

Temporary

Name St Hilaire Brothers
Carl St Hilaire
Address 84180 Hwy 37
Hermiston Or 97838

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Columbia River
Trib. of Pacific Ocean
Use Irrigation County Morrow
Quantity of water (CFS) _____ No. of Acres _____
Name of ditch _____
App# 545476 Per # 533937 Cert # 81800 PR Date _____
App# _____ Per # _____ Cert # _____ PR Date _____
App# _____ Per # _____ Cert # _____ PR Date _____
App# _____ Per # _____ Cert # _____ PR Date _____

FEEES PAID
Date 2-16-2022 Amount \$1,226.00 Receipt # 137482

Change in POD POD
Date Filed 2/16/2022
Initial notice date 3/11/2022
DPD issued date _____
PD issued date _____
PD notice date _____
Date of FO 4/16/2022 Vol 122 Page 773

FEEES REFUNDED
Date _____ Amount _____ Receipt # _____

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

Assignments: _____

Irrigation District West extension
Agent Molly Reed - Geo engineers mreed@geoengineers.com

CWRE _____
CC's list Lamaha County Planning

- Oversized map - Location _____



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

April 6, 2022

CARL ST HILAIRE
84186 HIGHWAY 37
HERMISTON, OR 97838

REFERENCE: District Temporary Transfer Application T-13921

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)
Umatilla County Planning Department
Molly Reid, Agent
West Extension Irrigation District

Enclosure

3. The right to be transferred is as follows:

Certificate: 87800 in the name of KARL D. SMITH AND PATRICIA A. SMITH (perfected under Permit S-33937)
Use: IRRIGATION of 102.15 ACRES
Priority Date: OCTOBER 16, 1968 AND DECEMBER 19, 1968
Rate: 2.27 CUBIC FOOT PER SECOND (CFS), BEING 1.32 CFS FOR PRIORITY DATE OCTOBER 16, 1968 AND 0.95 FOR PRIORITY DATE DECEMBER 19, 1968
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 a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: The COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	18	NE NE	1190 FEET NORTH AND 10 FEET WEST FROM THE SE CORNER OF THE NE 1/4 NE 1/4 CORNER OF SECTION 18

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	20	NE SW	32.60
4 N	25 E	WM	20	NE SE	21.40
4 N	25 E	WM	20	SW SE	32.50
4 N	25 E	WM	20	SE SE	15.65
TOTAL					102.15

4. Temporary Transfer Application T-13921 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	30 E	WM	23	NE NE	17.16
5 N	30 E	WM	23	NW NE	13.05
5 N	30 E	WM	23	SW NE	30.09
5 N	30 E	WM	23	SE NE	36.95
5 N	30 E	WM	23	NE SE	3.01
5 N	30 E	WM	23	NW SE	1.89
TOTAL					102.15

5. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Transfer Application T-13921 proposes to change the point of diversion under Certificate 87800, as described below, to serve the proposed place of use.

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	SW NW	2920 FEET NORTH AND 150 FEET WEST FROM THE SW CORNER OF SECTION 8

6. The proposed place of use described in Finding of Fact #4, above, will become layered with the same lands for which there is 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 these permits is subject to the following annual use conditions:
- The amount of water used under Permits S-55114, S-55167, S-55262, and S-55263, together with the amount secured under any other right existing for the same lands, including Certificate 87800, 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.
 - If water under Permits S-55114, S-55167, S-55262, and S-55263 is planned for use as supplemental irrigation, then pre-existing primary rights for the same place of use cannot be transferred to another place of use or character of use.
7. 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

- 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.
- 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.
- 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).
- 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.
- All other applicable requirements for a temporary water right transfer pursuant to OAR Chapter 690, Division 380, are met.

Conclusions of Law

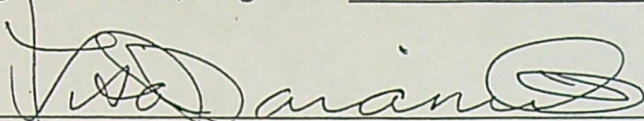
The temporary change in place of use and in point of diversion needed to convey water to the temporary place of use proposed in Temporary Transfer Application T-13921, as conditioned above, are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use and point of diversion needed to convey water to the temporary place of use proposed in Temporary Transfer Application T-13921 are approved.
2. The land from which the water right described by Water Right Certificates 87800 is temporarily removed shall not receive any water under the right during the 2022, 2023, 2024, 2025, and 2026 irrigation seasons.
3. 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 diversion shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. Any subsequent application for permanent transfer of Certificate 87800 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.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 87800.
7. 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.
8. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
 - b. The water user shall maintain the meter or measuring device in good working order.
 - c. The water user shall allow the Watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.

9. The use of the remaining water right described by Certificate 87800 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 05 2022.



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

Mailing Date: APR 06 2022

Oregon Water Resources Department
Measurement Condition Information for the Applicant
(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 13921

- Checked box: 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:
- Checked box: at each point of diversion/appropriation (new and existing) OR
- Unchecked box: 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:

Two horizontal lines for describing the 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- 13921

Transfer Specialist:

Transfer Type: Temporary Transfer

Applicant: CARL ST HILAIRE 84186 HIGHWAY 37 HERMISTON, OR 97838 Email: _____ Phone: _____	Agent: <input type="checkbox"/> N/A MOLLY REID 8019 W QUINAULT AVE SUITE 201 KENNEWICK, WA 99336 Email: _____ Phone: _____
Irrigation District: <input type="checkbox"/> N/A West Extension Irrigation District Email: _____	CWRE: <input type="checkbox"/> N/A Email: _____
Affected Local Gov'ts: <input type="checkbox"/> N/A Umatilla County Planning Department 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"/>	S45476	S33937	87800	<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: February 16, 2022	Proposed Action(s): POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 1226.00	WM District: 5	ODFW District:
Initial Public Notice: March 1, 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: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

February 23, 2022

ST HILAIRE BROTHERS
CARL ST HILAIRE
84186 HIGHWAY 37
HERMISTON, OR 97838

Reference: Application T-13921

On February 16, 2022, OWRD received your water right Temporary Transfer Application. The application was accompanied by \$1226.00. Our receipt number 137482 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/appropriation 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)
Molly Reid, Agent
West Extension Irrigation District
Umatilla County Planning

Enclosure

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 # **137482**

INVOICE # _____

RECEIVED FROM: *St. Hilaire Brothers*
BY: *Hermiston Farm, LLC*

APPLICATION _____
PERMIT _____
TRANSFER *T-13921*

CASH: CHECK: # *1567* OTHER: (IDENTIFY)

TOTAL REC'D \$ *1,226.00*

1083 TREASURY 4170 WRD MISC CASH ACCT

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

4270 WRD OPERATING ACCT

MISCELLANEOUS *46110*

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

EXAM FEE	RECORD FEE
0201 SURFACE WATER \$ _____	0202 \$ _____
0203 GROUND WATER \$ _____	0204 \$ _____
0205 TRANSFER \$ <i>1,226.00</i>	

