

Drought

Name WFR water LLC
Paul Sherrill
 Address 1 muddy road
Antelope Oregon 97001
pserrill@sc.wardlife.org

Change in POU USE
 Date Filed 5/18/2023
 Initial notice date 5/23/2023
 DPD issued date _____
 PD issued date _____
 PD notice date _____
 Date of FO 10-8-2023 Vol 128 Page 469

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

DESCRIPTION OF WATER RIGHT(S)

Name of Stream John Day
 Trib. of Columbia river
 Use irrigation County Wasco, Wheeler
 Quantity of water (CFS) _____ No. of Acres _____
 Name of ditch _____

| | | | |
|---------------------|----------------------|---------------------|--------------------------|
| App# <u>555877</u> | Per # <u>541912</u> | Cert # <u>83252</u> | PR Date <u>5/10/1977</u> |
| App# <u>5163000</u> | Per # <u>5410859</u> | Cert # <u>83560</u> | PR Date <u>6/8/1982</u> |
| App# <u>5168110</u> | Per # <u>549235</u> | Cert # <u>65327</u> | PR Date <u>6/28/1982</u> |
| App# _____ | Per # _____ | Cert # _____ | PR Date _____ |
| App# _____ | Per # _____ | Cert # _____ | PR Date _____ |

| FEES PAID | | |
|------------------|------------------|---------------|
| Date | Amount | Receipt # |
| <u>5-18-2023</u> | <u>\$ 200.00</u> | <u>140738</u> |
| | | |
| | | |

| FEES REFUNDED | |
|---------------|-----------|
| Amount | Receipt # |
| | |
| | |

Assignments: _____

Irrigation District _____
 Agent GSI Water Solutions Kimberly Grigsby kgrigsby@gsws.com
 CWRE _____
 CC's list wasco county Planning depart

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14247

Transfer Specialist: *Scott*

Transfer Type: Drought Transfer

DROUGHT?

| | | |
|--|---|-----------------------------|
| Applicant: PAUL SHERRILL 1 MUDDY RD ANTELOPE, OR 97001 | Agent: KIMBERLY GRIGSBY 1600 SW WESTERN BLVD SUITE 240 CORVALLIS, OR 97333 | Receiving Landowner: |
| Current Landowner if other than Applicant: | CWRE: | Irrigation District: |
| Affected Local Gov'ts: Wasco County | Affected Tribal Gov't: | BOR Notified (date): |

Water Rights Affected

| File Marked | App. File # or Decree Name | Permit | Certificate |
|--------------------------|----------------------------|--------|-------------|
| <input type="checkbox"/> | | | 65327 |
| <input type="checkbox"/> | | | 83252 |
| <input type="checkbox"/> | | | 83560 |

Key Dates & Initial Actions (Support Staff)

| | | |
|-------------------------------------|---|------------------------------|
| Rec'd: May 18, 2023 | Proposed Action(s): POINT OF DIVERSION; PLACE OF USE; USE | |
| Fees Pd: 200.00 | Acknowledgement Letter Sent <input type="checkbox"/> | Basin: 6 John Day |
| Initial Public Notice: 5/23/2023 | County sent cc: of Ack Letter <input type="checkbox"/> | County: WASCO, WHEELER |
| WM District: 21 Kenneth C. Thiemann | WM Review request sent: | WM Review date received: |
| Groundwater N/A | GW Review sent: N/A | GW Review date received: N/A |

Peer Review:

| Document | Drafted | Peer Review | Coordinator | Changes Made | Signature Bin | Signature Date |
|----------|---|--|---|---|--|---------------------|
| FO | Date: <u>6/6/23</u> Initials: <u>Scott</u> | Date: <u>6/7/23</u> Initials: <u>Ar12</u> | Date: <u>6/8/23</u> Initials: <u>PKS</u> | Date: <u>6/8/23</u> Initials: <u>Scott</u> | Date: _____ No. of docs for sig: _____ WM Sheet <input type="checkbox"/> | Date: <u>6/8/23</u> |

Special Issues: _____

Special Order Volume: Vol. 128 Pages 469-474



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

www.oregon.gov/owrd

June 8, 2023

WFR WATER LLC
PAUL SHERRILL
1 MUDDY RD
ANTELOPE, OR 97001

REFERENCE: Temporary Drought Transfer Application T-14247

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

The temporary change shall be effective upon issuance of this final order. Please note, the use shall revert back to the original authorized place of use at the end of the 2023 irrigation season or the end of the Governor's declared drought, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Scot Grew, by telephone at (503) 986-0890 or by e-mail at Scott.A.Grew@water.oregon.gov.

Sincerely,

Stacy H. Phillips
Restoration program Technician
Transfers and Conservation Section

cc: Kenneth C. Thiemann, Watermaster Dist. #21 (via email)
Kimberly Grigsby, Agent
Wasco County

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

| | | |
|---------------------------------------|---|------------------------------------|
| In the Matter of Transfer Application |) | FINAL ORDER APPROVING AN |
| T-14247, Wasco County |) | EMERGENCY USE DROUGHT TEMPORARY |
| |) | CHANGE IN CHARACTER OF USE, CHANGE |
| |) | IN PLACES OF USE, AND CHANGE IN |
| |) | POINTS OF DIVERSION |

Authority

Oregon Revised Statute (ORS) 536.750 establishes the process in which a water right holder may submit a request to temporarily transfer the use, place of use or point of diversion of water in the event of a declaration of drought, without complying with the notice and waiting requirements under ORS 540.520. Oregon Administrative Rule (OAR) Chapter 690, Division 019 implements the statutes and provides the Department's procedures and criteria for evaluating drought transfer applications.

Applicant

WFR WATER, LLC.
ATTN: PAUL SHERRILL
1 MUDDY RD
ANTELOPE, OR 97001

Findings of Fact

1. On May 18, 2023, WFR WATER, LLC. ATTN: PAUL SHERRILL filed an application to temporarily change the character of use, change the places of use and change the points of diversion under Certificates 65327, 83252 and 83560 for the remainder of the 2023 irrigation season or the term of the Governor's declared drought, whichever is shorter. The Department assigned the application number T-14247.
2. Notice of the application for transfer was published on May 23, 2023, pursuant to OAR 690-019-0055(5).
3. The portion of the first right to be temporarily transferred is as follows:
Certificate: 65327 in the name of RAJNEESH NEO SANNYAS INTERNATIONAL COMMUNE C/O TIPPETT LAND AND MORTGAGE COMPANY (perfected under Permit S-49235)

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Use: IRRIGATION of 0.8 ACRE
Priority Date: JUNE 28, 1984
Rate: 0.02 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) for each acre irrigated, and 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: JOHN DAY RIVER, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|-----|------|-----|-----|-------|---|
| 8 S | 19 E | WM | 23 | SE SW | POD 2 - 1000 FEET NORTH AND 1600 FEET EAST FROM THE SW CORNER OF SECTION 23 |

Authorized Place of Use:

| IRRIGATION | | | | | | |
|------------|------|-----|-----|-------|------|-------|
| Twp | Rng | Mer | Sec | Q-Q | GLot | Acres |
| 8 S | 19 E | WM | 26 | NW NE | 6 | 0.8 |

4. Temporary Transfer Application T-14247 proposes to temporarily change the place of use of the right to:

| QUASI-MUNICIPAL USE | | | | |
|---------------------|------|-----|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q |
| 8 S | 19 E | WM | 29 | SW SW |
| 8 S | 19 E | WM | 29 | SE SW |
| 8 S | 19 E | WM | 29 | SW SE |
| 8 S | 19 E | WM | 31 | NE NE |
| 8 S | 19 E | WM | 31 | SE NE |
| 8 S | 19 E | WM | 32 | NW NE |
| 8 S | 19 E | WM | 32 | NE NW |
| 8 S | 19 E | WM | 32 | NW NW |
| 8 S | 19 E | WM | 32 | SW NW |

5. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14247 proposes to move the authorized point of diversion approximately 1.5 mile downstream to:

| Twp | Rng | Mer | Sec | Q-Q | GLot | Measured Distances |
|-----|------|-----|-----|-------|------|---|
| 8 S | 19 E | WM | 22 | NW NW | 1 | POD 1 - 850 FEET SOUTH AND 600 FEET EAST FROM THE NW CORNER OF SECTION 22 |

6. Temporary Drought Transfer Application T-14247 proposes to change the character of use to Quasi Municipal Use.

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

Certificate: 83252 in the name of YOUNG LIFE (perfected under Permit S-41912)
Use: IRRIGATION of 3.9 ACRES
Priority Date: MAY 10, 1977
Rate: 0.10 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, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: JOHN DAY RIVER, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

| Twp | Rng | Mer | Sec | Q-Q | GLot | Measured Distances |
|-----|------|-----|-----|-------|------|---|
| 8 S | 19 E | WM | 22 | NW NW | 1 | POD 1 - 850 FEET SOUTH AND 600 FEET EAST FROM THE NW CORNER OF SECTION 22 |

