

Regular

RA

Name Youth Stimulus Pka LLC  
attn Randall Harvey managing member  
Address 3825 West Court Street  
Pasco WA 99301

DESCRIPTION OF WATER RIGHT(S)

Name of Stream South Fork Walla Walla  
Trib. of Walla Walla river

Change in Prop PCD  
Date Filed 9/20/2021  
Initial notice date 9/28/2021  
DPD issued date \_\_\_\_\_  
PD issued date 10/14/2022  
PD notice date 10/14/2022  
Date of FO 11/16/2022 Vol 127 Page 39-42

Use Irrigation County Wahatila  
Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_  
Name of ditch \_\_\_\_\_

App#	Per #	Cert #	PR Date
<u>Decree</u>	<u>Walla Walla</u>	<u>132110</u>	
App#	Per #	Cert #	PR Date
App#	Per #	Cert #	PR Date
App#	Per #	Cert #	PR Date

FEES PAID		
Date	Amount	Receipt #
<u>9-20-2021</u>	<u>\$2,450.00</u>	<u>136448</u>
<u>4-8-2022</u>	<u>\$125.00</u>	<u>137865</u>
<u>4-20-2022</u>	<u>\$1,400.83</u>	<u>137960</u>

C-Date \_\_\_\_\_  
COBU due date \_\_\_\_\_  
COBU Received date \_\_\_\_\_  
Certificate issued \_\_\_\_\_

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Irrigation District \_\_\_\_\_

Agent Molly Reid/John Travis Geo engineers

CWRE \_\_\_\_\_  
CC's list Wahatila County Planning dept

- Oversized map - Location \_\_\_\_\_





# Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

8/15/2023

Youth Stimulus Package LLC  
Randall Harvey  
3825 West Court Street  
Pasco, WA 99301

On August 10<sup>th</sup>, 2023, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

Transfer T-13829

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

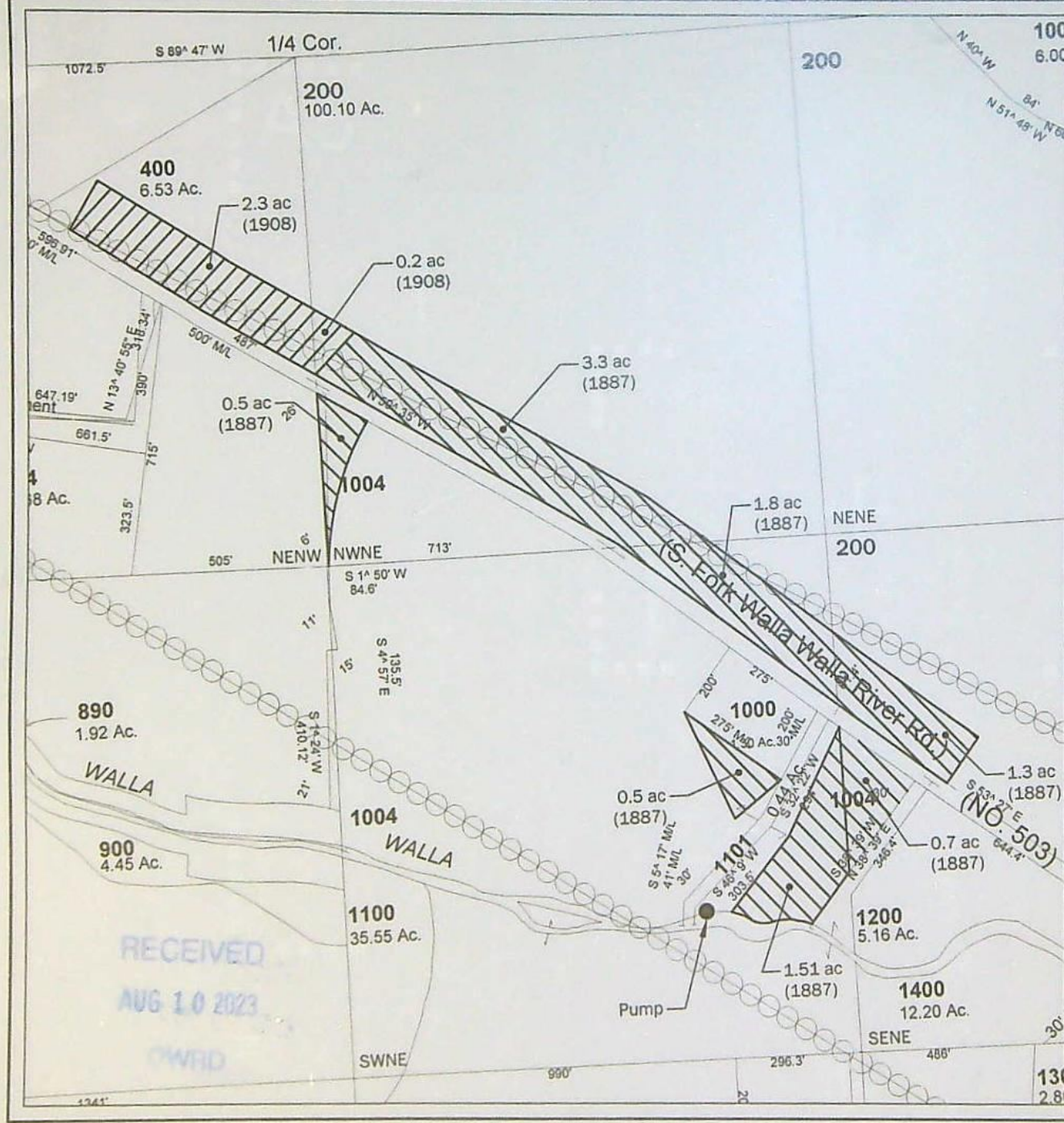
If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: <https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/default.aspx>

Customer Service phone: (503) 986-0900

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file T-13829





**Final Proof Survey Map**  
**T-13829**  
 T5N, R36E, W.M.  
 Section 26  
 NE 1/4  
 Umatilla County, Oregon

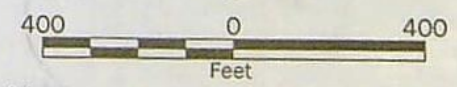
**Legend**

- Pump - Pod - Flowmeter
- 1908
- 1887

**POD Location**

Located 1,330 feet North and 665 feet East from the Center, Section 26.

**Certified Water Rights Examiner Stamp**

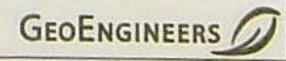


**Disclaimer**

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

**Map Notes**

Date: 9/08/21  
 Data Sources: ESRI  
 Prepared By: GeoEngineers



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 AUG 10 2023  
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# Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer: Nick Reece
Transfer #: T-13829	
Date Received: 8/10/2023	
CWRE Name: Jonathan Travis	
Priority Date (s): 7/19/1932	

## Fees Required:

- YES  NO  A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.
- YES  NO  A fee of \$230 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.  
 Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Fill in App or Transfer Number

## Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

## Report Review:

- On form provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

**MONEY SLIP**

DATE: \_\_\_\_\_ RECEIPT #: \_\_\_\_\_

RECEIVED FROM: \_\_\_\_\_ APPLICATION: \_\_\_\_\_  
PERMIT / TRANSFER

CASH  CHECK # \_\_\_\_\_ OTHER (IDENTIFY) \_\_\_\_\_ TOTAL REC'D \$ \_\_\_\_\_

0181 TREASURY 4778 WASC CASH PAID

0407 COMES \_\_\_\_\_ IDENTIFY \_\_\_\_\_

0213 Instream Lease \_\_\_\_\_ 0244 Min. Yield Mgmt. Plan \_\_\_\_\_ 0246 Class. Yield \_\_\_\_\_

0181 TREASURY 4778 WASC OPERATING ADJ.

MISCELLANEOUS

0407 COPY & TARE FEES	4611	\$	
0410 RESEARCH FEES		\$	
0408 MISC REVENUE (IDENTIFY)		\$	
02162 DEPOSIT LEAD (IDENTIFY)		\$	
0243 EXTENSION OF TIME		\$	

WATER RIGHTS

0201 SURFACE WATER	EXAM FEE	0202	REC'D FEE
0202 GROUND WATER		0204	
0206 TRANSFER			

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR LANDOWNER'S PERMIT	EXAM FEE	0219	REC'D FEE
0200 OTHER (IDENTIFY)	COBU	0220	
			2200.00

0207 TREASURY 5487 HYDROLOGIC FINE

0220 POWER LICENSE FEE (P/WH/WH)

0221 HYDRO LICENSE FEE (P/WH/WH)

HYDRO APPLICATION \_\_\_\_\_

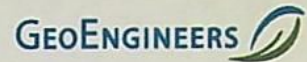
SPECIAL INSTRUCTIONS:

RETURN TO APPLICANT - LETTER ATTACHED

## Groundwater File Review:

- Pump Test not required (Priority Date prior to December 20, 1988) \*If no, include pump test flyer w/acknowledgment letter
- Pump Test required (Priority Date on or after December 20, 1988)
- Pump Test submitted
- Pump Test not submitted





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

August 7, 2023

Gerry Clark, Certificates Section  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

RE: Claim of Beneficial Use and Final Proof Survey for T-13829

Dear Gerry:

Enclosed please find a Claim of Beneficial Use Report and Final Proof Survey Map with supporting documents for Transfer 13829 submitted on behalf of our client, Youth Stimulus Package, LLC (Randall Harvey, Managing Member

Should you have any questions regarding this application packet, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Molly Reid".

Molly Reid  
Senior Planner

Cc: Randall Harvey – Youth Stimulus Package, LLC – Managing Member  
File

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# CLAIM OF BENEFICIAL USE for Transfer with Multiple Changes – Surface Water



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

A fee of \$230 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at: <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

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## SECTION 1

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### GENERAL INFORMATION

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#### Type of Authorized Change

This Claim is being submitted for a transfer involving multiple changes.

YES

Mark all that apply:

- Change in POD(s) or Additional POD(s)
- Change in Place of Use
- Change in Character of Use
- Change in Character of Use – Reservoir

*A separate section will be completed for each type of change authorized in the transfer final order.*



1. File Information

APPLICATION # <b>T-13829</b>
---------------------------------

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME <b>Youth Stimulus Package LLC (Randall Harvey)</b>		PHONE NO. <b>509-546-7357</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>3825 West Court Street</b>			
CITY <b>Pasco</b>	STATE <b>WA</b>	ZIP <b>99301</b>	E-MAIL <b>golf251952@yahoo.com</b>

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each transfer holder of record must sign this form.***

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD <b>Same as above</b>		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

<b>July 13, 2023</b>
----------------------

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>Randall Harvey</b>	<b>7/13/2023</b>	<b>Owner</b>

6. County:

<b>Umatilla</b>
-----------------

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD <b>Non-Applicable</b>		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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**SECTION 2  
SIGNATURES**

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME <b>Jonathon Travis</b>		PHONE NO. <b>(509) 979-0332 Cell</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>8019 W. Quinault Avenue, Suite 201</b>			
CITY <b>Kennewick</b>	STATE <b>WA</b>	ZIP <b>99336</b>	E-MAIL <b>jtravis@geoengineers.com</b>

Transfer Holder of Record Signature or Acknowledgement

***Each** transfer holder of record must sign this form in the space provided below.*

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	<b>Randall Harvey</b>	<b>Managing Member</b>	<b>8-3-2023</b>

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**SECTION 3**  
**Changes Made**

**Note: The Claim only needs to describe the changes that were authorized in the transfer final order.**

**Change #1**

**New or Additional Point of Diversion**  
**Change in POD(s) or Additional POD(s)**

Did the transfer order authorize a change in the points of diversion or additional points of diversion? **YES**

*If "NO", this Section can be deleted.*

**1. New or additional point of diversion name or number:**

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)	SOURCE
<b>POD #2</b>	<b>Walla Walla River</b>

**2. Variations:**

Was the use developed differently from what was authorized by the transfer final order, or extension final? **NO**

If yes, describe below.

