

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

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1/6/2025
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This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

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

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? three List them here: 94871, 94873, 94874**
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: 2025 End Year: 2026.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- ☒ Completed Temporary Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- ☒ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- ☐ ☒ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

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°).

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Part 3 of 5 – Fee Worksheet

[illegible]

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

*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).

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Port of Morrow - Attention Miff Devin			PHONE NO. 541.945.2240	ADDITIONAL CONTACT NO.
ADDRESS PO Box 200, 2 E Marine Drive				FAX NO.
CITY Boardman	STATE OR	ZIP 97818	E-MAIL miffd@portofmorrow.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME GSI Water Solutions, Inc. Attention Bruce Brody-Heine			PHONE NO. 971-200-8519	ADDITIONAL CONTACT NO.
ADDRESS 147 SW Shevlin Hixon Drive				FAX NO.
CITY Bend	STATE OR	ZIP 97702	E-MAIL BBHeine@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 Port is temporarily moving the remaining acreage under the former dairy area to the new developed center pivot irrigation system on Port of Morrow's farm 5 lands for more efficient use of water.

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

Miff Devin, Operations Manager
Print Name (and Title if applicable)

January 5, 2025
Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

SUPERSEDING

Received by OWRD

MAY 30 2025

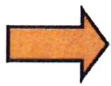
Salem, OR

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

DISTRICT NAME Columbia Improvement District	ADDRESS 501 Columbia Ave. NE; PO Box 47	
CITY Boardman	STATE OR	ZIP 97818

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Morrow County	ADDRESS 215 NE Main Ave	
CITY Irrigon	STATE OR	ZIP 97844

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

Part 5 of 5 – Water Right Information

Water Right Certificate # 94871

Description of Water Delivery System

System capacity: 600 cubic feet per second (cfs)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. The Columbia Improvement District point of diversion includes six 500 horsepower pumps, which convey water through approximately 7 miles of pipeline, using two booster pump stations.

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	4	N	25	E	2	NE	NW	7	150 feet South and 2990 feet West from the NE corner of section 2

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

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

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

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

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

- | | |
|--|---|
| <input type="checkbox"/> 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. |
| <input checked="" type="checkbox"/> No | Complete all of Table 2 to describe the portion of the water right to be changed. |

SUPERSEDING

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Salem, OR

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Table 2. Description of Temporary Changes to Water Right Certificate # 94871

List only the part of the right that will be changed. For the acreage in each $\frac{1}{4}$ $\frac{1}{4}$, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the “from” or “off” lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
“	“	“	“	“	“	“	“	“	“	EXAMPLE	“	“	“	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
3	N	26	E	16	SW	NW	500		7.5	IRR	POD #1	7/25/1993	POU	3	N	26	E	16	NE	NE	500		0.9		POD 1	7/25/1993
					NW	SW			7.2										NE	NW			1.0			
					SW	SW			9.0										NW	NW			1.4			
					NW	NE			1.1										SW	NW			0.1			
					SW	NE			31.0									36	NE	NE	1300		6.8			
					SE	NE			36.8										SE	NE			8.3			
				NW	NW			1.1	30							SW	SE	1700		0.1						
				SW	NW			13.9	31							NE	NE	1200		24.8						
				SE	NW			34.6								NW	NE			38.2						
				NE	SW			36.7								SW	NE			38.1						
				NW	SW			12.9								SE	NE			25.0						
				SW	SW			9.0								NE	NW		23.1							

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Water Right Certificate # 94871**For Place of Use Changes****Salem, OR**

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Water Right Certificate # 94873

Description of Water Delivery System

System capacity: 600 cubic feet per second (cfs)

Salem, OR

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. The Columbia Improvement District point of diversion includes six 500 horsepower pumps, which convey water through approximately 7 miles of pipeline, using two booster pump stations.

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	4	N	25	E	2	NE	NW	7	150 feet South and 2990 feet West from the NE corner of section 2

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

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

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

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

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

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

SUPERSEDING

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Salem, OR

Table 2. Description of Temporary Changes to Water Right Certificate # 94873

List only the part of the right that will be changed. For the acreage in each $\frac{1}{4}$ $\frac{1}{4}$, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date								
EXAMPLE																												
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901								
"	"	"	" " "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901								
										POU	3	N	27	E 31 SE NE	1200		4.8											
																	0.15											
																	0.05											
																	0.6											
																	15.4											
																	16.7											
																	1.7											
																	12.2											
																	30.9											
																	6.9											
TOTAL ACRES						89.4																TOTAL ACRES						89.4

Additional remarks: _____

JUN 05 2025

Water Right Certificate # 94873

For Place of Use Changes

Salem, OR

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

JUN 05 2025

Water Right Certificate # 94874**Description of Water Delivery System**

Salem, OR

System capacity: 600 cubic feet per second (cfs)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **The Columbia Improvement District point of diversion includes six 500 horsepower pumps, which convey water through approximately 7 miles of pipeline, using two booster pump stations.**

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	4	N	25	E	2	NE	NW	7	150 feet South and 2990 feet West from the NE corner of section 2

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

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

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

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

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

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

SUPERSEDING

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 94874

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.										
Twsp	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	Twsp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																						
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901		
"	"	"	" " " "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
										POU	3	N	27	E 31 NW NW	1200		6.9	POD #1	2/7/1974			
																				32.5		
																				23.8		
																				1.9		
																				1.3		
TOTAL ACRES						66.4	TOTAL ACRES															66.4

Additional remarks: _____

Received by OWRD

SUPERSEDING

JUN 05 2025

Salem, OR

JUN 05 2025

Water Right Certificate # 94874

Salem, OR

For Place of Use Changes

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

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

Pursuant to ORS 540.523, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

SUPERSEDING

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CONNECTICUT GENERAL LIFE INSURANCE COMPANY and
FIRST INTERSTATE BANK OF OREGON
C/O BOB O' ROURKE
PO BOX 490
PENDLETON, OR 97801-0490

confirms the right to use the waters of the COLUMBIA RIVER, a tributary PACIFIC OCEAN, for
IRRIGATION of 2404.9 ACRES.