Authorized Place of Use:

| IRRIGATION | | | | | | |
|------------|------|-----|-----|-------|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | GLot | Acres |
| 8 S | 19 E | WM | 22 | NW NW | 1 | 3.0 |
| 8 S | 19 E | WM | 22 | SW NW | 2 | 0.9 |
| | | | | | Total | 3.9 |

8. Temporary Transfer Application T-14247 proposes to temporarily change the place of use of the right to:

| QUASI-MUNICIPAL USE | | | | |
|---------------------|------|-----|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q |
| 8 S | 19 E | WM | 29 | SW SW |
| 8 S | 19 E | WM | 29 | SE SW |
| 8 S | 19 E | WM | 29 | SW SE |
| 8 S | 19 E | WM | 31 | NE NE |
| 8 S | 19 E | WM | 31 | SE NE |
| 8 S | 19 E | WM | 32 | NW NE |
| 8 S | 19 E | WM | 32 | NE NW |
| 8 S | 19 E | WM | 32 | NW NW |
| 8 S | 19 E | WM | 32 | SW NW |

9. Temporary Drought Transfer Application T-14247 proposes to change the character of use to Quasi Municipal Use.

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

Certificate: 83560 in the name of YOUNG LIFE (perfected under Permit S-46859)
Use: IRRIGATION of 3.3 ACRES
Priority Date: JUNE 8, 1982

Rate: 0.08 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, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: JOHN DAY RIVER, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|-----|------|-----|-----|-------|---|
| 8 S | 19 E | WM | 22 | NW NW | POD 1 - 850 FEET SOUTH AND 600 FEET EAST FROM THE NW CORNER OF SECTION 22 |

Authorized Place of Use:

| IRRIGATION | | | | | |
|------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 8 S | 19 E | WM | 22 | SE NW | 3.3 |

11. Temporary Transfer Application T-14247 proposes to temporarily change the place of use of the right to:

| QUASI-MUNICIPAL USE | | | | |
|---------------------|------|-----|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q |
| 8 S | 19 E | WM | 29 | SW SW |
| 8 S | 19 E | WM | 29 | SE SW |
| 8 S | 19 E | WM | 29 | SW SE |
| 8 S | 19 E | WM | 31 | NE NE |
| 8 S | 19 E | WM | 31 | SE NE |
| 8 S | 19 E | WM | 32 | NW NE |
| 8 S | 19 E | WM | 32 | NE NW |
| 8 S | 19 E | WM | 32 | NW NW |
| 8 S | 19 E | WM | 32 | SW NW |

12. Temporary Drought Transfer Application T-14247 proposes to change the character of use to Quasi Municipal Use.

Temporary Drought Transfer Review Criteria

13. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
14. A water delivery system sufficient to use the full amount of water allowed under the existing rights is present.

15. The Governor issued an executive order on April 13, 2023, declaring a state of drought emergency in Wasco County due to drought and extreme weather conditions, which is still in effect and the water right proposed for transfer is on lands included in the area covered by the drought order.
16. The proposed changes would not result in enlargement of the rights if conditioned so that the total rate of diversion for the proposed quasi-municipal use shall be limited to 0.20 cubic feet per second and shall be further limited to a total volume diverted of 40.0 acre-feet (8.0 acres x 5.0 acre-feet per acre) during the time period of March 1 through October 31.
17. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under OAR 690-019-055(3) if injury to existing water rights is shown and cannot be mitigated to the satisfaction of the Director and injured parties.

Conclusions of Law

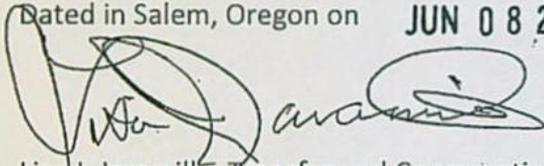
The temporary changes in character of use, places of use and points of diversion proposed in Temporary Drought Transfer Application T-14247 are consistent with the requirements of ORS 536.750 and OAR 690-019-0055.

Now, therefore, it is ORDERED:

1. The temporary changes in character of use, places of use and points of diversion proposed in Temporary Drought Transfer Application T-14247 are approved.
2. The former places of use **shall not** be irrigated as part of these water rights during the remainder of the 2023 irrigation season or until the end of the Governor's declared drought, whichever occurs first.
3. The approval of this temporary drought transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
4. The quantity of water diverted at the proposed temporary points of diversion shall not exceed the quantity of water lawfully available at the original points of diversion.
5. The diversion of water under the proposed quasi-municipal uses shall be limited to 0.20 cubic feet per second and shall be further limited to a total volume diverted of 40.0 acre feet (8.0 acres x 5.0 acre feet per acre) during the time period March 1 through October 31.
6. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
 - b. The water user shall maintain the meters or measuring devices in good working order.

- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
7. The proposed changes in character of use, places of use and point of diversion shall revert to the authorized character of use, places of use and points of diversion at the end of the 2023 irrigation season or the end of the Governor's declared drought, whichever occurs first.
8. The use of water at the temporary places of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 65327, 83252 and 83560.
9. The use of the remaining water rights described by Certificates 65327, 83252 and 83560 shall continue to be in accordance with the terms and conditions of Certificates 65327, 83252 and 83560.

Dated in Salem, Oregon on **JUN 08 2023**



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

Mailing Date: **JUN 09 2023**

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14247 Temp Drought

Review Due Date: 06/22/2023

Applicant Name: WFR Water, LLC. Attn: Paul Sherill

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Kenneth C. Thiemann Jr.

Date of Review: 06/06/2023

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? Yes No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? Yes No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
The John Day is frequently regulated in the late season for the 1962 instream water rights at McDonald Ferry downstream.
3. Have headgate notices been issued for the source that serves the transferred right(s)?
 Yes No Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? Yes No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? Yes No If "Yes", describe how the rights would be affected and list the rights most affected:

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

N/A

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

N/A

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

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

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

These are regularly irrigated acres.

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

Yes No If "Yes", explain:

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

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

Yes No If "Yes", explain:

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

Yes No If "Yes", answer the following:

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

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

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

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

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

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

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

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

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

Yes No If "Yes", explain:

Accounting for water from transfer to reservoir.

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

Flow meters on all involved points of diversion from water rights involved.

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

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

A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

- Weir
- Parshall Flume
- Other: ___

- Submerged Orifice
- Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14247 Drought Temp

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

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

at each new point of diversion/appropriation.

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

Watermaster name: Kenneth C. Thiemann Jr.

District: 21

Address: PO Box 427

City/State/Zip: Condon, OR 97823

Phone: (541) 969-8799

Email: kenneth.c.thiemann@water.oregon.gov

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

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

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

Watermaster signature District Date

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

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



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

May 23, 2023

WFR WATER, LLC
PAUL SHERRILL
1 MUDDY RD
ANTELOPE, OR 97001

Reference: Application T-14247

On May 18, 2023, the Department received your water right Temporary Transfer Application. The application was accompanied by \$200.00.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change.

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

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

If you have any questions, please contact the Transfer Section at (503) 986-0935.

Cc: Watermaster Dist. #21, Kenneth C. Thiemann (via email)
WASCO COUNTY
Kimberly Grigsby, Agent

Enclosure

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **140738**

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

INVOICE # _____

RECEIVED FROM: GSI, Water Solutions, Inc.
 BY: _____

APPLICATION _____
 PERMIT _____
 TRANSFER T-14247

CASH: CHECK: # 25956 OTHER: (IDENTIFY)

TOTAL REC'D \$ 200.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46110

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

WATER RIGHTS:

| | | |
|------------------------------|------------------|------------|
| 0201 SURFACE WATER | EXAM FEE | RECORD FEE |
| 0203 GROUND WATER | \$ _____ | \$ _____ |
| 0205 TRANSFER <u>Drought</u> | \$ <u>200.00</u> | \$ _____ |

WELL CONSTRUCTION

| | | |
|-----------------------------|----------|-------------|
| 0218 WELL DRILL CONSTRUCTOR | EXAM FEE | LICENSE FEE |
| LANDOWNER'S PERMIT | \$ _____ | \$ _____ |
| 0219 _____ | \$ _____ | \$ _____ |
| 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: **140738** DATED: 5/18/2023 BY: [Signature]

| Invoice Number | Date | Voucher | Amount | Discounts | Previous Pay | Net Amount |
|-----------------------------------|----------|---------|---------------|-----------|--------------|---------------|
| Drought TE fee_YL | 5/3/2023 | 0021956 | 200.00 | | | 200.00 |
| Oregon Water Resources Department | | | 200.00 | | | 200.00 |
| Beneficial Checking | 16 | 00245 | | | | |
| TOTAL | | | 200.00 | | | 200.00 |

Check Date: 5/3/2023

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GSI WATER SOLUTIONS INC
 025956

