

T-13757

Regular

T-13757

RA

Name Pendleton Land, LLC
 c/o Alternative Equity Advisors LLC
 Address 12119 Stratford Drive, Suite B
Clive, IA 50325
dave@alternativeequityadvisors.com

Change in POA
 Date Filed 6-28-2021
 Initial notice date 7-13-2021
 DPD issued date
 PD issued date 12/5/2022
 PD notice date 12/14/2022
 Date of FO 2-10-23 Vol 127 Page 369-379

C-Date 10-1-2025
 COBU due date 10-1-2026
 COBU Received date
 Certificate issued

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A Well ; A WellTrib. of Pine Creek Basin ; Swartz Creek BasinUse IR ; ISCounty Umatilla

Quantity of water (CFS)

No. of Acres

Name of ditch

App# U-294Per # U-269Cert # 30636PR Date 3/7/1949App# U-484Per # U-452Cert # 42976PR Date 3/27/1952App# G-14728Per # G-13697Cert # 89896PR Date 4/20/1998App# G-15579Per # G-15272Cert # 95268PR Date 8/10/2001

App#

Per #

Cert #

PR Date

FEES PAID

Date	Amount	Receipt #
<u>6-28-2021</u>	<u>\$3130.00</u>	<u>135695</u>
<u>6-28-2021</u>	<u>\$125.00</u>	<u>135677</u>
<u>9-10-2021</u>	<u>\$1,770.47</u>	<u>136379</u>
<u>4-18-2022</u>	<u>\$572.59</u>	<u>137954</u>
<u>11-9-2022</u>	<u>398</u>	<u>139522</u>

FEES REFUNDED

Date	Amount	Receipt #

Assignments:

Irrigation District Hudson Bay District Improvement Co.Agent Molly Reid - mreid@geoengineers.com

CWRE

CC's list Umatilla County

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13757

Transfer Specialist: *B/S20H*

Transfer Type: Regular Transfer

Applicant: PENDLETON LAND LLC C/O ALTERNATIVE EQUITY ADVISORS 12119 STRATFORD DR SUITE B CLIVE, IA 50325 Email: <i>WAT</i> Phone:	Agent: <input type="checkbox"/> N/A MOLLY REID 8019 W QUINAULT AVE SUITE 201 KENNEWICK, WA 99336 Email: Phone:
Irrigation District: <input type="checkbox"/> N/A Hudson Bay District Improvement Co. Email:	CWRE: <input type="checkbox"/> N/A Email:
Affected Local Gov'ts: <input type="checkbox"/> N/A Umatilla County Email:	Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email:
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email:	Receiving Landowner: <input type="checkbox"/> N/A Email:

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	U-294	U-269	30636	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	9610A
<input type="checkbox"/>	U-484	U-452	42976	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	G-14728	G-13697	39896	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	96115 - and 96116
<input type="checkbox"/>	G-15579	G-15272	95268	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	96117

Key Dates & Initial Actions:

Rec'd: June 28, 2021	Proposed Action(s): POINT OF APPROPRIATION	
Fees Pd: 3130.00	WM District: 5	ODFW District:-
Initial Public Notice: July 13, 2021	WM Review sent: <i>GLG, N+E</i>	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <i>Review in progress 5-2-2022</i> <input checked="" type="checkbox"/> N/A
County sent cc: of Ack Letter <input checked="" type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	NOT SAME SOURCE 8-16-21
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

↑ .25 mi = Newspaper Notice - East Oregonian

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD <i>to deny</i>	Date: <i>1-18-22</i> Initials: <i>PS</i>	Date: <i>1/20/22</i> Initials: <i>CE</i>	Date: <i>2-14-22</i> Initials: <i>WAT</i>	Date: <i>2-18-22</i> Initials: <i>PKS</i>	Date: <i>3-1-22</i> Initials: <i>B</i>	CW Sent: <i>3-1-2022</i>	N/A
PD	Date: <i>4-8-22</i> Initials: <i>B</i>	Date: <i>7/19/22</i> Initials: <i>S20H</i>	Date: _____ Initials: _____	Date: <i>9/20/22</i> Initials: <i>PU</i>	Date: _____ Initials: _____	Date: _____	Date: <i>12-5-2022</i>
FO	Date: <i>1/23/23</i> Initials: <i>S20H</i>	Date: <i>1/25/23</i> Initials: <i>AW</i>	Date: _____ Initials: _____	Date: <i>2/3/23</i> Initials: <i>PLS</i>	Date: <i>2/8/23</i> Initials: <i>S20H</i>	Date: <i>2/8/23</i>	Date: <i>2-10-23</i>

Special Issues: *Reviewed 7-8-22 7-12-22 8-10-22 8-11-22 8-10-22* *50% water right* *Reviewed C-89896 to C-95919*

Special Order Volume: Vol. _____ Pages _____



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

February 10, 2023

PENDLETON LAND LLC
C/O ALTERNATIVE EQUITY ADVISORS
12119 STRATFORD DR SUITE B
CLIVE, IA 50325

REFERENCE: Transfer Application T-13757

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

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

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

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

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

Sincerely,

Nianila Kamis

Water Rights Services Support

Transfers and Conservation Section

cc: Greg Silbernagel, Watermaster Dist. # 23 (via email)
Umatilla County
Molly Reid, Agent
Irrigation District: Hudson Bay District Improvement Co. & Ann Reece (if in District)

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING CHANGES IN
T-13757, Umatilla County)	POINTS OF APPROPRIATION

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

PENDLETON LAND LLC
C/O ALTERNATIVE EQUITY ADVISORS, LLC
DAVID MUTH
12119 STRATFORD DR. SUITE B
CLIVE, IA 50325

Findings of Fact

1. On June 28, 2021, PENDLETON LAND LLC C/O ALTERNATIVE EQUITY ADVISORS LLC (DAVE MUTH) filed an application to change the points of appropriation under Certificates 30636, 42976, 95919, AND 95268. The Department assigned the application number T-13757.
2. Notice of the application for transfer was published on July 13, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On March 1, 2022, the Department mailed a copy of the draft Preliminary Determination proposing to deny Transfer Application T-13757 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 31, 2022, for the applicant to respond.

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

4. On March 22, 2022, the agent for the applicant requested revisions to tables 1 and 2 of the application for Certificates 30636 and 95919, and agreeing to rate reduction of 50%, based on the basalt aquifer only, along with the necessary information to demonstrate that the applicant is authorized to pursue the transfer. The applicant requested that the completion date be extended to October 1, 2025, because of the length of time it will take due to supply chain issues and well construction back log. The Department grants the longer time for completion per OAR 690-380-5140(3).
5. On August 10, 2022, the Department mailed a copy of the REVISED draft Preliminary Determination proposing to approve Transfer Application T-13757 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of September 9, 2022, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
6. On December 5, 2022, the Department issued a Preliminary Determination proposing to approve Transfer T-13757 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on December 6, 2022, and in the East Oregonian newspaper on December 10 and 17, 2022 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
7. The portion of the first right to be transferred is as follows:

Certificate: 30636 in the name of DOROTHY KELLY COCKBURN (perfected under Permit U-269)

Use: IRRIGATION OF 58.4 ACRES and SUPPLEMENTAL IRRIGATION OF 254.1 ACRES

Priority Date: MARCH 7, 1949

Rate: 1.85 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL, a tributary of PINE CREEK (WALLA WALLA RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	35	NW NW	11 CHAINS SOUTH AND ¼ CHAIN EAST FROM THE NW CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE NW	14.3
6 N	34 E	WM	26	NW NW	3.8
6 N	34 E	WM	26	SW NW	4.7
6 N	34 E	WM	26	SE NW	20.9
6 N	34 E	WM	26	NE SW	8.2
6 N	34 E	WM	26	SW SW	0.5
6 N	34 E	WM	27	SE NE	3.7
6 N	34 E	WM	35	NW NW	2.3
TOTAL					58.4

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE NW	18.9
6 N	34 E	WM	26	NW NW	35.8
6 N	34 E	WM	26	SW NW	24.5
6 N	34 E	WM	26	SE NW	12.0
6 N	34 E	WM	26	NE SW	7.0
6 N	34 E	WM	26	NW SW	36.8
6 N	34 E	WM	26	SW SW	36.5
6 N	34 E	WM	27	NE NE	35.8
6 N	34 E	WM	27	SE NE	34.7
6 N	34 E	WM	35	NW NW	12.1
TOTAL					254.1

8. Transfer Application T-13757 proposes to move the authorized point of appropriation approximately 141.9 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	35	NW NW	WILLIAMS WELL #1 REPLACEMENT (WWR1 WELL) - 715 FEET SOUTH AND 161 FEET EAST FROM THE NW CORNER OF SECTION 35

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

Certificate: 42976 in the name of EUGENE M. KEY (perfected under Permit U-452)

Use: IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 80.0 ACRES

Priority Date: MARCH 27, 1952

Rate: 1.0 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands shall be limited to a diversion of ONE-EIGHTIETH 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 3 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL No. 1, a tributary of PINE CREEK (Walla Walla River)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q
6 N	34 E	WM	21	SE SW

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	21	NE SW	16.2
6 N	34 E	WM	21	SE SW	2.1
TOTAL					18.3

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	21	NE SW	23.8
6 N	34 E	WM	21	SE SW	37.9
TOTAL					61.7

10. Transfer Application T-13757 proposes to move the authorized point of appropriation approximately 918.4 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	21	SW SE	REPLACEMENT WELL U-452 – 107 FEET NORTH AND 282 FEET EAST FROM THE S¼ CORNER OF SECTION 21

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

Certificate: 95919 in the name of T.O. WILLIAMS AND ASSOCIATES C/O RAY WILLIAMS AND JOHN C. AND LINDA K. VANDREE (perfected under Permit G-13697)

Use: IRRIGATION of 195.6 ACRES, SUPPLEMENTAL IRRIGATION FROM BOTH AQUIFERS OF 33.0 ACRES, SUPPLEMENTAL IRRIGATION from the BASALT AQUIFER OF 91.8 ACRES, and SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE OF 317.6 ACRES FROM BASALT AQUIFER

Priority Date: APRIL 20, 1998

Rate/Duty: 8.975 CUBIC FEET PER SECOND (CFS) measured at the wells as follows: 2.27 CFS FOR IRRIGATION, 0.412 CFS FOR SUPPLEMENTAL IRRIGATION FROM EITHER AQUIFER, 1.15 CFS SUPPLEMENTAL IRRIGATION FROM THE BASALT AQUIFER, AND 0.248 CFS FOR SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE FROM THE BASALT AQUIFER. (FOR DEFICIENT RATE FROM THE BASALT AQUIFER DEFICIENCY SEE CERTIFICATES 30636 AND 30638) *FURTHER LIMITED TO A MAXIMUM RATE OF 3.4025 CFS FROM BASALT WELLS: WILLIAMS WELLS 1, 3, AND 4*

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: THREE WELLS in the SWARTZ SPRING CANYON AND PINE CREEK BASINS

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	27	SE SE	WILLIAMS WELL 3 (UMAT 53567) – BASALT 970 FEET NORTH AND 5 FEET EAST FROM THE SW CORNER OF SECTION 26
6 N	34 E	WM	35	NW NW	WILLIAMS WELL 1 (UMAT 4178) – BASALT 670 FEET SOUTH AND 35 FEET EAST FROM THE NW CORNER OF SECTION 35
6 N	34 E	WM	35	SE NW	WILLIAMS WELL 4 (UMAT 4177) – BASALT 1290 FEET SOUTH AND 1710 FEET EAST FROM THE NW CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	22	NE NE	24.9
6 N	34 E	WM	22	NW NE	15.0
6 N	34 E	WM	22	SW NE	15.9
6 N	34 E	WM	22	SE NE	16.8
6 N	34 E	WM	22	NE SE	20.7
6 N	34 E	WM	22	NW SE	9.1
6 N	34 E	WM	23	NE NW	13.4
6 N	34 E	WM	23	NW NW	15.5
6 N	34 E	WM	23	SW NW	36.7
6 N	34 E	WM	23	NW SW	5.6
6 N	34 E	WM	26	NE NW	1.6
6 N	34 E	WM	26	SW NW	4.8
6 N	34 E	WM	26	SE NW	2.2
6 N	34 E	WM	26	NE SW	7.4
6 N	34 E	WM	26	NW SW	4.5
6 N	34 E	WM	26	SW SW	1.0
6 N	34 E	WM	35	NW NW	0.5
TOTAL					195.6

SUPPLEMENTAL IRRIGATION FROM EITHER AQUIFER					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	22	NW NE	23.0
6 N	34 E	WM	22	SW NE	10.0
TOTAL					33.0

SUPPLEMENTAL IRRIGATION FROM BASALT AQUIFER					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	23	NW NW	1.6
6 N	34 E	WM	23	SW SW	37.3
6 N	34 E	WM	23	SE SW	38.4
6 N	34 E	WM	26	NE NW	8.0

SUPPLEMENTAL IRRIGATION FROM BASALT AQUIFER					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE SW	3.5
6 N	34 E	WM	26	NW SW	0.4
6 N	34 E	WM	27	NE NE	2.2
6 N	34 E	WM	27	SE NE	0.4
TOTAL					91.8

SUPPLEMENTAL IRRIGATION FOR A DEFICIENCY FROM BASALT AQUIFER					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE NW	33.2
6 N	34 E	WM	26	NW NW	39.6
6 N	34 E	WM	26	SW NW	29.2
6 N	34 E	WM	26	SE NW	32.9
6 N	34 E	WM	26	NE SW	15.2
6 N	34 E	WM	26	NW SW	36.8
6 N	34 E	WM	26	SW SW	37.1
6 N	34 E	WM	27	NE NE	35.8
6 N	34 E	WM	27	SE NE	38.4
6 N	34 E	WM	35	NW NW	19.4
TOTAL					317.6

12. Transfer Application T-13757 proposes to move the point of appropriation of Williams Well 1 approximately 150.3 feet as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	35	NW NW	WILLIAMS WELL 1 REPLACEMENT (WW1R) BASALT – 715 FEET SOUTH AND 161 FET EAST FROM THE NW CORNER OF SECTION 35

13. The fourth water right to be transferred is as follows:

Certificate: 95268 in the name of PENDLETON LAND LLC (perfected under Permit G-15272)

Use: PRIMARY IRRIGATION OF 4.6 ACRES AND SUPPLEMENTAL IRRIGATION OF 1197.8 ACRES

Priority Date: AUGUST 10, 2001

Rate: 10.98 CUBIC FEET PER SECOND (CFS), BEING NO MORE THAN 3.79 CFS FROM WELL 1, 2.10 CFS FROM WELL 4, 3.75 CFS FROM WELL 8, AND 1.34 CFS FROM WELL U 452

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-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: FOUR WELLS IN PINE CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	21	SE NW	WELL 4 - 85 FEET NORTH AND 40 FEET WEST FROM THE C1/4 CORNER OF SECTION 21
6 N	34 E	WM	21	SW NW	WELL 8 - 125 FEET NORTH AND 90 FEET EAST FROM THE W1/4 CORNER OF SECTION 21
6 N	34 E	WM	21	SE SW	WELL U-452 - 690 FEET NORTH AND 420 FEET WEST FROM THE S1/4 CORNER OF SECTION 21
6 N	34 E	WM	28	SW NE	WELL 1 - 2130 FEET SOUTH AND 2930 FEET EAST FROM THE NW CORNER OF SECTION 28

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	28	SW NE	4.6

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	20	SW NW	0.2
6 N	34 E	WM	20	SE NW	0.2
6 N	34 E	WM	20	NE SW	25.2
6 N	34 E	WM	20	NW SW	35.5
6 N	34 E	WM	20	SW SW	39.1
6 N	34 E	WM	20	SE SW	35.1
6 N	34 E	WM	20	NW SE	5.1
6 N	34 E	WM	20	SW SE	36.0
6 N	34 E	WM	20	SE SE	15.8
6 N	34 E	WM	21	NE SW	40.0
6 N	34 E	WM	21	NW SW	40.0
6 N	34 E	WM	21	SW SW	37.4
6 N	34 E	WM	21	SE SW	38.2
6 N	34 E	WM	21	NW SE	1.4
6 N	34 E	WM	21	SW SE	4.9
6 N	34 E	WM	28	NW NE	6.9
6 N	34 E	WM	28	SW NE	4.3
6 N	34 E	WM	28	NE NW	39.0
6 N	34 E	WM	28	NW NW	36.1
6 N	34 E	WM	28	SW NW	39.8
6 N	34 E	WM	28	SE NW	37.3
6 N	34 E	WM	28	NE SW	41.1
6 N	34 E	WM	28	NW SW	26.9
6 N	34 E	WM	28	SW SW	27.9
6 N	34 E	WM	28	SE SW	31.7
6 N	34 E	WM	28	NW SE	10.2
6 N	34 E	WM	28	SW SE	10.9
6 N	34 E	WM	29	NE NE	29.2

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	29	NW NE	39.1
6 N	34 E	WM	29	SW NE	38.9
6 N	34 E	WM	29	SE NE	34.2
6 N	34 E	WM	29	NE NW	39.1
6 N	34 E	WM	29	SW NW	14.0
6 N	34 E	WM	29	SE NW	38.8
6 N	34 E	WM	29	NE SW	40.7
6 N	34 E	WM	29	NW SW	40.0
6 N	34 E	WM	29	SW SW	39.1
6 N	34 E	WM	29	SE SW	39.3
6 N	34 E	WM	29	NE SE	31.9
6 N	34 E	WM	29	NW SE	41.3
6 N	34 E	WM	29	SW SE	33.5
6 N	34 E	WM	29	SE SE	32.5
TOTAL					1197.8

14. Transfer Application T-13757 proposes to move the authorized points of appropriation of Well 4 and U-452 to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized Points of Appropriation in Miles (mi.), except where noted, in Feet (ft.)			
6 N	34 E	WM	21	SW NE	REPLACEMENT WELL 4 (R-4) - 147 FEET NORTH AND 179 FEET WEST FROM THE C1/4 CORNER OF SECTION 21	WELL 4	WELL 8	WELL U-452	WELL 1
						214.3 ft.	0.54 mi.	0.43 mi.	0.96 mi.
6 N	34 E	WM	21	SW NE	REPLACEMENT WELL U-452 (R-U-452) - 107 FEET NORTH AND 282 FEET EAST FROM THE SOUTH ¼ CORNER OF SECTION 21	0.52 mi.	0.77 mi.	0.18 mi.	0.42 mi.

15. On January 5, 2022, the Department determined the proposed points of appropriation (POA) under Certificates 30636 and 95919 will not develop the same aquifers (sources) as the existing authorized POA UMAT 4178, Williams Well 1.

UMAT 4178 commingles multiple aquifers, while the other wells in this transfer have a single aquifer completion. The well log for UMAT 4178 reports casing to 60 feet and the presence of a seal is unknown. Top of basalt is reported at 75 feet and basalt extends to the bottom of the well. The amended application proposes a replacement well for UMAT 4178 that is continuously cased and continuously sealed into a single basalt aquifer. A portion of UMAT 4178 accesses the same aquifer.

Basalt wells produce from one or more water-bearing zones in the Columbia River Basalt Group (CRBG), a series of lava flows with a composite thickness greater than 10,000 feet in the Columbia Plateau. Each flow is characterized by a series of internal features, which generally include a thin rubble zone at the contact between flows and a thick, dense, low porosity and low permeability interior zone. In some cases, sedimentary layers were deposited during the time between basalt flow emplacements. A flow top, sedimentary interbed (if present) and flow bottom are collectively referred to as an interflow zone. Unconfined groundwater occurs near the weathered top of the basalts, but most water occurs in interflow zones under confining conditions at the contacts between lava flows. CRBG flow features result in a series of stacked, thin aquifers that are confined by dense flow interiors. The low permeability of the basalt flow interiors usually results in little connection between stacked aquifers, which results in tabular aquifers with unique water level heads (Reidel et al., 2002).

Constructing a well that is open to multiple water-bearing zones with distinct water level heads commingles multiple aquifers. When the pump is off, water migrates through the well bore from an aquifer of higher pressure to an aquifer of lower pressure. Over time, this can depressurize the aquifer and exacerbates water level decline. Well construction conditions are specified to protect the resource and other existing users.

The water level at UMAT 4178 increases on the order of 50 feet in elevation when there is water in Pine Creek, which is located within 20 feet of this well. Other nearby basalt wells show a total seasonal range of 20 feet between annual highs and low (see UMAT 4179, UMAT 58119, UMAT 4167, UMAT 5529). The large increase in water level elevation at UMAT 4178 and the presence of gravel below the bottom of the casing indicates there is an efficient connection between this well and both a sedimentary and basalt aquifer.

16. Because UMAT 4178 develops at least two aquifers, it will need to be abandoned and replaced by a basalt well that meets current well construction standards. 50% of the water right and annual volume associated with UMAT 4178 is transferrable to the new basalt point of appropriation.

Transfer Review Criteria (OAR 690-380-4010)

17. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
18. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12425.
19. The proposed change would not result in enlargement of the rights.
20. The proposed change would not result in injury to other water rights.