*(e.g. "The order allowed three new/additional points of diversion. The water user only developed one of the points.")*

**3. Claim Summary:**

NEW OR ADDITIONAL POD NAME OR #	MAXIMUM RATE AUTHORIZED IN ORDER	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
<b>POD #2</b>	<b>0.454 cfs</b>	<b>0.56 cfs</b>	<b>0.44 cfs</b>

**System Description**

Are there multiple new or additional Points of Diversion (POD)?

If "YES" you will need to copy and complete Sections A, B, or C in this Section for each POD.

POD Name or Number this section describes (only needed if there is more than one):

**NO**  
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**A. POD System Information**

Provide the following information concerning the point of diversion. Information provided must describe the equipment used to appropriate water from the point of diversion.

**1. Pump Information**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Berkley	BE-JZNW	8222048	Centrifugal	6"	4"

**2. Motor Information**

MANUFACTURER	HORSEPOWER
Baldor	15 HP

**3. Theoretical Pump Capacity**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
15 HP	60 psi	15 ft	10 ft	0.56 cfs

**4. Provide pump calculations:**

HP = 15  
 Efficiency = 6.61  
 Lift = 25  
 PSI = 60

**Results Calculated**

(hp)(efficiency) = 99.15  
 Head based on psi = 152.4  
 Total dynamic head = 177.4  
 (head + lift)

**Pump Capacity = 0.56 cubic feet per second**

**5. Measured Pump Capacity (using meter if meter was present and system was operating)**

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
93100.4 x 1000	93102.6 x 1000	10 min	0.44cfs

Reminder: For pump calculations use the reference information at the end of this document.

**6. Additional notes or comments related to the system:**

209 gpm instantaneous



**B. Gravity Flow Pipe**

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the diversion involve a gravity flow pipe?

NO

**C. Gravity Flow Canal or Ditch**

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Does the diversion involve a gravity flow ditch or canal?

NO

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Change #2

Change in Place of Use

Did the transfer order authorize a change in the place of use?

YES

If "NO", this Section can be deleted.

1. Claim Summary – Authorized Use:

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
12.11	12.11

2. Variations:

Was the use developed differently from what was authorized by the transfer final order?

NO

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

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**SECTION 4  
CONDITIONS**

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

**1. Time Limits:**

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGES WERE COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	<b>November 16, 2022</b>	
COMPLETENESS DATE FROM ORDER (C)	<b>October 31, 2024</b>	<b>May 31, 2023</b>

\* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)? **NO**

**3. Measurement Conditions:**

a. Does the transfer final order, or any extension final order require the installation of a meter or other approved measuring device? **YES**

*If "NO", items b through f relating to this section may be deleted.*

**Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion.**

b. Has a meter been installed? **YES**

**c. Meter Information**

POD NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
<b>POD #2</b>	<b>GrowSmart</b>	<b>GT19040 781</b>	<b>Working</b>	<b>93098.4x1000gal</b>	<b>4/2020</b>

*If a meter has been installed, items d through f relating to this section may be deleted.*

**4. Recording and reporting conditions**

a. Is the water user required to report the water use to the Department? **NO**

*If "NO", item b relating to this section may be deleted.*

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5. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? YES

If "NO", items b through e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed? YES

c. When was the fish screening installed?

DATE	BY WHOM
March 1, 2022	Randall Harvey

Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion involves a pump and the total diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? NO

If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>, complete and attach a copy of the 'ODFW Small Pump Screen Self Certification' form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

e. If the diversion does not involve a pump or the total diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? ODFW Certification Approval is attached

If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at: <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

6. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? NO

If "NO", items b and c relating to this section may be deleted.

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

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DESCRIPTION (E.G. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM

7. Other conditions required by the transfer final order or extension final order:

- a. Was the water user required to restore the riparian area if it was disturbed? NO
- b. Was a fishway required? NO
- c. Other conditions? NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

**SECTION 5  
ATTACHMENTS**

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Attachment #1	Final Proof Survey Map
Attachment #2	ODFW Screen Certification Approval Letter

**SECTION 6  
CLAIM OF BENEFICIAL USE MAP**

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on polyester film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

For the purpose of this Claim, the map identifying the location of the place of use does not require a new survey. The location of the place of use identified on the Claim map should be based on the original right of record at the time the transfer final order was issued. In transfers approved for additional points of diversion, the original points must be identified the map based on the original right of record at the time the transfer final order was issued.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the

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basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The authorized point of appropriation and visible system components were visited during the site inspection. The location of the point of appropriation and the extent of the place of use were located in a field survey completed during the site inspection. The map was created using Geographic Information System (GIS) software and spatial datasets from ESRI and Oregon Water Resources Department, and Google Earth (aerial June 13, 2019). Additional data and information specific to the water right holder's use of water and the water right described in this Claim of Beneficial Use Report were obtained from the water right holder.

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## Map Checklist

Please be sure that the map you submit includes ALL the items listed below.  
(Reminder: Incomplete maps and/or claims may be returned.)

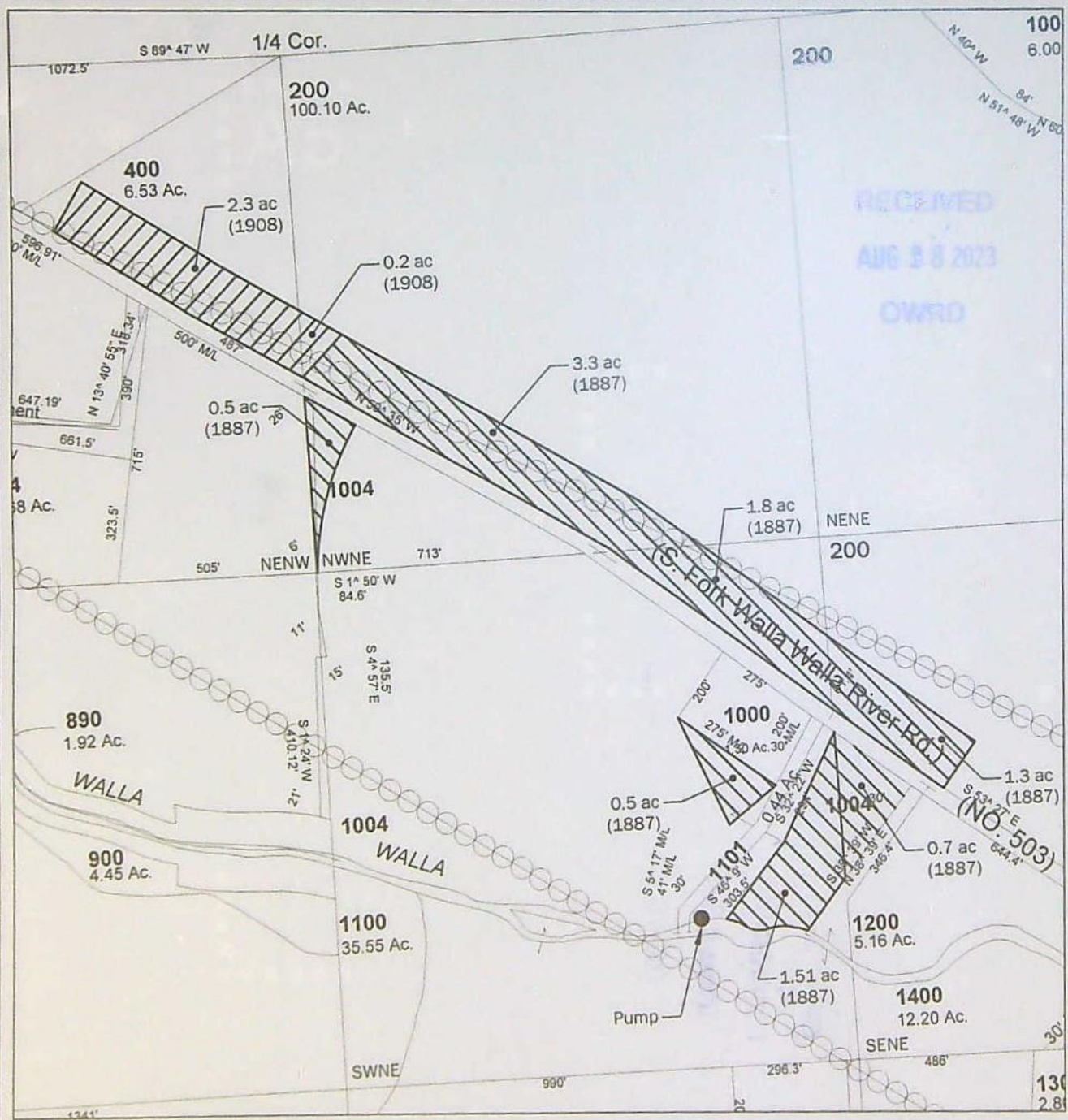
- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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**Final Proof Survey Map  
T-13829**

T5N, R36E, W.M.  
Section 26  
NE 1/4  
Umatilla County, Oregon

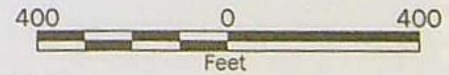
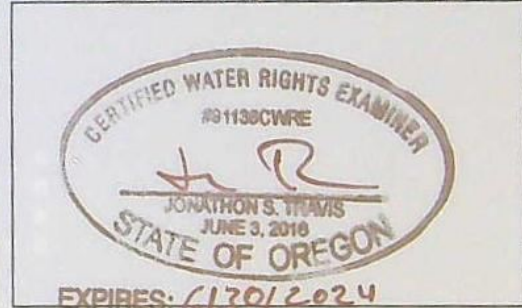
**Legend**

- Pump - Pod - Flowmeter
- 1908
- 1887

**POD Location**

Located 1,330 feet North and 665 feet East from the Center, Section 26.

