OPTION & EASEMENT AGREEMENTS WHICH MAY AFFECT THIS PROPERTY

LEVEL 3 COMMUNICATIONS LLC & LLOYD P. PIERCY, et al	1999	DOC. # 1999-3550679 UMATILLA COUNTY RECORDS
LEVEL 3 COMMUNICATIONS LLC & LLOYD P. PIERCY, et al	2000	DOC. # 2000-3840864 UMATILLA COUNTY RECORDS
JPD LAND & JSH FARMS	2012	DOC. # 2012-3930750 UMATILLA COUNTY RECORDS
L. P. PIERCY, et al & JSH FARMS	2009	DOC. # 2009-5480365 UMATILLA COUNTY RECORDS
L. P. PIERCY, et al & JSH FARMS	2009	DOC. # 2009-5480366 UMATILLA COUNTY RECORDS

## OIL & GAS AGREEMENT WHICH MAY AFFECT THIS PROPERTY

(SPRINGFIELD OIL CO.)	2006	DOC. # 2006-5880182 UMATILLA COUNTY RECORDS
SAVANT RESOURCES LLC	2007	DOC. # 2007-5146833 UMATILLA COUNTY RECORDS
LLOYD P. PIERCY, et al	2007	DOC. # 2007-5170447 UMATILLA COUNTY RECORDS
MUSKY EXPLORATION	2010	DOC. # 2010-5738299 UMATILLA COUNTY RECORDS

## APPROVALS:

UMATILLA COUNTY SURVEYOR  
APPROVED THIS 18 DAY OF Nov 2014  
*David W. Hadley*  
UMATILLA COUNTY SURVEYOR  
UMATILLA COUNTY PLANNING DEPARTMENT  
APPROVED THIS 21<sup>st</sup> DAY OF November, 2014  
*Cal Whitsett*  
UMATILLA COUNTY PLANNING DIRECTOR  
UMATILLA COUNTY TAX COLLECTOR  
TAXES ARE PAID IN FULL  
APPROVED THIS 17 DAY OF Nov 2014  
*Ruthie G. G. G.*  
UMATILLA COUNTY TAX COLLECTOR

STATE OF OREGON,  
COUNTY OF UMATILLA

I certify that this instrument was received and recorded  
ON November 24, 2014  
at 1:11 o'clock PM, in the room of  
PLATS of said County,  
YEAR MONTH DAY  
2014 11

OFFICE OF COUNTY RECORDS

By: Steve Churchill, Records Officer

Fees \$78.00 No. 2814-023813

STATE OF OREGON  
COUNTY OF UMATILLA

BEFORE ME THIS 14 DAY OF November 2014  
APPEARED LLOYD P. PIERCY, OWNER AND LUCY P. PIERCY,  
OWNER AND ACKNOWLEDGED THE FOREGOING DECLARATION.

*David W. Hadley*  
*David W. Hadley*  
NOTARY PUBLIC FOR OREGON  
My Comm. Expires 11-26-17

COMMISSION NO. 922634  
MY COMMISSION EXPIRES 11-26-17

THIS IS AN EXACT COPY: *St. Dennis Edwards*  
C. DENNIS EDWARDS

SHEET 2 OF 2

JOB# S1401002  
EDWARDS SURVEYING P.O. BOX 763  
541-567-3336 HERMISTON, OREGON 97838  
DRAWN BY JWC

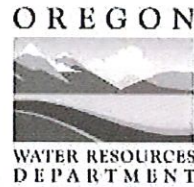
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 SALEM, OR  
 14587-



Received 1/6/25

# Supplemental Form U

## For Water Right Transfers Involving Irrigation Within Portions of Morrow & Umatilla Counties



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

T2N, R26-R28      T3N, R26-R30  
T4N, R26-R30      T5N, R27-R30

For transfers involving a change in place of use and/or character of use submitted under OAR Chapter 690, Division 380 or 385

### 1. APPLICANT INFORMATION

NAME St. Hilaire Brothers Hermiston Farm LLC		PHONE (HOME)	
PHONE (WORK) 541-564-1000	CELL	FAX	
ADDRESS 84186 HWY 37			
CITY Hermiston	STATE OR	ZIP 97838	E-MAIL** carl@jshfarms.com and slangford@schwabe.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.