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



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

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

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FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd fee calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 3 List them here: Certificates 83252, 83560, and 65327 (See Attachment A)**
 Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year:** ____ **End Year:** ____.
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought) **Wasco County**

Attachments:

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

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

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Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

| | | | | |
|---|-------------|--------------|--------------------------------------|------------------------|
| APPLICANT/BUSINESS NAME WFR Water, LLC. Attn: Paul Sherrill | | | PHONE NO. 719-381-1960 | ADDITIONAL CONTACT NO. |
| ADDRESS 1 Muddy Road | | | | FAX NO. |
| CITY Antelope | STATE OR | ZIP 97001 | E-MAIL psherrill@sc.younglife.org | |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. | | | | |

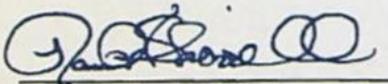
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

| | | | | |
|---|-------------|--------------|------------------------------|------------------------|
| AGENT/BUSINESS NAME GSI Water Solutions, Inc. Attn: Kimberly Grigsby | | | PHONE NO. 541-257-9004 | ADDITIONAL CONTACT NO. |
| ADDRESS 1600 SW Western Boulevard, Suite 240 | | | | FAX NO. |
| CITY Corvallis | STATE OR | ZIP 97333 | E-MAIL kgrigsby@gsiws.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:
 The Applicant is requesting to temporarily change the place and character of use for Certificates 83252, 83560, and 65327, and temporarily change the point of diversion for Certificate 65327. The proposed changes will allow the Applicant to temporarily transfer the water associated with 8 acres of irrigation (up to 40 AF and 0.20 cfs) to support a ranch camp and temporarily change the use to quasi-municipal in response to a drought declaration in Wasco County. The changes to these certificates will last only for the 2023 irrigation season (April through September).

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

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



Applicant signature

Paul Sherrill, Vice President of Administrative Services/ Corporate Secretary

Print Name (and Title if applicable)

5/18/23

Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No (See Attachment E - Affidavit of Consent from Landowner)

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

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

| | | |
|-----------------------------|---------|-----|
| DISTRICT NAME N/A | 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. **N/A**

| | | |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS | |
| CITY | STATE | ZIP |



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

| | | |
|--|---|---------------------|
| ENTITY NAME Wasco County Planning Department | ADDRESS 2705 East 2nd Street | |
| CITY The Dalles | STATE OR | ZIP 97058 |

| | | |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS | |
| CITY | STATE | ZIP |

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Water Right Certificate # 83252

Description of Water Delivery System

System capacity: 1.34 cubic feet per second (cfs) OR (under this water right)
 _____ 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 using a 50 HP Cornell pump with a capacity of 800 gpm. One field is irrigated with a 570 foot Zimmatic pivot that has a capacity of 241 gpm at 60 PSI, and is equipped with a 2 HP booster pump and end gun. Another field is irrigated with a 708 foot Zimmatic pivot that has a capacity of 347 gpm at 60 psi, and is equipped with a 2 HP booster pump and end gun. Water is applied to other fields using a 750 foot wheel line with 19 heads and a total capacity of 95 gpm, a hand line with 15 heads and a total capacity of 75 gpm, and 750 foot k-line ppods with 19 heads and a total capacity of 76 gpm.

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

| POD/POA Name or Number | Is this POD/POA Authorized on the Certificate or is it Proposed? | If POA, OWRD Well Log ID# (or Well ID Tag # L-___) | Twp | | Rng | | Sec | ¼ ¼ | | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner) |
|------------------------|---|--|-----|---|-----|---|-----|-----|----|---------------------------|---|
| | | | | | | | | | | | |
| POD 1 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | N/A | 8 | S | 19 | E | 22 | NW | NW | Govt. Lot 1 | 850 feet South and 600 feet East from the NW Corner of Section 22 |

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

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

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

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

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

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

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Table 2. Description of Temporary Changes to Water Right Certificate # 83252

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

| AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed. | | | | | | | | | | | Proposed Changes (see "CODES" from previous page) | PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made. | | | | | | | | | | | |
|--|-----|-----|---|----|---------|----------------|---------------|-----------------------------------|--|---------------|---|--|-----|-----|---|---|---------|----------------|-------------------|---|---|---------------|-----|
| Twp | Rng | Sec | ¼ | ¼ | Tax Lot | Gvt Lot or DLC | Acres | Type of USE listed on Certificate | POD(s) or POA(s) (name or number from Table 1) | Priority Date | | Twp | Rng | Sec | ¼ | ¼ | Tax Lot | Gvt Lot or DLC | Acres | New Type of USE | POD(s) / POA(s) to be used (from Table 1) | Priority Date | |
| 8 | S | 19 | E | 22 | NW | NW | 1000 | GLot 1 3.0 | Irrigation | POD 1 | 5/10/1977 | 8 | S | 19 | E | | | 800 | N/A (See remarks) | Quasi-Municipal (See Attachment G for the Applicant's Articles of Organization) | POD 1 | 5/10/1977 | |
| | | | | 22 | SW | NW | GLot 2 0.9 | | | | | | | | | | | | | | | | |
| TOTAL ACRES | | | | | | | 3.9 | TOTAL ACRES | | | | | | | | | | | | | | | N/A |

Additional remarks: The Applicant will change the use from irrigation to quasi-municipal during the irrigation season of the drought year, and will not irrigate 3.9 acres of Certificate 83252 during this time. The Applicant understands they will be limited to a combined rate of 0.20 cfs from Certificates 83252, 83560, and 65327 (0.025 cfs/acre x 8 acres total transferred from all three Certificates). The Applicant understands they are limited to this rate and a volume of 40 AF (8 acres x 5 acre-feet/acre allowed = 40 AF) only for the irrigation season of the drought year in 2023. See the maps in Attachment B for the authorized places of use and the proposed temporary place of use.

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For Place of Use Changes

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

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



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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation N/A

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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Water Right Certificate # 83560

Description of Water Delivery System

System capacity: 0.33 cubic feet per second (cfs) OR (under this water right)

_____ 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 using a 50 HP Cornell pump with a capacity of 800 gpm. One field is irrigated with a 570 foot Zimmatic pivot that has a capacity of 241 gpm at 60 PSI, and is equipped with a 2 HP booster pump and end gun. Another field is irrigated with a 708 foot Zimmatic pivot that has a capacity of 347 gpm at 60 psi, and is equipped with a 2 HP booster pump and end gun. Water is applied to other fields using a 750 foot wheel line with 19 heads and a total capacity of 95 gpm, a hand line with 15 heads and a total capacity of 75 gpm, and 750 foot k-line pods with 19 heads and a total capacity of 76 gpm.

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

| POD/POA Name or Number | Is this POD/POA Authorized on the Certificate or is it Proposed? | If POA, OWRD Well Log ID# (or Well ID Tag # L-) | Twp | Rng | Sec | ¼ | ¼ | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner) |
|------------------------|---|--|-----|------|-----|----|----|---------------------------|---|
| POD 1 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | N/A | 8 S | 19 E | 22 | NW | NW | TL 1000 | 850 feet South and 600 feet East from the NW Corner of Section 22 |

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

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

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

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

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

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

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For Place of Use Changes

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

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation N/A

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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Water Right Certificate # 65327

Description of Water Delivery System

System capacity: 0.15 cubic feet per second (cfs) OR (under this water right)
_____ 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 using a 40 HP Cornell pump with a capacity of 600 gpm, and a 30 HP Cornell pump with a capacity of 500 gpm is used as a backup. A 460 foot Zimmatic pivot with a capacity of 166 gpm and a 2 HP booster pump and end gun is used to irrigate one field. Water is conveyed to this field with a 5 9/16 inch pipe. Water is conveyed to the larger field with a 6 5/8 inch pipe. The larger field is irrigated with a 915 foot Zimmatic pivot with a 2 HP booster pump and end gun. Another area is irrigated with a Big Gun cart with a 1 inch nozzle and 6 sticks and a 3 inch handline with 5 gpm heads.

