

regular

Name ASDF OR, LLC
 (dba Carbon Farm)
 Address 81338 Raul Hollow Rd
Dufur OR 97021
matt@carbon.farm

DESCRIPTION OF WATER RIGHT(S)

Name of Stream _____

Trib. of _____

Use _____

County _____

Quantity of water (CFS) _____

No. of Acres _____

Name of ditch _____

App# 53107Per # 5151Cert # 3483

PR Date _____

App# 58107Per # 551037Cert # 4841

PR Date _____

App# 512049Per # 58456Cert # 8105

PR Date _____

App# 513350Per # 59579Cert # 10112

PR Date _____

App# _____

Per # _____

Cert # _____

PR Date _____

Change in POW
 Date Filed 3/28/2022
 Initial notice date 4/5/2022
 DPD issued date _____
 PD issued date 11/22/2024
 PD notice date 11/26/2024
 Date of FO 1/24/2025 Vol 133 Page 751-756

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

Assignments: _____

Irrigation District _____

Agent Will McGill Surveying

CWRE _____

CC's list Wasco County☐ - Oversized map - Location _____

FEES PAID

Date	Amount	Receipt #
<u>3-28-2022</u>	<u>\$4010.00</u>	<u>137775</u>

FEES REFUNDED

Date	Amount	Receipt #
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WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13956

Transfer Specialist:

Transfer Type: Regular Transfer

Dante Luongo

Applicant: ASDF OR, LLC DBA CARBON FARM 81338 RAIL HOLLOW RD DUFUR, OR 97021 Email: _____ Phone: _____	Agent: <input type="checkbox"/> N/A WILLIAM E. MCGILL 15333 PLETZER RD SE TURNER, OR 97392 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 Wasco 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"/>	S367	S151	3483	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	S8617	S5637	4841	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	S12049	S8456	8105	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: March 28, 2022	Proposed Action(s): PLACE OF USE	
Fees Pd: 4010.00	WM District: 3	ODFW District:
Initial Public Notice: April 5, 2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: 3-21-24 Initials: <i>DL</i>	Date: _____ Initials: _____	Date: _____ Initials: <i>DL</i>	Date: 3-22-24 Initials: <i>PRS</i>	Date: _____ Initials: <i>DL</i>	CW Sent: _____	N/A
PD	Date: 9-17-24 Initials: <i>DL</i>	Date: 9-18-24 Initials: <i>RF</i>	Date: 9-21-24 Initials: <i>DL</i>	Date: 9-27-24 Initials: <i>CC</i>	Date: 10-15-24 Initials: <i>DL</i>	Date: 10-21-24	Date: 11/22/24
FO	Date: 12-1-24 Initials: <i>DL</i>	Date: 12-10-24 Initials: <i>RF</i>	Date: 12-11-24 Initials: <i>DL</i>	Date: 12-16-24 Initials: <i>DL</i>	Date: 12-18-24 Initials: <i>DL</i>	Date: 5/19/25 1-9-25	Date: 1/24/25

Special Issues: _____

Special Order Volume: Vol. 133 Pages 751-756



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 24, 2025

ASDF OR LLC; DBA Carbon Farm
81338 Rail Hollow Rd
Dufur, OR 97021

REFERENCE: Transfer Application T-13956

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

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

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

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

If you have any questions related to the approval of this 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 Rights Services Support

Transfers and Conservation Section

cc: Robert L. Wood, Watermaster Dist. # 3 (via email)
William E. McGill, Agent
Wasco County Planning Department, Local Government

Enclosure

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING A CHANGE IN
T-13956, Wasco County)	PLACES OF USE

Authority

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

Applicant

ASDF OR, LLC (DBA CARBON FARM)
81338 RAIL HOLLOW RD
DUFUR, OR 97021

Findings of Fact

1. On March 28, 2022, ASDF OR, LLC (DBA CARBON FARM) filed an application to change the places of use under Certificates 3483, 4841, 8105, and 10112. The Department assigned the application number T-13956.
2. Notice of the application for transfer was published on April 5, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On March 28, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13956 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 27, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. On April 16, 2024, the applicant's agent requested to extend the date for making full beneficial use of the water under T-13956 to October 1, 2029, due to engineering a complicated new irrigation system.

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.

5. On November 22, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-13956 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on November 26, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 8105 in the name of GEO W. JOHNSTON (perfected under Permit S-8456)
Use: IRRIGATION OF 23.3 ACRES
Priority Date: APRIL 25, 1928
Rate: 0.29 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second, or its equivalent in case of rotation.
Source: FIFTEENMILE CREEK, a tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	12 E	WM	20	NW NW	NOT DESCRIBED IN CERTIFICATE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	13 E	WM	18	NE NW	11.6
2 S	13 E	WM	18	NW NW	11.7
TOTAL					23.3

7. The applicant's agent has provided a better description of the authorized Point of Diversion (POD) for Certificate 8105:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
2 S	12 E	WM	20	NW NW	1060 FEET SOUTH AND 130 FEET EAST FROM THE NW CORNER OF SECTION 20

8. Transfer Application T-13956 proposes to change the place of use to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	13 E	WM	7	SW NE	5.7
2 S	13 E	WM	7	NE NW	9.3
2 S	13 E	WM	7	SW SE	7.4
2 S	13 E	WM	18	NE NE	0.3
2 S	13 E	WM	18	NW NE	0.6
TOTAL					23.3

9. The portion of the second right to be transferred is as follows:

Certificate: 10112 in the name of GEO W. JOHNSTON (perfected under Permit S-9579)
Use: IRRIGATION OF 18.2 ACRES
Priority Date: MARCH 28, 1930
Rate: 0.23 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent in case of rotation.
Source: FIFTEENMILE CREEK, a tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	12 E	WM	20	NW NW	NOT DESCRIBED IN CERTIFICATE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	12 E	WM	12	NE SE	0.1
2 S	13 E	WM	7	NW SW	5.9
2 S	13 E	WM	18	NW NE	1.8
2 S	13 E	WM	18	SW NW	7.0
2 S	13 E	WM	18	SE NW	3.4
TOTAL					18.2

10. The applicant's agent has provided a better description of the authorized Point of Diversion (POD) for Certificate 10112:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
2 S	12 E	WM	20	NW NW	1060 FEET SOUTH AND 130 FEET EAST FROM THE NW CORNER OF SECTION 20

11. Transfer Application T-13956 proposes to change the place of use to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	13 E	WM	7	SW SW	18.2

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

Certificate: 4841 in the name of HIGHLAND ORCHARD CO. (perfected under Permit S-5637)
Use: IRRIGATION OF 9.0 ACRES
Priority Date: SEPTEMBER 5, 1922
Rate: 0.11 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited

to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent in case of rotation.

Source: FIFTEENMILE CREEK, a tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	12 E	WM	20	NW NW	NOT DESCRIBED IN CERTIFICATE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	13 E	WM	7	SE SW	9.0

13. The applicant's agent has provided a better description of the authorized Point of Diversion (POD) for Certificate 4841:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
2 S	12 E	WM	20	NW NW	1060 FEET SOUTH AND 130 FEET EAST FROM THE NW CORNER OF SECTION 20

14. Transfer Application T-13956 proposes to change the place of use of to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	13 E	WM	7	NE SW	7.8
2 S	13 E	WM	7	SE SW	1.2
TOTAL					9.0

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

Certificate: 3483 in the name of GEO F. GILL; C/O F M GILL (perfected under Permit S-151)
Use: IRRIGATION OF 126.7 ACRES
Priority Date: OCTOBER 27, 1909
Rate: 1.61 CUBIC FEET PER SECOND
Source: FIFTEENMILE CREEK, a tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	12 E	WM	20	NW NW	NOT DESCRIBED IN CERTIFICATE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	12 E	WM	12	NE SW	3.7
2 S	12 E	WM	12	SE SE	5.8
2 S	12 E	WM	13	NE NE	6.9
2 S	13 E	WM	7	NE NE	25.0
2 S	13 E	WM	7	NW NE	24.8
2 S	13 E	WM	7	SE NE	25.0

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	13 E	WM	7	NW NW	4.0
2 S	13 E	WM	7	SW NW	12.2
2 S	13 E	WM	7	SE NW	3.5
2 S	13 E	WM	7	NW SE	7.1
2 S	13 E	WM	18	NE NW	8.7
TOTAL					126.7

16. The applicant's agent has provided a better description of the authorized Point of Diversion (POD) for Certificate 3483:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
2 S	12 E	WM	20	NW NW	1060 FEET SOUTH AND 130 FEET EAST FROM THE NW CORNER OF SECTION 20

17. Transfer Application T-13956 proposes to change the place of use to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	12 E	WM	12	NW SE	31.5
2 S	12 E	WM	12	SW SE	35.5
2 S	13 E	WM	7	NE SW	3.3
2 S	13 E	WM	18	NE NE	0.4
2 S	13 E	WM	18	SW NE	30.0
2 S	13 E	WM	18	SE NE	4.9
2 S	13 E	WM	18	SW NW	1.1
2 S	13 E	WM	18	SE NW	20.0
TOTAL					126.7

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and 690-380-2200]

18. Water has been used within the five-year period prior to submittal of Transfer Application T-13956 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
19. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-13956.
20. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
21. The proposed changes, as conditioned, would not result in enlargement of the rights.
22. The proposed changes would not result in injury to other existing water rights.
23. All other application requirements are met.

