

T-13803

T-13803

Regular

Name Price Seed Farms LLCAddress 11281 Hwy 201
Adrian Oregon 97910Change in POD APDDate Filed 8/16/2021Initial notice date 9/17/2021

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 1/27/2025 Vol 133 Page 769

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(s)

Name of Stream Snake riverTrib. of Columbia riverUse S. Irrigation County Malheur

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

Name of ditch _____

App# 53819 Per # 525147 Cert # 27489 PR Date 8/21/1957

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

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

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

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

Date	Amount	Receipt #
<u>8-16-2021</u>	<u>\$2090.00</u>	<u>136176</u>

FEES PAID

Amount

Receipt #

FEES REFUNDED

Amount

Receipt #

Date	Amount	Receipt #
<u>1/28/2025</u>	<u>\$775.34</u>	<u>VP059464</u>

Assignments: _____

Irrigation District Ridgeview Irrigation dist

Agent _____

CWRE _____

CC's list Malheur CountyReceiving land owner: Rod & Patti Price trust 1729 Hwy 201 Adrian, OR☐ - Oversized map - Location _____

WATER RESOURCES DEPARTMENT
REQUEST FOR DISTRIBUTION OF FUNDS

TO: **Fiscal Services Section**

DATE: 1-16-25

FROM: Dante Luongo, Transfer Specialist
Phone: 971-304-5006

SUBJECT: **TRANSFER FILE - Request for Payment or Refund**

TRANSFER FILE #: T-13803

RECEIPT #: 136176

Please prepare payment in the amount of \$ 775.34 , made payable to:

Name: PRICE SEED FARMS, LLC
Organization
Address: 1681 HWY 201
City: ADRIAN, OR 97910

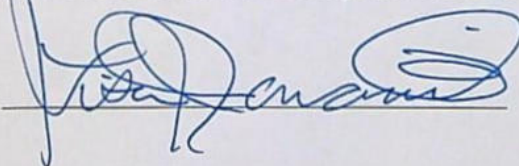
46116
0203

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- ☒ Request for file to be Rejected/Withdrawn/Misfiled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: _____

1-17-2025



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

January 27, 2025

Price Seed Farms LLC

1681 HWY 201

Adrian, OR 97910

ORDER ON WITHDRAWN APPLICATION

Reference: Transfer Application T-13803

The above referenced transfer application was withdrawn from the record of the Water Resources Department on January 27, 2025, by Special Order Volume 133, Page 769 (copy enclosed).

The transfer application is no further force or effect.

If you have any questions related to the withdrawal of this transfer, you may contact your caseworker, Dante Luongo, by telephone at (971) 304-5006 or by e-mail at Dante.j.luongo@water.oregon.gov.

Sincerely,

David V. Jones Jr

Water Right Services Support

Transfers and Conservation Section

cc: Jered L. Hoshaw, Watermaster Dist. # 9 (via email)
Rod And Patti Price Trust, Landowners (receiving)
Irrigation District: Ridgeview Irrigation District
Malheur County Planning Department, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER WITHDRAWING
T-13803, Malheur County)	AN APPLICATION FOR A WATER RIGHT
)	TRANSFER

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right.

Applicant

PRICE SEED FARMS, LLC
1681 HWY 201
ADRIAN, OR 97910

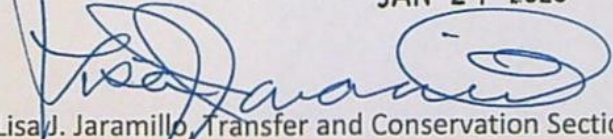
Findings of Fact

1. On August 16, 2021, Price Seed Farms, LLC filed an application for an additional point of diversion and to change the place of use under Certificate 27489. The Department assigned the application number T-13803.
2. On December 11, 2024, the applicant submitted a request via e-mail that Transfer Application T-13803 be withdrawn.

Now, therefore, it is ORDERED:

Transfer Application T-13803, in the name of Price Seed Farms, LLC, is withdrawn and is of no further force or effect.

Dated in Salem, Oregon on **JAN 27 2025**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing date: **JAN 28 2025**

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13803

Transfer Specialist:

Transfer Type: Regular Transfer

Dante

Applicant: PRICE SEED FARMS LLC 1681 HWY 201 ADRIAN, OR 97910 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A UNAVAILABLE Email: _____ Phone: _____	
Irrigation District: <input type="checkbox"/> N/A Email: _____		CWRE: <input type="checkbox"/> N/A Email: _____	
Affected Local Gov'ts: <input type="checkbox"/> N/A Malheur 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"/>	S31819	S25147	27489	<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: August 16, 2021	Proposed Action(s): ADDITIONAL POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 2090.00	WM District: 9	ODFW District:
Initial Public Notice: September 7, 2021	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>1-7-25</u> Initials: <u>AR</u>	Date: <u>1-8-25</u> Initials: <u>AD</u>	Date: <u>1-13-25</u> Initials: _____	Date: <u>1-13-25</u> Initials: <u>CL</u>	Date: <u>1-15-25</u> Initials: <u>AR</u>	Date: <u>1-16-25</u> <u>1-16-25</u>	Date: <u>1-27-2025</u>

Special Issues: _____

Special Order Volume: Vol. 133 Pages 769

JARAMILLO Lisa J * WRD

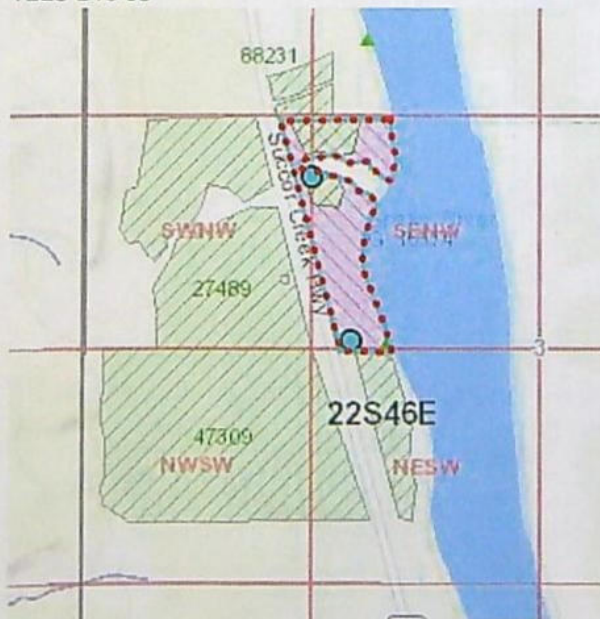
From: REECE Ann L * WRD
Sent: Wednesday, November 10, 2021 5:32 PM
To: JARAMILLO Lisa J * WRD
Cc: STARNES Patrick K * WRD; MCCARTY Patricia E * WRD
Subject: RE: rec'd affidavit from Jeff Downie

So I made the following notes below before I read Jeff Downings affidavit of non-use. I looks like I came to the same conclusion as he did – it has no primary right associated with it.

It looks to me like Jeff Downing has a primary ground water right next door to T-13803 that is layered with a portion of the supplemental use under 27489 (see red/blue dotted line below).

I don't see any primary underlying the supplemental 27489 in the SWNW, the lands involved in the transfer T-13803. They labeled it primary IR on the transfer map. It appears Ridgview ID used to have 30 acres of primary IR in SWNW under now cancelled certs 24707 and 75884 (superseded 24707). C.75884 was superseded by C. 81012 under the 3111 process. 81012 does not have any acreage in the SWNW. [Under 81012 there are 26.3 acre of primary in the only in the NWNW T22S E46 S3 for use of water from Owhyee R and Owyhee Res.] The applicant on T-13803 claimed that C.81012 was associated with the transfer, but I am not seeing that. There have been 6 transfers since the 3111 c. 81012 was issued, and none of them moved lands onto the SWNW T22S E46 S3 that I can see. Tracking for 81012 is up to date in WRIS.

T22S E46 S3



Below are the only lands petitioned in the 3111 in 22S 46E S3. It appears that when C. 75884 was superseded by the 3111 certificate in 2005, that the 30.0 acres that had been in the SWNW were cancelled. I wonder if C. 27489 for supplemental IR has not been associated with primary IR since 2005. It may be wise to scrutinize T-13803. I could be missing something. . . Ann

803817

22	S	46	E	W.M.	3	NW NW	4	26.30	26.30	2301	C
22	S	46	E	W.M.	3	NW SW		2.70	2.70	2601	F
22	S	46	E	W.M.	3	SW SW		13.90	4.60	501	C
					3	SW SW			5.00	2702	F
					3	SW SW			4.30	2700	F
22	S	46	E	W.M.	3	SE SW	9	16.10	16.10	2800	F

Best Regards,

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



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

email: Ann.L.Reece@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: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>
Sent: Wednesday, November 10, 2021 3:39 PM
To: REECE Ann L * WRD <Ann.L.Reece@oregon.gov>
Subject: FW: rec'd affidavit from Jeff Downie

Hi Ann,

Please see Patricia's email below. I wasn't sure if this had anything to do with District or USBR rights. Does this ring a bell with you? If not, it's likely a Field Services thing.

Thanks,
Lisa

Lisa J. Jaramillo
Transfer and Conservation Section Manager
725 Summer Street NE, Suite A, Salem, OR 97301 | Phone: 503-871-1889 (work cell)



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From: MCCARTY Patricia E * WRD <Patricia.E.Mccarty@oregon.gov>

Sent: Wednesday, November 10, 2021 1:29 PM

To: HOSHAW Jered L * WRD <Jered.L.Hoshaw@oregon.gov>; SPRIET Jason D * WRD <Jason.D.Spriet@oregon.gov>; GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>

Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>

Subject: rec'd affidavit from Jeff Downie

Hello everyone,

I can't make sense of this affidavit yet, and I only have the one, so I won't be taking any action. This affidavit seems to be a part of something larger, that may include the field office and a transfer, but I'm guessing at this point. I did not scan all the exhibits, but will do so if anyone thinks it's needed.

Patricia McCarty

Protest Program Coordinator

725 Summer St NE Suite A | Salem OR 97301 | Phone 503-979-9160

Work hours: 7:30-5:30, off alternate Fridays

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T-13803

BEFORE THE OREGON WATER RESOURCES DEPARTMENT

State of Oregon)

)ss

AFFIDAVIT ASSERTING NON-USE
OF WATER RIGHT

County of)

Affiant information

1. I, Jeffrey B Downie
(Legal Name)
of 1764 Highway 201 (Po Box 246, Adrian, OR 97901)
(Residential Address-and your mailing address if different)
Adrian, Oregon, 97901
(City) (State) (Zip Code)
Phone (541) 709-6560, E-mail jefedownie@yahoo.com say that:

Certificate information (If you are alleging non-use of more than one certificate, complete a separate affidavit for each certificate.)

2. Water Right Certificate number 27489, issued to E.E. Eastman
authorizes use of water from (source) Snake River
for (use) Supplemental Irrigation
under a priority date of August 26, 1957
3. The total number of acres described in the certificate is 25.0 Acres
4. The subject water right is located in Township 22 N (S) Range 46 (E) W, in
the SW 1/4 NW 1/4, of Section(s) 3, in
_____ County, Oregon.