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 2 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | N/A | 8 | S | 19 | E | 23 | SE | SW | TL 1300 | 1000 feet North and 1600 feet East from the SW Corner of Section 23 |
| POD 1 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed | N/A | 8 | S | 19 | E | 22 | NW | NW | TL 1000 | 850 feet South and 600 feet East from the NW Corner of Section 22 |

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

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

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

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

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

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

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Table 2. Description of Temporary Changes to Water Right Certificate # 65327

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

| AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed. | | | | | | | | | | | Proposed Changes (see "CODES" from previous page) | PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made. | | | | | | | | | | | |
|--|-----|-----|------------|------------|----------------------|-------|--|--|---------------|-------------|--|---|-----|-----|------------|----------------------|-------|---|--|------------------|--|--|--|
| Twp | Rng | Sec | ¼ ¼ | Tax Lot | Gvt Lot or DLC | Acres | Type of USE listed on Certificate | POD(s) or POA(s) (name or number from Table 1) | Priority Date | Twp | | Rng | Sec | ¼ ¼ | Tax Lot | Gvt Lot or DLC | Acres | New Type of USE | POD(s) / POA(s) to be used (from Table 1) | Priority Date | | | |
| 8 | S | 19 | E 26 NW NE | 1300 | GLot 6 | 0.8 | Irrigation | POD 2 | 6/28/1984 | POU/USE/POD | 8 | S | 19 | E | | | | Quasi- Municipal (See Attachment G for the Applicant's Articles of Organization) | POD 1 | 6/28/ 1984 | | | |
| | | | | | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL ACRES | | | | | | 0.8 | TOTAL ACRES | | | | | | N/A | | | | | | | | | | |

14247

Additional remarks: The Applicant will change the use from irrigation to quasi-municipal during the irrigation season of the drought year, and will not irrigate 0.8 acres of Certificate 65327 during this time. The Applicant understands they will be limited to a combined rate of 0.20 cfs from Certificates 83252, 83560, and 65327 (0.025 cfs/acre x 8 acres total transferred from all three Certificates). The Applicant understands they are limited to this rate and a volume of 40 AF (8 acres x 5 acre-feet/acre allowed = 40 AF) only for the irrigation season of the drought year in 2023. See the maps in Attachment B for the authorized places of use and the proposed temporary place of use.

For Place of Use Changes

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

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

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



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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation N/A

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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MAY 18 2023
OWRD
SALEM, OREGON

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

YOUNG LIFE
PO BOX 220
ANTELOPE OR 97001

confirms the right to use the waters of the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 53.5 ACRES.

This right was perfected under Permit S-41912. The date of priority is MAY 10, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.34 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | GLot | DLC | Survey Coordinates |
|-----|------|-----|-----|-------|------|-----|---|
| 8 S | 19 E | WM | 22 | NW NW | 1 | | 850 FEET SOUTH AND 600 FEET EAST FROM NW CORNER, SECTION 22 |

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. 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.

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

| IRRIGATION | | | | | | | |
|------------|------|-----|-----|-------|------|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q | GLot | DLC | Acres |
| 8 S | 19 E | WM | 21 | SE NE | | | 1.6 |
| 8 S | 19 E | WM | 22 | NE NW | | | 6.2 |
| 8 S | 19 E | WM | 22 | NW NW | 1 | | 10.4 |
| 8 S | 19 E | WM | 22 | SW NW | 2 | | 25.1 |
| 8 S | 19 E | WM | 22 | SE NW | | | 10.2 |

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NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed MAR 30 2007


Phillip C. Ward, Director
Water Resources Department

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STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

YOUNG LIFE
PO BOX 220
ANTELOPE OR 97001

confirms the right to use the waters of JOHN DAY RIVER, a tributary of the COLUMBIA RIVER for IRRIGATION of 13.3 ACRES.

This right was perfected under Permit S-46859. The date of priority is JUNE 8, 1982. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.33 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Survey Coordinates |
|-----|------|-----|-----|-------|---|
| 8 S | 19 E | WM | 22 | NW NW | 850 FEET SOUTH AND 600 FEET EAST FROM NW CORNER, SECTION 22 |

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. 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.

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

| IRRIGATION | | | | | |
|------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 8 S | 19 E | WM | 22 | SW NW | 0.1 |
| 8 S | 19 E | WM | 22 | SE NW | 13.2 |

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SALEM, OREGON

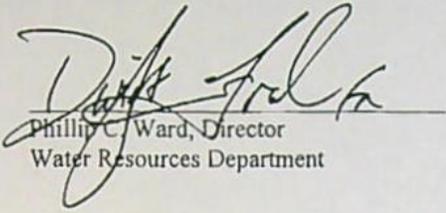
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

14247

WITNESS the signature of the Water Resources Director, affixed OCT 12 2007.


Phillip C. Ward, Director
Water Resources Department

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Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of WASCO

I, PETER GRUBB, in my capacity as RANCH MANAGER,
 mailing address 1 MUDDY ROAD, ANTELOPE, OR 97001
 telephone number (541)489-3100, being first duly sworn depose and say:

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

- Personal observation Professional expertise

2. I attest that:

- Water was used during the previous five years on the entire place of use for Certificate # _____; OR
- My knowledge is specific to the use of water at the following locations within the last five years:

| Certificate # | Township | | Range | | Mer | Sec | ¼ ¼ | | Gov't Lot or DLC | Acres (if applicable) |
|---------------|----------|---|-------|---|------|-----|-----|----|------------------|-----------------------|
| 83252 | 8 | S | 19 | E | W.M. | 22 | NW | NW | | 3.0 |
| | | | | | W.M. | 22 | SW | NW | | 0.9 |
| 83560 | 8 | S | 19 | E | W.M. | 22 | SE | NW | | 3.3 |
| 65327 | 8 | S | 19 | E | W.M. | 26 | NW | NE | | 0.8 |

OR

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

(continues on reverse side)

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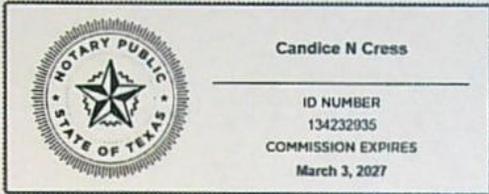
14247 -

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

Peter Timothy Grubb
Signature of Affiant

05/08/2023
Date

Signed and sworn to (or affirmed) before me this 8th day of May, 2023.



CN Cress
Notary Public for Oregon
Notary Public, State of Texas
My Commission Expires: 03/03/2027

Notarized online using audio-video communication

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

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EVIDENCE OF USE MAP

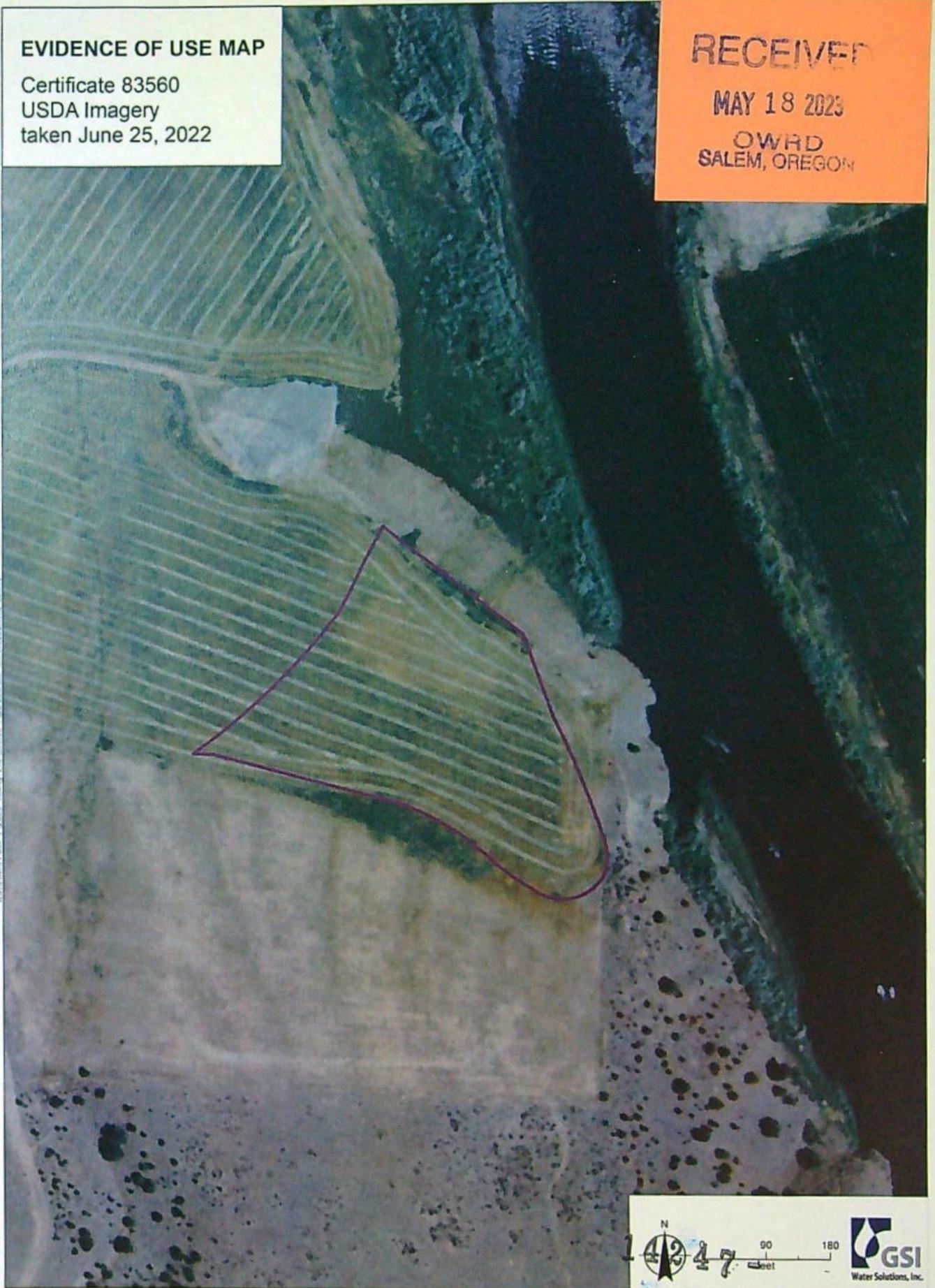
Certificate 83560
USDA Imagery
taken June 25, 2022

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Document Path: Y:\2023 Young Low-Success Failure\DLI_Cert83560.mxd abaxx



EVIDENCE OF USE MAP

Certificate 65327
OSIP Imagery
taken July 14, 2018

Document Path: Y:\2018\North Line\OSIP - Figures\ECU - Cert65327.mxd - abany



0 70 140
feet



After recording return to:
Bradley S. Miller
Ball Janik LLP
101 SW Main Street, Suite 1100
Portland, Oregon 97204

After recording all tax statements
should be sent to:
Mr. Paul Sherrill
Director of Risk Management
Young Life
PO Box 520
Colorado Springs, CO 80901

AD-12544

980147(6)

Microfilm No.