### 2. PLEASE READ – EXPLAINS WHY THIS FORM IS NEEDED

Within certain portions of the Umatilla Drainage Basin (i.e., Umatilla Basin), irrigation water rights have been issued that provide for the special use of Columbia River water under certain conditions. These are collectively referred to as **“Mid-C Water Rights,”** managed by the **Mid-Columbia Water Commission.** These rights are in the names of Columbia Improvement District and East Improvement District.

Water may only be used under a Mid-C water right where **“Planned Irrigation”** activity under the Mid-C right has been described on maps filed with the Watermaster by February 14 for the upcoming irrigation season. **“Planned Irrigation”** activity is coordinated with the water user and is determined on an annual basis and is authorized for a single irrigation season at a time.

The purpose of this form is to make transfer applicants aware of potential effects to transfers when the authorized **“off”** or **“from”** lands or proposed **“on”** or **“to”** lands become temporarily layered with **“Planned Irrigation”** under a Mid-C managed water right for an irrigation season.

14587 -

For more information, please read the permit conditions on any of the Mid-C water rights listed in Item #3, below.

**3. DETERMINE LAYERING WITH Mid-C WATER RIGHTS – may require a plat card search @**

[https://apps.wrd.state.or.us/apps/wr/wrinfo/wr\\_platcard.aspx](https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_platcard.aspx)

West Side – all POUs mostly identical\*

*Application S-88161 / Permit S-55061*

*Application S-88162 / Permit S-54633*

*Application S-88288 / Permit S-55190\*exception*

*Application S-88289 / Permit S-55192*

East Side – all POUs mostly identical

*Application S-88206 / Permit S-55114*

*Application S-88290 / Permit S-55262*

*Application S-88286 / Permit S-55263*

*Application S-88287 / Permit S-55167*

YES  NO  Are any portions of the authorized OFF or proposed ON lands in the transfer application layered with one of the above identified Mid-C Water Rights?

**IF NO, you are done. Sign under Item #5 to complete the form.**

**IF YES, provide the following additional information, and complete Item #4.**

Mid-C Water Right Numbers (listed above) layered with lands in the transfer application:

Permits S-55114, S-55262, S-55263 and S-55167

Water Right(s) Numbers included in the transfer application which are layered with Mid-C Water Rights:

Certificate 80295

**4. RECOGNIZE POTENTIAL EFFECTS OF “PLANNED IRRIGATION” ON LAYERED LANDS IN TRANSFERS**

YES  In order to prevent enlargement, I understand the authorized place of use (the “from” or ‘off” lands) described in the transfer application, if layered with “Planned Irrigation” activity under the Mid-C water rights, may not be transferred off (unlayered) during the irrigation season (only) as described on the annual February 14 maps filed with the watermaster.

YES  In order to prevent enlargement, I understand that the proposed place of use (the to” or ‘on” lands) described in the transfer application, if layered with “Planned Irrigation” activity under the Mid-C water rights, may not be transferred off (unlayered) during the irrigation season (only) as described on the annual February 14 maps filed with the watermaster.

COMMENTS OR ADDITIONAL INFORMATION:

**5. APPLICANT’S SIGNATURE**

I certify I have read the contents of this form, and that to the best of my knowledge the information provided in this **Supplemental Form U** is true and accurate.

Shonee Langford Digitally signed by Shonee Langford  
Date: 2024.12.30 18:10:15 -08'00'  
Applicant Signature

Attorney for Applicant  
Name (print)

12/30/2024  
Date