(Yes) / No Certificate attached? See exhibit 1

E08E17

Affiant statement of personal knowledge

6.8 Acres 5. I know from personal observation and state with certainty that the entire water right _____,
of or a portion ☒ (check one, not both) of the water right has not been used for (write in
22.8 Acres the type of use and the dates during which the right was not used):

Supplemental Irrigation From 10/2005 Through Present (10/2021)
(Use)(ex: irrigation) (Month & year)

Describe in detail below how you know with certainty that all, or a portion of, the water right has not been used on the authorized place of use for the period you assert above.

Please see attached letter and exhibits

NOTE to CW:
Please See &
Carefully Review
Affidavit Asserting
Non-Use submitted
by Jeffrey Downie
& Exhibits 1-10
(attached) rec'd
on 11-1-2021.

*Also - Table 2 of
Appl doesn't match
map acres.
— Lisa J. 12-2-21

Letter of Explanation for Affidavit of Non Use for Water Certificate 27489's 22.8 acres

Introduction:

Any party involved in the transfer of any portion of supplemental water right certificate # 27489 (Exhibit 1) must cease and desist immediately. You are committing fraud and breaking numerous other laws in your attempt to transfer any portion of Cert # 27489. I, Jeff Downie purchased the property 1764 HWY 201, Adrian, OR in 10/2005. It is on this property that for over 16 years, the only actively used portion of the water right Cert # 27489 exists. On my property exists the only legally recognized point of diversion for water right Cert # 27489.

Pictures:

Google Earth pictures from 2011 & 2013, and a 2020 Malheur County Assessor's picture (Exhibit 2) prove that no water has been beneficially applied anywhere on the property 1759 HWY 201, Adrian, OR which is the property on record as having the 22. 8 acre water right Cert # 27489. According to OR Law 540.610, this 22.8 acres of water right Cert # 27489 are forfeited after 5 years of non-use (Exhibit 3. Pg. 135).

Point of Diversion:

The property 1764 HWY 201, Adrian, OR is the only legal and documented point of diversion for Snake River Certificated Water Right 27489 (Exhibit 1). The point of diversion sat in its original location from 1957 until 2007, then it was moved a couple hundred feet to the north (Exhibit 4). As allowed by OR Law 540.510 (Exhibit 5. Pg. 121) Cert # 27489's only legal and documented point of diversion was moved (by me) less than 500' for water quality and quantity issues in 2007. In 04/2008 Cert # 27489's only legal and documented point of diversion was granted an easement (that I applied for) in its (then & still) current location from the Department of State Lands (Exhibit 6). Since 10/2005 until the present, no water from Cert # 27489 has ever entered my point of diversion and travelled off my property to any other party, ever. The 22.8 acres of secondary water right Cert # 27489 that exists at 1759 HWY 201, Adrian, OR has not had access to a point of diversion since at least 10/2005. Additionally, since the only point of diversion is on my property, failing to notify me of any attempt to transfer (as required on page 5 of a transfer application) any portion of this water right is illegal. Any argument made that the transfer of the 22.8 acres does not reside on my property, does not take into account that the point of diversion does reside on my property, and so do all the buried pipes that transport the water. The pump and intake all reside on my property too. The entire infrastructure to potentially transport any part of the 22.8 acres of supplemental water right Cert # 27489 not only exists on my property

but was constructed by me alone as well. Any party failing to contact me because they are attempting to apply for an additional point of diversion located off my property is breaking the law too. Supplemental water right Cert # 27489 has limits on the collective volume of water that can be removed and applied. The collective limits are materially significant because the volume limits add up with the other 2 permitted wells I have located on my property; another point of diversion created on my property or off site by another party would impact my beneficial usage of this Cert # 27489 and potentially my other 2 wells also.

Primary Water Right:

Water right Cert # 27489 is a secondary or supplemental water right; it is used in conjunction with a primary water right. Supplemental water rights cannot exist without primary water rights (Exhibit 7. Pg120). On 02/2008, with the help of now retired water master Ron Jacobs, I was granted a primary water right G16374 to preserve my portion of secondary water right Cert # 27489 (Exhibit 8). Since 2008 my primary water right G16374, is the only primary water right associated with secondary water right Cert # 27489. Since at least 2008, it is well documented that my property at 1764 HWY 201, Adrian, OR is the only location where secondary water right Cert # 27489 sits atop a primary water right- as documented by the water rights map (drawn exclusively by Ron Jacobs) in the primary water right G16374 paperwork included (Exhibit 8). The 22.8 acres of secondary water right Cert # 27489 that exists at 1759 HWY 201, Adrian, OR has not had a primary water right associated with it since at least 10/2005.

Drainage:

The 22.8 acres of secondary water right from Cert # 27489 at 1759 HWY 201, Adrian, OR has an easement to drain ONLY its waste water from Cert # 27489 through a small ravine on my property at 1764 HWY 201, Adrian, OR. This drainage ditch has not drained wastewater from water right Cert # 27489 from 10/2005 to the present. As seen by Google Earth pictures from 2011 & 2013, and a 2020 Malheur County Assessor's picture (Exhibit 2) no water has drained across my property at 1764 HWY 201, Adrian, OR because no water has been beneficially applied anywhere on the property 1759 HWY 201, Adrian, OR.

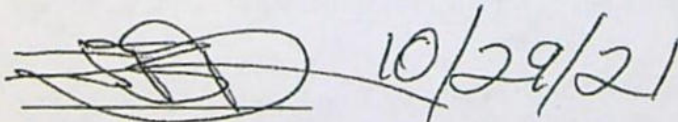
Sale:

5.8 acres of the 22.8 acres of secondary water right Cert # 27489 that exists at 1759 HWY 201, Adrian, OR were purchased by me, Jeff Downie from then current land owner, Scott Bodine in 06/2006. Included is my Affidavit of Beneficial Use for that 5.8 acres (Exhibit 9). Although a bill of sale exists for this purchase (Exhibit 9), before a transfer application could be filed with the

state; Scott Bodine and his wife Dawn got a divorce. Then Scott lost possession of his house, and he returned to his parents' home. Neither party (Baldertson & Hutchings) owning 1759 HWY 201, Adrian, OR since Scott Bodine has agreed to honor and facilitate the transfer of 5.8 acres of water right Cert # 27489. But the 5.8 acres of secondary water right Cert # 27489 that was purchased from 1759 HWY 201, Adrian, OR have been put to beneficial use by me since they were purchased in 2006. My beneficial usage of this 5.8 acres of water right Cert # 27489 and the beneficial usage of my additional 2.2 acres of water rights Cert # 27489 is well documented and common knowledge. But don't take my word for it, ask anyone that participated in the Malheur County Planning and Zoning hearing in 05/2020. As documented by the testimony of Larry Price: "Our business, Price Seed Farms, LLC has custom farmed this property Jeffrey and Amber Downie's place for four out of the last five years. This property has a pressurized water sprinkler system with water rights." (Exhibit 9. Pg 12). Tamara Hutchings states: "Mr. Downie has a field of hay below my house on the river and one on the north side of his own." (Exhibit 9. Pg 13). Follow the numbers for verification of this sale, $5.8 + 2.2 = 8$! The only reason former water master Ron Jacobs helped me create an 8 acre primary water right (Exhibit 8) on my property at 1764 HWY 201, Adrian, OR was to accommodate the 5.8 acres I purchased from Scott Bodine across the highway, and the 2.2 acres already well used and definitively associated with my property at 1764 HWY 201, Adrian, OR, as documented by my Affidavit of Beneficial Use for the 2.2 acres (Exhibit 10- supporting documents same as Exhibit 9).

Conclusion:


Regardless of your view on the sale of the 5.8 acres of Cert # 27489; it is well documented that the 22.8 acres (16 acres if sale is honored) of water right Cert # 27489 has not been put to beneficial use since at least 10/2005 when I purchased my property. It is also crystal clear that I have a vested interest in any part of water right Cert # 27489, and any party failing to notify me of any attempt to transfer any portion of that water right is not legal. Thus, any party involved in the transfer of any portion of supplemental water right certificate # 27489 must cease and desist immediately. Much love and respect to Ron Jacobs, a true servant of the general public!



Jeffrey B. Downie

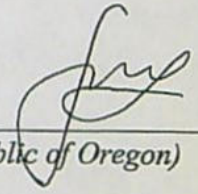
Signature and Oath

10. Under penalty of perjury, I do solemnly swear or affirm that the foregoing is a true statement of the facts as I know them to be from my personal knowledge.

 10/29/21
(Signature of Affiant)

Sworn to and subscribed before me this 29th day of OCTOBER, 2021.




(Notary Public of Oregon)

My Commission Expires 02-25-2023

(SEAL)

**PROOF OF SERVICE OF
AFFIDAVIT ASSERTING NON-USE**

OAR 690-17-0400 requires that an affiant provide proof that an affidavit asserting non-use has been served upon the legal land owner and occupant of the lands to which the water right is appurtenant.

I certify that on the 29th day of Oct, 2021, I served the attached Affidavit Asserting Non Use of Water Right by mailing in a sealed envelope, with first class postage prepaid, a copy thereof addressed as follows:

Name: Tamara Hutchings

Name: Price & Sons

Address: 1759 Hwy 201

Address: 1729 HWY 201

City, State, Zip: Adrian OR 97901

City, State, Zip: Adrian OR 97901

#70200090000193578313

#70200090000193578320

Name: Water Resources Dept.

Name: Jared H.

Address: 725 Summer St, NE
Suite A

Address: Vale Office

City, State, Zip:

City, State, Zip:

Salem, OR 97301-1271
#70200090000193578337

Attached additional page if needed

STATE OF OREGON

COUNTY OF Multnomah

CERTIFICATE OF WATER RIGHT

This Is to Certify, That E. E. Eastman

of P. O. Box 104, Adrian, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Snake River, a tributary of _____ for the purpose of supplemental irrigation of 25.0 acres.

under Permit No. 25147 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from August 26, 1957

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.60 cubic foot per second.

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 5 (SE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 3, Township 22 South, Range 46 East, W.H.

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-fourtieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4 acre feet per acre for each acre irrigated during the irrigation season of each year.

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

22.8 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
2.2 acres Lot 5 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
Section 3
Township 22 South, Range 46 East, W.H.

RECEIVED

NOV 01 2021

OWRD

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

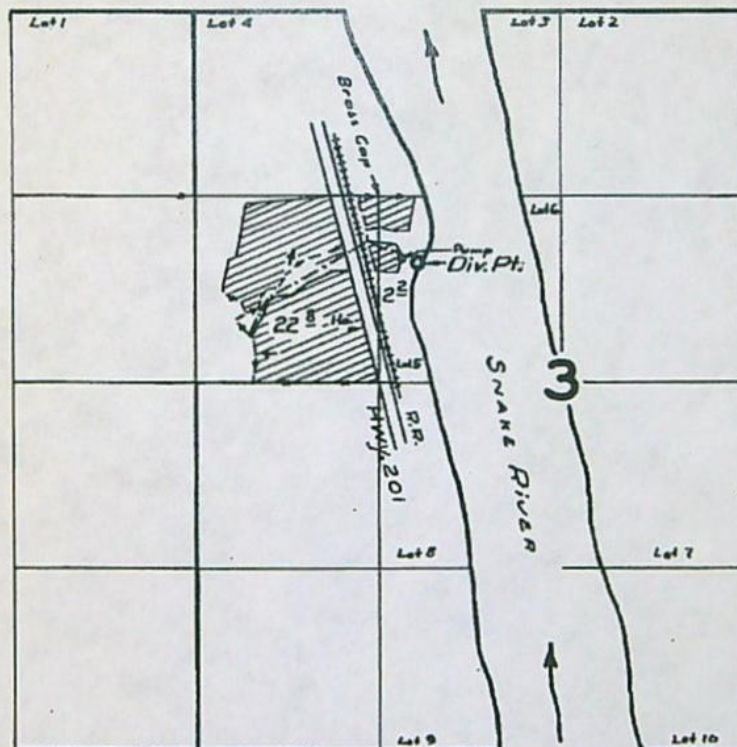
WITNESS the signature of the State Engineer, affixed

this date, AUGUST 26 1960

LEWIS A. STANLEY

State Engineer

T.22 S.R.46 E.W.M.