21. All other application requirements are met.

Conclusions of Law

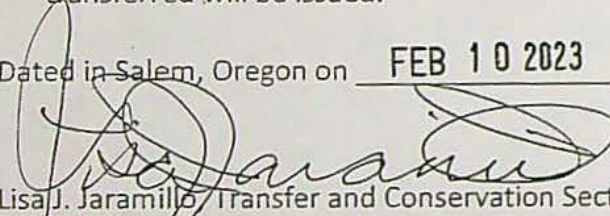
The changes in points of appropriation proposed in Transfer Application T-13757 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

- 1) The changes in points of appropriation proposed in Transfer Application T-13757 are approved.
- 2) The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 30636, 42976, 95919, 95268, and any related decree.
- 3) Water right Certificates 30636, 42976, 95919, and 95268 are cancelled. New certificates will be issued describing those portions of the rights, Certificates 30636 and 95919, not affected by this transfer.
- 4) Under Certificate 30636, the quantity of water diverted at the new point of appropriation (WWR1), shall not exceed 50% of the quantity of water lawfully available at the original point of appropriation (WW1).
- 5) Under Certificate 42976, the quantity of water diverted at the new point of appropriation (Well R-U-452), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well U-452).
- 6) Under Certificate 95919, the quantity of water diverted at the new point of appropriation (WW1R), shall not exceed 50% of the quantity of water lawfully available at the original point of appropriation (WW1).
- 7) Under Certificate 95268, the quantity of water diverted at the new points of appropriation (R-4 and R-U-452), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 4 and Well U-452).
- 8) A basalt well drilled to replace UMAT 4178 shall be open to a single aquifer in the Columbia River Basalt Group and shall meet applicable well construction standards, (OAR 690-200 and OAR 690-210). The open interval may be approved by the Department if the applicant can demonstrate to the satisfaction of the Department that each well is only open to a single aquifer. Following well completion, the well shall be thoroughly developed to remove cuttings and drilling fluids. Substantial evidence of a single aquifer completion may be collected by video log, downhole flowmeter, water chemistry and temperature, or other downhole geophysical methods approved by the Department. These methods shall characterize the basalt rock and assess whether water is moving in the borehole. Any discernable movement of water within the well bore when the well is not being pumped shall be assumed as evidence of the presence of multiple aquifers in the open interval.

- 9) Drill cuttings shall be collected at 10-foot intervals and at changes in formation in the well and a split of each sampled interval shall be provided to the Department.
- 10) The water user shall only obtain water from the basalt source.
- 11) 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 (new and existing).
 - 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.
- 12) Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
- 13) Under the right described by Certificate 95919, water shall be acquired only from the basalt aquifer.
- 14) Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
- 15) After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on FEB 10 2023


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

Mailing date: FEB 13 2023

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DOROTHY KELLY COCKBURN
RT 2 BOX 109
MILTON-FREEWATER, OR

confirms the right to use the waters of a WELL, a tributary of PINE CREEK (WALLA WALLA RIVER) for IRRIGATION of 7.4 ACRES.

This right was perfected under Permit U-269. The date of priority is MARCH 7, 1949. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.09 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	35	NW NW	11 CHAINS SOUTH AND 1/4 CHAIN EAST FROM THE NW CORNER OF SECTION 35

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

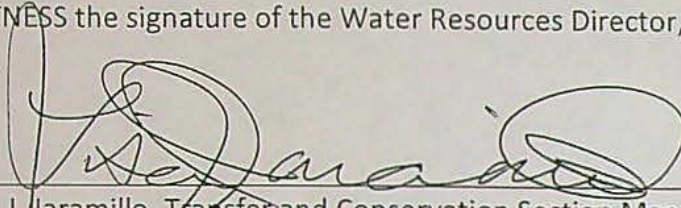
IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE NW	7.4

This certificate describes that portion of water right Certificate 30636, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered **FEB 10 2023**, approving Transfer Application T-13757.

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

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

WITNESS the signature of the Water Resources Director, affixed **FEB 10 2023**.

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

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

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

T.O. WILLIAMS & ASSOCIATES
C/O RAY WILLIAMS
49654 UMAPINE RD.
MILTON FREEWATER, OR 97862

JOHN C. AND LINDA K. VANDREE,
TRUSTEES of the REVOCABLE TRUST OF JOHN C. VANDREE & LINDA K. VANDREE
812 GRAND AVENUE
EVERETT, WA 98201

confirms the right to use the waters of NINE WELLS in the SWARTZ CREEK CANYON AND PINE CREEK BASINS for IRRIGATION of 42.8 ACRES, SUPPLEMENTAL IRRIGATION FROM THE ALLUVIAL AQUIFER OF 494.4 ACRES, SUPPLEMENTAL IRRIGATION TO MAKE UP DEFICIENCY IN RATE OF 115.4 ACRES FROM BASALT AQUIFER, and SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE OF 6.4 ACRES FROM THE ALLUVIAL AQUIFER.

This right was perfected under Permit G-13697. The date of priority is APRIL 20, 1998. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 5.488 CUBIC FEET PER SECOND (CFS) measured at the wells as follows: 0.50 CFS FOR IRRIGATION, 4.892 CFS FOR SUPPLEMENTAL IRRIGATION FROM THE ALLUVIAL AQUIFER, 0.09 CFS FOR SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE FROM THE BASALT AQUIFER, AND 0.006 CFS FOR SUPPLEMENTAL IRRIGATION TO MAKE UP DEFICIENCY IN RATE FROM ALLUVIAL AQUIFER. (FOR DEFICIENT RATE FROM THE BASALT AQUIFER DEFICIENCY SEE CERTIFICATES 30636 AND 36038; FOR DEFICIENT RATE FROM THE ALLUVIAL AQUIFER SEE CERTIFICATES 36131 AND 36132 AND PERMIT G-12940) *FURTHER LIMITED TO A MAXIMUM RATE OF 4.67 CFS FROM BASALT WELLS: WILLIAMS WELLS 1, 3, & 4; AND 4.892 FROM ALLUVIAL WELLS: MARCH WELLS 1, 2, & 3, KEY BROTHERS WELLS 1 & 2, AND FROM WILLIAMS WELL 7.*

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	22	NE NE	MARCH WELL 3 (UMAT 5378) - ALLUVIAL 60 FEET SOUTH AND 10 FEET WEST FROM THE NE CORNER OF SECTION 22
6 N	34 E	WM	23	NE NW	MARCH WELL 1 (UMATE 4113) - ALLUVIAL 650 FEET SOUTH AND 90 FEET WEST FROM THE N1/4 CORNER OF SECTION 23

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	23	SW NW	MARCH WELL 2 (UMAT 5357) – ALLUVIAL 10 FEET NORTH AND 350 FEET EAST FROM THE W1/4 CORNER OF SECTION 23
6 N	34 E	WM	23	SW SW	KEY BROS WELL 1 (UMAT 4121) – ALLUVIAL 260 FEET NORTH AND 1230 FEET EAST FROM THE SW CORNER OF SECTION 23
6 N	34 E	WM	23	SW SW	WILLIAMS WELL 7 (UMAT 52037) – ALLUVIAL 1230 FEET NORTH AND 90 FEET EAST FROM THE SW CORNER OF SECTION 23
6 N	34 E	WM	23	SE SW	KEY BROS WELL 2 (UMATE 4122) – ALLUVIAL 30 FEET NORTH AND 1620 FEET EAST FROM THE SW CORNER OF SECTION 23
6 N	34 E	WM	27	SE SE	WILLIAMS WELL 3 (UMAT 53567) – BASALT 970 FEET NORTH AND 5 FEET EAST FROM THE SW CORNER OF SECTION 26
6 N	34 E	WM	35	NW NW	WILLIAMS WELL 1 (UMAT 4178) – BASALT 670 FEET SOUTH AND 35 FEET EAST FROM THE NW CORNER OF SECTION 35
6 N	34 E	WM	35	SE NW	WILLIAMS WELL 4 (UMAT 4177) – BASALT 1290 FEET SOUTH AND 1710 FEET EAST FROM THE NW CORNER OF SECTION 35

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

BASALT WELLS = Williams 1, 3, and 4

ALLUVIAL WELLS = Williams 7, March 1, 2, and 3; and Key Brothers 1 and 2

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

IRRIGATION					
Twtp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	SE SW	11.8
6 N	34 E	WM	26	SW SE	27.5
6 N	34 E	WM	35	NW NE	3.5
TOTAL					42.8

SUPPLEMENTAL IRRIGATION FROM ALLUVIAL AQUIFER					
Twtp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE NW	34.8
6 N	34 E	WM	26	NW NW	39.6
6 N	34 E	WM	26	SW NW	29.2
6 N	34 E	WM	26	SE NW	32.9
6 N	34 E	WM	26	NE SW	18.7
6 N	34 E	WM	26	NW SW	37.2
6 N	34 E	WM	26	SW SW	37.1
6 N	34 E	WM	26	SE SW	25.2

SUPPLEMENTAL IRRIGATION FROM ALLUVIAL AQUIFER					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	SW SE	12.5
6 N	34 E	WM	27	NE NE	38.0
6 N	34 E	WM	27	SE NE	38.8
6 N	34 E	WM	27	NE SE	36.7
6 N	34 E	WM	27	SE SE	16.6
6 N	34 E	WM	35	NW NE	37.1
6 N	34 E	WM	35	NE NW	40.6
6 N	34 E	WM	35	NW NW	19.4
TOTAL					494.4

SUPPLEMENTAL IRRIGATION FOR A DEFICIENCY FROM BASALT AQUIFER					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	SE SW	25.2
6 N	34 E	WM	26	SW SE	12.5
6 N	34 E	WM	35	NW NE	37.1
6 N	34 E	WM	35	NE NW	40.6
TOTAL					115.4

SUPPLEMENTAL IRRIGATION FOR A DEFICIENCY FROM ALLUVIAL AQUIFER					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE NW	6.4

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

The Water Resources Department has determined the reference levels based on the March 2007 static

water levels in the basalt Williams Wells 1, 3, and 4 and non-basalt March Wells 1 and 2, and Williams Well 7. The table below identifies the reference level below ground surface for each of these six wells.

Static Water Level Reference Levels	
WELL	Below Land Surface
Williams Well 1	60
Williams Well 3	73
Williams Well 4	45
March Well 1	25
March Well 2	45
Williams Well 7	14

For Williams Wells 3 and 4, ground water for use under this permit shall be produced from the basalt aquifers only.

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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

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

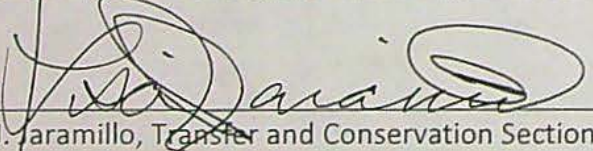
The use of water shall be limited when it interferes with any prior surface or ground water rights.

This certificate describes that portion of water right Certificate , State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 10 2023 , approving Transfer Application T-13757.

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

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

WITNESS the signature of the Water Resources Director, affixed FEB 10 2023.



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

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **139522**

INVOICE # _____

RECEIVED FROM: Corbondale Operations, LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>1-13757</u>

CASH: ☐ CHECK: # 22666 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 378.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES <u>4618</u>	\$
<u>0207</u> OTHER: (IDENTIFY) <u>Newspaper Notice</u>	\$ <u>378.00</u>
0243 I/S Lease _____	
0244 Muni Water Mgmt. Plan _____	
0245 Cons. Water _____	

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **139522** DATED: 11-9-2022 BY: Mindy Cantor

Received by OWRD

IN THE CIRCUIT COURT OF
THE STATE OF OREGON
FOR UMATILLA/MORROW COUNTY

DEC 30 2022

Salem, OR

}AFFIDAVIT OF PUBLICATION
STATE OF OREGON
County of Umatilla/Morrow} ss

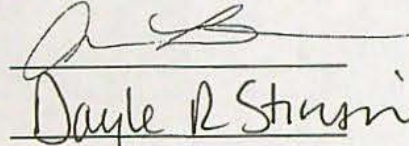
I, Audra Workman being duly sworn, depose and say that I am principal clerk of the publisher of the East Oregonian, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; that the

EO-12310 NOTICE OF PRELIMINARY DETERMINATION FOR WATER RIGHT TRANSFER T-13757 T-13757 FILED BY
PENDLETON LAND LLC C O ALTERNATIVE EQUITY ADVISORS LLC DAVE MUTH 12119 STRATFORD DRIVE SUITE B
CLIVE IOW

a printed copy of which is hereto annexed; was published in the entire issue of said newspaper
for 2 successive and consecutive issues in the following issues:

12/10/22, 12/17/22

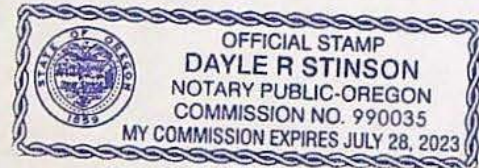
Subscribed and sworn to before me on this 17th day of December, A.D. 2022


Dayle R Stinson
Notary Public of Oregon

Add: 331079

PO:

Tagline: EO-12310 T-13757



**EO-12310
Notice of Preliminary
Determination for
Water Right Transfer T-13757**

T-13757 filed by Pendleton Land LLC, c/o Alternative Equity Advisors, LLC, (Dave Muth), 12119 Stratford Drive, Suite B, Clive, Iowa 50325, proposes a change in points of appropriation under Certificates 30636, 42976, 89896, and 95268. Certificate 30636 allows the use of 3.7 cubic feet per second (cfs) from a well in Sec. 35, T6N, R34E, WM for irrigation and supplemental irrigation in Sects. 26, 27, and 35, T6N, R34E, WM. The applicant proposes to move the point of appropriation within Sec. 35, T6N, R34E, WM. Certificate 42976 allows the use of 1.0 cfs from a well in Sec. 21, T6N, R34E, WM for irrigation and supplemental irrigation in Sec. 21, T6N, R34E, WM. The applicant proposes to move the point of appropriation within Sec. 21, T6N, R34E, WM. Certificate 89896 allows the use of 4.08 cfs from nine wells in Sects. 22, 23, 27, and 35, T6N, R34E, WM for irrigation and supplemental irrigation in Sects. 22, 23, 26, 27, and 35, T6N, R34E, WM. The applicant proposes to move the points of appropriation to within Sec. 35, T6N, R34E, WM. Certificate 95268 allows the use of 10.98 cfs from four wells in Sects. 21 and 28, T6N, R34E, WM for irrigation and supplemental irrigation in Sects. 20, 21, 28, and 29, T6N, R34E, WM. The applicant proposes to move the points of appropriation to within Sec. 21, T6N, R34E, WM. The Water Resources Department proposes to deny the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 12/17/2022. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Publish December 10, 17, 2022

GREW Scott A * WRD

From: PHILLIPS Stacy H * WRD
Sent: Wednesday, December 14, 2022 3:31 PM
To: GREW Scott A * WRD
Subject: RE: T-13757 Pendleton Land LLC

Hey Scott,

Date of publication for this notice are 12/10 and 12/17/2022.

Thanks,

Stacy H. Phillips

Restoration Program Technician
725 Summer Street NE, Suite A, Salem, OR 97301
Office: 503-986-0898 | Work Cell: 503-979-9948



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Sent: Wednesday, December 14, 2022 3:27 PM
To: PHILLIPS Stacy H * WRD <Stacy.H.PHILLIPS@water.oregon.gov>
Cc: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: T-13757 Pendleton Land LLC

Stacy!

I was recently assigned to take over T-13757 and understand that it has gone out for PD and a newspaper notice.

So I am waiting for a newspaper affidavit and was wondering if you had the dates associated with this?

Thank you so much!

Scott

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890



Oregon
Kate Brown, Governor

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

December 5, 2022

VIA CERTIFIED MAIL AND E-MAIL

PENDLETON LAND LLC
C/O ALTERNATIVE EQUITY ADVISORS LLC
DAVID MUTH
12119 STRATFORD DR. SUITE B
CLIVE, IA 50325

SUBJECT: Water Right Transfer Application T-13757

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13757. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

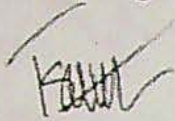
A public notice is being published in the Department's weekly publication and in the East Oregonian newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in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

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

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

Please do not hesitate to contact me at tamera.l.smith@water.oregon.gov if I may be of assistance.

Kindest regards,



Transfer Caseworker
Transfer and Conservation Section

cc: Transfer application file T-13757
Greg Silbernagel, District 23 Watermaster (*via e-mail*)
Molly Reid, Agent for the applicant (*via e-mail*)

encs

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-13757, Umatilla County)	PROPOSING APPROVAL OF CHANGES IN
)	POINTS OF APPROPRIATION

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

PENDLETON LAND LLC
C/O ALTERNATIVE EQUITY ADVISORS LLC
DAVID MUTH
12119 STRATFORD DR. SUITE B
CLIVE, IA 50325

Findings of Fact

1. On June 28, 2021, PENDLETON LAND LLC C/O ALTERNATIVE EQUITY ADVISORS LLC (DAVE MUTH) filed an application to change the points of appropriation under Certificates 30636, 42976, 95919, AND 95268. The Department assigned the application number T-13757.
2. Notice of the application for transfer was published on July 13, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On March 1, 2022, the Department mailed a copy of the draft Preliminary Determination proposing to deny Transfer Application T-13757 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 31, 2022, for the applicant to respond.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.
--

4. On March 22, 2022, the agent for the applicant requested revisions to tables 1 and 2 of the application for Certificates 30636 and 95919, and agreeing to rate reduction of 50%, based on the basalt aquifer only, along with the necessary information to demonstrate that the applicant is authorized to pursue the transfer. The applicant requested that the completion date be extended to October 1, 2025, because of the length of time it will take due to supply chain issues and well construction back log. The Department grants the longer time for completion per OAR 690-380-5140(3).
5. On August 10, 2022, the Department mailed a copy of the REVISED draft Preliminary Determination proposing to approve Transfer Application T-13757 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of September 9, 2022, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
6. The portion of the first right to be transferred is as follows:

Certificate: 30636 in the name of DOROTHY KELLY COCKBURN (perfected under Permit U-269)

Use: IRRIGATION OF 58.4 ACRES and SUPPLEMENTAL IRRIGATION OF 254.1 ACRES

Priority Date: MARCH 7, 1949

Rate: 1.85 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL, a tributary of PINE CREEK (WALLA WALLA RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	35	NW NW	11 CHAINS SOUTH AND ¼ CHAIN EAST FROM THE NW CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE NW	14.3
6 N	34 E	WM	26	NW NW	3.8
6 N	34 E	WM	26	SW NW	4.7
6 N	34 E	WM	26	SE NW	20.9

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE SW	8.2
6 N	34 E	WM	26	SW SW	0.5
6 N	34 E	WM	27	SE NE	3.7
6 N	34 E	WM	35	NW NW	2.3
TOTAL					58.4

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE NW	18.9
6 N	34 E	WM	26	NW NW	35.8
6 N	34 E	WM	26	SW NW	24.5
6 N	34 E	WM	26	SE NW	12.0
6 N	34 E	WM	26	NE SW	7.0
6 N	34 E	WM	26	NW SW	36.8
6 N	34 E	WM	26	SW SW	36.5
6 N	34 E	WM	27	NE NE	35.8
6 N	34 E	WM	27	SE NE	34.7
6 N	34 E	WM	35	NW NW	12.1
TOTAL					254.1

7. Transfer Application T-13757 proposes to move the authorized point of appropriation approximately 141.9 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	35	NW NW	WILLIAMS WELL #1 REPLACEMENT (WWR1 WELL) – 715 FEET SOUTH AND 161 FEET EAST FROM THE NW CORNER OF SECTION 35

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

Certificate: 42976 in the name of EUGENE M. KEY (perfected under Permit U-452)

Use: IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 80.0 ACRES

Priority Date: MARCH 27, 1952

Rate: 1.0 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands shall be limited to a diversion of ONE-EIGHTIETH 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 3 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL No. 1, a tributary of PINE CREEK (Walla Walla River)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q
6 N	34 E	WM	21	SE SW

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	21	NE SW	16.2
6 N	34 E	WM	21	SE SW	2.1
TOTAL					18.3

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	21	NE SW	23.8
6 N	34 E	WM	21	SE SW	37.9
TOTAL					61.7

9. Transfer Application T-13757 proposes to move the authorized point of appropriation approximately 918.4 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	21	SW SE	REPLACEMENT WELL U-452 – 107 FEET NORTH AND 282 FEET EAST FROM THE $\frac{3}{4}$ CORNER OF SECTION 21

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

Certificate: 95919 in the name of T.O. WILLIAMS AND ASSOCIATES C/O RAY WILLIAMS AND JOHN C. AND LINDA K. VANDREE (perfected under Permit G-13697)

Use: IRRIGATION of 195.6 ACRES, SUPPLEMENTAL IRRIGATION FROM BOTH AQUIFERS OF 33.0 ACRES, SUPPLEMENTAL IRRIGATION from the BASALT AQUIFER OF 91.8 ACRES, and SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE OF 317.6 ACRES FROM BASALT AQUIFER

Priority Date: APRIL 20, 1998

Rate/Duty: 8.975 CUBIC FEET PER SECOND (CFS) measured at the wells as follows: 2.27 CFS FOR IRRIGATION, 0.412 CFS FOR SUPPLEMENTAL IRRIGATION FROM EITHER AQUIFER, 1.15 CFS SUPPLEMENTAL IRRIGATION FROM THE BASALT AQUIFER, AND 0.248 CFS FOR SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE FROM THE BASALT AQUIFER. (FOR DEFICIENT RATE FROM THE BASALT AQUIFER DEFICIENCY SEE CERTIFICATES 30636 AND 30638) *FURTHER LIMITED TO A MAXIMUM RATE OF 3.4025 CFS FROM BASALT WELLS: WILLIAMS WELLS 1, 3, AND 4*

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: THREE WELLS in the SWARTZ SPRING CANYON AND PINE CREEK BASINS

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	27	SE SE	WILLIAMS WELL 3 (UMAT 53567) – BASALT 970 FEET NORTH AND 5 FEET EAST FROM THE SW CORNER OF SECTION 26
6 N	34 E	WM	35	NW NW	WILLIAMS WELL 1 (UMAT 4178) – BASALT 670 FEET SOUTH AND 35 FEET EAST FROM THE NW CORNER OF SECTION 35