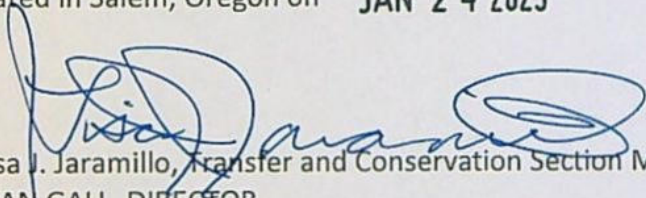
Conclusions of Law

The change in places of use proposed in Transfer Application T-13956 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in places of use proposed in Transfer Application T-13956 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 3483, 4841, 8105, and 10112 and any related decree.
3. Water right Certificates 3483, 4841, 8105, and 10112 are cancelled. New certificates will be issued describing that portion of the rights not affected by this transfer.
4. The former place of use of the transferred rights shall no longer receive water under the rights.
5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2029**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
6. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on **JAN 24 2025**


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

Mailing Date: **JAN 27 2025**

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GEO. F. GILL, C/O F.M. GILL
DUFUR, OR 97021

confirms the right to use the waters of FIFTEEN MILE CREEK, a tributary of COLUMBIA RIVER for the purpose of IRRIGATION OF 378.3 ACRES AND DOMESTIC USE.

This right was perfected under Permit S-151. The date of priority is OCTOBER 27, 1909. The amount of water to which this 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 4.80 CUBIC FEET PER SECOND, or its equivalent in case of rotation. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The point of diversion is located as follows:

TwP	Rng	Mer	Sec	Q-Q
2 S	12 E	WM	20	NW NW

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

IRRIGATION AND DOMESTIC					
TwP	Rng	Mer	Sec	Q-Q	Acres
2 S	12 E	WM	12	NE SW	26.3
2 S	12 E	WM	12	SW SW	10.0
2 S	12 E	WM	12	SE SW	40.0
2 S	12 E	WM	12	NW SE	2.0
2 S	12 E	WM	12	SW SE	5.0
2 S	12 E	WM	12	SE SE	34.2
2 S	12 E	WM	13	NE NE	18.1
2 S	12 E	WM	13	NW NE	20.0
2 S	12 E	WM	13	NE NW	30.0
2 S	12 E	WM	13	NW NW	18.0
2 S	12 E	WM	14	NE NE	10.0
2 S	13 E	WM	7	NW NE	0.2
2 S	13 E	WM	7	NE NW	20.0
2 S	13 E	WM	7	NW NW	6.0
2 S	13 E	WM	7	SW NW	27.8
2 S	13 E	WM	7	SE NW	36.5
2 S	13 E	WM	7	NE SW	20.0
2 S	13 E	WM	7	SW SW	15.0
2 S	13 E	WM	7	NW SE	22.9

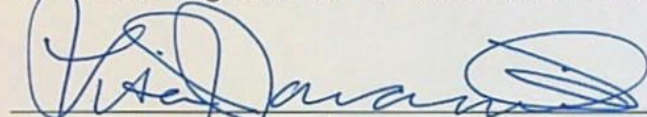
2 S	13 E	WM	18	NE NW	16.3
TOTAL					378.3

This certificate describes that portion of water right Certificate 3483, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 24 2025, approving Transfer Application T-1395613956.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed JAN 24 2025.



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

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO
HIGHLAND ORCHARD CO.
WILL H. DOUD, PRESIDENT
DUFUR, OR 97021

confirms the right to use the waters of FIFTEENMILE CREEK, a tributary of COLUMBIA RIVER for the purpose of IRRIGATION of 7.0 ACRES.

This right was perfected under Permit S-5687. The date of priority is SEPTEMBER 5, 1922. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.09 cubic feet per second, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twtp	Rng	Mer	Sec	Q-Q
2 S	12 E	WM	20	NW NW

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent in case of rotation. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

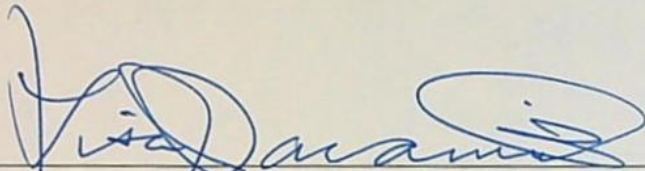
IRRIGATION					
Twtp	Rng	Mer	Sec	Q-Q	Acres
2 S	13 E	WM	7	SE SW	7.0

This certificate describes that portion of water right Certificate 4841, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 24 2025, approving Transfer Application T-1395613956.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed JAN 24 2025.

A handwritten signature in blue ink, appearing to read "Lisa Jaramillo", written over a horizontal line.

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

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GEO. W. JOHNSTON
DUFUR, OR 97021

confirms the right to use the waters of FIFTEENMILE CREEK, a tributary of COLUMBIA RIVER for the purpose of IRRIGATION of 31.7 ACRES.

This right was perfected under Permit S-8456. The date of priority is APRIL 25, 1928. The amount of water to which this 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 0.40 CUBIC FOOT PER SECOND;

The point of diversion is located as follows:

TwP	Rng	Mer	Sec	Q-Q
2 S	12 E	WM	20	NW NW

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent in case of rotation. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

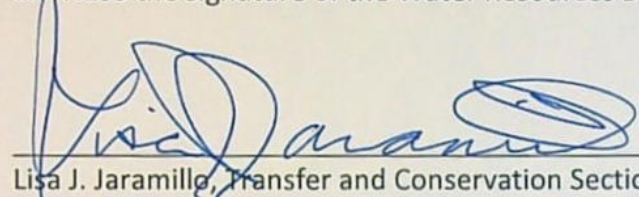
IRRIGATION					
TwP	Rng	Mer	Sec	Q-Q	Acres
2 S	13 E	WM	18	NW NE	20.0
2 S	13 E	WM	18	NE NW	3.4
2 S	13 E	WM	18	NW NW	8.3
TOTAL					31.7

This certificate describes that portion of water right Certificate 8105, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 24 2025, approving Transfer Application T-1395613956.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed JAN 24 2025.

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

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

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GEO. W. JOHNSTON
DUFUR, OR 97021

confirms the right to use the waters of FIFTEENMILE CREEK, a tributary of COLUMBIA RIVER for the purpose of IRRIGATION of 112.8 ACRES.

This right was perfected under Permit S-9579. The date of priority is MARCH 28, 1930. The amount of water to which this 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 1.53 CUBIC FEET PER SECOND.

The point of diversion is located as follows:

Twtp	Rng	Mer	Sec	Q-Q
2 S	12 E	WM	20	NW NW

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent in case of rotation. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

IRRIGATION					
Twtp	Rng	Mer	Sec	Q-Q	Acres
2 S	12 E	WM	12	NE SE	19.9
2 S	12 E	WM	13	SE NE	21
2 S	13 E	WM	7	NW SW	34.1
2 S	13 E	WM	18	NW NE	8.2
2 S	13 E	WM	18	SW NW	23.0
2 S	13 E	WM	18	SE NW	6.6
TOTAL					112.8

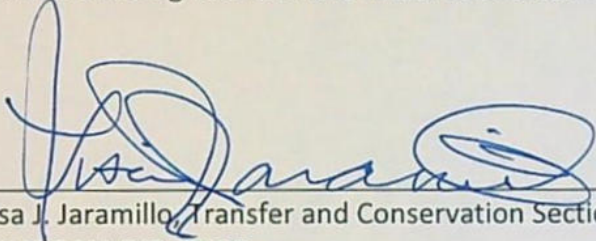
This certificate describes that portion of water right Certificate 10112, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 24 2025, approving Transfer Application T-1395613956.

The issuance of this superseding certificate does not confirm the status of the water right in regard to

the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed JAN 24 2025.



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



Oregon

Tina Kotek, Governor

NOV 22 2024

VIA CERTIFIED MAIL AND E-MAIL

ASDF OR, LLC (DBA CARBON FARM)
81338 RAIL HOLLOW RD
DUFUR, OR 97021

SUBJECT: Water Right Transfer Application T-13956

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13956. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please don't hesitate to contact me at 971 304-5006 or Dante.J.Luongo@water.oregon.gov, if I may be of assistance.