**Certified Water Rights Examiner Stamp**

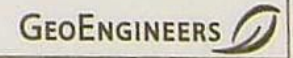


**Disclaimer**

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

**Map Notes**

Date: 9/08/21  
Data Sources: ESRI  
Prepared By: GeoEngineers





**Attachment #1**  
Final Proof Survey Map  
Transfer T-13829

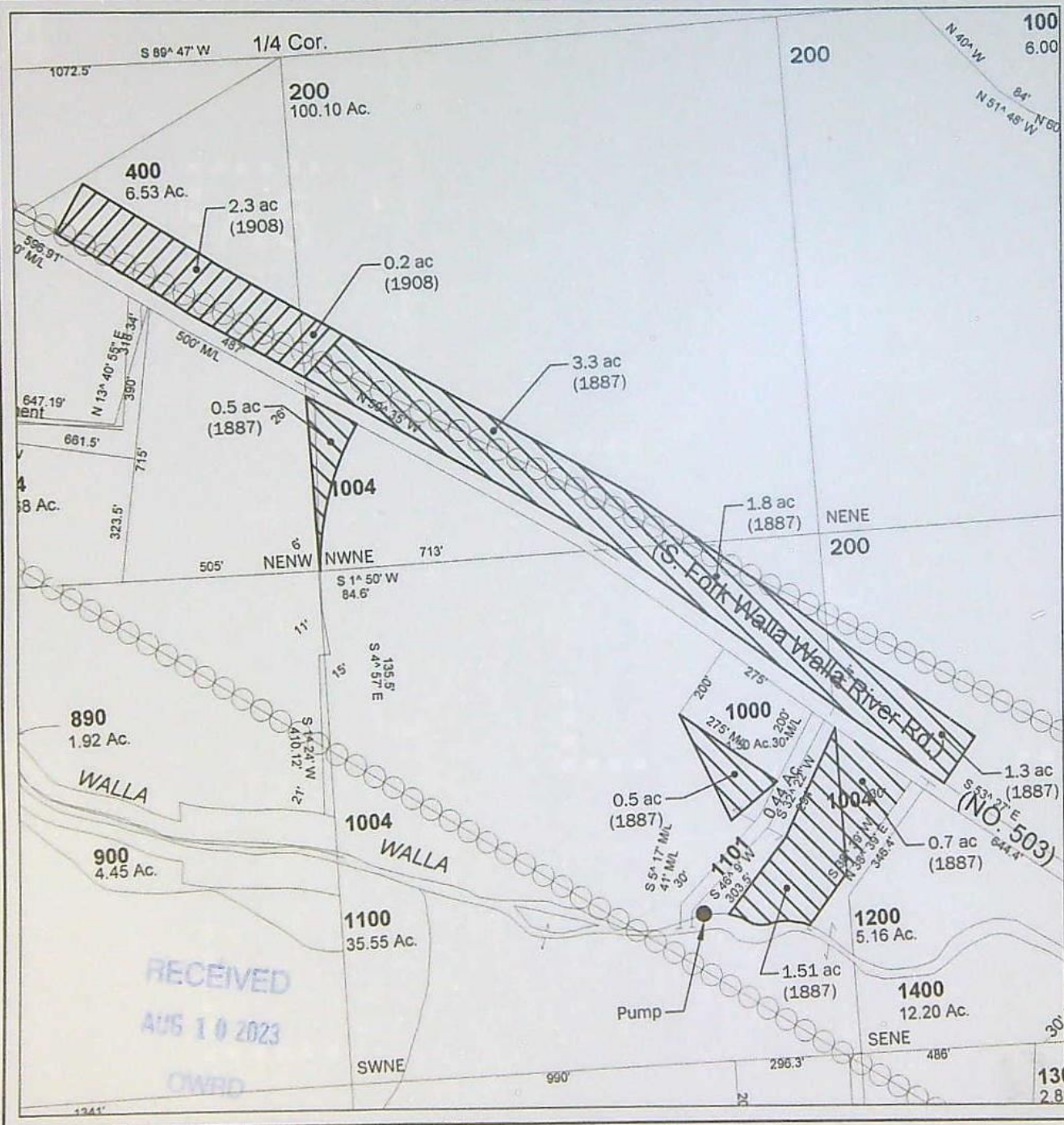
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**Final Proof Survey Map  
T-13829**

T5N, R36E, W.M.  
Section 26  
NE 1/4  
Umatilla County, Oregon

**Legend**

- Pump - Pod - Flowmeter
- 1908
- 1887

**POD Location**

Located 1,330 feet North and 665 feet East from the Center, Section 26.

**Certified Water Rights Examiner Stamp**

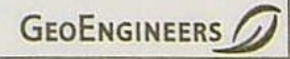


**Disclaimer**

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

**Map Notes**

Date: 9/08/21  
Data Sources: ESRI  
Prepared By: GeoEngineers



RECEIVED  
AUG 10 2023  
OWRD



**Attachment #2**

Fish Screen Certification Letter from ODFW

Transfer T-13829

---

**RECEIVED**

**AUG 10 2023**

**OWRD**





# Oregon

## Department of Fish and Wildlife

John Day Fish Screening and Passage  
357 Patterson Bridge Rd.  
P.O. Box 515  
John Day, OR 97845  
Voice: 541-575-0561  
FAX (541) 575-0868  
[www.dfw.state.or.us/](http://www.dfw.state.or.us/)

November 3, 2022

Youth Stimulus Package  
Randall Harvey – Managing Member  
3825 West Court Street  
Pasco, WA 99301



Dear Mr. Harvey,

Your fish screen was inspected on 10/27/2022. In reference to water right transfer file number T-13591 this letter confirms that a National Marine Fisheries Service criteria fish screen as approved by ODFW is located on the property near GPS coordinates: 44.883594, -118.274375.

In regards to the inspection of the fish screen located on South Fork Walla Walla River, the following has been determined:

1. The screen located at coordinates 44.883594, -118.274375 a Clemons Clearwater CW600 pump screen.
2. This screen is approved for water use up to 775 GPM or 1.73 CFS.
3. All screen and pump configurations meet National Marine Fisheries Service criteria at the time of inspection, any changes or modifications to the configurations will not be covered by this certification letter.
4. This screen is an end of pipe screen; therefore, no by-pass is required.

Please contact me if you have any questions regarding this letter.

Sincerely,

Nathaniel Ashley  
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department

RECEIVED

AUG 10 2023

OWRD





# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

November 16, 2022

YOUTH STIMULUS PACKAGE LLC  
ATTN RANDALL HARVEY  
3825 W COURT ST  
PASCO, WA 99301

REFERENCE: Transfer Application T-13829

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Joan Smith, by telephone at (503) 986-0892 or by e-mail at [Joan.M.Smith@oregon.gov](mailto:Joan.M.Smith@oregon.gov).

Sincerely,

Julie C. Baustian  
Water Rights Services Support  
Transfers and Conservation Section

cc: Greg Silbernagel, Watermaster Dist. # 23 (via email)  
Umatilla County Planning Department  
Molly Reid, Agent

Enclosure



BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-13829, Umatilla County	)	A CHANGE IN POINT OF DIVERSION AND
	)	PLACE OF USE

**Authority**

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

YOUTH STIMULUS PACKAGE, LLC  
ATTN: RANDALL HARVEY, MANAGING MEMBER  
3825 W COURT ST  
PASCO, WA 99301

**Findings of Fact**

1. On September 20, 2021, YOUTH STIMULUS PACKAGE, LLC. ATTN: RANDALL HARVEY, MANAGING MEMBER filed an application to change the point of diversion and to change the place of use under Certificate 13216. The Department assigned the application number T-13829.
2. Notice of the application for transfer was published on September 28, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On July 20, 2022, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13829 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of August 22, 2022, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or 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.



4. On October 4, 2022, the Department issued a Preliminary Determination proposing to approve Transfer T-13829 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on October 10, 2022, and in the East Oregonian newspaper on October 27, and November 3, 2022, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

5. The right to be transferred is as follows:

**Certificate:** 13216 in the name of ROBERT A SMITH (confirmed by Walla Walla River Decree at Volume 12, Page 9)  
**Use:** IRRIGATION of 12.11 ACRES  
**Priority Dates:** 1887, 1908  
**Rate:** 0.454 CUBIC FOOT PER SECOND  
**Limit/Duty:** Limited to one and one-half miner's inches per acre measured at the point of diversion.  
**Source:** WATER OF THE SOUTH FORK WALLA WALLA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	37 E	WM	31	NE SW	Not Described on Certificate

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	37 E	WM	31	SE NW	7.40
5 N	37 E	WM	31	NE SW	4.71
Total					12.11

6. Transfer Application T-13829 proposes to move the authorized point of diversion approximately 1.97 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Measured Distances
5 N	36 E	WM	26	SW NE	1004	NORTH 67 DEGREES 9 MINUTES 10 SECOND EAST, 1014.7 FEET FROM THE CENTER OF SECTION 26; FURTHER DESCRIBED AS 750 FEET NORTH AND 1085 FEET EAST FROM THE CENTER OF SECTION 26

7. Transfer Application T-13829 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Tax lot	Acres	Priority Date
5 N	36E	WM	26	NE NW	400	2.30	1908
5 N	36 E	WM	26	NW NE	200	3.30	1887
5 N	36 E	WM	26	NW NE	1004	0.50	1887
5 N	36 E	WM	26	NW NE	200	0.20	1908
5 N	36E	WM	26	SW NE	200	1.80	1887
5 N	36 E	WM	26	SW NE	1004	2.01	1887
5 N	36 E	WM	26	SE NE	200	1.30	1887
5 N	36 E	WM	26	SE NE	1004	0.70	1887



IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Tax lot	Acres	Priority Date
Total						12.11	

8. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

**Transfer Review Criteria [OAR 690-380-4010(2)]**

9. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13829.
11. The proposed changes would not result in enlargement of the right.
12. The proposed changes would not result in injury to other water rights.
13. All other application requirements are met.

**Conclusions of Law**

The change in point of diversion and change in place of use proposed in Transfer Application T-13829 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

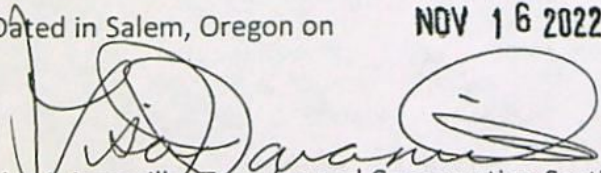
**Now, therefore it is ORDERED:**

1. The change in point of diversion and change in place of use proposed in Transfer Application T-13829 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 13216 and any related decree.
3. Water right Certificate 13216 is cancelled.
4. 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.



5. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2024**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **NOV 16 2022**

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

**NOV 17 2022**

Mailing date: \_\_\_\_\_



RA —

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13829

Transfer Specialist:

Transfer Type: Regular Transfer

*signed* *UK* *4-25-2022*

*Joan*

<b>Applicant:</b> YOUTH STIMULUS PACKAGE LLC ATTN RANDALL HARVEY 3825 W COURT ST PASCO, WA 99301 Email: _____ Phone: _____		<b>Agent:</b> <input type="checkbox"/> N/A MOLLY REID 8019 W QUINAULT AVE SUITE 201 KENNEWICK, WA 99336 Email: _____ Phone: _____	
<b>Irrigation District:</b> <input type="checkbox"/> N/A Email: _____		<b>CWRE:</b> <input type="checkbox"/> N/A Email: _____	
<b>Affected Local Gov'ts:</b> <input type="checkbox"/> N/A Umatilla County Planning Department Email: _____		<b>Affected Tribal Gov't:</b> <input type="checkbox"/> N/A UNAVAILABLE Email: _____	
<b>Current Landowner if other than Applicant:</b> <input type="checkbox"/> N/A Email: _____		<b>Receiving Landowner:</b> <input type="checkbox"/> N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	DECREE	WALLA WALLA	13216	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: September 20, 2021	Proposed Action(s): POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 2450.00	WM District: 5	ODFW District: <input checked="" type="checkbox"/>
Initial Public Notice: September 28, 2021	WM Review sent: <i>626, PTE</i>	ODFW Review sent: <i>option 2</i>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input checked="" type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	<i>East Oregonian</i>
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

*> .16 mi = East Oregonian*

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <i>6/29/22</i> Initials: <i>Joan</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: <i>7/14/22</i> Initials: <i>PKS</i>	Date: <i>7/20/22</i> Initials: <i>Joan</i>	CW Sent: <i>7/20/22</i>	N/A
PD	Date: <i>9/16/22</i> Initials: <i>Joan</i>	Date: <i>9-6-22</i> Initials: <i>Scott</i>	Date: _____ Initials: _____	Date: <i>9/15/22</i> Initials: <i>PKS</i>	Date: <i>9/21/22</i> Initials: <i>Joan</i>	Date: <i>9/21/22</i>	<i>10 bell 2022</i>
FO	Date: <i>10/25/22</i> Initials: <i>Joan</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: <i>11/4/22</i> Initials: <i>PKS</i>	Date: _____ Initials: _____	Date: <i>11/9/22</i>	<i>11/11/22 2022</i>