FINAL PROOF SURVEY
UNDER

Application No. 31819 Permit No. 25147
IN NAME OF

E.E. EASTMAN

Surveyed Sept. 17 1959, by T. G. Rich

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NOV 01 2021

OWRD

EX#2



2020 imagery Nathan Co. assessor's office *HR*
541-473-5108
Chris Russell

RECEIVED

NOV 01 2021

OWRD



RECEIVED

NOV 01 2021

OWRN



RECEIVED

NOV 01 2021

OWDD

EX#6

STATE OF OREGON
Department of State Lands

EASEMENT NO. 39943-EA

The STATE OF OREGON, by and through its Department of State Lands, GRANTOR, for and in consideration of \$0.00 hereby grants to GRANTEE,

NAME of GRANTEE:
Jeff and Amber Downie

ADDRESS:
PO Box 410
Fruitland, ID 83619

an easement and right to construct, maintain, operate and replace an irrigation pipeline over, upon, and across the following particularly described property situated in Malheur County, Oregon, more particularly described as follows:

All possibly affected state of Oregon submerged and submersible lands at or below the ordinary high water mark of the Snake River in Section 03, Township 22 South, Range 46 East, W.M., Malheur County, Oregon, and more particularly described as follows:

Irrigation Structure — From the northeast corner of the property boundary the surveyor travels 20 feet south or upriver to the north boundary of the irrigation pipe. Travel an additional 3 feet south or upriver to the south boundary of irrigation pipe. Thus at the south boundary of the irrigation pipe the surveyor is 23 feet south or upriver from the northeast corner of the property boundary and at the north boundary of the irrigation pipe the surveyor is 20 feet south or upriver from the irrigation pipe. Note, surveyor should make all measurements 10 feet up the river bank or west of the river.

Total number of square feet: 60 sq. ft., more or less

, and as shown on the attached Exhibit "A".

TO HAVE AND TO HOLD the same unto GRANTEE for the life of water right Certificate Number 27489, subject to the following conditions:

1. GRANTOR has the right to grant additional easements within the area authorized by this easement subject to the provisions of the administrative rules governing the granting of easements.
2. GRANTEE shall obtain prior written approval from GRANTOR prior to:
 - a) Changing the type of use authorized by this easement;
 - b) Expanding the number of authorized developments or uses;

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- c) Changing the authorized area; and/or
 - d) Permitting other persons to utilize the easement for uses and developments requiring separate written authorization by GRANTOR pursuant to the administrative rules governing the granting of easements or other GRANTOR requirements.
3. The easement area shall remain open to the public for recreational and other non-proprietary uses unless restricted or closed to public entry by the State Land Board or GRANTOR.
 4. GRANTOR and/or its authorized representative(s) shall have the right to enter into and upon the easement area at any time for the purposes of inspection or management.
 5. Except as expressly authorized in writing by the Department, GRANTEE shall not:
 - a) Cut, destroy or remove, or permit to be cut, destroyed or removed any vegetation, or
 - b) Remove any sand and gravel, or other mineral resources for commercial use or sale, that occur in the easement area except as expressly authorized in writing by GRANTOR.

Routine right-of-way maintenance including vegetation trimming shall be allowed.

6. GRANTEE shall compensate GRANTOR for the fair market value of any commercially valuable timber or sand and gravel resources in the easement area that must be removed during or after placement of the authorized use, or which cannot be developed because of the authorized use.
7. GRANTEE shall conduct all operations within the easement area in a manner that conserves fish and wildlife habitat; protects water quality; and does not contribute to soil erosion, or the introduction or spread of noxious weeds or pests. Upon completion of construction, GRANTEE shall reclaim disturbed lands to a condition satisfactory to GRANTOR.
8. GRANTEE shall obtain a surety bond in the amount of N/A to ensure compliance with the terms and conditions of this easement.
9. The right to use this easement shall automatically terminate if it, or the development authorized by GRANTOR, is not used within five (5) consecutive years of the date this easement was granted, pursuant to the provisions of the administrative rules governing the granting of easements.
10. Unless otherwise approved in writing by GRANTOR, GRANTEE shall remove all cables, pipes, conduits, roads, and other developments placed by GRANTEE on

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the easement, and shall restore the surface of the easement area to a condition satisfactory to GRANTOR within one (1) year following termination of use or expiration of this easement.

11. GRANTEE shall inspect the condition of the area authorized by this easement and the developments authorized by this easement on a frequency of as needed.
12. GRANTOR shall have the right to stop operation of the use authorized by this easement for noncompliance with the conditions of this easement, the provisions of the administrative rules governing the granting of easements, and/or any lawful requirement by a regulatory agency of this STATE.
13. If this easement authorizes the use of state-owned submerged and/or submersible land:
 - a) Construction in navigable waters shall conform to the standards and specifications set by the U.S. Army Corps of Engineers and the U.S. Coast Guard for the use authorized by this easement.
 - b) Any blasting which may be necessary, or in-water placement, maintenance, or repair of the authorized use shall be performed according to the laws of this STATE, including strict adherence to Oregon Department of Fish & Wildlife in-water work windows.
14. GRANTEE agrees to defend and hold GRANTOR harmless from any and all claims suffered or alleged to be suffered on the premises. Further, GRANTEE shall be responsible for the payment of any fines or penalties charged against the premises as a result of GRANTEE's action in not complying with laws or regulations affecting the premises.
15. GRANTEE shall pay to GRANTOR the current market value, as determined by GRANTOR, for any unnecessary and non-approved damages to state-owned lands caused by construction or maintenance of the easement.
16. GRANTEE shall pay all assessments that may be legally charged on public lands which are levied against the property subject to this easement, whether or not such assessments have been levied against the easement area or STATE by the assessing agency.
17. GRANTEE shall use the authorized easement area only in a manner or for such purposes that assure fair and non-discriminatory treatment of all persons without respect to race, creed, color, religion, handicap, disability, age, gender or national origin.
18. This easement is granted with the express understanding and provision that it may be subject to the future imposition by GRANTOR of a consideration payment (if

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STATE TO Jeff and Amber Downie
Snake River
39943-EA
Page 3 of 4

not already subject to one under current law), and/or usage fee to be established by the Oregon State Land Board as authorized by law.

19. This easement is freely transferable. However, no transfer may increase the burden on the easement area or detract from the value of the underlying state-owned land.

This easement does not convey an estate in fee simple of the lands used for a right-of-way. This grant is for an easement only, and title remains in the State of Oregon.

WITNESS the seal of the Department of State Lands affixed this 22 day of April, 2008.

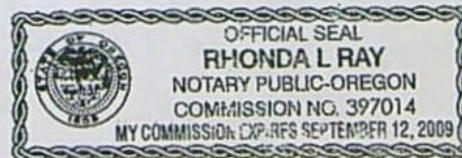


STATE OF OREGON, acting by and through its Department of State Lands

Nancy N. Pustis
Nancy N. Pustis
STATE OF OREGON

County of Deschutes

)
)ss
)



This foregoing instrument was acknowledged before me this 22nd day of April, 2008, by Nancy N. Pustis, the Eastern Region Manager of the Department of State Lands.

Rhonda Ray
Signature
My commission Expires Sept. 12, 2009

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STATE TO Jeff and Amber Downie
Snake River
39943-EA
Page 4 of 4

Ex#8

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JEFFREY DOWNIE
1764 HWY 201
ADRIAN, OR 97901

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-17012

SOURCE OF WATER: WELL 1 AND WELL 2 IN SNAKE RIVER BASIN

PURPOSE OR USE: IRRIGATION USE ON 8.0 ACRES

MAXIMUM RATE: 0.1 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH APRIL 14 AND OCTOBER 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 27, 2008

WELL LOCATIONS:

WELL 1: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 3, T22S, R46E, W.M.; 1510 FEET SOUTH AND 1320 FEET EAST FROM NW CORNER, SECTION 3

WELL 2: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 3, T22S, R46E, W.M.; 2515 FEET SOUTH AND 1550 FEET EAST FROM NW CORNER, SECTION 3

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 6.0 ACRES
SECTION 3

TOWNSHIP 22 SOUTH, RANGE 46 EAST, W.M.

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Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. If the Director notifies the permittee to install a totalizing flow meter or

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other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used, and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water-use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

STANDARD CONDITIONS

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The well(s) shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and

Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2012. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued SEPTEMBER 4, 2008

E. Timothy Wall

for Phillip C. Ward, Director
Water Resources Department

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Issued SEPTEMBER 4, 2008

E. Timothy Ward

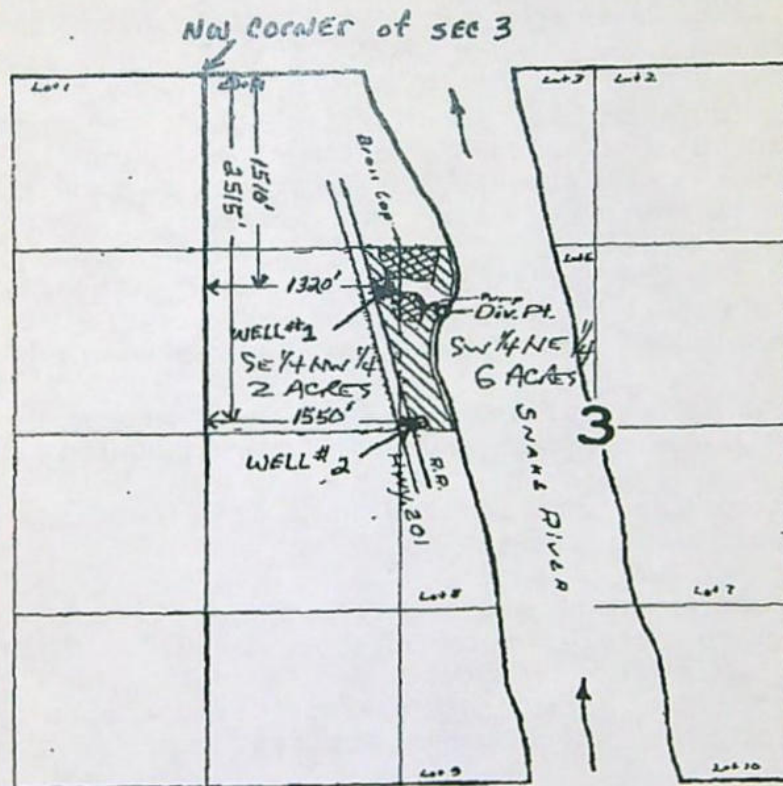
for Phillip C. Ward, Director
Water Resources Department

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T.22 S.R.46 E.W.M.