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **137482**

DATED: *2-16-2022* BY: *[Signature]*

Check No.: 1567 Check Date: 2/11/22 Currency: USD Totals: 1,226.00 .00 1,226.00

Vendor: Oregon Water Resources Department ID: 1051
Invoice No. Invoice Date 2/11/22 Description 2022 Kerslake to K36 Water Transfer P.O. No. Voucher Amt 1,226.00 Discount Amt .00 Pay Amount 1,226.00
Water Trnsfr 2/11/22

RECEIVED
FEB 16 2022
OWRD

ST HILAIRE BROTHERS HERMISTON FARM LLC 1567

**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

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FEB 16 2022

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

OWRD

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 87800 Attachment #2**
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. **Attachment #1**
- Completed Evidence of Use Affidavit and supporting documentation. **Attachment #3 & 4**
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved. **Attachment #5**
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.) **Attachment #6**
- 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. **Attachment #7**
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. **Attachment #8**
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ Phone: _____ Date: _____

13921

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FEB 16 2022
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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. OWRD

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°).

13921

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: <u>1</u> (2a) Subtract 1 from the number in 3a above: <u>0</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	0
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3	3	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>102.15</u> (4a) Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	276.00
5	Add entries on lines 1 through 4 above » » » » » » » » » » » Subtotal:	5	1226.00
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	6	0
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » » » Transfer Fee:	7	1226.00

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

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*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:
 1. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac = 0.56 cfs).
 2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)
 3. Add cfs for the portions of water rights on all the land included in the transfer; however do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

13921

Part 4 of 5 – Applicant Information and Signature

Applicant Information

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

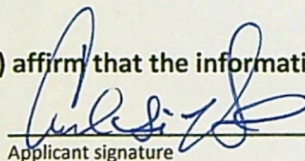
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

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

Explain in your own words what you propose to accomplish with this transfer application and why:
Temporarily transferring off existing Columbia River surface water rights on a leased portion of a circle and corners, to allow irrigation district water rights to be temporarily transferred in; thus allowing the water right to be beneficially used on other lands.

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

Carl St. Hilaire
 Print Name (and Title if applicable)

Date

2/11/2022

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Applicant signature

Print Name (and Title if applicable)

Date

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

If NO, include signatures of all 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.

13921

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 West Extension Irrigation District	ADDRESS P.O. Box 100	
CITY Irrigon	STATE OR	ZIP 97844

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP



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

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

Water Right Certificate # 87800

Description of Water Delivery System

System capacity: 12 cubic feet per second (cfs)

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. **One 400 HP Pump at the Columbia River, 9350 feet of 24 inch steel pipe delivers water to the farm. Pipe reduces to 12 inch and goes to two 40 HP boosters, and a 100 HP booster near canal.**

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)
1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	4	N	25	E	18	NE	NE		1190' N and 10' W from the SE Corner of the NENE of Section 18, T4N R25E, W.M.
2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	5	N	30	E	8	SW	NW	200	2920' N and 150' E from the SW Corner of Section 8, T5N R30E, W.M.

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Appropriation/Well (POA) |
| <input checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | |

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

- | | |
|---|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> 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 # 87800

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
4	N	25	E	20	NE	SE	802		32.6	IR	1	1968	POU/POD	5	N	30	E	23	NE	NE	1380		17.16	IR	2	1968
4	N	25	E	20	SW	SE	802		21.4	IR	1	1968	POU/POD	5	N	30	E	23	NW	NE	1380		13.05	IR	2	1968
4	N	25	E	20	SE	SE	802		32.5	IR	1	1968	POU/POD	5	N	30	E	23	SW	NE	1380		30.09	IR	2	1968
4	N	25	E	20	NE	SW	802		15.65	IR	1	1968	POU/POD	5	N	30	E	23	SE	NE	1380		36.95	IR	2	1968
														5	N	30	E	23	NE	SE	1380		3.01	IR	2	1968
														5	N	30	E	23	NW	SE	1380		1.89	IR	2	1968
						TOTAL ACRES	102.15																TOTAL ACRES	102.15		

12921

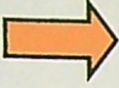
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Additional remarks: Permits S-55144, S-55262 and S-55263 exist on the TO lands. However, these permits will be supplemental to incoming Certificate 87800 on the TO lands for the irrigation season.

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: S-55144, S-55262, S-55263



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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Attachment #1
Map of FROM and TO Lands
Temporary Transfer Application for Certificate 87800

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Attachment #2
Certificate 87800 and FPS Map
Temporary Transfer Application for Certificate 87800

13921

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KARL D. SMITH AND PATRICIA A. SMITH
78276 PAUL SMITH ROAD
BOARDMAN, OR 97818

confirms the right to use the waters of the COLUMBIA RIVER, tributary to the PACIFIC OCEAN for IRRIGATION of 507.55 ACRES.

This right was perfected under Permit S-33937. The date of priority is OCTOBER 16, 1968 for 6.58 cubic feet per second and DECEMBER 19, 1968 for 4.70 cubic feet per second. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 11.28 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	18	NE NE	1190 FEET NORTH AND 10 FEET WEST FROM SE CORNER OF THE NE¼ NE¼ OF SECTION 18

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	GLot	Acres
4 N	25 E	WM	19	NE SW	--	28.10
4 N	25 E	WM	19	NW SW	3	34.30
4 N	25 E	WM	19	SW SW	4	53.40
4 N	25 E	WM	19	SE SW	--	39.00
4 N	25 E	WM	19	NE SE	--	14.10
4 N	25 E	WM	19	NW SE	--	23.50
4 N	25 E	WM	19	SW SE	--	39.60
4 N	25 E	WM	19	SE SE	--	29.50
4 N	25 E	WM	20	NE SW	--	34.70
4 N	25 E	WM	20	SW SW	--	40.10
4 N	25 E	WM	20	SE SW	--	40.20
4 N	25 E	WM	20	NE SE	--	40.60
4 N	25 E	WM	20	NW SE	--	9.45
4 N	25 E	WM	20	SW SE	--	40.20
4 N	25 E	WM	20	SE SE	--	40.80

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This certificate describes that portion of the water right confirmed by Certificate 44107, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered Nov. 15 2012, approving Transfer Application T-11404:

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use herein described and is subject to the existing minimum flow policies originally established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed Nov. 15 2012.



Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

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Attachment #3
Evidence of Use Affidavit
Temporary Transfer Application for Certificate 87023

13921

Application for Water Right Transfer Evidence of Use Affidavit



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

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

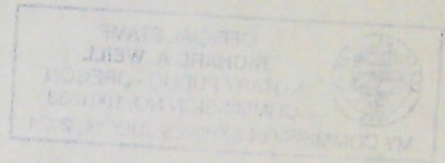
State of Oregon)
) ss

County of MULTNOMAH

I, KURT KERSLAKE, in my capacity as LANDOWNER,

mailing address 1605 SE 302ND AVENUE, TROUTDALE, OR 987060

telephone number (503)667-5136, 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

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2. I attest that:

Water was used during the previous five years on the entire place of use for Certificate # 87800; 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)

(continues on reverse side)

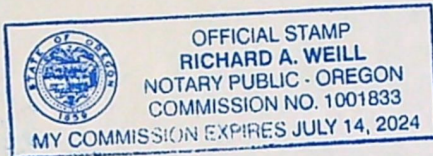
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3. The water right was used for: (e.g., crops, pasture, etc.): MINT, HAY, CORN
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Kento Kelenk
Signature of Affiant

2-3-22
Date

Signed and sworn to (or affirmed) before me this 3 day of FEB, 2022.



[Signature]
Notary Public for Oregon
My Commission Expires: _____

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

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Attachment #4
Evidence of Use Documents
Temporary Transfer Application for Certificate 87800

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Umatilla Electric Cooperative

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CUSTOMER PROFILE/BILLING HIST

Page: 1

Customer: 9107620

Name: HILLTOP PRODUCE FARMS
 Addl Name:
 Address: PO BOX 3427
 GRESHAM OR 97030

Phone Ext Addl Phone Ext
 Home: Home:
 Mobl: 503-667-5136 Mobl:
 Busn: Busn:
 Fax: Fax:

Account: 9107620001 Cycle Code: 1 Invoice Group: 0
 Provider: UEC - Umatilla Electric Cooperative Service: ELEC - UMATILLA ELECTRIC COOPERATIVE

AR Information:

Total AR:	5.27	Budget Due:	.00	Annual Due:	.00
Total Current:	5.27	Curr Budget:	.00	Curr Annual:	.00
Total 30 Days:	.00	Past Budget:	.00	Past Annual:	.00
Total 60 Days:	.00				
Total 90 Days:	.00				

Payment Information:

Payment Date: 12/29/2021 Payment Amt: -3.39

Location: 46765182 Srv Map Loc: 4N25E202200
 Srv Desc: 2 40 HP PUMP
 Srv Address: PAUL SMITH RD
 Prim Rate Sched:44A

Emergency Addr:
 District Office: 1 - Umatilla Electric Cooperative
 Board Dist: 1 - Lee Docken
 Srv Area: 01 - Boardman

Billing History Usage Summary:

Rev YrMo	Usage	Act Dmd	Bld Dmd	KVAR Usage	KVA Use
Jan 2021	172	.235	.410	750.000	.000
Feb 2021	156	.235	.410	681.000	.000
Mar 2021	235	7.570	12.742	785.000	.000
Apr 2021	359	2.008	3.149	818.000	.000
May 2021	6,490	30.841	33.552	3465.000	.000
Jun 2021	10,565	47.169	51.126	5525.000	.000
Jul 2021	8,934	43.236	48.334	5488.000	.000
Aug 2021	13,363	42.912	45.697	6279.000	.000
Sep 2021	11,235	33.381	35.671	5396.000	.000
Oct 2021	1,593	23.661	27.343	1135.000	.000
Nov 2021	46	.122	.195	114.000	.000
Dec 2021	42	.529	.866	119.000	.000
<hr/>					
Totals:	53,190	231.899	259.495	30555.000	.000
Averages:	4,432	19.325	21.625	2546.250	.000

Billing History Revenue Summary:

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Umatilla Electric Cooperative

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CUSTOMER PROFILE/BILLING HIST

Page: 1

Customer: 9107620 Name: HILLTOP PRODUCE FARMS Phone Ext Addl Phone Ext
 Addl Name: Address: PO BOX 3427 Home: Home:
 GRESHAM OR 97030 Mobl: 503-667-5136 Mobl:
 Busn: Busn:
 Fax: Fax:

Account: 9107620002 Cycle Code: 1 Invoice Group: 0
 Provider: UEC - Umatilla Electric Cooperative Service: ELEC - UMATILLA ELECTRIC COOPERATIVE

AR Information:

Total AR:	5.23	Budget Duc:	.00	Annual Due:	.00
Total Current:	5.23	Curr Budget:	.00	Curr Annual:	.00
Total 30 Days:	.00	Past Budget:	.00	Past Annual:	.00
Total 60 Days:	.00				
Total 90 Days:	.00				

Payment Information:

Payment Date: 12/29/2021 Payment Amt: -6.90

Location: 46765190 Srv Map Loc: 4N25E204597 Emergency Addr:
 Srv Desc: 100 HP 40 HP 3 CIRCLE 19 TOWER District Office: 1 - Umatilla Electric Cooperative
 Srv Address: 100 HP 40 HP 3 CIRCLE 19 TOWER Board Dist: 1 - Lee Docken
 Prim Rate Sched:44A Srv Area: 01 - Boardman

Billing History Usage Summary:

Rev YrMo	Usage	Act Dmd	Bld Dmd	KVAR Usage	KVA Use
Jan 2021	80	.080	.122	160.000	.000
Feb 2021	80	.080	.122	160.000	.000
Mar 2021	120	2.040	3.215	280.000	.000
Apr 2021	80	1.240	2.051	240.000	.000
May 2021	17,360	89.920	102.698	11760.000	.000
Jun 2021	38,800	92.200	104.417	25320.000	.000
Jul 2021	53,080	88.080	99.830	34760.000	.000
Aug 2021	48,960	85.000	96.968	33000.000	.000
Sep 2021	45,360	83.360	95.647	31360.000	.000
Oct 2021	120	2.120	3.228	240.000	.000
Nov 2021	80	.480	.731	160.000	.000
Dec 2021	80	.080	.122	160.000	.000
<hr/>					
Totals:	204,200	444.680	509.151	137600.000	.000
Averages:	17,017	37.057	42.429	11466.667	.000

Billing History Revenue Summary:

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Umatilla Electric Cooperative

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CUSTOMER PROFILE/BILLING HIST

Page: 1

Customer: 9107620

Name: HILLTOP PRODUCE FARMS
 Addl Name:
 Address: PO BOX 3427
 GRESHAM OR 97030

Phone Ext Addl Phone Ext
 Home: Home:
 Mobil: 503-667-5136 Mobil:
 Busn: Busn:
 Fax: Fax:

Account: 9107620003 Cycle Code: 1 Invoice Group: 0

Provider: UEC - Umatilla Electric Cooperative Service: ELEC - UMATILLA ELECTRIC COOPERATIVE

AR Information:

Total AR:	3.00	Budget Due:	.00	Annual Due:	.00
Total Current:	3.00	Curr Budget:	.00	Curr Annual:	.00
Total 30 Days:	.00	Past Budget:	.00	Past Annual:	.00
Total 60 Days:	.00				
Total 90 Days:	.00				

Payment Information:

Payment Date: 12/29/2021 Payment Amt: -2.65

Location: 46765204 Srv Map Loc: 4N25E170999
 Srv Desc: 400 HP RIVER PUMP
 Srv Address: 400 HP RIVER PUMP
 Prim Rate Sched:47A

