

temporary

Name Farmland reserve inc

Address PO Box 2308
Pasco WA 99302
naturalresources@farmlandreserve.org

Change in PO2 PO2

Date Filed 1/31/2022

Initial notice date 2/8/2022

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 4/27/2022 Vol 122 Page 959-911

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream well

Trib. of Umatilla river

Use Irrigation County Umatilla

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

Name of ditch _____

App# G 795 Per # G 4020 Cert # 87140 PR Date _____

App# G 5998 Per # G 5215 Cert # 87140 PR Date _____

App# G 1003 Per # G 5335 Cert # 80849 PR Date _____

App# G 1097 Per # G 5337 Cert # 80850 PR Date _____

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

FEES PAID		
Date	Amount	Receipt #
<u>1-31-2022</u>	<u>\$ 2,326.19</u>	<u>137356</u>

FEES REFUNDED		
Date	Amount	Receipt #
<u>3/30/2022</u>	<u>\$ 222.13</u>	<u>VP053469</u>

Assignments: _____

Irrigation District Echo Irrigation district

Agent Nathanrau nrau@farmlandreserve.org

CWRE _____

CC's list Umatilla County



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

April 27, 2022

FARMLAND RESERVE INC
PO BOX 2308
PASCO, WA 99302

REFERENCE: District Temporary Transfer Application T-13899

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

The temporary change shall be effective at the **beginning of the 2022 irrigation season**. The use shall revert to the original authorized place of use at the end of the **2026 irrigation season**.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Ann Reece, by telephone at (503) 979-3214 or by e-mail at Ann.L.Reece@water.oregon.gov.

Sincerely,

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

cc: Gregory M. Silbernagel, Watermaster Dist. # 5 (via email)
Nathan Rau, Agent
Umatilla County Planning Department
Echo Irrigation District

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING TEMPORARY
T-13899, Umatilla County)	CHANGES IN PLACE OF USE AND POINTS
)	OF APPROPRIATION

Authority

Oregon Revised Statute (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

FARMLAND RESERVE, INC.
PO BOX 2308
PASCO, WA 99302

Findings of Fact

1. On January 31, 2022, Farmland Reserve, Inc. filed an application to temporarily change the places of use under Certificates 80849, 80850, 87666, and 87667, for a period of five (5) years, being 2022 through 2026. The applicant also proposes to change certain points of appropriation to facilitate the change in places of use under Certificates 80849, 80850, 87666, and 87667. The Department assigned the application number T-13899.
2. Notice of the application for transfer was published on February 8, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. Water uses from wells located in critical groundwater areas are subject to allocation under OAR Chapter 690, Division 507. Water uses under Certificates 80849, 80850, 87666, and 87667, are within the Stage Gulch Critical Groundwater area, and therefore are subject to allocation.
4. Temporary Transfer Application T-13899 proposes to temporarily transfer a water right from within the boundaries Echo Irrigation District and East Improvement District. The applicant conferred with the districts about proposed temporary transfer. Neither district objected to the transfer.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, 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.

5. On February 14 and March 7, 2022, the applicant provided further clarification regarding the disposition of water rights layered with appurtenant lands involved in the transfer.

6. The portion of the first right to be transferred is as follows:

Certificate: 80849 issued in the name of KENNETH H. COPPINGER (perfected under Permit G-6626)

Use: IRRIGATION of 123.86 ACRES

Priority Dates: DECEMBER 29, 1975

Rate: 1.31 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or the equivalent for each acre irrigated, and is further limited to a total diversion not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: COPPINGER WELLS #1 AND #2, BOTH WITHIN THE STAGE GULCH BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q		Measured Distances
3 N	29 E	WM	24	SW NE	UMAT 54853	COPPINGER WELL #1: 20 FEET NORTH AND 1570 FEET WEST FROM THE EAST ¼ CORNER OF SECTION 24
3 N	29 E	WM	24	SE NE	UMAT 1329	COPPINGER WELL #2: 960 FEET NORTH AND 30 FEET WEST FROM THE EAST ¼ CORNER OF SECTION 24

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
3 N	29 E	WM	24	NE SE	30.77	8700
3 N	29 E	WM	24	NW SE	31.00	4000
3 N	29 E	WM	24	SW SE	31.17	8500
3 N	29 E	WM	24	SE SE	30.92	8700
Total					123.86	

7. A change in point of appropriation is necessary to convey the water to the proposed temporary place of use. Transfer Application T-13899 proposes to change the point of appropriation under Certificate 80849, as described below, to serve the proposed place of use.

Proposed Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	WELL ID	Measured Distances
3 N	30 E	WM	20	SW SW	UMAT 1361	DITCHEN WELL 2: 100 FEET NORTH AND 80 FEET EAST FROM THE SW CORNER OF SECTION 20

8. Transfer Application T-13899 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Proposed Well
3 N	30 E	WM	20	NE SW	31.21	1000	DITCHEN WELL
3 N	30 E	WM	20	NW SW	30.70	1000	DITCHEN WELL
3 N	30 E	WM	20	SW SW	30.67	1000	DITCHEN WELL
3 N	30 E	WM	20	SE SW	31.28	1000	DITCHEN WELL
Total					123.86		

9. The authorized and proposed places of use described in Finding of Facts #6 and #8, above, are layered with supplemental irrigation under Permit S-54773. This permit is not involved in the transfer. The applicant has stated that the portions of Permit S-54733 layered with the authorized and proposed lands under Transfer T-13899 will remain unexercised during the period of this temporary transfer.
10. As a condition of Transfer T-13899, the portion of Permit S-54773 that is appurtenant to the authorized and proposed places of use as described Finding of Facts #6 and #8, above, shall remain unexercised during the period of this temporary transfer.
11. A portion of the proposed place of use described in Finding of Fact #8, above, is layered with primary irrigation under Certificate 84095. This certificate is not involved in the transfer. Certificate 84095 received an allocation of 804.6 acre-feet for the year 2022 from the Subarea H of the Stage Gulch Critical Groundwater Area (Special Order Volume 123, Page 2086). This certificate may or may not receive allocations of water for the duration of this transfer. Regardless, Certificate 84095 is a deficient rate right as described in OAR 690-300-0010 (11) and can therefore, can be layered with primary groundwater irrigation under Certificate 80849, also a deficient rate right, under temporary Transfer T-13899.
12. A portion of the authorized place of use as described in Finding of Fact #6, above, is appurtenant to lands described under Permits S-55114, S-55262, S-55263 and S-55173. These permits are for use of water from the Columbia River, tributary to the Pacific Ocean. The applicant has stated that these permits are not currently being exercised on lands appurtenant to the authorized place of use involved in this transfer. Therefore, the authorized place of use under Certificate 80849 described in FOF #6 is not subject to conditions set forth in Permits S-55114, S-55262, S-55263 and S-55173.
13. The proposed place of use as described in Finding of Fact #8, above, is appurtenant to lands described under Permits S-55114, S-55262, S-55263 and S-55173. These permits are for use of water from the Columbia River, tributary to the Pacific Ocean. Use of water under these permits is subject to the following annual use condition:
- a. In the interest of preserving groundwater, water use described under Permits S-55114, S-55262, S-55263 and S-55173, may be used as the primary supply when surface water is available for use under this permit. If water use under this permit is supplemental to a primary groundwater right, and the water under the permit is used as the primary supply, then the primary groundwater right cannot be transferred separately from the supplemental water under this permit to another

place of or character of use. If water from Permits S-55114, S-55262 and S-55263 and S-55173, is used for supplemental irrigation, the pre-existing primary rights for the same place of use cannot be transferred to another place of use or character of use.

14. The portion of the third right to be transferred is as follows:

Certificate: 80850 issued in the name of H-4 FARMS, INC., RICK HALE, PRESIDENT
(perfected under Permit G-5215)

Use: PRIMARY IRRIGATION of 9.64 ACRES

Priority Dates: FEBRUARY 16, 1973

Rate: 0.07 CUBIC FOOT PER SECOND, being 0.03 cfs from WELL # 5 [SGCGWA Subarea D] and 0.04 from WELL #8 [SGCGWA Subarea H]

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and is further limited to a total diversion not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: TWO WELLS, BOTH WITHIN THE UMATILLA RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	11	SE SE	WELL #5: 60 FEET NORTH AND 590 FEET WEST FROM THE SE CORNER OF SECTION 11
3 N	29 E	WM	14	SW NW	WELL #8 : 1350 FEET SOUTH AND 50 FEET WEST FROM THE NE CORNER OF THE NW NW OF SECTION 14

Authorized Place of Use:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
3 N	29 E	WM	14	NE SW	0.04	4100
3 N	29 E	WM	14	SW SW	9.32	4100
3 N	29 E	WM	14	SE SW	0.28	4100
Total					9.64	

15. A change in point of appropriation from Well #8, located within Subarea H, is necessary to convey the water to the proposed temporary place of use. Transfer Application T-13899 proposes to change the point of appropriation under Certificate 80850, as described below, to serve the entire proposed place of use.

Proposed Points of Appropriation: (UMAT 3009)

Twp	Rng	Mer	Sec	Q-Q	WELL ID	Measured Distances
4 N	30 E	WM	35	SW SE	UMAT 3010	LORENZEN WELL: 1860 FEET SOUTH AND 2920 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 35

16. Transfer Application T-13899 proposes to change the place of use to

Proposed Place of Use:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
3 N	30 E	WM	3	NW SW	9.33	4100
3 N	30 E	WM	3	SW SW	0.31	4100
Total					9.64	

17. Certificate 80850 authorizes points of appropriation from two different subareas (D and H) of the Stage Gulch Critical Ground Water Area. Water use from a proposed or additional point of appropriation must be from the same subarea/source as the authorized well. Water use from an authorized point of appropriation within a specific subarea may not be transferred to a different subarea. Therefore, the water use from the Lorenzo Well, located within Subarea H, under Certificate 80850 as proposed in this transfer, may not exceed 0.04 CFS, and is further limited as ordered for any 2022, 2023, 2024, 2025, and 2026 Annual Allocation of Groundwater in the Stage Gulch Critical Groundwater Area, Subarea H, under Certificate 80850.
18. The authorized place of use described in Finding of Fact #14, above, is layered with supplemental irrigation under Permit S-54773. This permit is not involved in the transfer. The applicant has stated that the portions of Permit S-54733 layered with the authorized lands under Transfer T-13899 will remain unexercised during the period of this temporary transfer.
19. As a condition of Transfer T-13899, the portion of Permit S-54773 that is appurtenant to the authorized place of use as described Finding of Facts #14, above, shall remain unexercised during the period of this temporary transfer.
20. A portion of the authorized place of use as described in Finding of Fact #14, above, is appurtenant to lands described under Permits S-55114, S-55262 and S-55263 and S-55173. These permits are for use of water from the Columbia River, tributary to the Pacific Ocean. The applicant has stated that these permits are not currently being exercised on lands appurtenant to the authorized place of use involved in this transfer. Therefore, the authorized place of use under Certificate 80850 described in FOF #14 is not subject to conditions set forth in Permits S-55114, S-55262 and S-55263 and S-55173.
21. The proposed place of use described in Finding of Fact #16, above, will become layered with the same lands for which there is surface water primary irrigation authorized under temporary Transfer T-13609 (Certificate 93872). All uses of water under temporary Transfer T-13609 shall revert automatically to the authorized place of use at the end of the 2025 irrigation season, or earlier, if requested in writing by the applicant. Because Certificate 93872 was issued to confirm the disposition of conserved water pursuant to ORS 537.490(3) & (4) and OAR 690-018-0090(4), and is also a deficient rate right, it may be applied in conjunction with primary groundwater irrigation under Certificate 80850, also a deficient rate right, under temporary Transfer T-13899.
22. The proposed place of use described in Finding of Fact #16, above, will also become layered with the same lands for which there is primary use Planned Irrigation Activity during the

2022 irrigation season under Permits S-55114, S-55167, S-55262, and S-55263. In addition, the proposed place of use may become layered again in subsequent years prior to the termination of this transfer. Use of water under groundwater Certificate 80850, and these permits, once layered, are subject to the following annual conditions:

- a. In the interest of preserving groundwater, water use described under Permits S-55114, S-55167, S-55262, and S-55263 may be used as the primary supply when surface water is available for use under these permits. If water use under these permits is supplemental to a primary groundwater right, and the water under the permits is used as the primary supply, then the primary groundwater right for the same place of use cannot be transferred separately to another place of or character of use.
- b. If water from Permits S-55114, S-55167, S-55262, and S-55263 is used for supplemental irrigation, the pre-existing primary rights for the same place of use cannot be transferred to another place of use or character of use.
- c. The amount of water used under these four permits, together with the amount secured under any other right existing for the same lands, including Certificate 80850, and Certificate 93872 under Temporary transfer T-13609, is limited to a diversion of not to exceed ONE-SIXTIETH of one cubic foot per second and 3.5 acre-feet for each acre irrigated during the irrigation season.

23. The portion of the third right to be transferred is as follows:

Certificate: 87666 issued in the name of HALE FARMS, LLC (perfected under Permit G-5335)

Use: IRRIGATION of 154.76 ACRES

Priority Dates: JULY 19, 1974

Rate: 0.72 CUBIC FOOT PER SECOND, if available at the original point of appropriation

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The irrigation season used herein shall include any time of each year that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season, provided the amount of water used at the authorized place of use, together with the amount of water approved for use under Certificate 86680 shall not exceed 1.86 cubic feet per second and 1,014.56 acre feet per year, which reflect the capacity of the well system at the time of perfection attributable to the rights modified by T-10692.

Source: FOUR WELLS, ALL WITHIN THE UMATILLA RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	14	SW NW	HALE WELL #8: 1350 FEET SOUTH AND 50 FEET WEST FROM THE NE CORNER OF THE NW NW OF SECTION 14
3 N	29 E	WM	23	SE NE	COPPINGER WELL #3: 3960 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 23
3 N	29 E	WM	24	SW NE	COPPINGER WELL #1: 20 FEET NORTH AND 1570 FEET WEST FROM THE EAST ¼ CORNER OF SECTION 24
3 N	30 E	WM	7	SW SW	HALE WELL #3: 1420 FEET SOUTH AND 40 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 7

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax
3 N	29 E	WM	23	NE SE	1.60	8400
3 N	29 E	WM	23	NW SE	22.70	8400
3 N	29 E	WM	23	SW SE	24.40	8400
3 N	29 E	WM	23	SE SE	21.10	8400
3 N	29 E	WM	24	SW NW	22.95	4000
3 N	29 E	WM	24	SE NW	22.71	4000
3 N	29 E	WM	24	NE SW	19.80	4000
3 N	29 E	WM	24	NW SW	19.50	4000
Total:					154.76	

24. A change in points of appropriation is necessary to convey the water to the proposed temporary place of use. Transfer Application T-13899 proposes to change the points of appropriation under Certificate 87666, as described below, to serve portions of the proposed place of use.

Proposed Points of Appropriation: UMAT 3010

Twp	Rng	Mer	Sec	Q-Q	WELL ID	Measured Distances
4 N	30 E	WM	35	SW SE		LORENZEN WELL: 1860 FEET SOUTH AND 2920 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 35

25. Transfer Application T-13899 proposes to change the place of use to:

Proposed Place of Use: UMAT 3010 subarea H

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Proposed Well
3 N	30 E	WM	3	NE SW	4.49	400	Lorenzen Well
3 N	30 E	WM	3	NW SW	10.76	400	Lorenzen Well
3 N	30 E	WM	3	SW SW	30.93	400	Lorenzen Well
3 N	30 E	WM	3	SE SW	5.28	400	Lorenzen Well
3 N	30 E	WM	3	NE SE	15.81	400	Lorenzen Well
3 N	30 E	WM	3	NW SE	34.94	400	Lorenzen Well
3 N	30 E	WM	3	SW SE	36.38	400	Lorenzen Well
3 N	30 E	WM	3	SE SE	16.17	400	Lorenzen Well
Total					154.76		

26. The authorized place of use described in Finding of Fact #23, above, is layered with supplemental irrigation under Permit S-54773. This permit is not involved in the transfer.

The applicant has stated that the portions of Permit S-54733 layered with the authorized lands under Transfer T-13899 will remain unexercised during the period of this temporary transfer

27. As a condition of Transfer T-13899, the portion of Permit S-54773 that is appurtenant to the authorized place of use as described Finding of Facts #23, above, shall remain unexercised during the period of this temporary transfer.
28. A portion of the authorized place of use as described in Finding of Fact #23, above, is appurtenant to lands described under Permits S-55114, S-55262 and S-55263 and S-55173. These permits are for use of water from the Columbia River, tributary to the Pacific Ocean. The applicant has stated that these permits are not currently being exercised on lands appurtenant to the authorized place of use involved in this transfer. Therefore, the authorized place of use under Certificate 87666 described in FOF #23 is not subject to conditions set forth in Permits S-55114, S-55262 and S-55263 and S-55173.
29. The proposed place of use described in Finding of Fact #25, above, will become layered with the same lands for which there is surface water primary irrigation authorized under temporary Transfer T-13609 (Certificate 93872). All uses of water under temporary Transfer T-13609 shall revert automatically to the authorized place of use at the end of the 2025 irrigation season, or earlier, if requested in writing by the applicant. Because Certificate 93872 was issued to confirm the disposition of conserved water pursuant to ORS 537.490(3) & (4) and OAR 690-018-0090(4), and is also a deficient rate right, it may be applied in conjunction with primary groundwater irrigation under Certificate 87666, also a deficient rate right, under temporary Transfer T-13899.
30. The proposed place of use described in Finding of Fact #25, above, will also become layered with the same lands for which there is primary use Planned Irrigation Activity during the 2022 irrigation season under Permits S-55114, S-55167, S-55262, and S-55263. In addition, the proposed place of use may become layered again in subsequent years prior to the termination of this transfer. Use of water under groundwater Certificate 87666, and these permits, once layered, are subject to the following annual conditions:
 - a. In the interest of preserving groundwater, water use described under Permits S-55114, S-55167, S-55262, and S-55263 may be used as the primary supply when surface water is available for use under these permits. If water use under these permits is supplemental to a primary groundwater right, and the water under the permits is used as the primary supply, then the primary groundwater right for the same place of use cannot be transferred separately to another place of or character of use.
 - b. If water from Permits S-55114, S-55167, S-55262, and S-55263 is used for supplemental irrigation, the pre-existing primary rights for the same place of use cannot be transferred to another place of use or character of use.
 - c. The amount of water used under these four permits, together with the amount secured under any other right existing for the same lands, including Certificate 87666, and Certificate 93872 under Temporary transfer T-13609, is limited to a diversion of not to exceed ONE-SIXTIETH of one cubic foot per second and 3.5 acre-feet for each acre irrigated during the irrigation season.

31. The portion of the fourth right to be transferred is as follows:

Certificate: 87667 issued in the name of HALE FARMS, LLC (perfected under Permit G-5337)

Use: IRRIGATION of 39.66 ACRES

Rate: 0.41 CUBIC FOOT PER SECOND, if available at the original point of appropriation

Priority Dates: OCTOBER 21, 1974

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The irrigation season used herein shall include any time of each year that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season, provided the amount of water use at the authorized place of use together with the amount of water approved for use under Certificate 86679 shall not exceed 1.86 cubic feet per second and 1,014.56 acre feet per year, which reflect the capacity of the well system at the time of perfection attributable to the rights modified by T-10692.

Source: FOUR WELLS, ALL WITHIN THE UMATILLA RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	14	SW NW	HALE WELL #8: 1350 FEET SOUTH AND 50 FEET WEST FROM THE NE CORNER OF THE NW NW OF SECTION 14
3 N	29 E	WM	23	SE NE	COPPINGER WELL #3: 3960 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 23
3 N	29 E	WM	24	SW NE	COPPINGER WELL #1: 20 FEET NORTH AND 1570 FEET WEST FROM THE EAST ¼ CORNER OF SECTION 24
3 N	30 E	WM	7	SW SW	HALE WELL #3: 1420 FEET SOUTH AND 40 FEET EAST FROM THE W ¼ CORNER OF SECTION 7

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
3 N	29 E	WM	23	NE SE	29.25	8400
3 N	29 E	WM	23	NW SE	4.11	8400
3 N	29 E	WM	23	SE SE	6.30	8400
Total					39.66	

32. A change in points of appropriation is necessary to convey the water to the proposed temporary place of use. Transfer Application T-13899 proposes to change the points of appropriation under Certificate 87667, as described below, to serve the entire proposed place of use.