Special Issues: 8/22 *due - Sept 30 - news notice \$*

Special Order Volume: Vol. 127 Pages 39-42



STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

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

RECEIPT # **139082**

INVOICE # \_\_\_\_\_

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

RECEIVED FROM: Youth Stimulus

APPLICATION \_\_\_\_\_

BY: \_\_\_\_\_

PERMIT \_\_\_\_\_

TRANSFER T-13829

CASH:  CHECK: # 1833 OTHER: (IDENTIFY)

TOTAL REC'D \$ 266.80

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 46118 \$ \_\_\_\_\_

0207 OTHER: (IDENTIFY) Newspaper Notice \$ 206.80

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 EXAM FEE \$ \_\_\_\_\_ 0202 RECORD FEE \$ \_\_\_\_\_

0203 GROUND WATER EXAM FEE \$ \_\_\_\_\_ 0204 RECORD FEE \$ \_\_\_\_\_

0205 TRANSFER EXAM FEE \$ \_\_\_\_\_

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ \_\_\_\_\_ 0219 LICENSE FEE \$ \_\_\_\_\_

LANDOWNER'S PERMIT 0220 LICENSE FEE \$ \_\_\_\_\_

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 (FWWRD) \$ \_\_\_\_\_

0231 HYDRO LICENSE FEE (FWWRD) \$ \_\_\_\_\_

HYDRO APPLICATION \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **139082**

DATED: 9-7-2022 BY: Mindy Corder



IN THE CIRCUIT COURT OF  
THE STATE OF OREGON  
FOR UMATILLA/MORROW COUNTY

}AFFIDAVIT OF PUBLICATION  
STATE OF OREGON  
County of Umatilla/Morrow} ss

I, Dayle Stinson being duly sworn, depose and say that I am the principal clerk of the publisher of the East Oregonian, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; that the

EO-12213 NOTICE OF PRELIMINARY DETERMINATION FOR WATER RIGHT TRANSFER T-13829 T-13829 FILED BY YOUTH STIMULUS PACKAGE LLC ATTN RANDALL HARVEY MANAGING MEMBER 3825 W COURT ST PASCO WA 99301 PROPOSES A

a printed copy of which is hereto annexed; was published in the entire issue of said newspaper for 2 successive and consecutive issues in the following issues:

10/27/22, 11/03/22

Subscribed and sworn to before me on this 3rd day of November, A.D. 2022

Dayle Stinson  
Kathryn Bedford Brown  
Notary Public of Oregon

Add: 324610

PO:

Tagline: EO-12213 Notice of Prelim... T-13829



Received by OWRD

NOV 07 2022

Salem, OR



EO-12213  
NOTICE OF PRELIMINARY  
DETERMINATION FOR  
WATER RIGHT TRANSFER  
T-13829

T-13829 filed by Youth Stimulus Package, LLC, Attn: Randall Harvey Managing Member, 3825 W Court St, Pasco, WA 99301, proposes a change in point of diversion and change in place of use under Certificate 13216. The right allows the use of 0.454 cubic foot per second from the South Fork Walla Walla River in Sec. 31, T5N, R36E, WM for irrigation in Sec. 31, T5N, R36E, WM. The applicant proposes to move the point of diversion to Sec. 26, T5N, R36E, WM and to change the place of use to Sec. 26, T5N, R36E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 11/03/2022. Call (503) 979-9931 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.  
October 27, November 3, 2022



# Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13829

Review Due Date:

Applicant Name: Randy Harvey

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): Greg Silbernagel, Luke Martin

Date of Review: 10/28/2021

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable?  Yes  No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
  
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights?  Yes  No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
  
3. Have headgate notices been issued for the source that serves the transferred right(s)?  
 Yes  No  Records not available.
  
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized?  Yes  No If "Yes", explain:
  
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected?  Yes  No If "Yes", describe how the rights would be affected and list the rights most affected:





6. Check here  if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)?  Yes  No

9. For POU changes:  N/A Is it likely the original place of use would continue to receive water from the same source?  Yes  No If "Yes", explain:

10. For POU or USE changes:  N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

Yes  No If "Yes", explain:

11. For POU changes that involve micro-irrigation:  N/A

a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

Yes  No If "Yes", explain:



b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

Yes  No If "Yes", answer the following:

i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer?  Yes  No If "Yes", explain:

ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry?  Yes  No If "No", explain:

iii. Did the applicant comply with and meet all of the conditions of the temporary transfer?  Yes  No If "No", explain:

iv. Do you have any other observations regarding the temporary transfer?  Yes  No If "Yes", describe:

v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer?  Yes  No If "No", explain:

c. To the best of your knowledge, if this transfer is approved, does it appear that:

i. "Injury" will occur to other water rights that share the same source?  Yes  No If "Yes", explain:

ii. "Enlargement" of the water right being transferred will occur?  Yes  No If "Yes", explain:



12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

Yes  No If "Yes", explain:

The applicant is attempting to match several water rights together on the existing "to" lands. There is currently a transfer pending on the "to" land parcel, T-13591. 2) There is a POD identified in the middle of the field. the legal POD is at the "Pump" on the river.

13. What alternatives may be available for addressing any issues identified above:

If the other transfer is not approved, the applicant will likely need to change the POU to better fit the existing pivot on the "to" lands.

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights?  No  Yes, as checked and provided below:

For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

A Headgate should be required prior to diverting water.

Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install a **totalizing flow meter\***, or, with prior approval of the Director, another suitable measuring device,  at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation  with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install **staff gages\***, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.

b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

\* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

- Weir
- Parshall Flume
- Other: \_\_\_\_\_
- Submerged Orifice
- Flow Restrictor



**Oregon Department of Fish and Wildlife**  
**Water Right and Diversion Transfer Comment Form**  
*(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)*

Reference Transfer #: T-13829

Date of review: 9/29/2021

**A. Please check box if you believe there is a potential for injury to an instream water right.**

The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on \_\_\_\_\_ [stream], tributary to \_\_\_\_\_, because \_\_\_\_\_.

(Please attach any available supporting information.)

**Note:** This will prompt WRD to make a determination whether the transfer will injure an instream water right. (OWRD makes the determination of injury to a water right, while ODFW's role is to raise concerns, and to evaluate proposed mitigation and net benefit to the resource if OWRD consents to injury of an instream water right.)

**B. Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.525 or 540.532:**

**1. Screen Maintain**

*[Select this option if the new Point of Diversion (POD) requires a fish screen and is currently equipped with an appropriate fish screen that will still be in compliance if the transferred water is diverted from this POD.]*

**Note:** This option will yield the following:

**Finding of Fact:** The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

**Condition:** The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

**2. Screen Now**

*[Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.]*

**Note:** This option will yield the following:

**Finding of Fact:** The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

**Condition:** Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

*Please return all 3 pages to: Transfers Section, Water Resources Department,  
725 Summer St. NE, Suite A, Salem, OR 97301-1266*



**3. Screen 2 Year**

*[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should NOT be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. Please provide contact information on the "Fish Screening and Passage Information" sheet.] If extraordinary circumstances are present, please explain: \_\_\_\_\_*

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost-share funds become available to assist in the construction of a fish screen. If cost-share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost-share funding.

Condition: By October 1, 20\_\_ [Within two years after the date of this order] the water user shall install an approved fish screen at the new point of diversion. The water user may withdraw water at the new point of diversion without a screen until October 1, 20\_\_. The water user shall provide to OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall maintain and operate the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

**4. Screen Future**

*[Use this option if fish are not currently present, but might possibly be at some future time.]*

Note: This option will yield the following:

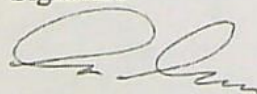
Finding of Fact: The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

Condition: The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

**5. No Screen Needed**

*[Check this box if fish are not currently present, and are not expected in the future.]*

Signature



Aaron Maxwell, East Region Hydroelectric and Water Right Coordinator  
Printed Name, Title

Phone: (541) 263-0647





# Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

October 4, 2022

VIA CERTIFIED MAIL AND E-MAIL

YOUTH STIMULUS PACKAGE LLC  
ATTN: RANDALL HARVEY  
3825 W. COURT ST  
PASCO, WA 99301

SUBJECT: Water Right Transfer Application T-13829

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13829. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the East Oregonian newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me at 503-986-0892 or [Joan.m.Smith@water.oregon.gov](mailto:Joan.m.Smith@water.oregon.gov) if I may be of assistance.

Sincerely,

*Joan Smith*  
Joan Smith

Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application File, T-13829  
Greg Silbernagel, District 23 Watermaster (via e-mail)  
Molly Reid, Agent for the applicant (via e-mail)

encs

**SENDER: COMPLETE THIS SECTION**

- Complete items 1; 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

YOUTH STIMULUS PACKAGE LLC  
ATTN: RANDALL HARVEY  
3825 W. COURT ST  
PASCO, WA 99301



9590 9402 6816 1074 5423 14

7021 1970 0001 3950 2832

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 *Sarahi Perez*  Addressee

B. Received by (Printed Name) C. Date of Delivery  
*Sarahi Perez*

D. Is delivery address different from item 1?  Yes  
delivered to address below  No

OCT 14 2022

OWRD

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery



BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-13829, Umatilla County	)	PROPOSING APPROVAL OF A CHANGE IN
	)	POINT OF DIVERSION AND PLACE OF USE

**Authority**

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

YOUTH STIMULUS PACKAGE, LLC  
ATTN: RANDALL HARVEY, MANAGING MEMBER  
3825 W COURT ST  
PASCO, WA 99301

**Findings of Fact**

1. On September 20, 2021, YOUTH STIMULUS PACKAGE, LLC. ATTN: RANDALL HARVEY, MANAGING MEMBER filed an application to change the point of diversion and to change the place of use under Certificate 13216. The Department assigned the application number T-13829.
2. Notice of the application for transfer was published on September 28, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On July 20, 2022, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13829 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of August 22, 2022, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.



4. The right to be transferred is as follows:

**Certificate:** 13216 in the name of ROBERT A SMITH (confirmed by Walla Walla River Decree at Volume 12, Page 9)  
**Use:** IRRIGATION of 12.11 ACRES  
**Priority Dates:** 1887, 1908  
**Rate:** 0.454 CUBIC FOOT PER SECOND  
**Limit/Duty:** Limited to one and one-half miner's inches per acre measured at the point of diversion.  
**Source:** WATER OF THE SOUTH FORK WALLA WALLA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	37 E	WM	31	NE SW	Not Described on Certificate

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	37 E	WM	31	SE NW	7.40
5 N	37 E	WM	31	NE SW	4.71
Total					12.11

5. Transfer Application T-13829 proposes to move the authorized point of diversion approximately 1.97 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Measured Distances
5 N	36 E	WM	26	SW NE	1004	NORTH 67 DEGREES 9 MINUTES 10 SECOND EAST, 1014.7 FEET FROM THE CENTER OF SECTION 26; FURTHER DESCRIBED AS 750 FEET NORTH AND 1085 FEET EAST FROM THE CENTER OF SECTION 26

6. Transfer Application T-13829 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Tax lot	Acres	Priority Date
5 N	36E	WM	26	NE NW	400	2.30	1908
5 N	36 E	WM	26	NW NE	200	3.30	1887
5 N	36 E	WM	26	NW NE	1004	0.50	1887
5 N	36 E	WM	26	NW NE	200	0.20	1908
5 N	36E	WM	26	SW NE	200	1.80	1887
5 N	36 E	WM	26	SW NE	1004	2.01	1887
5 N	36 E	WM	26	SE NE	200	1.30	1887
5 N	36 E	WM	26	SE NE	1004	0.70	1887
Total						12.11	



7. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

#### Transfer Review Criteria [OAR 690-380-4010(2)]

8. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13829.
10. The proposed changes would not result in enlargement of the right.
11. The proposed changes would not result in injury to other water rights.
12. All other application requirements are met.