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	35	SE NW	WILLIAMS WELL 4 (UMAT 4177) – BASALT 1290 FEET SOUTH AND 1710 FEET EAST FROM THE NW CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	22	NE NE	24.9
6 N	34 E	WM	22	NW NE	15.0
6 N	34 E	WM	22	SW NE	15.9
6 N	34 E	WM	22	SE NE	16.8
6 N	34 E	WM	22	NE SE	20.7
6 N	34 E	WM	22	NW SE	9.1
6 N	34 E	WM	23	NE NW	13.4
6 N	34 E	WM	23	NW NW	15.5
6 N	34 E	WM	23	SW NW	36.7
6 N	34 E	WM	23	NW SW	5.6
6 N	34 E	WM	26	NE NW	1.6
6 N	34 E	WM	26	SW NW	4.8
6 N	34 E	WM	26	SE NW	2.2
6 N	34 E	WM	26	NE SW	7.4
6 N	34 E	WM	26	NW SW	4.5
6 N	34 E	WM	26	SW SW	1.0
6 N	34 E	WM	35	NW NW	0.5
TOTAL					195.6

SUPPLEMENTAL IRRIGATION FROM EITHER AQUIFER					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	22	NW NE	23.0
6 N	34 E	WM	22	SW NE	10.0
TOTAL					33.0

SUPPLEMENTAL IRRIGATION FROM BASALT AQUIFER					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	23	NW NW	1.6
6 N	34 E	WM	23	SW SW	37.3
6 N	34 E	WM	23	SE SW	38.4
6 N	34 E	WM	26	NE NW	8.0
6 N	34 E	WM	26	NE SW	3.5
6 N	34 E	WM	26	NW SW	0.4
6 N	34 E	WM	27	NE NE	2.2
6 N	34 E	WM	27	SE NE	0.4
TOTAL					91.8

SUPPLEMENTAL IRRIGATION FOR A DEFICIENCY FROM BASALT AQUIFER					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE NW	33.2
6 N	34 E	WM	26	NW NW	39.6
6 N	34 E	WM	26	SW NW	29.2
6 N	34 E	WM	26	SE NW	32.9
6 N	34 E	WM	26	NE SW	15.2
6 N	34 E	WM	26	NW SW	36.8
6 N	34 E	WM	26	SW SW	37.1
6 N	34 E	WM	27	NE NE	35.8
6 N	34 E	WM	27	SE NE	38.4
6 N	34 E	WM	35	NW NW	19.4
TOTAL					317.6

11. Transfer Application T-13757 proposes to move the point of appropriation of Williams Well 1 approximately 150.3 feet as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	35	NW NW	WILLIAMS WELL 1 REPLACEMENT (WW1R) BASALT – 715 FEET SOUTH AND 161 FET EAST FROM THE NW CORNER OF SECTION 35

12. The fourth water right to be transferred is as follows:

Certificate: 95268 in the name of PENDLETON LAND LLC (perfected under Permit G-15272)

Use: PRIMARY IRRIGATION OF 4.6 ACRES AND SUPPLEMENTAL IRRIGATION OF 1197.8 ACRES

Priority Date: AUGUST 10, 2001

Rate: 10.98 CUBIC FEET PER SECOND (CFS), BEING NO MORE THAN 3.79 CFS FROM WELL 1, 2.10 CFS FROM WELL 4, 3.75 CFS FROM WELL 8, AND 1.34 CFS FROM WELL U 452

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-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: FOUR WELLS IN PINE CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	21	SE NW	WELL 4 - 85 FEET NORTH AND 40 FEET WEST FROM THE C1/4 CORNER OF SECTION 21
6 N	34 E	WM	21	SW NW	WELL 8 - 125 FEET NORTH AND 90 FEET EAST FROM THE W1/4 CORNER OF SECTION 21
6 N	34 E	WM	21	SE SW	WELL U-452 - 690 FEET NORTH AND 420 FEET WEST FROM THE S1/4 CORNER OF SECTION 21

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	28	SW NE	WELL 1 - 2130 FEET SOUTH AND 2930 FEET EAST FROM THE NW CORNER OF SECTION 28

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	28	SW NE	4.6

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	20	SW NW	0.2
6 N	34 E	WM	20	SE NW	0.2
6 N	34 E	WM	20	NE SW	25.2
6 N	34 E	WM	20	NW SW	35.5
6 N	34 E	WM	20	SW SW	39.1
6 N	34 E	WM	20	SE SW	35.1
6 N	34 E	WM	20	NW SE	5.1
6 N	34 E	WM	20	SW SE	36.0
6 N	34 E	WM	20	SE SE	15.8
6 N	34 E	WM	21	NE SW	40.0
6 N	34 E	WM	21	NW SW	40.0
6 N	34 E	WM	21	SW SW	37.4
6 N	34 E	WM	21	SE SW	38.2
6 N	34 E	WM	21	NW SE	1.4
6 N	34 E	WM	21	SW SE	4.9
6 N	34 E	WM	28	NW NE	6.9
6 N	34 E	WM	28	SW NE	4.3
6 N	34 E	WM	28	NE NW	39.0
6 N	34 E	WM	28	NW NW	36.1
6 N	34 E	WM	28	SW NW	39.8
6 N	34 E	WM	28	SE NW	37.3
6 N	34 E	WM	28	NE SW	41.1
6 N	34 E	WM	28	NW SW	26.9
6 N	34 E	WM	28	SW SW	27.9
6 N	34 E	WM	28	SE SW	31.7
6 N	34 E	WM	28	NW SE	10.2
6 N	34 E	WM	28	SW SE	10.9
6 N	34 E	WM	29	NE NE	29.2
6 N	34 E	WM	29	NW NE	39.1
6 N	34 E	WM	29	SW NE	38.9
6 N	34 E	WM	29	SE NE	34.2
6 N	34 E	WM	29	NE NW	39.1
6 N	34 E	WM	29	SW NW	14.0
6 N	34 E	WM	29	SE NW	38.8
6 N	34 E	WM	29	NE SW	40.7
6 N	34 E	WM	29	NW SW	40.0
6 N	34 E	WM	29	SW SW	39.1
6 N	34 E	WM	29	SE SW	39.3
6 N	34 E	WM	29	NE SE	31.9

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	29	NW SE	41.3
6 N	34 E	WM	29	SW SE	33.5
6 N	34 E	WM	29	SE SE	32.5
TOTAL					1197.8

13. Transfer Application T-13757 proposes to move the authorized points of appropriation of Well 4 and U-452 to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized Points of Appropriation in Miles (mi.), except where noted, in Feet (ft.)			
						WELL 4	WELL 8	WELL U-452	WELL 1
6 N	34 E	WM	21	SW NE	REPLACEMENT WELL 4 (R-4) - 147 FEET NORTH AND 179 FEET WEST FROM THE C1/4 CORNER OF SECTION 21	214.3 ft.	0.54 mi.	0.43 mi.	0.96 mi.
6 N	34 E	WM	21	SW NE	REPLACEMENT WELL U-452 (R-U-452) - 107 FEET NORTH AND 282 FEET EAST FRO THE SOUTH ¼ CORNER OF SECTION 21	0.52 mi.	0.77 mi.	0.18 mi.	0.42 mi.

14. On January 5, 2022, the Department determined the proposed points of appropriation (POA) under Certificates 30636 and 95919 will not develop the same aquifers (sources) as the existing authorized POA UMAT 4178, Williams Well 1.

UMAT 4178 commingles multiple aquifers, while the other wells in this transfer have a single aquifer completion. The well log for UMAT 4178 reports casing to 60 feet and the presence of a seal is unknown. Top of basalt is reported at 75 feet and basalt extends to the bottom of the well. The amended application proposes a replacement well for UMAT 4178 that is continuously cased and continuously sealed into a single basalt aquifer. A portion of UMAT 4178 accesses the same aquifer.

Basalt wells produce from one or more water-bearing zones in the Columbia River Basalt Group (CRBG), a series of lava flows with a composite thickness greater than 10,000 feet in the Columbia Plateau. Each flow is characterized by a series of internal features, which generally include a thin rubble zone at the contact between flows and a thick, dense, low porosity and low permeability interior zone. In some cases, sedimentary layers were deposited during the time between basalt flow emplacements. A flow top, sedimentary interbed (if present) and flow bottom are collectively referred to as an interflow zone. Unconfined groundwater occurs near the weathered top of the basalts, but most water occurs in interflow zones under confining conditions at the contacts between lava flows. CRBG flow features result in a series of stacked, thin aquifers that are confined by dense flow interiors. The low permeability of the basalt flow interiors usually results in little connection between stacked aquifers, which results in tabular aquifers with unique water level heads (Reidel et al., 2002).

Constructing a well that is open to multiple water-bearing zones with distinct water level heads commingles multiple aquifers. When the pump is off, water migrates through the well bore from an aquifer of higher pressure to an aquifer of lower pressure. Over time, this can depressurize the aquifer and exacerbates water level decline. Well construction conditions are specified to protect the resource and other existing users.

The water level at UMAT 4178 increases on the order of 50 feet in elevation when there is water in Pine Creek, which is located within 20 feet of this well. Other nearby basalt wells show a total seasonal range of 20 feet between annual highs and low (see UMAT 4179, UMAT 58119, UMAT 4167, UMAT 5529). The large increase in water level elevation at UMAT 4178 and the presence of gravel below the bottom of the casing indicates there is an efficient connection between this well and both a sedimentary and basalt aquifer.

15. Because UMAT 4178 develops at least two aquifers, it will need to be abandoned and replaced by a basalt well that meets current well construction standards. 50% of the water right and annual volume associated with UMAT 4178 is transferrable to the new basalt point of appropriation.

Transfer Review Criteria (OAR 690-380-4010)

16. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
17. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12425.
18. The proposed change would not result in enlargement of the rights.
19. The proposed change would not result in injury to other water rights.
20. All other application requirements are met.

Determination and Proposed Action

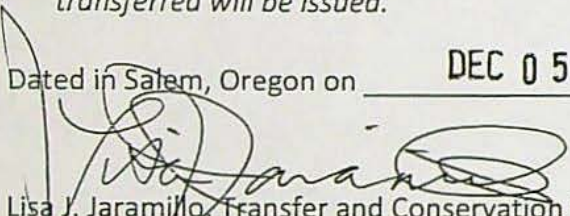
The changes in points of appropriation proposed in Transfer Application T-13757 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If transfer Application T-13757 is approved, the final order will include the following:

- 1) The changes in points of appropriation proposed in Transfer Application T-13757 are approved.*
- 2) The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 30636, 42976, 95919, 95268, and any related decree.*
- 3) Water right Certificates 30636, 42976, 95919, and 95268 are cancelled. New certificates will be issued describing those portions of the rights, Certificates 30636 and 95919, not affected by this transfer.*
- 4) Under Certificate 30636, the quantity of water diverted at the new point of appropriation (WW1), shall not exceed 50% of the quantity of water lawfully available at the original point of appropriation (WW1).*
- 5) Under Certificate 42976, the quantity of water diverted at the new point of appropriation (Well R-U-452), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well U-452).*
- 6) Under Certificate 95919, the quantity of water diverted at the new point of appropriation (WW1R), shall not exceed 50% of the quantity of water lawfully available at the original point of appropriation (WW1).*
- 7) Under Certificate 95268, the quantity of water diverted at the new points of appropriation (R-4 and R-U-452), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 4 and Well U-452).*
- 8) A basalt well drilled to replace UMAT 4178 shall be open to a single aquifer in the Columbia River Basalt Group and shall meet applicable well construction standards, (OAR 690-200 and OAR 690-210). The open interval may be approved by the Department if the applicant can demonstrate to the satisfaction of the Department that each well is only open to a single aquifer. Following well completion, the well shall be thoroughly developed to remove cuttings and drilling fluids. Substantial evidence of a single aquifer completion may be collected by video log, downhole flowmeter, water chemistry and temperature, or other downhole geophysical methods approved by the Department. These methods shall characterize the basalt rock and assess whether water is moving in the borehole. Any discernable movement of water within the well bore when the well is not being pumped shall be assumed as evidence of the presence of multiple aquifers in the open interval.*

- 9) Drill cuttings shall be collected at 10-foot intervals and at changes in formation in the well and a split of each sampled interval shall be provided to the Department.
- 10) The water user shall only obtain water from the basalt source.
- 11) 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 (new and existing).
 - 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.
- 12) Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
- 13) Under the right described by Certificate 95919, water shall be acquired only from the basalt aquifer.
- 14) Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
- 15) After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on DEC 05 2022


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

This Preliminary Determination was prepared by Tamera Smith. If you have any questions about the information in this document, you may reach me at tamera.l.smith@water.oregon.gov

Protests should be addressed to the attention of Water Rights Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active-duty service members have a right to stay these proceedings under the Federal Service Members Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll-free number.



Oregon

Kate Brown, Governor

RECEIVED Water Resources Department

NOV 09 2022

OWRD

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

OCTOBER 28, 2022

PENDLETON LAND LLC C/O ALTERNATIVE
EQUITY ADVISORS, LLC (DAVE MUTH)
12119 STRATFORD DR. SUITE B
CLIVE, IA 50325

VIA EMAIL

SUBJECT: Water Right Transfer Application T-13757

Your water right transfer is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing...

At this time you need to:

1. submit a check for \$378.00 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. **write "for T-13757 NOTICE" on the front of your check, and**
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than November 30, 2022.**

What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the East Oregonian newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

X-----
Attached is a check for \$378.00 (PCA #46118) for Newspaper Notice for Transfer T-13757 made out to Oregon Water Resources Department (or WRD)

- **"for T-13757 NOTICE" written on front of check**

Mail to: Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

Caseworker: TAMERA SMITH

RECEIVED

NOV 09 2022

QWRD

If we do not receive payment for newspaper notice by November 30, 2022, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at tamera.l.smith@water.oregon.gov, if I may be of assistance.

Kindest regards,



Transfer Caseworker
Transfer and Conservation Section

cc: Transfer Application file T-13757
Molly Reid, Agent for the applicant (*via e-mail*)

SMITH Tamera L * WRD

From: PHILLIPS Stacy H * WRD
Sent: Friday, October 28, 2022 1:11 PM
To: STARNES Patrick K * WRD
Cc: SMITH Tamera L * WRD
Subject: RE: Newspaper Estimate for Transfer Application T-13757

Follow Up Flag: Follow up
Flag Status: Flagged

Hey Tamera,

The quote came in for this notice. Total cost is \$378.00.

Thanks,

Stacy H. Phillips

Restoration Program Technician
725 Summer Street NE, Suite A, Salem, OR 97301
Office: 503-986-0898 | Work Cell: 503-979-9948



OREGON
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DEPARTMENT

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From: STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Sent: Friday, October 28, 2022 10:09 AM
To: PHILLIPS Stacy H * WRD <Stacy.H.PHILLIPS@water.oregon.gov>
Cc: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>
Subject: Newspaper Estimate for Transfer Application T-13757

Hi Stacy –

Tamara will need a quote for the attached **TRANSFER** Application notice to run in the East Oregonian. Run time is two weeks.

Thanks!

Kelly

Kelly Starnes, Transfer Program Analyst
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Cell phone: 503-979-3511 Fax: 503-986-0903
E-mail: patrick.k.starnes@water.oregon.gov

SMITH Tamera L * WRD

From: dave.muth@peoplescompany.com
Sent: Wednesday, September 7, 2022 9:19 AM
To: SMITH Tamera L * WRD; 'Molly A. Reid'
Cc: SILBERNAGEL Greg M * WRD
Subject: RE: T-13757 REVISED draft Preliminary Determination

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Tamera,

This message is to confirm that we agree to the proposed actions and conditions in the draft preliminary determination. Please let me know of any questions or clarifications.

Thanks, Dave

Dave Muth, PhD

Capital Markets - Managing Director,
Asset Management



Peoples Company
12119 Stratford Drive
Clive, IA 50325
Office: 855.800.LAND
Cell: 515.520.2730
Dave.Muth@PeoplesCompany.com

PeoplesCompany.com



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From: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>
Sent: Wednesday, August 10, 2022 11:57 AM
To: Dave Muth <dave@alternativeequityadvisors.com>; Molly A. Reid <mreid@geoengineers.com>
Cc: SILBERNAGEL Greg M * WRD <Greg.M.SILBERNAGEL@water.oregon.gov>
Subject: T-13757 REVISED draft Preliminary Determination

Good morning Dave and Molly and Greg,

At long last, T-13757 REVISED DPD is attached. Of note is the agreement by the applicant to reduce the Basalt well use to 50% for the use from the old well, and GW RE-review, also attached.

If you have any questions, please let me know.

Kindest regards,

Tamera Smith (SHE/HER/HERS)

EMAIL: tamera.l.smith@water.oregon.gov

MODERNIZATION COORDINATOR AND CONSERVATION ANALYST, TRANSFERS AND CONSERVATION SECTION

725 Summer St. NE, Suite A | Salem, Oregon 97301 | PHONE: 458-253-0597



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

NOTE: OWRD offices are now open to the public. Given that many staff continue to work remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day. The Salem office is closed from 12:00 - 1:00 pm. Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members. Alternative methods for meeting, such as by phone or virtually via Microsoft Teams, are also available.

This email may contain information that is confidential or attorney-client privileged and may constitute inside information. The contents of this email are intended only for the recipient(s) listed above. If you are not the intended recipient, you are directed not to read, disclose, distribute or otherwise use this transmission. If you have received this email in error, please notify the sender immediately and delete the transmission. Delivery of this message is not intended to waive any applicable privileges.

SMITH Tamera L * WRD

From: Molly A. Reid <mreid@geoengineers.com>
Sent: Wednesday, September 7, 2022 1:07 PM
To: SMITH Tamera L * WRD
Cc: dave.muth@peoplescompany.com; Dave Muth; Hunter Norland; MARTIN Luke C * WRD
Subject: RE: T-13757 REVISED draft Preliminary Determination
Attachments: Updated Title Report 9-1-2022 Pendleton Land-Carbondale.pdf

Tamera: The title company got right on it. Here is the title report for Pendleton Land as it relates to T13757. As an FYI, Luke Martin is the new watermaster for the Milton-Freewater area and all correspondence, etc. should go to him rather than Greg Silbernagel.

I think we have sent you everything that has been requested. Please let me know if anything has been missed, and thank you again for staying on top of this. Your efforts are much appreciated.

Molly

From: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>
Sent: Wednesday, September 7, 2022 9:20 AM
To: dave.muth@peoplescompany.com; Molly A. Reid <mreid@geoengineers.com>
Cc: SILBERNAGEL Greg M * WRD <Greg.M.SILBERNAGEL@water.oregon.gov>
Subject: RE: T-13757 REVISED draft Preliminary Determination

[EXTERNAL]

Thank you, received.

Kindest regards,
Tamera

From: dave.muth@peoplescompany.com <dave.muth@peoplescompany.com>
Sent: Wednesday, September 7, 2022 9:19 AM
To: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>; 'Molly A. Reid' <mreid@geoengineers.com>
Cc: SILBERNAGEL Greg M * WRD <Greg.M.SILBERNAGEL@water.oregon.gov>
Subject: RE: T-13757 REVISED draft Preliminary Determination

Hi Tamera,
This message is to confirm that we agree to the proposed actions and conditions in the draft preliminary determination. Please let me know of any questions or clarifications.
Thanks, Dave

Dave Muth, PhD
Capital Markets - Managing Director,
Asset Management



Peoples Company
12119 Stratford Drive
Clive, IA 50325

Office: 855.800.LAND
Cell: 515.520.2730
Dave.Muth@PeoplesCompany.com

PeoplesCompany.com



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Subject: T-13757 REVISED draft Preliminary Determination

Good morning Dave and Molly and Greg,

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If you have any questions, please let me know.

Kindest regards,

Tamera Smith (SHE/HER/HERS)

EMAIL: tamera.l.smith@water.oregon.gov

MODERNIZATION COORDINATOR AND CONSERVATION ANALYST, TRANSFERS AND CONSERVATION SECTION
725 Summer St. NE, Suite A | Salem, Oregon 97301 | PHONE: 458-253-0597



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PioneerTitleCo.
GOING BEYOND

Pioneer Title Company of Umatilla County

109 SW Court Avenue
Pendleton, OR 97801
Phone (541) 276-5114
Fax (541) 276-0484

115 E Highland Avenue, Ste A
Hermiston, OR 97838
Phone (541) 567-9743
Fax (541) 567-7307

To: Carbondale Operations LLC
12119 Stratford Drive
Clive, IA 50325

Order No: 104352
Your No : n/a
Owner : PENDLETON LAND LLC
Report : O&E Report

TYPE OF POLICY:	AMOUNTS	CODE	PREMIUMS
Ownership and Encumbrance Report	\$0.00		\$500.00

We hereby certify that we have searched our Tract Indices as to the following described property:

SEE ATTACHED DESCRIPTION

And as of September 1, 2022, at 5 o'clock P.M., we find that the last document of record runs to:

PENDLETON LAND LLC, a Delaware limited liability company
as to a fee simple interest

We also find the following monetary encumbrances appearing of record within ten years prior to the date of this search:

NOTE I: 2021-2022 Taxes, \$4,936.95, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 300, Serial No. 114051 (Tract 1)

NOTE II: 2021-2022 Taxes, \$1,623.55, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 404, Serial No. 143640 (Tract 2)

NOTE III: 2021-2022 Taxes, \$133.90, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 400, Serial No. 114055 (Tract 3)

NOTE IV: 2021-2022 Taxes, \$169.48, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 401, Serial No. 114058 (Tract 4)

NOTE V: 2021-2022 Taxes, \$1,588.99, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 402, Serial No. 114060 (Tract 5)

NOTE VI: 2021-2022 Taxes, \$1,964.80, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 403, Serial No. 114063 (Tract 6)

NOTE VII: 2021-2022 Taxes, \$619.10, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 1800, Serial No. 112954 (Tract 7)

NOTE VIII: 2021-2022 Taxes, \$740.98, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 2701, Serial No. 112996 (Tract 8)

NOTE IX: 2021-2022 Taxes, \$2,547.98, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 2702, Serial No. 112997 (Tract 9)

NOTE X: 2021-2022 Taxes, \$2,655.16, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 1700, Serial No. 114131 (Tract 10)

NOTE XI: 2021-2022 Taxes, \$1,903.48, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 1000, Serial No. 114103 (Tract 11)

NOTE XII: 2021-2022 Taxes, \$1,168.62, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 3600, Serial No. 114140 (Tract 12)

NOTE XIII: 2021-2022 Taxes, \$1,718.15, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 900, Serial No. 114100 (Tract 13)

NOTE XIV: 2021-2022 Taxes, \$2,201.10, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 902, Serial No. 167857 (Tract 13)

NOTE XV: 2021-2022 Taxes, \$3,528.67, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 903, Serial No. 167858 (Tract 13)

NOTE XVI: 2021-2022 Taxes, \$56.32, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 3601, Serial No. 141569 (Tract 14)

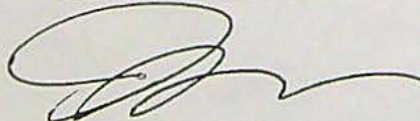
NOTE XVII: 2021-2022 Taxes, \$681.76, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 901, Serial No. 148099 (Tract 15)

1. 2022-2023 Taxes, which are a lien on July 1, 2022, but not yet payable.
(First 1/3 due and payable November 15, 2022. Amounts not yet available)
2. Assessments of any taxing authority that levies taxes or assessments on real property or by the public records, proceedings by a public agency which may result in taxes or assessments or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

This is not a Title Report or a Commitment to issue Title Insurance. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this report and will not be responsible for errors or omissions therein.