Proposed Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	WELL ID	Measured Distances
4 N	30 E	WM	35	SW SE	UMAT 3010	LORENZEN WELL: 1860 FEET SOUTH AND 2920 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 35

33. Transfer Application T-13899 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
3 N	30 E	WM	3	NE SW	13.56	400
3 N	30 E	WM	3	NW SW	1.96	400
3 N	30 E	WM	3	SW SW	3.37	400
3 N	30 E	WM	3	SE SW	20.77	400
Total					39.66	

34. A portion of the authorized place of use as described in Finding of Fact #31, above, is appurtenant to lands described under Permits S-55114, S-55262 and S-55263 and S-55173. These permits are for use of water from the Columbia River, tributary to the Pacific Ocean. The applicant has stated that these permits are not currently being exercised on lands appurtenant to the authorized place of use involved in this transfer. Therefore, the authorized place of use under Certificate 87667 described in FOF #31 is not subject to conditions set forth in Permits S-55114, S-55262 and S-55263 and S-55173.

35. The proposed place of use described in Finding of Fact #33, above, will also become layered with the same lands for which there is surface water primary irrigation authorized under temporary Transfer T-13609 (Certificate 93872). All uses of water under temporary Transfer T-13609 shall revert automatically to the authorized place of use at the end of the 2025 irrigation season, or earlier, if requested in writing by the applicant. Certificate 93872 is a deficient rate right as described in OAR 690-300-0010 (11) and can therefore, for the duration of temporary Transfer T-13609, be layered with primary groundwater irrigation under Certificate 87666, also a deficient rate right, under temporary Transfer T-13899.

36. The proposed place of use described in Finding of Fact #33, above, will become layered with the same lands for which there is primary use Planned Irrigation Activity during the 2022 irrigation season under Permits S-55114, S-55167, S-55262, and S-55263. In addition, the proposed place of use may become layered again in subsequent years prior to the termination of this transfer. Use of water under groundwater Certificate 87667, and these permits, once layered, are subject to the following annual conditions:

- a. In the interest of preserving groundwater, water use described under Permits S-55114, S-55167, S-55262, and S-55263 may be used as the primary supply when surface water is available for use under these permits. If water use under these permits is supplemental to a primary groundwater right, and the water under the permits is used as the primary supply, then the primary groundwater right for the same place of use cannot be transferred separately to another place of or character of use.

- b. If water from Permits S-55114, S-55167, S-55262, and S-55263 is used for supplemental irrigation, the pre-existing primary rights for the same place of use cannot be transferred to another place of use or character of use.
 - c. The amount of water used under these four permits, together with the amount secured under any other right existing for the same lands, including Certificate 87667, and Certificate 93872 under Temporary transfer T-13609, is limited to a diversion of not to exceed ONE-SIXTIETH of one cubic foot per second and 3.5 acre-feet for each acre irrigated during the irrigation season.
37. Pursuant to ORS 540.523(7), during the period of this temporary transfer, this transfer must be conditioned to prevent lands from which the water right is removed from receiving water under the transferred water right.

Temporary Transfer Review Criteria

38. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
39. Diversion structures, district canals, pumps, pump stations, ditches, pipeline, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights are present.
40. The proposed changes, as conditioned, would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred rights, as required by ORS 540.523(7).
41. The Department finds the proposed changes, as conditioned, would not result in injury to other water rights in accordance with ORS 540.523(2). This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.
42. All other applicable requirements for a temporary water right transfer pursuant to OAR Chapter 690, Division 380, are met.

Conclusions of Law

The temporary changes in place of use and in points of appropriation needed to convey water to the temporary places of use proposed in Temporary Transfer Application T-13899, as conditioned above, are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

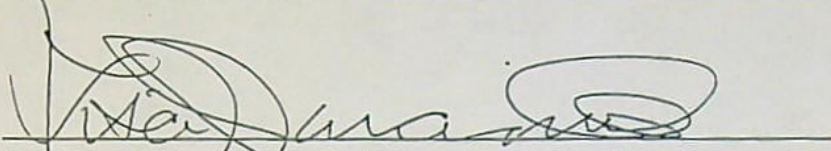
1. The temporary changes in place of use and additional points of appropriation needed to convey water to the temporary place of use proposed in Temporary Transfer Application T-13899 are approved, providing that water use from an proposed point of appropriation

within a specific subarea of the Stage Gulch Critical Ground Water Area may not have originated from an authorized point of appropriation from a different subarea.

2. All water use from any proposed point of appropriation from wells located within the Stage Gulch Critical Groundwater Area is subject to any 2022, 2023, 2024, 2025 and/or 2026 annual allocation as authorized in final orders of the Department for its originating authorized point of appropriation on the same water right.
3. The lands from which the water rights described by Water Right Certificates 80849, 80850, 87666, and 87667 are temporarily removed shall not receive any water under the rights during the 2022, 2023, 2024, 2025, and 2026 irrigation seasons.
4. The portions of Permit S-54773 that are appurtenant to the authorized and/or proposed places of use as described in Findings of Fact #6, #8, #14, and #23, above, shall remain unexercised during the period of this temporary transfer.
5. All uses of water under this temporary transfer shall revert automatically to the authorized place of use at the end of the 2026 irrigation season, or earlier, if requested in writing by the applicant. The authorization to use changed points of appropriation shall be terminated concurrently.
6. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
7. Any subsequent application for permanent transfer of Certificates 80849, 80850, 87666, and/or 87667 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
8. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 80849, 80850, 87666, and 87667.
9. The time during which water is used on the proposed lands under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
10. 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 appropriation.
 - 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.

11. The use of the remaining water rights described by Certificates 80849, 80850, 87666, and 87667 not involved in this transfer shall continue to be in accordance with the terms and conditions of those Certificates.

Signed at Salem, Oregon this APR 27 2022.

A handwritten signature in black ink, appearing to read 'Lisa J. Jaramillo', is written over a horizontal line.

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

Mailing Date: APR 28 2022

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 13899

In order to avoid enlargement of the right or injury to other rights, a totalizing flowmeter will be required to be installed prior to diversion of water, as a condition of this transfer:

at each point of diversion/appropriation (new and existing) OR

at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Greg Silbernagel

District: 5

Address: 116 SE Dorion Avenue

City/State/Zip: Pendleton, Oregon 97801

Phone: 541-969-1677

Email: Greg.M.Silbernagel@water.oregon.gov

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device T-
(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable alternate measurement device:

Watermaster signature

District

Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13899

Transfer Specialist:

Transfer Type: Temporary Transfer

Applicant: FARMLAND RESERVE INC PO BOX 2308 PASCO, WA 99302 Email: _____ Phone: _____	Agent: <input type="checkbox"/> N/A NATHAN RAU PO BOX 2308 PASCO, WA 99302 Email: _____ Phone: _____
Irrigation District: <input type="checkbox"/> N/A Echo Irrigation District Email: _____	CWRE: <input type="checkbox"/> N/A Email: _____
Affected Local Gov'ts: <input type="checkbox"/> N/A Umatilla County Email: _____	Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____	Receiving Landowner: <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"/>				<input type="checkbox"/> Yes <input 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: January 31, 2022	Proposed Action(s): POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 2326.19	WM District: 5	ODFW District:
Initial Public Notice: February 8, 2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: <u>4/11</u> Initials: <u>NR</u>	Date: <u>✓</u> Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: <u>4-11-22</u>	Date: <u>4/27/2022</u>

Special Issues: mail Measuring Condition sheet

Special Order Volume: Vol. _____ Pages _____

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13899

GW Reviewer J. Hackett Date Review Completed: March 4, 2022

Summary of Enlargement (Same Source) Review:

- The proposed transfer fails to keep the original place of use from receiving water from the same source.

Summary of Injury Review:

- The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source.

Summary of Similarity Review:

- The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Ground Water Review Form:

- Water Right Transfer
- Permit Amendment
- GR Modification
- Other – District Temp. Transfer

Application: T-13899

Applicant Name: Farmland Reserve

- Proposed Changes: POA APOA SW→GW RA
 USE POU OTHER

Reviewer(s): J. Hackett

Date of Review: March 4, 2022

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 4/1/22

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- Other _____

1. Basic description of the changes proposed in this transfer: This temporary transfer includes 4 groundwater rights within the Stage Gulch Critical Groundwater Area. The water rights and proposed transfers are as follows:

- Cert: 80849 – 123.86 acres “from” UMAT 54853 and UMAT 1329, “to” UMAT 1361. All 5 wells located within Subarea H.
- Cert: 80850 – 9.64 acres “from” UMAT 1282 and UMAT 1300, “to” UMAT 3010. UMAT 1282 is located in Subarea D while UMAT 1300 and UMAT 3010 are located in Subarea H.
- Cert: 87666 – 154.76 acres “from” UMAT 1295, UMAT 1300, UMAT 1326, and UMAT 54853 “to” UMAT 3010. All wells are located in Subarea H.
- Cert: 87667 – 39.66 acres “from” UMAT 1295, UMAT 1300, UMAT 1326, and UMAT 54853 “to” UMAT 3010. All wells are located in Subarea H.

This temporary transfer has historically been proposed annually by the Echo Irrigation District. Farmland Reserve submitted this year’s transfer, but the proposal is similar and involves multiple additional POAs and changes in POU. All wells involved in the transfer develop the same basalt groundwater source within the same subareas (D & H) of the Stage Gulch Critical Groundwater Area.

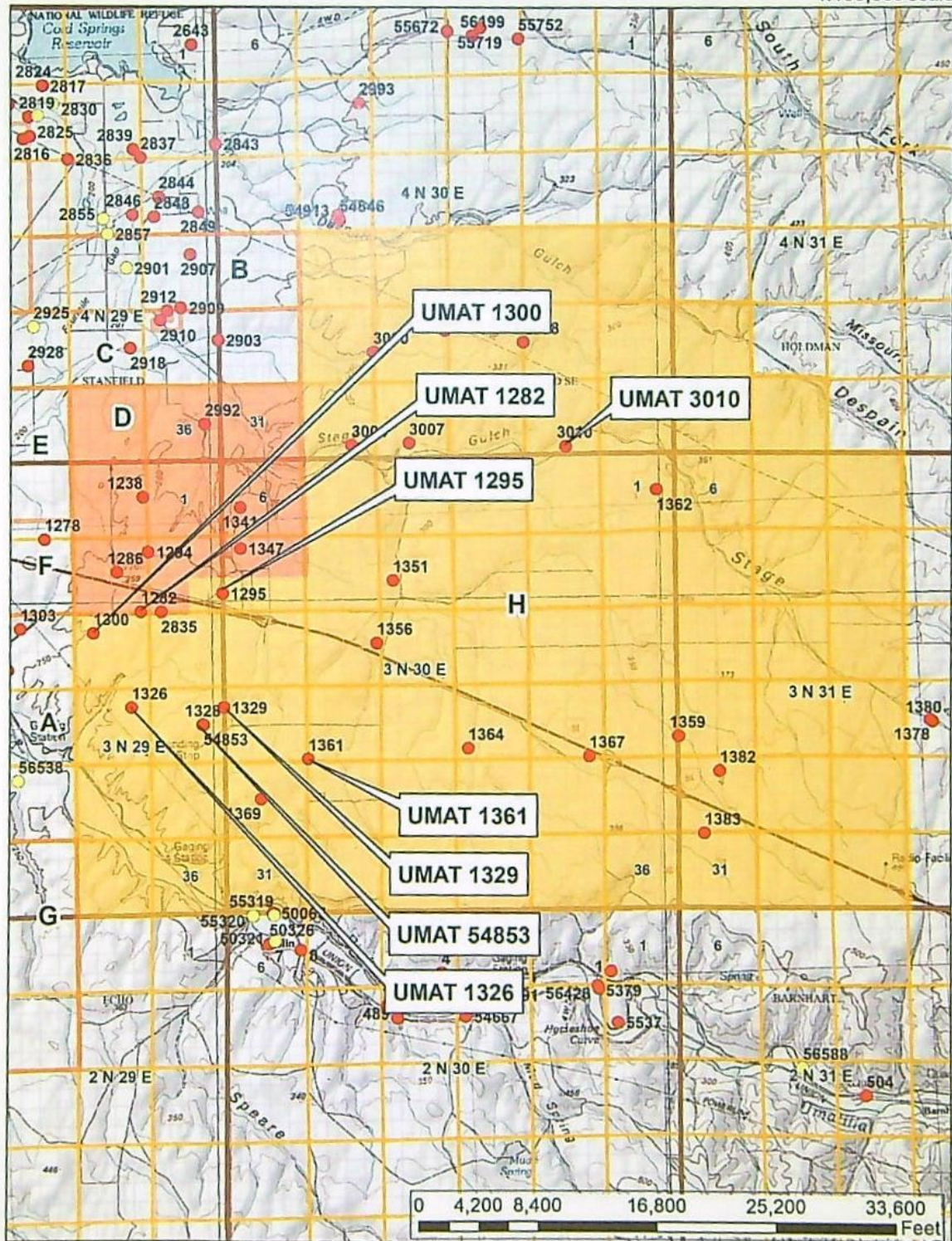
2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: All of the POAs produce from water-bearing zones in the Columbia River Basalt aquifer system and are located in subareas D and H of the Stage Gulch Critical Groundwater Area.
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
 Yes No See above
- b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____
4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
 Yes No Comments: Previous use of proposed wells for similar temporary transfers has not appeared to have caused significant interference with other wells.
- b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
 Yes No If yes, explain: _____
5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
 Yes No Comments: All wells involved in this transfer are currently authorized on existing groundwater rights. No additional impacts to surface water are anticipated.
- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
 Stream: _____ Minimal Significant
 Stream: _____ Minimal Significant
 Provide context for minimal/significant impact: _____
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
 Yes No Comments: _____
7. What conditions or other changes in the application are necessary to address any potential issues identified above: Approval of temporary transfers within the Stage Gulch Critical Groundwater Area complicates the annual task of allocating water to the water users. It is typical that a single flowmeter is installed at each authorized well. Pumping under an approved temporary transfer often results in water authorized under multiple rights of record being recorded by a single flowmeter. Additional flowmeters have been more recently installed and the use reported at 45 individual fields within Hale Farms. However, these meters merely record total water use from all sources, including surface water as well as groundwater. Without additional information, including maps that correlate the water right(s) with each field number, and the specific well(s) which pumped water to these fields, if known, it is problematic to use the data collected at these additional meters. Previous allocations were typically based on rough estimates of the proportion of the total water pumped under each of the rights. It appears that this practice will continue despite the additional metering.

8. Any additional comments: _____

Well Location Map

T-13899, Farmland Reserve

1:100,000 scale



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-13899

Review Due Date:

Applicant Name: Farmland Reserve, Inc

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Greg Silbernagel

Date of Review: 04/11/2022

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:
This area is within the Stage Gulch Critical Area. Defer to groundwater on same source review.

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:

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

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 Water Resources Department

Measurement Condition Information for the Applicant

(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 13899

In order to avoid enlargement of the right or injury to other rights, a totalizing flowmeter will be required to be installed prior to diversion of water, as a condition of this transfer:

at each point of diversion/appropriation (new and existing) OR

at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Greg Silbernagel

District: 5

Address: 116 SE Dorion Avenue

City/State/Zip: Pendleton, Oregon 97801

Phone: 541-969-1677

Email: Greg.M.Silbernagel@water.oregon.gov

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device T-
(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable alternate measurement device:

Watermaster signature

District

Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

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

WATER RESOURCES DEPARTMENT
REQUEST FOR DISTRIBUTION OF FUNDS

TO: Fiscal Services Section

DATE: 2/14/2022

FROM: Ann Reece, Transfer Specialist
Phone: 503-979-3214

SUBJECT: TRANSFER FILE - Request for Payment or Refund

TRANSFER FILE #: T-13899

RECEIPT #: 137356

46 110
0205

Please prepare payment in the amount of \$222.13, made payable to:

Name:

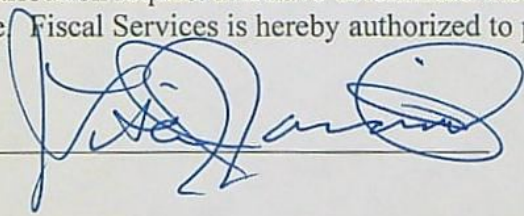
Organization: FARMLAND RESERVE, INC.
Address: 79 SOUTH MAIN STREET, SUITE 1000
City: SALT LAKE CITY, UT 87111

These funds are being paid or refunded as a result of (check one):

- Request for file to be Rejected/Withdrawn/Misfiled
- Excess fees were collected for application/PON
- Payment of PON
- Protest filing fee
- Other:

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature: _____



Date: _____

3-2-2022



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

March 16, 2022

FARMLAND RESERVE, INC.
79 SOUTH MAIN STREET, SUITE 1000
SALT LAKE CITY, UT 87111

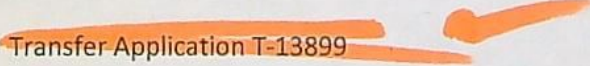
Reference: Transfer Application T-13899

It has come to the attention of the Oregon Water Resources Department that you submitted a check for an amount in excess of the statutory application fee for Transfer Application T-13899.

A refund check in the amount of \$222.13 is currently being processed and will be arriving separately later.

Sincerely,

Ann Reece
District Program Advisor
Transfer and Conservation Section

cc:  Transfer Application T-13899

NATHAN RAU
FARMLAND RESERVE, INC.
PO BOX 2308
PASCO, WA 99302

REECE Ann L * WRD

From: Rau, Nathan <nrau@farmlandreserve.org>
Sent: Monday, February 14, 2022 10:52 AM
To: REECE Ann L * WRD
Subject: RE: refund for T-13899

Nothing really special, just that it is a refund for an overpayment.

I've got people on the lookout for it, so it should go where it needs to go.

From: REECE Ann L * WRD <Ann.L.REECE@water.oregon.gov>
Sent: Monday, February 14, 2022 9:52 AM
To: Rau, Nathan <nrau@farmlandreserve.org>
Subject: RE: refund for T-13899

Any special way you want me to reference it in the letter? A letter will be mailed separate from the refund check. Ann

Please note email address update: Ann.L.Reece@water.oregon.gov

Best Regards,

Ann Reece | District Transfer Program Advisor
725 Summer St NE Suite A | Salem OR 97301 | Cell Phone 503-979-3214



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

******Teleworking *** Mon, Tu, Wed, Thurs 7:00 to 4:45; Fri 7:00 to 11AM**

email: Ann.L.Reece@water.oregon.gov Web: <https://www.oregon.gov/OWRD/>
District Transfer home page: <https://www.oregon.gov/OWRD/programs/WaterRights/Transfers/DistTransfer/Pages/default.aspx>

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

From: Rau, Nathan <nrau@farmlandreserve.org>
Sent: Friday, February 11, 2022 8:50 AM
To: REECE Ann L * WRD <Ann.L.REECE@water.oregon.gov>
Subject: RE: refund for T-13899

Ann,

Will you send it to our corporate office in Salt Lake?

Farmland Reserve, Inc.

79 South Main Street, Suite 1000
Salt Lake City, UT 87111

Thank you!

Nate

From: REECE Ann L * WRD <Ann.L.REECE@water.oregon.gov>
Sent: Friday, February 11, 2022 8:14 AM
To: Rau, Nathan <nrau@farmlandreserve.org>
Subject: refund for T-13899

There is an over payment of overpayment \$222.13 [2326.19 – 2104.06 = 222.13.

Nate,
Is this the correct address for the refund check to be sent to? It won't come from OWRD, it will be sent from the Department of Admin Services (DAS). Thanks, Ann

FARMLAND RESERVE, INC.
PO BOX 2308
PASCO, WA 99302

Please note email address update: Ann.L.Reece@water.oregon.gov

Best Regards,

Ann Reece | District Transfer Program Advisor
725 Summer St NE Suite A | Salem OR 97301 | Cell Phone 503-979-3214



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

******Teleworking *** Mon, Tu, Wed, Thurs 7:00 to 4:45; Fri 7:00 to 11AM**

email: Ann.L.Reece@water.oregon.gov Web: <https://www.oregon.gov/OWRD/>
District Transfer home page: <https://www.oregon.gov/OWRD/programs/WaterRights/Transfers/DistTransfer/Pages/default.aspx>

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

February 2, 2022

FARMLAND RESERVE INC
PO BOX 2308
PASCO, WA 99302

Reference: Application T-13899

On January 31, 2022, OWRD received your water right Temporary Transfer Application. The application was accompanied by \$2326.19. Our receipt number 137356 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.