Supplemental Certificate # 27489



New Primary Ground Water Application

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Application No. 31819 Permit No. 25147
IN NAME OF

E.E. EASTMAN

Surveyed Sept. 17 1959, by *Tom R. R.*

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FEB 27 2008

WATER RESOURCES DEPT
SALEM, OREGON
1959-5

Ex #9

Malheur County Planning Commission

The Malheur County Planning Commission Meeting was held via GoToMeeting online, May 28, 2020, at 7:30 P.M. Kathy Clarich called the meeting to order.

MALHEUR COUNTY COMMISSION MEMBERS PRESENT:

Kathy Clarich
Teresa Ballard
Chad Gerulf
Rob Kindschy
Robert Quick
Linda Simmons
Clark Forsyth
John Faw

PLANNING DEPARTMENT STAFF MEMBERS:

Eric Evans, Planning Director
Tatiana Burgess, Planning Management Assistant

OLD BUSINESS:

Kathy Clarich – The first thing on our agenda is the approval of the April 2020 minutes.

Approval of April 2020 minutes:

Robert Quick made a motion to accept the April 2020 minutes with correction to meeting website used. Chad Gerulf seconded the motion which was approved by unanimously approved by the Commissioners present.

NEW BUSINESS:

Applicant: Lisa Kittel & Ryan Thomas
1751 Syringa Road
Adrian, Oregon 97901

Representative: Lisa Kittel & Ryan Thomas

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Conditional Use Permit for Commercial Activity in Conjunction with Farm Use. Planning Department File No. 2020-04-14.

Malheur County Planning Commission
May 28, 2020

Opponent Testimony

Rod Price: 1729 Highway 201, Adrian, Oregon.

Eric, you have a statement from me there, I would just as well have you read that than me read it, it may be clearer. If anyone has any questions, I will answer those after he's read my statement.

Eric Evans: This is from Rod Price, he just stated his address.

To the Malheur County Planning Commission, I request that this letter be read out loud in the meeting to be put into the record. My name is Rod Price. I farm on a fourth generation farm with my brother and nephew. When settlers came to this part of the US it was because of the projects like the Owyhee Dam, which was dedicated in July of 1932. Tunnel number five, approximately five miles long, was completed in 1935. Water from the tunnel comes out directly behind our home place. As laterals were developed, so was the farm ground. When the first settlers arrived they lived in very primitive conditions, such as; tar paper shacks, dug outs, tents, living with other people or whatever it took to live temporarily until they could build homes. My father's family came here from the dust bowl in 1937 and lived in a cut out in the bank of the river in the Kingman Colony area until they could get something better. The replacement dwelling that Jeff Downie is asking to replace was exactly one of these. This dwelling was very temporary and the requirements needed to replace this dugout in Oregon Statute 215.283 did not exist. He provided no proof of official record that it existed, as far as the County or State had recorded. There is no physical evidence in Jeff's exhibits, no physical address, no pictures, no power bills, etc... I'm not saying that a primitive structure did not exist because it did. But this week I was questioning Keith Tolman, 92 years old. Keith grew up and farmed all his life in this area and now resides in Boardman, Oregon. He said there was a structure on the river but when his family arrived in the spring of 1939, the Eastman family did not live in the dugout. He said the Eastman's lived on the west side of the highway. I asked him about the dwelling on the river and he said that you could barely see the roof from the road, it had no side walls above ground level, it was more like a basement. He said he was never in it because no one lived in it from the time his family arrived in 1939. He said the Eastman kids would walk the railroad tracks to the naptin school and my mother Norma Jean Derking, who's friend was Phyllis Eastman, would join them, as well as Keith, as they passed by on their way to school. So Keith knew the Eastman kids and would have known their living conditions. I also talked with Amory Cameron, 90 years old, and he said that the Eastman's lived in the Big Bend area next to the Cameron family, he thought, from 1936 to 1938 before the Eastman's moved across the river south of Adrian. Downie keeps referring to the property as the Eastman homestead, that can be deceiving and needs to be substantiated that it was homesteaded. Keith Tolman said an Oregon land company was finding buyers for property at that time and that is how folks and other obtained their farm ground. If a replacement dwelling is given to the Downie's with the total lack of evidence or proof and on Affidavits from people, including himself, that knew nothing about what went on prior to them coming here in 2004, I think you have opened up a can of worms for others to do the same thing on any old structure or dwelling that existed in years past. I hereby ask the Planning Commission to deny this application for a replacement dwelling on the basis of no evidence in regards to the requirements necessary in Oregon Statute 215.283 and that what was testified in the Affidavits were inaccurate. The land and the adjoining land around it are classified C-1A or EFU ground and I

Malheur County Planning Commission
May 28, 2020

strongly feel that this land should be left for its intended use, farming, and not for homes or subdivisions. Submitted by Rod Price on May 28, 2020.'

Kathy Clarich: Does anybody have any questions? If not, Eric, do have any more?

Eric Evans: I have four more. Not everybody is as long winded as Rod. Just so you guys know the reason I didn't send these to you, is literally, I got them this afternoon, I didn't get a chance to get them all to you. So you get to listen to boring me speak them into the record.

Larry D. Price, 1681 Highway 201, Adrian, Oregon 97901. This is dated May 20, 2020, to the Malheur County Planning Department, to be submitted for the record and read to the Malheur County Planning Department. My name is Larry Price and I am writing to comment on Jeffrey and Amber Downie's petition for deferred replacement dwelling, planning department file number 2020-03-011. I own farm property to the south of the Downie property. I have resided in this area for 64 years. If this petition is granted it will change the intended use of the farm ground since it is zoned C-A1, Exclusive Farm Use. Our business, Price Seed Farms, LLC., has custom farmed this property, Jeffrey and Amber Downie's place for four out of the last five years. This property has a pressurized water sprinkler system with water rights. Having a house within 100' of our farm ground would impact both properties as we spray night for our alfalfa seed production. Jeff's description of the Eastman house is not accurate. My first recollection of this river front property was in 1966 or 1967 when I was 10 or 11 years old. I was hunting along the river bank with my father, Kenneth Price, when he pointed out the Eastman dirt house location. It was about a 10'x15' dugout dirt impression. Weeds were growing up in the area where the house had been, there was no roof or structural sidewalls as it was a house dug in the dirt. There were no power poles to it when I saw it. My dad described it as a dugout cave-like house with a make shift roof. I have walked across this area several times since and I never saw a house there. Mr. Downie claims it was functioning as a house in the late 1950's. If they had been living there in the late 1950's why wasn't there nothing to see except dirt and weeds in the mid 60's. Here was what I know about the Eastman property. They built a structure with living quarters in 1/3 of a building with windows, a door, and stove with a stove pipe and also containing a two stall garage or storage. They moved into this structure in 1939. This building still exists and in 1946 the Eastman's built a house next to the structure. Both are still occupied and now owned by Tammy Hutchings. These structures are located west of Highway 201, across from the property in question. These were all owned by the Eastman family at one time. My opinion is there is no evidence for declaring this property as a deferred replacement dwelling. Respectfully submitted, Larry D. Price.'

Eric Evans: Questions? Okay, I will continue on. I guess Larry is there too if you had questions for Larry as well, it looks like he switched spots. Okay, I have three more.

This one is from Tammy Hutchings, from countryishere@yahoo.com.

'Dear Planning Commission Members, I have lived south of Adrian since 1996. I have traveled from my house to the school in Adrian a numerous amount of times from that day. Jeff Downie in his Affidavit, in paragraph 11, states that in 2011, the homestead house was becoming unsafe and that the visual blight or lack of aesthetic appeal of the homestead house was the reason that he demolished it. In 2010, I bought the Eastman house (what the neighbors called it) and some

Malheur County Planning Commission
May 28, 2020

property belonging to it after the original Eastman homestead (as referred to by Mr. Downie) had been split a couple of times. I never saw any dwelling below my house on Mr. Downie's property other than a little red building that was already there, which is a well house that Mr. Downie put in in 2009. Mr. Downie has a field of hay below my house on the river and one on the north side of his own. When I purchased this property that I now live on, I figured everything around me was agriculture, which it is. I would like to see the area remain farm ground. I feel that it is the Planning Commissions responsibility to protect that way of life for me and others that derive their income from farming. Also, if a house built on the new 2.29 acre tax lot it will destroy my view of the river and the aesthetic value of the area. Thank you for hearing my concerns on this matters, Tamara Hutchings.'

This one is from Ray Day Jr. and I do not have an address for this.

I, Ray Day Jr., am not in favor of the deferred replacement dwelling in exclusive farm use zone. My grandfather-in-law was one of the first people in 1939 to start developing property in this area. I have been visiting for over 30 years, listened to many stories and I've never heard any mention of any house structure in question. I have also been a land owner here since 2007. I am not for turning farm use zoned ground into residential property. I do not agree with some of the development that has already taken place in the area. I do not want to see more houses. If we do this one, where will it stop? Sincerely, Ray Day Jr.'

Last but not least.

I, Christy Day, am not in favor of the deferred replacement dwelling in exclusive farm use zone. Sincerely, Christy Day.'

Kathy Clarich: At this time I guess we just do a continuance on it unless anybody on the Commission has any questions.

Linda Simmons: Does Mr. Downie have any rebuttal?

Applicant Rebuttal

Jeffrey Downie: I do, thanks for asking. Am I allowed to do that now?

Kathy Clarich: Yes, if you want to. You have 10 minutes.