This right was perfected under Permit S-37150. The date of priority is JULY 25, 1973. The amount of
water to which this right is entitled is limited to an amount actually used beneficially, and shall not
exceed 37.61 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	Measured Distances
4 N	25 E	WM	2	NE NW	7	150 FEET SOUTH AND 2990 FEET WEST FROM THE NE CORNER OF SECTION 2

The amount of water used for irrigation, together with the amount secured under any other right
existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its
equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-
feet for each acre irrigated during the irrigation season of each year.

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

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

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	15	NW NW	7.5
3 N	26 E	WM	15	SW NW	7.5
3 N	26 E	WM	15	NW SW	7.2
3 N	26 E	WM	15	SW SW	9.0

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Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	16	NE NE	32.6
3 N	26 E	WM	16	NW NE	29.1
3 N	26 E	WM	16	SW NE	31.0
3 N	26 E	WM	16	SE NE	36.8
3 N	26 E	WM	16	NE NW	31.2
3 N	26 E	WM	16	NW NW	29.4
3 N	26 E	WM	16	SW NW	33.7
3 N	26 E	WM	16	SE NW	34.6
3 N	26 E	WM	16	NE SW	36.7
3 N	26 E	WM	16	NW SW	12.9
3 N	26 E	WM	16	SW SW	9.0
3 N	26 E	WM	16	SE SW	33.8
3 N	26 E	WM	16	NE SE	33.8
3 N	26 E	WM	16	NW SE	31.3
3 N	26 E	WM	16	SW SE	32.1
3 N	26 E	WM	16	SE SE	38.0
3 N	26 E	WM	17	NE NE	29.2
3 N	26 E	WM	17	NW NE	31.3
3 N	26 E	WM	17	SW NE	33.0
3 N	26 E	WM	17	SE NE	35.6
3 N	26 E	WM	17	NE NW	30.4
3 N	26 E	WM	17	NW NW	33.6
3 N	26 E	WM	17	SW NW	36.8
3 N	26 E	WM	17	SE NW	28.4
3 N	26 E	WM	17	NE SW	33.2
3 N	26 E	WM	17	NW SW	36.0
3 N	26 E	WM	17	SW SW	38.4
3 N	26 E	WM	17	SE SW	31.6
3 N	26 E	WM	17	NE SE	2.2
3 N	26 E	WM	17	NW SE	34.2
3 N	26 E	WM	17	SW SE	30.9
3 N	26 E	WM	17	SE SE	2.3
3 N	26 E	WM	18	NE NE	30.6
3 N	26 E	WM	18	NW NE	37.6
3 N	26 E	WM	18	SW NE	36.0
3 N	26 E	WM	18	SE NE	33.2
3 N	26 E	WM	18	NE NW	32.4
3 N	26 E	WM	18	NW NW	34.8
3 N	26 E	WM	18	SW NW	38.0
3 N	26 E	WM	18	SE NW	34.4
3 N	26 E	WM	18	NE SW	32.8
3 N	26 E	WM	18	NW SW	31.6
3 N	26 E	WM	18	SW SW	36.4
3 N	26 E	WM	18	SE SW	34.4
3 N	26 E	WM	18	NE SE	32.8
3 N	26 E	WM	18	NW SE	38.4
3 N	26 E	WM	18	SW SE	35.2

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Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	18	SE SE	33.3
3 N	26 E	WM	19	NE NE	34.4
3 N	26 E	WM	19	NW NE	39.2
3 N	26 E	WM	19	SW NE	35.2
3 N	26 E	WM	19	SE NE	32.2
3 N	26 E	WM	19	NE NW	34.0
3 N	26 E	WM	19	NW NW	28.4
3 N	26 E	WM	19	SW NW	34.8
3 N	26 E	WM	19	SE NW	36.8
3 N	26 E	WM	19	NE SW	34.4
3 N	26 E	WM	19	NW SW	28.4
3 N	26 E	WM	19	SW SW	32.8
3 N	26 E	WM	19	SE SW	32.8
3 N	26 E	WM	19	NE SE	31.2
3 N	26 E	WM	19	NW SE	38.4
3 N	26 E	WM	19	SW SE	2.8
3 N	26 E	WM	19	SE SE	14.3
3 N	26 E	WM	20	NE NE	3.0
3 N	26 E	WM	20	NW NE	36.0
3 N	26 E	WM	20	SW NE	33.1
3 N	26 E	WM	20	SE NE	2.2
3 N	26 E	WM	20	NE NW	33.6
3 N	26 E	WM	20	NW NW	36.4
3 N	26 E	WM	20	SW NW	38.0
3 N	26 E	WM	20	SE NW	33.2
3 N	26 E	WM	20	NE SW	34.8
3 N	26 E	WM	20	NW SW	36.0
3 N	26 E	WM	20	SW SW	38.7
3 N	26 E	WM	20	SE SW	11.8
3 N	26 E	WM	20	NE SE	3.3
3 N	26 E	WM	20	NW SE	35.7
3 N	26 E	WM	29	NW NW	1.2
3 N	26 E	WM	30	NE NW	0.8
3 N	26 E	WM	30	NW NW	0.8
TOTAL					2404.9

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This certificate also describes that portion of water right Certificate 80062, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 12 2020 and recorded at Volume 116, Pages 106-122, approving Transfer T-13266. This certificate supersedes Certificate 80062.

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

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

Signed at Salem, Oregon on FEB 12 2020.


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

Mailing Date: FEB 13 2020

Received
DEC 20 2024
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STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO
BOARDMAN TREE FARM, LLC
PO BOX 870
HERMISTON, OR 97838

confirms the right to use the waters of the COLUMBIA RIVER, a tributary PACIFIC OCEAN, for
IRRIGATION of 89.4 ACRES.

This right was perfected under PermitS-37150. The date of priority is JULY 25, 1973. The amount of
water to which this right is entitled is limited to an amount actually used beneficially, and shall not
exceed 1.40 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of
diversion.

The points of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
4 N	25 E	WM	2	NE NW	7	150 FEET SOUTH AND 2990 FEET WEST FROM THE NE CORNER OF SECTION 2

The amount of water used for irrigation, together with the amount secured under any other right
existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or
its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5
acre-feet for each acre irrigated during the irrigation season of each year.