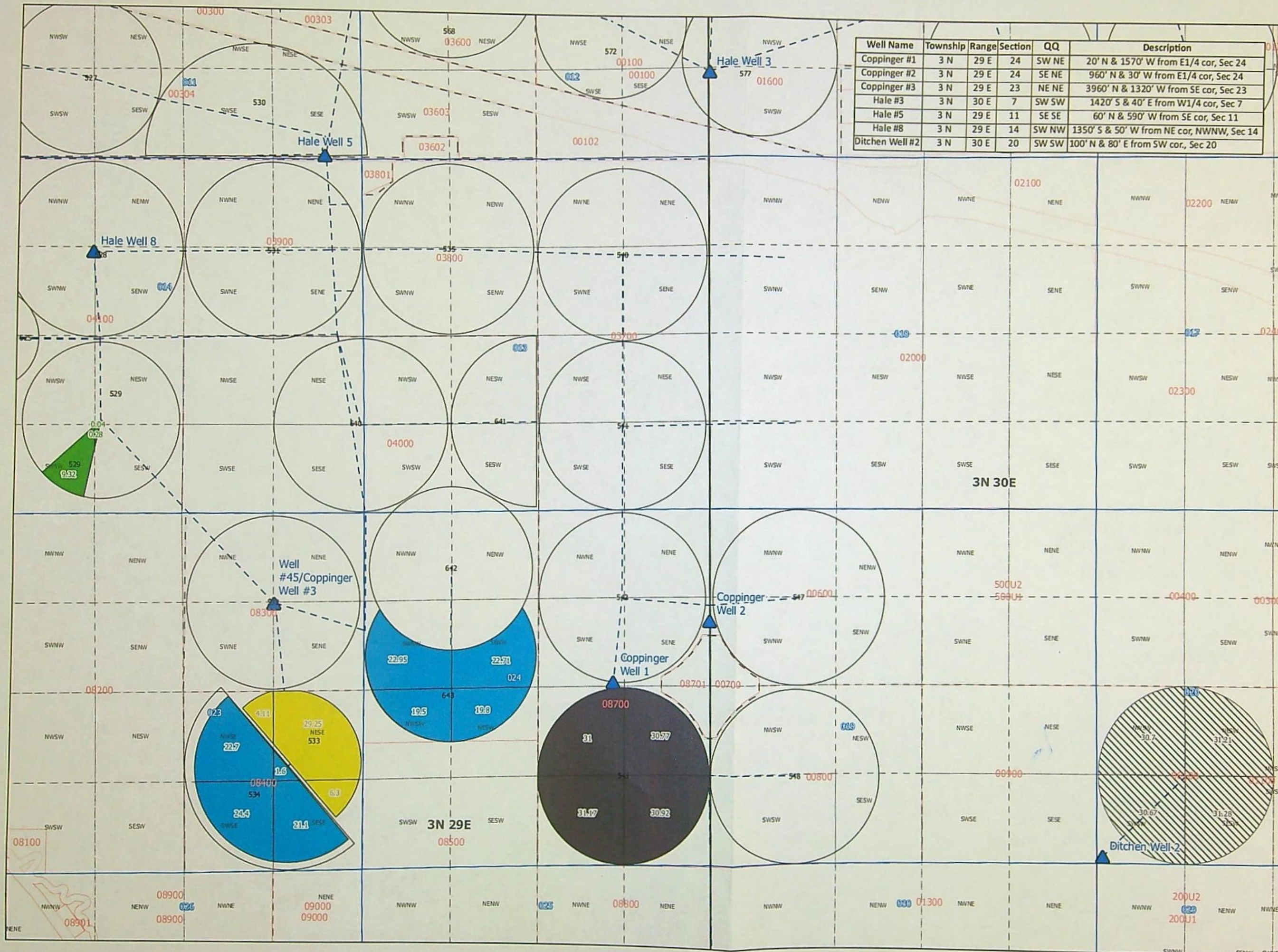
Except as provided under ORS 540.510(3) for municipalities, you may not *temporarily* use water at the new place of use or from the new point of diversion until a final order approving the temporary transfer application has been issued by the Department. Additionally, pursuant to OAR 690-380-8010, the lands from which an irrigation water right is to be temporarily transferred and the land to which the right is to be temporarily transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

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

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

Cc: Watermaster Dist. #5, Gregory M. Silbernagel (via email)
Nathan Rau, Agent
Umatilla County
Echo Irrigation District

Enclosure



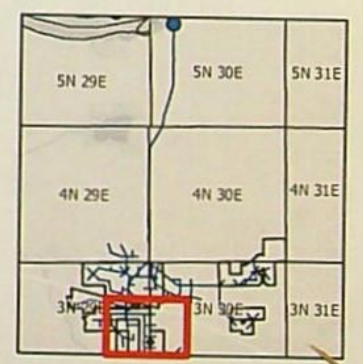
Well Name	Township	Range	Section	QQ	Description
Coppinger #1	3 N	29 E	24	SW NE	20' N & 1570' W from E1/4 cor, Sec 24
Coppinger #2	3 N	29 E	24	SE NE	960' N & 30' W from E1/4 cor, Sec 24
Coppinger #3	3 N	29 E	23	NE NE	3960' N & 1320' W from SE cor, Sec 23
Hale #3	3 N	30 E	7	SW SW	1420' S & 40' E from W1/4 cor, Sec 7
Hale #5	3 N	29 E	11	SE SE	60' N & 590' W from SE cor, Sec 11
Hale #8	3 N	29 E	14	SW NW	1350' S & 50' W from NE cor, NWNW, Sec 14
Ditchen Well #2	3 N	30 E	20	SW SW	100' N & 80' E from SW cor., Sec 20

Farmland Reserve, Inc. Temporary Transfer - Umatilla County

- 80849 "FROM" Lands
- 87666 "FROM" Lands
- Umatilla County Parcels
- Property Boundary
- Irrigated Fields
- Township & Range
- Section
- 1/4-1/4

0 500 1,000 2,000 Feet

1 in. = 1,320 ft.



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 # **137356**

INVOICE # _____

RECEIVED FROM: Farmland Reserve, Inc
BY: _____

APPLICATION _____
PERMIT _____
TRANSFER T-13899

CASH: CHECK:# 35486 OTHER: (IDENTIFY)

TOTAL REC'D \$ 2326.19

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 46116
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 \$ _____ 0204 \$ _____
0205 TRANSFER \$ 2,326.19
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 (FWWRD) \$ _____
0231 HYDRO LICENSE FEE (FWWRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

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

RECEIPT: **137356**

DATED: 1-31-2022 BY: [Signature]

REORDER 905 U.S. PATENT NO. 5536290, 5575508, 5641183, 5785353, 5964364, 6020000

Remittance Advice

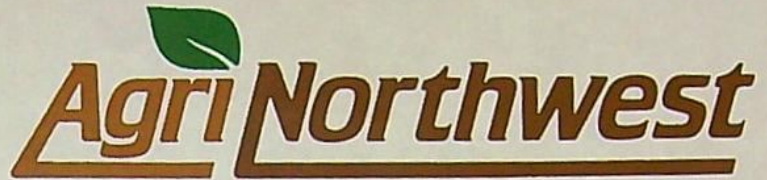
Farmland Reserve

Vendor	Vendor No	Payment Date	Payment No.
Oregon Water Resources	17040	January 25, 2022	35486

Invoice No.	Invoice Comment	Net Payment Amount
01192022-3		1,149.09
01192022-4		352.35
01192022-5		542.58
01192022-6		282.17

RECEIVED
JAN 31 2022
OWRD

RECEIVED
OVER THE COUNTER



P.O. BOX 2308 TRI-CITIES, WA 99302-2308
509-734-1195

January 28, 2022

State of Oregon
Oregon Water Resources Department
Attn: Ann Reece
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266

Re: Temporary Transfer for Certificates 87666, 87667, 80849 & 80850

Ann,

Please find enclosed an Application for Water Right Temporary Transfer, prepared by AgriNorthwest, for four water rights held by Farmland Reserve, Inc (FRI). The purpose of this transfer is to fully utilize the subject water rights on land owned by FRI in Umatilla County. These rights will be layered with the East Improvement District mitigation permits.

The per-acre fee has been calculated at the reduced rate because the application materials and data have been sent in a department approved format.

As always, if you have any questions, please don't hesitate to reach out by phone at (509) 820-3231 or by email at nrau@farmlandreserve.org.

Sincerely,

Nathan Rau
Natural Resources Analyst
Office: (509) 820-3231
Mobile: (385) 522-1730
P.O. Box 2308, Tri-Cities, WA 99302
nrau@farmlandreserve.org

RECEIVED

JAN 31 2022

OWRD

6716 WEST RIO GRANDE
KENNEWICK, WA 99336



P.O. BOX 2308 TRI-CITIES, WA 99302-2308
509-734-1195

January 28, 2022

State of Oregon
Oregon Water Resources Department
Attn: Ann Reece
725 Summer Street NE, Suite A
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As always, if you have any questions, please don't hesitate to reach out by phone at (509) 820-3231 or by email at nrau@farmlandreserve.org.

Sincerely,

Nathan Rau
Natural Resources Analyst
Office: (509) 820-3231
Mobile: (385) 522-1730
P.O. Box 2308, Tri-Cities, WA 99302
nrau@farmlandreserve.org

6716 WEST RIO GRANDE
KENNEWICK, WA 99336

MAR 07 2022

Application for Water Right
Temporary or Drought Temporary Transfer
Part 1 of 5 - Minimum Requirements Checklist



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

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

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- Part 1 - Completed Minimum Requirements Checklist.
Part 2 - Completed Temporary Transfer Application Map Checklist.
Part 3 - Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
Part 4 - Completed Applicant Information and Signature.
Part 5 - Information about Transferred Water Rights: How many water rights are to be transferred? 4 List them here: 87666, 87667, 80849, 80850
Please include a separate Part 5 for each water right. (See instructions on page 6)
For standard Temporary Transfer (one to five years) Begin Year: 2022 End Year: 2026.
Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map.
Completed Evidence of Use Affidavit and supporting documentation.
Current recorded deed for the land from which the authorized place of use is temporarily being moved.
Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
Supplemental Form D - For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
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.
Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)
WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):
Application fee not enclosed/or is insufficient
Map not included or incomplete
Land Use Form not enclosed or incomplete
Additional signature(s) required
Part ___ is incomplete
Other/Explanation
Staff: 503-986-0 Date: / /

Received by OWRD

MAR 07 2022

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

Received by OWRD

MAR 07 2022

Salem, OR

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Farmland Reserve, Inc.			PHONE NO. (509) 734-1195	ADDITIONAL CONTACT NO.
ADDRESS PO Box 2308				FAX NO. (509) 734-1092
CITY Pasco	STATE WA	ZIP 99302	E-MAIL naturalresources@farmlandreserve.org	
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 Nathan Rau			PHONE NO. (509) 820-3231	ADDITIONAL CONTACT NO. (385) 522-1730
ADDRESS (same)				FAX NO.
CITY	STATE	ZIP	E-MAIL nrau@farmlandreserve.org	
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: Irrigate the described lands which do not currently have permanent irrigation rights

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

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

Applicant signature

Patrick Tolman, Vice President for Farmland Reserve, Inc.
Print Name (and Title if applicable)

Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

MAR 07 2022

Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME Echo Irrigation District	ADDRESS PO Box 2308	
CITY Paso	STATE WA	ZIP 99302

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Umatilla County	ADDRESS 216 SE Fourth Street	
CITY Pendleton	STATE OR	ZIP 97801

MAR 07 2022

Part 5 of 5 – Water Right Information

Salem, OR

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

CERTIFICATE # _____

Water Right Certificate # 87666

Description of Water Delivery System

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

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. _____

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)
Coppinger 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 54853	3 N	29 E	24	S W NE		20'N & 1570' W from E1/4 cor, Sec 24
Coppinger 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1326	3 N	29 E	23	SE NE		3,960' N & 1,320' W from SE cor, Sec 23
Hale 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1295	3 N	30 E	7	S W S W		1,420' S & 40' E from W1/4 cor, Sec 7
Hale 8	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1300	3 N	29 E	14	S W N W		1,350' S & 50' W from NE cor NWNW, Sec 14
Lorenzen	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 3010	4 N	30 E	35	S W SE		1,860' S & 2,920' E from W1/4 cor, Sec 35

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

- Place of Use (POU) Appropriation/Well (POA)
- Point of Diversion (POD) Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

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

- Place of Use (POU) Point of Appropriation/Well (POA)
- Character of Use (USE) Additional Point of Appropriation (APOA)
- Point of Diversion (POD) Additional Point of Diversion (APOD)

MAR 07 2022

Salem, OR

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 87666

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																						
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901		
"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
3	N	29	E 23 NE SE	08400		1.6	Irrigation	Coppinger 1&2 Hale 3&8	1974	POU/POD	3	N	30	E 3 NE SW	400		4.49	Irrigation	Lorenzen	1974		
3	N	29	E 23 NW SE	08400		22.7	Irrigation	"	1974	POU/POD	3	N	30	E 3 NW SW	400		10.76	Irrigation	Lorenzen	1974		
3	N	29	E 23 SW SE	08400		24.4	Irrigation	"	1974	POU/POD	3	N	30	E 3 SW SW	400		30.93	Irrigation	Lorenzen	1974		
3	N	29	E 23 SE SE	08400		21.1	Irrigation	"	1974	POU/POD	3	N	30	E 3 SE SW	400		5.28	Irrigation	Lorenzen	1974		
3	N	29	E 24 SE NW	04000		22.71	Irrigation	"	1974	POU/POD	3	N	30	E 3 NE SE	400		15.81	Irrigation	Lorenzen	1974		
3	N	29	E 24 SW NW	04000		22.95	Irrigation	"	1974	POU/POD	3	N	30	E 3 NW SE	400		34.94	Irrigation	Lorenzen	1974		
3	N	29	E 24 NE SW	04000		19.8	Irrigation	"	1974	POU/POD	3	N	30	E 3 SW SE	400		36.38	Irrigation	Lorenzen	1974		
3	N	29	E 24 NW SW	04000		19.5	Irrigation	"	1974	POU/POD	3	N	30	E 3 SE SE	400		16.17	Irrigation	Lorenzen	1974		
						TOTAL ACRES	154.76							TOTAL ACRES	154.76							

Additional remarks: _____

Received by OWRD

MAR 07 2022

Salem, OR

MAR 07 2022

Salem, OR

Water Right Certificate # 87666

For Place of Use Changes

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

paragraph amended per 3/7/2022 email

- o (1) Permit S-54773 is a shoulder water right. The portions of supplemental water from Permit S-54773 associated with portions of Cert. 87666 affected by this transfer will not be transferred or exercised during the duration of the transfer. (2) MCWC Permits: S-55114, S-55263, S-55173 and S-55262 will be used on the "TO" lands. (3) Certificate 87667 is adjacent to Cert. 87666 but the actual places of use do not overlap. (4) Cert. 93872 is also located on the "TO" lands under T-13609. It is a technically deficient right and will remain in place and be used for the duration of T-13609



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

FEB 14 2012

Salem OR

Part 5 of 5 – Water Right Information

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

CERTIFICATE # _____

Water Right Certificate # 87667

Description of Water Delivery System

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

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use: _____

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)
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Coppinger 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1326	3	N	29	E	23	SE	NE		3,960' N & 1,320' W from SE cor, Sec 23
Hale 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1295	3	N	30	E	7	S W	S W		1,420' S & 40' E from W1/4 cor, Sec 7
Hale 8	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1300	3	N	29	E	14	S W	N W		1,350' S & 50' W from NE cor NWNW, Sec 14
Lorenzen	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 3010	4	N	30	E	35	S W	SE		1,860' S & 2,920' E from W1/4 cor, Sec 35

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

- Place of Use (POU) Appropriation/Well (POA)
- Point of Diversion (POD) Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

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

- Place of Use (POU) Point of Appropriation/Well (POA)
- Character of Use (USE) Additional Point of Appropriation (APOA)
- Point of Diversion (POD) Additional Point of Diversion (APOD)

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

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

No

Complete all of Table 2 to describe the portion of the water right to be changed.

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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 Temporary Changes to Water Right Certificate # 87667

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901				
"	"	"	" " " "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901				
3	N	29	E 23 NE SE	08400		29.25	Irrigation	Coppinger 1&3 & Hale 3&8	1974	POU/POD	3	N	30	E 3 NE SW	400		13.56	Irrigation	Lorenzen	1974				
3	N	29	E 23 NW SE	08400		4.11	Irrigation	Coppinger 1&3 & Hale 3&8	1974	POU/POD	3	N	30	E 3 NW SW	400		1.96	Irrigation	Lorenzen	1974				
3	N	29	E 23 SE SE	08400		6.30	Irrigation	Coppinger 1&3 & Hale 3&8	1974	POU/POD	3	N	30	E 3 SW SW	400		3.37	Irrigation	Lorenzen	1974				
											3	N	30	E 3 SE SW	400		20.77	Irrigation	Lorenzen	1974				
						TOTAL ACRES	39.66																TOTAL ACRES	39.66

Additional remarks: _____

Received by OWRD

For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: (1) Permit S-
 ○ (1) MCWC Permits: S-55114, S-55263, S-55173, S-55167 and S-55262 will be used on the "TO" lands. (2) Certificate 87667 is adjacent to Cert. 87666 but the actual places of use do not overlap. (3) Cert. 93872 is also located on the "TO" lands under T-13609. It is a technically deficient right and will remain in place and be used for the duration of T-13609

paragraph amended per 3/7/2022 email



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Part 5 of 5 – Water Right Information

Salem, OR

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

CERTIFICATE # _____

Water Right Certificate # 80849

Description of Water Delivery System

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

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. _____

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)
Coppinger 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 54853	3	N	29	E	24	S W	NE		20' N & 1570' W from E1/4 cor, Sec. 24
Coppinger 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1329	3	N	29	E	24	SE S/B	NE		960' N & 30' W E1/4 cor, Sec 24
Ditchen 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 1361	3	N	30	E	20	S W	S W		100' N & 80' E from SW cor., Sec 20

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

- Place of Use (POU) Appropriation/Well (POA)
- Point of Diversion (POD) Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

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

- Place of Use (POU) Point of Appropriation/Well (POA)
- Character of Use (USE) Additional Point of Appropriation (APOA)
- Point of Diversion (POD) Additional Point of Diversion (APOD)

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

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

FEB 14 2022

Salem, OR

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 80849

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																						
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901		
"	"	"	" " " "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
3	N	29	E 24 NE SE	8700		30.77	Irrigation	COPPINGER 1&2	1975	POU/POD	3	N	30	E 20 NW SW	1000		30.70	Irrigation	DITCHEN 2	1975		
3	N	29	E 24 NW SE	4000		31	Irrigation	COPPINGER 1&2	1975	POU/POD	3	N	30	E 20 NE SW	1000		31.21	Irrigation	DITCHEN 2	1975		
3	N	29	E 24 SW SE	8500		31.17	Irrigation	COPPINGER 1&2	1975	POU/POD	3	N	30	E 20 SW SW	1000		30.67	Irrigation	DITCHEN 2	1975		
3	N	29	E 24 SE SE	8700		30.92	Irrigation	COPPINGER 1&2	1975	POU/POD	3	N	30	E 20 SE SW	1000		31.28	Irrigation	DITCHEN 2	1975		
						TOTAL ACRES	123.86							TOTAL ACRES	123.86							

Additional remarks: _____

MAR 07 2022

Salem, OR

Water Right Certificate # 80849

For Place of Use Changes

Are there other water right certificates, water use permits or ground water registrations

paragraph amended per 3/7/2022 email

- o (1) MCWC Permits S-55114, S-55263, S-55173, S-55167 and S-55262 overlap these lands but will not be used for irrigation for the duration of this transfer. (2) Cert. 84095 is located on the "TO" Lands but does not typically receive groundwater allocation and requires additional water to irrigate. (3) Permit S-54773 is a shoulder water right. The portions of supplemental water from Permit S-54773 associated with portions of Cert. 80849 affected by this transfer will not be transferred or exercised for the duration of this transfer



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

Part 5 of 5 – Water Right Information

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

CERTIFICATE # _____

Received by OWRD

Water Right Certificate # 80850

MAR 07 2022

Description of Water Delivery System

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

Salem, OR

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. _____

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or 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)
Hale 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1282	3	N	29	E	11	SE SE	60' N & 590' W from SE cor, Sec 11
Hale 8	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1300	3	N	29	E	14	S W N W	1,350' S & 50' W from NE cor NWNW, Sec 14
Lorenzen	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 3010	4	N	30	E	35	S W SE	1,860' S & 2,920' E from W1/4 cor, Sec 35

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

- Place of Use (POU) Appropriation/Well (POA)
- Point of Diversion (POD) Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

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

- Place of Use (POU) Point of Appropriation/Well (POA)
- Character of Use (USE) Additional Point of Appropriation (APOA)
- Point of Diversion (POD) Additional Point of Diversion (APOD)

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 80850

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901			
"	"	"	" " " "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901			
3	N	29	E 14 NE SW	4100		0.04	Irrigation	HALE 5&8	1973	POU/POD	3	N	30	E 3 NW SW	4100		9.33	Irrigation	Lorenzen	1973			
3	N	29	E 14 SW SW	4100		9.32	Irrigation	HALE 5&8	1973	POU/POD	3	N	30	E 3 SW SW	4100		0.31	Irrigation	Lorenzen	1973			
3	N	29	E 14 SE SW	4100		0.28	Irrigation	HALE 5&8	1973	POU/POD													
						TOTAL ACRES	9.64							TOTAL ACRES	9.64								

Additional remarks: _____

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MAR 07 2022

Salem, OR

MAR 07 2022

Water Right Certificate # 80850

Salem, OR

For Place of Use Changes

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

paragraph amended per 3/7/2022 email

- o (1) MCWC Permits S-55114, S-55263, S-55173, S-55167 and S-55262 overlap the "TO" lands and will be used for irrigation for the duration of this transfer. (2) Permit S-54773 is a shoulder water right. The supplemental portions of Permit S-54773 associated with portions of Cert. 80850 affected by this transfer will not be transferred or exercised for the duration of this transfer (3) Cert. 93872 is also located on the "TO" lands under T-13609. It is a technically deficient right and will remain in place and be used for the duration of T-13609 (4) Certificate 87111 is adjacent to Cert. 80850 but the actual places of use do not overlap. (5) Certificate 94107 is adjacent to Cert. 80850 but the actual places of use do not overlap. (6) Certificate 87042 is adjacent to Cert. 80850 but the actual places of use do not overlap



The superseding permit for S-54773 shows that the supplemental portion of S-54773 does in fact occupy the same land as the "FROM" lands for 80850.

enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

Supplemental Form D

MAR 11 2022

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

Salem, OR



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

[For transfers submitted under OAR Chapter 690 Division 380]

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

NAME FARMLAND RESERVE, INC.			PHONE (HM)
PHONE (WK) (509) 734-1195	CELL	FAX (509) 734-1092	
ADDRESS PO Box 2308			
CITY PASCO	STATE WA	ZIP 99302	E-MAIL**

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME EAST IMPROVEMENT DISTRICT			PHONE (HM)
PHONE (WK) (541) 314-5500	CELL	FAX	
ADDRESS 495 EAST MAIN STREET			
CITY HERMISTON	STATE OR	ZIP 97838	E-MAIL**

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

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

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

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	87666	YES <input type="checkbox"/>
2.		-	87667	YES <input type="checkbox"/>
3.		-	80849	YES <input type="checkbox"/>
4.		-	80850	YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

MAR 11 2022

Salem, OR

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

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

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

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

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

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

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

COMMENTS OR ADDITIONAL INFORMATION TO AND FROM LANDS IDENTIFIED IN THIS TRANSFER ARE LOCATED WITHIN THE DISTRICT

4. APPLICANT'S SIGNATURE

(1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:

email, phone, postal mail, in person, or other (please specify) _____

(2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

Patrick Tolman

Patrick Tolman

Mar 8, 2022

Applicant Signature

Name (print)

Date

5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

(1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

(2) The district/water supplier consents to the proposed water right transfer application.