#### Determination and Proposed Action

The change in point of diversion and change in place of use proposed in Transfer Application T-13829 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

*If Transfer Application T-13829 is approved, the final order will include the following:*

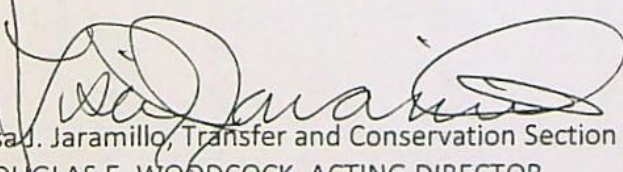
1. *The change in point of diversion and change in place of use proposed in Transfer Application T-13829 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 13216 and any related decree.*
3. *Water right Certificate 13216 is cancelled.*
4. *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.*



5. *Water use measurement conditions:*
  - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.*
  - b. *The water user shall maintain the meters or measuring devices in good working order.*
  - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
6. *Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2024**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

**OCT 04 2022**

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

This Preliminary Determination was prepared by Joan Smith. If you have questions about the information in this document, you may reach me at 503-986-0892 or Joan.M.Smith@oregon.gov.

*Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.*



**Notice Regarding Service Members:** Active duty servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free number.





# Oregon

Kate Brown, Governor

RECEIVED

SEP 07 2022

OWRD

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

August 29, 2022

YOUTH STILMULUS PACKAGE  
ATTN: RANDALL HARVEY  
3825 W COURT ST  
PASCO, WA 99301

SUBJECT: Water Right Transfer Application T-13829

Your water right transfer is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

**Items needed before the next phase of processing...**

At this time you need to:

1. submit a check for \$ 266.80 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. write "for T-13829 NOTICE" on the front of your check, and
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than** [insert 30 day due date here].

**What happens next...**

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the **East Oregonian** newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

**If we do not receive payment for newspaper notice by September 30, 2022, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at 503-986-0892 or at [Joan.M.Smith@water.oregon.gov](mailto:Joan.M.Smith@water.oregon.gov), if I may be of assistance.

Sincerely,

Joan Smith  
Transfer Specialist  
Transfer and Conservation Section

✂-----  
**Attached is a check for \$266.80 (PCA #46118) for Newspaper Notice for Transfer T-13829 made out to Oregon Water Resources Department ( or WRD)**

- "for T-13829 NOTICE" written on front of check

Mail to: Oregon Water Resources Department  
725 Summer St. NE, Suite A  
Salem, OR 97301-1266

Caseworker: Joan Smith





# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

*September*

August \_\_, 2022

VIA CERTIFIED MAIL AND E-MAIL

YOUTH STIMULUS PACKAGE LLC  
ATTN: RANDALL HARVEY  
3825 W. COURT ST  
PASCO, WA 99301

SUBJECT: Water Right Transfer Application T-13829

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13829. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the East Oregonian newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me at 503-986-0892 or [Joan.m.Smith@water.oregon.gov](mailto:Joan.m.Smith@water.oregon.gov) if I may be of assistance.

Sincerely,

Joan Smith  
Transfer Specialist  
Transfer and Conservation Section

cc: T-13829  
Greg Silbernagel, District 23 Watermaster (*via e-mail*)  
Molly Reid, Agent for the applicant (*via e-mail*)

encs



**SMITH Joan M \* WRD**

---

**From:** RANDALL HARVEY <golf251952@yahoo.com>  
**Sent:** Wednesday, July 27, 2022 11:33 AM  
**To:** SMITH Joan M \* WRD  
**Subject:** Fwd: 555935AM: 80382 South Fork Walla Walla River Road, Milton Freewater, OR 97862: Lot Book  
**Attachments:** Lot Book Report 1.pdf; Invoice.pdf

Hi Joan,

I am forwarding report for T13829 water transfer. Hopefully this is all you need. We are using the same pump and fish screen as other water rights, so shouldn't need a new inspection. Let me know if you need anything else.

Thanks,

Randy Harvey

Sent from my iPhone

Begin forwarded message:

**From:** RANDALL HARVEY <golf251952@yahoo.com>  
**Date:** July 27, 2022 at 11:26:40 AM PDT  
**To:** ASAP.Team@amerititle.com  
**Subject:** Re: 555935AM: 80382 South Fork Walla Walla River Road, Milton Freewater, OR 97862: Lot Book

Thank you Hayden.

Sent from my iPhone

On Jul 27, 2022, at 11:00 AM, Hayden Kolodziejski <ASAP.Team@amerititle.com> wrote:

Please see the attached Report and invoice.

Hayden Kolodziejski | ASAP Team  
15 Oregon Ave | Bend, OR | 97703  
Phone (866) 337-3776 | Fax (541) 330-1023  
www.amerititle.com

\*\*\*\*\*CONSUMER PROTECTION ALERT: Please call our branch and verify wire transfer instructions verbally with your escrow officer prior to wiring funds.\*\*\*\*\*





112 SE Court Ave., Pendleton, OR 97801  
PHONE (541)276-2010 FAX (541)276-0016

---

## LOT BOOK REPORT

FSBO

July 27, 2022  
Title Number: 555935AM  
Title Officer: Brianna Earley  
Client File #:  
Fee: \$150.00

**We have searched our Tract Indices as to the following described property:**

Subject Property Address: 80382 South Fork Walla Walla River Road, Milton Freewater, OR 97862

**Legal Description:**

See attached Exhibit 'A'

**And dated as of: July 11, 2022, at 7:30 a.m.**

**We find that the last deed of record runs to:**

Jeffrey A. Jensen

**We also find the following apparent monetary encumbrances within ten years prior to the effective date hereof and the following unpaid taxes and city liens:**

**Tax Information:**

Taxes assessed under Code No. 0708 Account No. 134453 Map No. 5N37/5900

NOTE: The 2021-2022 Taxes: \$358.06, are Paid

1. The 2022-2023 Taxes: A lien not yet due or payable.
2. Taxes deferred, as disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said Land is disqualified for such use the property will be subject to additional taxes or penalties and interest.

**We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:**

NONE



NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

**NOTE: This Lot Book Report is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation or entity of any kind should use this report as a basis to produce a title insurance product, it should be understood that it is clearly outside of Oregon law. Any liability hereunder is limited to the amount paid for said report.**

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. Our search was limited to our tract indices and no examination of the public record was made. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

*"Superior Service with Commitment and Respect for Customers and Employees"*



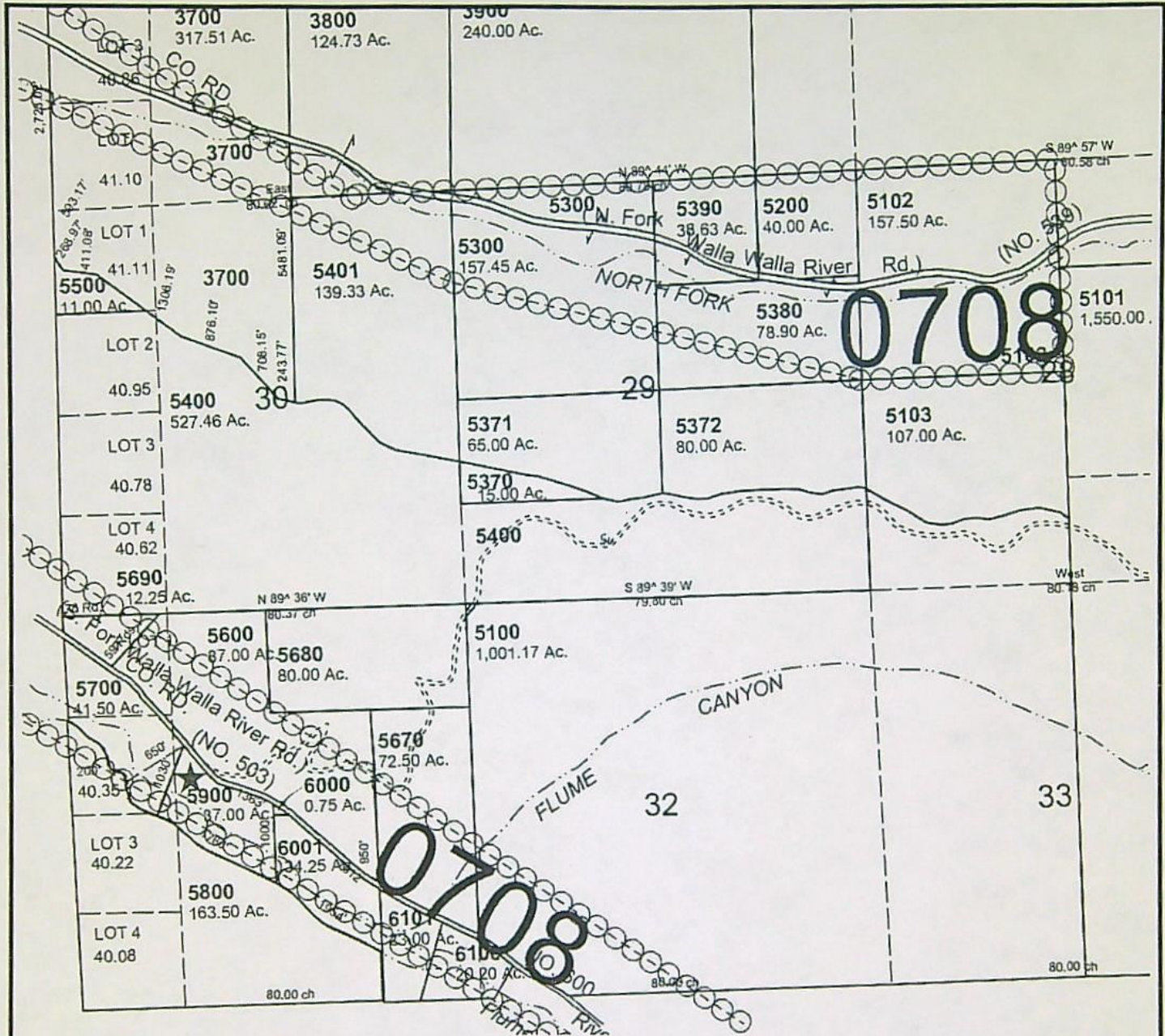
**EXHIBIT 'A'**

File No. 555935AM

Commencing at the intersection of the South line of the County Road with the North and South centerline running through Section 31, Township 5 North, Range 37; and running from thence Northwesterly 1363 feet to a point 1030 feet North of the flume of the Pacific Power & Light Company; thence South 1030 feet to the said flume of the Pacific Power & Light Company; thence along said flume in a Southeasterly direction 1760 feet; thence North 1030 feet to the place of beginning;

All being East of the Willamette Meridian, in the County of Umatilla and State of Oregon.