Jeffrey Downie: I won't need that much. I listened to that and I'd agree with the first three, the Price's and Tammy. Let's just start with Larry and Rod. When I turned in my application it was on my recollection of conversation I had with Jim Eastman. I didn't grow up here. That's how I turned it in. So when Eric originally denied it, which I said at opening, I agreed with based on the evidence he had. Then I reached out to James Eastman, daughter/power of attorney, Cindy Neal, that Affidavit gets corrected and those time/dates are a lot closer to what Larry and Rod said. So I'd like to point out that I turned in a corrected affidavit from a direct descendent of the homestead, Cindy Neal. Those dates, 1936... I think Larry said 1939. I think I heard Rod say 1938, so we're off a couple years there and then the Affidavit says late 1940's so I would like to

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NAME	JEFF DOWNIE		SHIP TO	Price Seed Farms	
ADDRESS			ADDRESS	1681 Hwy 201 Adrian OR 97901	
CITY, STATE, ZIP	ADRIAN OR		CITY, STATE, ZIP		
ORDER NO.	TERMS	DATE 6/18/17			
WHEN SHIP	HOW SHIP	SALESPERSON			

QUANTITY	DESCRIPTION	PRICE	AMOUNT
	1st Cutting - 2017		
SA	Cutting	20.00/A	100.00
SA	RAKING	9.00/A	45.00
11	Bales - Baling	15.00/Bale	165.00
11	Bales - STACKING	5.00/Bale	55.00
Pay Larry Please			
Pay 7/17 107C			
			365.00
BUYER			

KEEP THIS SLIP FOR REFERENCE

01-11

NAME	JEFF Downie		SHIP TO	Price Seed Farms	
ADDRESS			ADDRESS	1681 Hwy 201 Adrian OR 97901	
CITY, STATE, ZIP	ADRIAN OR		CITY, STATE, ZIP		
ORDER NO.	TERMS	DATE 7/10/17			
WHEN SHIP	HOW SHIP	SALESPERSON			

QUANTITY	DESCRIPTION	PRICE	AMOUNT
	2nd cutting - 2017		
SA	Cutting	20.00/A	100.00
SA	RAKING	9.00/A	45.00
12	Bales - Baling	15.00/Bale	80.00
12	Bales - STACKING	5.00/Bale	60.00
Pay Rod Please			
Pay 7/17 107C			
			385.00
BUYER			

KEEP THIS SLIP FOR REFERENCE

01-11

Invoice

1919

00.085\$
2 ÷ 171'1\$

Red #110
Lamp #110

257520

00-1

480806

Purchase

NAME <u>Teff Downie</u>		SHIP TO Price Seed Farms	
ADDRESS		ADDRESS 1681 Hwy 201 Adrian OR 97901	
CITY, STATE, ZIP <u>Adrian OR</u>		CITY, STATE, ZIP	
ORDER NO.	TERMS	DATE <u>7/10/17</u>	
WHEN SHIP	HOW SHIP	SALESPERSON	

QUANTITY	DESCRIPTION	PRICE	AMOUNT
	<u>1st Cutting - 2017</u>		
<u>12 Bales</u>	<u>8.19 ton</u>	<u>155.⁰⁰/₁₀₀</u>	<u>1269.45</u>
	<u>16,380 lbs</u>		
	<u>Pdck#</u>		
	<u>9202</u>		
			<u>1269.45</u>

BUYER

A-5803
7-65500/40510

KEEP THIS SLIP FOR REFERENCE

01-11

4811805

Purchase

NAME <u>Teff Downie</u>		SHIP TO Price Seed Farms	
ADDRESS		ADDRESS 1681 Hwy 201 Adrian OR 97901	
CITY, STATE, ZIP <u>Adrian OR</u>		CITY, STATE, ZIP	
ORDER NO.	TERMS	DATE <u>7/10/17</u>	
WHEN SHIP	HOW SHIP	SALESPERSON	

QUANTITY	DESCRIPTION	PRICE	AMOUNT
	<u>2nd Cutting</u>		
<u>12 Bales</u>	<u>7.87 tons</u>	<u>145.⁰⁰/₁₀₀</u>	<u>1141.15</u>
	<u>15,740 lbs</u>		
	<u>Pdck#</u>		
	<u>9202</u>		
			<u>1141.15</u>

BUYER

A-5803
7-65500/40510

KEEP THIS SLIP FOR REFERENCE

01-11

Purchase

967627

De minter SRAD

09-1

Purchase

1847

Es. schema 5040



An IDACORP Company

Billing Date
Print Date06/18/2021
06/19/2021Due Date
07/06/2021Amount Due
\$120.52

PAGE 1 OF 2

JEFF DOWNIE

Account Number: [REDACTED]

Previous Balance	\$7.77
Payments Received - Thank You	- \$50.00
Balance Forward	- \$42.23
Current Charges	\$162.75
Account Balance	\$120.52

Recent Changes to Your Rate

The Public Utility Commission of Oregon approved an average increase of 4.01 percent in your Irrigation electricity rates. You will see this change beginning June 1, 2021. For more information, please visit idahopower.com/rates.

Irrigation Deposit Reminder

Please pay your bill by the due date. If you receive two or more reminder notices on this account during a 12-month period, a deposit will be required for all your irrigation service accounts before the next irrigation season.

NOTE: Any unpaid balance may be assessed a monthly charge of 1 percent.

Pump Summary

Pump No.	Description/HP	Service Period	Next Read Date	Energy Used (kWh)	Demand (kW)	Current Charges
22546E0308	7.5 HP	05/19/21 - 06/16/21	07/19/2021	980	8	\$162.75

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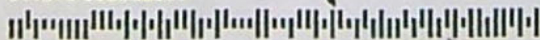
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An IDACORP Company

P.O. BOX 70, BOISE, ID 83707
208-388-2323 or 1-800-488-6151Address/Phone Correction
and/or Project Share Pledge
noted on reverse side

011946 000002367

JEFF DOWNIE
PO BOX 246
ADRIAN OR 97901-0246

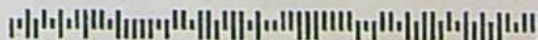
2345

Account Number [REDACTED]

Due Date
07/06/2021Amount Due
\$120.52

Amount Enclosed \$

Write your account number on your check or money order made payable to Idaho Power. Mail payment to address below. Returned checks may be resubmitted electronically, and remaining unpaid items will be charged \$20.

PROCESSING CENTER
P.O. BOX 5381
CAROL STREAM IL 60197-5381

22044624160000012052 000000000 000012052 0618 6



An IDACORP Company

PAGE 2 OF 2

Questions? Contact your Customer Care team:
208-388-2323 or 1-800-488-6151 • M-F: 7:30 a.m.-6:30 p.m.
P.O. Box 70 • Boise, ID • 83707
Hablamos español.
For more information and/or self-help options,
visit idahopower.com.

Service Agreement Number	[REDACTED]	Service Period	05/19/21 - 06/16/21 (29 days)
Description/HP	7.5 HP	Next Read Date	07/19/2021
Pump Number	22546E0308 / NYSSA,OR	Cycle Number	[REDACTED] 14

Meter Number	Previous Reading	Current Reading	Energy Used (kWh)	Billing kW	Reading Type
79533239	65945	66925	980	8	Regular

SERVICE DETAILS (Irrigation Service Schedule 24S)

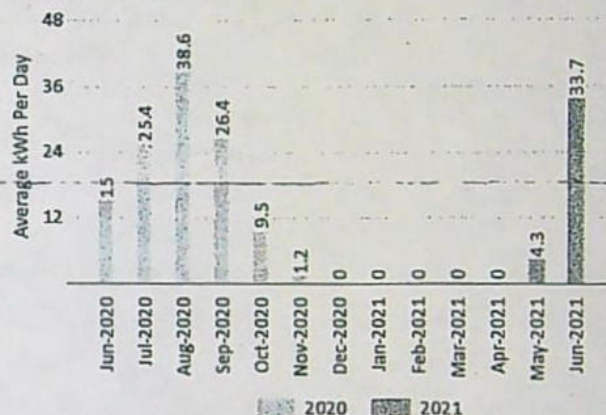
Service Charge, per meter per month	\$16.85
Demand Charge 8 @ \$7.76 per kW, 13 days	\$27.83
Demand Charge 8 @ \$7.76 per kW, 16 days	\$34.25
Energy Charge 439 kWh @ \$0.073849 per kWh, 13 days	\$32.42
Energy Charge 541 kWh @ \$0.075003 per kWh, 16 days	\$40.58
Boardman Plant Early Closure Adjustment	\$0.00
PCAM @ \$0.000228 per kWh, 13 days	\$0.10
PCAM @ \$0.000662 per kWh, 16 days	\$0.36
Annual Power Cost Update @ \$0.002329 per kWh, 13 days	\$1.02
Annual Power Cost Update @ \$0.004626 per kWh, 16 days	\$2.50
Energy Efficiency Services	\$6.08
Oregon Solar Investment	\$0.76

Current Charges - Electric Service \$162.75

NOTE: For an explanation of these charges, go to idahopower.com/billglossary.

HP = Horsepower kW = Kilowatt kWh = Kilowatt-hour

Average Daily Energy Use



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Contact your Customer Care team at least two business days before you want to end service.

NEW CONTACT INFORMATION FOR ACCOUNT NUMBER 2204462416
Has your address, phone number or email changed? Provide changes below.

Name _____

Street _____ Apt./Suite _____

City _____ State _____ Zip _____

Telephone _____

Email _____

Project Share



Help neighbors in need with energy costs.

- ☐ I pledge \$ _____ on my monthly bill.
- ☐ Round up my monthly bill amount to the nearest dollar.
- ☐ I would like to make a one-time donation of \$ _____

For more information, visit idahopower.com/projectshare.

Thank you!



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PAGE 1 OF 2

 Billing Date 07/21/2021
 Print Date 07/22/2021

 Due Date
 08/09/2021

 Amount Due
 \$208.80

JEFF DOWNIE

Account Number: [REDACTED]

Previous Balance	\$120.52
Payments Received - Thank You	- \$120.52
Balance Forward	\$0.00
Current Charges	\$208.80
Account Balance	\$208.80

Irrigation Deposit Reminder

Please pay your bill by the due date. If you receive two or more reminder notices on this account during a 12-month period, a deposit will be required for all your irrigation service accounts before the next irrigation season.

Sign up for My Account!

Access your account 24/7 to pay your bill, track your use and learn to save. Visit idahopower.com/myaccount to get started.

NOTE: Any unpaid balance may be assessed a monthly charge of 1 percent.

Pump Summary

Pump No.	Description/HP	Service Period	Next Read Date	Energy Used (kWh)	Demand (kW)	Current Charges
22S46E0308	7.5 HP	06/17/21 - 07/19/21	08/18/2021	1,519	8	\$208.80

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 An IDACORP Company
 P.O. BOX 70, BOISE, ID 83707
 208-388-2323 or 1-800-488-6151

 Address/Phone Correction
 and/or Project Share Pledge
 noted on reverse side

Account Number [REDACTED]

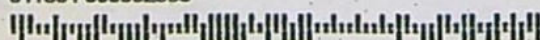
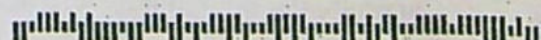
 Due Date
 08/09/2021

 Amount Due
 \$208.80

Amount Enclosed \$

Write your account number on your check or money order made payable to Idaho Power. Mail payment to address below. Returned checks may be resubmitted electronically, and remaining unpaid items will be charged \$20.

011854 000002383


 JEFF DOWNIE
 PO BOX 246
 ADRIAN OR 97901-0246

 PROCESSING CENTER
 P.O. BOX 5381
 CAROL STREAM IL 60197-5381

22044624160000020880 000000000 000020880 0721 7



Questions? Contact your Customer Care team:
208-388-2323 or 1-800-488-6151 • M-F: 7:30 a.m.-6:30 p.m.
P.O. Box 70 • Boise, ID • 83707
Hablamos español.
For more information and/or self-help options,
visit idahopower.com.