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

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

Signature of District Manager /Water Supplier

Name (print), Title

Date




SupplementalFormD_EastImprovementDistrict

Final Audit Report

2022-03-09

Created:	2022-03-08
By:	Nathan Rau (nrau@agreserves.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAJJKMLvFhXeKXvPYa4WCgHu8yJqqU-vlu

"SupplementalFormD_EastImprovementDistrict" History

-  Document created by Nathan Rau (nrau@agreserves.com)
2022-03-08 - 11:34:15 PM GMT
-  Document emailed to Patrick Tolman (ptolman@agreserves.com) for signature
2022-03-08 - 11:35:05 PM GMT
-  Email viewed by Patrick Tolman (ptolman@agreserves.com)
2022-03-09 - 0:31:12 AM GMT
-  Document e-signed by Patrick Tolman (ptolman@agreserves.com)
Signature Date: 2022-03-09 - 0:31:40 AM GMT - Time Source: server
-  Agreement completed.
2022-03-09 - 0:31:40 AM GMT

Received by OWRD

MAR 11 2022

Salem, OR

Land Use Information Form

RECEIVED

JAN 31 2022

OWRD

13899

=

Land Use Information Form



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

Applicant(s): Farmland Reserve, Inc.

Mailing Address: PO Box 2308

City: Pasco

State: WA

Zip Code: 99302

Daytime Phone: (509) 734-1195

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>4N</u>	<u>31E</u>	35	<u>SWSE</u>	4500	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>Irrigation</u>
<u>3N</u>	<u>30E</u>	2	<u>NWNE:</u> <u>SWNE:</u> <u>NWSE:</u> <u>SWSE:</u> <u>SESW:</u> <u>SWSW</u>	00400; 00500	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>Irrigation</u>
<u>3N</u>	<u>30E</u>	3	<u>NESW:</u> <u>NWSW:</u> <u>SWSW:</u> <u>SESW:</u> <u>NESE:</u> <u>NWSE:</u> <u>SWSE:</u> <u>SESE</u>	00500	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>3N</u>	<u>30E</u>	20	<u>NWSW:</u> <u>NESW:</u> <u>SWSW:</u> <u>SESW</u>	6100	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>

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

Umatilla County, near city of Echo

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)

Estimated quantity of water needed: 696.7 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:

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Four groundwater rights (approx. 696.7 ac-ft) will be used on approx. 320 acres to satisfy irrigation requirements



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

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

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

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:  Phone: 541-278-6252 Date: 01/28/2022

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: _____

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Evidence of Use

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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 Washington)
) ss
 County of BENTON)

I, JENS RASMUSSEN, in my capacity as LAND MANAGER, AGRINORTHWEST,

mailing address PO BOX 2308 PASCO, WA 99302

telephone number (509) 222-8621, being first duly sworn depose and say:

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

- Personal observation Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # 80849, 80850, 87666 & 87667; **OR**

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

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

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(continues on reverse side)

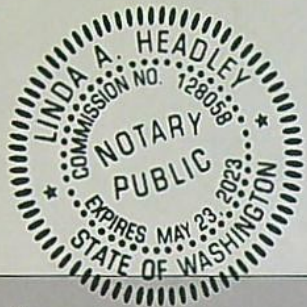
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS

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

[Signature]
Signature of Affiant

1-27-22
Date

Signed and sworn to (or affirmed) before me this 27th day of January, 2022



Linda A. Headley
Notary Public for Oregon WA

My Commission Expires: 5/23/23

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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Echo Farm Fields - Evidence of Use:

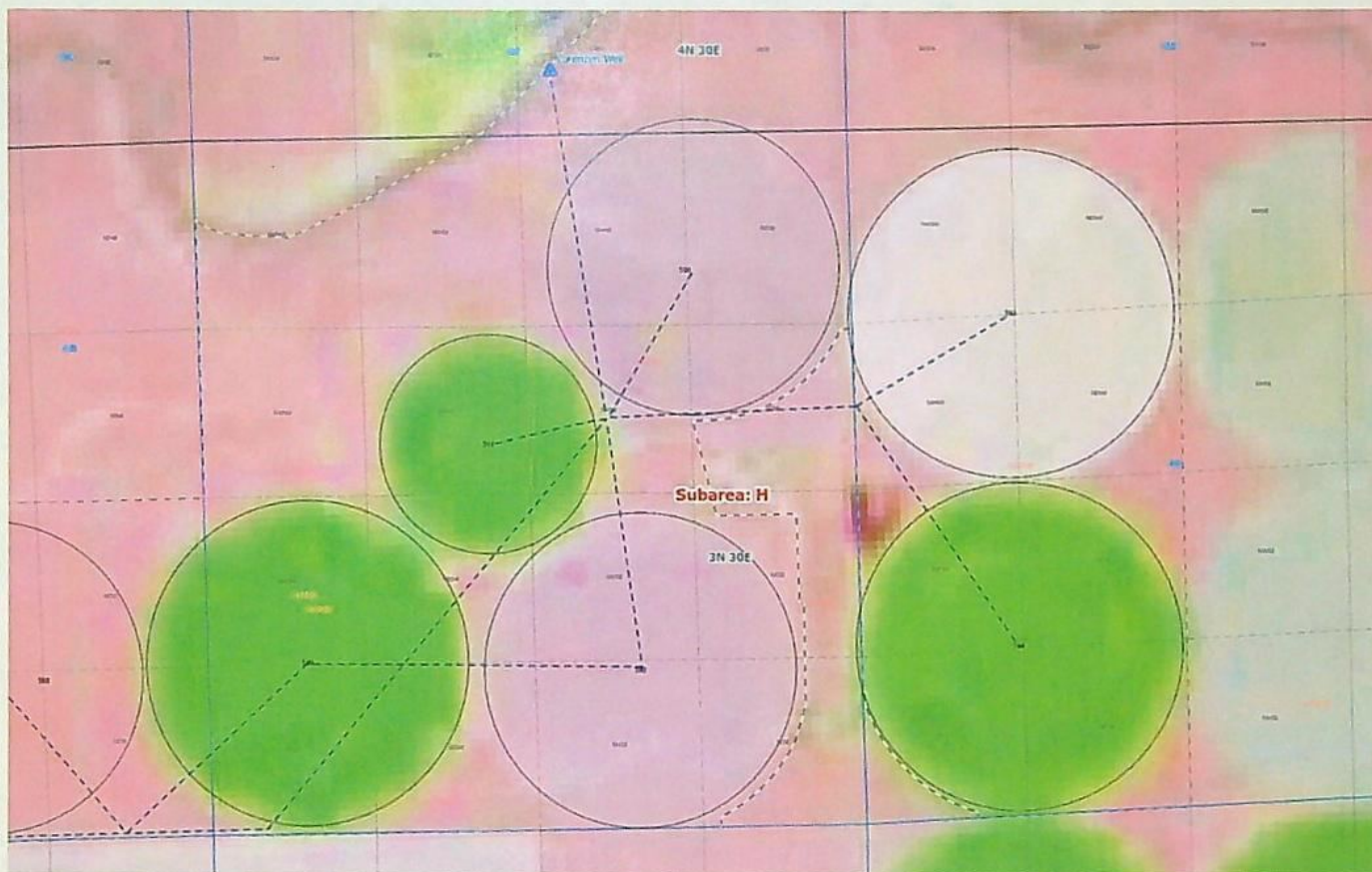
80849, 87666 & 87667 (T-13136):

ID: LIC_T11TLL_A017871_20200807T185448

Acquisition Date: 2020/08/07

Platform: SENTINEL-2B

Tile Number: T11TLL



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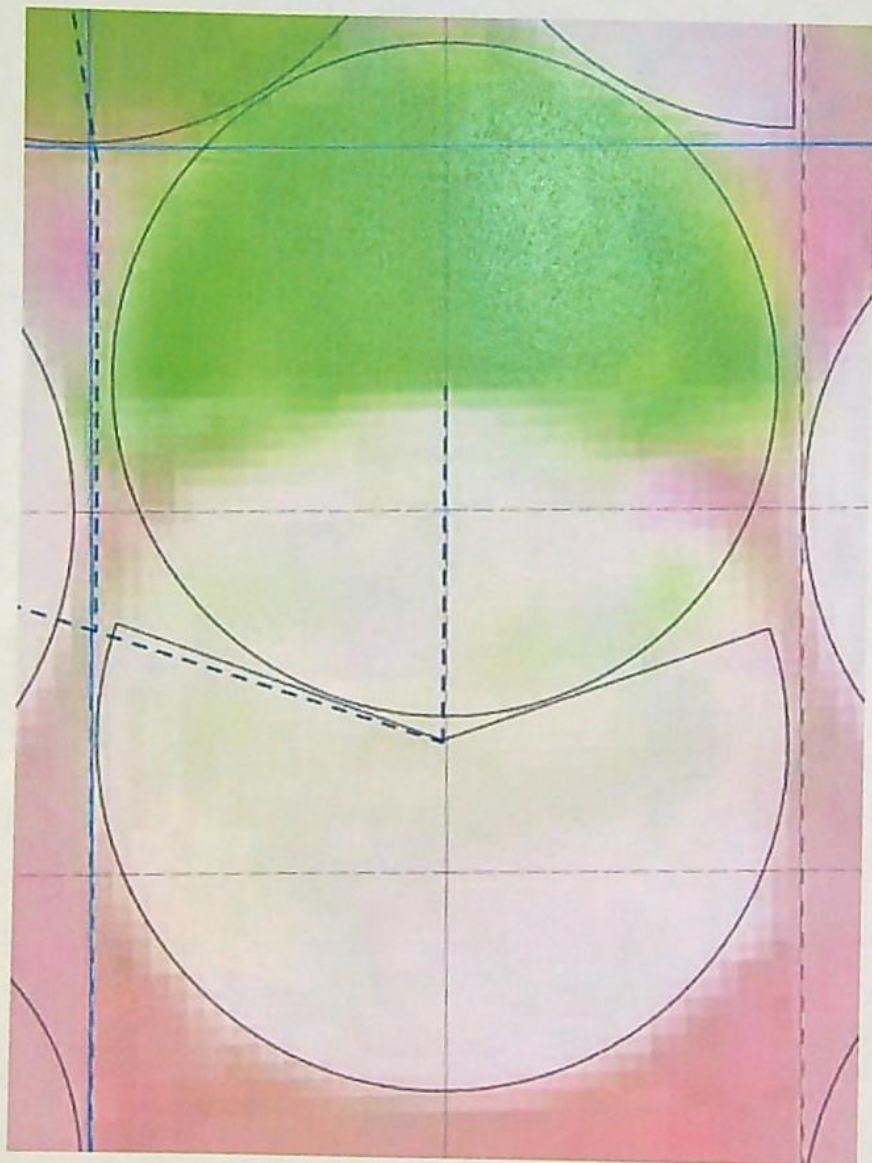
80850:

ID: LIC_T11TLL_A017871_20200807T185448

Acquisition Date: 2020/08/07

Platform: SENTINEL-2B

Tile Number: T11TLL



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Supplemental Form D

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Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



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

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

NAME FARMLAND RESERVE, INC.		PHONE (HM)	
PHONE (WK) (509) 734-1195	CELL	FAX (509) 734-1092	
ADDRESS PO Box 2308			
CITY PASCO	STATE WA	ZIP 99302	E-MAIL**

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME ECHO IRRIGATION DISTRICT		PHONE (HM)	
PHONE (WK) (541) 289-5201	CELL	FAX	
ADDRESS PO Box 2308			
CITY PASCO	STATE WA	ZIP 99302	E-MAIL** ECHOIRRIGATIONDISTRICT@GMAIL.COM

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

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

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

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	87666	YES <input type="checkbox"/>
2.		-	87667	YES <input type="checkbox"/>
3.		-	80849	YES <input type="checkbox"/>
4.		-	80850	YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

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*Bureau of Reclamation

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

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

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

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

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

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

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

COMMENTS OR ADDITIONAL INFORMATION TO AND FROM LANDS IDENTIFIED IN THIS TRANSFER ARE LOCATED WITHIN THE DISTRICT

4. APPLICANT'S SIGNATURE

(1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:
 email, phone, postal mail, in person, or other (please specify) _____

(2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

Pat Tolman Pat Tolman 1/28/22
Applicant Signature Name (print) Date

5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

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The district/water supplier certifies the following:

(1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

(2) The district/water supplier consents to the proposed water right transfer application.

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

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

Signature of District Manager /Water Supplier Name (print), Title Date 13899

Land Deed

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— 3 —

AFTER RECORDING RETURN TO:


Kirton McConkie
Attn: Tyler Buswell
50 East South Temple
Salt Lake City, Utah 84111

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

Farmland Reserve, Inc.
Attn: Rex Burgener
79 South Main Street, Suite 1000
Salt Lake City, Utah 84111

FATCO NCS-804179

MORROW COUNTY, OREGON	2016-39221
D-WD	11/09/2016 01:29:36 PM
Cnt=1 Str=0 TC	\$241.00
\$200.00 \$11.00 \$10.00 \$20.00	
I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Bobbi Childers - County Clerk	



SPECIAL WARRANTY DEED

HALE FARMS, L.L.C., an Oregon limited liability company, with an address at 73120 Hwy 207, Echo, Oregon 97826, together with **H4 FARMS, INC.**, an Oregon corporation, with an address at 73120 Hwy 207, Echo, Oregon 97826 (collectively as "**Grantor**"), conveys and specially warrants to **FARMLAND RESERVE, INC.**, a Utah nonprofit corporation ("**Grantee**"), with an address at 79 S. Main Street, Suite 1000, Salt Lake City, Utah 84111, the real property described on Exhibit A attached hereto (the "**Property**"), free of liens and encumbrances created or suffered by Grantor, except as set forth on (i) Exhibit B for the real property located in Umatilla County, and (ii) Exhibit C for the real property located in Morrow County, both attached hereto.

The true consideration for this conveyance is \$53,422,316.00.

TOGETHER WITH (i) all buildings located on the Property, (ii) all roads, bridges and other improvements located on the Property, (iii) all water rights and other rights to the use of water owned by Grantor appurtenant to or used in connection with the Property, (iv) surface and subsurface rights of the Property owned by Grantor, including, without limitation, all appurtenant mineral, gas, oil, and geothermal rights, and (v) all other privileges, appurtenances, easements in respect thereof and other rights appertaining to the Property.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE

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simplifile

ID: 2016-39221
County: Morrow
Date: 11/9/2016 Time: 1:29:36 PM

AFTER RECORDING RETURN TO:

Kirton McConkie
Attn: Tyler Buswell
50 East South Temple
Salt Lake City, Utah 84111

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

Farmland Reserve, Inc.
Attn: Rex Burgener
79 South Main Street, Suite 1000
Salt Lake City, Utah 84111

FATCO NCS 804179

SPECIAL WARRANTY DEED

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BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE

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UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

[Signature and Acknowledgement to Follow]

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DATED effective as of Nov. 8, 2016.

GRANTOR:

HALE FARMS, L.L.C.,
an Oregon limited liability company

By: _____
Name: ROBERT HALE
Its: OPERATING MANAGER

STATE OF OREGON)
)
COUNTY OF Umatilla)

On this 8 day of November, 2016, before me, the undersigned, a Notary Public in and for the state of Oregon, duly commissioned and sworn, personally appeared Robert Hale, known to be the Operating Manager of Hale Farms, L.L.C., an Oregon limited liability company, that executed the foregoing instrument, and acknowledged the instrument to be the free and voluntary act and deed of that company for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute the instrument on behalf of the company.

WITNESS my hand and official seal hereto affixed the day and year first above written.



Print Name: Christine Sabri
NOTARY PUBLIC for the State of Oregon
My Commission Expires: JANUARY 30, 2018

(Signature and Acknowledgement to follow)

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GRANTOR:

H4 FARMS, INC.,
an Oregon corporation

By: _____
Name: ROBERT YAGE
Its: President

STATE OF OREGON)
)
COUNTY OF Wasatch)

On this 8 day of November, 2016, before me, the undersigned, a Notary Public in and for the state of Oregon, duly commissioned and sworn, personally appeared Robert Yage, known to be the President of H4 FARMS, INC., an Oregon corporation, that executed the foregoing instrument, and acknowledged the instrument to be the free and voluntary act and deed of that company for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute the instrument on behalf of the company.

WITNESS my hand and official seal hereto affixed the day and year first above written.



Christine Sabri
Print Name: Christine Sabri
NOTARY PUBLIC for the State of Oregon
My Commission Expires: January 30, 2018

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EXHIBIT A

(Legal Description of the Property)

HALE FARMS, L.L.C., AN OREGON LIMITED LIABILITY COMPANY, AS GRANTOR OF PARCEL I, TRACTS 1 THROUGH 10, 12 THROUGH 29, 31 THROUGH 35, AND 38, AND H4 FARMS, INC., AN OREGON CORPORATION, AS GRANTOR OF PARCEL I, TRACTS 39 THROUGH 42, 45 AND ALL OF PARCEL II OF THE BELOW DESCRIBED PROPERTY.

PARCEL I (Umatilla County, Oregon):

TRACT 1

TOWNSHIP 2 NORTH, RANGE 27, E.W.M.

SECTION 1: ALL THAT PORTION OF THE EAST HALF WHICH LIES EASTERLY OF STATE HIGHWAY 207.

EXCEPTING THEREFROM THOSE TRACTS OF LANDS CONVEYED TO THE STATE OF OREGON BY DEEDS RECORDED IN BOOK 205, PAGE 138 AND BOOK 283, PAGE 589, DEED RECORDS.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 2

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 5: ALL.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 3

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 6: ALL THAT PORTION OF THE NORTH HALF WHICH LIES EASTERLY OF STATE HIGHWAY 207.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND

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HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 4

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 7: NORTHEAST QUARTER.

EXCEPTING THEREFROM THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF -WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 5

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 8: EAST HALF OF THE NORTHWEST QUARTER.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 6

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 8: WEST HALF OF THE NORTHWEST QUARTER.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 7

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 8: NORTHEAST QUARTER.