Very truly yours,

PIONEER TITLE COMPANY



Jeremy S. Parker
Title Officer

Tract 1

Township 6 North, Range 34, E.W.M.

Section 16: Fractional South Half of the Northeast Quarter.
Southeast Quarter.

Section 21: North Half of the Northeast Quarter.

Section 21: Commencing at the Northeast corner of the South Half of the Northeast Quarter of said Section 21; thence Westerly along the North line of said South Half of the Northeast Quarter, a distance of 147.50 feet to the True Point of Beginning for this description; thence Easterly along said North line, a distance of 147.50 feet to the Northeast corner of said South Half of the Northeast Quarter; thence Southerly along the East line of said Section 21, a distance of 147.50 feet; thence Northwesterly to the point of beginning.

Section 22: South Half of the Northwest Quarter.

Excepting therefrom that tract of land conveyed to Owen W. Frost, etal, by Deed recorded in Instrument No. 2012-5920358, Office of Umatilla County Records.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 2

Township 6 North, Range 34, E.W.M.

Section 16: Southwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 3

Township 6 North, Range 34, E.W.M.

Section 16: All that portion of the fractional South Half of the Northwest Quarter lying Northerly of County Road No. 700 (aka Umapine-State Line Road).

Excepting therefrom any portion lying within the County Road and Highway rights-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 4

Township 6 North, Range 34, E.W.M.

Section 16: Beginning at a point on the West line of said Section 16, said point being the intersection of said West line with the South right-of-way line of State Line Road; thence Southerly along said West line of Section 16 to a point which is 846.80 feet distant Southerly from the Oregon-Washington State Line; thence North 88° 51' East, a distance of 1,124.50 feet; thence Northerly, a distance of 737 feet, more or less, to the South right-of-way line of said State Line Road; thence Westerly to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 5

Township 6 North, Range 34, E.W.M.

Section 16: Commencing at a point on the Oregon-Washington State Line, which point is 1,124.40 feet distant Easterly from the West line of said Section 16; thence Southerly and parallel to the West line of said Section 16, a distance of 96.70 feet, more or less, to the South right-of-way line of State Line Road and the True Point of Beginning for this description; thence Southerly and parallel to the West line of said Section 16, a distance of 737 feet; thence North 88° 51' East, a distance of 1,427.90 feet, more or less, to the West right-of-way line of said State Line Road; thence Northwesterly along said right-of-way to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 6

Township 6 North, Range 34, E.W.M.

Section 21: Northwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 7

Township 6 North, Range 34, E.W.M.

Section 23: South Half of the Southwest Quarter

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 8

Township 6 North, Range 34, E.W.M.

Section 26: North Half of Northwest Quarter.

Section 27: Northeast Quarter of Northeast Quarter.

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 9

Parcel 3, PARTITION PLAT NO. 2011-08 (Instrument No. 2011-5770333, Office of Umatilla County Records) located in Sections 26, 27 and 35, Township 6 North, Range 34, East of the Willamette Meridian, Umatilla County, Oregon.

Tract 10

Parcel 1, PARTITION PLAT NO. 2022-13 (Instrument No. 2022-7400612, Office of Umatilla County Records) located in the Northeast Quarter and of the North Half of the Southeast Quarter of Section 22 and the North Half of the Northwest Quarter, the Southwest Quarter of the Northwest Quarter, the Northwest Quarter of the Southwest Quarter and the North Half of the Northeast Quarter of Section 23, Township 6 North, Range 34, East of the Willamette Meridian, Umatilla County, Oregon.

Tract 11

Township 6 North, Range 34, E.W.M.

Section 21: Southwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 12

Township 6 North, Range 34, E.W.M.

Section 28: Beginning at the Northwest corner of said Section 28; thence Easterly along the North line of said Section 28, a distance of 2,860 feet to the West line of County Road No. 558 (as it exists now on the ground); thence Southerly along the West line of said County Road, a distance of 2,175 feet to the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's Canal (as said canal was constructed and located on July 6, 1945); thence Westerly along said centerline the following courses and distances: (South 43°20' West, a distance of 180 feet; thence North 64°40' West, a distance of 67 feet; thence North 11°55' East, a distance of 245 feet; thence North 65°50' West, a distance of 77 feet; thence North 25°00' West, a distance of 88 feet; thence South 58°20' West, a distance of 152 feet; thence North 48°45' West, a distance of 235 feet; thence South 50°35' West, a distance of 210 feet; thence South 33°00' West, a distance of 106 feet; thence South 19°45' West, a distance of 83 feet; thence North 76°00' West, a distance of 80 feet; thence North 31°30' West, a distance of 62 feet; thence North 06°45' East, a distance of 482 feet; thence North 33°50' West, a distance of 95 feet; thence South 24°50' West, a distance of 227 feet; thence South 86°15' West, a distance of 204 feet; thence South 70°10' West, a distance of 263 feet; thence North 05°54' East, a distance of 235 feet; thence South 82°30' West, a distance of 140 feet; thence North 00°11' West, a distance of 440 feet; thence South 36°30' West, a distance of 589 feet; thence North 34°30' West, a distance of 262 feet; thence North 08°36' West, a distance of 115 feet; thence North 15°00' West, a distance of 40 feet; thence South 57°00' West, a distance of 288 feet; thence South 58°20' West, a distance of 51 feet; thence North 10°24' East, a distance of 390 feet; thence South 32°45' West, a distance of 189 feet; thence South 74°45' West, a distance of 75 feet; thence North 32°40' West, a distance of 203 feet; thence North 02°21' West, a distance of 175 feet; thence North 60°00' West, a distance of 150 feet; thence North 01°21' West, a distance of 102 feet; thence North 21°00' West, a distance of 100 feet; thence North 12°30' East, a distance of 146 feet; thence North 37°40' West, a distance of 148 feet to the West line of said Section 28); thence Northerly along the said West line, a distance of 350 feet to the point of beginning.

Excepting therefrom a strip of land of 15 feet wide, lying immediately North of, adjacent to and parallel to said irrigation canal.

Also excepting therefrom that tract of land conveyed to John Weidert, etux, by Deed recorded in Microfilm Reel 91, Page 373, Office of Umatilla County Records.

Excepting therefrom any portion lying within the County Road and Irrigation Canal rights-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 1

Township 6 North, Range 34, E.W.M.

Section 20: All that portion of Section 20 lying Southerly of a line parallel to and 14 feet distant Southerly from the centerline of the Milton-Freewater & Hudson Bay Irrigation Company Canal, and lying Southerly of a line described as beginning at a point on the West line of said Section 20, a distance of 2,530 feet North of the Southwest corner of said Section; thence North 25°56' East 480 feet; thence North 30°51' East 365 feet; thence South 55°04' East 340 feet; thence South 41°34' East 530 feet to a point 14 feet from and at right angles Southerly from the centerline of said Milton-Freewater & Hudson Bay Irrigation Company ditch and North of Troyer Road.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 2

Township 6 North, Range 34, E.W.M.

Section 20: All that portion of Section 20 lying Southerly of a line parallel to and 14 feet distant Southerly from the centerline of the Milton-Freewater & Hudson Bay Irrigation Company Canal, and Southerly of Troyer Road.

Section 29: Together with that portion of Section 29 lying South and West of said Milton-Freewater & Hudson Bay Irrigation Company Canal.

Excepting therefrom any portion of that tract of land conveyed to Gerald Lee Weidert, etux, by Deed recorded in Microfilm R-221, Page 648, Deed Records located within said Section 29.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 3

Township 6 North, Range 34, E.W.M.

Section 28: All that portion of Section 28 lying immediately South and adjacent to the Milton-Freewater & Hudson Bay Irrigation Company Canal, as said canal was constructed, operated, maintained and located on November 17, 1975 and Westerly of Hudson Bay Road (County Road No. 707).

Excepting a strip of land 10 feet wide lying immediately South of, adjacent to and parallel with said Irrigation Canal.

Also excepting therefrom any portion of that tract conveyed to Gerald Lee Weidert, etux, by Deed recorded in Microfilm R-221, Page 648, Deed Records located within said Section 28.

Also excepting therefrom that tract conveyed to Columbia County Rural Electric Association, Inc., by Deed recorded in Book 216, Page 162, Deed Records.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 14

Township 6 North, Range 34, E.W.M.

Section 28: Beginning at the Northwest corner of said Section 28; thence North $89^{\circ}18'36''$ East, a distance of 132.71 feet to point on the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's lateral canal; thence South $21^{\circ}26'01''$ West along the centerline of said lateral canal, a distance of 102.25 feet; thence South $00^{\circ}37'30''$ East, a distance of 126.75 feet; thence South $14^{\circ}42'56''$ West, a distance of 150.59 feet to a point on the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's main canal; thence North $42^{\circ}05'55''$ West along the centerline of said main canal, a distance of 21.59 feet; thence North $66^{\circ}31'01''$ West, a distance of 42.16 feet to the point of intersection of the centerline of said main canal with the West line of said Section 28; thence North $00^{\circ}54'56''$ West, a distance of 333.19 feet to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 15

Township 6 North, Range 34, E.W.M.

Sections 28 and 29: A parcel of land located in the South Half of said Section 29 and the Southwest Quarter of said Section 28, being described as beginning at the Southwest corner of said Section 29; thence North $00^{\circ}48'03''$ West along the West line of said Section 29, a distance of 1,918.54 feet; thence South $89^{\circ}41'02''$ East and parallel with the South line of said Section 29, a distance of 5,321.14 feet to a point on the East line of said Section 29; thence continuing South $89^{\circ}41'02''$ East, a distance of 467.23 feet; thence South $42^{\circ}32'45''$ East, a distance of 1,089.69 feet; thence South $37^{\circ}34'14''$ East, a distance of 352.81 feet; thence South $38^{\circ}56'26''$ East, a distance of 738.34 feet; thence South $11^{\circ}09'57''$ East, a distance of 139.13 feet; thence South $64^{\circ}13'03''$ East, a distance of 252.24 feet to a point on the North right-of-way of County Road No. 717; thence North $89^{\circ}39'03''$ West along the North right-of-way of said County Road, a distance of 68.11 feet to the Southeast corner of that tract of land conveyed to Columbia County Rural Electric Association, Inc. by Deed recorded in Book 216, Page 162, Deed Records; thence along the boundary of said Columbia County Rural Electric Association, Inc. Tract the following courses and distances:

North $64^{\circ}13'03''$ West, a distance of 206.06 feet;
thence North $11^{\circ}09'57''$ West, a distance of 159.84 feet;
thence South $89^{\circ}39'03''$ West, a distance of 150 feet;
thence South $00^{\circ}20'57''$ East, a distance of 247.76 feet to a point on the South line of said Section 28;

thence North $89^{\circ}39'03''$ West along the South line of said Section 28, a distance of 1,673.57 feet to the Southeast corner of said Section 29; thence North $89^{\circ}41'02''$ West, a distance of 5,324.99 feet to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

PIONEER TITLE COMPANY

PRIVACY POLICY

WE ARE COMMITTED TO SAFEGUARDING CUSTOMER INFORMATION

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information, particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

APPLICABILITY. This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use the information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

TYPES OF INFORMATION. Depending upon which our services you are utilizing, the types of nonpublic personal information that we may collect include:

- A. Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- B. Information about your transactions with us, our affiliated companies, or others; and
- C. Information we receive from a consumer reporting agency.

USE OF INFORMATION. We request information from you for our own legitimate business purposes and not for the benefit of any non affiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for use to provide the product or service you have requested to use; or (2) as permitted by law. We may however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purposes, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

FORMER CUSTOMERS. Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

CONFIDENTIALITY AND SECURITY. We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

THIS MAP IS NOT A SURVEY AND DOES NOT SHOW THE
LOCATION OF ANY IMPROVEMENTS AND IS PROVIDED FOR
IDENTIFICATION OF THE LANDS ONLY AND THIS COMPANY
ACCEPTS NO LIABILITY FOR THE ACCURACY OF BOUNDARY
LINES, EASEMENTS, ROAD OR OTHER MATTERS SHOWN
THEREON.

Umatilla County
Received: 2/24/2020



AFTER RECORDING, RETURN TO:

Stoel Rives LLP
760 SW Ninth Avenue, Suite 3000
Portland, OR 97205
Attn: Tyler Clarke

UNTIL A CHANGE IS REQUESTED,
SEND ALL TAX STATEMENTS TO:

The Peoples Company, c/o Alternative Equity Advisors
12119 Stratford Dr.
Clive, IA 50325

State of Oregon
County of Umatilla



Instrument received
and recorded on
2/24/2020 3:34:15 PM

In the record of instrument
code type DE

Instrument number 2020-6970678
Fee \$176.00

Office of County Records

Steve Churchill

Records Officer
1110902 P17

STATUTORY WARRANTY DEED

T.O. Williams & Associates, Inc., also known as Thomas O. Williams & Associates, Inc., an Oregon corporation, Tom A. Williams, Raymond Williams, also known as Ray L. Williams and Raymond L. Williams and Melinda S. Eden ("Grantor"), conveys and warrants to Pendleton Land LLC, a Delaware limited liability company ("Grantee"), the real property located in Umatilla County, Oregon, described on the attached Exhibit A (the "Property"), free of encumbrances except as specifically set forth herein, subject to the matters shown on attached Exhibit B.

The true consideration for this conveyance is Twenty Three Million and 00/100 Dollars (\$23,000,000.00) and includes other property.

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.

PIONEER TITLE CO. 99435
109 SW COURT, PEND. OR 97801

21st IN WITNESS WHEREOF, Grantor has executed this Statutory Warranty Deed as of this
day of Feb., 2020.

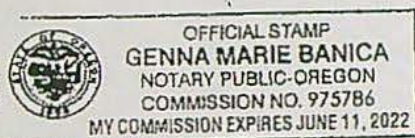
GRANTOR:

Thomas O. Williams & Associates, Inc.,
an Oregon corporation

By: Tom A. Williams
Name: Tom A. Williams
Title: VP

STATE OF OREGON)
)ss.
COUNTY OF Umatilla)

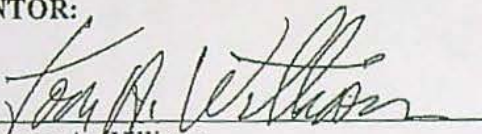
The foregoing instrument is acknowledged before me this 21st day of Feb., 2020,
by Tom A. Williams.



Genna Marie Banica
Notary Public for Oregon
commission expires: June 11, 2022

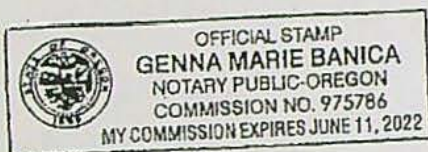
21st IN WITNESS WHEREOF, Grantor has executed this Statutory Warranty Deed as of this
day of Feb., 2020.

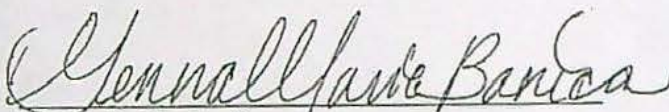
GRANTOR:

By: 
Thomas A. Williams

STATE OF OREGON)
)ss.
COUNTY OF Umatilla)

The foregoing instrument is acknowledged before me this 21st day of Feb., 2020,
by Thomas A. Williams.




Notary Public for Oregon
commission expires: June 11, 2022

21st IN WITNESS WHEREOF, Grantor has executed this Statutory Warranty Deed as of this
day of Feb., 2020.

GRANTOR:

By:

Raymond L. Williams

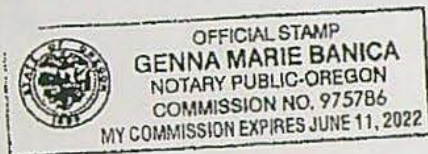
Raymond L. Williams

STATE OF OREGON)

)ss.

COUNTY OF Umatilla)

The foregoing instrument is acknowledged before me this 21st day of Feb., 2020,
by Raymond L. Williams.



Genna Marie Banica
Notary Public for Oregon

commission expires: June 11, 2022

21st IN WITNESS WHEREOF, Grantor has executed this Statutory Warranty Deed as of this
day of Feb., 2020.

GRANTOR:

By: Melinda S. Eden

Melinda S. Eden

STATE OF OREGON)

COUNTY OF Umatilla) ss.

The foregoing instrument is acknowledged before me this 21st day of Feb., 2020,
by Melinda S. Eden.



Genna Marie Banica
Notary Public for Oregon

commission expires: June 11, 2022

EXHIBIT A
to Statutory Warranty Deed

Legal Description of Property

Tract 1

Township 6 North, Range 34, E.W.M.

Section 16: Fractional South Half of the Northeast Quarter.
Southeast Quarter.

Section 21: North Half of the Northeast Quarter.

Section 21: Commencing at the Northeast corner of the South Half of the Northeast Quarter of said Section 21; thence Westerly along the North line of said South Half of the Northeast Quarter, a distance of 147.50 feet to the True Point of Beginning for this description; thence Easterly along said North line, a distance of 147.50 feet to the Northeast corner of said South Half of the Northeast Quarter; thence Southerly along the East line of said Section 21, a distance of 147.50 feet; thence Northwesterly to the point of beginning.

Section 22: South Half of the Northwest Quarter.

Excepting therefrom that tract of land conveyed to Owen W. Frost, etal, by Deed recorded in Instrument No. 2012-5920358, Office of Umatilla County Records.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 2

Township 6 North, Range 34, E.W.M.

Section 16: Southwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 3

Township 6 North, Range 34, E.W.M.

Section 16: All that portion of the fractional South Half of the Northwest Quarter lying Northerly of County Road No. 700 (aka Umapine-State Line Road).

Excepting therefrom any portion lying within the County Road and Highway rights-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 4

Township 6 North, Range 34, E.W.M.

Section 16: Beginning at a point on the West line of said Section 16, said point being the intersection of said West line with the South right-of-way line of State Line Road; thence Southerly along said West line of Section 16 to a point which is 846.80 feet distant Southerly from the Oregon-Washington State Line; thence North 88°51' East, a distance of 1,124.50 feet; thence Northerly, a distance of 737 feet, more or less, to the South right-of-way line of said State Line Road; thence Westerly to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 5

Township 6 North, Range 34, E.W.M.

Section 16: Commencing at a point on the Oregon-Washington State Line, which point is 1,124.40 feet distant Easterly from the West line of said Section 16; thence Southerly and parallel to the West line of said Section 16, a distance of 96.70 feet, more or less, to the South right-of-way line of State Line Road and the True Point of Beginning for this description; thence Southerly and parallel to the West line of said Section 16, a distance of 737 feet; thence North 88°51' East, a distance of 1,427.90 feet, more or less, to the West right-of-way line of said State Line Road; thence Northwesterly along said right-of-way to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 6

Township 6 North, Range 34, E.W.M.

Section 21: Northwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 7

Township 6 North, Range 34, E.W.M.

Section 23: South Half of the Southwest Quarter

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 8

Township 6 North, Range 34, E.W.M.

Section 26: North Half of Northwest Quarter.

Section 27: Northeast Quarter of Northeast Quarter.

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 9

Parcel 3, PARTITION PLAT NO. 2011-08 (Instrument No. 2011-5770333, Office of Umatilla County Records) located in Sections 26, 27 and 35, Township 6 North, Range 34, East of the Willamette Meridian, Umatilla County, Oregon.

Tract 10

Township 6 North, Range 34, E.W.M.

Section 22: All that portion of the Northeast Quarter and of the North Half of the Southeast Quarter lying North and East of County Road No. 536.

Section 23: West Half of the Northwest Quarter.
Northwest Quarter of the Southwest Quarter.
Northeast Quarter of the Northwest Quarter.
North Half of the Northeast Quarter.

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 11

Township 6 North, Range 34, E.W.M.

Section 21: Southwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 12

Township 6 North, Range 34, E.W.M.