Sincerely,

Dante Luongo
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-13956
Robert L. Wood, District 3 Watermaster (via e-mail)
William E. McGill, Agent for the applicant (via e-mail)

9589 0710 5270 0208 3257 28

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-13956, Wasco County)	PROPOSING APPROVAL OF A CHANGE IN
)	PLACES OF USE

Authority

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

Applicant

ASDF OR, LLC (DBA CARBON FARM)
81338 RAIL HOLLOW RD
DUFUR, OR 97021

Findings of Fact

1. On March 28, 2022, ASDF OR, LLC (DBA CARBON FARM) filed an application to change the places of use under Certificates 3483, 4841, 8105, and 10112. The Department assigned the application number T-13956.
2. Notice of the application for transfer was published on April 5, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On March 28, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13956 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 27, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. On April 16, 2024, the applicant's agent requested to extend the date for making full beneficial use of the water under T-13956 to October 1, 2029, due to engineering a complicated new irrigation system.
5. The portion of the first right to be transferred is as follows:

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.

Certificate: 8105 in the name of GEO W. JOHNSTON (perfected under Permit S-8456)
Use: IRRIGATION OF 23.3 ACRES
Priority Date: APRIL 25, 1928
Rate: 0.29 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second, or its equivalent in case of rotation.
Source: FIFTEENMILE CREEK, a tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	12 E	WM	20	NW NW	NOT DESCRIBED IN CERTIFICATE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	13 E	WM	18	NE NW	11.6
2 S	13 E	WM	18	NW NW	11.7
TOTAL					23.3

6. The applicant's agent has provided a better description of the authorized Point of Diversion (POD) for Certificate 8105:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
2 S	12 E	WM	20	NW NW	1500 FEET SOUTH AND 175 FEET EAST FROM THE NW CORNER OF SECTION 20

7. Transfer Application T-13956 proposes to change the place of use to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	13 E	WM	7	SW NE	5.7
2 S	13 E	WM	7	NE NW	9.3
2 S	13 E	WM	7	SW SE	7.4
2 S	13 E	WM	18	NE NE	0.3
2 S	13 E	WM	18	NW NE	0.6
TOTAL					23.3

8. The portion of the second right to be transferred is as follows:

Certificate: 10112 in the name of GEO W. JOHNSTON (perfected under Permit S-9579)
Use: IRRIGATION OF 18.2 ACRES
Priority Date: MARCH 28, 1930
Rate: 0.23 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited

to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent in case of rotation.

Source: FIFTEENMILE CREEK, a tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	12 E	WM	20	NW NW	NOT DESCRIBED IN CERTIFICATE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	12 E	WM	12	NE SE	0.1
2 S	13 E	WM	7	NW SW	5.9
2 S	13 E	WM	18	NW NE	1.8
2 S	13 E	WM	18	SW NW	7.0
2 S	13 E	WM	18	SE NW	3.4
TOTAL					18.2

9. The applicant's agent has provided a better description of the authorized Point of Diversion (POD) for Certificate 10112:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
2 S	12 E	WM	20	NW NW	1500 FEET SOUTH AND 175 FEET EAST FROM THE NW CORNER OF SECTION 20

10. Transfer Application T-13956 proposes to change the place of use to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	13 E	WM	7	SW SW	18.2

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

Certificate: 4841 in the name of HIGHLAND ORCHARD CO. (perfected under Permit S-5637)

Use: IRRIGATION OF 9.0 ACRES

Priority Date: SEPTEMBER 5, 1922

Rate: 0.11 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent in case of rotation.

Source: FIFTEENMILE CREEK, a tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	12 E	WM	20	NW NW	NOT DESCRIBED IN CERTIFICATE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	13 E	WM	7	SE SW	9.0

12. The applicant's agent has provided a better description of the authorized Point of Diversion (POD) for Certificate 4841:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
2 S	12 E	WM	20	NW NW	1500 FEET SOUTH AND 175 FEET EAST FROM THE NW CORNER OF SECTION 20

13. Transfer Application T-13956 proposes to change the place of use of to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	13 E	WM	7	NE SW	7.8
2 S	13 E	WM	7	SE SW	1.2
TOTAL					9.0

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

Certificate: 3483 in the name of GEO F. GILL; C/O F M GILL (perfected under Permit S-151)

Use: IRRIGATION OF 126.7 ACRES

Priority Date: OCTOBER 27, 1909

Rate: 1.61 CUBIC FEET PER SECOND

Source: FIFTEENMILE CREEK, a tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	12 E	WM	20	NW NW	NOT DESCRIBED IN CERTIFICATE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	12 E	WM	12	NE SW	3.7
2 S	12 E	WM	12	SE SE	5.8
2 S	12 E	WM	13	NE NE	6.9
2 S	13 E	WM	7	NE NE	25
2 S	13 E	WM	7	NW NE	24.8
2 S	13 E	WM	7	SE NE	25
2 S	13 E	WM	7	NW NW	4
2 S	13 E	WM	7	SW NW	12.2
2 S	13 E	WM	7	SE NW	3.5
2 S	13 E	WM	7	NW SE	7.1
2 S	13 E	WM	18	NE NW	8.7
TOTAL					126.7

15. The applicant's agent has provided a better description of the authorized Point of Diversion (POD) for Certificate 3483:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
2 S	12 E	WM	20	NW NW	1500 FEET SOUTH AND 175 FEET EAST FROM THE NW CORNER OF SECTION 20

16. Transfer Application T-13956 proposes to change the place of use to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	12 E	WM	12	NW SE	31.5
2 S	12 E	WM	12	SW SE	35.5
2 S	13 E	WM	7	NE SW	3.3
2 S	13 E	WM	18	NE NE	0.4
2 S	13 E	WM	18	SW NE	30.0
2 S	13 E	WM	18	SE NE	4.9
2 S	13 E	WM	18	SW NW	1.1
2 S	13 E	WM	18	SE NW	20.0
TOTAL					126.7

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and 690-380-2200]

17. Water has been used within the five-year period prior to submittal of Transfer Application T-13956 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
18. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-13956.
19. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
20. The proposed changes would not result in enlargement of the rights.
21. The proposed changes would not result in injury to other existing water rights.
22. All other application requirements are met.

Determination and Proposed Action

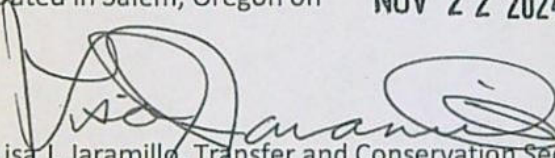
The change in places of use proposed in Transfer Application T-13956 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-13956 is approved, the final order will include the following:

1. *The change in places of use proposed in Transfer Application T-13956 are approved.*

2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 3843, 4841, 8105, and 10112 and any related decree.*
3. *Water right Certificates 3483, 4841, 8105, and 10112 are cancelled. New certificates will be issued describing that portion of the rights not affected by this transfer.*
4. *The former place of use of the transferred rights shall no longer receive water under the rights.*
5. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2029**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
6. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on **NOV 22 2024**


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

This Preliminary Determination was prepared by Dante J. Luongo. If you have any questions about the information in this document, you may reach me at 971-304-5006 or dante.j.luongo@water.oregon.gov

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition or approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.



Oregon
Kate Brown, Governor

Water Resources Department

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

April 5, 2022

ASDF OR, LLC
DBA CARBON FARM
81338 RAIL HOLLOW RD
DUFUR, OR 97021

Reference: Application T-13956

On March 28, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$4010.00. Our receipt number 137775 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.

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 for the new use, 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.