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EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD
RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 8

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 8: EAST HALF OF THE SOUTHWEST QUARTER.
SOUTHEAST QUARTER.

SECTION 17: EAST HALF OF THE NORTHWEST QUARTER.
SOUTHWEST QUARTER.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 9

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 8: WEST HALF OF THE SOUTHWEST QUARTER.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 10

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

SECTION 17: WEST HALF OF THE NORTHWEST QUARTER.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 12

PARCEL 1, PARTITION PLAT NO. 2005-27 (INSTRUMENT NO. 2005-4900419, OFFICE
OF UMATILLA COUNTY RECORDS) LOCATED IN THE SOUTH HALF OF SECTION 31,
TOWNSHIP 3 NORTH, RANGE 28, EAST OF THE WILLAMETTE MERIDIAN,
UMATILLA COUNTY, OREGON;

EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS
BEGINNING AT THE MOST NORTHWESTERLY CORNER OF PARCEL 2, SAID
PARTITION PLAT NO. 2005-27; THENCE NORTH 25°12'28" EAST ALONG THE EAST
RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 207 (WHICH IS ALSO THE WEST LINE
OF SAID PARCEL 1), A DISTANCE OF 520.26 FEET; THENCE SOUTH 64°47'32" EAST

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AND PERPENDICULAR TO THE EAST RIGHT-OF-WAY LINE OF SAID HIGHWAY, A DISTANCE OF 300 FEET; THENCE SOUTH 05°25'26" EAST, A DISTANCE OF 611.12 FEET; THENCE SOUTH 25°12'28" WEST AND PARALLEL WITH THE WEST LINE OF SAID PARCEL 2, A DISTANCE OF 325 FEET; THENCE ALONG THE ARC OF A 1370 FOOT RADIUS CURVE LEFT (LONG CHORD BEARS SOUTH 81°22'32" WEST, 72.23 FEET) A DISTANCE OF 72.24 FEET TO A POINT ON THE EAST LINE OF PARCEL 3, SAID PARTITION PLAT NO. 2005-27; THENCE NORTH 25°12'28" EAST ALONG THE EAST LINE OF SAID PARCEL 3, A DISTANCE OF 103.68 FEET TO THE MOST SOUTHEASTERLY CORNER OF SAID PARCEL 2; THENCE NORTH 25°12'28" EAST ALONG THE EAST LINE OF SAID PARCEL 2, A DISTANCE OF 197.82 FEET TO THE MOST NORTHEASTERLY CORNER OF SAID PARCEL 2; THENCE NORTH 31°57'18" WEST ALONG THE NORTH LINE OF SAID PARCEL 2, A DISTANCE OF 127.80 FEET TO AN ANGLE POINT; THENCE NORTH 64°47'32" WEST AND CONTINUING ALONG THE NORTH LINE OF SAID PARCEL 2, A DISTANCE OF 444 FEET TO THE POINT OF BEGINNING.

TRACT 13

TOWNSHIP 3 NORTH, RANGE 28, E.W.M.

SECTION 32: SOUTH HALF.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 14

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 1: ALL.

SECTION 2: EAST HALF.

SECTION 12: NORTHEAST QUARTER.

SECTION 12: ALL THAT PORTION OF THE SOUTHEAST QUARTER WHICH LIES NORTHERLY OF U.S. INTERSTATE 84.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE STATE HIGHWAY RIGHT-OF-WAY, INCLUDING BUT NOT LIMITED TO THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON BY DEED RECORDED IN BOOK 293, PAGE 721, DEED RECORDS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

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TRACT 15

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 11: ALL THAT PORTION WHICH LIES NORTHERLY OF U.S. INTERSTATE 84.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE HIGHWAY RIGHT-OF-WAY, INCLUDING BUT NOT LIMITED TO THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON BY DEED RECORDED IN BOOK 130, PAGE 587, DEED RECORDS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 16

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 11: ALL THAT PORTION OF THE SOUTH HALF WHICH LIES SOUTHERLY OF U. S, HIGHWAY NO, 30 AND INTERSTATE I-84.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE HIGHWAY RIGHT-OF-WAY, INCLUDING BUT NOT LIMITED TO THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON BY DEED RECORDED IN BOOK 130, PAGE 587, DEED RECORDS.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 17

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 9: ALL THAT PORTION OF THE NORTHEAST QUARTER WHICH LIES SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30 AND INTERSTATE 84-N.

SECTION 10: ALL THAT PORTION WHICH LIES SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30 AND INTERSTATE 84-N.

SECTION 15: NORTH HALF.

EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS

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BEGINNING AT A POINT WHICH LIES 1,320 FEET DISTANT SOUTHERLY AND 736.56 FEET DISTANT EASTERLY FROM THE NORTHWEST CORNER OF SAID SECTION 15; THENCE NORTH 30° EAST, A DISTANCE OF 660 FEET; THENCE NORTH 61° EAST, A DISTANCE OF 264 FEET; THENCE SOUTH 47° EAST, A DISTANCE OF 531.30 FEET TO THE ECHO-PENDLETON COUNTY ROAD; THENCE SOUTH 55°30' WEST ALONG SAID COUNTY ROAD, A DISTANCE OF 586.08 FEET; THENCE WESTERLY ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 462 FEET TO THE POINT OF BEGINNING.

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

ALSO EXCEPTING THEREFROM THAT TRACT OF LAND LOCATED IN THE NORTH HALF OF SAID SECTION 15 AND BEING DESCRIBED AS BEGINNING AT A POINT WHERE THE SECTION LINES BETWEEN SECTIONS 15 AND 16 INTERSECTS WITH THE SOUTH RIGHT- OF-WAY LINE OF THE COUNTY ROAD; THENCE IN A NORTHEASTERLY DIRECTION ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD, A DISTANCE OF 343 FEET TO THE EASTERLY FENCE LINE OF THE TRACT; THENCE SOUTHERLY ALONG SAID EASTERLY FENCE LINE, A DISTANCE OF 371 FEET, MORE OR LESS, TO THE FENCE CORNER; THENCE WESTERLY ALONG THE SOUTHERLY FENCE LINE OF SAID TRACT, A DISTANCE OF 336 FEET, MORE OR LESS, TO ITS INTERSECTION WITH THE SECTION LINE BETWEEN SAID SECTIONS 15 AND 16; THENCE NORTHERLY, ALONG THE SECTION LINE BETWEEN SAID SECTIONS 15 AND 16, A DISTANCE OF 210 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 15 WHICH LIES SOUTHERLY OF HIGHWAY NO. 320.

ALSO EXCEPTING THEREFROM THAT PORTION OF THE WEST 280 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15 WHICH LIES SOUTHERLY OF HIGHWAY NO. 320.

ALSO EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 15; THENCE SOUTHERLY, A DISTANCE OF 1,320 FEET TO A POINT LOCATED ON THE EAST LINE OF SAID SECTION 15; THENCE WESTERLY AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 15, A DISTANCE OF 2,360 FEET; THENCE NORTHERLY AND PARALLEL TO THE EAST LINE OF SAID SECTION 15, A DISTANCE OF 1,210 FEET TO A POINT LOCATED ON THE SOUTH SIDE OF HIGHWAY NO. 320; THENCE GENERALLY EASTERLY ALONG SAID HIGHWAY TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS BEGINNING AT A POINT WHICH LIES 310 FEET DISTANT NORTHERLY AND 2,467.5 FEET DISTANT EASTERLY FROM THE SOUTHWEST CORNER OF SAID SECTION 10; THENCE NORTH 67°43' EAST, A DISTANCE OF 679.70 FEET; THENCE SOUTHERLY, A

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DISTANCE OF 524.90 FEET TO A POINT LOCATED ON THE NORTH LINE OF COUNTY ROAD NO. 770; THENCE SOUTH 89° 45' WEST ALONG THE NORTH LINE OF SAID COUNTY ROAD, A DISTANCE OF 160 FEET; THENCE WESTERLY ALONG THE NORTH LINE OF SAID COUNTY ROAD, A DISTANCE OF 461.70 FEET; THENCE SOUTH 48°52' WEST ALONG THE NORTH LINE OF SAID COUNTY ROAD, A DISTANCE OF 61.50 FEET; THENCE NORTHERLY, A DISTANCE OF 467.30 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT TRACT OF LAND CONVEYED TO BRAD E. WILLIAMS, ETUX, BY DEED RECORDED IN INSTRUMENT NO. 2005-4830487, OFFICE OF UMATILLA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 18

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 12: ALL THAT PORTION OF THE WEST HALF WHICH LIES NORTHERLY OF U.S. INTERSTATE 84.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE HIGHWAY RIGHT-OF-WAY, INCLUDING BUT NOT LIMITED TO THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON BY DEED RECORDED IN BOOK 293, PAGE 721, DEED RECORDS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 19

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 12: ALL THAT PORTION OF THE SOUTHWEST QUARTER WHICH LIES SOUTHERLY OF U.S. HIGHWAY NO. 30 AND INTERSTATE I-84.

EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 575 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTHERLY AND PARALLEL WITH THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 330 FEET; THENCE EASTERLY AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 825 FEET; THENCE SOUTHERLY AND PARALLEL TO THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 330 FEET TO

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A POINT LOCATED ON THE SOUTH LINE OF SAID SECTION 12; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 825 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 20

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 13: NORTHWEST QUARTER.

EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 13; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 450 FEET; THENCE SOUTHERLY AND PARALLEL WITH THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 330 FEET; THENCE SOUTHWESTERLY TO A POINT WHICH MEASURES 200 FEET DISTANT EASTERLY FROM THE WEST LINE OF SAID SECTION 13 (WHEN MEASURED AT RIGHT ANGLES THERETO) AND 530 FEET DISTANT SOUTHERLY FROM THE NORTH LINE OF SAID SECTION 13 (WHEN MEASURED AT RIGHT ANGLES THERETO); THENCE WESTERLY, A DISTANCE OF 200 FEET TO THE WEST LINE OF SAID SECTION 13; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 530 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 21

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 14: NORTHEAST QUARTER.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

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TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 14: WEST HALF.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 23

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 23: SOUTHEAST QUARTER.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 24

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 9: ALL THAT PORTION OF THE SOUTHWEST QUARTER OF SAID SECTION 9 WHICH LIES EASTERLY OF THE OLD OREGON TRAIL HIGHWAY (AS THE SAME WAS LOCATED ON MARCH 5, 1949) AND NORTHERLY AND EASTERLY OF THE U.S.R.S. FEED CANAL AS DESCRIBED IN DEED RECORDED IN BOOK 78, PAGE 341, DEED RECORDS AND WESTERLY OF THAT TRACT OF LAND CONVEYED TO H.B. MCCORMICK, ETUX, RECORDED IN BOOK 123, PAGE 214, DEED RECORDS. EXCEPTING ALL THAT PORTION LYING WESTERLY OF RELOCATED COUNTY ROAD. ALSO EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE STATE HIGHWAY RIGHT-OF-WAY, INCLUDING BUT NOT LIMITED TO THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, BY DEED RECORDED IN INSTRUMENT NO. 2002-4210394, OFFICE OF UMATILLA COUNTY RECORDS.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 25

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 9: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 9; THENCE WESTERLY, A DISTANCE OF 705 FEET TO A POINT LOCATED ON THE EAST RIGHT -OF -WAY LINE OF THE U.S.R.S. 1899

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CANAL; THENCE NORTH 15°50' EAST ALONG THE EAST RIGHT- OF-WAY LINE OF SAID 0 CANAL, A DISTANCE OF 96 FEET; THENCE NORTH 45° 25' EAST AND CONTINUING ALONG THE EAST RIGHT- OF-WAY LINE OF SAID CANAL, A DISTANCE OF 374 FEET; THENCE NORTH 62°20' WEST AND CONTINUING ALONG THE EAST RIGHT-OF -WAY LINE OF SAID CANAL, A DISTANCE OF 500 FEET; THENCE NORTH 02°50' WEST AND CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID CANAL, A DISTANCE OF 11 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE COUNTY ROAD; THENCE NORTH 19° 50' EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD, A DISTANCE OF 131 FEET; THENCE NORTH 05° 18' WEST AND CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD, A DISTANCE OF 700 FEET; THENCE NORTH 04°28 ' WEST AND CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD, A DISTANCE OF 200 FEET; THENCE NORTH 09°12' EAST AND CONTINUING ALONG THE EAST RIGHT- OF -WAY LINE OF SAID COUNTY ROAD, A DISTANCE OF 222 FEET; THENCE NORTH 28°22' EAST AND CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD, A DISTANCE OF 815 FEET TO THE EAST-WEST CENTERLINE OF SAID SECTION 9; THENCE EASTERLY, A DISTANCE OF 3,102 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 9; THENCE SOUTHERLY, A DISTANCE OF 2,640 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE WESTERLY, A DISTANCE OF 2,640 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING A RIGHT-OF-WAY FOR THE FURNISH DITCH COMPANY, BEING A STRIP OF LAND 100 FEET IN WIDTH AND A STRIP OF LAND 50 FEET IN WIDTH DESCRIBED IN MICROFILM REEL 100, PAGE 1114, OFFICE OF UMATILLA COUNTY RECORDS.

TOWNSHIP 3 NORTH, RANGE 29, E. W. M.

SECTION 9: ALSO EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 9; THENCE SOUTH 89° 35'33" WEST ALONG THE SOUTH LINE OF SAID SECTION 9, A DISTANCE OF 287.08 FEET; THENCE NORTH 04°35'55" EAST, A DISTANCE OF 29.68 FEET TO A POINT LOCATED ON THE EXISTING FENCE; THENCE NORTH 89 17'07" EAST ALONG THE EXISTING FENCE, A DISTANCE OF 284.49 FEET; THENCE SOUTH 00°24'17" EAST AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 9, A DISTANCE OF 31. 09 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS BEGINNING AT A POINT LOCATED ON THE NORTH LINE OF SECTION 16, SAID TOWNSHIP 3 NORTH, RANGE 29, SAID POINT BEING NORTH 89°35'33" EAST, A DISTANCE OF 484.95 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 16; THENCE SOUTH 23°55' WEST, A DISTANCE OF 572.58 FEET; THENCE NORTH 33°38'02" EAST, A DISTANCE OF 6.19 FEET; THENCE NORTH 20°05'21 " EAST, A DISTANCE OF 102.56 FEET; THENCE NORTH 66°12' 10" EAST, A DISTANCE OF 60.36 FEET; THENCE NORTH 24°04'47" EAST, A DISTANCE OF 440.66 FEET; THENCE

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NORTH 26°46'52" WEST, A DISTANCE OF 40.47 FEET; THENCE SOUTH 89°17'07" WEST, A DISTANCE OF 38.20 FEET; THENCE SOUTH 00°24'17" EAST, A DISTANCE OF 33.69 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT TRACT OF LAND CONVEYED TO ECHO CEMETERY MAINTENANCE DISTRICT BY DEED RECORDED IN BOOK 343, PAGE 62, DEED RECORDS.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 26

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 15: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 15; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SECTION 15, A DISTANCE OF 1,320 FEET; THENCE WESTERLY AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 15, A DISTANCE OF 2,360 FEET, MORE OR LESS, TO A POINT WHICH LIES 280 FEET DISTANT EASTERLY FROM THE WEST LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 15; THENCE NORTHERLY AND PARALLEL WITH THE EAST LINE OF SAID SECTION 15, A DISTANCE OF 1,210 FEET, MORE OR LESS, TO THE SOUTH LINE OF COUNTY ROAD NO. 770; THENCE EASTERLY ALONG THE SOUTH LINE OF THE SAID COUNTY ROAD TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 27

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

SECTION 15: SOUTHEAST QUARTER.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 28

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

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SECTION 15: ALL THAT PORTION OF THE SOUTHWEST QUARTER BEING DESCRIBED AS BEGINNING AT A POINT LOCATED ON THE SOUTH LINE OF SAID SECTION 15, SAID POINT BEING LOCATED 420 FEET DISTANT EASTERLY FROM THE SOUTHWEST CORNER OF SAID SECTION 15; THENCE NORTH 03°30' WEST, A DISTANCE OF 490 FEET; THENCE NORTH 00°30' EAST, A DISTANCE OF 700 FEET; THENCE NORTH 23°45' EAST, A DISTANCE OF 550 FEET; THENCE NORTH 18°15' EAST, A DISTANCE OF 50 FEET; THENCE NORTH 13°45' WEST, A DISTANCE OF 150 FEET; THENCE NORTH 48°30' WEST, A DISTANCE OF 93.60 FEET; THENCE NORTH 12°00' WEST, A DISTANCE OF 115 FEET; THENCE NORTH 30°30' WEST, A DISTANCE OF 200 FEET; THENCE NORTH 03°00' WEST, A DISTANCE OF 100 FEET; THENCE NORTHERLY, A DISTANCE OF 306.70 FEET TO A POINT LOCATED ON THE EAST-WEST CENTERLINE OF SAID SECTION 15, SAID POINT BEING LOCATED 360.07 FEET DISTANT EASTERLY FROM THE QUARTER SECTION CORNER ON THE WEST LINE OF SAID SECTION 15; THENCE EASTERLY ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 15 TO THE CENTER OF SAID SECTION 15; THENCE SOUTHERLY ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 15 TO THE QUARTER SECTION CORNER ON THE SOUTH LINE OF SAID SECTION 15; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 15 TO THE POINT OF BEGINNING.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 29

TOWNSHIP 3 NORTH, RANGE 30, E.W.M.

SECTION 1: WEST HALF.

EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 1; THENCE SOUTH 00°56'32" EAST ALONG THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 1,703.56 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 09°11'11" EAST, A DISTANCE OF 143.77 FEET; THENCE ALONG A 1375.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD OF WHICH BEARS SOUTH 46°32'27" EAST, 1,218.84 FEET) A DISTANCE OF 1,262.75 FEET; THENCE SOUTH 02°07'17" EAST, A DISTANCE OF 56.78 FEET TO THE SOUTH LINE OF SAID SECTION 1; THENCE SOUTH 87°59'29" WEST ALONG THE SOUTH LINE OF SAID SECTION 1, A DISTANCE OF 892.75 FEET; THENCE NORTH 00°56'32" WEST ALONG THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 1,068.46 FEET TO THE POINT OF BEGINNING.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 31

TOWNSHIP 3 NORTH, RANGE 30, E.W.M.

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SECTION 2: EAST HALF.

EXCEPTING THEREFROM THAT TRACT OF LAND BEING DESCRIBED AS BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 2; THENCE SOUTH 00°56'32" EAST ALONG THE EAST LINE OF SAID SECTION 2, A DISTANCE OF 2,772.02 FEET; THENCE SOUTH 89°48'25" WEST ALONG THE SOUTH LINE OF SAID SECTION 2, A DISTANCE OF 1,183 FEET; THENCE NORTH 00 09'34" WEST, A DISTANCE OF 86.60 FEET; THENCE ALONG A 1320.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD OF WHICH BEARS NORTH 45°32'56" EAST, 858.61 FEET) A DISTANCE OF 874.51 FEET; THENCE NORTH 17°37'35" EAST, A DISTANCE OF 292.89 FEET; THENCE NORTH 00°07'19" WEST, A DISTANCE OF 817.25 FEET; THENCE SOUTH 79°29'40" WEST, A DISTANCE OF 35.41 FEET; THENCE NORTH 01°16'04" WEST, A DISTANCE OF 718.72 FEET; THENCE SOUTH 89°31'37" WEST, A DISTANCE OF 646.02 FEET; THENCE NORTH 13°19'43" WEST, A DISTANCE OF 786.74 FEET; THENCE ALONG A 1230.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD OF WHICH BEARS NORTH 59°34'48" EAST, 1,402.96 FEET) A DISTANCE OF 1,492.93 FEET; THENCE NORTH 89°07'45" EAST, A DISTANCE OF 86.47 FEET TO THE EAST LINE OF SAID SECTION 2; THENCE SOUTH 00°56'27" EAST ALONG THE EAST LINE OF SAID SECTION 2, A DISTANCE OF 1,192.78 FEET TO THE POINT OF BEGINNING.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TOWNSHIP 4 NORTH, RANGE 30, E.W.M.

SECTION 35: ALL THAT PORTION OF THE SOUTH HALF WHICH LIES SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF STAGE GULCH ROAD.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT- OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 32

TOWNSHIP 3 NORTH, RANGE 30, E.W.M.

SECTION 2: ALL THAT PORTION OF THE WEST HALF WHICH LIES SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF STAGE GULCH ROAD.

SECTION 3: SOUTH HALF.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

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TRACT 33

TOWNSHIP 3 NORTH, RANGE 30, E.W.M.

SECTION 3: NORTHWEST QUARTER.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 34

TOWNSHIP 3 NORTH, RANGE 30, E.W.M.

SECTION 6: WEST HALF.

SECTION 7: ALL THAT PORTION OF THE WEST HALF WHICH LIES NORTHERLY OF U.S. INTERSTATE 84.