FILED WASCO CTY
THE DALLES OR.

JAN 13 3 00 PM '98

WAKED WASHINGTON
COUNTY CLERK

STATE OF OREGON, }
County of Wasco, } SS
I certify that this document was received
and recorded as a **DEED**
Karen LeBreton, County Clerk
Deputy
A+T 201010 Recording 30

STATUTORY BARGAIN AND SALE DEED

DENNIS R. WASHINGTON, an individual ("Grantor"), conveys to YOUNG LIFE, a Texas nonprofit corporation ("Grantee"), any and all interest of Grantor in and to the real property located in Wasco County, State of Oregon, legally described on the attached Exhibit A (the "Property") and in and to all water rights pertaining to the Property, including, without limitation, the water rights more particularly described on the attached Exhibit B.

The true and actual consideration for this conveyance consists of or includes other property or other value given or promised and this conveyance is, and is intended to be for Internal Revenue Service purposes, a charitable contribution from Grantor to Grantee.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Executed this 30th day of December, 1997.

Dennis R. Washington
Dennis R. Washington

By: *John H. Crowley*
(b) Attorney In Fact

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SALEM, OREGON

14247-0152974.01

STATE OF ~~OREGON~~ ^{MONTANA})
)ss.
County of MISSOULA)

The foregoing instrument was acknowledged before me on this 30th day of
DECEMBER, 1997 by Dennis R. Washington.'s ATTORNEY IN FACT, JOHN H. CRAWLEY

Pamela L. Schreiter
Notary Public for ~~Oregon~~ ^{MONTANA}
My Commission Expires: August 21, 2001

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Exhibit A
Page 1 of 2

WASCO COUNTY LEGAL DESCRIPTION

TOWNSHIP 8 SOUTH, RANGE 17 EAST OF THE WILLAMETTE MERIDIAN, WASCO COUNTY, OREGON.

Section 36: East one-half; Northeast one-quarter of the Southwest one-quarter and South one-half of the Southwest one-quarter.

TOWNSHIP 8 SOUTH, RANGE 18 EAST OF THE WILLAMETTE MERIDIAN, WASCO COUNTY, OREGON.

- Section 13: West one-half of the Northeast one-quarter; Southeast one-quarter of the Northeast one-quarter; West one-half and Southeast one-quarter.
- Section 14: ALL;
- Section 15: ALL;
- Section 16: ALL;
- Section 17: ALL;
- Section 18: South one-half of the Southeast one-quarter; Southeast one-quarter of the Southwest one-quarter and Lot 4;
- Section 19: ALL;
- Section 20: East one-half;
- Section 21: ALL;
- Section 22: ALL;
- Section 23: ALL;
- Section 25: ALL;
- Section 26: Southeast one-quarter of the Northeast one-quarter and Southeast one-quarter;
- Section 27: ALL;
- Section 28: ALL;
- Section 29: ALL;
- Section 30: ALL;
- Section 31: ALL;
- Section 32: ALL;
- Section 33: ALL;
- Section 34: West one-half of the East one-half and West one-half;
- Section 35: ALL;
- Section 36: South one-half of the South one-half;

TOWNSHIP 8 SOUTH, RANGE 19 EAST OF THE WILLAMETTE MERIDIAN, WASCO COUNTY, OREGON.

- Section 7: East one-half;
- Section 8: Lots 1, 2, 3 and 4; Northeast one-quarter; Northeast one-quarter of the Northwest one-quarter and Southwest one-quarter of the Southeast one-quarter;
- Section 16: West one-half lying West of John Day River;
- Section 17: Lots 1 and 2; West one-half of the Northeast one-quarter; Southeast one-quarter of the Northeast one-quarter and East one-half of the Northwest one-quarter;

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- Section 18: Northeast one-quarter;
Section 19: ALL;
Section 20: Lots 1, 2, 3, and 4; East one-half of the Southwest one-quarter; Southeast one-quarter and East one-half of the Northeast one-quarter;
Section 21: Lot 4 and Southeast one-quarter of the Southeast one-quarter;
Section 22: That part of the Northwest one-quarter lying West and South of the John Day River;
Section 23: That part of the South one-half lying West and South of the John Day River;
Section 26: Northwest one-quarter of the Northeast one-quarter lying West of the John Day River;
Section 27: Lots 3 and 4;
Section 28: ALL;
Section 29: ALL;
Section 31: ALL;
Section 32: Lots 1, 2, 3 and 4 and East one-half of the Northwest one-quarter;
Section 33: ALL;
Section 35: Lot 4 and Southwest one-quarter of the Southeast one-quarter;
Section 36: All those portions of the West one-half of the Northwest one-quarter, South one-half and Southeast one-quarter of the Northeast one-quarter lying Southerly and Westerly of the John Day River.

TOWNSHIP 8 SOUTH, RANGE 18 EAST OF THE WILLAMETTE MERIDIAN, WASCO COUNTY, OREGON

Section 20 West one half.

(END OF WASCO COUNTY DESCRIPTION)

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SALEM, OREGONEXHIBIT B

SCHEDULE OF WATER RIGHTS OWNERSHIP

| | <u>Certificate Number</u> | <u>Holder</u> | <u>Permit Number</u> | <u>Application Number</u> | <u>Priority Date</u> |
|-----|------------------------------------|---|--------------------------|-------------------------------|--------------------------|
| 1. | D 27506 | Prineville Land and Livestock Company | | | 12/31/1870 |
| 2. | D 25707 | Prineville Land and Livestock Company | | | 12/31/1880 |
| 3. | D 25708 | Prineville Land and Livestock Company | | | 12/31/1880 |
| 4. | D 25709 | Prineville Land and Livestock Company | | | 12/31/1880 |
| 5. | 45972 Supersedes D 25710 | Rube W. Jones Evans & Sargie Jones Evans | | | 12/31/1888 |
| 6. | 8803 | A.D. Lowrey | 8050 | 11559 | 6/18/1927 |
| 7. | 39868 | Inland Terminal Warehouse Company & Burton O. Haverfield, dba Big Muddy Ranch Company | R 26611 | R 33563 | 1/20/1960 |
| 8. | 39869 | Inland Terminal Warehouse Company & Burton O. Haverfield, dba Big Muddy Ranch Company | R 2331 | R 33562 | 1/20/1960 |
| 9. | Not yet issued | Dennis R. Washington | S 41912 | S 55877 | 5/10/1977 |
| 10. | 65295 | Connecticut General Life Insurance Company | S 41913 | S 55878 | 5/10/1977 |
| 11. | Not yet issued | Inland Properties, Inc. | R 8452 | R 63102 | 12/7/1981 |
| 12. | 66472 | Rajneesh Neo-Sannyes International Commune | G 9856 | G 10728 | 5/26/1982 |
| 13. | Not yet issued | Dennis R. Washington | S 46859 | S 63606 | 6/8/1982 |

| | <u>Certificate Number</u> | <u>Holder</u> | <u>Permit Number</u> | <u>Application Number</u> | <u>Priority Date</u> |
|-----|-------------------------------|---|--------------------------|-------------------------------|--------------------------|
| 14. | 65327 | Rajneesh Neo-Sannyes International Commune | S 49235 | S 68110 | 6/28/1984 |
| 15. | Not yet issued | Inland Properties, Inc. | S 52584 | S 72591 | 8/3/1992 |