PAGE 2 OF 2

Service Agreement Number	[REDACTED]	Service Period	06/17/21 - 07/19/21 (33 days)
Description/HP	7.5 HP	Next Read Date	08/18/2021
Pump Number	22S46E0308 / NYSSA,OR	Cycle Number	14

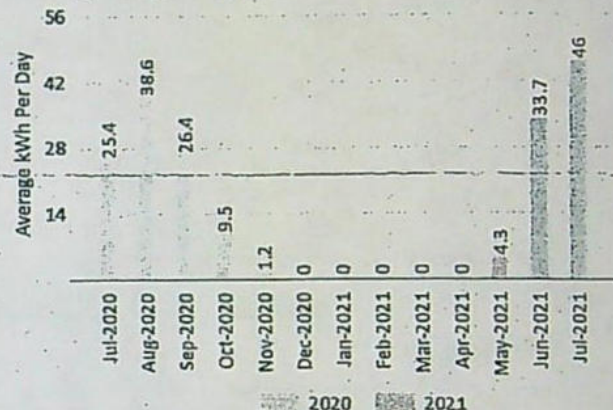
Meter Number	Previous Reading	Current Reading	Energy Used (kWh)	Billing kW	Reading Type
79533239	66925	68444	1,519	8	Regular

SERVICE DETAILS (Irrigation Service Schedule 24S)

Service Charge, per meter per month	\$16.85
Demand Charge 8 @ \$7.76 per kW	\$62.08
Energy Charge 1,312 kWh @ \$0.075003 per kWh	\$98.40
Energy Charge 207 kWh @ \$0.071431 per kWh	\$14.79
Boardman Plant Early Closure Adjustment	\$0.00
PCAM @ \$0.000662 per kWh	\$1.01
Annual Power Cost Update @ \$0.004626 per kWh	\$7.03
Energy Efficiency Services	\$7.68
Oregon Solar Investment	\$0.96

Current Charges - Electric Service \$208.80

Average Daily Energy Use



NOTE: For an explanation of these charges, go to idahopower.com/billglossary.
HP = Horsepower kW = Kilowatt kWh = Kilowatt-hour

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P.O. BOX 70, BOISE, ID 83707
208-388-2323 or 1-800-488-6151

Address, Phone, Correction
and/or Project Share Pledge
noted on reverse side

Due Date
08/09/2021

Amount Due
\$208.80

Amount Enclosed \$

011854 000002383

JEFF DOWNIE
PO BOX 246
ADRIAN OR 97901-0246


Write your account number on your check or money order made payable to
Idaho Power. Mail payment to address below. Returned checks may be
resubmitted electronically, and remaining unpaid items will be charged \$20.

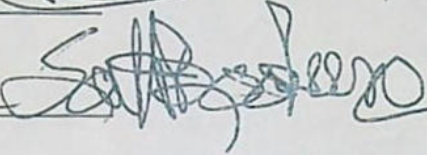
PROCESSING CENTER
P.O. BOX 5381
CAROL STREAM IL 60197-5381

22044624160000020880 000000000 000020880 0721 7

EX#9

Scott Bodine does hereby sell to Jeff Downie 5.8 acres of the 22.8 acres of supplemental water right Certificate #27489. As documented on the included before and after maps, the location from which the 5.8 acres of water rights will be transferred is on Scott Bodine's property, located at 1759 HWY 201, Adrian, OR. As documented on the included before and after maps, the location of the 5.8 acres of water rights after it is transferred is on Jeff Downie's property located at 1764 HWY 201, Adrian, OR. Jeff Downie is responsible for all costs of transferring ownership of the 5.8 acres of water right Cert # 27489. Jeff Downie is responsible for doing all necessary paperwork to transfer the 5.8 acres of water right. Scott Bodine agrees to facilitate transfer of the 5.8 acres of water right by assisting Jeff Downie in completing any necessary paperwork that may be required. Jeff Downie does hereby agree to pay Scott Bodine \$1000/ac for the 5.8 acres of water right Cert #27489, for a total of \$5,800 cash.

Jeff Downie  06/06/06

Scott Bodine  06/06/2006

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Before

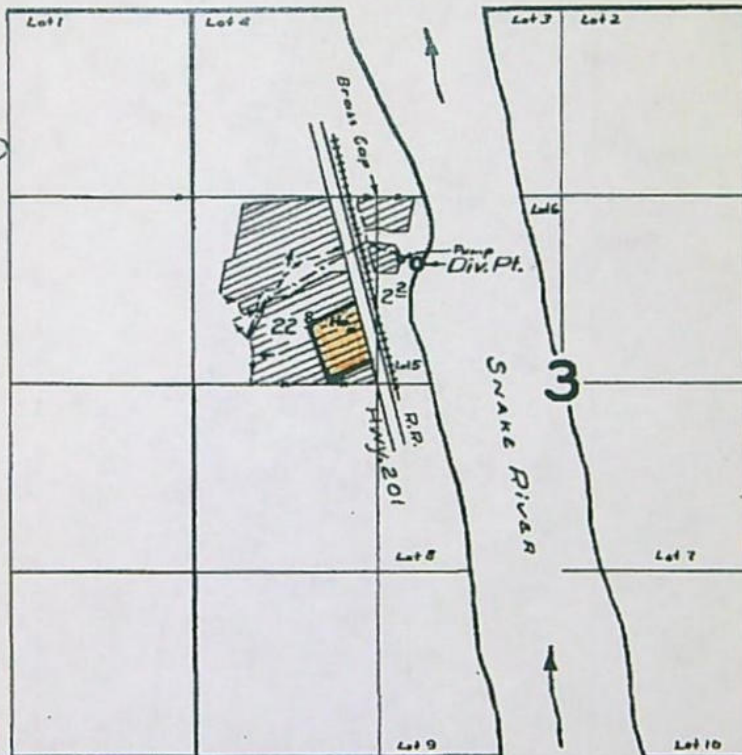
T.22 S.R.46E.W.M.

$$5.8 \text{ ac} = 252,648 \text{ sq}$$

=

$$500' \times 505.30$$

=



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FINAL PROOF SURVEY
UNDER

[Signature] 06/06/06
[Signature] 06/06/2004

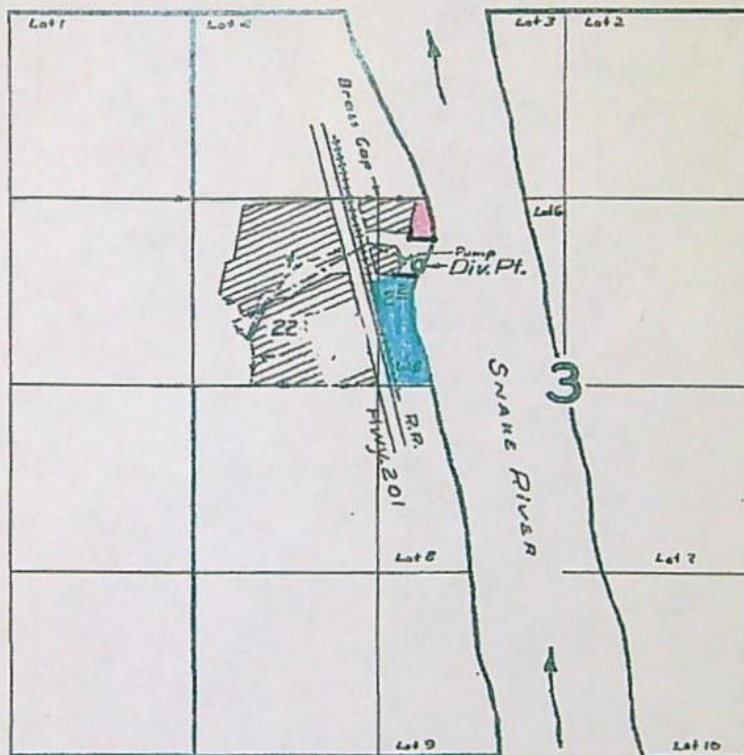
Application No. 31819 Permit No. 25147
IN NAME OF

E.E. EASTMAN

Surveyed Sept. 17 1959, by Tr. G. Rich

After

T.22 S.R.46 E.W.M.



5.8ac = 252,648' sq

■ = 253' x 700'

■ = 253' x 300'

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FINAL PROOF SURVEY
UNDER

[Signature] 06/06/06
[Signature] 06/06/2006

Application No. 31819 Permit No. 25147
IN NAME OF

E.E. EASTMAN

Surveyed Sept. 17 1959, by *[Signature]*

Ex #10

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 space.
Supporting documentation must be attached.

State of Oregon

County of Malheur

I, Amber Downie, in my capacity as Property Owner

mailing address Po Box 2460 Adrian OR 97901

telephone number (541) 709-6560, 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 # 27489; OR

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

Certificate #	Township	Range	Mer	Sec	Section	Acres (if applicable)
27489	22 S	46 E		3	SE, NW	5
						2.2

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.):

CTOPS, Pasture, etc.

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

[Signature]
Signature of Affiant

10/1/21
Date

Signed and sworn to (or affirmed) before me this 1st day of OCTOBER 2021.



[Signature]
Notary Public for Oregon

My Commission Expires: 02/25/2023

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 • Harvest Receipts • ID Power Bills	<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 • Malheur County Assessor's Pic. from 2020 • Google Earth's Pics. from 2011 & 2013	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU - www.oregonexplorer.info/imagery OWRD - www.wrd.state.or.us Google Earth - earth.google.com TerraServer - www.terra-server.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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OWRD

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-13803

Review Due Date:

Applicant Name: Price Seed Farms, LLC

Proposed Changes: ☒ POU ☒ POD ☐ POA ☐ USE ☐ OTHER

Reviewer(s): Jered Hoshaw

Date of Review: 09/22/2021

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

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

☐ N/A

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

Very minimal channel losses likely, less than 0.5 miles from authorized POD and new proposed POD.

☐ 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:

- Acres on tax lot 800 do not appear to be identified correctly. The application and map identify a total of 2.2 acres for TL 800. Records show 2.2 acres in SE,NW plus some additional in SW,NW being part of the 22.8 acres for TL 800.
 - Map key describing POD locations does not match POD descriptions on application.
 - New proposed POD is listed in the wrong qtr, qtr on table 1 in reference to application map.

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

- Review water right to make sure remaining and land involved in transfer are identified correctly on transfer application.
- Amend map key to represent correct locations of POD's in reference to application.

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- 13803



In order to avoid enlargement of the right or injury to other rights, a Totalizing flow meter 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: Jered Hoshaw

District: 9

Address: 251 B Street West

City/State/Zip: Vale, Oregon 97918

Phone: (541)473-5130

Email: Jered.L.Hoshaw@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

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form

(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: T-13803

Date of review: 9/7/2021

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

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

(Please attach any available supporting information.)

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

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

☐ **1. Screen Maintain**

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

Note: This option will yield the following:

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

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

☒ **2. Screen Now**

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

Note: This option will yield the following:

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

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

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

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

☐ **3. Screen 2 Year**

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

Note: This option will yield the following:

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

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

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

☐ **4. Screen Future**

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

Note: This option will yield the following:

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

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

☐ **5. No Screen Needed**

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

Signature:

Aaron Maxwell

Digitally signed by Aaron
Maxwell
Date: 2021.09.07 13:26:58
-0700

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

Phone: (541) 263-0647

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer #: T-13803

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- ☒ Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening. **Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.**

ODFW staff name: Mike Jensen

Address: P.O. Box 515

City/State/Zip: John Day, OR 97845

Phone: 541-575-0561

- ☒ This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff member below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: David Banks

Address: 237 Highway 20 South, PO Box 8

City/State/Zip: Hines, OR 97738

Phone: 541-573-6582



Oregon
Kate Brown, Governor

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

September 1, 2021

PRICE SEED FARMS LLC
1681 HWY 201
ADRIAN, OR 97910

Reference: Application T-13803

On August 16, 2021, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$2090.00. Our receipt number 136176 is enclosed.