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

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	15	NW NW	2.4
3 N	26 E	WM	16	NE NE	0.6
3 N	26 E	WM	16	NW NE	1.8
3 N	26 E	WM	16	SW NE	5.4
3 N	26 E	WM	16	SE NE	2.0
3 N	26 E	WM	16	NE NW	0.8
3 N	26 E	WM	16	NW NW	2.3
3 N	26 E	WM	16	SW NW	6.0
3 N	26 E	WM	16	SE NW	5.2

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14591 -

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	16	NE SW	3.0
3 N	26 E	WM	16	NW SW	2.0
3 N	26 E	WM	16	SW SW	1.9
3 N	26 E	WM	16	SE SW	4.2
3 N	26 E	WM	16	NE SE	5.2
3 N	26 E	WM	16	NW SE	7.4
3 N	26 E	WM	16	SW SE	6.5
3 N	26 E	WM	16	SE SE	1.2
3 N	26 E	WM	17	NE NE	1.5
3 N	26 E	WM	17	NW NE	1.0
3 N	26 E	WM	17	SW NE	2.0
3 N	26 E	WM	17	SE NE	2.4
3 N	26 E	WM	17	NE SE	0.7
3 N	26 E	WM	21	NE NE	4.4
3 N	26 E	WM	21	NW NE	6.4
3 N	26 E	WM	21	SW NE	6.2
3 N	26 E	WM	21	SE NE	0.5
3 N	26 E	WM	21	NE NW	1.2
3 N	26 E	WM	21	SE NW	5.2
TOTAL					89.4

This certificate also describes that portion of water right Certificate 86992, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 12 2020 and recorded at Volume 116, Pages 100-122, approving Transfer T-13266. This certificate supersedes Certificate 86992.

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

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

FEB 12 2020

Signed at Salem, Oregon on _____.


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

Mailing Date: FEB 13 2020

Received
 DEC 20 2024
 OWRD

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO
BOARDMAN TREE FARM LLC
PO BOX 870
HERMISTON, OR 97838

confirms the right to use the waters of the COLUMBIA RIVER, a tributary PACIFIC OCEAN, for the IRRIGATION of 66.4 ACRES.

This right was perfected under Permit S-37293. The date of priority is FEBRUARY 7, 1974. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.09 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
4 N	25 E	WM	2	NE NW	7	150 FEET SOUTH AND 2990 FEET WEST FROM THE NE CORNER OF SECTION 2

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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DEC 20 2024

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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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.



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

Port of Morrow
Attn: Lisa Mittelsdorf
P.O. Box 200
Boardman, OR 97848

After Recording Please Return to:

FIRST AMERICAN TITLE INSURANCE COMPANY
205 NE BOARDMAN AVENUE
BOARDMAN, OR 97818

STATUTORY SPECIAL WARRANTY DEED

CANYON FARM II, LLC, a Delaware limited liability company, as Grantor, hereby conveys and specially warrants to PORT OF MORROW, a port district in the State of Oregon, Grantee, the following described real property situated in the County of Morrow, and State of Oregon, as more particularly described in *Exhibit A* attached hereto, free of encumbrances created or suffered by the Grantor except as specifically set forth herein.

This conveyance is made subject to those easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities described in *Exhibit B* attached hereto and further subject to: (i) all non-delinquent taxes and other assessments, (ii) all applicable local, state and federal laws, ordinances and regulations, (iii) any approvals or permits issued by any governmental authority of record and any conditions, restrictions, obligations or liabilities imposed on the owner of the Property by any governmental authority, and (iv) any easements, encroachments or encumbrances shown on any recorded plat or survey or ascertainable from viewing the Property.

The true and actual consideration for this conveyance is \$131,880,000.00.

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

SIGNATURE PAGE TO FOLLOW



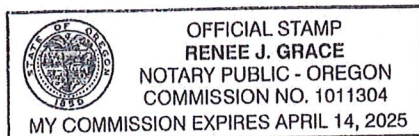
Dated this 9th day of October, 2024.

CANYON FARM II, LLC,
a Delaware limited liability company

By: [Signature]
Baptiste Tellier
Its: Authorized Signatory

STATE OF OREGON)
) ss.
COUNTY OF MORROW)

On this 9th day of October, 2024, before me, the undersigned, a Notary Public in and for said state, personally appeared Baptiste Tellier, Authorized Signatory of Canyon Farm II, LLC, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same after being duly authorized on behalf of Canyon Farm II, LLC.



[Signature]
Notary Public for Oregon
My commission expires: 4-14-2025

ACKNOWLEDGEMENT AND ACCEPTANCE OF THIS CONVEYANCE:

PORT OF MORROW,
a port district in the State of Oregon

By: [Signature]
Name: Lisa Mittelsdorf
Its: Executive Director



EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

Tract A:

THAT PORTION OF PARCEL 1, SPECIAL WARRANTY DEED RECORDED UNDER MORROW COUNTY DEED NO. 2019-43793, SITUATE IN TOWNSHIP 3 NORTH, RANGE 26 EAST OF THE WILLAMETTE MERIDIAN IN THE COUNTY OF MORROW AND STATE OF OREGON LYING SOUTHERLY AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 17, TOWNSHIP 3 NORTH, RANGE 26 EAST, W.M.; THENCE NORTH $89^{\circ}16'40''$ WEST 857.69 FEET ALONG THE NORTH LINE THEREOF TO A 5/8 INCH REBAR BEING THE MOST NORTHERLY CORNER OF THAT LINE SURVEYED BY ROGERS SURVEYING IN SURVEY NO. 706D, RECORDED NOVEMBER 11, 1984, MORROW COUNTY SURVEY RECORDS; THENCE ALONG SAID LINE SOUTH $30^{\circ}14'28''$ WEST 1625.96 FEET TO A 5/8 INCH REBAR LEANING TO THE SOUTHWEST; THENCE SOUTH $29^{\circ}10'36''$ EAST 1550.59 FEET TO A 5/8 INCH REBAR BENT TO THE NORTH AND THE TRUE POINT OF BEGINNING; THENCE NORTH $89^{\circ}29'11''$ EAST 1665.16 FEET; THENCE SOUTH $00^{\circ}30'49''$ EAST 2634.63 FEET; THENCE NORTH $89^{\circ}29'11''$ EAST 4114.30 FEET; THENCE SOUTH $59^{\circ}45'46''$ EAST 602.12 FEET; THENCE NORTH $77^{\circ}37'24''$ EAST 125.09 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 2522.46 FEET; THENCE NORTHERLY 766.14 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $17^{\circ}24'09''$ (THE LONG CHORD OF SAID CURVE BEARS NORTH $03^{\circ}38'52''$ EAST 763.20 FEET) TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1558.77 FEET; THENCE NORTHEASTERLY 966.77 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $35^{\circ}32'09''$ (THE LONG CHORD OF SAID CURVE BEARS NORTH $40^{\circ}55'12''$ EAST 951.35 FEET); THENCE NORTH $03^{\circ}20'44''$ WEST 215.97 FEET; THENCE NORTH $51^{\circ}35'12''$ WEST 631.26 FEET; THENCE NORTH $32^{\circ}35'51''$ WEST 329.92 FEET; THENCE NORTH $00^{\circ}14'26''$ WEST 842.73 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 997.99 FEET; THENCE NORTHEASTERLY 954.59 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $54^{\circ}48'13''$ (THE LONG CHORD OF SAID CURVE BEARS NORTH $32^{\circ}31'21''$ EAST 918.61 FEET); THENCE NORTH $21^{\circ}49'33''$ WEST 439.49 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 760.24 FEET; THENCE NORTHWESTERLY 470.78 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $35^{\circ}28'49''$ (THE LONG CHORD OF SAID CURVE BEARS NORTH $43^{\circ}13'42''$ WEST 463.29 FEET); THENCE NORTH $17^{\circ}51'33''$ WEST 556.73 FEET; THENCE NORTH $37^{\circ}35'45''$ WEST 266.03 FEET;



THENCE NORTH 05°15'45" EAST 190.52 FEET TO THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 26 EAST OF THE WILLAMETTE MERIDIAN, AND THE TERMINUS OF SAID DESCRIBED LINE.

ALSO EXCEPTING THEREFROM ALL ROADS AND ROAD RIGHTS OF WAY.

Tract B:

A parcel of land situated in Sections 27, 28, 33 and 34 in Township 3 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon, described as follows:

Beginning at the Northwest corner of Section 28;

Thence North 89°28'04" East, along the North line of said Section 28 a distance of 1,150.29 feet;

Thence South 00°31'56" East, a distance of 1,442.20 feet to a point of curve;

Thence Southwesterly along the arc of a curve having a central angle of 11°48'03" and a radius a

1,350.00 feet, a distance of 278.05 feet to the True Point of Beginning;

Thence South 70°26'25" East, a distance of 4,306.92 feet;

Thence South 13°06'01" East, a distance of 4,312.46 feet;

Thence South 49°02'47" West, a distance of 1,626.40 feet;

Thence North 68°48'59" West, a distance of 4,283.16 feet;

Thence North 12°00'00" West, a distance of 4,192.31 feet to a point on a curve;

Thence Northeasterly along the arc of a curve having a central angle of 67°21'48" and a radius of

1,350.00 feet, a distance of 1,587.21 feet to the True Point of Beginning.

TOGETHER WITH an appurtenant easement for pipeline recorded October 9, 1978, as Microfilm No. M-14200, Morrow County Microfilm Records.

ALSO TOGETHER WITH an appurtenant easement for roadways recorded October 9, 1978, as Microfilm No. M-14201, Morrow County Microfilm Records.

Tract C:

A parcel of land situated in Sections 28, 29, 32 and 33 in Township 3 North, Range 26, East of the

Willamette Meridian, in the County of Morrow and State of Oregon, being more particularly described as follows:

Beginning at the Northwest corner of Section 28;

Thence North 89°28'04" East along the North line of Section 28, a distance of 1,150.29 feet;

Thence South 00°31'56" East a distance of 1,442.20 feet to a point of curve;

Thence Southwesterly along a curve to the right having a radius of 1,350.00 feet and a central angle of 120°39'19", an arc distance of 1,865.26 feet to a point on curve and True Point of Beginning;

Thence continuing along said curve an arc distance of 977.61 feet;



Thence North $59^{\circ}52'37''$ West a distance of 258.83 feet;
Thence South $00^{\circ}37'43''$ East parallel with the East line of Section 29 a distance of 2,645.05 feet to a point of curve, said curve having a radius of 1,600.00 feet, a central angle of $229^{\circ}11'20''$, and a bearing of South $05^{\circ}45'39''$ East to the radius point;
Thence along said curve on a chord bearing of South $82^{\circ}26'45''$ West a chord distance of 100.14 feet;
Thence continuing along said curve on chords corresponding to 300.00 feet of arc lengths, an arc distance of 6,300.00 feet to a point of tangency, said point lying South $54^{\circ}56'59''$ East of said radius point, and said chords being the true boundary line;
Thence North $35^{\circ}03'01''$ East a distance of 939.67 feet;
Thence North $12^{\circ}00'00''$ West a distance of 4,192.31 feet to the True Point of Beginning.

PARCEL 2:

A parcel of land lying in Sections 14, 23, 26, 27, 34 and 35 in Township 3 North, Range 26 East of the Willamette Meridian and in Sections 2, 3, 10 and 11, Township 2 North, Range 26 East of the Willamette Meridian, in the County of Morrow and State of Oregon, being more particularly described as follows:

Township 3 North, Range 26 East of the Willamette Meridian, in the County of Morrow and State of Oregon.

Section 14: The West half.

Section 23: All.