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SALEM, OREGON

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WC PLANNING # 911-43-00000

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Land Use Information Form

MAY 18 2023

OWRD SALEM, OREGON



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

Applicant(s): WFR Water, LLC. Attn: Paul Sherrill

Mailing Address: 1 Muddy Road

City: Antelope

State: OR

Zip Code: 97001

Daytime Phone: 719-339-2301

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

| Township | Range | Section | ¼ ¼ | Tax Lot # | Plan Designation (e.g., Rural Residential/RR-5) | Water to be: | Proposed Land Use: |
|----------|-------|---------|--|-----------|---|---|--------------------|
| 85 | 19E | 22 | NW NW | 1000 | EFU | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used | Quasi-Municipal |
| | | 22 | SW NW | 1000 | | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used | |
| | | 21 | SE NE, N ½ of the SE quarter, SW SE, SE SW | 900 | | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used | |
| | | 28 | N ½ of the NW quarter, SW NW | 800 | | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used | |
| | | 29 | SE NE, N ½ of the SE quarter | 800 | | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used | |
| | | 29 | SW SE, S ½ of the SW quarter | 800 | | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | |
| | | 32 | N ½ of the NW quarter, SW NW | | | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | |
| | | 31 | NE NE, SE NE | | | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | |

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

Wasco County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer (Temporary Drought Transfer)
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) John Day River

Estimated quantity of water needed: 0.20 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

The Applicant is seeking to temporarily change the place and character of use for Certificates 83252, 83560, and 65327, and temporarily change the point of diversion for Certificate 65327. The proposed changes will allow the Applicant to temporarily transfer the water associated with 8 acres of irrigation to their ranch camp and temporarily change the use to quasi-municipal in response to a drought declaration in Wasco County. The changes to these Certificates will last only for the 2023 irrigation season (April through September). See attached map.

14247-

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

| Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.) | Cite Most Significant, Applicable Plan Policies & Ordinance Section References | Land-Use Approval: | |
|---|--|--|--|
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |

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

Name: CHRIS McNEEL Title: ASSISTANT PLANNER
 Signature: [Signature] Phone: (541) 506 Date: 5/16/2023
 Government Entity: WASCO COUNTY PLANNER

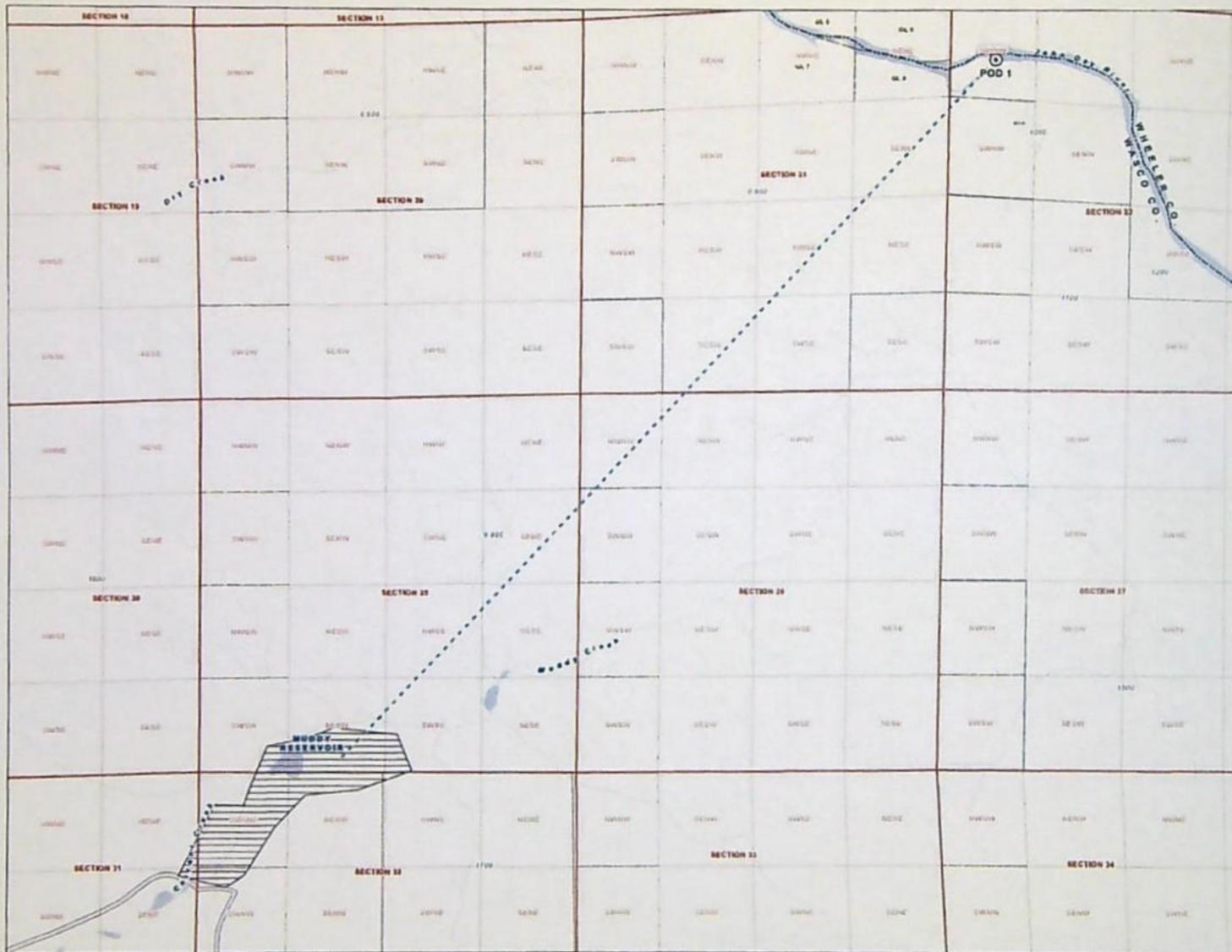
Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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Drought Temporary Transfer Application
for Certificates 83252, 83560, and 65327
WFR Water, LLC

Proposed Place of Use/
and Proposed Point of Diversion Map
Wasco County
Township 8 South,
Range 19 East (W.M.)

LEGEND

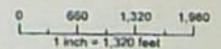
- - - Conveyance
- ⊙ Proposed Point of Diversion (POD)
- ⊙ Cert. 65327
- Proposed Place Of Use (POU)
- ▭ To Lands
- All Other Features
- ⊠ Government Lot (GL)
- ▭ County Boundary
- ▭ Tax Lot
- Watercourse
- Waterbody

LOCATION DESCRIPTION

Proposed POD
POD 1 (Cert. 65327)
Located 850 feet South and 600 feet East from the NW
corner of Section 22, Township 8 South,
Range 19 East (W.M.)

DISCLAIMER

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



Date: May 3, 2023
Data Source: BLM, ESH, ODOT, USGS,
OWRD, Wasco Co.



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2112619-95

ARTICLES OF ORGANIZATION

OF

WFR WATER, LLC

FILED: APR 24, 2023
OREGON SECRETARY OF STATE



211261995-24765745

WFR WATER, LLC

NEWORG

ARTICLE 1

Name

The name of the limited liability company is WFR Water, LLC (the "Company").

ARTICLE 2

Management

The Company is a member-managed limited liability company.

ARTICLE 3

Purpose

The primary purpose of the Company is to operate a water supply system for those uses usual and ordinary to municipal water use, and do all things incidental to that purpose.

ARTICLE 4

Registered Office and Registered Agent

The address of the Company's initial registered office and the name of the Company's initial registered agent at that office is:

Corporation Service Company
1127 Broadway Street NE Ste. 310
Salem, OR 97301

ARTICLE 5

Principal Office

The initial physical street address of the Company's principal office is:

1 Muddy Rd
Antelope, OR 97001

ARTICLE 6

Mailing Address for Notices

The mailing address to which notices may be mailed is:

1127 Broadway Street NE Ste. 310
Salem, OR 97301

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ARTICLE 7
Individual with Direct Knowledge

The name and address of the individual with direct knowledge of the operations and business activities of the Company is:

Paul W. Sherrill
420 N. Cascade Avenue
Colorado Springs, CO 80903

ARTICLE 8
Organizer

The name and address of the organizer is:

Paul W. Sherrill
420 N. Cascade Avenue
Colorado Springs, CO 80903

ARTICLE 9
Existence

The existence of the Company is perpetual.

ARTICLE 10
Effective Date

These articles of organization will become effective upon filing with the Oregon Secretary of State.