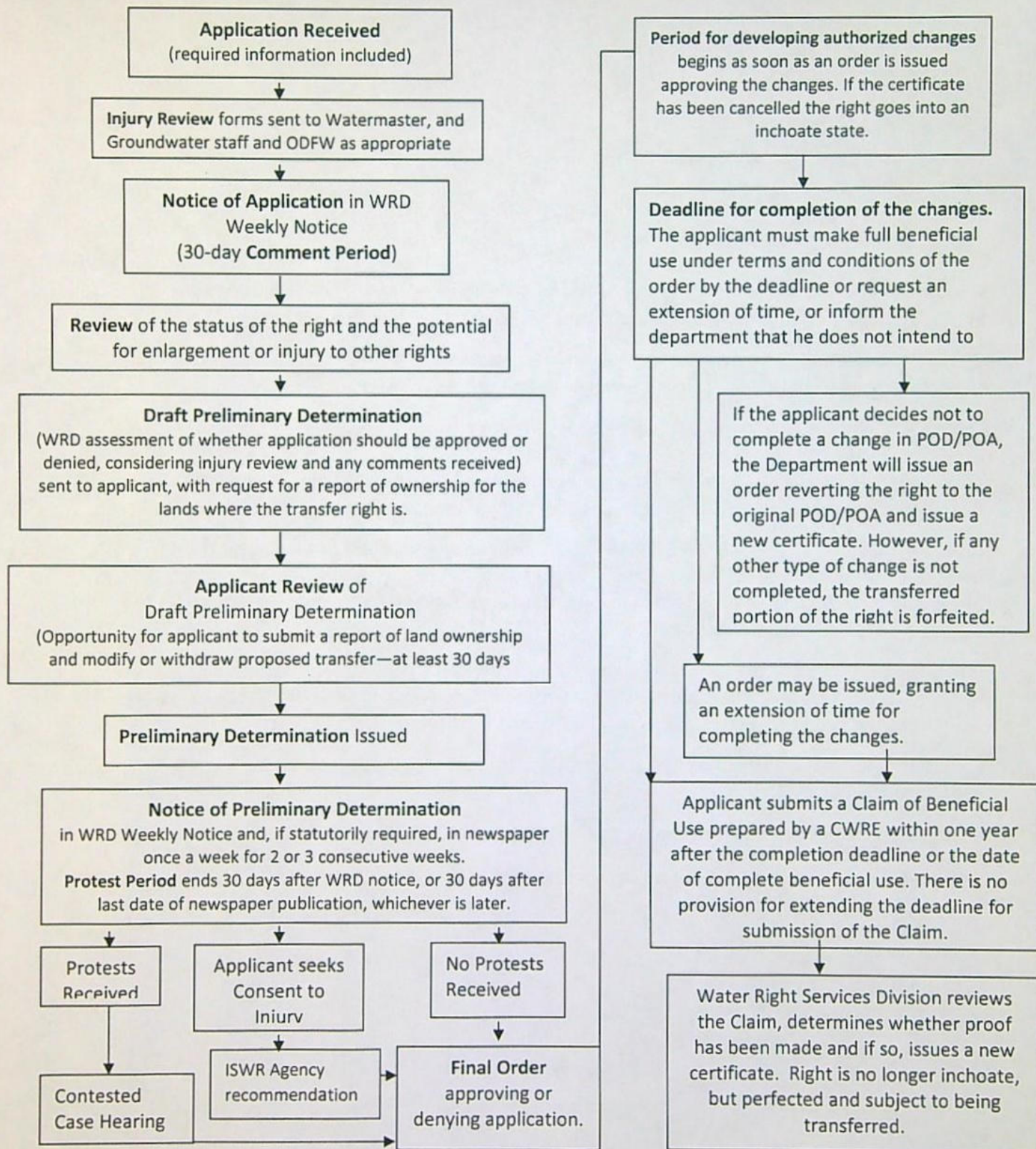
Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

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

Cc: Watermaster Dist. #3, Robert L. Wood (*via email*)
Wasco County Planning Department
William E. McGill, Agent

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

OAR 690 Division 380



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **137775**

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

INVOICE # _____

RECEIVED FROM: Will McGill Surveying, LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>1-13956</u>

CASH: ☐ CHECK: # 1982 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 4,010.00

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	\$ <u>4010.00</u>
---------------	-------------------

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD#	
0210 MONITORING WELLS	\$	CARD#	

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **137775**

DATED: 3-28-2022 BY: Mindy Carlson

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

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

RECEIVED

MAR 28 2022

OWRD

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.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 4 List them here: Cert. 3483, 4841, 8105, 10112**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

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- _____

Date: 12/05/20

Part 2 of 5 – Transfer Application Map

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

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

- ☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. 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°).

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

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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, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
 - 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, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
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).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME ASDF OR, LLC (dba Carbon Farm)			PHONE NO. (541) 921-0316	ADDITIONAL CONTACT NO.
ADDRESS 81338 Rail Hollow Rd.			FAX NO.	
CITY Dufur	STATE OR	ZIP 97021	E-MAIL matt@carbon.farm	
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 Will McGill Surveying LLC			PHONE NO. (503) 931-0210	ADDITIONAL CONTACT NO. (503) 510-3026
ADDRESS 15333 Pletzer Rd. SE			FAX NO.	
CITY Turner	STATE OR	ZIP 97392	E-MAIL willmcgill.surveying@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
It is proposed to move places of use that were previously pastured to gaps in farmed fields to improve irrigation efficiency.

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

Check One Box

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

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By my signature below, I confirm that I understand:

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

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

Applicant signature

Print Name (and Title if applicable)

Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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*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			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				


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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Wasco County	ADDRESS 2705 E 2nd St.	
CITY The Dalles	STATE OR	ZIP 97058

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

CERTIFICATE # 3483

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Description of Water Delivery System

System capacity: 9.31 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. Water is diverted from Fifteenmile Creek at a gate into Orchard Ridge Ditch. Water is conveyed to the property via Orchard Ridge Ditch. It splits into multiple side ditches as well as flows into a bulge in the system (reservoir). Water is diverted from the bulge by a 50 HP centrifugal pump and conveyed to specific places of use via 10" embedded PVC pipe and 4-5-inch wheel lines. Water has been applied by wheel lines, flood irrigation, and a big gun to reach POU further from ditches.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD A	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2	S	12	E	20	NW	NW	3900	1500' S & 175' E from NW corner of section 20
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<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 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.

13956

Table 2. Description of Changes to Water Right Certificate # 3483

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		
2	S	12	E	12	NE	SW	1900		3.7	Irrigation	POD A	1909	POU	2	S	12	E	12	NW	SE	1900		31.5	Irrigation	POD A	1909
2	S	12	E	12	SE	SE	1900		5.8	Irrigation	POD A	1909	POU	2	S	12	E	12	SW	SE	1900		35.5	Irrigation	POD A	1909
2	S	12	E	13	NE	NE	1900		6.9	Irrigation	POD A	1909	POU	2	S	13	E	7	NE	SW	1200		3.3	Irrigation	POD A	1909
2	S	13	E	7	NE	NE	1200		25.0	Irrigation	POD A	1909	POU	2	S	13	E	18	NE	NE	1200		0.4	Irrigation	POD A	1909
2	S	13	E	7	NW	NE	1200		24.8	Irrigation	POD A	1909	POU	2	S	13	E	18	SW	NE	1200		30.0	Irrigation	POD A	1909
2	S	13	E	7	SE	NE	1200		25.0	Irrigation	POD A	1909	POU	2	S	13	E	18	SE	NE	1200		4.9	Irrigation	POD A	1909
2	S	13	E	7	NW	NW	1200		4.0	Irrigation	POD A	1909	POU	2	S	13	E	18	SW	NW	1200		1.1	Irrigation	POD A	1909
2	S	13	E	7	SW	NW	1200		12.2	Irrigation	POD A	1909	POU	2	S	13	E	18	SE	NW	1200		20.0	Irrigation	POD A	1909
2	S	13	E	7	SE	NW	1200		3.5	Irrigation	POD A	1909														
2	S	13	E	7	NW	SE	1200		7.1	Irrigation	POD A	1909														
2	S	13	E	18	NE	NW	1200		8.7	Irrigation	POD A	1909														
TOTAL ACRES:									126.7					TOTAL ACRES:									126.7			

Additional remarks: _____.

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For Place of Use or Character of Use Changes

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

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

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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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

13956

Description of Water Delivery System

System capacity: 9.31 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is diverted from Fifteenmile Creek at a gate into Orchard Ridge Ditch. Water is conveyed to the property via Orchard Ridge Ditch. It splits into multiple side ditches as well as flows into a bulge in the system (reservoir). Water is diverted from the bulge by a 50 HP centrifugal pump and conveyed to specific places of use via 10" embedded PVC pipe and 4-5-inch wheel lines. Water has been applied by wheel lines, flood irrigation, and a big gun to reach POU further from ditches.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD A	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2	S	12	E	20	NW	NW	3900	1500' S & 175' E from NW corner of section 20
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<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 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.

Table 2. Description of Changes to Water Right Certificate # 4841

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		
2	S	13	E	7	SE	SW	1200		9.0	Irrigation	POD A	1922	POU	2	S	13	E	7	NE	SW	1200		7.8	Irrigation	POD A	1922
													POU	2	S	13	E	7	SE	SW	1200		1.2	Irrigation	POD A	1922
TOTAL ACRES:								9.0						TOTAL ACRES:								9.0				

Additional remarks: _____.

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For Place of Use or Character of Use Changes

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

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

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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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

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CERTIFICATE # 8105

Description of Water Delivery System

System capacity: 9.31 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. Water is diverted from Fifteenmile Creek at a gate into Orchard Ridge Ditch. Water is conveyed to the property via Orchard Ridge Ditch. It splits into multiple side ditches as well as flows into a bulge in the system (reservoir). Water is diverted from the bulge by a 50 HP centrifugal pump and conveyed to specific places of use via 10" embedded PVC pipe and 4-5-inch wheel lines. Water has been applied by wheel lines, flood irrigation, and a big gun to reach POU further from ditches.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD A	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2	S	12	E	20	NW	NW	3900	1500' S & 175' E from NW corner of section 20
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<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 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.

Table 2. Description of Changes to Water Right Certificate # 8105

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		
2	S	13	E	18	NE	NW	1200		11.6	Irrigation	POD A	1928	POU	2	S	13	E	7	SW	NE	1200		5.7	Irrigation	POD A	1928
2	S	13	E	18	NW	NW	1200		11.7	Irrigation	POD A	1928	POU	2	S	13	E	7	NE	NW	1200		9.3	Irrigation	POD A	1928
													POU	2	S	13	E	7	SW	SE	1200		7.4	Irrigation	POD A	1928
													POU	2	S	13	E	18	NE	NE	1200		0.3	Irrigation	POD A	1928
													POU	2	S	13	E	18	NW	NE	1200		0.6	Irrigation	POD A	1928
TOTAL ACRES:								23.3						TOTAL ACRES:								23.3				

Additional remarks: _____.