Sections 27 and 34: All that portion of Sections 27 and 34 lying Easterly of the following described line:

Beginning at the South quarter corner of Section 34;

Thence North $89^{\circ}23'00''$ East along the Southerly line of said Section 34, a distance of 60.58 feet to the True Point of Beginning;

Thence North $38^{\circ}03'36''$ East, a distance of 10.24 feet;

Thence North $52^{\circ}25'12''$ East, a distance of 333.45 feet;

Thence North $70^{\circ}24'04''$ East, a distance of 464.38 feet;

Thence North $53^{\circ}54'08''$ West, a distance of 421.01 feet;

Thence North $42^{\circ}42'52''$ West, a distance of 523.40 feet;

Thence North $19^{\circ}27'27''$ West, a distance of 325.52 feet;

Thence North $00^{\circ}29'16''$ West, a distance of 2,664.23 feet;

Thence South $80^{\circ}08'12''$ West, a distance of 580.46 feet;

Thence North $73^{\circ}56'03''$ West, a distance of 956.50 feet;

Thence North $22^{\circ}36'58''$ West, a distance of 1,352.27 feet;

Thence North $35^{\circ}35'17''$ East, a distance of 1,488.75 feet;

Thence North $64^{\circ}01'20''$ East, a distance of 562.04 feet;

Thence South $67^{\circ}42'30''$ East, a distance of 1,406.33 feet;

Thence North $22^{\circ}17'30''$ East, a distance of 1,393.16 feet;

Thence North $67^{\circ}42'30''$ West, a distance of 1,697.41 feet;

Thence North $04^{\circ}14'58''$ East, a distance of 1,171.44 feet;



Thence North 12°00'12" East, a distance of 1,157.95 feet to the North quarter corner of said Section 27, and Terminus of this line.

Sections 26 and 35: All that portion of Sections 26 and 35 lying Northerly and Westerly of the following described line:

The Northeast corner of said Section 26 being the True Point of Beginning;

Thence South 00°31'56" East along the East line of said Section, a distance of 3,559.99 feet;

Thence South 89°28'05" West, a distance of 805.28 feet;

Thence South 00°32'22" East, a distance of 1,651.97 feet;

Thence South 89°27'28" West, a distance of 3,372.06 feet;

Thence South 15°38'27" West, a distance of 2,280.70 feet;

Thence South 35°50'54" East, a distance of 1,920.69 feet;

Thence South 21°46'36" East, a distance of 1,704.41 feet to a point lying on the Southerly line of said Section 35.

Thence South 89°39'06" West along said Southerly line, a distance of 2,205.64 feet to the Southwest corner of said Section 35 and Terminus of this line.

Township 2 North, Range 26 East of the Willamette Meridian, in the County of Morrow and State of Oregon.

Sections 2, 3, 10 and 11: All that portion of Sections 2, 3, 10 and 11 described as follows: Beginning at the Northwest corner of said Section 2, said Northwest corner being the True Point of Beginning;

Thence North 89°39'06" East, along the Northerly line of said Section 2, a distance of 2,205.64 feet;

Thence South 21°46'36" East, a distance of 3,006.50 feet;

Thence South 06°25'54" East, a distance of 681.77 feet;

Thence South 19°49'25" West, a distance of 2,971.56 feet;

Thence South 49°28'13" West, a distance of 738.67 feet;

Thence South 68°56'55" West, a distance of 381.07 feet;

Thence North 84°35'36" West, a distance of 673.57 feet;

Thence North 64°22'22" West, a distance of 498.86 feet;

Thence North 30°57'52" West, a distance of 610.67 feet;

Thence South 83°51'38" West, a distance of 179.95 feet;

Thence South 35°46'58" West, a distance of 645.54 feet;

Thence South 57°29'32" West, a distance of 414.96 feet;

Thence South 76°21'15" West, a distance of 411.79 feet;

Thence North 84°40'00" West, a distance of 574.35 feet;

Thence North 61°30'19" West, a distance of 298.77 feet;

Thence North 44°43'36" West, a distance of 482.75 feet;

Thence North 29°36'05" West, a distance of 289.52 feet;

Thence North 21°02'27" West, a distance of 297.13 feet;

Thence North 02°54'58" West, a distance of 474.28 feet;

Thence North 11°46'03" East, a distance of 454.46 feet;

Thence North 62°17'52" West, a distance of 1,234.57 feet;



Thence North 52°00'57" West, a distance of 266.20 feet;
Thence North 19°45'29" West, a distance of 556.46 feet;
Thence North 05°52'18" West, a distance of 210.58 feet;
Thence North 00°00'26" West, a distance for 242.39 feet;
Thence North 02°57'32" East, a distance of 205.68 feet;
Thence North 14°13'57" East, a distance of 194.34 feet;
Thence North 29°38'55" East, a distance of 411.54 feet;
Thence North 25°38'35" East, a distance of 2,277.72 feet;
Thence North 38°03'36" East, a distance of 503.16 feet to a point lying on the Northerly line of said Section 3, and being North 89°23'00" East, a distance of 60.58 feet from the North quarter corner of said Section 3;
Thence North 89°23'00" East along said Northerly line, a distance of 2,578.64 feet to the Northwest corner of aforesaid Section 2, and the True Point of Beginning

PARCEL 3:

Parcels 2 and 3 of PARTITION PLAT 2020-2, in Township 3 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon.



EXHIBIT B

PERMITTED ENCUMBRANCES

1. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land.
3. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
4. Unpatented mining claims whether or not shown of record.
5. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
6. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records.
7. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
8. The rights of the public in roads and highways.
9. The premises are within the boundaries of the Columbia Improvement District, and are subject to the levies, assessments and easements thereof, if any.
10. Reservations as disclosed in Patent, including the terms and provisions thereof, recorded August 6, 1924 in Book K, Page 207, Morrow County Deed Records.
11. Reservations, including the terms and provisions thereof, as disclosed in Deed by and between Northern Pacific Railroad and A.C. Lindsay, et al recorded October 29, 1953 in Book 57, Page 397, Morrow County Deed Records.
12. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded December 20, 1961, in Book 67, Page 122, Morrow County Deed Records. (Disclosed in Deed M-38208)
13. Easement for Right of Way, including the terms and provisions thereof, in favor of Morrow County, recorded December 20, 1963, in Book 70, Page 121, Morrow County Deed Records.



14. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded March 4, 1974, as Microfilm No. M-6571, Morrow County Microfilm Records.

15. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded April 16, 1974, as Microfilm No. M-6712, Morrow County Microfilm Records.