Section 28: Beginning at the Northwest corner of said Section 28; thence Easterly along the North line of said Section 28, a distance of 2,860 feet to the West line of County Road No. 558 (as it exists now on the ground); thence Southerly along the West line of said County Road, a distance of 2,175 feet to the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's Canal (as said canal was constructed and located on July 6, 1945); thence Westerly along said centerline the following courses and distances: (South 43°20' West, a distance of 180 feet; thence North 64°40' West, a distance of 67 feet; thence North 11°55' East, a distance of 245 feet; thence North 65°50' West, a distance of 77 feet; thence North 25°00' West, a distance of 88 feet; thence South 58°20' West, a distance of 152 feet; thence North 48°45' West, a distance of 235 feet; thence South 50°35' West, a distance of 210 feet; thence South 33°00' West, a distance of 106 feet; thence South 19°45' West, a distance of 83 feet; thence North 76°00' West, a distance of 80 feet; thence North 31°30' West, a distance of 62 feet; thence North 06°45' East, a distance of 482 feet; thence North 33°50' West, a distance of 95 feet; thence South 24°50' West, a distance of 227 feet; thence South 86°15' West, a distance of 204 feet; thence South 70°10' West, a distance of 263 feet; thence North 05°54' East, a distance of 235 feet; thence South 82°30' West, a distance of 140 feet; thence North 00°11' West, a distance of 440 feet; thence South 36°30' West, a distance of 589 feet; thence North 34°30' West, a distance of 262 feet; thence North 08°36' West, a distance of 115 feet; thence North 15°00' West, a distance of 40 feet; thence South 57°00' West, a distance of 288 feet; thence South 58°20' West, a distance of 51 feet; thence North 10°24' East, a distance of 390 feet; thence South 32°45' West, a distance of 189 feet; thence South 74°45' West, a distance of 75 feet; thence North 32°40' West, a distance of 203 feet; thence North 02°21' West, a distance of 175 feet; thence North 60°00' West, a distance of 150 feet; thence North 01°21' West, a distance of 102 feet; thence North 21°00' West, a distance of 100 feet; thence North 12°30' East, a distance of 146 feet; thence North 37°40' West, a distance of 148 feet to the West line of said Section 28); thence Northerly along the said West line, a distance of 350 feet to the point of beginning.

Excepting therefrom a strip of land of 15 feet wide, lying immediately North of, adjacent to and parallel to said irrigation canal.

Also excepting therefrom that tract of land conveyed to John Weidert, etux, by Deed recorded in Microfilm Reel 91, Page 373, Office of Umatilla County Records.

Excepting therefrom any portion lying within the County Road and Irrigation Canal rights-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 1

Township 6 North, Range 34, E.W.M.

Section 20: All that portion of Section 20 lying Southerly of a line parallel to and 14 feet distant Southerly from the centerline of the Milton-Freewater & Hudson Bay Irrigation Company Canal, and lying Southerly of a line described as beginning at a point on the West line of said Section 20, a distance of 2,530 feet North of the Southwest corner of said Section; thence North 25°56' East 480 feet; thence North 30°51' East 365 feet; thence South 55°04' East 340 feet; thence South 41°34' East 530 feet to a point 14 feet from and at right angles Southerly from the centerline of said Milton-Freewater & Hudson Bay Irrigation Company ditch and North of Troyer Road.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 2

Township 6 North, Range 34, E.W.M.

Section 20: All that portion of Section 20 lying Southerly of a line parallel to and 14 feet distant Southerly from the centerline of the Milton-Freewater & Hudson Bay Irrigation Company Canal, and Southerly of Troyer Road.

Section 29: Together with that portion of Section 29 lying South and West of said Milton-Freewater & Hudson Bay Irrigation Company Canal.

Excepting therefrom any portion of that tract of land conveyed to Gerald Lee Weidert, etux, by Deed recorded in Microfilm R-221, Page 648, Deed Records located within said Section 29.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 3

Township 6 North, Range 34, E.W.M.

Section 28: All that portion of Section 28 lying immediately South and adjacent to the Milton-Freewater & Hudson Bay Irrigation Company Canal, as said canal was constructed, operated, maintained and located on November 17, 1975 and Westerly of Hudson Bay Road (County Road No. 707).

Excepting a strip of land 10 feet wide lying immediately South of, adjacent to and parallel with said Irrigation Canal.

Also excepting therefrom any portion of that tract conveyed to Gerald Lee Weidert, etux, by Deed recorded in Microfilm R-221, Page 648, Deed Records located within said Section 28.

Also excepting therefrom that tract conveyed to Columbia County Rural Electric Association, Inc., by Deed recorded in Book 216, Page 162, Deed Records.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 14

Township 6 North, Range 34, E.W.M.

Section 28: Beginning at the Northwest corner of said Section 28; thence North 89°18'36" East, a distance of 132.71 feet to point on the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's lateral canal; thence South 21°26'01" West along the centerline of said lateral canal, a distance of 102.25 feet; thence South 00°37'30" East, a distance of 126.75 feet; thence South 14°42'56" West, a distance of 150.59 feet to a point on the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's main canal; thence North 42°05'55" West along the centerline of said main canal, a distance of 21.59 feet; thence North 66°31'01" West, a distance of 42.16 feet to the point of intersection of the centerline of said main canal with the West line of said Section 28; thence North 00°54'56" West, a distance of 333.19 feet to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 15

Township 6 North, Range 34, E.W.M.

Sections 28 and 29: A parcel of land located in the South Half of said Section 29 and the Southwest Quarter of said Section 28, being described as beginning at the Southwest corner of said Section 29; thence North $00^{\circ}48'03''$ West along the West line of said Section 29, a distance of 1,918.54 feet; thence South $89^{\circ}41'02''$ East and parallel with the South line of said Section 29, a distance of 5,321.14 feet to a point on the East line of said Section 29; thence continuing South $89^{\circ}41'02''$ East, a distance of 467.23 feet; thence South $42^{\circ}32'45''$ East, a distance of 1,089.69 feet; thence South $37^{\circ}34'14''$ East, a distance of 352.81 feet; thence South $38^{\circ}56'26''$ East, a distance of 738.34 feet; thence South $11^{\circ}09'57''$ East, a distance of 139.13 feet; thence South $64^{\circ}13'03''$ East, a distance of 252.24 feet to a point on the North right-of-way of County Road No. 717; thence North $89^{\circ}39'03''$ West along the North right-of-way of said County Road, a distance of 68.11 feet to the Southeast corner of that tract of land conveyed to Columbia County Rural Electric Association, Inc. by Deed recorded in Book 216, Page 162, Deed Records; thence along the boundary of said Columbia County Rural Electric Association, Inc. Tract the following courses and distances:

North $64^{\circ}13'03''$ West, a distance of 206.06 feet;
thence North $11^{\circ}09'57''$ West, a distance of 159.84 feet;
thence South $89^{\circ}39'03''$ West, a distance of 150 feet;
thence South $00^{\circ}20'57''$ East, a distance of 247.76 feet to a point on the South line of said Section 28;

thence North $89^{\circ}39'03''$ West along the South line of said Section 28, a distance of 1,673.57 feet to the Southeast corner of said Section 29; thence North $89^{\circ}41'02''$ West, a distance of 5,324.99 feet to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

EXHIBIT B
to Statutory Warranty Deed

Special Exceptions

1. As disclosed by the tax rolls the premises herein described have been zoned or classified for special use. At any time that said land is disqualified for such use said property will be subject to additional taxes and interest.
2. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
3. The premises herein described are within the boundaries of the Hudson Bay Irrigation District and this property is therefore subject to all easements, including but not limited to the Milton-Freewater and Hudson Bay Irrigation Company Canals, levies and assessments thereof.
4. Easement, including the terms and provisions thereof,
Grantee : Walla Walla Irrigation Company
Recorded : October 10, 1903, Book 42, Page 128, Deed Records.
5. Easement, including the terms and provisions thereof,
Grantee : Lower Hudson Bay Irrigation District
Recorded : October 10, 1910, Book 68, Page 527, Deed Records.
6. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : May 11, 1912, Book 78, Page 428, Deed Records.
7. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : November 20, 1916, Book 95, Page 632, Deed Records.
8. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : December 14, 1916, Book 98, Page 96, Deed Records.
9. Easement, including the terms and provisions thereof,
Grantee : Milton-Freewater & Hudson Bay Irrigation Company
Recorded : November 5, 1919, Book 106, Page 444, Deed Records.
10. Easement, including the terms and provisions thereof,
Grantee : Walla Walla Irrigation Company
Recorded : May 18, 1922, Book 116, Page 571, Deed Records.
11. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : March 28, 1930, Book 139, Page 226, Deed Records.
12. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : March 28, 1930, Book 139, Page 227, Deed Records.

13. Right-of-way easement, including the terms and provisions thereof,
Grantee : Joseph S. Baker, etux
Recorded : March 20, 1935, Book 148, Page 445, Deed Records.
14. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : November 29, 1944, Book 170, Page 268, Deed Records.
15. Water Contract, including the terms and provisions thereof,
First Party : Milton-Freewater Hudson Bay Irrigation Company
Second Party : H.S. Murray
Recorded : March 15, 1951, Book 196, Page 174, Deed Records.
16. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : March 31, 1935, Book 210, Page 342, Deed Records.
17. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : January 27, 1956, Book 231, Page 459, Deed Records.
18. Water Contract, including the terms and provisions thereof,
First Party : Milton-Freewater Hudson Bay Irrigation Company
Second Party : John Weidert
Recorded : August 22, 1967, Book 290, Page 377, Deed Records.
19. Easement, including the terms and provisions thereof,
Grantee : Hudson Bay District Improvement Company
Recorded : September 27, 1967, Book 290, Page 683, Deed Records.
20. Easement for pipeline and pump purposes, including the terms and provisions thereof,
Grantee : Harvey L. Young
Recorded : March 6, 1980, Microfilm Reel 62, Page 1443, Office of Umatilla County Records.
21. Water Contract, including the terms and provisions thereof,
First Party : Hudson Bay District Improvement Company
Second Party : Herb March and Couse Creek Ranches
Recorded : September 5, 1980, Microfilm Reel 70, Page 782, Office of Umatilla County Records.
22. Easement for access purposes, including the terms and provisions thereof, contained in Deed,
Grantee : John Weidert, etux
Recorded : April 28, 1982, Microfilm Reel 91, Page 373, Office of Umatilla County Records.
23. Terms and provisions contained under easement for ingress, egress and roadway purposes,
Grantee : Helen Harris
Recorded : February 15, 1989, Microfilm Reel 177, Page 1009, Office of Umatilla County Records.

24. Easement for ingress and egress purposes, including the terms and provisions thereof, contained in Deed,
Grantee : Gerald Lee Weidert, etux
Recorded : June 9, 1992, Microfilm Reel 221, Page 647, Office of Umatilla County Records.
25. Easement for diverting irrigation water and other matters related thereto, including the terms and provisions thereof,
First Party : Couse Creek Ranches, Inc.
Second Party : Calvin Neal Blessinger, etal
Recorded : May 9, 1997, Microfilm Reel 309, Page 1489, Office of¹ Umatilla County Records.
26. Covenant not to sell separately, including the terms and provisions thereof,
Grantor : Raymond Williams
Grantee : Umatilla County, Oregon
Recorded : October 8, 2004, Instrument No. 2004-4700532, Office of Umatilla County Records.
27. Electric Service Agreement, including the terms and provisions thereof,
First Party : Columbia Rural Electric Association
Second Party : Thomas O. Williams & Associates
Recorded : September 7, 2010, Instrument No. 2010-5700182, Office of Umatilla County Records.
28. Easements as shown on Partition Plat No. 2011-08,
Recorded : April 11, 2011, Instrument No. 2011-5770333, Office of Umatilla County Records.
29. Terms and provisions contained under Easement for ingress, egress, irrigation pump and pipeline repair and maintenance, reserved in Deed,
Grantor : Thomas O. Williams & Associates Inc.
Recorded : May 30, 2012, Instrument No. 2012-5920358, Office of Umatilla County Records.
30. Easement, including the terms and provisions thereof,
Grantee : Columbia Energy, LLC
Recorded : April 27, 2016, Instrument No. 2016-6420628, Office of Umatilla County Records.
31. Electric Service Agreement, including the terms and provisions thereof, disclosed by Memorandum,
First Party : Columbia Rural Electric Association
Second Party : Thomas O Williams & Assoc Inc.
Recorded : February 10, 2017, Instrument No. 2017-6540320, Office of Umatilla County Records.
32. Covenants, Conditions and Restrictions, including the terms and provisions thereof, contained in Declaration,
Recorded : November 16, 2018, Instrument No. 2018-6790370, Office of Umatilla County Records.

33. Covenant Not to Sue, including the terms and provisions thereof,
First Party : Thomas O. Williams and Associates, Inc.
Second Party : Umatilla County
Recorded : November 16, 2018, Instrument No. 2018-6790371, Office of
Umatilla County Records.
34. Communication Site Lease, including the terms and provisions thereof,
disclosed by Agreement,
Lessor : Ray Williams
Lessee : Columbia Energy LLC
Recorded : April 27, 2016, Instrument No. 2016-6420627, Office of
Umatilla County Records.
35. Easement, including the terms and provisions thereof,
Grantee : Milton-Freewater & Hudson Bay Irrigation Company
Recorded : November 5, 1919, Book 106, Page 443, Deed Records.
36. Water Contract, including the terms and provisions thereof,
First Party : Milton-Freewater Hudson Bay Irrigation Company
Second Party : T.F. Starnes
Recorded : March 16, 1922, Book 118, Page 435, Deed Records.
37. Parties in possession or claiming the right of possession by reason of
encroachments as shown on A.L.T.A/N.S.P.S. Land Title Survey performed
by PBS Engineering and Environmental Inc. on February 11, 2020, Project
No. 67617, including but not limited to the following:
- a. Encroachment of field on Sec. 20, 6N-34
 - b. Encroachment of fence on Sec. 20, 6N-34
 - c. Encroachment of road on Sec. 21, 6N-34
 - d. Encroachment of fence on Sec. 22, 6N-34
 - e. Encroachment of field on Sec. 22, 6N-34
 - f. Encroachment of fence on Sec. 23, 6N-34
 - g. Encroachment of stable on Sec. 23, 6N-34
 - h. Encroachment of driveway on Sec. 23, 6N-34
 - i. Encroachment of road on Sec. 23, 6N-34
 - j. Encroachment of road on Sec. 26, 6N-34
 - k. Encroachment of sheds on Sec. 26, 6N-34
 - l. Encroachment of field on Sec. 27, 6N-34
 - m. Encroachment of fence on Sec. 27, 6N-34
 - n. Encroachment of road outside access easement on Sec. 28, 6N-34
 - o. (Intentionally Deleted)
 - p. Encroachment of road on Sec. 29, 6N-34
 - q. Encroachment of fence on Sec. 29, 6N-34
38. Reservations or exceptions in patents or in Acts authorizing the
issuance thereof.

SMITH Tamera L * WRD

From: Molly A. Reid <mreid@geoengineers.com>
Sent: Tuesday, March 22, 2022 9:34 AM
To: SMITH Tamera L * WRD
Cc: 'Adam Borod'; 'Richard Zollinger'; 'Molli Hagge'; Dave Muth
Subject: RE: T-13757 draft Preliminary Determination
Attachments: Pendleton Land Title Report 3-21-2022.pdf; Letter Response to DPD T-13757 Signed 3-21-2022.pdf

Tamera: Attached please find a letter from the Pendleton Land representative responding to the DPD for T-13757, and a copy of the title report. Hard copies are in the mail today. Please let me know if there is anything else that we need to do to keep this transfer moving in a positive direction. Thanks for all of your help.

Molly

From: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>
Sent: Wednesday, March 2, 2022 2:00 PM
To: Molly A. Reid <mreid@geoengineers.com>
Subject: RE: T-13757 draft Preliminary Determination

[EXTERNAL]

Hi Molly,

Yes. If you look at the DPD cover letter, the UMAT 4178 is listed in options for application revision.

Thank you for your inquiry.

Kindest regards,
Tamera

From: Molly A. Reid <mreid@geoengineers.com>
Sent: Wednesday, March 2, 2022 9:02 AM
To: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>
Subject: RE: T-13757 draft Preliminary Determination

Thanks Tamera. Can you tell me if the denial is solely based on the groundwater review of UMAT 4178? Thanks.

Molly

From: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>
Sent: Tuesday, March 1, 2022 1:28 PM
To: Molly A. Reid <mreid@geoengineers.com>; Dave Muth <dave@alternativeequityadvisors.com>
Cc: SILBERNAGEL Greg M * WRD <Greg.M.SILBERNAGEL@water.oregon.gov>
Subject: T-13757 draft Preliminary Determination

[EXTERNAL]

Good afternoon,

March 21, 2022

Tamera Smith, Transfer Section
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Response to Draft Preliminary Determination of T-13757

Dear Ms. Smith:

Per OWRD's request for a written response by March 31, 2022, please find below our response to the issues identified in the Draft Preliminary Determination of Transfer 13757.

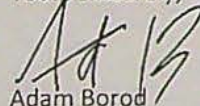
It is our understanding from OWRD that the well identified as UMAT 4178 develops more than one aquifer. After our consultant's discussion with Jen Woody on March 7, 2022, we propose to modify the proposed construction of UMAT 4178's replacement well (Replacement Williams Well #1) as follows: case and seal to a depth between approximately 300 and 350 feet below ground level as similarly constructed in UMAT 53567, to comply with single aquifer development. It is also our intent to abandon well UMAT 4178 to OWRD standards. We accept that the replacement well will be limited to 50 percent of the rate.

It is also our understanding that the remaining two proposed wells (replacements for Well 4 and Well U-452) are acceptable by the department.

Given that we will need to replace all three of these wells, and the amount of time it will take to construct the wells, we are requesting that the date to which full beneficial use from these wells be extended to **October 1, 2025**, pursuant to OAR 690-380-5140(3), because a longer time for completion of the change is necessary. In talking with several well drillers they have indicated that it will be a minimum of six to nine months before they could even start on a project such as ours due to supply chain issues, as well as a back log of well construction projects that were delayed by the Covid pandemic.

Thank you for your consideration of our proposed modifications above, and we request that you proceed with processing this reimbursement authority transfer application.

Yours sincerely,



Adam Borod
RWN Management, LLC



PioneerTitleCo.
GOING BEYOND

Pioneer Title Company of Umatilla County

109 SW Court Avenue
Pendleton, OR 97801
Phone (541) 276-5114
Fax (541) 276-0484

115 E Highland Avenue, Ste A
Hermiston, OR 97838
Phone (541) 567-9743
Fax (541) 567-7307

INVOICE

Customer

Name Carbondale Operations LLC
Address 12119 Stratford Drive
City Clive State IA ZIP 50325

Invoice Date 03/21/22
Our Order No. 104352
Your Order No. n/a
Reference Pendleton Land LLC

Quantity	Description	Unit Price	Total
1	Ownership and Encumbrance Report	\$500.00	\$500.00
		Sub Total	\$500.00

Make checks payable to:

Pioneer Title Company of Umatilla County
109 SW Court Avenue
Pendleton, OR 97801

THANK YOU FOR YOUR BUSINESS



PioneerTitleCo.
GOING BEYOND

Pioneer Title Company of Umatilla County

109 SW Court Avenue
Pendleton, OR 97801
Phone (541) 276-5114
Fax (541) 276-0484

115 E Highland Avenue, Ste A
Hermiston, OR 97838
Phone (541) 567-9743
Fax (541) 567-7307

To: Carbondale Operations LLC
12119 Stratford Drive
Clive, IA 50325

Order No: 104352
Your No : n/a
Owner : PENDLETON LAND LLC
Report : O&E Report

TYPE OF POLICY:	AMOUNTS	CODE	PREMIUMS
Ownership and Encumbrance Report	\$0.00		\$500.00

We hereby certify that we have searched our Tract Indices as to the following described property:

SEE ATTACHED DESCRIPTION

And as of March 17, 2022, at 5 o'clock P.M., we find that the last document of record runs to:

PENDLETON LAND LLC, a Delaware limited liability company
as to a fee simple interest

We also find the following monetary encumbrances appearing of record within ten years prior to the date of this search:

NOTE I: 2021-2022 Taxes, \$4,936.95, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 300, Serial No. 114051 (Tract 1)

NOTE II: 2021-2022 Taxes, \$1,623.55, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 404, Serial No. 143640 (Tract 2)

NOTE III: 2021-2022 Taxes, \$133.90, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 400, Serial No. 114055 (Tract 3)

NOTE IV: 2021-2022 Taxes, \$169.48, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 401, Serial No. 114058 (Tract 4)

NOTE V: 2021-2022 Taxes, \$1,588.99, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 402, Serial No. 114060 (Tract 5)

NOTE VI: 2021-2022 Taxes, \$1,964.80, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 403, Serial No. 114063 (Tract 6)

NOTE VII: 2021-2022 Taxes, \$619.10, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 1800, Serial No. 112954 (Tract 7)

NOTE VIII: 2021-2022 Taxes, \$740.98, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 2701, Serial No. 112996 (Tract 8)

NOTE IX: 2021-2022 Taxes, \$2,547.98, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 2702, Serial No. 112997 (Tract 9)

NOTE X: 2021-2022 Taxes, \$2,655.16, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 1700, Serial No. 114131 (Tract 10)

NOTE XI: 2021-2022 Taxes, \$1,903.48, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 1000, Serial No. 114103 (Tract 11)

NOTE XII: 2021-2022 Taxes, \$1,168.62, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 3600, Serial No. 114140 (Tract 12)

NOTE XIII: 2021-2022 Taxes, \$1,718.15, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 900, Serial No. 114100 (Tract 13)

NOTE XIV: 2021-2022 Taxes, \$2,201.10, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 902, Serial No. 167857 (Tract 13)

NOTE XV: 2021-2022 Taxes, \$3,528.67, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 903, Serial No. 167858 (Tract 13)

NOTE XVI: 2021-2022 Taxes, \$56.32, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 3601, Serial No. 141569 (Tract 14)

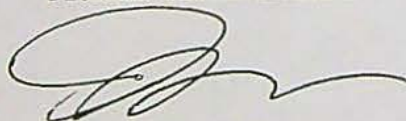
NOTE XVII: 2021-2022 Taxes, \$681.76, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 901, Serial No. 148099 (Tract 15)

1. Assessments of any taxing authority that levies taxes or assessments on real property or by the public records, proceedings by a public agency which may result in taxes or assessments or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

This is not a Title Report or a Commitment to issue Title Insurance. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this report and will not be responsible for errors or omissions therein.