[signature page below]

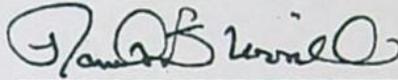
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SALEM, OREGON

21126 1925

I declare as an authorized signer, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter, or otherwise misrepresent the identity of the person or any members, managers, employees, or agents of the limited liability company. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

Dated: April 19, 2023

Organizer:



Paul W. Sherrill

Person to contact about this filing: James M. Gaylord
Daytime phone number: (206) 622-1711

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Temporary Drought Transfer Application Intake Checklist

Transfer # T- 14247

| | | |
|--|--|--|
| Checked by: | Type of Change(s) Proposed: | |
| Date Received: | <input checked="" type="checkbox"/> POU <input checked="" type="checkbox"/> POD <input type="checkbox"/> POA <input type="checkbox"/> APOD <input type="checkbox"/> APOA <input checked="" type="checkbox"/> USE | |
| Declaration Date: | | |
| Fee Received: \$ <u>200</u> | Calculated Fee: \$ <u>200</u> | Certificate/Permit/Claim #: <u>83252</u> <u>83560</u> <u>05327</u> |
| Is the application complete? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, why? | | |
| Notes: | | |

****Check the Certificates/Permits/Claims in WRIS to make sure they are not cancelled/expired/inchoate**

| | | | | | | | |
|-----------------------|---|-----------------------------|---|-----------------------|---|-----------------------------|------------------------------|
| Land Use Form? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Application Signed? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Evidence of Use Form? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Affidavit of Consent? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| Current Deed? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | | Map? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Supplemental Form D? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> N/A | Klamath Drought Form? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |

****Accept the application, even if deficient. Make sure to indicate any deficiencies above**

| | | |
|---|--|--------------------------|
| 1 | Base fee (includes drought application for up to one (1) cfs and recording fee) = | \$200.00 |
| 2 | Enter cfs for the portions of the rights to be transferred (see examples below*): | (2a) |
| | 1.0 subtracted from line 2a: | (2b) <u>-1.00</u> |
| 3 | If 2b is 0 or less than 0, enter 0. If 2b is greater than 0, round up to the nearest whole number | _____ x \$50.00 = \$0.00 |
| 4 | Total = | \$200.00 |

*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

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

14247 -



May 17, 2023

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

RE: Drought Temporary Transfer Application - WFR Water, LLC

Dear Kelly:

WFR Water, LLC is seeking to temporarily change the place and character of use for Certificates 83252, 83560, and 65327, and temporarily change the point of diversion for Certificate 65327. The proposed changes will allow the Applicant to temporarily transfer the water associated with 8 acres of irrigation to support a ranch camp and temporarily change the use to quasi-municipal in response to a drought declaration in Wasco County. The changes to these Certificates will last only for the 2023 irrigation season (April through September).

Please find enclosed a drought temporary transfer application and related documents. Also enclosed is a check for the required processing fee of \$200.00.

Please contact me if you have any questions or concerns. My email address is KGrigsby@gsiws.com.

Sincerely,

A handwritten signature in black ink that reads "Kimberly Grigsby". The signature is written in a cursive, flowing style.

Kimberly Grigsby
Principal Water Resources Consultant

Enclosures: Water Right Drought Temporary Transfer Application
Check for application fee in the amount of \$200.00

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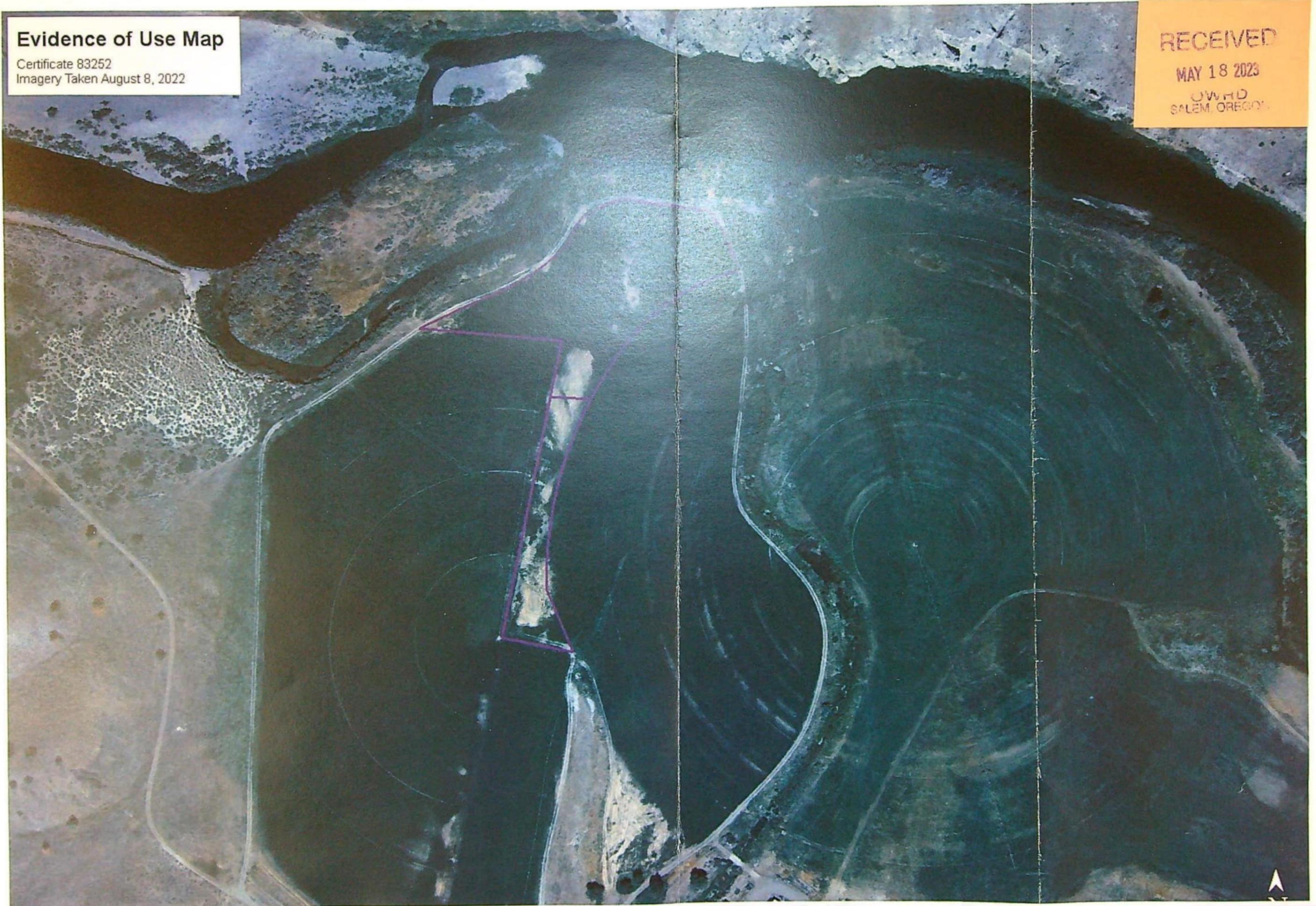
Evidence of Use Map

Certificate 83252
Imagery Taken August 8, 2022

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SALEM, OREGON



14247-



STATE OF OREGON
COUNTY OF WASCO
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RAJNEESH NEO-SANNYAS INTERNATIONAL COMMUNE
C/O TIPPETT LAND & MORTGAGE COMPANY
P.O. BOX 3027
PASCO, WASHINGTON 99302-3027

confirms the right to use the waters of THE JOHN DAY RIVER, a tributary of THE COLUMBIA RIVER, for the purpose of IRRIGATING 6.1 ACRES.

This right has been perfected under Permit 49235. The date of priority is JUNE 28, 1984. This right is limited to 0.15 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SW 1/4, SECTION 23, T 8 S, R 19 E, W.M.; 1000 FEET NORTH AND 1600 FEET EAST FROM THE SW CORNER OF SECTION 23.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

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

SW 1/4 SE 1/4 4.7 ACRES
SECTION 23

NW 1/4 NE 1/4 1.4 ACRES
SECTION 26

TOWNSHIP 8 SOUTH, RANGE 19 EAST, W.M.

Instream lease 9-14-00-9-30-01

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. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed FEBRUARY 25, 1991.