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

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

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

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

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

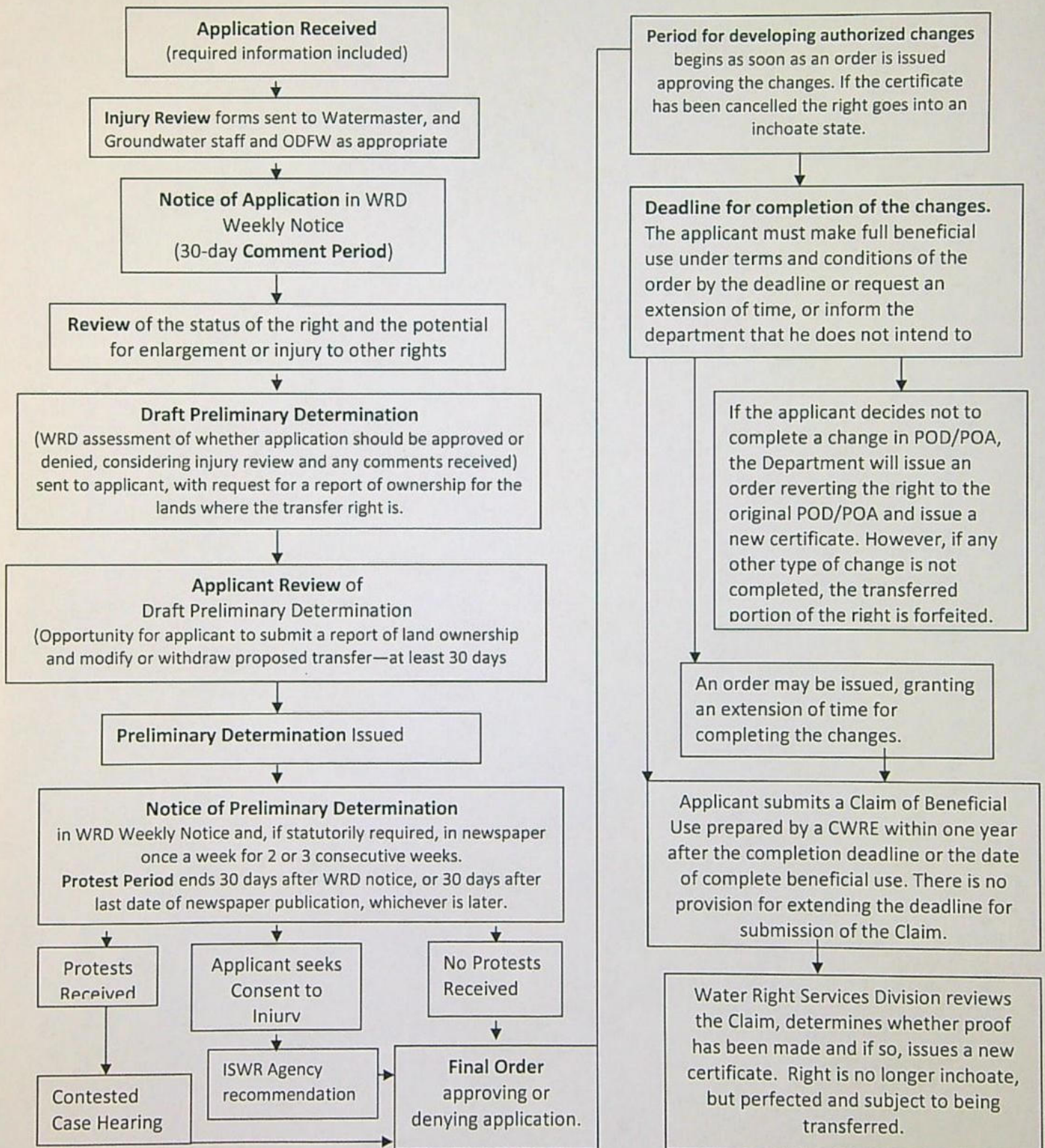
If you have any questions, please contact the Transfer Section at (503) 986-0815.

Cc: Watermaster Dist. #9, Jered L. Hoshaw (*via email*)
Malheur County Planning
Rod and Patti Price Trust

Enclosure

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

OAR 690 Division 380



**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 # **136176**

INVOICE # _____

RECEIVED FROM: Price Seed Farms LLC

BY: _____

APPLICATION

PERMIT

TRANSFER

T-13803

CASH: ☐ CHECK: # 10869 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$2,090.00

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

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$ 2090.00

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:

136176

DATED:

8-16-2021 BY: Mindy Carlson

Application for Permanent Water Right 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 transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 27489**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ ☐ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- ☒ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503-986-0_____

Date: ____/____/____

AUG 16 2021

Part 2 of 5 – Transfer Application Map

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

OWRD

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

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

12803

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,160
	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>2 (2a)</u> Subtract 1 from the number in line 2a = <u>1 (2b)</u> <i>If only one change, this will be 0</i>	<div>RECEIVED</div> <div>AUG 16 2021</div> <div>OWRD</div>	
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	930
	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well?		
4	<input checked="" type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$410 »	4	0
	Do you propose to change the place of use or character of use?		
	<input type="checkbox"/> No: enter 0 on line 5 » <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): <u>0.492 (5a)</u> Subtract 1.0 from the number in 5a above: <u>-0.508 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>0 (5c)</u> and multiply 5c by \$350, then enter on line 5 »		
5		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	2,090
	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?		
7	If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:	8	\$2,090

*Example for Line 5a 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. For irrigation calculate cfs for each water right involved as follows:
 - a. 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*).
 - b. 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*)
2. 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 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0*).

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	13803	\$840.00
	Number of wells included in substitution _____ (2a)		
	Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$410 and enter » » » » » » » » » » » » » » »	2	0
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	0

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Price Seed Farms, LLC			PHONE NO. 541-339-3531	ADDITIONAL CONTACT NO.
ADDRESS 1681 Hwy 201			FAX NO.	
CITY Adrian	STATE OR	ZIP 97910	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME NA			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
The applicant desires to transfer supplemental water from Cert. 27489 to lands owned by them and to add an additional point of diversion approximately 2,200 feet up-stream from the authorized point of diversion.

Check One Box

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

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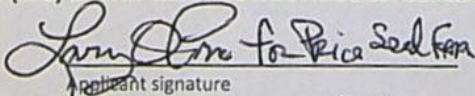
AUG 16 2021

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By my signature below, I confirm that I understand:

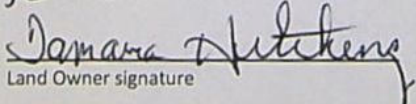
- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Idaho Press Tribune.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).

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


Applicant signature

Price Seed Farms
Print Name (and Title if applicable)

8-2-2021
Date


Land Owner signature

Tammy Hutchings
Print Name (and Title if applicable)

8-2-2021
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 deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

Check the following boxes that apply:

- ☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- ☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

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

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

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

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME Rod & Patti Price Trust		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 1729 Hwy 201		FAX NO.	
CITY Adrian	STATE OR	ZIP 97910	E-MAIL

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Describe any special ownership circumstances here: Larry Price Family Trust is 1/2 owner

- ☒ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME RIDGEVIEW IRRIGATION DISTRICT	ADDRESS PO Box 67	
CITY Homedale	STATE ID	ZIP 83628

- ☐ 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 NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Malheur County	ADDRESS 251 'B' Street West	
CITY Vale	STATE OR	ZIP 97918

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP

13803

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 27489

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Description of Water Delivery System

System capacity: 0.60 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. None

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)
Pump 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	22 S	46 E	3	SE	NW	Govt Lot 5	1750' South & 1800' East of the NW Corner of Sec. 3, T.22S.R46E, W.M.
Pump 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	22 S	46 E	3	SE	NW	Govt Lot 8	1400' North & 2100' East of the SW Corner of Sec. 3, T.22S.R46E, W.M.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

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

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

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

13803

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

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

Table 2. Description of Changes to Water Right Certificate # 27489

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																						
2	S	9	E 15	NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1	NW NW	500	1	10.0		POD #5	1901
												2	S	9	E 2	SW NW	500		5.0		POD #6	1901
22	S	46	E 3	SW NW			22.8	Supp. Irr.	Pump 1	1957		22	S	46	E 3	SW NW	701		2.3	Supp. Irr.	Pump 1	1957
											POU/APOD	22	S	46	E 3	NW SW	1400		6.0	Supp. Irr.	Pump 2	1957
											POU/APOD	22	S	46	E 3	NE SW	1400	Gvt Lot 8	2.5	Supp. Irr.	Pump 2	1957
											POU/APOD	22	S	46	E 3	SW SW	1700		12.0	Supp. Irr.	Pump 2	1957
22	S	46	E 3	SE NW			2.2	Supp. Irr.	Pump 1	1957		22	S	46	E 3	SW NW	800		0.5	Supp. Irr.	Pump 1	1957
												22	S	46	E 3	SE NW	800	Gvt Lot 5	1.7	Supp. Irr.	Pump 1	1957
TOTAL ACRES:						25.0					TOTAL ACRES:						25.0					

Additional remarks: None.

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: 81012.



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

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

Ground water supplemental Permit or Certificate # NA:

Surface water primary Certificate # NA.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

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

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
County of MALHEUR) ss

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I, ROD PRICE FOR PRICE SEED FARMS, in my capacity as APPLICANT,
mailing address 1681 HIGHWAY 201, ADRIAN, OR 97910
telephone number (541)339-3531, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the **entire** place of use for Certificate # ____; **OR**

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

Certificate #	Township		Range		Mer	Sec	1/4 1/4		Gov't Lot or DLC	Acres (if applicable)
27489	22	S	46	E	WM	3	NW	SW		6.0
	11	41	11	11	11	11	SW	SW		12.0
	11	11	11	11	11	11	NE	SW	Lot 8	2.5

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.): ALFALFA SEED

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

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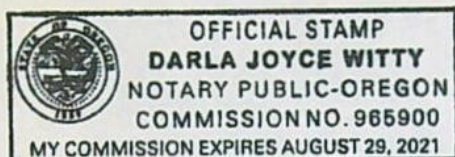
Signature of Affiant

For: Price Seed
Farms LLC

Date

8/2/21

Signed and sworn to (or affirmed) before me this 2 day of August, 2021.



Darla Witty
Notary Public for Oregon, Malheur Co.

My Commission Expires: Aug. 29, 2021

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	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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Choose File No file chosen

Imagery ©2022 Google, Imagery ©2022 CNES / Airbus, Maxar Technologies, State of Oregon, U.S. Geological Survey, USDA, FPMC/CEQ, Map data ©2022 200 m

Price Seed Farms

168 Hwy 201

Adrian, OR 97901

Dec 15, 2022

Water Right Areas
Via Cert # 27489
To Be Transferred

Primary Water-
Right Areas
Via Cert. # 27489

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Application for Water Right
Transfer
Consent by Deeded Landowner



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

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State of Oregon)
County of Malheur)ss
)

I Tammy Hutchings in my/our capacity as Property Owner,
mailing address 1759 Highway 201, Adrian, Oregon 97910,
telephone number (208) 695-8392, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 27489
described in a Transfer Application (T-) submitted by Price Seed Farms, LLC,
(transfer number, if known)
on the property in tax lot number(s) 700, Section 3, Township 22
South, Range 46 East, W.M., located at 1759 Hwy 201, Adrian, OR 97910.
(site address)

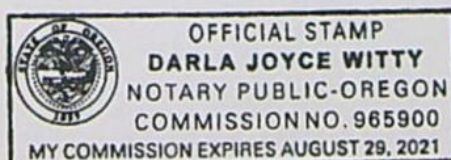
Tamara Hutchings
Signature of Affiant

8-2-2021
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 2 day of August, 2021.