16. Easement for right of way, including the terms and provisions thereof, in favor of Sabre Farms, recorded August 27, 1974, as Microfilm No. M-7191, Morrow County Microfilm Records.

Assignment of Permits and Easements, including the terms and provisions thereof, in favor of Columbia Improvement District, recorded June 28, 1978, as Microfilm No. M-13583, Morrow County Microfilm Records.

17. Easement for Aviation, including the terms and provisions thereof, in favor of United States of America, recorded September 10, 1974, as Microfilm No. M-7240, Morrow County Microfilm Records.

Easement Amendment Two (2), including the terms and provisions thereof, in favor of United States of America, acting by and through the Department of the Navy, recorded November 25, 2019, as Microfilm No. 2019-45498, Morrow County Microfilm Records.

18. Easement for Aviation, including the terms and provisions thereof, in favor of United States of America, recorded September 10, 1974, as Microfilm No. M-7237, Morrow County Microfilm Records.

Easement Amendment One (1), including the terms and provisions thereof, in favor of United States of America, acting by and through the Department of the Navy, recorded July 25, 2019, as Microfilm No. 2019-44643, Morrow County Microfilm Records.

19. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded March 5, 1975, as Microfilm No. M-7791, Morrow County Microfilm Records.

20. Easements, including the terms and provisions thereof, as reserved and disclosed in Deed recorded February 17, 1977 as Microfilm No. M-10760, Morrow County Microfilm Records.

Release of Easement as disclosed by instrument recorded August 15, 1978 as Microfilm No. M-13842, Morrow County Microfilm Records.

21. Easements, including the terms and provisions thereof, as disclosed in Deed recorded February 17, 1977, as Microfilm No. M-10761, Morrow County Microfilm Records.

Release Easement as disclosed by instrument recorded September 21, 1978 as Microfilm No. M-14073, Morrow County Microfilm Records.

22. Articles of Incorporation of Columbia Improvement District, including the terms and provisions thereof, recorded June 1, 1978 as Microfilm No. M-13427, Morrow County Microfilm

Records.

23. Columbia Improvement District Landowner's Notice of Agreements & Covenants, including the terms and provisions thereof, recorded June 23, 1978, as Microfilm No. M-13554, Morrow County Microfilm Records.

Addendums to Landowners' Notice of Agreements & Covenants, including the terms and provisions thereof, recorded June 28, 1978, as Microfilm No. M-13585, and recorded March 23, 1981, as Microfilm No. M-18635, and recorded April 21, 1988 as Microfilm No. M-30859, and recorded May 6, 2009, as Microfilm No. 2009-23826, and recorded November 22, 2011, as Microfilm No. 2011-29170, and recorded March 24, 2016, as Microfilm No. 2016-37874, and recorded May 6, 2020, as Microfilm No. 2020-46394, and recorded July 23, 2020, as Microfilm No. 2020-46859, Morrow County Microfilm Records.

24. Conveyance and Easement, including the terms and provisions thereof, in favor of Columbia Improvement District, recorded June 28, 1978, as Microfilm No. M-13581, Morrow County Microfilm Records.

25. Water Delivery Contract, including the terms and provisions thereof, recorded June 28, 1978 as Microfilm No. M-13590, Morrow County Microfilm Records. By and between Columbia Improvement District and R. Land Company.

26. Water Delivery Contract, including the terms and provisions thereof, recorded June 28, 1978 as Microfilm No. M-13592, Morrow County Microfilm Records. By and between Columbia Improvement District and R. Land Company.

27. Water Delivery Contract, including the terms and provisions thereof, recorded June 28, 1978 as Microfilm No. M-13593, Morrow County Microfilm Records. By and between Columbia Improvement District and Dennis A. Repp and Charlotte C. Repp.

28. Water Deliver Contracts, including the terms and provisions thereof, recorded June 29, 1978, as Microfilm Numbers M-13594, M-13595 and M-13596, Morrow County Microfilm Records.

29. Water Delivery Contract, including the terms and provisions thereof, recorded October 9, 1978 as Microfilm No. M-14198, Morrow County Microfilm Records. By and between Columbia Improvement District and R. Land Company.

30. Easement for Pipeline, including the terms and provisions thereof, in favor of R. Land Company and Dennis A. Repp and Charlotte C. Repp, recorded October 9, 1978, as Microfilm No. M-14200, Morrow County Microfilm Records.

31. Easement for Roadway, including the terms and provisions thereof, in favor of R. Land Company and Dennis A. Repp and Charlotte C. Repp, recorded October 9, 1978, as Microfilm No. M-14201, Morrow County Microfilm Records.

32. Easement for Roadway, including the terms and provisions thereof, in favor of Lawrence D. Lindsay, Rosella Lindsay and Corrine Ann Lindsay, recorded March 16, 1979, as Microfilm No. M-15107, Morrow County Microfilm Records.

33. Easement for telephone line right of way, including the terms and provisions thereof, in



favor of Telephone Utilities of Eastern Oregon, recorded September 4, 1980, as Microfilm No. M-17693, Morrow County Microfilm Records.

34. Easement for Telephone line right of way, including the terms and provisions thereof, in favor of Telephone Utilities, Inc., recorded July 14, 1980, as Microfilm No. M-17850, Morrow County Microfilm Records.

35. Agreement, including the terms and provisions thereof, recorded March 6, 1987, M-28536, Morrow County Microfilm Records. By and between Lawrence D. Lindsay and Corrine A. Lindsay, husband and wife, and Rosella Lindsay, a single person, and Lawrence D. Lindsay and Rosella Lindsay, a Partnership dba Lindsay Ranch and Connecticut General Life Insurance Company.

36. Easement, including the terms and provisions thereof, in favor of Lawrence Lindsay, Rosella Lindsay, both individually and as partners, dba Lindsay Ranch, recorded March 17, 1987, as Microfilm No. M-28601, Morrow County Microfilm Records.

37. Assignment and Assumption Agreement, including the terms and provisions thereof, recorded February 25, 1992 as Microfilm No. M-38070, Morrow County Microfilm Records. By and between Boise Cascade Corporation and Lynn Potter and Alan Cleaver individually and as an Oregon general partnership.