80382 South Fork Walla Walla River Road  
Milton Freewater, OR 97862

THIS MAP IS FURNISHED AS AN ACCOMMODATION STRICTLY FOR THE PURPOSES OF GENERALLY LOCATING THE LAND. IT DOES NOT REPRESENT A SURVEY OF THE LAND OR IMPLY ANY REPRESENTATIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS RELATED TO THE LAND SHOWN THEREOF





# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

July 20, 2022

VIA E-MAIL

YOUTH STIMULUS PACKAGE, LLC  
ATTN RANDALL HARVEY, MANAGING MEMBER  
3825 W COURT ST  
PASCO, WA. 99301

Reference: Water Right Transfer Application T-13829

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13829. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by August 22, 2022.

### ***Required items needing your immediate attention:***

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by August 22, 2022, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
  - a) Must be prepared by a title company;
  - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
  - c) Must be:
    - i. Prepared within 3 months of the Draft Preliminary Determination showing current ownership; **OR**
    - ii. Prepared within 3 months of recording of a water right conveyance agreement; **OR**
    - iii. Have a prepared date showing ownership at the time a water right conveyance agreement was recorded.

*If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.*



**IMPORTANT:** In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; **AND**
  - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at: [https://www.oregon.gov/OWRD/WRDFormsPDF/consent\\_to\\_transfer\\_form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent_to_transfer_form.pdf)
6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the East Oregonian as the name of the newspaper you wish the Department to use for publication of the notice of the Preliminary Determination.

#### Conditions to your water right...

The Watermaster has required a water measurement device(s) at the new diversion point prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device(s).

This transfer will require installation of a fish screen at the new diversion point **prior to diversion of water. You may not divert water prior to installation and approval of the fish screen by the Oregon Department of Fish and Wildlife (ODFW).** You may wish to contact the ODFW staff person listed on the enclosed contact sheet for more information about the screen and to determine a reasonable timeline.

**Please note the proposed date by which all conditions must be met: October 1, 2023.** If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

#### What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized point of diversion, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice. As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.



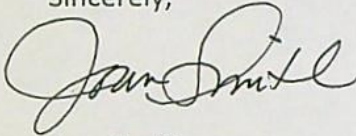
Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by August 22 2022, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at [Joan.M.Smith@water.oregon.gov](mailto:Joan.M.Smith@water.oregon.gov) or 503-986-0892 or [Joan.M.Smith@wrd.state.or.us](mailto:Joan.M.Smith@wrd.state.or.us) if I may be of assistance.

Sincerely,



Joan Smith  
Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application file T-13829  
Greg Silbernagel, District 23 Watermaster (*via e-mail*)  
Molly Reid, Agent for the applicant (*via e-mail*)

encs



**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Transfer Application )  
T-13829, Umatilla County )

**D R A F T**

) PRELIMINARY DETERMINATION  
) PROPOSING APPROVAL OF A CHANGE IN  
) POINT OF DIVERSION AND PLACE OF USE

**Authority**

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

YOUTH STIMULUS PACKAGE, LLC  
ATTN: RANDALL HARVEY, MANAGING MEMBER  
3825 W COURT ST  
PASCO, WA 99301

**Findings of Fact**

1. On September 20, 2021, YOUTH STIMULUS PACKAGE, LLC. ATTN: RANDALL HARVEY, MANAGING MEMBER filed an application to change the point of diversion and to change the place of use under Certificate 13216. The Department assigned the application number T-13829.
2. Notice of the application for transfer was published on September 28, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The right to be transferred is as follows:
  - Certificate:** 13216 in the name of ROBERT A SMITH (confirmed by Walla Walla River Decree at Volume 12, Page 9)
  - Use:** IRRIGATION of 12.11 ACRES
  - Priority Dates:** 1887, 1908
  - Rate:** 0.454 CUBIC FOOT PER SECOND
  - Limit/Duty:** Limited to one and one-half miner's inches per acre measured at the point of diversion.
  - Source:** WATER OF THE SOUTH FORK WALLA WALLA RIVER



**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	37 E	WM	31	NE SW	Not Described on Certificate

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	37 E	WM	31	SE NW	7.40
5 N	37 E	WM	31	NE SW	4.71
Total					12.11

4. Transfer Application T-13829 proposes to move the authorized point of diversion approximately 1.97 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Measured Distances
5 N	36 E	WM	26	SW NE	1004	NORTH 67 DEGREES 9 MINUTES 10 SECOND EAST, 1014.7 FEET FROM THE CENTER OF SECTION 26; FURTHER DESCRIBED AS 750 FEET NORTH AND 1085 FEET EAST FROM THE CENTER OF SECTION 26

5. Transfer Application T-13829 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Tax lot	Acres	Priority Date
5 N	36E	WM	26	NE NW	400	2.30	1908
5 N	36 E	WM	26	NW NE	200	3.30	1887
5 N	36 E	WM	26	NW NE	1004	0.50	1887
5 N	36 E	WM	26	NW NE	200	0.20	1908
5 N	36E	WM	26	SW NE	200	1.80	1887
5 N	36 E	WM	26	SW NE	1004	2.01	1887
5 N	36 E	WM	26	SE NE	200	1.30	1887
5 N	36 E	WM	26	SE NE	1004	0.70	1887
Total						12.11	

6. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

**Transfer Review Criteria [OAR 690-380-4010(2)]**

7. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.



8. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13829.
9. The proposed changes would not result in enlargement of the right.
10. The proposed changes would not result in injury to other water rights.
11. All other application requirements are met.

#### **Determination and Proposed Action**

The change in point of diversion and change in place of use proposed in Transfer Application T-13829 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

*If Transfer Application T-13829 is approved, the final order will include the following:*

1. *The change in point of diversion and change in place of use proposed in Transfer Application T-13829 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 13216 and any related decree.*
3. *Water right Certificate 13216 is cancelled.*
4. *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.*
5. *Water use measurement conditions:*
  - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.*
  - b. *The water user shall maintain the meters or measuring devices in good working order.*
  - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*



6. *Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2023**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

**D R A F T**

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Joan Smith. If you have questions about the information in this document, you may reach me at 503-986-0892 or [Joan.M.Smith@oregon.gov](mailto:Joan.M.Smith@oregon.gov).



**Notice of Preliminary Determination for  
Water Right Transfer T-13829**

T-13829 filed by Youth Stimulus Package, LLC Attn: Randall Harvey Managing Member, 3825 W Court ST Pasco, WA 99301, proposes a point of diversion and place of use change under Certificate 13216. The right allows the use of 0.454 cubic foot per second from the South Fork Walla Walla River in Sec. 31, T5N, R36E, WM for irrigation in Sec. 31, T5N, R36E, WM. The applicant proposes to move the point of diversion to Sec. 26, T5N, R36E, WM and to change the place of use to Sec. 26, T 5N, R 36E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, MM/DD/YEAR. Call (503) 979-9931 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.



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**Attachment #5**

Certificate 13216

POU-POD Transfer Application for Certificate 13216

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13829



STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ROBERT A. SMITH

of Milton, State of Oregon, has a right to the use of the waters of South Fork Walla Walla River for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 9; that the priority of the right thereby confirmed dates from 1887 for 9.61 acres, and 1908 for 2.5 acres;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed one and one-half miner's inches per acre measured at the point of diversion.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

7.4 acres in SE 1/4 NW 1/4  
4.71 acres in NE 1/4 SW 1/4  
Section 31,

T. 5 N., R. 37 E. W. M., being within the following described tract: Commencing at a fir tree in the center of the main public road running up the South Fork of the Walla Walla River, said point being in the north and south center line running through Sec. 31, T. 5 N., R. 37 E. W. M., and running from thence northwesterly 1363 ft. to a point 1030 ft. north of the flume of the Pacific Power & Light Co.; thence south 1030 ft. to the said flume of the Pacific Power & Light Co.; thence along said flume in a southeasterly direction 1760 ft.; thence north 1030 ft. to the place of beginning, containing in all 37 acres.

AND said right shall be subject to all other conditions and limitations contained in said decree.

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

WITNESS the signature of the State Engineer,

affixed this 5th day

of April, 1940.

CHAS. E. STRICKLIN

State Engineer

13829

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STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

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

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

RECEIPT # **136448**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Youth Stimulus APPLICATION \_\_\_\_\_  
 BY: \_\_\_\_\_ PERMIT \_\_\_\_\_  
 CASH:  CHECK # 11727 OTHER: (IDENTIFY)  TRANSFER 1-13829  
 TOTAL REC'D \$ 2,450.00

**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 46110

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>2450.00</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: **136448** DATED: 9-20-2021 BY: Mindy Carlson



# 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](http://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)

SEP 20 2021

- 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: 13216**  
 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.**

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**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):**

- Application fee not enclosed/insufficient
- Land Use Form not enclosed or incomplete
- Additional signature(s) required
- Map not included or incomplete
- Evidence of Use Form not enclosed or incomplete
- Part \_\_\_\_\_ is incomplete

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

Staff: \_\_\_\_\_ 503- \_\_\_\_\_ Date: **13829** \_\_\_\_\_



## Part 2 of 5 – Transfer Application Map

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

13829









## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME Youth Stimulus Package, LLC (Randall Harvey, Managing Member)		PHONE NO. (509) 543-9744	ADDITIONAL CONTACT NO. (509) 546-7357 Cell
ADDRESS 3825 West Court Street			FAX NO.
CITY Pasco	STATE WA	ZIP 99301	E-MAIL randy@harveyinsurance.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME Molly Reid and Jon Travis, GeoEngineers, Inc.		PHONE NO. (509) 209-2846	ADDITIONAL CONTACT NO. (541) 310-7264 Cell
ADDRESS 8019 W. Quinault Avenue, Suite 201			FAX NO.
CITY Kennewick	STATE WA	ZIP 99336	E-MAIL mreid@geoengineers.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:  
**Purchasing water rights from neighbor and moving them to my property by changing the place of use and point of diversion of this water right.**

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

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By my signature below, I confirm that I understand:

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

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



*[Handwritten Signature]*  
 Applicant signature

**Randall Harvey**  
 Print Name (and Title if applicable)      Date

*Randall D Harvey*  
 Applicant signature

*Managing member*  
 Print Name (and Title if applicable)      Date *9-10-2021*

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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? **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? **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 <b>Non-Applicable</b>			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>N/A</b>	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 <b>N/A</b>	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 Planning Department</b>	ADDRESS <b>216 SE Fourth Street</b>	
CITY <b>Pendleton</b>	STATE <b>OR</b>	ZIP <b>97801</b>

ENTITY NAME <b>N/A</b>	ADDRESS	
CITY	STATE	ZIP

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**SEP 20 2021**

**OWRD**

**13829**



## 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 # 13216

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### Description of Water Delivery System

SEP 20 2021

System capacity: 0.3 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

**OWRD**

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is diverted at the point of diversion on the river through a ditch and flood irrigated onto the property.

**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	N/A	5	N	37	E	31	NE	SW	5900	Not listed on certificate.
POD 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	5	N	36	E	26	SW	NE	1004	N 67 degrees 9 minutes 10 seconds East 1014.7 Feet from the Center of Section 26; further described as 750 feet North and 1085 feet East from the center of Section 26.

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 checked="" 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.