EXCEPTING THEREFROM THAT TRACT OF LAND LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 7 AND BEING DESCRIBED AS BEGINNING AT THE INTERSECTION OF WHITMORE ROAD AND COUNTY ROAD NO. 678; THENCE NORTHERLY ALONG THE CENTERLINE OF SAID COUNTY ROAD NO. 678, A DISTANCE OF 1,369.30 FEET; THENCE WESTERLY AND PARALLEL WITH THE CENTERLINE OF SAID WHITMORE ROAD, A DISTANCE OF 1,270.50 FEET; THENCE SOUTHERLY AND PARALLEL WITH THE CENTERLINE OF SAID COUNTY ROAD NO. 678, A DISTANCE OF 1,369.50 FEET TO A POINT WHICH LIES ON THE CENTERLINE OF SAID WHITMORE ROAD; THENCE EASTERLY ALONG THE CENTERLINE OF SAID WHITMORE ROAD, A DISTANCE OF 1,270.50 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD AND HIGHWAY RIGHTS-OF-WAYS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 35

TOWNSHIP 4 NORTH, RANGE 30, E. W.M.

SECTION 36: ALL.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

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TRACT 38

PARCEL 3, PARTITION PLAT NO. 2004 - 24 (INSTRUMENT NO. 2004 - 4670161, OFFICE OF UMATILLA COUNTY RECORDS) LOCATED IN THE EAST HALF OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 27, EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 39

PARCEL 1, PARTITION PLAT NO. 2015- 14 (INSTRUMENT NO. 2015-6310049, OFFICE OF UMATILLA COUNTY RECORDS) LOCATED IN THE EAST HALF OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 27, EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 40

PARCEL 2, PARTITION PLAT NO. 2015- 14 (INSTRUMENT NO. 2015-6310049, OFFICE OF UMATILLA COUNTY RECORDS) LOCATED IN THE EAST HALF OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 27, EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 41

PARCEL 3, PARTITION PLAT NO. 2015-14 (INSTRUMENT NO. 2015- 6310049, OFFICE OF UMATILLA COUNTY RECORDS) LOCATED IN THE EAST HALF OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 27, EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 42

TOWNSHIP 4 NORTH, RANGE 27, E.W.M.

SECTION 25: A TRACT OF LAND BEING DESCRIBED AS BEGINNING AT A POINT ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 25, SAID POINT BEING THE SOUTHWEST CORNER OF PARCEL 3, PARTITION PLAT NO. 1998-03 (INSTRUMENT NO. 1998-3240382, OFFICE OF UMATILLA COUNTY RECORDS) THENCE NORTH 89°26'07" EAST ALONG THE SOUTH LINE OF SAID PARCEL 3, A DISTANCE OF 252.09 FEET; THENCE SOUTH 00 33'53" EAST ALONG THE WEST LINE OF THAT TRACT OF LAND CONVEYED TO EDGAR T. JOHNSON, BY DEED RECORDED IN BOOK 323, PAGE 251, DEED RECORDS, A DISTANCE OF 431.41 FEET; THENCE SOUTH 89°27'07" WEST, A DISTANCE OF 252 FEET TO A POINT ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 25; THENCE NORTH 00°36'02" WEST ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 25, A DISTANCE OF 431.41 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID PARCEL 3 AND THE POINT OF BEGINNING.

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ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

TRACT 45

TOWNSHIP 4 NORTH, RANGE 27 E.W.M.

SECTION 25:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SAID SECTION 25 AND BEING DESCRIBED AS COMMENCING AT THE POINT OF INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD AND THE NORTH-SOUTH CENTERLINE OF SAID SECTION 25; THENCE ALONG SAID RAILROAD RIGHT-OF-WAY LINE ALONG A 6,129.64 FEET RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS NORTH 76°41'40" EAST, A DISTANCE OF 216.87 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, NORTH 75°40'50" EAST, A DISTANCE OF 573.50 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH 14°19'10" WEST, A DISTANCE OF 180 FEET; THENCE NORTH 75°40'50" EAST, A DISTANCE OF 325 FEET; THENCE SOUTH 14°19'10" EAST, A DISTANCE OF 180 FEET TO A POINT LOCATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RAILROAD; THENCE SOUTH 75°40'50" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 325 FEET TO THE POINT OF BEGINNING.

SECTION 25:

TOGETHER WITH AN EASEMENT, 20 FEET IN WIDTH, FOR ROADWAY, ACCESS, INGRESS, EGRESS AND UTILITIES CONTAINED IN MICROFILM REEL 129, PAGE 2159, OFFICE OF UMATILLA COUNTY RECORDS AND THE EAST LINE OF THE SAID EASEMENT IS BEING DESCRIBED AS COMMENCING AT THE POINT OF INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD AND THE NORTH-SOUTH CENTERLINE OF SAID SECTION 25; THENCE ALONG SAID RAILROAD RIGHT-OF-WAY LINE, ALONG A 6,129.64 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS NORTH 76°41'40" EAST, A DISTANCE OF 216.87 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, NORTH 75°40'50" EAST, A DISTANCE OF 609.18 FEET; THENCE NORTH 00°04'40" EAST, A DISTANCE OF 185.84 FEET TO THE TRUE POINT OF BEGINNING OF THE SAID EAST LINE DESCRIPTION; THENCE NORTH 00°04'40" EAST, TO THE SOUTHERLY LINE OF THE COUNTY ROAD THAT RUNS DIAGONALLY THROUGH THE NORTHEAST QUARTER OF SAID SECTION 25 AND THE POINT OF TERMINUS FOR THE SAID EAST LINE DESCRIPTION.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE RAILROAD RIGHT-OF-WAY.

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EASEMENT TRACTS:

TRACT 50

WATER DELIVERY AND WATER RIGHT PURCHASE AGREEMENT, TOGETHER WITH THE TERMS AND PROVISIONS CONTAINED THEREIN, DISCLOSED IN MEMORANDUM BETWEEN STAHL HUTTERIAN BRETHERN AND HALE FARMS, LLC, RECORDED SEPTEMBER 14, 2009 IN INSTRUMENT NO. 2009-5560371 AND AMENDED AUGUST 18, 2016 IN INSTRUMENT NO. 2016-6470333, OFFICE OF UMATILLA COUNTY RECORDS.

TRACT 51

EASEMENT FOR WATER CONVEYANCE, TOGETHER WITH THE TERMS AND PROVISIONS CONTAINED THEREIN, DISCLOSED IN AGREEMENT BETWEEN DITCHEN LAND COMPANY, LLC AND HALE FARMS, LLC RECORDED SEPTEMBER 14, 2009 IN INSTRUMENT NO. 2009-5560372 AND AMENDED MAY 31, 2012 IN INSTRUMENT NO. 2012-5920412, OFFICE OF UMATILLA COUNTY RECORDS.

TRACT 52

EASEMENT FOR IRRIGATION AND PIPELINE PURPOSES RESERVED IN DEED FROM HALE FARMS, L.L.C., RECORDED SEPTEMBER 30, 2016 IN INSTRUMENT NO. 2016-6490431, OFFICE OF THE UMATILLA COUNTY RECORDS.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

PARCEL II (Morrow County, Oregon):

TRACT 1:

A PARCEL OF LAND LOCATED IN SECTION 15, TOWNSHIP 4 NORTH, RANGE 26 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF MORROW AND STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE SOUTH 01°06'02" EAST ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 2682.67 FEET TO A POINT WHICH LIES 90.00 FEET SOUTH OF THE CENTERLINE OF THE OREGON-WASHINGTON RAILROAD & NAVIGATION CO. RAILROAD; THENCE SOUTH 72°10'06" EAST PARALLEL WITH SAID RAILROAD A DISTANCE OF 147.39 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF PATTERSON FERRY ROAD; AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 72°10'06" EAST A DISTANCE OF 420.00 FEET; THENCE SOUTH 17°49'54" WEST A DISTANCE OF 550.00 FEET; THENCE NORTH 72°10'06" WEST A DISTANCE OF 237.03 FEET, MORE OR LESS, TO THE EASTERLY RIGHT-OF-WAY OF SAID PATTERSON

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FERRY ROAD; THENCE NORTH 02°39'54" WEST ALONG SAID EASTERLY RIGHT-OF-WAY A DISTANCE OF 155.31 FEET; THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY NORTH 00°11'51" EAST A DISTANCE OF 424.47 FEET TO THE TRUE POINT OF BEGINNING.

ALSO A 40 FOOT EASEMENT FOR INGRESS AND EGRESS AS RECORDED IN DOCUMENT RECORDED MARCH 12, 1998 AS MICROFILM NO. M-53612, MORROW COUNTY MICROFILM RECORDS, BETWEEN POTLATCH CORPORATION AND EASTERN OREGON FARMING COMPANY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 26 EAST OF THE WILLAMETTE MERIDIAN, MORROW COUNTY, OREGON; THENCE SOUTH 01°06'02" EAST ALONG THE WEST LINE OF SAID SECTION A DISTANCE OF 2682.67 FEET TO A POINT WHICH LIES 90.00 FEET SOUTH OF THE CENTERLINE OF THE OREGON-WASHINGTON RAILROAD & NAVIGATION CO. RAILROAD; THENCE SOUTH 72°10'06" EAST PARALLEL WITH SAID RAILROAD A DISTANCE OF 147.39 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF THE PATERSON FERRY ROAD AND HEREIN REFERRED TO AS POINT "A" AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 72°10'06" EAST A DISTANCE OF 910.00 FEET TO A POINT; THENCE NORTH 17°49'54" EAST A DISTANCE OF 40.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF SAID RAILROAD; THENCE NORTH 72°10'06" WEST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 922.72 FEET, MORE OR LESS, TO THE EASTERLY RIGHT-OF-WAY SAID ROAD; THENCE SOUTH 00°11'51" WEST ALONG SAID EASTERLY RIGHT-OF-WAY A DISTANCE OF 41.97 FEET TO THE TRUE POINT OF BEGINNING.

TRACT 2:

PARCEL 2 OF PARTITION PLAT 2010-6, IN THE COUNTY OF MORROW AND STATE OF OREGON

TRACT 3:

PARCEL 2 OF PARTITION PLAT NO. 1996-1, IN THE COUNTY OF MORROW AND STATE OF OREGON, TOGETHER WITH A 20 FEET INGRESS-EGRESS EASEMENT AS SHOWN ON PARTITION PLAT 1996-1.

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EXHIBIT B

(Permitted Encumbrances – Umatilla County)

The following matters affect the Umatilla County Parcel:

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

Persons or parties acquiring title to said lands should check with the appropriate Planning Department and Assessors Office to verify zoning or classification.

2. The premises herein described are within the boundaries of the Echo Irrigation District, and this property is therefore subject to all easements, levies and assessments thereof, including but not limited to the U.S.R.S Canal.
3. Water charges of the Echo Irrigation District, if any.
4. The premises herein described are within the boundaries of the Teel Irrigation District, and this property is therefore subject to all easements, levies and assessments thereof.
5. Water charges of the Teel Irrigation District, if any.
6. The premises herein described are within the boundaries of the Westland Irrigation District, and this property is therefore subject to all easements, levies and assessments thereof.
7. Water charges of the Westland Irrigation District, if any.
8. The premises herein described are within the boundaries of the Butter Creek Irrigation District, and this property is therefore subject to all easements, levies and assessments thereof.
9. Water charges of the Butter Creek Irrigation District, if any.
10. Lack of Access: We are unable to ascertain from the records if the premises herein described has a physical means of ingress and egress to and from a legally dedicated road or highway and for this reason such rights cannot be insured. (Affects Tracts 23 & 44)
11. The lands described herein consist of portions that are contiguous. Access to such lands may be through adjoining lands that have common ownership. Rights of access to the lands are limited to those County Roads which may abut or pass through the lands described herein and no representation is made that all lands and/or parts thereof have independent rights of access. (Affects Tracts 8, 9, 10, 25, 27, 28 and 42)

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12. Reservations, including the terms and provisions thereof, contained in Patent,
Recorded: January 14, 1897, Book 24, Page 235, Deed Records.
(Affects Tracts 1, 2, 8, 10, 14, 17, 24, 25, 28, 32 and 38 thru 42)
13. Coal and Iron Rights, including the terms and provisions thereof, contained in Deed,
Grantor: Northern Pacific Railroad Company
Recorded: December 21, 1897, Book 25, Page 309, Deed Records.
(Affects Tracts 2)
14. Reservation of coal and iron, including the terms and provisions thereof, contained in Deed,
Grantor: Northern Pacific Railway Company
Recorded: August 14, 1900, Book 33, Page 588, Deed Records.
(Affects Tracts 14, and 32)
15. Reservations of iron and coal, including the terms and provisions thereof, contained in Deed,
Grantor: Northern Pacific Railway Company
Recorded: March 2, 1901, Book 36, Page 133, Deed Records.
(Affects Tract 24, 25 and 28)
16. Coal and Iron Rights, including the terms and provisions thereof, contained in Deed,
Grantor: Northern Pacific Railroad Company
Recorded: February 10, 1905, Book 45, Page 406, Deed Records.
(Affects Tracts 8 and 10)
17. Reservations, including the terms and provisions thereof, contained in Deed,
Grantor: Northern Pacific Railway Company
Recorded: July 17, 1905, Book 48, Page 115, Deed Records.
(Affects Tracts 38 thru 42 and 45)
18. Easement, including the terms and provisions thereof,
Grantee: Hermiston Power and Light Company
Recorded: November 13, 1913, Book 85, Page 579, Deed Records.
(Affects Tracts 25)
19. Reservations of coal, iron, natural gas and oil, including the terms and provisions thereof,

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contained in Deed,

Grantor: Northern Pacific Railway Company
Recorded: December 19, 1917, Book 101, Page 302, Deed Records.
(Affects Tracts 17 and 26)

20. Reservations of iron, coal, natural gas and oil, including the terms and provisions thereof, contained in Deed,

Grantor: Northern Pacific Railway Company
Recorded: November 15, 1922, Book 118, Page 424, Deed Records.
(Affects Tract 23)

21. Easement, including the terms and provisions thereof,
Grantee: Pacific Telephone and Telegraph Company
Recorded: December 14, 1922, Book 118, Page 527, Deed Records.
(Affects Tracts 24 and 25)

22. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: April 14, 1938, Book 120, Page 514, Deed Records.
(Affects Tracts 1)

23. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: October 23, 1939, Book 120, Page 628a, Deed Records.
(Affects Tracts 14 and 34)

24. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: October 23, 1939, Book 120, Page 628b, Deed Records.
(Affects Tracts 15 and 18)

25. Easement, including the terms and provisions thereof,

Grantee: Pacific Telephone and Telephone Company
Recorded: June 29, 1939, Book 155, Page 503, Deed Records.
(Affects Tracts 24 and 25)

26. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: January 18, 1943, Book 160, Page 587, Deed Records.

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(all property owned by Umatilla County at time of conveyance)

27. Easement, including the terms and provisions thereof,

Grantee: Pacific Power and Light Company
Assignee: Telephone Utilities of Eastern Oregon Inc.
Recorded: July 18, 1945, Book 170, Page 364, Deed Records.
(Affects Tracts 17 and 26)

28. Easement, including the terms and provisions thereof,

Grantee: Pacific Power and Light Company
Assignee: Telephone Utilities of Eastern Oregon Inc.
Recorded: July 18, 1945, Book 170, Page 413, Deed Records.
(Affects Tracts 28)

29. Coal and other minerals rights, including the terms and provisions thereof, contained in Deed,

Grantor: State of Oregon, State Land Board
Recorded: October 23, 1944, Book 172, Page 50, Deed Records.
(Affects Tracts 1)

30. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: October 22, 1947, Book 185, Page 41, Deed Records.
(Affects Tracts 35)

31. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: September 6, 1949, Book 190, Page 140, Deed Records.
(Affects Tracts 38 thru 42 and 45)

32. Easement, including the terms and provisions thereof,

Grantee: United States of America, BPA
Recorded: June 14, 1951, Book 197, Page 326, Deed Records.
(Affects Tracts 17)

33. Easement, including the terms and provisions thereof,

Grantee: United States of America, BPA
Recorded: July 17, 1951, Book 197, Page 549, Deed Records.
(Affects Tracts 23)

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34. Easement, including the terms and provisions thereof,

Grantee: United States of America, BPA
Recorded: May 19, 1951, Book 197, Page 566, Deed Records.
(Affects Tract 22)

35. Easement, including the terms and provisions thereof,

Grantee: United States of America, BPA
Recorded: October 29, 1951, Book 200, Page 444, Deed Records.
(Affects Tracts 17, 26 and 27)

36. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: March 1, 1955, Book 223, Page 486, Deed Records.
(Affects Tract 12)

37. Easement, including the terms and provisions thereof,

Grantee: Pacific Northwest Gas Pipeline Corporation
Recorded: October 14, 1955, Book 229, Page 143, Deed Records and
Amended: February 17, 1981, Microfilm Reel 76, Page 1089, Office of Umatilla County
Records.
(Affects Tracts 35)

38. Easement, including the terms and provisions thereof,

Grantee: Pacific Telephone and Telegraph Company
Recorded: November 28, 1960, Book 261, Page 120, Deed Records.
(Affects Tracts 24 and 25)

39. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: September 25, 1961, Book 264, Page 726, Deed Records.
(Affects Tract 34)

40. Reservations of all oil and gas, including the terms and provisions thereof, contained in
Patent,

Recorded: December 12, 1961, Book 265, Page 712, Deed Records.
(Affects Tracts 5 thru 9)

41. Easement, including the terms and provisions thereof,

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Grantee: Umatilla Electric Cooperative Association
Recorded: April 26, 1963, Book 271, Page 483, Deed Records.
(Affects Tract 34)

42. Easement, including the terms and provisions thereof,

Grantee: State of Oregon, State Highway Commission
Recorded: August 7, 1967, Book 290, Page 231, Deed Records.
(Affects Tract 17)

43. Easement, including the terms and provisions thereof,

Grantee : State of Oregon, State Highway Commission
Recorded : August 7, 1967, Book 290, Page 234, Deed Records.
(Affects Tract 17)

44. Easement, including the terms and provisions thereof,

Grantee: State of Oregon, State Highway Commission
Recorded: August 7, 1967, Book 290, Page 237, Deed Records.
(Affects Tract 17)

45. Access Restrictions, including the terms and provisions thereof, contained in Judgment,

Plaintiff: State of Oregon, by and through its State Highway Commission
Filed: January 2, 1968, Case No. 9382 in the State Circuit Court for Umatilla County,
Oregon.
(Affects Tracts 18, 19, and 20)

46. Access Restrictions, including the terms and provisions thereof, contained in Judgment,

Plaintiff: State of Oregon, by and through its State Highway Commission
Filed: January 2, 1968, Case No. 9380 in the State Circuit Court for Umatilla County,
Oregon.
(Affects Tracts 14, 15 and 16)

47. Access Restrictions, including the terms and provisions thereof, contained in Deed,

Grantee: State of Oregon, State Highway Commission
Recorded: May 2, 1968, Book 293, Page 721, Deed Records.
(Affects Tracts 14)

48. Easement for ingress and egress purposes, including the terms and provisions thereof,

Grantee: Leonard A. Lorenzen, etux
Recorded: December 6, 1968, Book 297, Page 491, Deed Records.