Very truly yours,

PIONEER TITLE COMPANY



Jeremy S. Parker
Title Officer

Tract 1

Township 6 North, Range 34, E.W.M.

Section 16: Fractional South Half of the Northeast Quarter.
Southeast Quarter.

Section 21: North Half of the Northeast Quarter.

Section 21: Commencing at the Northeast corner of the South Half of the Northeast Quarter of said Section 21; thence Westerly along the North line of said South Half of the Northeast Quarter, a distance of 147.50 feet to the True Point of Beginning for this description; thence Easterly along said North line, a distance of 147.50 feet to the Northeast corner of said South Half of the Northeast Quarter; thence Southerly along the East line of said Section 21, a distance of 147.50 feet; thence Northwesterly to the point of beginning.

Section 22: South Half of the Northwest Quarter.

Excepting therefrom that tract of land conveyed to Owen W. Frost, etal, by Deed recorded in Instrument No. 2012-5920358, Office of Umatilla County Records.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 2

Township 6 North, Range 34, E.W.M.

Section 16: Southwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 3

Township 6 North, Range 34, E.W.M.

Section 16: All that portion of the fractional South Half of the Northwest Quarter lying Northerly of County Road No. 700 (aka Umapine-State Line Road).

Excepting therefrom any portion lying within the County Road and Highway rights-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 4

Township 6 North, Range 34, E.W.M.

Section 16: Beginning at a point on the West line of said Section 16, said point being the intersection of said West line with the South right-of-way line of State Line Road; thence Southerly along said West line of Section 16 to a point which is 846.80 feet distant Southerly from the Oregon-Washington State Line; thence North $88^{\circ}51'$ East, a distance of 1,124.50 feet; thence Northerly, a distance of 737 feet, more or less, to the South right-of-way line of said State Line Road; thence Westerly to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 5

Township 6 North, Range 34, E.W.M.

Section 16: Commencing at a point on the Oregon-Washington State Line, which point is 1,124.40 feet distant Easterly from the West line of said Section 16; thence Southerly and parallel to the West line of said Section 16, a distance of 96.70 feet, more or less, to the South right-of-way line of State Line Road and the True Point of Beginning for this description; thence Southerly and parallel to the West line of said Section 16, a distance of 737 feet; thence North $88^{\circ}51'$ East, a distance of 1,427.90 feet, more or less, to the West right-of-way line of said State Line Road; thence Northwesterly along said right-of-way to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 6

Township 6 North, Range 34, E.W.M.

Section 21: Northwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 7

Township 6 North, Range 34, E.W.M.

Section 23: South Half of the Southwest Quarter

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 8

Township 6 North, Range 34, E.W.M.

Section 26: North Half of Northwest Quarter.

Section 27: Northeast Quarter of Northeast Quarter.

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 9

Parcel 3, PARTITION PLAT NO. 2011-08 (Instrument No. 2011-5770333, Office of Umatilla County Records) located in Sections 26, 27 and 35, Township 6 North, Range 34, East of the Willamette Meridian, Umatilla County, Oregon.

Tract 10

Township 6 North, Range 34, E.W.M.

Section 22: All that portion of the Northeast Quarter and of the North Half of the Southeast Quarter lying North and East of County Road No. 536.

Section 23: West Half of the Northwest Quarter.
Northwest Quarter of the Southwest Quarter.
Northeast Quarter of the Northwest Quarter.
North Half of the Northeast Quarter.

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 11

Township 6 North, Range 34, E.W.M.

Section 21: Southwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 12

Township 6 North, Range 34, E.W.M.

Section 28: Beginning at the Northwest corner of said Section 28; thence Easterly along the North line of said Section 28, a distance of 2,860 feet to the West line of County Road No. 558 (as it exists now on the ground); thence Southerly along the West line of said County Road, a distance of 2,175 feet to the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's Canal (as said canal was constructed and located on July 6, 1945); thence Westerly along said centerline the following courses and distances: (South 43°20' West, a distance of 180 feet; thence North 64°40' West, a distance of 67 feet; thence North 11°55' East, a distance of 245 feet; thence North 65°50' West, a distance of 77 feet; thence North 25°00' West, a distance of 88 feet; thence South 58°20' West, a distance of 152 feet; thence North 48°45' West, a distance of 235 feet; thence South 50°35' West, a distance of 210 feet; thence South 33°00' West, a distance of 106 feet; thence South 19°45' West, a distance of 83 feet; thence North 76°00' West, a distance of 80 feet; thence North 31°30' West, a distance of 62 feet; thence North 06°45' East, a distance of 482 feet; thence North 33°50' West, a distance of 95 feet; thence South 24°50' West, a distance of 227 feet; thence South 86°15' West, a distance of 204 feet; thence South 70°10' West, a distance of 263 feet; thence North 05°54' East, a distance of 235 feet; thence South 82°30' West, a distance of 140 feet; thence North 00°11' West, a distance of 440 feet; thence South 36°30' West, a distance of 589 feet; thence North 34°30' West, a distance of 262 feet; thence North 08°36' West, a distance of 115 feet; thence North 15°00' West, a distance of 40 feet; thence South 57°00' West, a distance of 288 feet; thence South 58°20' West, a distance of 51 feet; thence North 10°24' East, a distance of 390 feet; thence South 32°45' West, a distance of 189 feet; thence South 74°45' West, a distance of 75 feet; thence North 32°40' West, a distance of 203 feet; thence North 02°21' West, a distance of 175 feet; thence North 60°00' West, a distance of 150 feet; thence North 01°21' West, a distance of 102 feet; thence North 21°00' West, a distance of 100 feet; thence North 12°30' East, a distance of 146 feet; thence North 37°40' West, a distance of 148 feet to the West line of said Section 28); thence Northerly along the said West line, a distance of 350 feet to the point of beginning.

Excepting therefrom a strip of land of 15 feet wide, lying immediately North of, adjacent to and parallel to said irrigation canal.

Also excepting therefrom that tract of land conveyed to John Weidert, etux, by Deed recorded in Microfilm Reel 91, Page 373, Office of Umatilla County Records.

Excepting therefrom any portion lying within the County Road and Irrigation Canal rights-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 1

Township 6 North, Range 34, E.W.M.

Section 20: All that portion of Section 20 lying Southerly of a line parallel to and 14 feet distant Southerly from the centerline of the Milton-Freewater & Hudson Bay Irrigation Company Canal, and lying Southerly of a line described as beginning at a point on the West line of said Section 20, a distance of 2,530 feet North of the Southwest corner of said Section; thence North 25°56' East 480 feet; thence North 30°51' East 365 feet; thence South 55°04' East 340 feet; thence South 41°34' East 530 feet to a point 14 feet from and at right angles Southerly from the centerline of said Milton-Freewater & Hudson Bay Irrigation Company ditch and North of Troyer Road.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 2

Township 6 North, Range 34, E.W.M.

Section 20: All that portion of Section 20 lying Southerly of a line parallel to and 14 feet distant Southerly from the centerline of the Milton-Freewater & Hudson Bay Irrigation Company Canal, and Southerly of Troyer Road.

Section 29: Together with that portion of Section 29 lying South and West of said Milton-Freewater & Hudson Bay Irrigation Company Canal.

Excepting therefrom any portion of that tract of land conveyed to Gerald Lee Weidert, etux, by Deed recorded in Microfilm R-221, Page 648, Deed Records located within said Section 29.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 3

Township 6 North, Range 34, E.W.M.

Section 28: All that portion of Section 28 lying immediately South and adjacent to the Milton-Freewater & Hudson Bay Irrigation Company Canal, as said canal was constructed, operated, maintained and located on November 17, 1975 and Westerly of Hudson Bay Road (County Road No. 707).

Excepting a strip of land 10 feet wide lying immediately South of, adjacent to and parallel with said Irrigation Canal.

Also excepting therefrom any portion of that tract conveyed to Gerald Lee Weidert, etux, by Deed recorded in Microfilm R-221, Page 648, Deed Records located within said Section 28.

Also excepting therefrom that tract conveyed to Columbia County Rural Electric Association, Inc., by Deed recorded in Book 216, Page 162, Deed Records.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 14

Township 6 North, Range 34, E.W.M.

Section 28: Beginning at the Northwest corner of said Section 28; thence North $89^{\circ}18'36''$ East, a distance of 132.71 feet to point on the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's lateral canal; thence South $21^{\circ}26'01''$ West along the centerline of said lateral canal, a distance of 102.25 feet; thence South $00^{\circ}37'30''$ East, a distance of 126.75 feet; thence South $14^{\circ}42'56''$ West, a distance of 150.59 feet to a point on the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's main canal; thence North $42^{\circ}05'55''$ West along the centerline of said main canal, a distance of 21.59 feet; thence North $66^{\circ}31'01''$ West, a distance of 42.16 feet to the point of intersection of the centerline of said main canal with the West line of said Section 28; thence North $00^{\circ}54'56''$ West, a distance of 333.19 feet to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 15

Township 6 North, Range 34, E.W.M.

Sections 28 and 29: A parcel of land located in the South Half of said Section 29 and the Southwest Quarter of said Section 28, being described as beginning at the Southwest corner of said Section 29; thence North $00^{\circ}48'03''$ West along the West line of said Section 29, a distance of 1,918.54 feet; thence South $89^{\circ}41'02''$ East and parallel with the South line of said Section 29, a distance of 5,321.14 feet to a point on the East line of said Section 29; thence continuing South $89^{\circ}41'02''$ East, a distance of 467.23 feet; thence South $42^{\circ}32'45''$ East, a distance of 1,089.69 feet; thence South $37^{\circ}34'14''$ East, a distance of 352.81 feet; thence South $38^{\circ}56'26''$ East, a distance of 738.34 feet; thence South $11^{\circ}09'57''$ East, a distance of 139.13 feet; thence South $64^{\circ}13'03''$ East, a distance of 252.24 feet to a point on the North right-of-way of County Road No. 717; thence North $89^{\circ}39'03''$ West along the North right-of-way of said County Road, a distance of 68.11 feet to the Southeast corner of that tract of land conveyed to Columbia County Rural Electric Association, Inc. by Deed recorded in Book 216, Page 162, Deed Records; thence along the boundary of said Columbia County Rural Electric Association, Inc. Tract the following courses and distances:

North $64^{\circ}13'03''$ West, a distance of 206.06 feet;
thence North $11^{\circ}09'57''$ West, a distance of 159.84 feet;
thence South $89^{\circ}39'03''$ West, a distance of 150 feet;
thence South $00^{\circ}20'57''$ East, a distance of 247.76 feet to a point on the South line of said Section 28;

thence North $89^{\circ}39'03''$ West along the South line of said Section 28, a distance of 1,673.57 feet to the Southeast corner of said Section 29; thence North $89^{\circ}41'02''$ West, a distance of 5,324.99 feet to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

PIONEER TITLE COMPANY

PRIVACY POLICY

WE ARE COMMITTED TO SAFEGUARDING CUSTOMER INFORMATION

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information, particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

APPLICABILITY. This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use the information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

TYPES OF INFORMATION. Depending upon which our services you are utilizing, the types of nonpublic personal information that we may collect include:

- A. Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- B. Information about your transactions with us, our affiliated companies, or others; and
- C. Information we receive from a consumer reporting agency.

USE OF INFORMATION. We request information from you for our own legitimate business purposes and not for the benefit of any non affiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for use to provide the product or service you have requested to use; or (2) as permitted by law. We may however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purposes, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

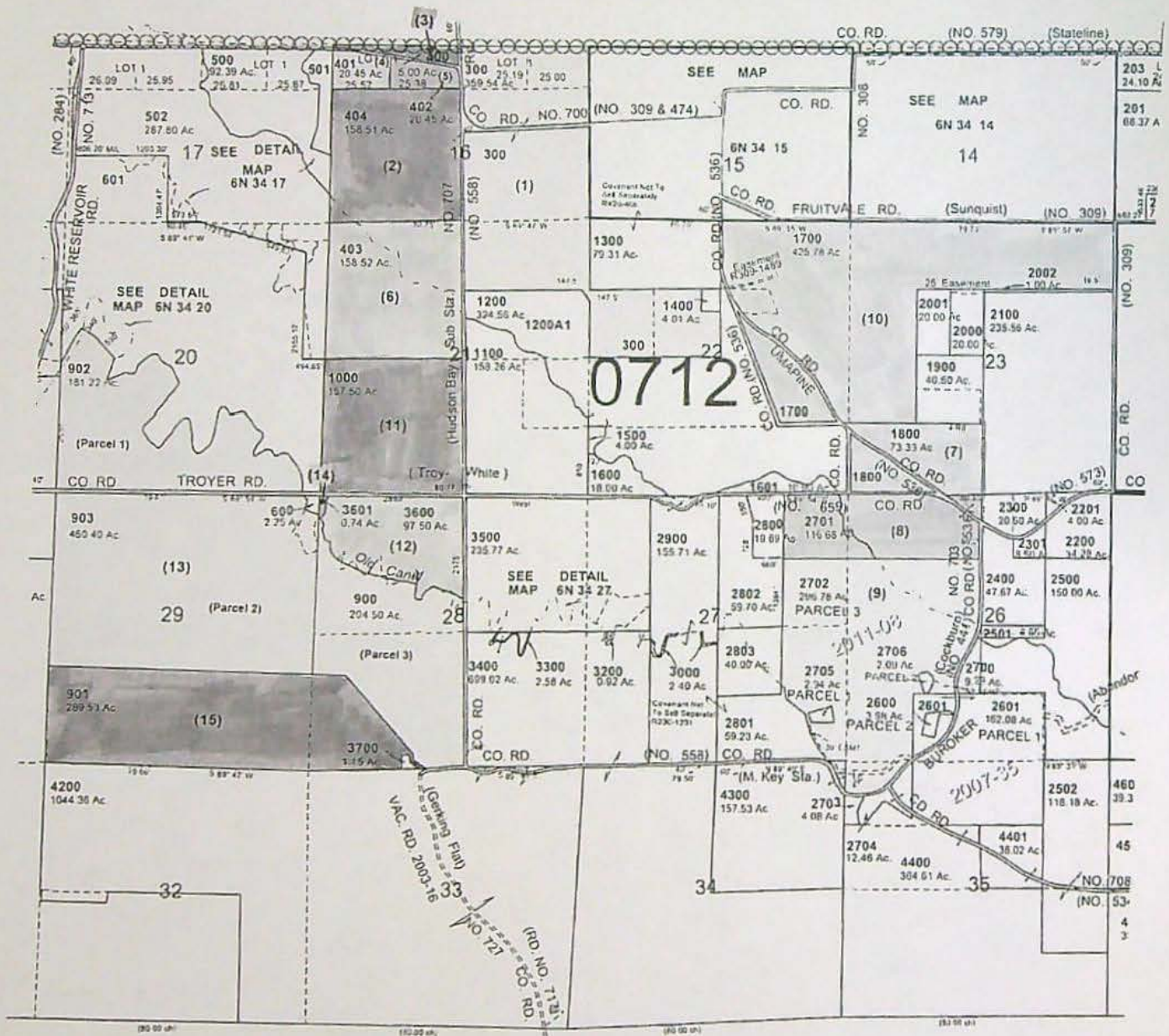
FORMER CUSTOMERS. Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

CONFIDENTIALITY AND SECURITY. We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Pioneer Title Company

THIS MAP IS NOT A SURVEY AND DOES NOT SHOW THE LOCATION OF ANY IMPROVEMENTS AND IS PROVIDED FOR IDENTIFICATION OF THE LANDS ONLY AND THIS COMPANY ACCEPTS NO LIABILITY FOR THE ACCURACY OF BOUNDARY LINES, EASEMENTS, ROAD OR OTHER MATTERS SHOWN THEREON.

MAP NO. 6N-34



Umatilla County
Received: 2/24/2020



AFTER RECORDING, RETURN TO:

Stoel Rives LLP
760 SW Ninth Avenue, Suite 3000
Portland, OR 97205
Attn: Tyler Clarke

UNTIL A CHANGE IS REQUESTED,
SEND ALL TAX STATEMENTS TO:

The Peoples Company, c/o Alternative Equity Advisors
12119 Stratford Dr.
Clive, IA 50325

State of Oregon
County of Umatilla



Instrument received
and recorded on
2/24/2020 3:34:15 PM

In the record of instrument
code type DE

Instrument number 2020-6970678
Fee \$176.00

Office of County Records

Steve Churchill

Records Officer
1110902 P17

STATUTORY WARRANTY DEED

T.O. Williams & Associates, Inc., also known as Thomas O. Williams & Associates, Inc., an Oregon corporation, Tom A. Williams, Raymond Williams, also known as Ray L. Williams and Raymond L. Williams and Melinda S. Eden ("Grantor"), conveys and warrants to Pendleton Land LLC, a Delaware limited liability company ("Grantee"), the real property located in Umatilla County, Oregon, described on the attached Exhibit A (the "Property"), free of encumbrances except as specifically set forth herein, subject to the matters shown on attached Exhibit B.

The true consideration for this conveyance is Twenty Three Million and 00/100 Dollars (\$23,000,000.00) and includes other property.

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.

PIONEER TITLE CO. 99435
109 SW COURT, PEND. OR 97801

21st IN WITNESS WHEREOF, Grantor has executed this Statutory Warranty Deed as of this
day of Feb., 2020.

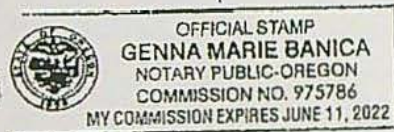
GRANTOR:

Thomas O. Williams & Associates, Inc.,
an Oregon corporation

By: Tom A. Williams
Name: Tom A. Williams
Title: V.P.

STATE OF OREGON)
COUNTY OF Umatilla)ss.

The foregoing instrument is acknowledged before me this 21st day of Feb., 2020,
by Tom A. Williams.



Genna Marie Banica
Notary Public for Oregon
commission expires: June 11, 2022

IN WITNESS WHEREOF, Grantor has executed this Statutory Warranty Deed as of this
21st day of Feb., 2020.

GRANTOR:

By:

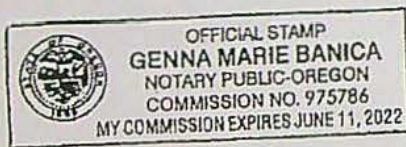
Thomas A. Williams
Thomas A. Williams

STATE OF OREGON)

)ss.

COUNTY OF Umatilla)

The foregoing instrument is acknowledged before me this 21st day of Feb., 2020,
by Thomas A. Williams.



Genna Marie Banica
Notary Public for Oregon

commission expires: June 11, 2022

21st IN WITNESS WHEREOF, Grantor has executed this Statutory Warranty Deed as of this
day of Feb., 2020.

GRANTOR:

By: Raymond L. Williams

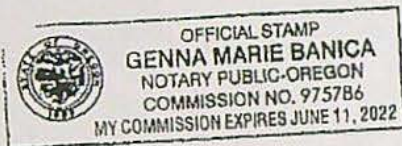
Raymond L. Williams

STATE OF OREGON)

)ss.

COUNTY OF Umatilla)

The foregoing instrument is acknowledged before me this 21st day of Feb., 2020,
by Raymond L. Williams.



Genna Marie Banica
Notary Public for Oregon

commission expires: June 11, 2022

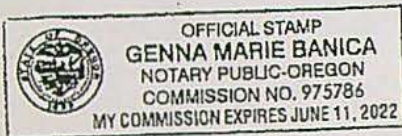
21st IN WITNESS WHEREOF, Grantor has executed this Statutory Warranty Deed as of this
day of Feb., 2020.

GRANTOR:

By: Melinda S. Eden
Melinda S. Eden

STATE OF OREGON)
)ss.
COUNTY OF Umatilla)

The foregoing instrument is acknowledged before me this 21st day of Feb., 2020,
by Melinda S. Eden.



Genna Marie Banica
Notary Public for Oregon
commission expires: June 11, 2022

EXHIBIT A
to Statutory Warranty Deed

Legal Description of Property

Tract 1

Township 6 North, Range 34, E.W.M.

Section 16: Fractional South Half of the Northeast Quarter.
Southeast Quarter.

Section 21: North Half of the Northeast Quarter.

Section 21: Commencing at the Northeast corner of the South Half of the Northeast Quarter of said Section 21; thence Westerly along the North line of said South Half of the Northeast Quarter, a distance of 147.50 feet to the True Point of Beginning for this description; thence Easterly along said North line, a distance of 147.50 feet to the Northeast corner of said South Half of the Northeast Quarter; thence Southerly along the East line of said Section 21, a distance of 147.50 feet; thence Northwesterly to the point of beginning.

Section 22: South Half of the Northwest Quarter.

Excepting therefrom that tract of land conveyed to Owen W. Frost, etal, by Deed recorded in Instrument No. 2012-5920358, Office of Umatilla County Records.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 2

Township 6 North, Range 34, E.W.M.

Section 16: Southwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 3

Township 6 North, Range 34, E.W.M.