/s/ WILLIAM H. YOUNG

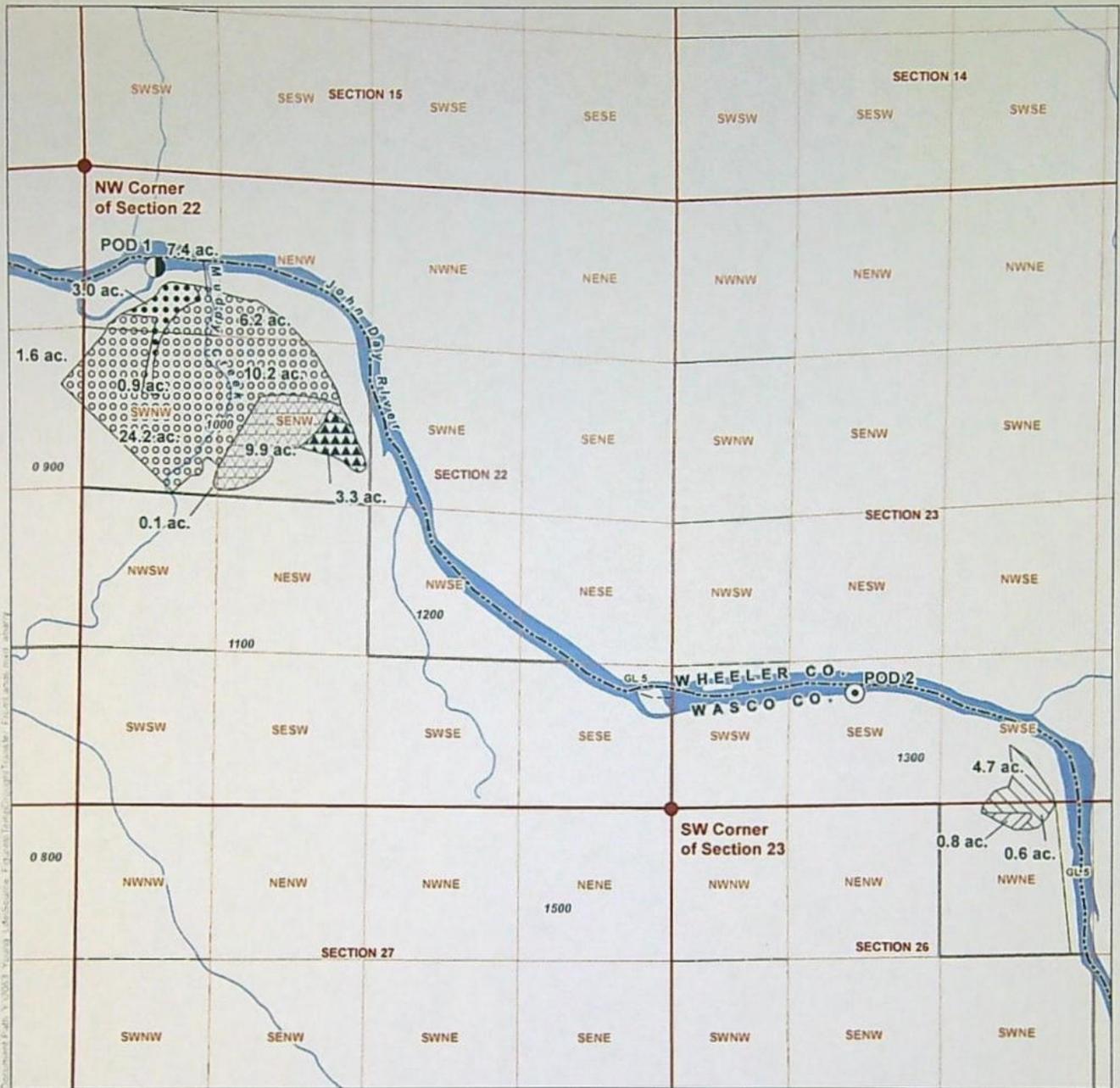
William H. Young

Recorded in State Record of Water Right Certificates numbered 65327.

68110.DLM

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LEGEND

Authorized Points of Diversion (POD)

- Cert. 65327
- Cert. 83560 and Cert. 83252

Authorized Place of Use (POU)

From Lands

- ▨ Cert. 65327 OR * IR
- ▨ Cert. 83252 OR * IR
- ▨ Cert. 83560 OR * IR

Remaining Lands

- ▨ Cert. 65327 OR * IR
- ▨ Cert. 83252 OR * IR
- ▨ Cert. 83560 OR * IR

- Tax Lot
- Government Lot (GL)
- County Boundary
- ~ Watercourse
- ~ Waterbody

LOCATION DESCRIPTION

Authorized PODs

POD 1 (Cert. 83252 and Cert. 83560)
 Located 850 feet South and 600 feet East from the NW corner of Section 22, Township 8 South, Range 19 East (W.M.)

POD 2 (Cert. 65327)
 Located 1000 feet North and 1600 feet East from the NW corner of Section 22, Township 8 South, Range 19 East (W.M.)

**Drought Temporary Transfer Application
 for Certificates 83252, 83560, and 65327
 WFR Water, LLC
 Authorized Place of Use/
 Authorized Points of Diversion Map
 Wasco County**

Township 8 South, Range 19 East (W.M.)

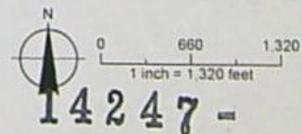
DISCLAIMER

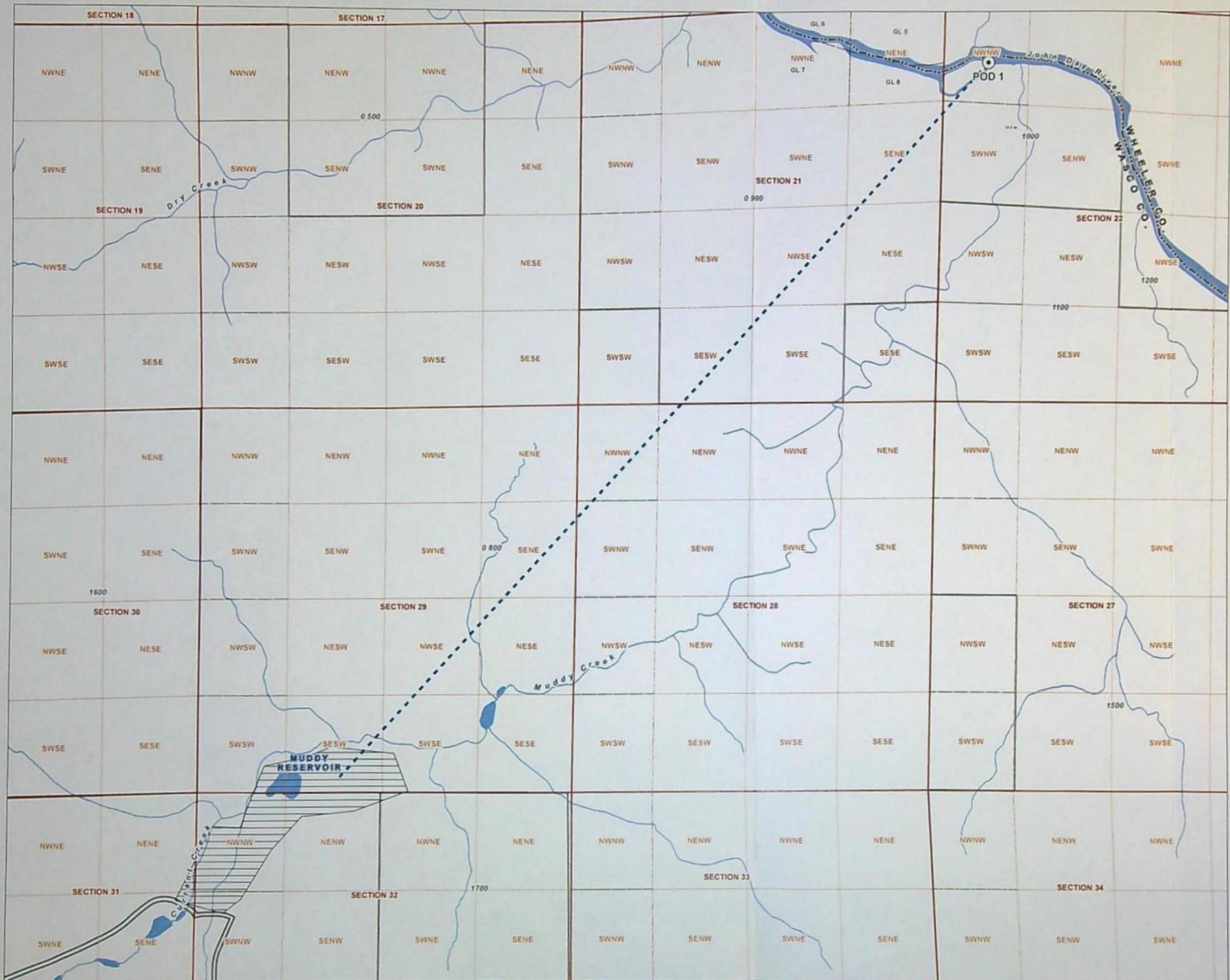
This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Date: May 3, 2023

Data Sources: BLM, ESRI, OWRD, USGS, Wasco County

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**Drought Temporary Transfer Application
for Certificates 83252, 83560, and 65327
WFR Water, LLC**

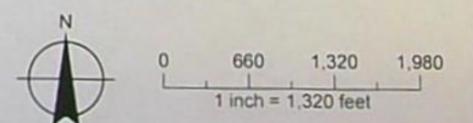
Proposed Place of Use/
and Proposed Point of Diversion Map
Wasco County
Township 8 South,
Range 19 East (W.M.)

- LEGEND**
- - - Conveyance
 - Proposed Point of Diversion (POD)
 - Cert. 65327
 - Proposed Place Of Use (POU)
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 - Waterbody

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LOCATION DESCRIPTION
Proposed POD
POD 1 (Cert. 65327)
Located 850 feet South and 600 feet East from the NW corner of Section 22, Township 8 South, Range 19 East (W.M.)

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Date: May 3, 2023
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OWRD, Wasco Co



14247