38. Assignment of Water Delivery Contract, including the terms and provisions thereof, recorded February 25, 1992 as Microfilm No. M-38071, Morrow County Microfilm Records. Whereas, Lynn Potter and Alan Cleaver, individually and the Lynn Potter and Alan Cleaver Partnership convey all their right, title and interest to Boise Cascade Corporation.

39. Agreement, Assignment and Assumption Agreement, including the terms and provisions thereof, recorded March 20, 1992 as Microfilm No. M-38207, Morrow County Microfilm Records. By and between Lawrence D. Lindsay and Corrine A. Lindsay, husband and wife, and Rosella Lindsay, a single person and Lawrence D. Lindsay and Rosella Lindsay, a partnership dba Lindsay Ranch and Glenn S. Chowning and Michael W. Ayers.

40. Easements, including the terms and provisions thereof, as disclosed in Deed recorded March 20, 1992 as Microfilm No. M-38208, Morrow County Deed Records.

41. Assignment of Water Delivery Contract, including the terms and provisions thereof, recorded March 20, 1992 as Microfilm No. M-38209, Morrow County Microfilm Records. Whereas Glenn S. Chowning and Michael W. Ayers convey all of their right, title and interest to Boise Cascade Corporation.

42. Easement for Underground Utilities, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded September 10, 1996, as Microfilm No. M-48951, Morrow County Microfilm Records.

43. Oil and Gas Lease, including the terms and provisions thereof, as disclosed by Assignment recorded February 5, 2007 as Microfilm No. 2007-18669, Morrow County Microfilm Records. By and between Neil F. Ormond, as Lessor and Savant Resources, LLC, as Lessee.

By instrument recorded March 28, 2007 as Microfilm No. 2007-18994, Morrow County Microfilm Records, the overriding royalty interest of Savant Resources, LLC has been assigned



to Kurt Constenius, Paul D. Hess and Theodore L. Bezzerides and Betty L. Bezzerides, as joint tenants, as their respective interests may appear.

By instrument recorded February 23, 2009 as Microfilm No. 2009-23496, Morrow County Microfilm Records, Savant Resources, LLC, Assignor has been assigned to Delta Petroleum Corporation, as Assignee, as their respective interests may appear.

By instrument recorded March 20, 2009, as Microfilm No. 2009-23625, Morrow County Microfilm Records, Savant Resources, LLC, Assignor has been assigned to Delta Petroleum Corporation, as Assignee, as their respective interests may appear.

By instrument recorded December 3, 2010, as Microfilm No. 2010-27225, Morrow County Microfilm Records, Savant Resources, LLC, Delta Petroleum Corporation, and SR Royalty LLC, collectively Assignor, has been assigned to Husky Exploration (CRB) Inc., as Assignee, as their respective interests may appear.

44. Assignment of Water Delivery Contract, including the terms and provisions thereof, recorded November 12, 2015 as Microfilm No. 2015-37077, Morrow County Microfilm Records. Whereas, Boardman Tree Farm, LLC convey all their right, title and interest to Greg Te Velde.

45. Water Right Transfer Agreement, including the terms and provisions and all assignments thereof, recorded March 28, 2016, as Microfilm No. 2016-37887, Morrow County Microfilm Records.

Memorandum of Supplemental Agreements Regarding Water Right Transfer Agreement, including the terms and provisions and all assignments thereof, recorded April 17, 2017, as Microfilm No. 2017-40086, Morrow County Microfilm Records.

Memorandum of Supplemental Agreement Regarding Water Right Transfer Agreement, including the terms and provisions and all assignments thereof, recorded March 8, 2019, as Microfilm No. 2019-43834, Morrow County Microfilm Records.

Assignment of Water Delivery Contract, including the terms and provisions thereof, between Gregory J. te Velde, Assignor, and Canyon Farm LLC, a Delaware limited liability company, Assignee, dated February 28, 2019, recorded March 8, 2019, as Microfilm No. 2019-43835, Morrow County Microfilm Records.

Assignment of Water Delivery Contract, including the terms and provisions thereof, between Easterday Dairy, LLC, Assignor, and Canyon Farm LLC, a Delaware limited liability company, Assignee, dated August 2, 2023, recorded August 2, 2023, as Microfilm No. 2023-53414, Morrow County Microfilm Records.

46. Water Delivery Contract, including the terms and provisions thereof, recorded April 04, 2016, as Microfilm No. 2016-37919, Morrow County Microfilm Records.

Assignment of Water Delivery Contract, including the terms and provisions thereof, between Randy Sugarman, Chapter 11 Trustee in Bankruptcy of the Estate of Gregory J. te Velde, Assignor, and Canyon Farm LLC, a Delaware limited liability company, Assignee, Dated March 1, 2019, Recorded March 1, 2019 as Microfilm No. 2019-43794, Morrow County Microfilm Records.



Partial Assignment of Water Delivery Contract, including the terms and provisions thereof, between Canyon Farm LLC, a Delaware limited liability company, Assignor, and Canyon Farm II LLC, a Delaware limited liability company, Assignee, Dated March 1, 2019, Recorded March 1, 2019 as Microfilm No. 2019-43796, Morrow County Microfilm Records.

47. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded April 24, 2017, as Microfilm No. 2017-40120, Morrow County Microfilm Records.

48. Easement, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded April 24, 2017, as Microfilm No. 2017-40121, Morrow County Microfilm Records.

49. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded November 13, 2017, as Microfilm No. 2017-41310, Morrow County Microfilm Records.

50. Water Delivery Contract, including the terms and provisions thereof, Between Columbia Improvement District and Canyon Farm, LLC, Dated March 25, 2019, recorded May 23, 2019, as Microfilm No. 2019-44225, Morrow County Microfilm Records.

Partial Assignment of Water Delivery Contract, including the terms and provisions thereof, between Canyon Farm LLC, a Delaware limited liability company, Assignor, and Canyon Farm II LLC, a Delaware limited liability company, Assignee, Dated May 24, 2019, Recorded May 29, 2019 as Microfilm No. 2019-44249, Morrow County Microfilm Records.