Emergency Addr:
 District Office: 1 - Umatilla Electric Cooperative
 Board Dist: 1 - Lee Docken
 Srv Area: 01 - Boardman

Billing History Usage Summary:

Rev YrMo	Usage	Act Dmd	Bld Dmd	KVAR Usage	KVA Use
Jan 2021	60	.060	.106	300.000	.000
Feb 2021	60	.060	.106	300.000	.000
Mar 2021	15,240	160.200	175.996	8580.000	.000
Apr 2021	37,320	107.340	116.518	19680.000	.000
May 2021	47,220	151.680	162.692	23220.000	.000
Jun 2021	63,480	164.220	173.810	28620.000	.000
Jul 2021	78,180	180.660	191.048	35040.000	.000
Aug 2021	81,660	180.600	190.479	35940.000	.000
Sep 2021	70,440	177.540	188.050	31920.000	.000
Oct 2021	16,080	145.080	154.887	7680.000	.000
Nov 2021	60	.060	.106	300.000	.000
Dec 2021	60	.120	.213	300.000	.000
<hr/>					
Totals:	409,860	1267.620	1354.011	191880.000	.000
Averages:	34,155	105.635	112.834	15990.000	.000

Billing History Revenue Summary:

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Umatilla Electric Cooperative

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CUSTOMER PROFILE/BILLING HIST

Page: 1

Customer: 9107620

Name: HILLTOP PRODUCE FARMS
 Addl Name:
 Address: PO BOX 3427
 GRESHAM OR 97030

Phone
 Home:
 Mobil: 503-667-5136
 Busn:
 Fax:

Ext
 Addl Phone
 Home:
 Mobil:
 Busn:
 Fax:

Account: 9107620006 Cycle Code: 1 Invoice Group: 0

Provider: UEC - Umatilla Electric Cooperative

Service: ELEC - UMATILLA ELECTRIC COOPERATIVE

AR Information:

Total AR:	14.66	Budget Due:	.00	Annual Due:	.00
Total Current:	14.66	Curr Budget:	.00	Curr Annual:	.00
Total 30 Days:	.00	Past Budget:	.00	Past Annual:	.00
Total 60 Days:	.00				
Total 90 Days:	.00				

Payment Information:

Payment Date: 12/29/2021 Payment Amt: -7.83

Location: 107325790 Srv Map Loc: 4N25E19S404
 Srv Desc: 150 H/P PUMP
 Srv Address: PETERS ROAD
 Prim Rate Sched:44A

Emergency Addr:
 District Office: 1 - Umatilla Electric Cooperative
 Board Dist: 1 - Lee Docken
 Srv Area: 01 - Boardman

Billing History Usage Summary:

Rev YrMo	Usage	Act Dmd	Bld Dmd	KVAR Usage	KVA Use
Jan 2021	120	.240	.240	.000	.000
Feb 2021	240	.240	.258	120.000	.000
Mar 2021	0	.840	.840	.000	.000
Apr 2021	0	1.680	1.680	240.000	.000
May 2021	3,360	92.400	115.518	3240.000	.000
Jun 2021	13,320	91.080	112.365	12240.000	.000
Jul 2021	14,400	90.000	110.124	12840.000	.000
Aug 2021	360	1.320	2.010	720.000	.000
Sep 2021	120	1.920	3.317	480.000	.000
Oct 2021	240	2.400	3.397	360.000	.000
Nov 2021	120	.240	.303	120.000	.000
Dec 2021	240	.240	.240	.000	.000
<hr/>					
Totals:	32,520	282.600	350.292	30360.000	.000
Averages:	2,710	23.550	29.191	2530.000	.000

Billing History Revenue Summary:

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Attachment #5
Current Property Deed of FROM Lands
Temporary Transfer Application for Certificate 87800

13921

MCAL 9884

Until a change is requested all tax statements should be sent to Grantee at the following address:

Kerslake Family Enterprises, LLC
PO Box 3427
Gresham, OR 97030

After Recording Please Return to:
MID-COLUMBIA TITLE COMPANY
P.O. BOX 290
BOARDMAN, OR 97818

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, KARL D. SMITH AND PATRICIA A. SMITH, Grantors herein, do hereby grant, bargain, sell, convey and warrant unto KERSLAKE FAMILY ENTERPRISES, LLC, AN OREGON LIMITED LIABILITY COMPANY, Grantee, the following described tract of land in the County of Morrow, and State of Oregon, more particularly described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO.

TO HAVE AND TO HOLD the granted premises unto the said Grantees, its heirs and assigns forever.

And the Grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any, and that they will, and their successors heirs executors and administrators shall Warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as stated below:

THE TRUE AND ACTUAL CONSIDERATION IS \$7,600,000.00.

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

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Dated this 29 day of DECEMBER, 2016.

Karl D. Smith
KARL D. SMITH

Patricia A. Smith
PATRICIA A. SMITH

STATE OF OREGON
COUNTY OF MORROW

This record was acknowledged before me this 29th day of December, 2016 by KARL D. SMITH AND PATRICIA A. SMITH.

Krista A. Price
Notary Public for the State of OREGON
My Commission Expires: may 14, 2018



Statutory Warranty Deed
Smith/Kerslake Family Enterprises, LLC

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EXHIBIT "A"
Legal Description

Parcel I:

All that portion of the West Half of the Northeast Quarter of Section 20, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow, and State of Oregon, lying South of the West Extension Irrigation District Canal.

Parcel II:

The South Half of Section 19, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow, and State of Oregon, lying South of West Extension Umatilla Irrigation Project Main Canal.

EXCEPTING THEREFROM the East 462.00 feet of the West 2,372.00 feet of the South 377.00 feet of the Southwest Quarter of Section 19, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

Parcel III:

The Southeast Quarter, the Southwest Quarter of the Southwest Quarter, the East Half of the Southwest Quarter, and the West 25 feet of the Northwest Quarter of Southwest Quarter of Section 20, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon, lying South of West Extension Irrigation District Project Main Canal.

TOGETHER WITH the West 25 feet of the Northwest Quarter of the Southwest Quarter of Section 20, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon, lying South of the West Extension Irrigation District Canal.

ALSO TOGETHER WITH a parcel of land located in Section 20, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon, described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of the Southwest Quarter of said Section 20, thence along the South line of said Northwest Quarter of the Southwest Quarter South 89°44'45" East a distance of 25.00 feet to the Point of Beginning for this description; thence North 00°28'45" East parallel with and 25.00 feet East of the West line of said Northwest Quarter a distance of 286.96 feet; thence South 34°48'16" East a distance of 116.74 feet; thence South 32°28'23" East a distance of 115.63 feet; thence South 28°03'17" East a distance of 106.91 feet, more or less, to the South line of said Northwest Quarter of the Southwest Quarter; thence along said South line, North 89°44'45" West a distance of 181.40 feet to the Point of Beginning.