Section 16: All that portion of the fractional South Half of the Northwest Quarter lying Northerly of County Road No. 700 (aka Umapine-State Line Road).

Excepting therefrom any portion lying within the County Road and Highway rights-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 4

Township 6 North, Range 34, E.W.M.

Section 16: Beginning at a point on the West line of said Section 16, said point being the intersection of said West line with the South right-of-way line of State Line Road; thence Southerly along said West line of Section 16 to a point which is 846.80 feet distant Southerly from the Oregon-Washington State Line; thence North $88^{\circ}51'$ East, a distance of 1,124.50 feet; thence Northerly, a distance of 737 feet, more or less, to the South right-of-way line of said State Line Road; thence Westerly to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 5

Township 6 North, Range 34, E.W.M.

Section 16: Commencing at a point on the Oregon-Washington State Line, which point is 1,124.40 feet distant Easterly from the West line of said Section 16; thence Southerly and parallel to the West line of said Section 16, a distance of 96.70 feet, more or less, to the South right-of-way line of State Line Road and the True Point of Beginning for this description; thence Southerly and parallel to the West line of said Section 16, a distance of 737 feet; thence North $88^{\circ}51'$ East, a distance of 1,427.90 feet, more or less, to the West right-of-way line of said State Line Road; thence Northwesterly along said right-of-way to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 6

Township 6 North, Range 34, E.W.M.

Section 21: Northwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 7

Township 6 North, Range 34, E.W.M.

Section 23: South Half of the Southwest Quarter

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 8

Township 6 North, Range 34, E.W.M.

Section 26: North Half of Northwest Quarter.

Section 27: Northeast Quarter of Northeast Quarter.

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 9

Parcel 3, PARTITION PLAT NO. 2011-08 (Instrument No. 2011-5770333, Office of Umatilla County Records) located in Sections 26, 27 and 35, Township 6 North, Range 34, East of the Willamette Meridian, Umatilla County, Oregon.

Tract 10

Township 6 North, Range 34, E.W.M.

Section 22: All that portion of the Northeast Quarter and of the North Half of the Southeast Quarter lying North and East of County Road No. 536.

Section 23: West Half of the Northwest Quarter.
Northwest Quarter of the Southwest Quarter.
Northeast Quarter of the Northwest Quarter.
North Half of the Northeast Quarter.

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 11

Township 6 North, Range 34, E.W.M.

Section 21: Southwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 12

Township 6 North, Range 34, E.W.M.

Section 28: Beginning at the Northwest corner of said Section 28; thence Easterly along the North line of said Section 28, a distance of 2,860 feet to the West line of County Road No. 558 (as it exists now on the ground); thence Southerly along the West line of said County Road, a distance of 2,175 feet to the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's Canal (as said canal was constructed and located on July 6, 1945); thence Westerly along said centerline the following courses and distances: (South 43°20' West, a distance of 180 feet; thence North 64°40' West, a distance of 67 feet; thence North 11°55' East, a distance of 245 feet; thence North 65°50' West, a distance of 77 feet; thence North 25°00' West, a distance of 88 feet; thence South 58°20' West, a distance of 152 feet; thence North 48°45' West, a distance of 235 feet; thence South 50°35' West, a distance of 210 feet; thence South 33°00' West, a distance of 106 feet; thence South 19°45' West, a distance of 83 feet; thence North 76°00' West, a distance of 80 feet; thence North 31°30' West, a distance of 62 feet; thence North 06°45' East, a distance of 482 feet; thence North 33°50' West, a distance of 95 feet; thence South 24°50' West, a distance of 227 feet; thence South 86°15' West, a distance of 204 feet; thence South 70°10' West, a distance of 263 feet; thence North 05°54' East, a distance of 235 feet; thence South 82°30' West, a distance of 140 feet; thence North 00°11' West, a distance of 440 feet; thence South 36°30' West, a distance of 589 feet; thence North 34°30' West, a distance of 262 feet; thence North 08°36' West, a distance of 115 feet; thence North 15°00' West, a distance of 40 feet; thence South 57°00' West, a distance of 288 feet; thence South 58°20' West, a distance of 51 feet; thence North 10°24' East, a distance of 390 feet; thence South 32°45' West, a distance of 189 feet; thence South 74°45' West, a distance of 75 feet; thence North 32°40' West, a distance of 203 feet; thence North 02°21' West, a distance of 175 feet; thence North 60°00' West, a distance of 150 feet; thence North 01°21' West, a distance of 102 feet; thence North 21°00' West, a distance of 100 feet; thence North 12°30' East, a distance of 146 feet; thence North 37°40' West, a distance of 148 feet to the West line of said Section 28); thence Northerly along the said West line, a distance of 350 feet to the point of beginning.

Excepting therefrom a strip of land of 15 feet wide, lying immediately North of, adjacent to and parallel to said irrigation canal.

Also excepting therefrom that tract of land conveyed to John Weidert, etux, by Deed recorded in Microfilm Reel 91, Page 373, Office of Umatilla County Records.

Excepting therefrom any portion lying within the County Road and Irrigation Canal rights-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 1

Township 6 North, Range 34, E.W.M.

Section 20: All that portion of Section 20 lying Southerly of a line parallel to and 14 feet distant Southerly from the centerline of the Milton-Freewater & Hudson Bay Irrigation Company Canal, and lying Southerly of a line described as beginning at a point on the West line of said Section 20, a distance of 2,530 feet North of the Southwest corner of said Section; thence North 25°56' East 480 feet; thence North 30°51' East 365 feet; thence South 55°04' East 340 feet; thence South 41°34' East 530 feet to a point 14 feet from and at right angles Southerly from the centerline of said Milton-Freewater & Hudson Bay Irrigation Company ditch and North of Troyer Road.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 2

Township 6 North, Range 34, E.W.M.

Section 20: All that portion of Section 20 lying Southerly of a line parallel to and 14 feet distant Southerly from the centerline of the Milton-Freewater & Hudson Bay Irrigation Company Canal, and Southerly of Troyer Road.

Section 29: Together with that portion of Section 29 lying South and West of said Milton-Freewater & Hudson Bay Irrigation Company Canal.

Excepting therefrom any portion of that tract of land conveyed to Gerald Lee Weidert, etux, by Deed recorded in Microfilm R-221, Page 648, Deed Records located within said Section 29.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 3

Township 6 North, Range 34, E.W.M.

Section 28: All that portion of Section 28 lying immediately South and adjacent to the Milton-Freewater & Hudson Bay Irrigation Company Canal, as said canal was constructed, operated, maintained and located on November 17, 1975 and Westerly of Hudson Bay Road (County Road No. 707).

Excepting a strip of land 10 feet wide lying immediately South of, adjacent to and parallel with said Irrigation Canal.

Also excepting therefrom any portion of that tract conveyed to Gerald Lee Weidert, etux, by Deed recorded in Microfilm R-221, Page 648, Deed Records located within said Section 28.

Also excepting therefrom that tract conveyed to Columbia County Rural Electric Association, Inc., by Deed recorded in Book 216, Page 162, Deed Records.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 14

Township 6 North, Range 34, E.W.M.

Section 28: Beginning at the Northwest corner of said Section 28; thence North 89°18'36" East, a distance of 132.71 feet to point on the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's lateral canal; thence South 21°26'01" West along the centerline of said lateral canal, a distance of 102.25 feet; thence South 00°37'30" East, a distance of 126.75 feet; thence South 14°42'56" West, a distance of 150.59 feet to a point on the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's main canal; thence North 42°05'55" West along the centerline of said main canal, a distance of 21.59 feet; thence North 66°31'01" West, a distance of 42.16 feet to the point of intersection of the centerline of said main canal with the West line of said Section 28; thence North 00°54'56" West, a distance of 333.19 feet to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 15

Township 6 North, Range 34, E.W.M.

Sections 28 and 29: A parcel of land located in the South Half of said Section 29 and the Southwest Quarter of said Section 28, being described as beginning at the Southwest corner of said Section 29; thence North 00°48'03" West along the West line of said Section 29, a distance of 1,918.54 feet; thence South 89°41'02" East and parallel with the South line of said Section 29, a distance of 5,321.14 feet to a point on the East line of said Section 29; thence continuing South 89°41'02" East, a distance of 467.23 feet; thence South 42°32'45" East, a distance of 1,089.69 feet; thence South 37°34'14" East, a distance of 352.81 feet; thence South 38°56'26" East, a distance of 738.34 feet; thence South 11°09'57" East, a distance of 139.13 feet; thence South 64°13'03" East, a distance of 252.24 feet to a point on the North right-of-way of County Road No. 717; thence North 89°39'03" West along the North right-of-way of said County Road, a distance of 68.11 feet to the Southeast corner of that tract of land conveyed to Columbia County Rural Electric Association, Inc. by Deed recorded in Book 216, Page 162, Deed Records; thence along the boundary of said Columbia County Rural Electric Association, Inc. Tract the following courses and distances:

North 64°13'03" West, a distance of 206.06 feet;
thence North 11°09'57" West, a distance of 159.84 feet;
thence South 89°39'03" West, a distance of 150 feet;
thence South 00°20'57" East, a distance of 247.76 feet to a point on the South line of said Section 28;

thence North 89°39'03" West along the South line of said Section 28, a distance of 1,673.57 feet to the Southeast corner of said Section 29; thence North 89°41'02" West, a distance of 5,324.99 feet to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

EXHIBIT B
to Statutory Warranty Deed

Special Exceptions

1. As disclosed by the tax rolls the premises herein described have been zoned or classified for special use. At any time that said land is disqualified for such use said property will be subject to additional taxes and interest.
2. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
3. The premises herein described are within the boundaries of the Hudson Bay Irrigation District and this property is therefore subject to all easements, including but not limited to the Milton-Freewater and Hudson Bay Irrigation Company Canals, levies and assessments thereof.
4. Easement, including the terms and provisions thereof,
Grantee : Walla Walla Irrigation Company
Recorded : October 10, 1903, Book 42, Page 128, Deed Records.
5. Easement, including the terms and provisions thereof,
Grantee : Lower Hudson Bay Irrigation District
Recorded : October 10, 1910, Book 68, Page 527, Deed Records.
6. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : May 11, 1912, Book 78, Page 428, Deed Records.
7. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : November 20, 1916, Book 95, Page 632, Deed Records.
8. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : December 14, 1916, Book 98, Page 96, Deed Records.
9. Easement, including the terms and provisions thereof,
Grantee : Milton-Freewater & Hudson Bay Irrigation Company
Recorded : November 5, 1919, Book 106, Page 444, Deed Records.
10. Easement, including the terms and provisions thereof,
Grantee : Walla Walla Irrigation Company
Recorded : May 18, 1922, Book 116, Page 571, Deed Records.
11. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : March 28, 1930, Book 139, Page 226, Deed Records.
12. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : March 28, 1930, Book 139, Page 227, Deed Records.

13. Right-of-way easement, including the terms and provisions thereof,
Grantee : Joseph S. Baker, etux
Recorded : March 20, 1935, Book 148, Page 445, Deed Records.
14. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : November 29, 1944, Book 170, Page 268, Deed Records.
15. Water Contract, including the terms and provisions thereof,
First Party : Milton-Freewater Hudson Bay Irrigation Company
Second Party : H.S. Murray
Recorded : March 15, 1951, Book 196, Page 174, Deed Records.
16. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : March 31, 1935, Book 210, Page 342, Deed Records.
17. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : January 27, 1956, Book 231, Page 459, Deed Records.
18. Water Contract, including the terms and provisions thereof,
First Party : Milton-Freewater Hudson Bay Irrigation Company
Second Party : John Weidert
Recorded : August 22, 1967, Book 290, Page 377, Deed Records.
19. Easement, including the terms and provisions thereof,
Grantee : Hudson Bay District Improvement Company
Recorded : September 27, 1967, Book 290, Page 683, Deed Records.
20. Easement for pipeline and pump purposes, including the terms and provisions thereof,
Grantee : Harvey L. Young
Recorded : March 6, 1980, Microfilm Reel 62, Page 1443, Office of Umatilla County Records.
21. Water Contract, including the terms and provisions thereof,
First Party : Hudson Bay District Improvement Company
Second Party : Herb March and Couse Creek Ranches
Recorded : September 5, 1980, Microfilm Reel 70, Page 782, Office of Umatilla County Records.
22. Easement for access purposes, including the terms and provisions thereof, contained in Deed,
Grantee : John Weidert, etux
Recorded : April 28, 1982, Microfilm Reel 91, Page 373, Office of Umatilla County Records.
23. Terms and provisions contained under easement for ingress, egress and roadway purposes,
Grantee : Helen Harris
Recorded : February 15, 1989, Microfilm Reel 177, Page 1009, Office of Umatilla County Records.

24. Easement for ingress and egress purposes, including the terms and provisions thereof, contained in Deed,
Grantee : Gerald Lee Weidert, etux
Recorded : June 9, 1992, Microfilm Reel 221, Page 647, Office of Umatilla County Records.
25. Easement for diverting irrigation water and other matters related thereto, including the terms and provisions thereof,
First Party : Couse Creek Ranches, Inc.
Second Party : Calvin Neal Blessinger, etal
Recorded : May 9, 1997, Microfilm Reel 309, Page 1489, Office of Umatilla County Records.
26. Covenant not to sell separately, including the terms and provisions thereof,
Grantor : Raymond Williams
Grantee : Umatilla County, Oregon
Recorded : October 8, 2004, Instrument No. 2004-4700532, Office of Umatilla County Records.
27. Electric Service Agreement, including the terms and provisions thereof,
First Party : Columbia Rural Electric Association
Second Party : Thomas O. Williams & Associates
Recorded : September 7, 2010, Instrument No. 2010-5700182, Office of Umatilla County Records.
28. Easements as shown on Partition Plat No. 2011-08,
Recorded : April 11, 2011, Instrument No. 2011-5770333, Office of Umatilla County Records.
29. Terms and provisions contained under Easement for ingress, egress, irrigation pump and pipeline repair and maintenance, reserved in Deed,
Grantor : Thomas O. Williams & Associates Inc.
Recorded : May 30, 2012, Instrument No. 2012-5920358, Office of Umatilla County Records.
30. Easement, including the terms and provisions thereof,
Grantee : Columbia Energy, LLC
Recorded : April 27, 2016, Instrument No. 2016-6420628, Office of Umatilla County Records.
31. Electric Service Agreement, including the terms and provisions thereof, disclosed by Memorandum,
First Party : Columbia Rural Electric Association
Second Party : Thomas O Williams & Assoc Inc.
Recorded : February 10, 2017, Instrument No. 2017-6540320, Office of Umatilla County Records.
32. Covenants, Conditions and Restrictions, including the terms and provisions thereof, contained in Declaration,
Recorded : November 16, 2018, Instrument No. 2018-6790370, Office of Umatilla County Records.

33. Covenant Not to Sue, including the terms and provisions thereof,
First Party : Thomas O. Williams and Associates, Inc.
Second Party : Umatilla County
Recorded : November 16, 2018, Instrument No. 2018-6790371, Office of
Umatilla County Records.
34. Communication Site Lease, including the terms and provisions thereof,
disclosed by Agreement,
Lessor : Ray Williams
Lessee : Columbia Energy LLC
Recorded : April 27, 2016, Instrument No. 2016-6420627, Office of
Umatilla County Records.
35. Easement, including the terms and provisions thereof,
Grantee : Milton-Freewater & Hudson Bay Irrigation Company
Recorded : November 5, 1919, Book 106, Page 443, Deed Records.
36. Water Contract, including the terms and provisions thereof,
First Party : Milton-Freewater Hudson Bay Irrigation Company
Second Party : T.F. Starnes
Recorded : March 16, 1922, Book 118, Page 435, Deed Records.
37. Parties in possession or claiming the right of possession by reason of
encroachments as shown on A.L.T.A./N.S.P.S. Land Title Survey performed
by PBS Engineering and Environmental Inc. on February 11, 2020, Project
No. 67617, including but not limited to the following:
- a. Encroachment of field on Sec. 20, 6N-34
 - b. Encroachment of fence on Sec. 20, 6N-34
 - c. Encroachment of road on Sec. 21, 6N-34
 - d. Encroachment of fence on Sec. 22, 6N-34
 - e. Encroachment of field on Sec. 22, 6N-34
 - f. Encroachment of fence on Sec. 23, 6N-34
 - g. Encroachment of stable on Sec. 23, 6N-34
 - h. Encroachment of driveway on Sec. 23, 6N-34
 - i. Encroachment of road on Sec. 23, 6N-34
 - j. Encroachment of road on Sec. 26, 6N-34
 - k. Encroachment of sheds on Sec. 26, 6N-34
 - l. Encroachment of field on Sec. 27, 6N-34
 - m. Encroachment of fence on Sec. 27, 6N-34
 - n. Encroachment of road outside access easement on Sec. 28, 6N-34
 - o. (Intentionally Deleted)
 - p. Encroachment of road on Sec. 29, 6N-34
 - q. Encroachment of fence on Sec. 29, 6N-34
38. Reservations or exceptions in patents or in Acts authorizing the
issuance thereof.

Part 5 of 5 – Water Right Information

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

CERTIFICATE # **30636**

Received by OWRD

Description of Water Delivery System

System capacity: **3.79** cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

MAR 22 2022

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. Water is pumped from the well with 25-150 hp pumps into 15 inch to 8 inch buried PVC and steel mainline to center pivots with drop tube sprinklers, and 3 inch wheel and handlines. There are three boosters (one 25hp centrifugal, one 50 hp turbine, and one 50 hp centrifugal) used to convey water across the property site.

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)
Williams Well #1 (W1 Well)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4178	6	N	34	E	35	NW	NW	2702	11 chains South and ¼ chain East from NW corner, Section 35; further described as 726 feet South and 16.5 feet East from NW Corner Section 35
Williams Well #1 Replacement (WWR1 Well)	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NOT DRILLED YET	6	N	34	E	35	NW	NW	2702	45.959971 -118.537696 715 ft South & 161 ft East from the NW Corner, Section 35

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 30636

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng		Sec		¼ ¼		Tax Lot	Gvt Lot or DLC	Acre	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	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
6	N	34	E	26	NE	NW	2701		18.9	IS	W1 Well	3/7/1949	POA	6	N	34	E	26	NE	NW	2701		18.9	IS	WWR1 Well	3/7/1949
6	N	34	E	26	NW	NW	2701		35.8	IS	W1 Well	3/7/1949	POA	6	N	34	E	26	NW	NW	2701		35.8	IS	WWR1 Well	3/7/1949
6	N	34	E	26	SW	NW	2702		24.5	IS	W1 Well	3/7/1949	POA	6	N	34	E	26	SW	NW	2702		24.5	IS	WWR1 Well	3/7/1949
6	N	34	E	26	SE	NW	2702		12.0	IS	W1 Well	3/7/1949	POA	6	N	34	E	26	SE	NW	2702		12.0	IS	WWR1 Well	3/7/1949
6	N	34	E	26	NE	SW	2702		7.0	IS	W1 Well	3/7/1949	POA	6	N	34	E	26	NE	SW	2702		7.0	IS	WWR1 Well	3/7/1949
6	N	34	E	26	NW	SW	2702		36.8	IS	W1 Well	3/7/1949	POA	6	N	34	E	26	NW	SW	2702		36.8	IS	WWR1 Well	3/7/1949
6	N	34	E	26	SE	SW	2702		36.5	IS	W1 Well	3/7/1949	POA	6	N	34	E	26	SE	SW	2702		36.5	IS	WWR1 Well	3/7/1949
6	N	34	E	27	NE	NE	2701		35.8	IS	W1 Well	3/7/1949	POA	6	N	34	E	27	NE	NE	2701		35.8	IS	WWR1 Well	3/7/1949
6	N	34	E	27	SE	NE	2702		34.7	IS	W1 Well	3/7/1949	POA	6	N	34	E	27	SE	NE	2702		34.7	IS	WWR1 Well	3/7/1949
6	N	34	E	35	NW	NW	2702		12.1	IS	W1 Well	3/7/1949	POA	6	N	34	E	35	NW	NW	2702		12.1	IS	WWR1 Well	3/7/1949
									(254.1)	TOTAL IS													(254.1)	TOTAL IS		
TOTAL ACRES:									254.1					TOTAL ACRES:									254.1			

Additional remarks: Certificate 30636 affects the Basalt aquifer only. "W1" refers to Williams Well #1. "WWR1" refers to Williams Well #1 Replacement. The final proof survey map for Certificate 30636 does not delineate between primary and supplemental acres. This will be rectified upon final proof of this transfer.

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

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

Table 2. Description of Changes to Water Right Certificate # 30636

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng			Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)		Priority Date	Twp	Rng			Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
6	N	34	E	26	NE	NW	2701		14.3	IR	W1 Well	3/7/1949	POA	6	N	34	E	26	NE	NW	2701		14.3	IR	W1 Well Replace	3/7/1949
6	N	34	E	26	NW	NW	2701		3.8	IR	W1 Well	3/7/1949	POA	6	N	34	E	26	NW	NW	2701		3.8	IR	W1 Well Replace	3/7/1949
6	N	34	E	26	SW	NW	2702		4.7	IR	W1 Well	3/7/1949	POA	6	N	34	E	26	SW	NW	2702		4.7	IR	W1 Well Replace	3/7/1949
6	N	34	E	26	SE	NW	2702		20.9	IR	W1 Well	3/7/1949	POA	6	N	34	E	26	SE	NW	2702		20.9	IR	W1 Well Replace	3/7/1949
6	N	34	E	26	NE	SW	2702		8.2	IR	W1 Well	3/7/1949	POA	6	N	34	E	26	NE	SW	2702		8.2	IR	W1 Well Replace	3/7/1949
6	N	34	E	26	SW	SW	2702		0.5	IR	W1 Well	3/7/1949	POA	6	N	34	E	26	SW	SW	2702		0.5	IR	W1 Well Replace	3/7/1949
6	N	34	E	27	SE	NE	2702		3.7	IR	W1 Well	3/7/1949	POA	6	N	34	E	27	SE	NE	2702		3.7	IR	W1 Well Replace	3/7/1949
6	N	34	E	35	NW	NW	2702		2.3	IR	W1 Well	3/7/1949	POA	6	N	34	E	35	NW	NW	2702		2.3	IR	W1 Well Replace	3/7/1949
									(58.4)	TOTAL IR													(58.4)	TOTAL IR		
TOTAL ACRES:														TOTAL ACRES:												

Additional remarks: The 58.4 acres associated with Williams Well #1 are from the Basalt aquifer. The 3.4 acres on Tax Lot 2601 in the SESW of Section 26, and 4.0 acres on Tax Lot 2703 in the NWNW of Section 35 are not part of this transfer.