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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 # 13216**

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				
<b>EXAMPLE</b>																										
5	N	37	E	31	SE	NW	5900		2.5	IR	POD 1	1908	POD/POU	5	N	36	E	26	NW	NE	200		0.2	IR	POD 2	1908
5	N	37	E	31	SE	NW	5900		4.9	IR	POD 1	1887	POD/POU	5	N	36	E	26	NE	NW	400		2.3	IR	POD 2	1908
5	N	37	E	31	NE	SW	5900		4.71	IR	POD 1	1887	POD/POU	5	N	36	E	26	NW	NE	200		3.3	IR	POD 2	1887
													POD/POU	5	N	36	E	26	NW	NE	1004		0.5	IR	POD 2	1887
													POD/POU	5	N	36	E	26	SW	NE	200		1.8	IR	POD 2	1887
													POD/POU	5	N	36	E	26	SW	NE	1004		2.01	IR	POD 2	1887
													POD/POU	5	N	36	E	26	SE	NE	200		1.3	IR	POD 2	1887
													POD/POU	5	N	36	E	26	SE	NE	1004		0.7	IR	POD 2	1887
TOTAL ACRES:								12.11						TOTAL ACRES:								12.11				

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Additional remarks: \_\_\_\_\_.

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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**

If YES, list the certificate, water use permit, or ground water registration numbers: 13161, 32595, 13127, 13116, 13178 (T-13591).



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

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

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

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**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

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

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

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- 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
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

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**Attachment #2**

Evidence of Use Affidavit and Supporting Documents – C.13216

POU-POD Transfer Application for Certificate 13216

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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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I, JEFFREY JENSEN, in my capacity as LANDOWNER,  
 mailing address 82094 S. FORK WALLA WALLA RIVER ROAD, MILTON-FREEWATER, OR 97862  
 telephone number (541) 938-5009, being first duly sworn depose and say:

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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 # 13216; **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)
13216	5	N	37	E	WM	31	SE	NW	5900	7.4
13216	5	N	37	E	WM	31	NE	SW	5900	4.71

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.): 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.

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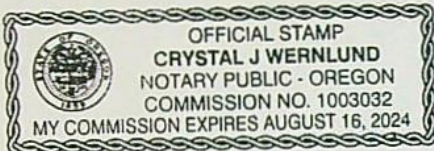
SEP 20 2021

Jeffrey A. Jensen  
Signature of Affiant

7-27-21  
Date

OWRD

Signed and sworn to (or affirmed) before me this 27 day of July, 2021.



Crystal J. Wernlund  
Notary Public for Oregon

My Commission Expires: \_\_\_\_\_

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	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.terra-server.com">www.terra-server.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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United States  
Department of  
Agriculture

# Umatilla County, Oregon



### Common Land Unit

- Non-Cropland
- Cropland
- Tract Boundary
- CRP

### Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation
- Compliance Provisions

Tract Cropland Total: 23.94 acres

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2018 Program Year

Map Created March 15, 2018

Farm 4806  
Tract 10559

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United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership, rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA 026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).





**Common Land Unit**

- Non-Cropland
- Cropland
- Tract Boundary
- CRP

**Wetland Determination Identifiers**

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 23.94 acres **OWRD**

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2019 Program Year

Map Created April 26, 2019

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Farm 4806

Tract 10559

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**Common Land Unit**

-  Non-Cropland
-  Tract Boundary
-  Cropland
-  CRP

**Wetland Determination Identifiers**

-  Restricted Use
-  Limited Restrictions
-  Exempt from Conservation
-  Compliance Provisions

Tract Cropland Total: 23.94 acres

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2020 Program Year

Map Created October 04, 2019

Farm 4806

Tract 10559

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**Attachment #3**

Landowner Consent to Transfer (C.13216)

POU-POD Transfer Application for Certificate 13216

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**Application for Water Right  
Transfer  
Consent by Deeded Landowner**



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

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State of Oregon )  
 )ss  
County of Umatilla )

I Jeffrey Jensen in my/our capacity as landowner,

mailing address 82094 S. Fork Walla Walla River Road, Milton-Freewater, OR 97862,

telephone number 541-938-5069, duly sworn depose and say that I

consent to the proposed change(s) to Water Right Certificate Number 13216

described in a Transfer Application (T-xxxxxx) submitted by Randy Harvey,  
*(transfer number, if known)*

on the property in tax lot number(s) 5900, Section 31, Township 5

North, Range 37 East, W.M., located at 82094 S. Fork Walla Walla River Road, Milton-Freewater, OR 97862.

*(site address)*

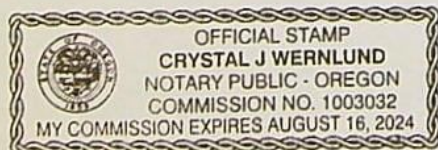
Jeffrey A. Jensen  
Signature of Affiant

7-27-21  
Date

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Date

Subscribed and Sworn to before me this 27 day of July, 2021.



Crystal Wernlund  
Notary Public for Oregon

My commission expires \_\_\_\_\_.



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**Attachment #1**

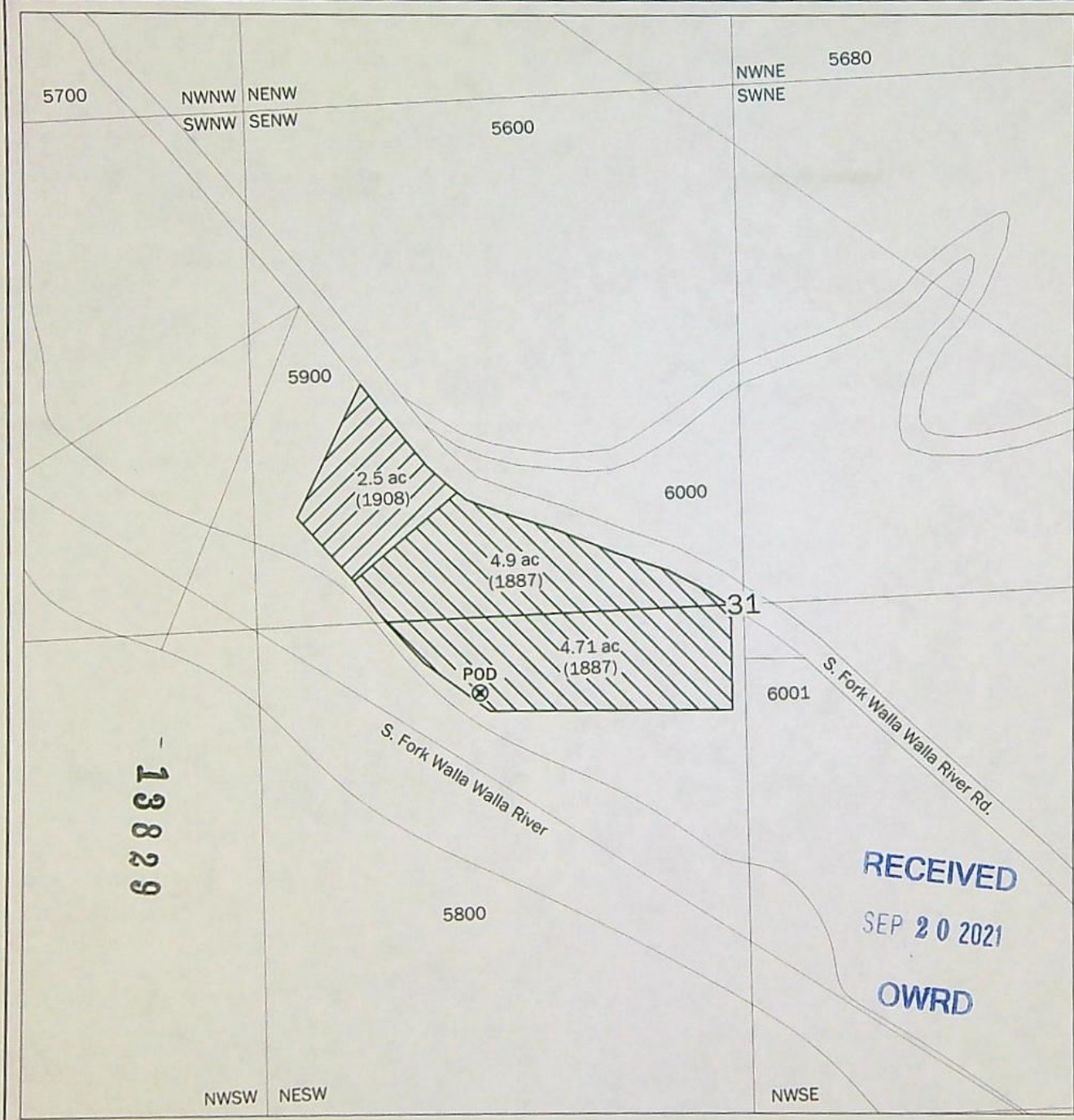
Transfer Application Maps

POU-POD Transfer Application for Certificate 13216

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13829








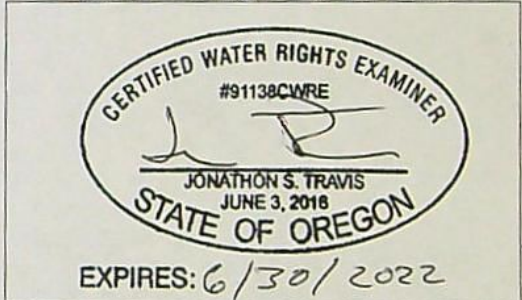
**Transfer Application Map  
for Randy Harvey  
Certificate 13216**

T5N, R37E, W.M.  
Section 31  
Umatilla County, Oregon

**Legend**

-  POD
-  From Lands 1908
-  From Lands 1887

**Certified Water Rights Examiner Stamp**



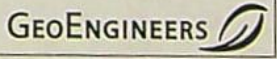
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**Disclaimer**

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

**Map Notes**

Date: 9/08/2021  
Data Sources: ESRI  
Prepared By: GeoEngineers









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**Attachment #4**

Land Use Information Form

POU-POD Transfer Application for Certificate 13216

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**13829**



# 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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Applicant(s): Youth Stimulus Package (Randy Harvey)

Mailing Address: 3825 West Court Street

City: Pasco

State: WA

Zip Code: 99301

Daytime Phone: (509) 543-9744

## 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>SN</u>	<u>36E</u>	<u>26</u>	<u>NE</u>	<u>1004</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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) Walla Walla River

Estimated quantity of water needed: 0.3  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:

Propose to move surface water rights from neighbor's property to applicant's property by changing the place of use and point of diversion.



**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. →



### For Local Government Use Only

WRD

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): UCDC 152.054
- 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
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<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.

Name: CAROL JOHNSON Title: Planner  
 Signature: Carol Johnson Phone: 541-278-1252 Date: 09/08/2021  
 Government Entity: Umatilla County

**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: \_\_\_\_\_



# Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 13829

Checked by: <u>Joan</u> Date: <u>9/22/21</u>	<b>Type of Change(s) Proposed:</b> <i>Mark the Proposed Changes</i>	Substitution	Supplemental to Primary	<input checked="" type="checkbox"/> POU	<input checked="" type="checkbox"/> POD	APOD
Fee Received: <u>2450.00</u>		Gov Action	Surface to Ground	USE	POA	APOA
Calculated Fee: <u>2450.00</u>		How many rights to be Transferred? Certificate # <u>13216</u>				
Additional Observations: _____ _____ _____						

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?  
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.

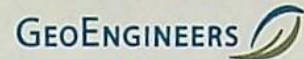
OR:  If all boxes to the left are NOT checked, then this application is deficient and **CANNOT** be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken: \_\_\_\_\_ Date: \_\_\_\_\_









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

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September 17, 2021

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

RE: Point of Diversion and Place of Use Transfer Application for Youth Stimulus Package, LLC  
(Randall Harvey) – Certificate 13216

Dear Mr. Starnes:

Enclosed please find a Point of Diversion and Place of Use Transfer Application with supporting documents submitted on behalf of our client, Youth Stimulus Package, LLC (Randall Harvey, Managing Member). A check in the amount of \$2,450 for application fees is also enclosed.