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Parcel IV:

The East 462.00 feet of the West 2,372.00 feet of the South 377.00 feet of the Southwest Quarter of Section 19, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

Parcel V:

That part of the East one-half of the East one-half of the Northwest Quarter of Section 20, lying South of the West Extension Irrigation District Umatilla Canal Project, in Township 4 North, Range 25 East of the Willamette Meridian, in the County of Morrow and State of Oregon.

Parcel VI: The following Pipeline easements

1. Easement for pipeline right-of-way, including the terms and provisions thereof, in favor of Bildco Inc., a Washington Corporation, recorded February 19, 1970, as Microfilm No. M-1999, Morrow County Microfilm Records.

NOTE: Over the East 12.00 feet of Sections 18 and 19, Township 4 North, Range 25, East of the Willamette Meridian.

2. Easement for pipeline right-of-way, including the terms and provisions thereof, in favor of Bildco Inc., a Washington Corporation, recorded February 19, 1970, as Microfilm No. M-2000, Morrow County Microfilm Records.

NOTE: A strip of land lying West of and adjacent to the East line of the Northeast Quarter of the Southeast Quarter of Section 18, Township 4 North, Range 25, East of the Willamette Meridian, Morrow County, Oregon and Northerly of the project boundary of the John Day Lock and Dam Project.

3. Easement for crossing of irrigation works with a 20 inch pipeline, including the terms and provisions thereof, in favor of Bildco Inc. a Washington Corporation, recorded February 19, 1970, as Microfilm No. M-2001, Morrow County Microfilm Records.

NOTE: Within the Northeast Quarter of the Southeast Quarter of Section 19, Township 4 North, Range 25, East of the Willamette Meridian, Morrow County, Oregon within the right of way of the West Extension Main Canal. Crossing is located 10 feet West of the East Section line of Section 19.

4. Easement for pipeline right-of-way, including the terms and provisions thereof, in favor of Bildco Inc., a Washington Corporation, recorded May 20, 1970, as Microfilm No. M-2210, Morrow County Microfilm Records.

NOTE: The East 12.00 feet of Sections 18 and 19, Township 4 North, Range 25, East of the Willamette Meridian.

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EXHIBIT "B"
Permitted Exceptions

1. The rights of the public in roads and highways.
2. The premises are within the boundaries of the West Extension Irrigation District, and are subject to the levies, assessments and easements thereof, if any
3. 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.
4. Reservations, including the terms and provisions thereof, as reserved in deed from the Northern Pacific Railroad Company, to Oregon Land & Water Company, in Book S, Page 342, Morrow County Deed Records.
5. Right of Way, including the terms and provisions thereof, in favor of Pacific Telephone and Telegraph Company, recorded May 12, 1942, in Book 47, Page 377, Morrow County Deed Records. (Affects Parcel II and IV)
6. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded October 20, 1958, in Book 63, and Page 334, Morrow County Deed Records. (Affects Parcel II and IV)
7. Easement, including the terms and provisions thereof, in favor of Morrow County, recorded November 2, 1962, in Book 68, Page 431, Morrow County Deed Records. (Affects Parcel II and IV)
8. Reservations, Easements, and Rights of Way, including the terms and provisions thereof, as disclosed in Patent from the United States of America, to Bildco, Inc., recorded January 11, 1969, as Microfilm No. M-1103, Morrow County Microfilm Records. (Affects Parcel III)
9. Easement for pipeline right-of-way, including the terms and provisions thereof, in favor of Bildco Inc., a Washington Corporation, recorded February 19, 1970, as Microfilm No. M-1999, Morrow County Microfilm Records. (Affects Parcel III)
10. Easement for pipeline right-of-way, including the terms and provisions thereof, in favor of Bildco Inc., a Washington Corporation, recorded February 19, 1970, as Microfilm No. M-2000, Morrow County Microfilm Records. (Affects Parcel III)
11. Easement for crossing of irrigation works with a 20 inch pipeline, including the terms and provisions thereof, in favor of Bildco Inc. a Washington Corporation, recorded February 19, 1970, as Microfilm No. M-2001, Morrow County Microfilm Records. (Affects Parcel III)
12. Easement for pipeline right-of-way, including the terms and provisions thereof, in favor of Bildco Inc., a Washington Corporation, recorded May 20, 1970, as Microfilm No. M-2210, Morrow County Microfilm Records. (Affects Parcel III)
13. Easement, including the terms and provisions thereof, in favor of Telephone Utilities, Inc., Oregon Division, recorded May 16, 1977, as Microfilm No. M-11235, Morrow County Microfilm Records. (Affects Parcel II and IV)
14. Crossing Agreement, including the terms and provisions thereof, in favor of Ivan Cook and Colleen Cook, recorded August 28, 1990, as Microfilm No. M-35457, Morrow County Microfilm Records. (Affects Parcel II and IV)
15. Crossing Agreement, including the terms and provisions thereof, in favor of Ivan Cook and Colleen Cook, recorded February 4, 1993, as Microfilm No. M-39907, Morrow County Microfilm Records. (Affects Parcel III)

Statutory Warranty Deed
Smith/Kerslake Family Enterprises, LLC

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16. Reservations, including the terms and provisions thereof, as reserved in deed from Augustan D. Kittson, Cynthia Jane Peterson and Nicki Jean Keohohou and the successor trustees of the Kittson Family Trust U/W/O Augustan Kittson, Grantor and Ivan J. Cook and Colleen Cook, Grantee, recorded May 03, 1996 as Microfilm No. M-47936, Morrow County Microfilm Records. (Affects Parcel III)
17. Covenant to comply with partition for Financial purposes, including the terms and provisions thereof, between Karl D. Smith and Patricia A. Smith, and Morrow County, recorded July 18, 2001 as Microfilm No. 2001-1698, Morrow County Microfilm Records. (Affects Parcel II and IV)
18. Consent to Use, including the terms and provisions thereof, between the United States of America, Department of the Interior, Bureau of Reclamation, and Peters Road Bridge Company, LLC, dated January 9, 2004, recorded February 02, 2004, as Microfilm No. 2004-10142, Morrow County Microfilm Records. (Affects Parcel II and IV)
19. Easement for Portion of Irrigated Circle, including the terms and provisions thereof, in favor of Karl D. Smith and Patricia A. Smith, recorded October 28, 2015, as Microfilm No. 2015-36987, Morrow County Microfilm Records. (Affects Parcel III)
20. The property described herein consists of portions that are contiguous. Access to such parcels may be through adjoining parcels. Rights of access to the property are limited to dedicated roads which abut or pass through the property described herein and no representation is made that all parcels and/or parts thereof have physical and/or insurable access. (Affects Parcels I and V)

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Statutory Warranty Deed
Smith/Kerslake Family Enterprises, LLC

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Attachment #6
Consent to Transfer by Deeded Landowner
Temporary Transfer Application for Certificate 87800

13921

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Multnomah)

I Kurtis R. Kerslake, Vice President - Hilltop Produce Farms/Kerslake Family Enterprises, LLC

in my/our capacity as landowner,

mailing address 1605 SE 302nd Avenue, Troutdale, OR 97060,

telephone number (503) 667-5136, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 87800

described in a Water Right Transfer Application (T-N/A),

(transfer number, if known)

submitted by Carl St. Hilaire

on the property in tax lot number(s) 802,

Section 20 Township 4 North Range 25 East, W.M.,

located at 78276 Paul Smith Road, Boardman, OR 97818
(site address)

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Signature of Affiant

Kurtis R. Kerslake

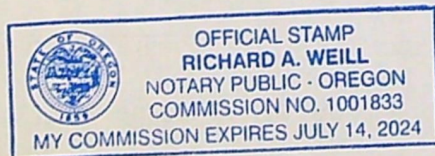
Signature of Affiant

Date

2-4-22

Date

Subscribed and Sworn to before me this 4 day of Feb, 2022.