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(Affects Tracts 31)

49. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: September 22, 1970, Book 309, Page 184, Deed Records.
(Affects Tracts 4, 5, 6, 8, 9 and 10)

50. Easement for buried water pipeline purposes, including the terms and provisions thereof,

Grantor: Larry D. Hanson
Grantee: Larry D. Hanson, etux
Recorded : April 12, 1973, Book 327, Page 559, Deed Records.
(Affects Tracts 4, 5, 6, 8, 9 and 10)

51. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: June 25, 1975, Book 347, Page 486, Deed Records.
(Affects Tracts 15 and 18)

52. Easement for pipeline purposes, including the terms and provisions thereof,

Grantee: Ivan J. Cook, etux
Recorded: December 11, 1975, Book 353, Page 46, Deed Records.
(Affects Tract 16)

53. Easement for pipeline purposes, including the terms and provisions thereof,

Grantee: Ivan J. Cook, etux
Recorded: December 11, 1975, Book 353, Page 48, Deed Records.
(Affects Tract 21)

54. Easement for pipeline purposes, including the terms and provisions thereof,

Grantee: Leo Vernon Cook, etux
Recorded: August 3, 1976, Microfilm Reel 8, Page 184, Office of Umatilla County
Records.
(Affects Tract 16)

55. Easement for pipeline purposes, including the terms and provisions thereof,

Grantee: Leo Vernon Cook, etux
Recorded: August 3, 1976, Microfilm Reel 8, Page 186, Office of Umatilla County
Records.
(Affects Tract 19)

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56. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: March 23, 1977, Microfilm Reel 16, Page 1230, Office of Umatilla County
Records.
(Affects Tract 14)

57. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: May 11, 1978, Microfilm Reel 33, Page 1176, Office of Umatilla County
Records.
(Affects Tract 21)

58. Easement, including the terms and provisions thereof,

Grantee: Pacific Northwest Bell Telephone Company
Assignee: Telephone Utilities of Eastern Oregon Inc.
Recorded: July 12, 1978, Microfilm Reel 36, Page 1367, Office of Umatilla County
Records.
(Affects Tracts 20, 21 and 22)

59. Easement, including the terms and provisions thereof,

Grantee: Pacific Northwest Bell Telephone Company
Assignee: Telephone Utilities of Eastern Oregon Inc.
Recorded: July 12, 1978, Microfilm Reel 36, Page 1369, Office of Umatilla County
Records.
(Affects Tract 17)

60. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association
Recorded: March 26, 1979, Microfilm Reel 47, Page 1017, Office of Umatilla County
Records.
(Affects Tract 22)

61. Easement, including the terms and provisions thereof,

Grantee: Pacific Power and Light Company
Recorded: April 24, 1981, Microfilm Reel 79, Page 189, Office of Umatilla County
Records.
(Affects Tracts 17)

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62. Irrevocable Consent Agreement, including the terms and provisions thereof,

First Party: Umatilla County

Second Party: Roger S. Bounds

Recorded: July 13, 1984, Microfilm Reel 115, Page 805, Office of Umatilla County Records.

(Affects Tracts 38 thru 41)

63. Easement, including the terms and provisions thereof, contained in Deed,

Grantor: Roger S. Bounds

Grantee: Mt. Tahoma Leasing Company

Recorded: July 20, 1984, Microfilm Reel 115, Page 1198, Office of Umatilla County Records.

(Affects Tracts 39 thru 41)

64. Reciprocal Easement for ingress, egress and utility purposes, including the terms and provisions thereof,

First Party: Roger S. Bounds

Second Party: Mt. Tahoma Leasing Co.

Recorded: August 2, 1984, Microfilm Reel 116, Page 391, Office of Umatilla County Records.

(Affects Tracts 38 thru 41)

65. Easement for ingress and egress purposes, including the terms and provisions thereof, reserved in Deed,

Grantor: James Edward Liesegang

Recorded: July 9, 1987, Microfilm Reel 155, Page 1051, Office of Umatilla County Records.

(Affects Tracts 26)

66. Easement, including the terms and provisions thereof,

Grantee: Pacific Northwest Bell Telephone Company

Recorded: August 3, 1981, Microfilm Reel 167, Page 901, Office of Umatilla County Records.

(Affects Tracts 1 and 12)

67. Easement, including the terms and provisions thereof,

Grantee: Pacific Northwest Bell Telephone Company

Assignee: Telephone Utilities of Eastern Oregon Inc.

Recorded: November 21, 1988, Microfilm Reel 173, Page 467, Office of Umatilla County Records.

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(Affects Tract 26)

68. Easement for ingress and egress and utility purposes, including the terms and provisions thereof, reserved in Deed,

Grantor: Roger S. Bounds

Recorded: April 18, 1989, Microfilm Reel 178, Page 893, Office of Umatilla County Records.

(Affects Tracts 38 thru 41)

69. Covenant Not To Sell Separately, including the terms and provisions thereof,

First Party: Roger S. Bounds

Second Party: Umatilla County

Recorded: Recorded April 21, 1995, Microfilm Reel 269, Page 1577, Office of Umatilla County Records.

(Affects Tracts 38 thru 42)

70. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association

Recorded: March 30, 1996, Microfilm Reel 290, Page 1629, Office of Umatilla County Records.

(Affects Tracts 15 and 18)

71. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association

Recorded: July 2, 1996, Microfilm Reel 293, Page 44 and

Re-recorded: August 6, 1996, Microfilm Reel 295, Page 8, Office of Umatilla County Records.

(Affects Tract 1)

72. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association

Recorded: November 24, 1997, Microfilm Reel 319, Page 755, Office of Umatilla County Records.

(Affects Tract 14)

73. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association

Recorded: March 1, 1999, Instrument No. 1999-3460288, Office of Umatilla County Records.

(Affects Tract 16)

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74. Easement for pipeline purposes, including the terms and provisions thereof,

Grantee: Umatilla Generating Company, L.P.

Recorded: September 20, 2001, Instrument No. 2001-3970336, Office of Umatilla County Records.

(Affects Tracts 38 thru 41)

75. Easement for pipeline purposes, including the terms and provisions thereof,

Grantee: Umatilla Generating Company, L.P.

Recorded: September 20, 2001, Instrument No. 2001-3970337, Office of Umatilla County Records.

(Affects Tract 42)

76. Easement for pipeline purposes, including the terms and provisions thereof,

Grantee: State of Oregon, by and through its Department of Transportation

Recorded: October 7, 2002, Instrument No. 2002-4210394, Office of Umatilla County Records.

(Affects Tracts 24 and 25)

77. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative Association

Recorded: November 29, 2002, Instrument No. 2002-4250342, Office of Umatilla County Records.

(Affects Tracts 15)

78. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative

Recorded: April 26, 2004, Instrument No. 2004-4610133, Office of Umatilla County Records.

(Affects Tract 31)

79. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative

Recorded: August 30, 2004, Instrument No. 2004-4680415, Office of Umatilla County Records.

(Affects Tract 31)

80. Easements as shown on Partition Plat No. 2005-07,

Recorded: March 22, 2005, Instrument No. 2005-4790065, Office of Umatilla County

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Records.
(Affects Tracts 39 thru 41)

81. Covenant Not To Sue, including the terms and provisions thereof,

First Party: Robert L. Hale and Jane Adell Hale
Second Party: Umatilla County
Recorded: October 14, 2005, Instrument No. 2005-490040, Office of Umatilla County
Records.
(Affects Tract 12)

82. Road Easement and Covenants, including the terms and provisions thereof, contained
under Agreement,

Grantor: Robert L. Hale and Jane Adell Hale
Recorded: January 19, 2006, Instrument No. 2006-4950006 and
Re-recorded: January 31, 2006, Instrument No. 2006-4950470, Office of Umatilla
County Records.
(Affects Tract 12)

83. Well and Well Pipeline Easements and Covenants, including the terms and Provisions
thereof, contained under Agreement,

Grantor: Robert L. Hale and Jane Adell Hale
Recorded: January 19, 2006, Instrument No. 2006-4950007 and
Re-recorded: January 31, 2006, Instrument No. 2006-4950471, Office of Umatilla
County Records.
(Affects Tract 12)

84. Road Use and Improvement Agreement, including the terms and provisions thereof,

First Party: Roger Bounds, et al
Second Party: Hale Farms, LLC, et al
Recorded: September 19, 2006, Instrument No. 2006-5070743, Office of Umatilla
County Records.
(Affects Tracts 38 thru 41)

85. Water Delivery and Water Right Purchase Agreement, including the terms and provisions
thereof, disclosed in Memorandum,

First Party: Stahl Hutterian Brethren
Second Party: Hale Farms, LLC
Recorded: September 14, 2009, Instrument No. 2009-5560371, Office of Umatilla
County Records.
(Affects Tracts 14 thru 28, and 34)

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86. The failure of the Insured to comply with the terms, conditions and provisions thereof contained in the Easement for Water Conveyance,

Grantee: Hale Farms, LLC

Recorded: September 14, 2009, Instrument No . 2009-5560372 and

Amended: May 31, 2012, Instrument No. 2012-5920412, Office of Umatilla County Records.

(Affects Insured Tract 51)

87. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative

Recorded: August 23, 2010, Instrument No. 2010-5690597, Office of Umatilla County Records.

(Affects Tracts 39 thru 41)

88. Water Development, Delivery and Water Right Purchase Agreement, including the terms and provisions thereof, disclosed by Memorandum,

First Party: Kent Madison, et al

Second Party: Hale Farms, LLC

Recorded: October 19, 2011, Instrument No. 2011-5830759, Office of Umatilla County Records.

(Affects Tracts 1 thru 10, 12 and 13)

89. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative

Recorded: July 27, 2012, Instrument No. 2012-5940332, Office of Umatilla County Records.

(Affects Tract 15)

90. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative

Recorded: July 27, 2012, Instrument No. 2012-5940334, Office of Umatilla County Records.

(Affects Tracts 39 thru 41)

91. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative

Recorded: September 2, 2014, Instrument No . 2014-6200376, Office of Umatilla County Recorder

(Affects Tracts 39 thru 41)

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92. Easement for ingress, egress and utility purposes, including the terms and provisions thereof,

First Party: Hale Farms, LLC

Second Party: H4 Farms, Inc.

Recorded: June 15, 2015, Instrument No. 2015-6300692, Office of Umatilla County Records.

(Affects Tracts 38 thru 41)

93. Easements as shown on Partition Plat No. 2015-14,

Recorded: June 23, 2015, Instrument No. 2015-6310049, Office of Umatilla County Records.

(Affects Tracts 39 thru 41)

94. Irrevocable Consent Agreement, including the terms and provisions thereof,

First Party: H4 Farms, Inc.

Second Party: Umatilla County

Recorded: June 23, 2015, Instrument No. 2015-6310050, Office of Umatilla County Records.

(Affects Tracts 39 thru 41)

95. Irrevocable Consent Agreement, including the terms and provisions thereof,

First Party: H4 Farms, Inc.

Second Party: Umatilla County

Recorded: June 23, 2015, Instrument No. 2015-6310051, Office of Umatilla County Records.

(Affects Tracts 39 thru 41)

96. Irrevocable Consent Agreement, including the terms and provisions thereof,

First Party: H4 Farms, Inc.

Second Party: Umatilla County

Recorded: June 23, 2015, Instrument No. 2015-6310052, Office of Umatilla County Records.

(Affects Tracts 40 and 41)

97. Easement, including the terms and provisions thereof,

Grantee: Umatilla Electric Cooperative

Recorded: February 8, 2016, Instrument No. 2016-6390524, Office of Umatilla County Records

(Affects Tract 31)

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98. Easement for ingress and egress purposes, including the terms and provisions thereof,

Grantee: Hale Farms, L.L.C.

Recorded: May 2, 2016, Instrument No. 2016 - 6430016, Office of Umatilla County Records.

(Affects Tracts 29, 31 and 35)

99. Covenant Not to Sell Separately, including the terms and provisions thereof,

First Party: Hale Farms, L.L.C.

Second Party: Umatilla County

Recorded: June 1, 2016, Instrument No. 2016-6440108, Office of Umatilla County Records.

(Affects Tract 31)

100. Easement, including terms and provisions contained therein:

Recording Date: April 10, 1973

Recording Information: Book 327, page 539

In Favor of: Umatilla Electric Cooperative Association

For: Electric transmission or distribution system

Affects: (Tract 45)

101. The terms and provisions contained in the document entitled "Easement" recorded September 23, 1985 as Microfilm Reel 129, page 2159 of Official Records.

(Affects Tract 45)

102. The terms and provisions contained in the document entitled "Well Easement Agreement" recorded March 5, 2002 as Instrument No. 2002-4070524 of Official Records.

(Affects Tract 45)

103. The failure of the Insured to comply with the terms, conditions and provisions contained in the Easement for Irrigation and Pipeline purposes, as reserved in Deed

Grantor : Hale Farms, L.L.C.

Recorded : September 30, 2016, Instrument No. 2016-6490431, Office of Umatilla County Records.

(Affects Insured Tract 52)

104. Water Delivery Agreement, including the terms and provisions thereof, disclosed by Memorandum

First Party : Hale Farms, L.L.C.

Second Party : Todd D. Longgood

Recorded : September 30, 2016, Instrument No. 2016-6490432, Office of Umatilla

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County Records.
(Affects Undisclosed Location)

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EXHIBIT C

(Permitted Encumbrances – Morrow County)

The following matters affect the Morrow County Parcel:

Exceptions for Tract 1:

1. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
2. Reservations and Right of Way, including the terms and provisions thereof, in favor of Oregon Railroad and Navigation Company, recorded February 23, 1911, in Book Y, Page 166, Morrow County Deed Records.
3. Easement for Erosion Control Fences, including the terms and provisions thereof, in favor of Oregon-Washington Railway and Navigation Company and its Lessee Union Pacific Railroad Company, recorded April 20, 1972, as Microfilm No. M-4656, Morrow County Microfilm Records.
4. Water Agreement, including the terms and provisions thereof, between Eastern Oregon Farming Company and Oscar E. Peterson et al., recorded June 26, 1975, as M-8246, Morrow County Microfilm Records.
5. Telephone Line Right of Way Easement, including the terms and provisions thereof, between Eastern Oregon Farming Company and Telephone Utilities of Eastern Oregon, Inc. d.b.a. PTI Communications, recorded May 16, 1994, as Microfilm No. M-42734, Morrow County Microfilm Records.
6. Easement for Water Well and Access, including the terms and provisions thereof, in favor of Eastern Oregon Farming Company, recorded January 11, 1996, as Microfilm No. M-47093, Morrow County Microfilm Records.
7. 40 Foot Easement for Ingress and Egress, including the terms and provisions thereof, as recorded in document recorded March 12, 1998 as Microfilm No. M-53612, Morrow County Microfilm Records, between Potlatch Corporation and Eastern Oregon Farming Company.
8. 10 Foot Water Line Easement, including the terms and provisions thereof, reserved in Deed from Eastern Oregon Farming Company to H4 Farms, recorded April 9, 1998, as Microfilm No. M-53965, Morrow County Microfilm Records.

Exceptions for Tract 2:

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9. Covenants, Conditions, Restrictions and Easements, including the terms and provisions thereof, as reserved in Deed from the United States of America, recorded December 13, 1963 in Book 70, page 91, Morrow County Deed Records.
10. Transmission Line Easement, including the terms and provisions thereof, in favor of the United States of America, recorded November 18, 1965, in Book 72, Page 521, Morrow County Deed Records.
11. Reservations and acknowledgement, including the terms and provisions thereof, as contained in Deed recorded February 15, 1991, as Microfilm No. M-36263, Morrow County Microfilm Records.
12. Non-exclusive easement for roadway purposes, including the terms and provisions thereof, recorded January 11, 2000, as Microfilm No. 2000-81, and rerecorded February 4, 2000, as Microfilm No. 2000-287, Morrow County Microfilm Records.
13. Utility Easements and Driveway as disclosed on Partition Plat 2010-6 recorded September 2, 2010, Morrow County Clerk Records. (Affects Tract 2)

Exceptions for Tract 3:

14. These premises are within the boundaries of the West Extension Irrigation District and are subject to the levies and assessments thereof.
15. Right of way for ditches, canals and reservoir site for irrigation purposes, including the terms and provisions thereof, as set forth in deed from the State Land Board to M.D. Clark, recorded March 11, 1908 in Book U, page 516, Morrow County Deed Records.
16. Easement, including terms and provisions contained therein:

Recording Information: April 20, 1972 as M-4656
In Favor of: Oregon-Washington Railroad & Navigation Company and Union Pacific Railroad Company
For: Erosion control fences
17. Easement, including terms and provisions contained therein:

Recording Information: September 25, 1992 as Microfilm No. M-39127
In Favor of: Umatilla County Electric Cooperative Association
For: Electric transmission and distribution lines
18. The terms and provisions contained in the document entitled "Easement Agreement" recorded January 11, 1996 as Microfilm No. M-47092 of Official Records.
19. Easements for access purposes as shown on the recorded plat of PARTITION PLAT NO. 1996-1.

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Well Logs

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54853

Coppinger New #1

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 337.765)

JUN 26 2003

WATER RESOURCES DEPT
SALEM, OREGON

WELL ID.# 1 34669
START CARD# 147797

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Well Number _____
Name Kenneth Coppinger
Address 75235 Coppinger Lane
City Echo State OR Zip 97826

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 1095 ft.
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL	
Diameter	From To	Material	From To
22"	0 25	Cement	0 403
19"	25 403		
15"	403 695		
10"	695 1095		

Sacks or pounds 260 sacks

How was seal placed: Method A B C D E
 Other _____
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 16"	+2	403	.375	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Drive Shoe used Inside Outside None
Final location of sheet(s) _____

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Flowing Time
<u>3,000+</u>		<u>1095</u>	<u>1 hr.</u>

Pump Bailer Air Artesian

Temperature of water 72° Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Umatilla Latitude _____ Longitude _____
Township 3N N or S Range 29E E or W. WM.
Section 24 NE 1/4 NE 1/4
Tax Lot 2600 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 75235 Coppinger Lane Echo, OR 97826

(10) STATIC WATER LEVEL:
345 ft. below land surface. Date 4-1-03
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 612

From	To	Estimated Flow Rate	SWL
<u>612</u>	<u>645</u>	<u>100+</u>	<u>345</u>
<u>813</u>	<u>860</u>	<u>2000+</u>	<u>345</u>
<u>975</u>	<u>1016</u>	<u>100+</u>	<u>345</u>
<u>1048</u>	<u>1072</u>	<u>100+</u>	<u>345</u>

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
<u>Silty soil</u>	<u>0</u>	<u>4</u>	
<u>Brown clay</u>	<u>4</u>	<u>15</u>	
<u>Clay with gravel</u>	<u>15</u>	<u>19</u>	
<u>Brown clay</u>	<u>19</u>	<u>103</u>	
<u>Brown basalt</u>	<u>103</u>	<u>116</u>	
<u>Gray basalt</u>	<u>116</u>	<u>156</u>	
<u>Brown basalt</u>	<u>156</u>	<u>170</u>	
<u>Gray basalt</u>	<u>170</u>	<u>235</u>	
<u>Brown basalt</u>	<u>235</u>	<u>249</u>	
<u>Gray basalt, hard</u>	<u>249</u>	<u>308</u>	
<u>Red basalt</u>	<u>308</u>	<u>315</u>	
<u>Gray basalt</u>	<u>315</u>	<u>389</u>	
<u>Brown basalt</u>	<u>389</u>	<u>395</u>	
<u>Gray basalt</u>	<u>395</u>	<u>612</u>	
<u>Gray + black basalt with soapstone</u>	<u>612</u>	<u>645</u>	<u>WB</u>
<u>Gray basalt</u>	<u>645</u>	<u>813</u>	

Cont. Pg. 2

Date started 1-17-03 Completed 4-1-03
(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
WWC Number _____
Signed _____ Date _____

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
WWC Number 1218
Signed Petruck Wallace Date 4-15-03

ORIGINAL - WATER RESOURCES DEPARTMENT FIRST COPY - CONSTRUCTOR SECOND COPY - CUSTOMER

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NOTICE TO WATER WELL CONTRACTOR: The original and first copy of this report are to be filed with the WATER RESOURCES DEPARTMENT SALEM, OREGON 97310 within 30 days from the date of well completion.

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STATE OF OREGON
WATER RESOURCES DEPT.
SALEM, OREGON

OCT 25 1978

(Please type or print)
(Do not write above this line)

Ditchen # 2.

State Well No. 3N/30E-20CC
State Permit No. G-8367

UMAT
1361

(1) OWNER:

Name ROBERT D. PETRIK
Address RT #2 BOX 20
SEASIDE, OREGON

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

CASING INSTALLED:

Threaded Welded
16" Diam. from 0 ft. to 78 ft. Gage 250
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

PERFORATIONS:

Perforated? Yes No.

Type of perforator used

Size of perforations in. by in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? Yes No

Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom?

Yield: gal./min. with ft. drawdown after hrs.
EST. 2,000 GPM AIR LIFT

Ballor test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water 82° Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used NEAT CEMENT

Well sealed from land surface to 78 ft.

Diameter of well bore to bottom of seal 20 in.

Diameter of well bore below seal 15 1/2 in.

Number of sacks of cement used in well seal 75 sacks

How was cement grout placed? _____

Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.

Did any strata contain unusable water? Yes No

Type of water? _____ depth of strata _____

Method of sealing strata off _____

Was well gravel packed? Yes No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County UMATI Driller's well number 019
SW 1/4 SW 1/4 Section 20 T. 3N. R. 30 E. W.M.
Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 245 ft.
Static level 241 ft. below land surface. Date 10/21/78
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 15 1/2 to 5 1/2 " BELOW

Depth drilled 1107 ft. Depth of completed well 1107 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
SILTY SOIL	0	45	
SOFT BROKEN BASALT	45	68	
HARD GREY "	68	141	
BROKEN RED "	141	153	
MED. GREY "	153	210	
BROKEN BROWN "	210	245	Water
HARD GREY "	245	400	
BROKEN BROWN "	400	425	Water
HARD GREY "	425	535	
BROKEN "	535	575	
BROKEN BROWN "	575	590	Water
GREY "	590	675	
BROKEN BROWN "	675	690	
GREY "	690	780	
BROKEN BROWN "	780	789	Water
GREY "	789	885	
BROKEN BROWN "	885	1006	Water
MED. GREY "	1006	1045	
GREY "	1045	1107	

Work started 9-22 19 78 Completed 10-21 19 78

Date well drilling machine moved off of well 10-21 19 78

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Chusell Date 10-21, 19 78
(Drilling Machine Operator)

Drilling Machine Operator's License No. 886

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name WADSWORTH WELL DRILLING CO.
(Person, firm or corporation) (Type or print)

Address PENDLETON, OR.