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For Place of Use or Character of Use Changes

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

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

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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MAR 28 2022

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

OWRD

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

MAR 28 2022

Description of Water Delivery System

System capacity: 9.31 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. Water is diverted from Fifteenmile Creek at a gate into Orchard Ridge Ditch. Water is conveyed to the property via Orchard Ridge Ditch. It splits into multiple side ditches as well as flows into a bulge in the system (reservoir). Water is diverted from the bulge by a 50 HP centrifugal pump and conveyed to specific places of use via 10" embedded PVC pipe and 4-5-inch wheel lines. Water has been applied by wheel lines, flood irrigation, and a big gun to reach POU further from ditches.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD A	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2	S	12	E	20	NW	NW	3900	1500' S & 175' E from NW corner of section 20
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<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 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.

13956

Table 2. Description of Changes to Water Right Certificate # 10112

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		
2	S	12	E	12	NE	SE	1900		0.1	Irrigation	POD A	1930	POU	2	S	13	E	7	SW	SW	1200		18.2	Irrigation	POD A	1930
2	S	13	E	7	NW	SW	1200		5.9	Irrigation	POD A	1930														
2	S	13	E	18	NW	NE	1200		1.8	Irrigation	POD A	1930														
2	S	13	E	18	SW	NW	1200		7.0	Irrigation	POD A	1930														
2	S	13	E	18	SE	NW	1200		3.4	Irrigation	POD A	1930														
TOTAL ACRES:									18.2					TOTAL ACRES:									18.2			

Additional remarks:_____.

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For Place of Use or Character of Use Changes

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

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

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

RECEIVED**MAR 28 2022****For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # _____

OWRD**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

13956



After recording return to:

ASDF OR, LLC
81127 Rail Hollow Road
Dufur, OR 97021

Until a change is requested all tax statements shall be sent to the following address:

ASDF OR, LLC
81127 Rail Hollow Road
Dufur, OR 97021
File No. 428043AM

Wasco County Official Records 2021-000175
DEED-D 01/15/2021 09:56:00 AM
Str=3 SEAN
\$10.00 \$11.00 \$10.00 \$60.00 \$19.00 \$110.00

I, Lisa Gambee, County Clerk for Wasco County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

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MAR 28 2022

OWRD

STATUTORY WARRANTY DEED

Norman Lyda and Victoria Lyda, who also acquired title as Victoria R Lyda, as tenants by the entirety and Roger Lyda and Debra K Lyda, who also acquired title as Debra Lyda as tenants by the entirety,

Grantor(s), hereby convey and warrant to

ASDF OR, LLC,

Grantee(s), the following described real property in the County of Wasco and State of Oregon free of encumbrances except as specifically set forth herein:

Parcel 1 of Partition Plat Number 2009-0013, recorded June 25, 2009, under Microfilm No. 2009-002523, Records of Wasco County, State of Oregon, being portions of Sections 1, 12 and 13, Township 2 South, Range 12 East of the Willamette Meridian, and portions of Sections 6, 7 and 18, Township 2 South, Range 13 East of the Willamette Meridian, in the County of Wasco and State of Oregon.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

10033
10259
10326

The true and actual consideration for this conveyance is \$1,990,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

Return To:



13956

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

Dated this 13th day of January, 2020.2021

Roger Lyda
Roger Lyda

Debra K. Lyda
Debra K. Lyda

Norman C. Lyda
Norman Lyda

Victoria R. Lyda
Victoria R. Lyda

State of Oregon ss
County of Wasco

On this 13th day of January, 2021, before me, Mischel Lynne Baldwin a Notary Public in and for said state, personally appeared Norman Lyda and Victoria R. Lyda, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Mischel Lynne Baldwin
Notary Public for the State of Oregon
Residing at: Washington
Commission Expires: June 07.2022



State of Oregon ss
County of Wasco

On this 13th day of January, 2021, before me, Mischel Lynne Baldwin a Notary Public in and for said state, personally appeared Roger Lyda, and Debra K. Lyda, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Mischel Lynne Baldwin
Notary Public for the State of Oregon
Residing at: Washington
Commission Expires: June 07.2022



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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.

RECEIVED

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State of Oregon)
) ss

County of WASCO

I, Sean Keener, in my capacity as Manager/owner

mailing address 81338 RAIL HOLLOW RD., DUFUR, OR 97021

telephone number (541) 914-9150, 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 # 3483, 4841, 8105, 10112; OR

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

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

OR

☐ Confirming Certificate # _____ has been issued within the past five years; OR

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.

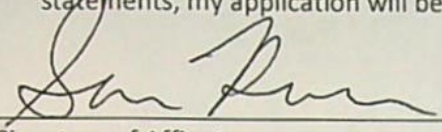
☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

13956

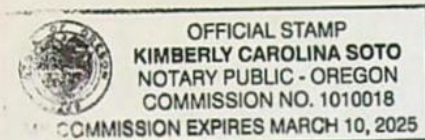
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS, PASTURE

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

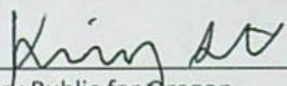

Signature of Affiant

3/17/2022
Date

Signed and sworn to (or affirmed) before me this 17 day of March, 2022.



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Notary Public for Oregon

MAR 28 2022

My Commission Expires: 03-10-2025

OWRD

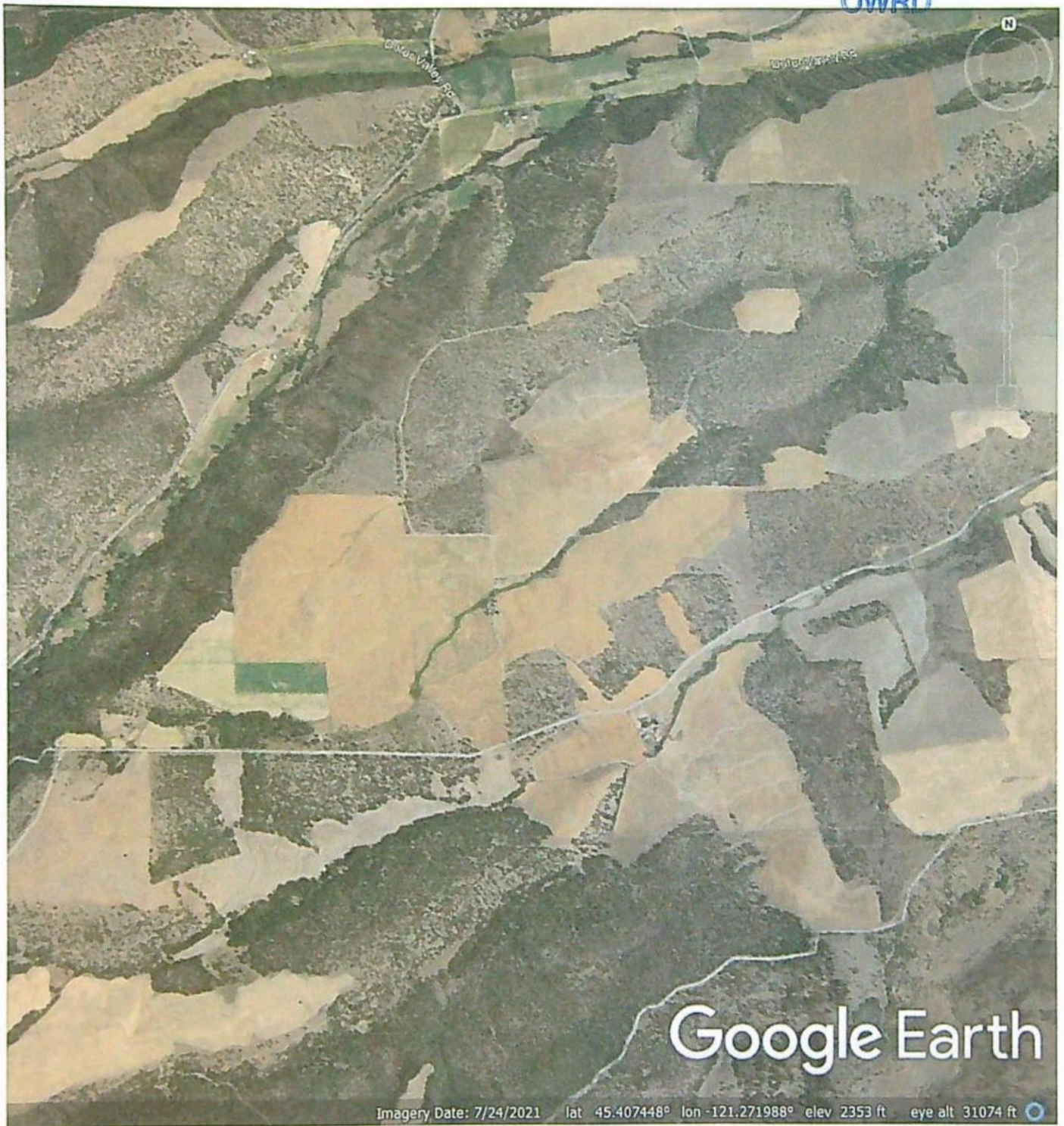
Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated 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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MAR 28 2022