Darla Witty
Notary Public for Oregon, Malheur County

My commission expires Aug. 29, 2021

Statement of Affidavit

July 27, 2021

Tamara Hutchings bought property on 1759 Hwy 201, Adrian, Oregon in the fall of 2011 and currently lives at that address. Tamara Hutchings told the owners of Price Seed Farms LLC that they could use her water-right out of the Snake River, permit #25147. Price Seed Farms LLC used it periodically from 2011 to present, especially on short Owyhee water years in 2014, 2015, and 2016. Price Seed Farms LLC state they also used it in 1988 and 1991 from landowner, Charles Symms. Currently, Price Seed Farms LLC is in the process of purchasing the Oregon Supplemental Water-right #25147.

RECEIVED

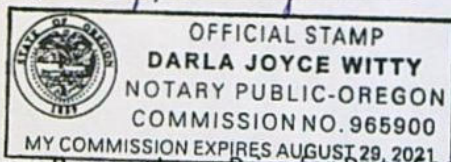
AUG 16 2021

Tamara Hutchings Tamara Hutchings
Before me, Darla Joyce Witty a Notary Public and within
The county of Malheur, State of Oregon

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Personally appeared the above mentioned to me known to be the person named in and who executed the Statement of Affidavit.

Darla Joyce Witty Notary Public My Term expires Aug. 29, 2021

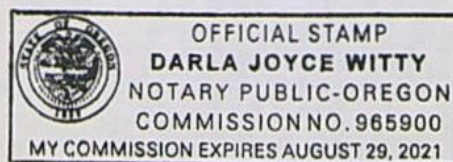


Rodney Price or Larry Price for Price Seed Farms LLC

Before me, Darla Joyce Witty a Notary Public and within
The county of Malheur, State of Oregon

Personally appeared the above mentioned to me known to be the person named in and who executed the Statement of Affidavit.

Darla Joyce Witty Notary Public My Term expires Aug. 29, 2021



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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

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 PRICE SEED FARMS, LLC		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS 1681 Hwy 201			
CITY ADRIAN	STATE OR	ZIP 97910	E-MAIL**

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2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME RIDGEVIEW IRRIGATION DISTRICT		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS PO Box 67			
CITY HOMEDALE	STATE ID	ZIP 83628	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. water right(s) involved in this transfer:

List the

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	27489	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

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*Bureau of Reclamation

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 NONE

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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.

Tamara Nutchings TAMARA Nutchings 8-2-2021
Applicant Signature Name (print) Date

Price Seed Farm PRICE SEED FARM 8-2-2021
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:

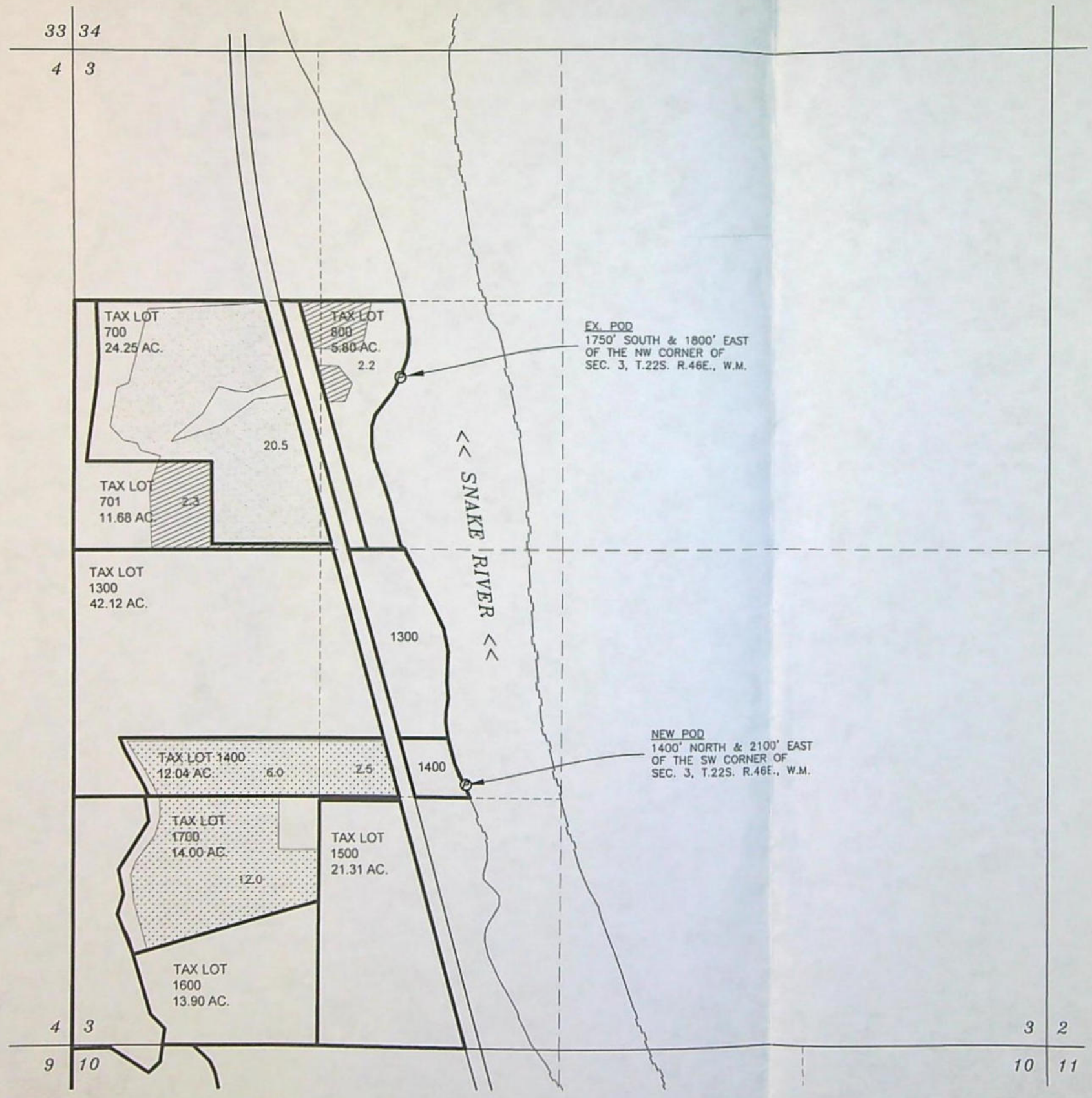
(1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

(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).

John Ellis John Ellis manager 8/4/21
Signature of District Manager /Water Supplier Name (print), Title Date



EX. POD
1750' SOUTH & 1800' EAST
OF THE NW CORNER OF
SEC. 3, T.22S. R.46E., W.M.

NEW POD
1400' NORTH & 2100' EAST
OF THE SW CORNER OF
SEC. 3, T.22S. R.46E., W.M.

LEGEND	
DESCRIPTION	SYMBOLS
SECTION CORNER	36 31 1 6
RECOGNIZED SURVEY CORNER	⊕
POINT OF DIVERSION	Ⓟ
SECTION LINE	—
QUARTER-QUARTER LINE	- - -
TAX LOT LINE	—
RIVER	~~~~~
WATER RIGHT AREAS via CERT. # 27489 TO BE TRANSFERRED (FROM LANDS)	20.5 ACRES
PRIMARY WATER RIGHT AREAS via CERT. # 27489 (TO LANDS)	20.5 ACRES
PRIMARY WATER RIGHT AREA via CERT. #27489 (REMAINING)	4.5 ACRES

EXISTING POINT OF DIVERSION LOCATION:

1,030' NORTH & 700' EAST OF THE
SOUTH WEST CORNER OF SECTION 6
T. 22 S., R. 47 E., W.M.

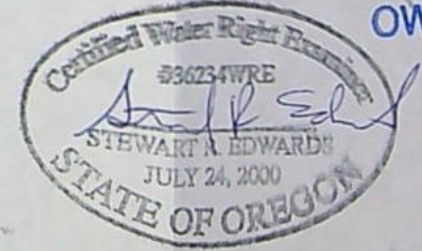
PROPOSED POINT OF DIVERSION LOCATION:

170' NORTH & 230' WEST OF THE M.C.
BETWEEN SECTIONS 1 & 6
T. 22 S., R. 46 E. & 47 E., W.M.

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IF THIS BAR SCALE
DOES NOT MEASURE 1"
THEN THIS DRAWING
IS NOT TO SCALE

DISCLAIMER:
THIS MAP WAS MADE TO BE PART OF THE TRANSFER OF A WATER RIGHT.
SECTIONAL LINES SHOWN ARE APPROXIMATE AND THIS MAP IS NOT INTENDED
FOR ANY OTHER USE AND DOES NOT GUARANTEE LAND OWNERSHIP.

Reviewed By: PAT J. WOODCOCK
Drawn By: PJW
Print Date: JULY 1, 2021
DWG. Scale: AS SHOWN

TRANSFER MAP
CERTIFICATE #27489
TOWNSHIP 22 S. RANGE 46 E. W.M.
MALHEUR COUNTY, OREGON
PRICE SEED FARMS, LLC
1681 HIGHWAY 201
ADRIAN, OREGON 97910

ENGINEERING
NORTHWEST, LLC
11 NW 9th Street
Ontario, Oregon 97914
www.engineeringnw.com (541)889-4432

W1
SHEET NO. 1 OF 1
JOB NO. 20-066

[Main](#)
[Help](#)

T-1380

used old application

need -360.00

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 13803

Checked by: <u>Jorn</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution	Supplemental to Primary	<input checked="" type="checkbox"/> POU	<input type="checkbox"/> POD	<input checked="" type="checkbox"/> APOD
Date: <u>8/25/21</u>		Gov Action	Surface to Ground	<input type="checkbox"/> USE	<input type="checkbox"/> POA	<input checked="" type="checkbox"/> APOD
Fee Received: <u>2090.00</u>	Calculated Fee: <u>2450.00</u>	How many rights to be Transferred?		Certificate # <u>27480</u>		
Additional Observations:		need 360.00				

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

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

Actions taken: none Date: 8/25/21

Permanent Transfer Application Intake Completion Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) If only one change, this will be 0. Multiply line 2b by \$1,090 and enter »	2	0
3	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) If only one water right this will be 0 Multiply line 3b by \$610 and enter »	3	0
4	Do you propose to add or change a well, change from a surface water POD to a well, or Substitute a Suppl GW right for a Primary SW right? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes = \$480 (4a) If YES: enter the number of wells being proposed: _____ (4b) Subtract 1 from the number in line 4b = _____ (4c) If only one well this will be 0. Multiply line 4c by \$410 = _____ (4d) Add lines 4a and 4d and enter »	4	0
5	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0
7	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 6 by 0.5 and enter on line 7 » » » If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » Transfer Fee:	8	