Notary Public for Oregon

My commission expires _____.

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Attachment #7
Supplemental Form D – West Extension Irrigation District
Temporary Transfer Application for Certificate 87800

13921

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 KERSLAKE FAMILY ENTERPRISES			PHONE (HM)
PHONE (WK) (503) 667-5136	CELL	FAX	
ADDRESS 1605 SE 302 ND AVENUE			
CITY TROUTDALE	STATE OR	ZIP 97060	E-MAIL** BECKY@HILLTOPPRODUCEFARMS.COM

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME WEST EXTENSION IRRIGATION DISTRICT			PHONE (HM)
PHONE (WK) (541) 922-3814	CELL	FAX	RECEIVED
ADDRESS P.O. Box 100			FEB 16 2022
CITY IRRIGON	STATE OR	ZIP 97844	E-MAIL** BEV@WESTEXTENSION.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.		S-33937	87800	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

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

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

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

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

- YES NO One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.
- YES NO All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

COMMENTS OR ADDITIONAL INFORMATION: THE PLACE OF USE IS LOCATED WITHIN THE BOUNDARIES OF THE DISTRICT. THE FROM AND TO TEN ACRES ARE NOT COVERED BY ANY DISTRICT WATER RIGHT.

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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.

Kurtis Kerslake

Applicant Signature

Kurtis Kerslake

Name (print)

1-11-22

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).

Beverly J. Bridgewater

Signature of District Manager /Water Supplier

Beverly J. Bridgewater

Name (print), Title

1/26/22

Date

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Attachment #8
Land Use Information Form – Umatilla County
Temporary Transfer Application for Certificate 87800

13921

Land Use Information Form



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

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Applicant(s): Carl St. Hilaire

Mailing Address: 84186 Highway 37

City: Hermiston

State: OR

Zip Code: 97838

Daytime Phone: (541) 314-5500

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>5N</u>	<u>30E</u>	<u>23</u>	<u>NE 1/4</u>	<u>1380</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Irrigation</u>
<u>5N</u>	<u>30E</u>	<u>23</u>	<u>NESE</u>	<u>1380</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>5N</u>	<u>30E</u>	<u>23</u>	<u>NWSE</u>	<u>1380</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Umatilla

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) Columbia River

Estimated quantity of water needed: 2.25 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:

Temporarily transferring a portion of a water right (Certificate 87800) from a farm in Boardman to irrigate a circle on the St. Hilaire farm East of Highway 37.

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

See bottom of Page 3. →

For Local Government Use Only

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
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	FEB 16 2022	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

Name: CAROL JOHNSON Title: Planner
 Signature: Carol Johnson Phone: 541-278-6252 Date: 02/04/2022
 Government Entity: Whatalla 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: _____

Annual Temporary Water Right Transfer Application Checklist

Checked by Aela

Date 2/18/22

A temporary transfer must be for a change in place of use. A temporary change in POD/POA or APOD/APOA cannot be accepted as a stand-alone change.

A change in POD/POA can accompany the temporary change in place of use, only if the proposed temporary POD/POA is supplying water to the proposed temporary place of use.

If OK, check box to left; if not, fill in the blank)

- 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____
- 2. Are fees included and correct?
If not, the correct fee would be: _____, so the amount missing is: _____
- 3. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?
If not, whose signature is missing? _____
- 4. Are all listed certificates shown by WRIS as non-cancelled?
If not, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.
- 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
 N/A Form D needed from _____ (district)
- 6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Oregon Water Resources Department Transfer Fee Calculation for Temporary Transfer

- [Main](#) [Help](#)
- [Return](#) [Contact Us](#)

Today's Date: Friday, February 18, 2022

Fee Calculation

Base Fee (includes temporary change to one water right for up to 1 cfs)

\$950.00

Fill in information below-- Check each box that applies.

Enter total number of water rights included in transfer.

1

\$0.00

Check this box if you propose to change the place of use for a NON-irrigation use.

Check this box if you propose to change the place of use for an irrigation use.

Enter the number of acres in the footprint of the place of use to be transferred.

102.15

\$275.81

(If a supplemental certificate also covers the same land as an included primary right, count the acreage only once.)

Total Transfer CFS(rounded up to the next whole cfs):

Subtotal:

\$1,225.81

The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.

The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

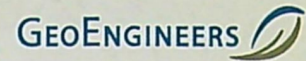
Discount:

Check the box if you are submitting the application and map in a Department-approved digital format.

Transfer Fee:

\$1,225.81

[Return to Edit](#) [Clear](#)



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

February 14, 2022

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OWRD

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

RE: Temporary Transfer Application for St. Hilaire Brothers (Certificate 87800)

To Whom It May Concern:

On behalf of our client, St. Hilaire Brothers, please find enclosed a temporary transfer application with supporting documents, for Certificate 87800. A check in the amount of \$1,226.00 is also enclosed.