[Signed] Chusell
(Water Well Contractor)

Contractor's License No. 583 Date 10-21, 19 78

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-4555-119

13899

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hole # 5

JUN 26 1972

ENGINEER
S. J. ...

WELL LOG Well #3 Circle "C" Farms, Inc.

Material	From	To	SWL
Top Soil	0	4	
Sandy Clay - Brown	4	12	
Clay & Gravel - Brown	12	24	
Clay - Brown	24	42	
Sandy Clay - Soft	42	58	
Clay - Brown	58	73	
Clay - & Gravel - Dk Brown	73	84	
Sand & Gravel - Water	84	86	3'
Broken Basalt - Gray	86	88	3'
Basalt - Gray - Hard	88	103	
Installed and sealed 20" casing to 96'			
Basalt - Broken - Gray (water 103-107)	103	107	60'
Basalt - Gray	107	123	
Basalt - Black	123	133	
Basalt - Gray	133	151	
Basalt - Gray - Hard	151	203	
Basalt - Broken - Brown Clay	203	215	
Basalt - Gray - Hard	215	411	
Basalt - Black (with water)	411	424	57'
Basalt - Gray - Hard	424	511	
Broken Basalt - Black (with clay)	511	547	
Basalt - Gray	547	577	
Basalt - Black - Broken	577	585	38'
Basalt - Gray - Hard	585	605	
Basalt - Black	605	617	
Basalt - Black - Sand	617	704	0
Basalt - Gray - Hard	704	805	
Basalt - Boulders	805	825	
Basalt - Gray - Hard	825	881	
Basalt - Red - Soft	881	902	
Basalt - Gray - Soft	902	935	
Basalt - Red - Soft	935	944	
Basalt - Gray - Soft	944	956	
Basalt - Red - Soft	956	971	
Basalt - Gray - Hard	971	1056	
Basalt - Boulders	1056	1105	
Black Sand - Broken Boulders	1105	1189	

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WELL LOG Well #5 CIRCLE "C" FARMS, INC.

MATERIAL	FROM	TO	SWL
Top Soil	0	5	
Brown Clay	5	25	
" " and Broken Rock	25	40	
White Clay	40	65	
" " and Broken Rock	65	85	
Brown Clay	85	104	
Brown Broken Rock	104	118	W.B.
Hard Gray Basalt	118	131	
Brown Clay - Gray Rock	131	137	
Hard Gray Basalt	137	145	
Broken Gray Basalt	145	153	
Brown Clay - Gray Rock	153	160	
Hard Gray Basalt	160	167	
Broken Gray Rock	167	188	115
Brown Clay - Gray Rock	188	200	
Hard Gray Basalt	200	221	
Black Sand and Clay	221	224	
Hard Gray Basalt	224	256	
Black Basalt	256	265	
Gray Basalt	265	295	
Crevice	295	300	
Hard Gray Basalt	300	324	
Black Basalt	324	330	
Gray Basalt	330	360	
Clay and Gray Basalt	360	378	
Hard Gray Basalt	378	403	115
See Troy Griffin's Well Report dated 4-19-74	403	680	
Gray Basalt	680	692	40
Red Basalt	692	701	
Black Basalt	701	716	
Gray Basalt	716	725	
Black and Brown Basalt	725	755	
Gray Basalt	755	772	
Mixed Black and Brown Basalt	772	785	
Gray Basalt	785	830	
Black Basalt	830	840	
Gray Basalt	840	975	
Hard Blue Basalt	975	1015	
Brown Basalt	1015	1065	
Gray Hard Basalt	1065	1105	120
Red Soft Basalt	1105	1115	
Gray Hard Basalt	1115	1122	
Black and Brown Basalt	1122	1145	

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Lorenzen

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NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

WATER WELL REPORT

State Well No. 4N/30-35

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

DEC 7 1964 STATE OF OREGON (Please type or print)

State Permit No.

(1) OWNER:

Name Leonard Lorenzen
Address 110 N. E. Furnish Ave.
Pendleton, Oregon

(2) LOCATION OF WELL:

County Umatilla Driller's well number
1/4 Section 35 T. 4N R. 30E W.M.
Bearing and distance from section or subdivision corner

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom Contractor
Yield: 380 gal./min. with 40 ft. drawdown after 2 hrs.

Ballor test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m. Date

Temperature of water Was a chemical analysis made? Yes No

(12) WELL LOG: Diameter of well below casing 16
Depth Drilled Rimmed 127
Depth drilled ft. Depth of completed well 578 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Sandy Soil	0	7
Cement gravel	7	19
Black rock medium	19	35
Boulders green	35	115
Rock black medium	115	125
Rock gray hard	125	127

(3) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(6) CASING INSTALLED:

Threaded Welded

18" Diam. from 0 ft. to 19 ft. Gage 3750
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? Yes No

Type of perforator used

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(8) SCREENS:

Well screen installed? Yes No

Manufacturer's Name
Type Model No.
Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Well seal—Material used in seal Cement
Depth of seal 19 ft. Was a packer used? no
Diameter of well bore to bottom of seal 20 in.
Were any loose strata cemented off? Yes No Depth
Was a drive shoe used? Yes No
Was well gravel packed? Yes No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? Yes No
Type of water? depth of strata
Method of sealing strata off

(10) WATER LEVELS:

Static level 75 ft. below land surface Date 11-24-64
Artesian pressure lbs. per square inch Date

Work started 10-17-64 19 Completed 11-25-64 19
Date well drilling machine moved off of well 11-26-64 19

(13) PUMP:

Manufacturer's Name
Type: H.P.

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Ben Dreyer Drilling Contractor

NAME (Person, firm or corporation) (Type or print)
Address Rt. 1 Box 225 Hermiston, Ore.

Drilling Machine Operator's License No. 7

[Signed] Ben Dreyer (Water Well Contractor)

Contractor's License No. 12 Date 11-28-64 19

(USE ADDITIONAL SHEETS IF NECESSARY)

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WATER RESOURCES
DEPARTMENT

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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Farmland Reserve Inc

PO Box 2308 Pasco WA 99302

Transaction Type: Temporary Transfer

Fees Received: \$ 1,583.60

Cash

Check:

Check No. 35502

Name(s) on Check: Farmland Reserve Inc

Address on Check: 79 South Main Street Suite 1000
Salt Lake City Ut. 84111

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Judy Ferrell
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.

SUPERSEDED

**Application for Water Right
Temporary or Drought Temporary Transfer
Part 1 of 5 – Minimum Requirements Checklist**



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

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

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 4 List them here: 87666, 87667, 80849, 80850**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2022 End Year: 2026.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (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 (if necessary to convey water to the proposed place of use).

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(For Staff Use Only)

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

<input type="checkbox"/> Application fee not enclosed/or is insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part <u>13099</u> is incomplete
<input type="checkbox"/> Additional signature(s) required	Other/Explanation _____
Staff: _____ 503-986-0 _____	Date: ____/____/____

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

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

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

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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME Echo Irrigation District	ADDRESS PO Box 2308	
CITY Paso	STATE WA	ZIP 99302

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Umatilla County	ADDRESS 216 SE Fourth Street	
CITY Pendleton	STATE OR	ZIP 97801

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

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

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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 Temporary Changes to Water Right Certificate # 87666

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
3	N	29	E	23	NE	SE	08400		1.6	Irrigation	Coppinger 1&2 Hale 3&8	1974	POU/POD	3	N	30	E	3	NE	SW	400		4.49	Irrigation	Lorenzen	1974
3	N	29	E	23	NW	SE	08400		22.7	Irrigation	"	1974	POU/POD	3	N	30	E	3	NW	SW	400		10.76	Irrigation	Lorenzen	1974
3	N	29	E	23	SW	SE	08400		24.4	Irrigation	"	1974	POU/POD	3	N	30	E	3	SW	SW	400		30.93	Irrigation	Lorenzen	1974
3	N	29	E	23	SE	SE	08400		21.1	Irrigation	"	1974	POU/POD	3	N	30	E	3	SE	SW	400		5.28	Irrigation	Lorenzen	1974
3	N	29	E	23	SW	NW	04000		22.71	Irrigation	"	1974	POU/POD	3	N	30	E	3	NE	SE	400		15.81	Irrigation	Lorenzen	1974
3	N	29	E	23	SE	NW	04000		22.95	Irrigation	"	1974	POU/POD	3	N	30	E	3	NW	SE	400		34.94	Irrigation	Lorenzen	1974
3	N	29	E	23	NE	SW	04000		19.8	Irrigation	"	1974	POU/POD	3	N	30	E	3	SW	SE	400		36.38	Irrigation	Lorenzen	1974
3	N	29	E	23	NW	SW	04000		19.5	Irrigation	"	1974	POU/POD	3	N	30	E	3	SE	SE	400		16.17	Irrigation	Lorenzen	1974
									TOTAL ACRES	154.76										TOTAL ACRES	154.76					

Additional remarks: _____

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For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: (1) Permit S-54773 is a shoulder water right. The portions of supplemental water from Permit S-54773 associated with portions of Cert. 74762 affected by this transfer will not be transferred or exercised during the regular 2021 irrigation season. (2) Mitigation Permits: S-55114, S-55263, and S-55262 are mitigation permits and will be used on the "TO" lands. (3) Certificate 87667 is adjacent to Cert. 87666 but the actual places of use do not overlap.



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

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

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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
								13899		=

Part 5 of 5 – Water Right Information

SUPERSEDED

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

CERTIFICATE # _____

Water Right Certificate # 87667

Description of Water Delivery System

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

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. _____

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)
Coppinger 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 54853	3	N	29	E	24	S W	NE		20'N & 1570' W from E1/4 cor, Sec 24
Coppinger 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1326	3	N	29	E	23	SE	NE		3,960' N & 1,320' W from SE cor, Sec 23
Hale 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1295	3	N	30	E	7	S W	S W		1,420' S & 40' E from W1/4 cor, Sec 7
Hale 8	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1300	3	N	29	E	14	S W	N W		1,350' S & 50' W from NE cor NWNW, Sec 14
Lorenzen	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 3010	4	N	30	E	35	S W	SE		1,860' S & 2,920' E from W1/4 cor, Sec 35

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

- Place of Use (POU)
- Point of Diversion (POD)
- Additional Point of Diversion (APOD)
- Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)

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

- Place of Use (POU)
- Character of Use (USE)
- Point of Diversion (POD)
- Point of Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

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

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

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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.

SUPERSEDED

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

Table 2. Description of Temporary Changes to Water Right Certificate # 87667

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901			
"	"	"	" " " "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901			
3	N	29	E 23 NE SE	08400		29.25	Irrigation	Coppinger 1&3 & Hale 3&8	1974	POU/POD	3	N	30	E 3 NE SW	400		13.56	Irrigation	Lorenzen	1974			
3	N	29	E 23 NW SE	08400		4.11	Irrigation	Coppinger 1&3 & Hale 3&8	1974	POU/POD	3	N	30	E 3 NW SW	400		1.96	Irrigation	Lorenzen	1974			
3	N	29	E 23 SE SE	08400		6.30	Irrigation	Coppinger 1&3 & Hale 3&8	1974	POU/POD	3	N	30	E 3 SW SW	400		3.37	Irrigation	Lorenzen	1974			
											3	N	30	E 3 SE SW	400		20.77	Irrigation	Lorenzen	1974			
						TOTAL ACRES	39.66							TOTAL ACRES	39.66								

Additional remarks: _____

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For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: (1) Permit S-54773 is a shoulder water right. The portions of supplemental water from Permit S-54773 associated with portions of Cert. 74762 affected by this transfer will not be transferred or exercised during the regular 2021 irrigation season. (2) Mitigation Permits: S-55114, S-55263, and S-55262 are mitigation permits and will be used on the "TO" lands. (3) Certificate 87667 is adjacent to Cert. 87666 but the actual places of use do not overlap.



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # _____

Water Right Certificate # 80849

Description of Water Delivery System

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

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. _____

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)
Coppinger 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 54853	3	N	29	E	24	S W	NE		20' N & 1570' W from E1/4 cor, Sec. 24
Coppinger 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1329	3	N	29	E	24	SE	SE		960' N & 30' W E1/4 cor, Sec 24
Ditchen 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 1361	3	N	30	E	20	S W	S W		100' N & 80' E from SW cor., Sec 20

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

- Place of Use (POU) Appropriation/Well (POA)
- Point of Diversion (POD) Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

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

- Place of Use (POU) Point of Appropriation/Well (POA)
- Character of Use (USE) Additional Point of Appropriation (APOA)
- Point of Diversion (POD) Additional Point of Diversion (APOD)

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

13899

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

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Superseded

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

SUPERSEDED

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

Table 2. Description of Temporary Changes to Water Right Certificate # 80849

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	1/4	1/4	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	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																												
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901		
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901		
3	N	29	E	24	NE	SE	8700		30.77	Irrigation	COPPINGER 1&2	1975	POU/POD	3	N	30	E	20	NE	SW	1000		30.68	Irrigation	DITCHEN 2	1975		
3	N	29	E	24	NW	SE	4000		31	Irrigation	COPPINGER 1&2	1975	POU/POD	3	N	30	E	20	NE	SW	1000		30.68	Irrigation	DITCHEN 2	1975		
3	N	29	E	24	SW	SE	8500		31.17	Irrigation	COPPINGER 1&2	1975	POU/POD	3	N	30	E	20	NE	SW	1000		30.68	Irrigation	DITCHEN 2	1975		
3	N	29	E	24	SE	SE	8700		30.92	Irrigation	COPPINGER 1&2	1975	POU/POD	3	N	30	E	20	NE	SW	1000		30.68	Irrigation	DITCHEN 2	1975		
							TOTAL ACRES																TOTAL ACRES					
							123.86																123.86					

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Additional remarks: _____ **RECEIVED**

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For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: (1) Mitigation Permits: S-55114, S-55263, and S-55262 are mitigation permits and will be used on the "TO" lands. (2) Permit S-54773 is a shoulder water right. The portions of supplemental water from Permit S-54773 associated with portions of Cert. 80849 affected by this transfer will not be transferred or exercised during the regular 2021 irrigation season.



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Part 5 of 5 – Water Right Information

SUPERSEDED

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

CERTIFICATE # _____

Water Right Certificate # 80850

Description of Water Delivery System

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

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. _____

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)
Hale 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1282	3	N	29	E	11	SE	SE		60' N & 590' W from SE cor, Sec 11
Hale 8	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1300	3	N	29	E	14	S W	N W		1,350' S & 50' W from NE cor NWNW, Sec 14
Lorenzen	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 3010	4	N	30	E	35	S W	SE		1,860' S & 2,920' E from W1/4 cor, Sec 35

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

- Place of Use (POU) Appropriation/Well (POA)
- Point of Diversion (POD) Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

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

- Place of Use (POU) Point of Appropriation/Well (POA)
- Character of Use (USE) Additional Point of Appropriation (APOA)
- Point of Diversion (POD) Additional Point of Diversion (APOD)

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

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

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For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: (1) Mitigation Permits: S-55114, S-55263, and S-55262 are mitigation permits and will be used on the "TO" lands. (2) Permit S-54773 is a shoulder water right. The supplemental portion of Permit S-54773 overlaps Cert. 80850 and will not be transferred or exercised during the regular 2021 irrigation season. (3) Certificate 87111 is adjacent to Cert. 80850 but the actual places of use do not overlap. (4) Certificate 94107 is adjacent to Cert. 80850 but the actual places of use do not overlap. (5) Certificate 87042 is adjacent to Cert. 80850 but the actual places of use do not overlap.



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

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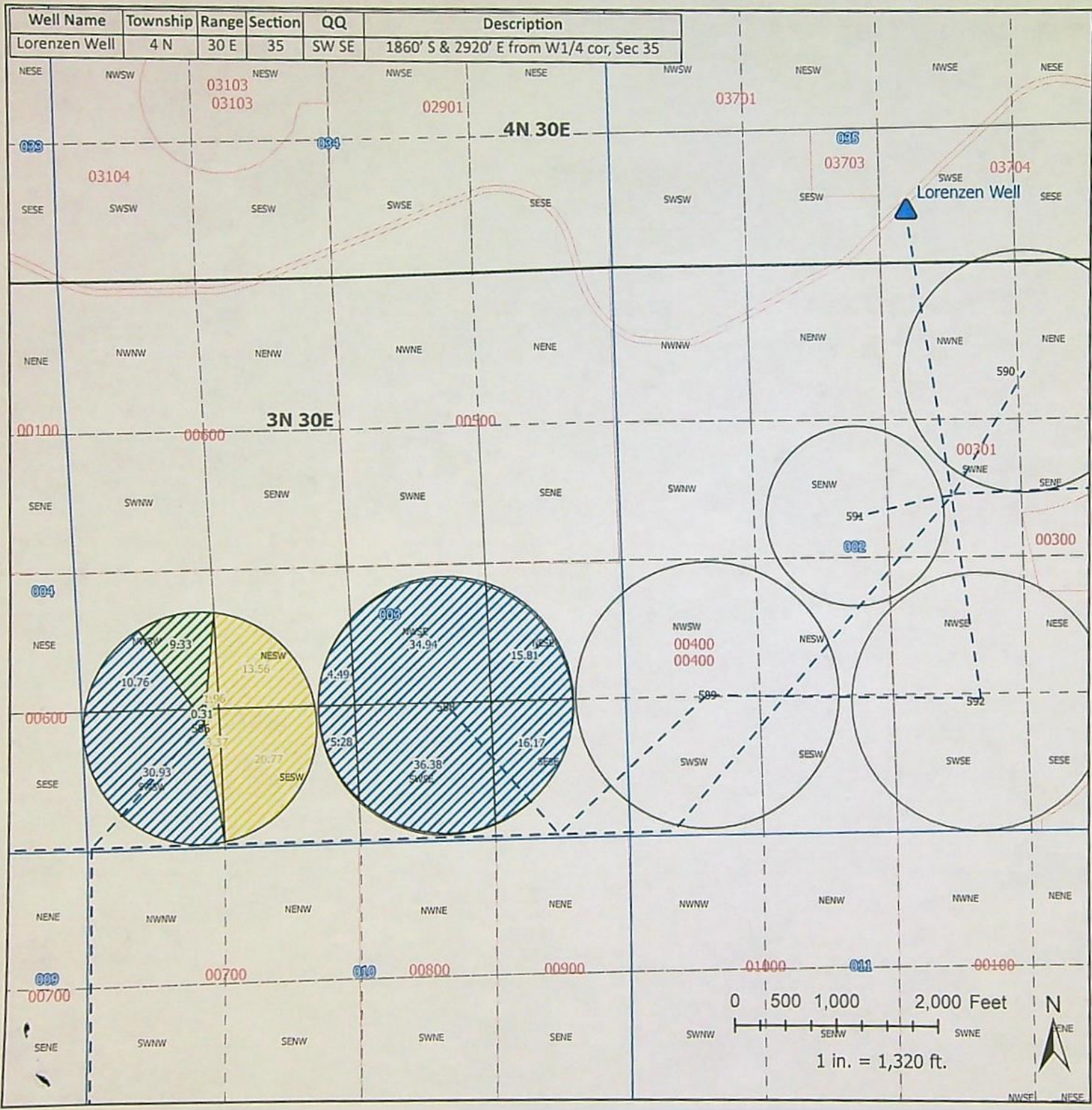
AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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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
								13899		

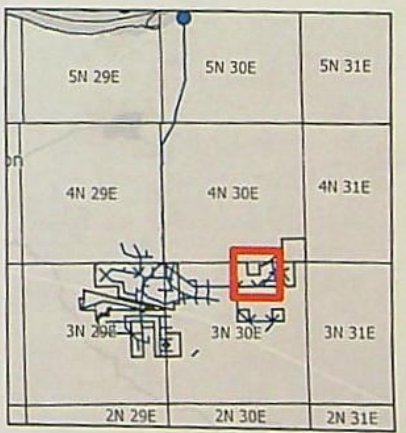


Farmland Reserve, Inc. Temporary Transfer - Umatilla County

SUPERSEDED

- Point of Diversion
- Water Transport
- Irrigated Fields
- Township & Range
- Section
- 1/4-1/4
- Umatilla County Parcels
- 87666 "TO" Lands
- 80850 "TO" Lands
- 87667 "TO" Lands

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