OWRD



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STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This is to Certify, That **GEO. F. GILL, c/o F. M. Gill**
 of **Dufur**, State of **Oregon 97021**, has made proof
 to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of
Fifteen Mile Creek
 a tributary of **Columbia River** for the purpose of **irrigation and domestic**
 under Permit No. **151** of the State Engineer, and that said right to the use of said waters
 has been perfected in accordance with the laws of Oregon and duly confirmed by order of the
 STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of
 said Board, at Salem, in Volume **1**, at page **421**, on the **16th** day of **November**, **1921**;
 that the priority of the right hereby confirmed dates from **October 27, 1909**

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
6.41 cubic feet per second, or its equivalent in case of rotation. The use hereunder for irriga-
 tion shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

10 acres in the Northeast quarter of Northeast quarter of Section
Fourteen: 18 acres in the Northwest quarter of Northwest quarter; 30 acres in
the Northeast quarter of Northwest quarter; 20 acres in the Northwest quarter of
Northeast quarter; 25 acres in the Northeast quarter of Northeast quarter of
Section Thirteen: 30 acres in the Northeast quarter of Southwest quarter; 10
acres in the Southwest quarter of Southwest quarter; 40 acres in the Southeast
quarter of Southwest quarter; 2 acres in the Northwest quarter of Southeast
quarter; 5 acres in the Southwest quarter of Southeast quarter and 40 acres in
the Southeast quarter of Southeast quarter of Section Twelve, Township Two South,
Range Twelve: 10 acres in the Northwest quarter of Northwest quarter; 20 acres
in the Northeast quarter of Northwest quarter; 40 acres in the Southwest quarter
of Northwest quarter; 40 acres in the Southeast quarter of Northwest quarter;
25 acres in the Northwest quarter of Northeast quarter; 25 acres in the Northeast
quarter of Northeast quarter; 25 acres in the Southwest quarter of Northeast
quarter; 25 acres in the Southeast quarter of Northeast quarter; 30 acres in the
Northwest quarter of Southeast quarter; 20 acres in the Northeast quarter of South-
west quarter and 15 acres in the Southwest quarter of Southwest quarter of Section
Seven, Township Two South, Range Thirteen: All East of Willamette Meridian, in
Wasco County, Oregon. Containing 505 acres.

25 Ac. Tract, SIC Sp. Cr. Vol. 2, P. 361.

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

Rights to the use of water for power purposes are limited to a period of forty years from
 the date of priority of the right, as herein set forth, subject to a preference right of renewal under
 the laws existing at the date of the expiration of the right for power purposes, as hereby con-
 firmed and limited.

WITNESS the seal and signature of the State

Water Board, affixed this **16th** day
 of **November**, **1921**

STATE WATER BOARD

(Seal of State Water Board)

By **FERCY A. CUPPER**
 State Engineer, President

Attest: **R. W. POTTER**

Secretary

STATE OF OREGON

COUNTY OF

WASCO

CERTIFICATE OF WATER RIGHT

This is to Certify, That Highland Orchard Company, Will H. Doud, President, of Dufur, 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 Fifteen Mile Creek a tributary of Columbia River for the purpose of irrigation under Permit No. 5587 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 September 5, 1922;

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 0.2 cubic foot per second.

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows: Sixteen (16) acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section Seven (7), Township Two (2) South, Range Thirteen (13), East of the Willamette Meridian, in Wasco County, Oregon.

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

WITNESS the signature of the State Engineer,

affixed this 1st day
of December, 1923.

Phas Luper,
State Engineer.

STATE OF OREGON
COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This is to Certify, That Geo. W. Johnston 9702/

of Dufur, 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
Fifteen Mile Creek

a tributary of Columbia River for the purpose of
Irrigation

under Permit No. 8456 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 April 25, 1928;

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
0.75 cubic foot per second;

The point of diversion is located in the NE 1/4 of Section 20, Township 2S, Range 12E, W. M.
The use hereunder for irrigation shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per
acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such
right is appurtenant (if for irrigation or any other purpose), is as follows: 20 acres in the
NW 1/4, 20 acres in the NE 1/4 and 20 acres in the NW 1/4, Section 18, Township
2 South, Range 13 East of the Willamette Meridian in Wasco County, Oregon.

5 acc cancelled
see spec Vol 2, p. 362.

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

After the expiration of fifty years from the date of this certificate or on the expiration of
any federal power license issued in connection with this right, and after not less than two years
notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have
the right to take over the dams, plants and other structures and all appurtenances thereto which have
been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon
condition that before taking possession the State or municipality shall pay not to exceed the fair
value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and
dependable property of the holder of this certificate, not taken over, as may be caused by the
severance therefrom of the property taken in accordance with the provisions of section 5728,
Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this 10th day

of September, 19 29

Rhea Luper

State Engineer.

STATE OF OREGON
COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **GEO. W. JOHNSTON** 9702/
of **Dufur**, 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
Fifteen Mile Creek
a tributary of **Columbia River** for the purpose of
Irrigation
under Permit No. **9579** 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 **March 28, 1930**;

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
1.76 cubic feet per second.

The point of diversion is located in the **NW 1/4** of Section **20**, Township **2S**, Range **12E**, W. M.
The use hereunder for irrigation shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per
acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such
right is appurtenant (if for irrigation, or any other purpose), is as follows:

20 acres in the **NE 1/4**,
Section 12,
21 acres in the **SE 1/4**,
Section 13,
Township 2 South, Range 12 East, W. M.
40 acres in the **NW 1/4**,
Section 7,
10 acres in the **NW 1/4**,
10 acres in the **NE 1/4**, cancelled - see sp ar. 422, p. 361
10 acres in the **SE 1/4**,
30 acres in the **SW 1/4**,
Section 18,
Township 2 South, Range 13 East, W. M.

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

After the expiration of fifty years from the date of this certificate or on the expiration of
any federal power license issued in connection with this right, and after not less than two years
notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have
the right to take over the dams, plants and other structures and all appurtenances thereto which have
been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon
condition that before taking possession the State or municipality shall pay not to exceed the fair
value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and
dependable property of the holder of this certificate, not taken over, as may be caused by the
severance therefrom of the property taken in accordance with the provisions of section 47-508,
Oregon Code 1930.

WITNESS the signature of the State Engineer,

affixed this **28th** day
of **July**, 193 **3**

CHAS. E. STRICKLIN

State Engineer

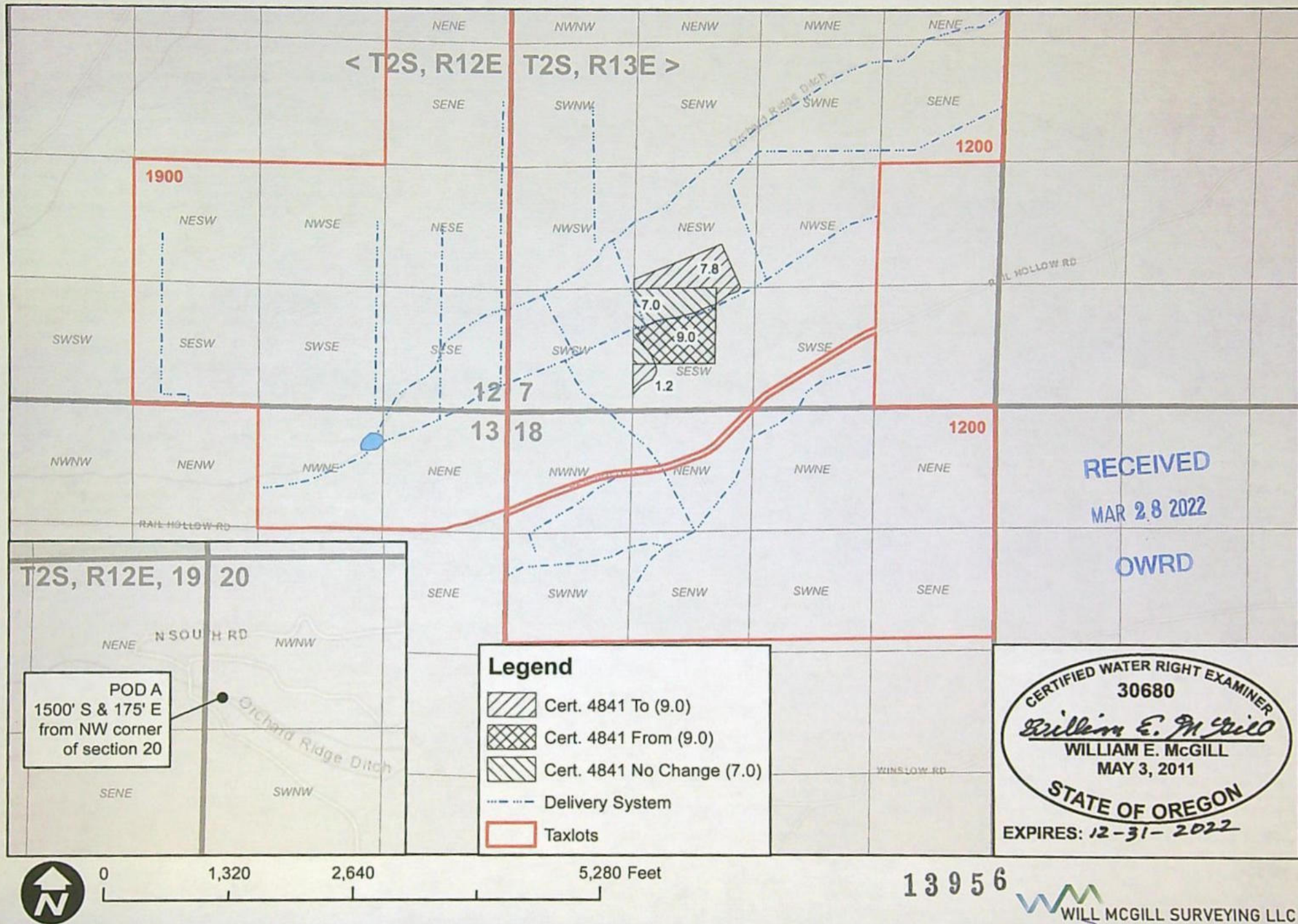
Recorded in State Record of Water Right Certificates, Volume