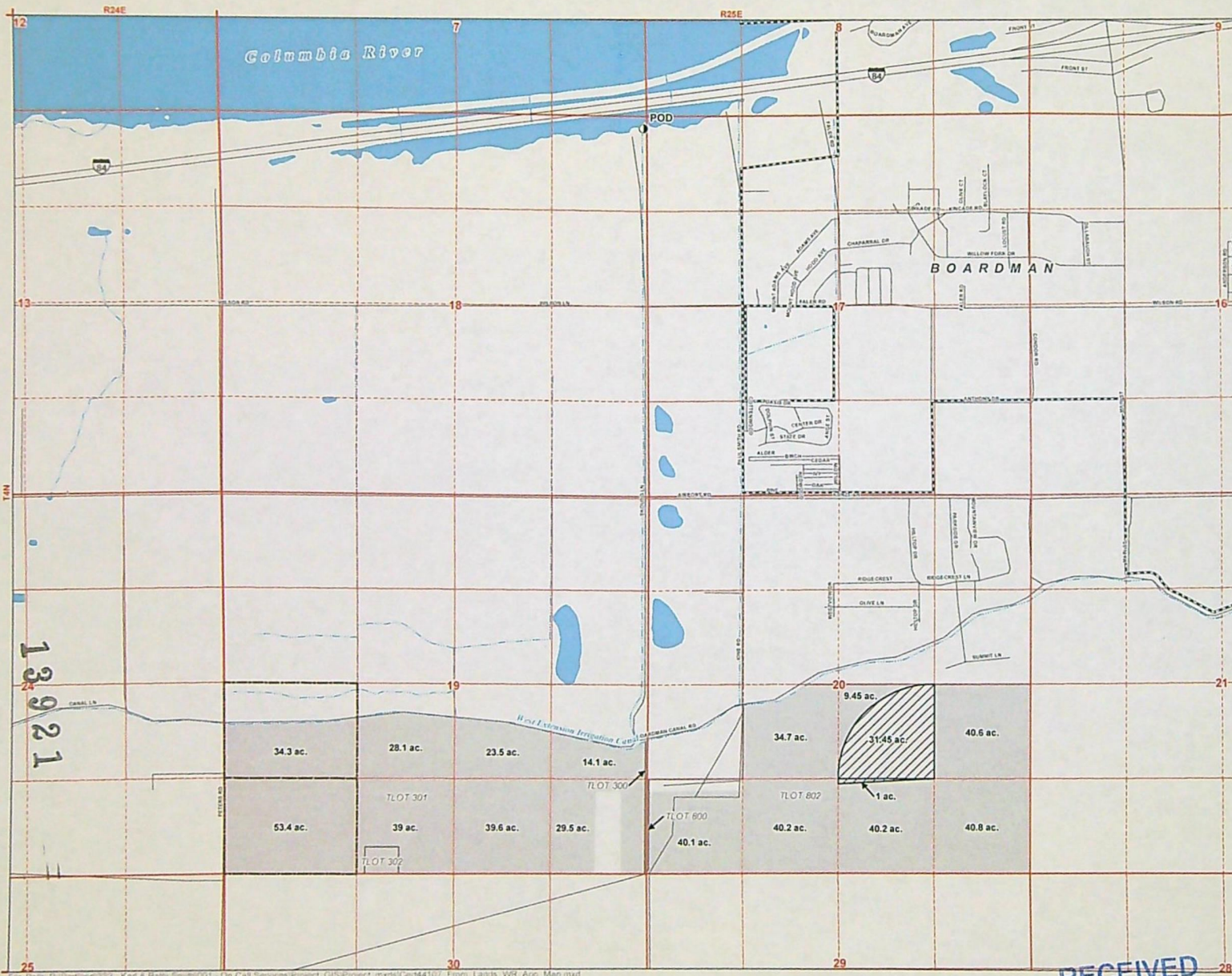
Should you have any questions regarding this application packet, please do not hesitate to contact me.

Sincerely,

Molly Reid
Senior Planner
(509) 209-2846 Direct Line
(541) 310-7264 Cell

Enclosures: Temporary Transfer Application, supporting documents, Check #1567

Cc: St. Hilaire Brothers
Kerslake Family Enterprises
File



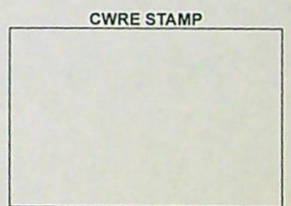
13921

File Path: P:\Portland\332 - Karl & Patty Smith\001 - On Call Services\Project_GIS\Project_mxd\Cer44107_From_Lands_WR_App_Map.mxd

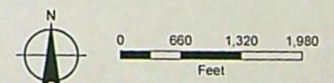
Application for a Water Right Transfer in the Name of Karl Smith
 Certificate 44107, Permit S-33937,
 Application S-45476
 Township 4 North, Range 25 East (W.M.)
 Morrow County, Oregon

- LEGEND**
- Point of Diversion (POD)
 - ▨ Remaining Place of Use (POU)
 - ▧ From Lands
 - ▭ Boardman City Limits
 - ⊞ Tax Lots
 - ⊞ Government Lots
 - Roads
 - ~ Watercourses
 - ⊞ Waterbodies

POD LOCATION DESCRIPTION
 Located 1,190 feet North and 10 feet West from the SE corner of the NE1/4 NE1/4 of Section 18, Township 4 North, Range 25 East (W.M.)