Partial Assignment of Water Delivery Contract, including the terms and provisions thereof, between Canyon Farm LLC, a Delaware limited liability company, Assignor, and Easterday Farms Dairy, LLC, a Washington limited liability company, Assignee, Dated May 24, 2019, Recorded May 29, 2019 as Microfilm No. 2019-44250, Morrow County Microfilm Records.

51. Water Delivery Contract, including the terms and provisions thereof, Between Columbia Improvement District and Canyon Farm II, LLC, Dated March 25, 2019, recorded May 23, 2019, as Microfilm No. 2019-44226, Morrow County Microfilm Records.

52. Any matters disclosed on the Boundary Adjustment Survey dated May 23, 2019 prepared by Rogers Surveying, Inc. as Job No. # 03319.DWG and filed as no. 2019-185C, Morrow County Survey Records.

53. Easement for Right of Way for Electric and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded June 25, 2016, as Microfilm No. 2016-38603, Morrow County Microfilm Records.

54. Easement for Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded June 24, 2019, as Microfilm No. 2019-44393, Morrow County Microfilm Records.

55. Easement for Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded July 29, 2019, as Microfilm No. 2019-44669, Morrow County Microfilm Records.



56. Easement for Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded September 20, 2019, as Microfilm No. 2019-45001, Morrow County Microfilm Records.
57. Disclaimer Statement, including the terms and provisions thereof, dated July 22, 2019, recorded January 16, 2020, as Microfilm No. 2020-45809, Morrow County Microfilm Records.
58. A 40-foot Access Easement as shown on the Partition Plat 2020-2, recorded January 16, 2020, as Microfilm No. 2020-45820, Morrow County Microfilm Records.
59. Easement for Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded January 31, 2020, as Microfilm No. 2020-45910, Morrow County Microfilm Records.
60. Easement for Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded May 7, 2020, as Microfilm No. 2020-46400, Morrow County Microfilm Records.
61. Farm Agricultural Building Agreement, including the terms and provision thereof, recorded June 24, 2020, as Microfilm No. 2020-46610, Morrow County Microfilm Records.
62. Easement for Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded July 28, 2020, as Microfilm No. 2020-46890, Morrow County Microfilm Records. (3N-26 Section 27)
63. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded August 3, 2020, as Microfilm No. 2020-46947, Morrow County Microfilm Records.
64. Farm Agricultural Building Agreement, including the terms and provisions thereof, recorded January 13, 2022, as Microfilm No. 2022-50540, Morrow County Microfilm Records.
65. Assignment of Water Delivery Contract, including the terms and provisions thereof, between Easterday Dairy LLC, a Washington limited liability company, Assignor, and Canyon Farm, LLC, a Delaware limited liability company, Assignee, dated August 2, 2023, recorded August 2, 2023, as Microfilm No. 2023-53416, Morrow County Microfilm Records.

Supplemental Form D

E-RECEIVED
1/8/2025
OWRD

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

[For transfers submitted under OAR Chapter 690 Division 380]



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

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

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

1. APPLICANT INFORMATION

NAME PORT OF MORROW – ATTENTION MIFF DEVIN			PHONE (HM)
PHONE (WK) 541.945.2240	CELL	FAX	
ADDRESS PO Box 200, 2 E MARINE DRIVE			
CITY BOARDMAN	STATE OR	ZIP 97818	E-MAIL** MIFFD@PORTOFMORROW.COM

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME COLUMBIA IMPROVEMENT DISTRICT, MARK MAYNARD			PHONE (HM)
PHONE (WK) 541-481-9454	CELL	FAX 541-481-7160	
ADDRESS 501 COLUMBIA AVE. NE; PO Box 47			
CITY BOARDMAN	STATE OR	ZIP 97818	E-MAIL** CID001@CENTURYTEL.NET

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

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

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

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.	S-50951	S-37150	94871	YES <input type="checkbox"/>
2.	S-50951	S-37150	94873	YES <input type="checkbox"/>
3.	S-51650	S-37293	94874	YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

- b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA), and/or if your use is or will be for irrigation determine the same for your place of use (POU).
[You may need to consult with your district/water supplier.]

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



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

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

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

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

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

COMMENTS OR ADDITIONAL INFORMATION THE PROPOSED PLACE OF USE IS NEWLY DEVELOPED AND IS ONLY ASSOCIATED WITH PERMITTED WATER RIGHTS.

4. APPLICANT'S SIGNATURE

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

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

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



Applicant Signature

Miff Devin

Name (print)

1-8-25

Date

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

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

The district/water supplier certifies the following:

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

14591 -

- YES ☐ NO ☒ After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier. N/A Temporary Transfer
- YES ☐ NO ☒ The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE). N/A – Temporary Transfer.

Mark Maynard
Signature of District Manager /Water Supplier

Mark Maynard
Name (print), Title

01/08/2025
Date

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss
County of MULTNOMAH

I, ROBYN COOK, in my capacity as CWRE,

mailing address 650 NE HOLLADAY STREET, SUITE 900, PORTLAND, OR 97232

telephone number (503)239-8799, 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 # 94871, 94873, 94874; OR

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

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

OR

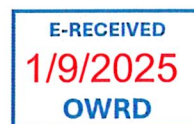
☐ Confirming Certificate # _____ has been issued within the past five years; OR

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

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

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

(continues on reverse side)



14591

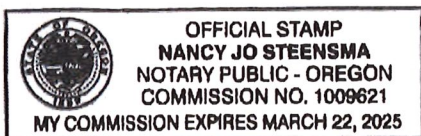
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS, UNDER TEMPORARY TRANSFERS: T-13388 & T-13389 IN 2020; T-13627 & T-13708 IN 2021; T-13977 IN 2022; T-14225 IN 2023.

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

[Signature]
Signature of Affiant

1/9/2025
Date

Signed and sworn to (or affirmed) before me this 9th day of January, 2025.



[Signature]
Notary Public for Oregon

My Commission Expires: March 22, 2025

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 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 checked="" type="checkbox"/> Temporary Transfers establishing beneficial use within the last 5 years	Copy of the Temporary Transfer or Transfer number provided above.