9

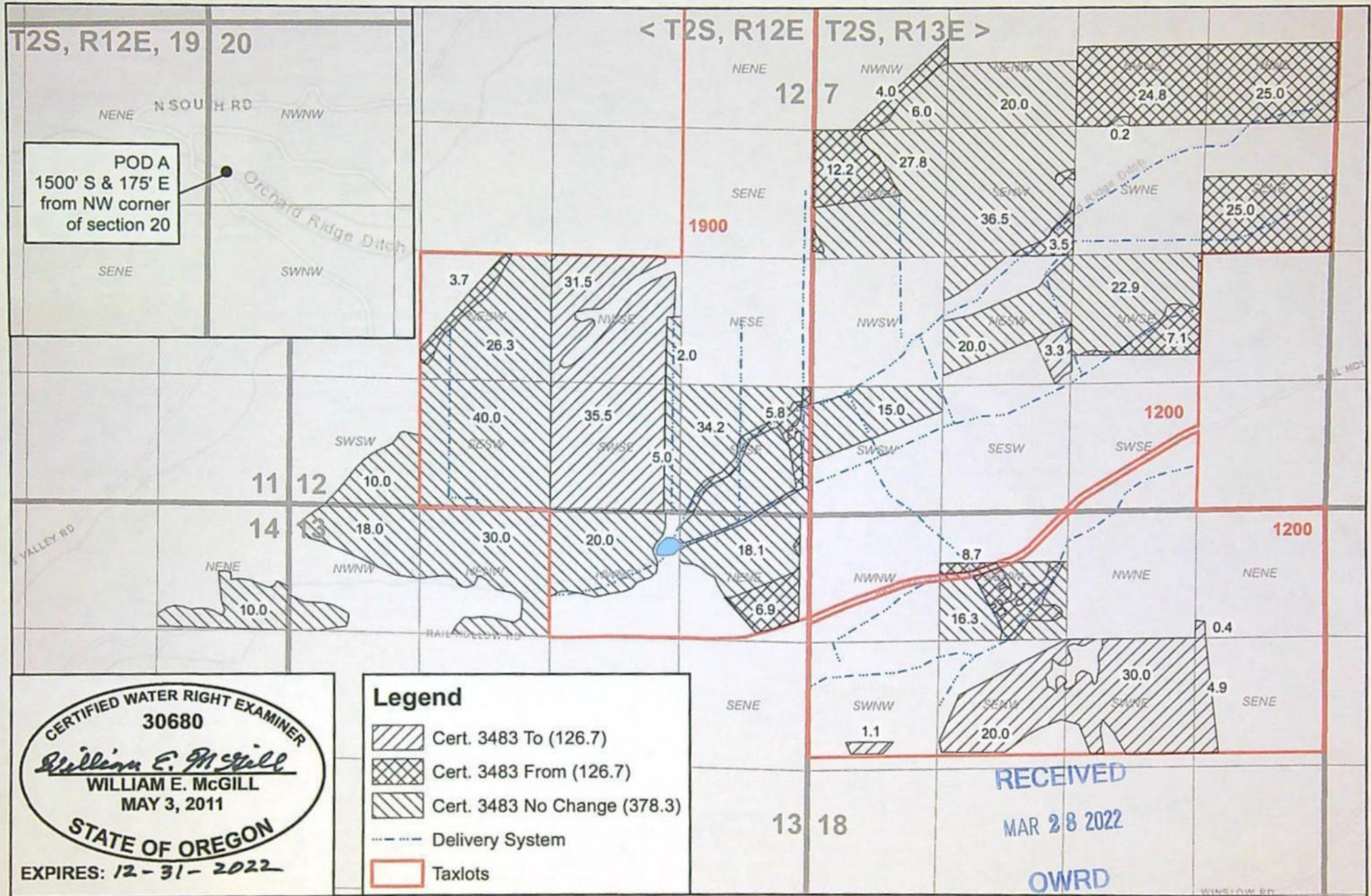
, page

10112 **13956**

Carbon Farm - Transfer POU - Certificate 4841



Carbon Farm - Transfer POU - Certificate 3483

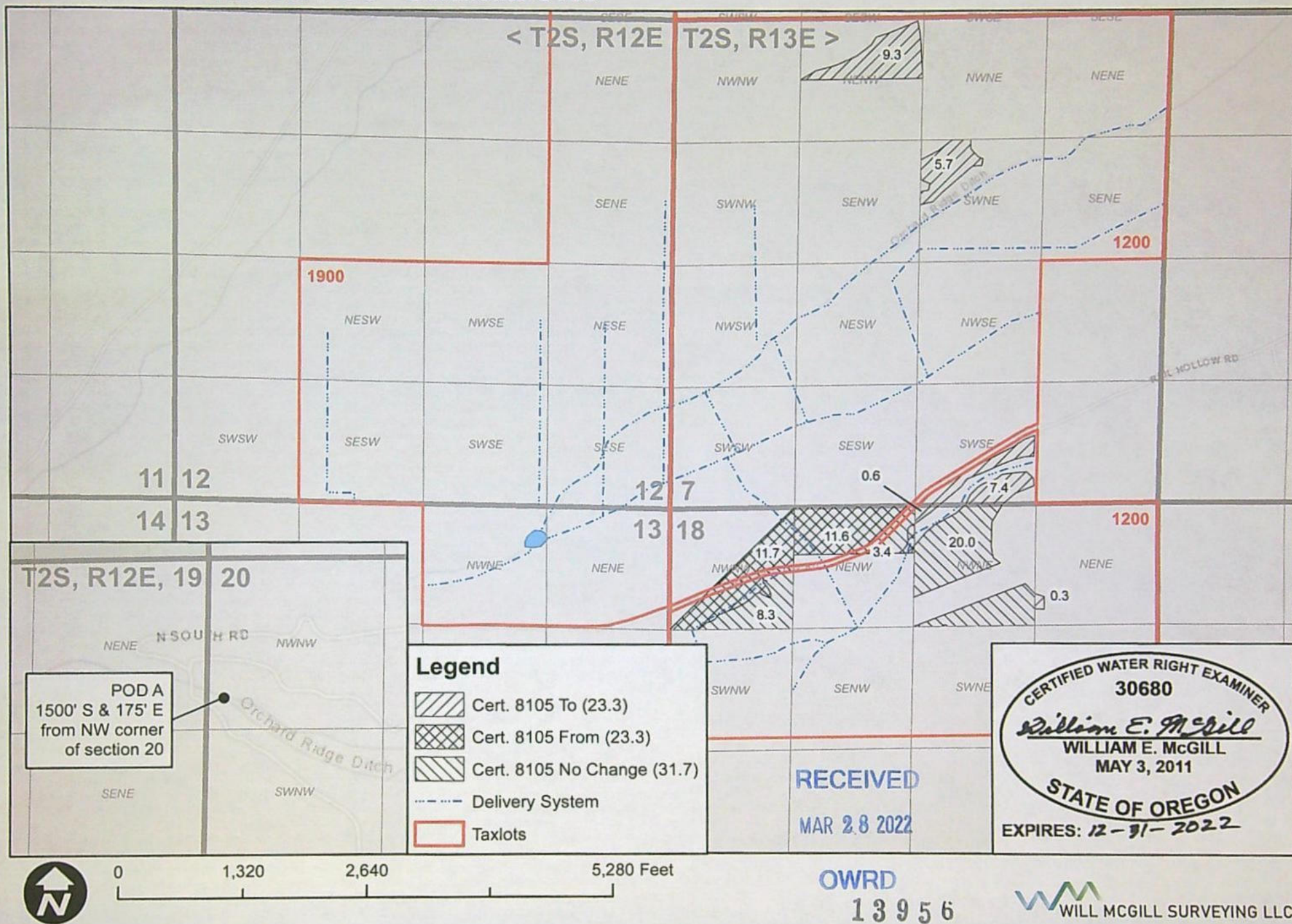


0 1,320 2,640 5,280 Feet

13956

WILL MCGILL SURVEYING LLC

Carbon Farm - Transfer POU - Certificate 8105



< T2S, R12E T2S, R13E >

1900

1200

1200

11 12

14 13

12 7

13 18

34.1

19.9

5.9

0.1

18.2

21.0

7.0

23.0

3.4

6.6

1.8

8.2

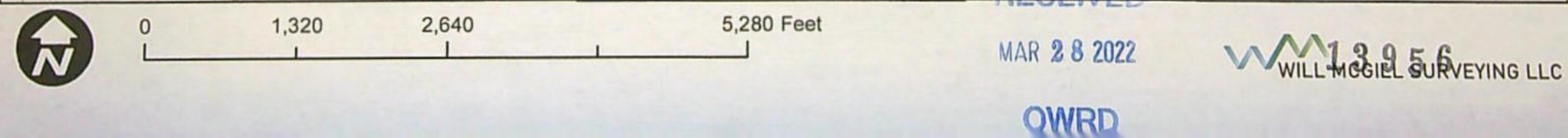
Legend

- Cert. 10112 To (18.2)
- Cert. 10112 From (18.2)
- Cert. 10112 No Change (112.8)
- Delivery System
- Taxlots

T2S, R12E, 19 20

POD A
1500' S & 175' E
from NW corner
of section 20

STATE OF OREGON
CERTIFIED WATER RIGHT EXAMINER
30680
William E. McGill
WILLIAM E. MCGILL
MAY 3, 2011
EXPIRES: 12-31-2022



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Corporation Division

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Business Entity Data

03-30-2022 11:50

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1763847-91	DLLC	ACT	OREGON	01-05-2021	01-05-2022	YES
Entity Name	ASDF OR, LLC					
Foreign Name						

Online Renewal:

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Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	81127 RAIL HOLLOW RD					
Addr 2						
CSZ	DUFUR	OR	97021		Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	01-05-2021	Resign Date	
Of Record	<u>760833-94</u>	IMMIX SERVICES INC				
Addr 1	600 NW NAITO PKWY STE G					

Addr 2					
CSZ	PORTLAND	OR	97209		Country UNITED STATES OF AMERICA
Type	MAL	MAILING ADDRESS			
Addr 1	600 NW NAITO PKWY STE G				
Addr 2					
CSZ	PORTLAND	OR	97209		Country UNITED STATES OF AMERICA


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Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
ASDF OR, LLC	EN	CUR	01-05-2021	

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Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	ARTICLES OF ORGANIZATION	01-05-2021		FI	Agent	

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Oregon Water Resources Department

Transfer Fee Calculation for Permanent (Non-District) Transfer

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Today's Date: Wednesday, March 30, 2022

Fee Calculation

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

\$1,360.00

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

Types of Change Proposed:

- ☒ Place of Use
☐ Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD
☐ Character of Use

\$0.00

Enter total number of water rights included in transfer.

4

\$1,830.00

☐ Check this box if you propose to add or change a well, or change from a surface water POD to a well.

Enter total number of groundwater wells (POAs) included in transfer.

\$0.00

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

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

Enter the following for the primary certificates on the land included in the transfer.

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

Certificate #	Total acres in the water right	# of acres to be transferred	Total cfs in the water right certificate	OR If certificate does not list cfs, enter 1/___ cfs per acre	Transfer cfs
3483	505	126.7	6.41		1.608212
4841	16	9	0.8		0.45
8105	60	23.3	0.75		0.29125

10112	141	18.2	1.76		0.227177

Total Transfer CFS(rounded up to the next whole cfs): 3.00 \$820.00

Subtotal: \$4,010.00

Check each box that applies.

- ☐ The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.
- ☐ The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

Discount:

Transfer Fee: \$4,010.00

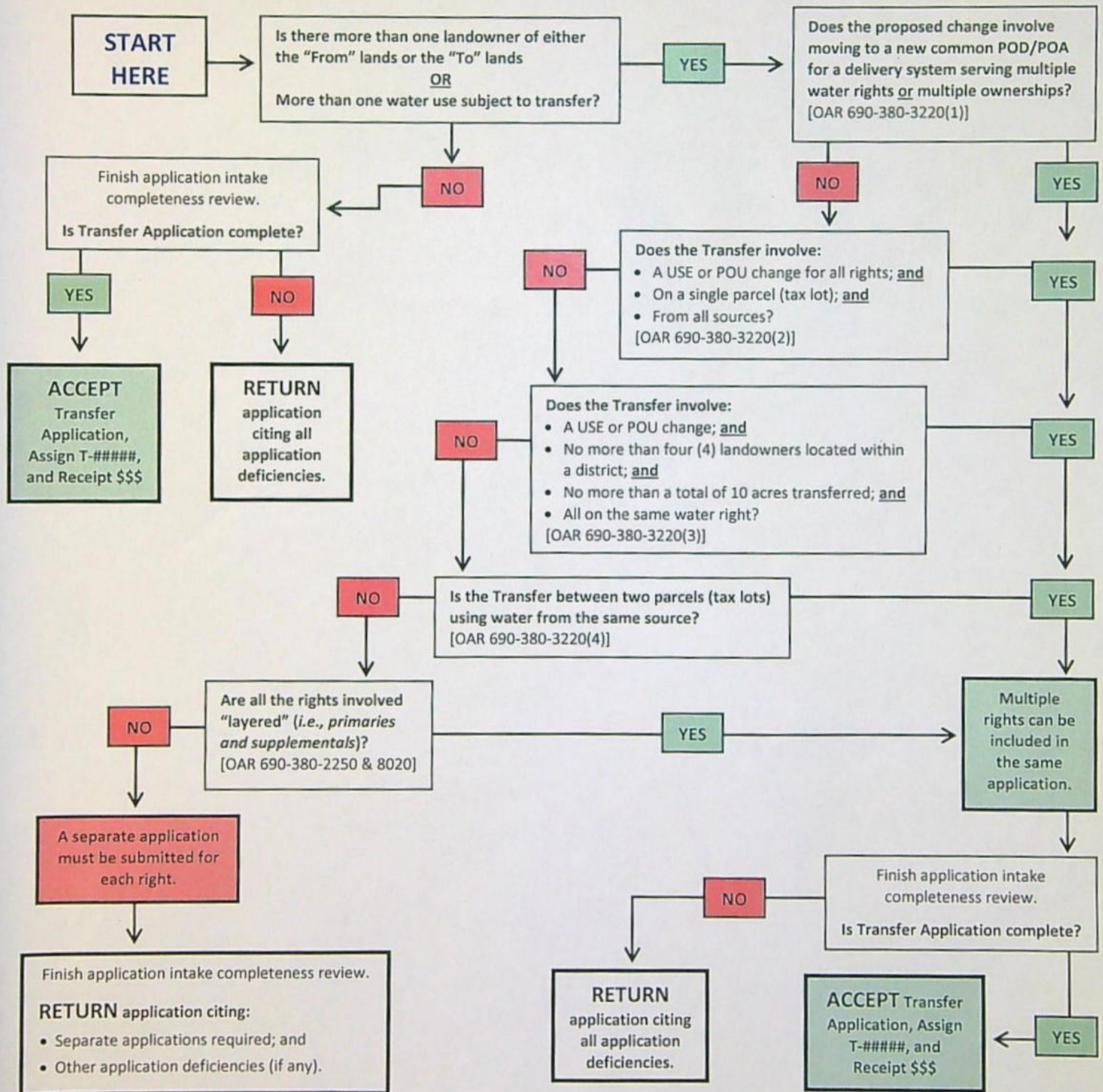
Return to Edit Clear

Permanent Transfer Application Intake Completion Checklist

Decision Tree: Can Multiple Water Rights be included in a Single Transfer Application?

(OAR 690-380-3220 – General Criteria / OAR 690-380-2250 – Suppl Water Right or Permit / OAR 690-380-8020 – Temp Transfer Suppl WR)

FOR DIV. 380 TRANSFERS: The following series of questions outlined in the flow chart below can be used to determine if separate transfer applications are required for each water right proposed for transfer.



Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 13956

Checked by: <u>Joe</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution	Supplemental to Primary	<input checked="" type="checkbox"/> POU	POD	APOD
Date: <u>3/30/22</u>		Gov Action	Surface to Ground	USE	POA	APOA
Fee Received: <u>4010.00</u>		How many rights to be Transferred?				
Calculated Fee: <u>4010.00</u>		Certificate # <u>3483</u>				
Additional Observations:		<u>4841</u>				
		<u>8105</u>				
		<u>10/12</u>				

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

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

Actions taken: _____ Date: _____

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. 2 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	