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



MAP NOTES:
 Date: April 12, 2012
 Data Sources: OWRD, ORMAP, OGIC, US BLM

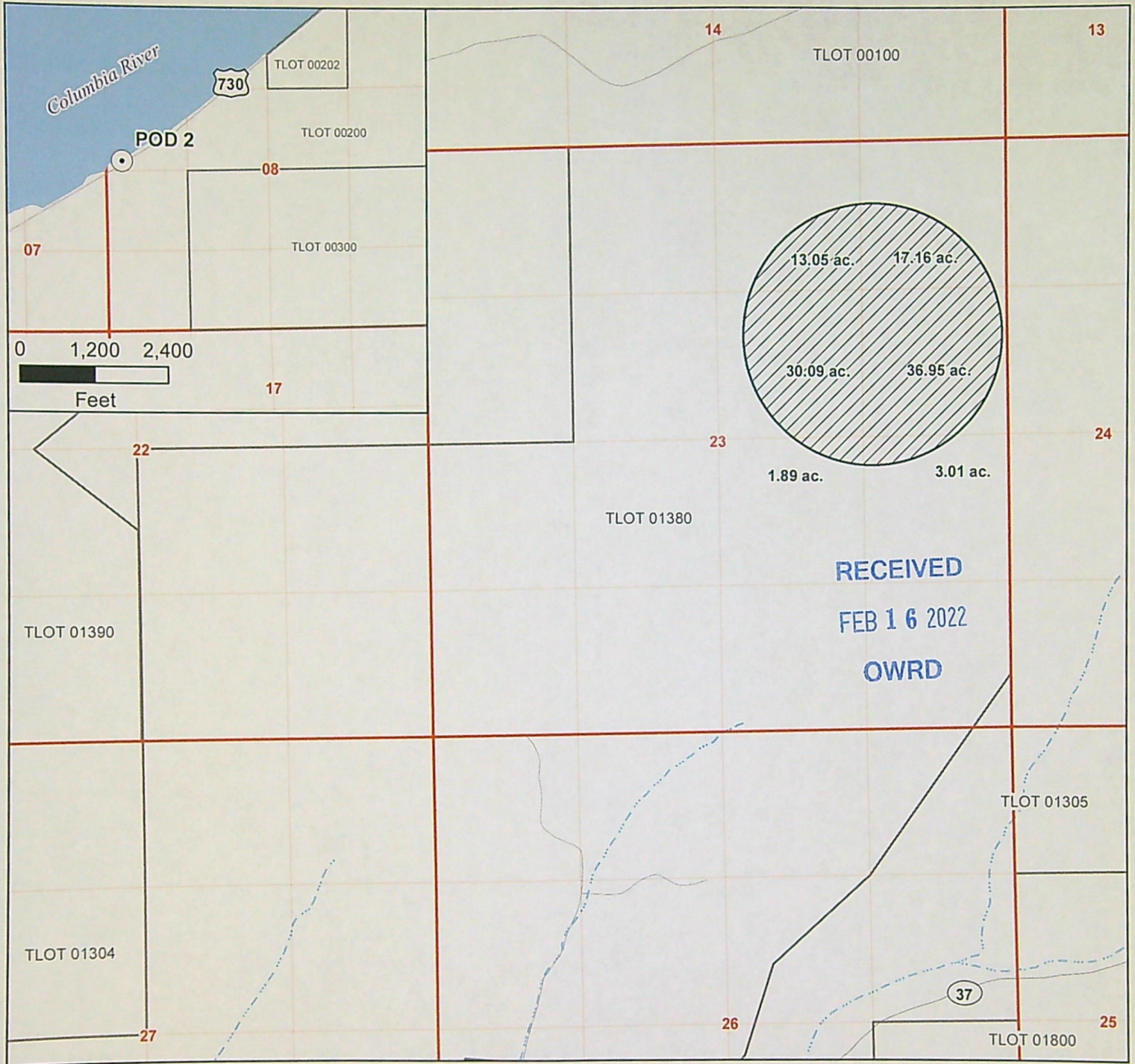


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Application for Temporary Transfer in the Name of St. Hilaire

Certificate 87800, Permit 33937, Application 45476

Township 5 North, Range 30 East (W.M.) Umatilla County, Oregon



LEGEND

- Point of Diversion (POD)
- Temporary Transfer of 102.15 Ac. of Cert. 87800
- Tax Lots
- Roads
- Watercourses
- Waterbodies

POD Location Description

Point of Diversion 2

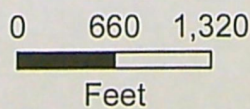
Located 2,920 feet North and 150 feet East from the SW corner, Section 8, Township 5 North, Range 30 East (W.M.)

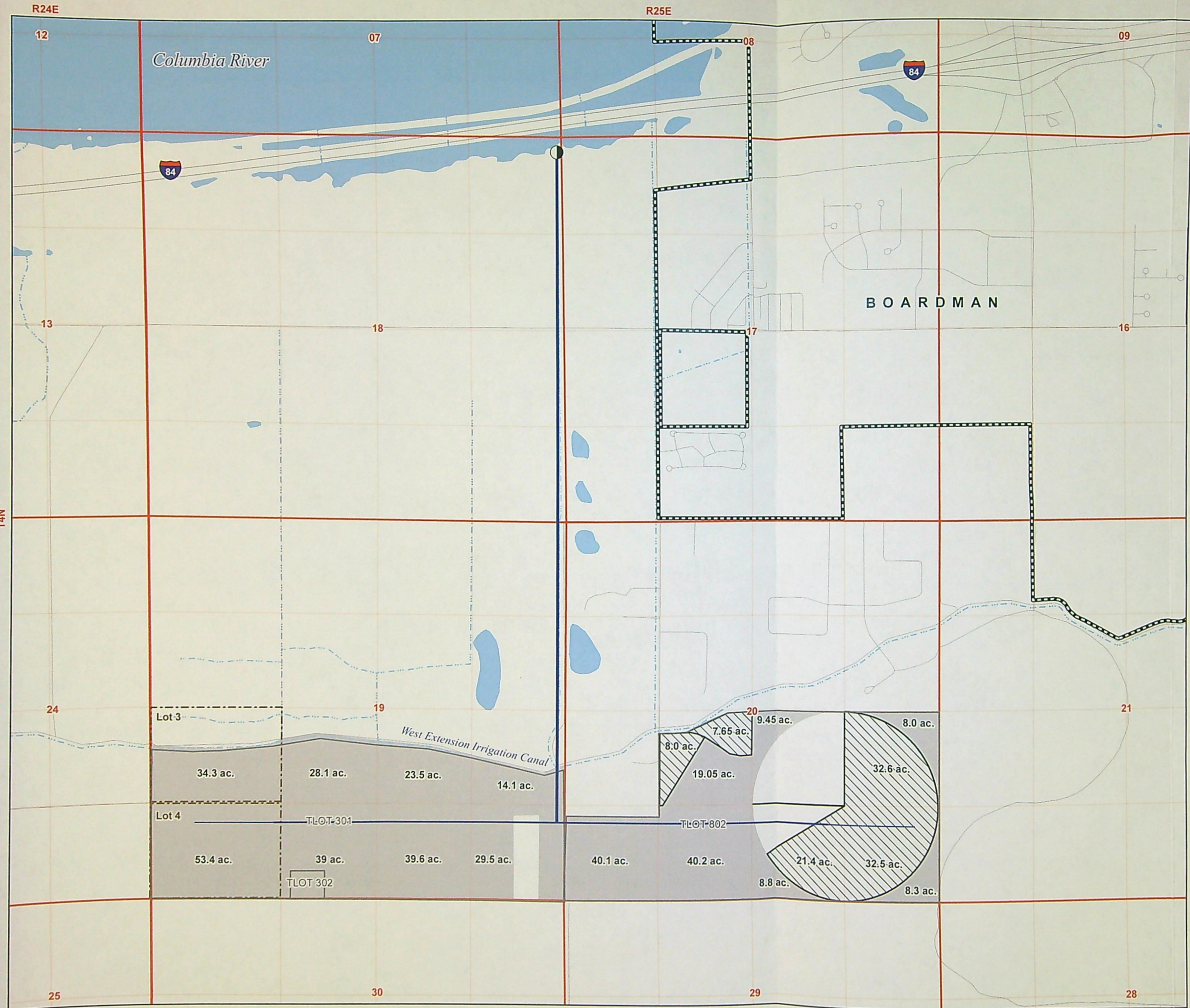
Disclaimer

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Map Notes

Date: March 2, 2017
Data Sources: ESRI, BLM, USGS





Application for Temporary Transfer in the Name of St. Hilaire
Certificate 87800, Permit 33937, Application 45476

Township 4 North, Range 25 East (W.M.)
 Morrow County, Oregon

LEGEND

- Point of Diversion (POD) for Remaining Lands
- Temporary Transfer of 102.15 Ac. of Cert. 87800
- Remaining Place of Use (POU)
- 24" Steel Delivery Pipe
- 12" Mainline
- 8" PVC
- Boardman City Limits
- Tax Lots
- Government Lots
- Watercourses
- Waterbodies

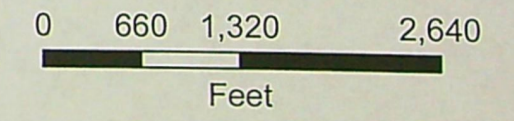
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POD LOCATION DESCRIPTION

Located 1,190 feet North and 10 feet West from the SE corner of the NE 1/4 NE 1/4 of Section 18, Township 4 North, Range 25 East (W.M.)



DISCLAIMER

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

MAP NOTES:

Date: March 13, 2018
 Data Sources: ESRI, BLM, USGS