Should you have any questions regarding this application packet, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Molly Reid".

Molly Reid  
Senior Planner

Cc: Randall Harvey – Youth Stimulus Package, LLC – Managing Member  
File





# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 27, 2021

YOUTH STIMULUS PKG., LLC  
ATTN RANDALL HARVEY  
3825 W COURT ST  
PASCO, WA 99301

Reference: Application T-13829

On September 20, 2021, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$2450.00. Our receipt number 136448 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) 986-0815.

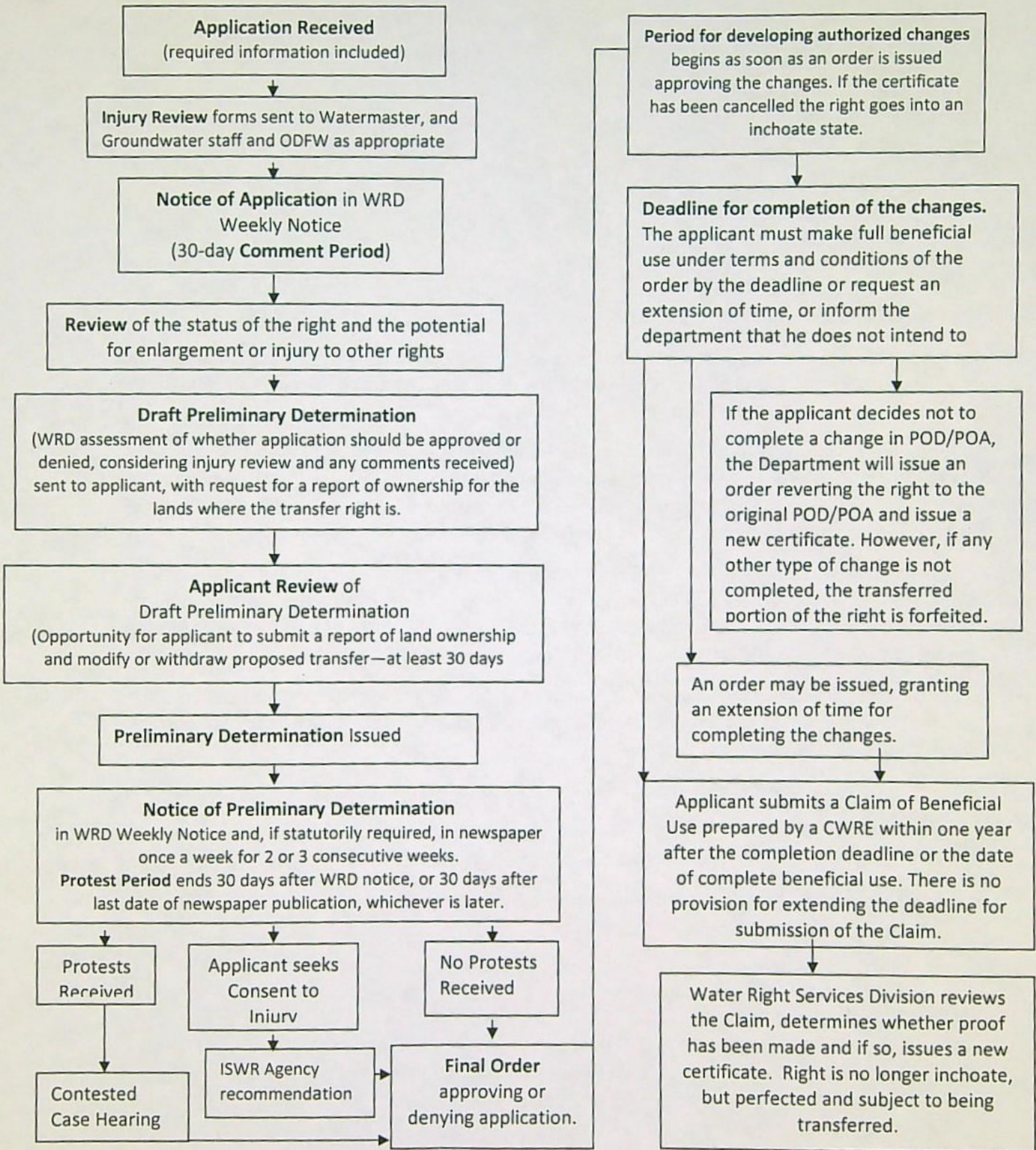
Cc: Watermaster Dist. #5, Gregory M. Silbernagel (*via email*)  
Umatilla County Planning Department  
Molly Reid, Agent

Enclosure



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

OAR 690 Division 380





STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # **137865**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Randall D. Harvey  
BY: Christina S. Harvey

APPLICATION \_\_\_\_\_  
PERMIT \_\_\_\_\_  
TRANSFER T-13829

CASH:  CHECK # 3670 OTHER: (IDENTIFY) \_\_\_\_\_  
TOTAL REC'D \$ 125.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47124 \$ \_\_\_\_\_  
0412 OTHER: (IDENTIFY) Transfer Reimbursement Authority \$ 125.00

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:

EXAM FEE	RECORD FEE
0201 SURFACE WATER \$ _____	0202 \$ _____
0203 GROUND WATER \$ _____	0204 \$ _____
0205 TRANSFER \$ _____	

WELL CONSTRUCTION

EXAM FEE	LICENSE FEE
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: **137865**

DATED: 4.8.2022 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # **137865**

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TC162 DEPOSIT LIAB. (IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_  
0240 EXTENSION OF TIME \$ \_\_\_\_\_

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0205 TRANSFER \$ _____	

WELL CONSTRUCTION

EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR \$ _____	0219 \$ _____
LANDOWNER'S PERMIT	0220 \$ _____

OTHER (IDENTIFY) \_\_\_\_\_

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0210 MONITORING WELLS \$ \_\_\_\_\_ CARD# \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

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**TREASURY OTHER / RDX**

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

RECEIPT: **137865**

DATED: 4.8.2022 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal





**OREGON WATER RESOURCES DEPARTMENT  
TRANSFER REIMBURSEMENT AUTHORITY  
ESTIMATE APPLICATION**



*ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.  
Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate from Transfer fees.  
The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.*

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number <u>T-13829</u>

	<u>Applicant Information</u>	<u>Applicant's Representative/Contact</u>
Name:	<u>Randy Harvey (Youth Stimulus Package)</u>	<u>Molly Reid, GeoEngineers, Inc.</u>
Address:	<u>3825 West Court Street</u> <u>Pasco, WA 99301</u>	<u>8019 W. Quinault Avenue, Suite 201</u> <u>Kennewick, WA 99336</u>
Phone:	<u>(509) 543-9744</u>	<u>(509) 209-2846</u>
Cell	<u>(509) 546-7357</u>	<u>CELL (541) 310-7264</u>
E-Mail Address:	<u>randy@harveyinsurance.com</u>	<u>mreid@geoengineers.com</u>

I understand the following:

- That upon receipt of my non-refundable application fee of **\$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

**Oregon Water Resources Department  
Transfer Reimbursement Authority Program  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271**

**Received by OWRD**

**APR 08 2022**

**Salem, OR**

I certify that I am the (check one):

Applicant  Applicant's Representative  Other (Please specify) \_\_\_\_\_

**Name:** Randall Harvey (Youth Stimulus Package LLC)

**Signature:** \_\_\_\_\_

**OWRD USE ONLY: Reimbursement Authority Number: R11- 3166 -23**



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **137960**

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

INVOICE # \_\_\_\_\_

RECEIVED FROM: <u>Youth Stimulus</u>	APPLICATION
BY: _____	PERMIT
CASH: <input type="checkbox"/>	TRANSFER <u>T-13829</u>
CHECK:# <u># 1800</u>	TOTAL REC'D \$ <u>1,400.83</u>
OTHER: (IDENTIFY) <input type="checkbox"/>	

<b>1083 TREASURY</b>	<b>4170 WRD MISC CASH ACCT</b>
0407 COPIES <u>47124</u>	\$
<u>0412</u> OTHER: (IDENTIFY) <u>Transfer Reimbursement Authority</u>	\$ <u>1,400.83</u>
0243 I/S Lease _____	0244 Muni Water Mgmt. Plan _____
	0245 Cons. Water _____

<b>4270 WRD OPERATING ACCT</b>		
<b>MISCELLANEOUS</b>		
0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY) _____		\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____		\$
0240 EXTENSION OF TIME		\$
<b>WATER RIGHTS:</b>		
	<b>EXAM FEE</b>	<b>RECORD FEE</b>
0201 SURFACE WATER	\$	0202 \$
0203 GROUND WATER	\$	0204 \$
0205 TRANSFER	\$	
<b>WELL CONSTRUCTION</b>		
	<b>EXAM FEE</b>	<b>LICENSE FEE</b>
0218 WELL DRILL CONSTRUCTOR	\$	0219 \$
LANDOWNER'S PERMIT		0220 \$
OTHER (IDENTIFY) _____		

<b>0536 TREASURY</b>	<b>0437 WELL CONST. START FEE</b>
0211 WELL CONST START FEE	\$
0210 MONITORING WELLS	\$
OTHER (IDENTIFY) _____	

<b>0607 TREASURY</b>	<b>0467 HYDRO ACTIVITY</b>	LIC NUMBER
0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION		\$

<b>TREASURY</b>	<b>OTHER / RDX</b>
FUND _____	TITLE _____
OBJ. CODE _____	VENDOR # _____
DESCRIPTION _____	\$

RECEIPT: **137960**

DATED: 4-20-2022 BY: [Signature]



RECEIVED

APR 20 2022

OWRD

REIMBURSEMENT AUTHORITY  
APPLICANT'S AGREEMENT  
Contract Number: R11-366-23

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Youth Stimulus Package, LLC, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes Title: Transfer Advisor Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266	Name: Youth Stimulus Package, LLC Contact: Randy Harvey Address: 3825 W. Court Street Pasco, WA 99301	Name: GeoEngineers, Inc. Contact: Molly Reid Address: 8019 W. Quinault Ave., Suite 201 Kennewick, WA 99336
Phone: 503 979-3511 Fax: 503 986-0901 Email: <a href="mailto:patrick.k.starnes@water.oregon.gov">patrick.k.starnes@water.oregon.gov</a>	Phone: (509) 543-9744 Cell: (509) 546-7357 Email: <a href="mailto:randy@harveyinsurance.com">randy@harveyinsurance.com</a>	Phone: (509) 209-2846 Cell: (541) 310-7264 Email: <a href="mailto:mreid@geoengineers.com">mreid@geoengineers.com</a>

**Purpose** The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-13829)

- 1. Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- 2. Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- 3. Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
- 4. Consideration.**
  - a.** Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$1,400.83**. Applicant agrees to pay the full amount of **\$1,400.83** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
  - b.** The costs stated in this Agreement do not include the statutory application processing and filing fees.
- 5. Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- 6. Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.



7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
9. **Duration of Estimate.** The Estimate of Time to completion is **approximately 120 days** once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. **NOTE:** Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant:

*[Handwritten Signature]*  
 Name/Title:

4-18-2022  
 Date

For OWRD:

*[Handwritten Signature]*  
 Dwight French – Administrator

4-25-2022  
 Date

Mail signed Agreement to:

Stacy Phillips  
 Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, OR 97301-1266