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: 89896, 83956.

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

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

Ground water supplemental Permit or Certificate # NA;

Surface water primary Certificate # NA.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Authorized Williams Well #1	Yes	UMAT 4178	702' bgs	12- & 18-inch	0-60' bgs	Not on well log	No	Not on well log	Basalt	Not on well log
Replacement Williams Well #1	No	N/A	710' bgs	12- to 14 inch	0 to 300' - 350' bgs	0 to 300' - 350' bgs	No	Not known at this time	Basalt	Not known at this time

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 95919

Description of Water Delivery System

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System capacity: 9.56 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from the wells with 25-150 hp pumps into 8 inch to 15 inch buried PVC and steel mainline to center pivots with drop tube sprinklers, and 3 inch wheel and handlines. There are three boosters (one 25hp centrifugal, one 50 hp turbine, and one 50 hp centrifugal) used to convey water across property site.

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)
March well 3 (MW3)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 5378	6	N	34	E	22	NE	NE	1700	Alluvial: 60 Feet South and 10 Feet West from NE Corner, Section 22
March Well 1 (MW1)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4113	6	N	34	E	23	NE	NW	1700	Alluvial: 650 Feet South and 90 Feet West from N ¼ Corner, Section 23
March Well 2 (MW2)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 5357	6	N	34	E	23	SW	NW	1700	Alluvial: 10 Feet North and 350 Feet East from W ¼ Corner, Section 23
Key Bros Well 1 (KBW1)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4121	6	N	34	E	23	SW	SW	1800	Alluvial: 260 Feet North and 1230 Feet East from SW Corner, Section 23
Williams Well 7 (WW7)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 52037	6	N	34	E	23	SW	SW	1800	Alluvial: 1230 Feet North and 90 Feet East from SW Corner, Section 23
Key Bros Well 2 (KBW2)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4122	6	N	34	E	23	SE	SW	1800	Alluvial: 30 Feet North and 1620 Feet East From SW Corner, Section 23
Williams Well 3 (WW3)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 53567	6	N	34	E	27	SE	SE	2702	Basalt: 970 Feet North and 5 Feet East from SW Corner, Section 26
Williams Well 4 (WW4)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4177	6	N	34	E	35	SE	NW	4400	Basalt: 1290 Feet South and 1710 Feet East from NW Corner, Section 35.
Williams Well 1 (WW1) (Basalt)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4178	6	N	34	E	35	NW	NW	2702	Basalt: 670 feet South & 35 feet East from NW Corner, Section 35
Williams Well 1 (WW1R) Replacement (Basalt)	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NOT DRILLED	6	N	34	E	35	NW	NW	2702	45.959971 -118.537696 Basalt: 715 ft South & 161 ft East from the NW Corner, Section 35

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 95915, Salem, OR

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
6	N	34	E 22	NE NE	1700	24.9	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E 22	NE NE	1700	24.9	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E 22	NW NE	1700	15.0	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E 22	NW NE	1700	15.0	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E 22	SW NE	1700	15.9	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E 22	SW NE	1700	15.9	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E 22	SE NE	1700	16.8	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E 22	SE NE	1700	16.8	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E 22	NE SE	1700	20.7	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E 22	NE SE	1700	20.7	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E 22	NW SE	1700	9.1	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E 22	NW SE	1700	9.1	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E 23	NE NW	1700	13.4	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E 23	NE NW	1700	13.4	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E 23	NW NW	1700	15.5	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E 23	NW NW	1700	15.5	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E 23	SW NW	1700	36.7	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E 23	SW NW	1700	36.7	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E 23	NW SW	1700	5.6	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E 23	NW SW	1700	5.6	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E 26	NE NW	2701	1.6	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E 26	NE NW	2701	1.6	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E 26	SW NW	2702	4.8	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E 26	SW NW	2702	4.8	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
TOTAL ACRES:						See total on next page					TOTAL ACRES:									

Additional remarks: This POA transfer affects the basalt aquifer portions of Pendleton Land's acreage only. The POA transfer map legend lists location of affected wells only.

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Additional remarks: The water right allows 33 acres for Supplemental Irrigation to be used from either the Alluvial aquifer or the Basalt aquifer.
The replacement well for Williams Well #1 will be Basalt.

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	POA(s) to be used (from Table 1)	Priority Date								
6	N	34	E	26	SE	NW	2702		2.2	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	SE	NW	2702		2.2	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98		
6	N	34	E	26	NE	SW	2702		7.4	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	NE	SW	2702		7.4	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98		
6	N	34	E	26	NW	SW	2702		4.5	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	NW	SW	2702		4.5	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98		
6	N	34	E	26	SW	SW	2702		1.0	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	SW	SW	2702		1.0	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98		
6	N	34	E	35	NW	NW	2702		0.5	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	35	NW	NW	2702		0.5	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98		
									(195.6)	TOTAL								(195.6)	TOTAL									
6	N	34	E	22	NW	NE	1700		23.0	IS either aquifer	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	22	NW	NE	1700		23.0	IS either aquifer	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98		
6	N	34	E	22	SW	NE	1700		10.0	IS either aquifer	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	22	SW	NE	1700		10.0	IS either aquifer	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98		
									(33.0)	TOTAL								(33.0)	TOTAL									
TOTAL ACRES:											TOTAL ACRES:																	

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Salem, OR

Table 2. Description of Changes to Water Right Certificate # 95919

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng		Sec		¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng		Sec		¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
6	N	34	E	23	NW	NW	1700		1.6	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	23	NW	NW	1700		1.6	IS basalt	WW3, WW1R, WW4	4/20/98
6	N	34	E	23	SW	SW	1800		37.3	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	23	SW	SW	1800		37.3	IS basalt	WW3, WW1R, WW4	4/20/98
6	N	34	E	23	SE	SW	1800		38.4	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	23	SE	SW	1800		38.4	IS basalt	WW3, WW1R, WW4	4/20/98
6	N	34	E	26	NE	NW	2701		8.0	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	NE	NW	2701		8.0	IS basalt	WW3, WW1R, WW4	4/20/98
6	N	34	E	26	NE	SW	2702		3.5	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	NE	SW	2702		3.5	IS basalt	WW3, WW1R, WW4	4/20/98
6	N	34	E	26	NW	SW	2702		0.4	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	NW	SW	2702		0.4	IS basalt	WW3, WW1R, WW4	4/20/98
6	N	34	E	27	NE	NE	2701		2.2	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	27	NE	NE	2701		2.2	IS basalt	WW3, WW1R, WW4	4/20/98
6	N	34	E	27	SE	NE	2702		0.4	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	27	SE	NE	2702		0.4	IS basalt	WW3, WW1R, WW4	4/20/98
									(91.8)	TOTAL													(91.8)	TOTAL		
TOTAL ACRES:														TOTAL	TOTAL ACRES:											

Additional remarks: These 91.8 acres of Certificate 89896 associated with Williams Well #1 are for Supplemental Irrigation from Basalt aquifer.

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Salem, OR

Table 2. Description of Changes to Water Right Certificate # 95919

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		
6	N	34	E	26	NE	NW	2701		33.2	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	26	NE	NW	2701		33.2	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	26	NW	NW	2701		39.6	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	26	NW	NW	2701		39.6	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	26	SW	NW	2702		29.2	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	26	SW	NW	2702		29.2	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	26	SE	NW	2702		32.9	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	26	SE	NW	2702		32.9	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	26	NE	SW	2702		15.2	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	26	NE	SW	2702		15.2	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	26	NW	SW	2702		36.8	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	26	NW	SW	2702		36.8	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	26	SW	SW	2702		37.1	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	26	SW	SW	2702		37.1	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	27	NE	NE	2701		35.8	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	27	NE	NE	2701		35.8	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	27	SE	NE	2702		38.4	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	27	SE	NE	2702		38.4	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	35	NW	NW	2702		19.4	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	35	NW	NW	2702		19.4	IS Deficiency Basalt	W1 Well Replace	4/20/98
									(317.6)	TOTAL													(317.6)	TOTAL		
TOTAL ACRES:													TOTAL	TOTAL ACRES:												

Comments: These 317.6 acres associated with Williams Well #1 are for Supplemental Irrigation for Deficiency from Basalt Aquifer. The acres associated with Supplemental Irrigation from Alluvial Aquifer and Supplemental Irrigation for a Deficiency from Alluvial Aquifer are not part of this transfer as we are only replacing a basalt well.

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: 2810, 5516, 5528, 6323, 7967, 30636, 36131, 36132, 66888, 76705, 83954, 83956, 87556, 93399, 94536, T-8286, G-12728.

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

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

Ground water supplemental Permit or Certificate # N/A;

Surface water primary Certificate # N/A.

Received by OWRD

For a change from Supplemental Irrigation Use to Primary Irrigation Use

MAR 22 2022

Identify the primary certificate to be cancelled. Certificate # N/A

Salem, OR

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Authorized Williams Well #1	Yes	UMAT 4178	702' bgs	14- & 18-inch	60' bgs	Not on well log	Not on well log	Not on well log	Basalt	Not on well log
Replacement Williams Well #1	No	N/A	710' bgs	12- to 14-inch	0 to 300'-350' bgs	0 to 300'-350' bgs	No	Not known at this time	Basalt	Not known at this time

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-310-23**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Pendleton Land, LLC**, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes Title: Transfer Advisor Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266 Phone: 503 979-3511 Fax: 503 986-0901 Email: patrick.k.starnes@water.oregon.gov	Name: Pendleton Land, LLC Contact: David Muth Address: 12119 Stratford Dr., Ste B Clive, IA 50325 Phone: (515) 222-1347 Fax: Email: dave@alternativeequityadvisors.com	Name: GeoEngineers, Inc. Contact: Molly Reid Address: 8019 W. Quinault Ave., Ste 201 Kennewick, WA 99336 Phone: (509) 298-2846 Fax: (541) 310-7264 Email: mreid@geoengineers.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (**Application Number: T-13757**)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
 - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is ~~\$1,770.47~~ **\$2,343.06**. Applicant agrees to pay the full amount of ~~\$1,770.47~~ **\$2,343.06** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Or employees, and agents from and against all claims, suits, actions, losses, damages, liabilities resulting from or arising out of, or relating to the activities of Applicant or its contractors, or agents under this Agreement or with respect to the expedited service. the Oregon Water Resources Department cannot and does not guarantee a favorable process.

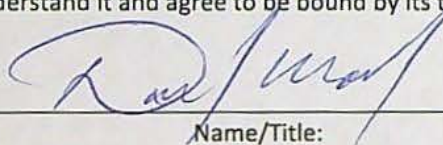
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7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
9. **Duration of Estimate.** The Estimate of Time to completion is **approximately** 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant:


Name/Title:

4/20/2022
Date

For OWRD:

Dwight French – Administrator

Date

Mail signed Agreement to:

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

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March 21, 2022

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Tamera Smith, Transfer Section
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Response to Draft Preliminary Determination of T-13757

Dear Ms. Smith:

Per OWRD's request for a written response by March 31, 2022, please find below our response to the issues identified in the Draft Preliminary Determination of Transfer 13757.

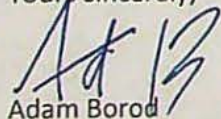
It is our understanding from OWRD that the well identified as UMAT 4178 develops more than one aquifer. After our consultant's discussion with Jen Woody on March 7, 2022, we propose to modify the proposed construction of UMAT 4178's replacement well (Replacement Williams Well #1) as follows: case and seal to a depth between approximately 300 and 350 feet below ground level as similarly constructed in UMAT 53567, to comply with single aquifer development. It is also our intent to abandon well UMAT 4178 to OWRD standards. We accept that the replacement well will be limited to 50 percent of the rate.

It is also our understanding that the remaining two proposed wells (replacements for Well 4 and Well U-452) are acceptable by the department.

Given that we will need to replace all three of these wells, and the amount of time it will take to construct the wells, we are requesting that the date to which full beneficial use from these wells be extended to **October 1, 2025**, pursuant to OAR 690-380-5140(3), because a longer time for completion of the change is necessary. In talking with several well drillers they have indicated that it will be a minimum of six to nine months before they could even start on a project such as ours due to supply chain issues, as well as a back log of well construction projects that were delayed by the Covid pandemic.

Thank you for your consideration of our proposed modifications above, and we request that you proceed with processing this reimbursement authority transfer application.

Yours sincerely,



Adam Borod
RWN Management, LLC



PioneerTitleCo.
GOING BEYOND

Pioneer Title Company of Umatilla County

109 SW Court Avenue
Pendleton, OR 97801
Phone (541) 276-5114
Fax (541) 276-0484

115 E Highland Avenue, Ste A
Hermiston, OR 97838
Phone (541) 567-9743
Fax (541) 567-7307

To: Carbondale Operations LLC
12119 Stratford Drive
Clive, IA 50325

Order No: 104352
Your No : n/a
Owner : PENDLETON LAND LLC
Report : O&E Report

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TYPE OF POLICY:	AMOUNTS	CODE	PREMIUMS
Ownership and Encumbrance Report	\$0.00		\$500.00

We hereby certify that we have searched our Tract Indices as to the following described property:

SEE ATTACHED DESCRIPTION

And as of March 17, 2022, at 5 o'clock P.M., we find that the last document of record runs to:

PENDLETON LAND LLC, a Delaware limited liability company
as to a fee simple interest

We also find the following monetary encumbrances appearing of record within ten years prior to the date of this search:

NOTE I: 2021-2022 Taxes, \$4,936.95, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 300, Serial No. 114051 (Tract 1)

NOTE II: 2021-2022 Taxes, \$1,623.55, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 404, Serial No. 143640 (Tract 2)

NOTE III: 2021-2022 Taxes, \$133.90, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 400, Serial No. 114055 (Tract 3)

NOTE IV: 2021-2022 Taxes, \$169.48, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 401, Serial No. 114058 (Tract 4)

NOTE V: 2021-2022 Taxes, \$1,588.99, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 402, Serial No. 114060 (Tract 5)

NOTE VI: 2021-2022 Taxes, \$1,964.80, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 403, Serial No. 114063 (Tract 6)

NOTE VII: 2021-2022 Taxes, \$619.10, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 1800, Serial No. 112954 (Tract 7)

NOTE VIII: 2021-2022 Taxes, \$740.98, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 2701, Serial No. 112996 (Tract 8)

NOTE IX: 2021-2022 Taxes, \$2,547.98, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 2702, Serial No. 112997 (Tract 9)

NOTE X: 2021-2022 Taxes, \$2,655.16, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 1700, Serial No. 114131 (Tract 10)



PioneerTitleCo.
GOING BEYOND

Pioneer Title Company of Umatilla County

109 SW Court Avenue
Pendleton, OR 97801
Phone (541) 276-5114
Fax (541) 276-0484

115 E Highland Avenue, Ste A
Hermiston, OR 97838
Phone (541) 567-9743
Fax (541) 567-7307

INVOICE

Customer

Name Carbondale Operations LLC
Address 12119 Stratford Drive
City Clive State IA ZIP 50325

Invoice Date 03/21/22
Our Order No. 104352
Your Order No. n/a
Reference Pendleton Land LLC

Quantity	Description	Unit Price	Total
1	Ownership and Encumbrance Report RECEIVED MAR 28 2022 OWRD	\$500.00	\$500.00
		Sub Total	\$500.00

Make checks payable to:
Pioneer Title Company of Umatilla County
109 SW Court Avenue
Pendleton, OR 97801

THANK YOU FOR YOUR BUSINESS

Carbondale Operations LLC
Order No. 104352

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-2-

MAR 28 2022

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NOTE XI: 2021-2022 Taxes, \$1,903.48, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 1000, Serial No. 114103 (Tract 11)

NOTE XII: 2021-2022 Taxes, \$1,168.62, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 3600, Serial No. 114140 (Tract 12)

NOTE XIII: 2021-2022 Taxes, \$1,718.15, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 900, Serial No. 114100 (Tract 13)

NOTE XIV: 2021-2022 Taxes, \$2,201.10, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 902, Serial No. 167857 (Tract 13)

NOTE XV: 2021-2022 Taxes, \$3,528.67, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 903, Serial No. 167858 (Tract 13)

NOTE XVI: 2021-2022 Taxes, \$56.32, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 3601, Serial No. 141569 (Tract 14)

NOTE XVII: 2021-2022 Taxes, \$681.76, paid in full.
Code No. 7-12, Map No. 6N-34, Tax Lot 901, Serial No. 148099 (Tract 15)

1. Assessments of any taxing authority that levies taxes or assessments on real property or by the public records, proceedings by a public agency which may result in taxes or assessments or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

This is not a Title Report or a Commitment to issue Title Insurance. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this report and will not be responsible for errors or omissions therein.

Very truly yours,

PIONEER TITLE COMPANY



Jeremy S. Parker
Title Officer

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Tract 1

Township 6 North, Range 34, E.W.M.

Section 16: Fractional South Half of the Northeast Quarter.
Southeast Quarter.

Section 21: North Half of the Northeast Quarter.

Section 21: Commencing at the Northeast corner of the South Half of the Northeast Quarter of said Section 21; thence Westerly along the North line of said South Half of the Northeast Quarter, a distance of 147.50 feet to the True Point of Beginning for this description; thence Easterly along said North line, a distance of 147.50 feet to the Northeast corner of said South Half of the Northeast Quarter; thence Southerly along the East line of said Section 21, a distance of 147.50 feet; thence Northwesterly to the point of beginning.

Section 22: South Half of the Northwest Quarter.

Excepting therefrom that tract of land conveyed to Owen W. Frost, etal, by Deed recorded in Instrument No. 2012-5920358, Office of Umatilla County Records.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 2

Township 6 North, Range 34, E.W.M.

Section 16: Southwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 3

Township 6 North, Range 34, E.W.M.

Section 16: All that portion of the fractional South Half of the Northwest Quarter lying Northerly of County Road No. 700 (aka Umapine-State Line Road).

Excepting therefrom any portion lying within the County Road and Highway rights-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

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Tract 4

Township 6 North, Range 34, E.W.M.

Section 16: Beginning at a point on the West line of said Section 16, said point being the intersection of said West line with the South right-of-way line of State Line Road; thence Southerly along said West line of Section 16 to a point which is 846.80 feet distant Southerly from the Oregon-Washington State Line; thence North 88°51' East, a distance of 1,124.50 feet; thence Northerly, a distance of 737 feet, more or less, to the South right-of-way line of said State Line Road; thence Westerly to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 5

Township 6 North, Range 34, E.W.M.

Section 16: Commencing at a point on the Oregon-Washington State Line, which point is 1,124.40 feet distant Easterly from the West line of said Section 16; thence Southerly and parallel to the West line of said Section 16, a distance of 96.70 feet, more or less, to the South right-of-way line of State Line Road and the True Point of Beginning for this description; thence Southerly and parallel to the West line of said Section 16, a distance of 737 feet; thence North 88°51' East, a distance of 1,427.90 feet, more or less, to the West right-of-way line of said State Line Road; thence Northwesterly along said right-of-way to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 6

Township 6 North, Range 34, E.W.M.

Section 21: Northwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

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MAR 28 2022

Tract 7

OWRD

Township 6 North, Range 34, E.W.M.

Section 23: South Half of the Southwest Quarter

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 8

Township 6 North, Range 34, E.W.M.

Section 26: North Half of Northwest Quarter.

Section 27: Northeast Quarter of Northeast Quarter.

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 9

Parcel 3, PARTITION PLAT NO. 2011-08 (Instrument No. 2011-5770333, Office of Umatilla County Records) located in Sections 26, 27 and 35, Township 6 North, Range 34, East of the Willamette Meridian, Umatilla County, Oregon.

Tract 10

Township 6 North, Range 34, E.W.M.

Section 22: All that portion of the Northeast Quarter and of the North Half of the Southeast Quarter lying North and East of County Road No. 536.

Section 23: West Half of the Northwest Quarter.
Northwest Quarter of the Southwest Quarter.
Northeast Quarter of the Northwest Quarter.
North Half of the Northeast Quarter.

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 11

Township 6 North, Range 34, E.W.M.

Section 21: Southwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

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MAR 28 2022

Tract 12

Township 6 North, Range 34, E.W.M.

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Section 28: Beginning at the Northwest corner of said Section 28; thence Easterly along the North line of said Section 28, a distance of 2,860 feet to the West line of County Road No. 558 (as it exists now on the ground); thence Southerly along the West line of said County Road, a distance of 2,175 feet to the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's Canal (as said canal was constructed and located on July 6, 1945); thence Westerly along said centerline the following courses and distances: (South 43°20' West, a distance of 180 feet; thence North 64°40' West, a distance of 67 feet; thence North 11°55' East, a distance of 245 feet; thence North 65°50' West, a distance of 77 feet; thence North 25°00' West, a distance of 88 feet; thence South 58°20' West, a distance of 152 feet; thence North 48°45' West, a distance of 235 feet; thence South 50°35' West, a distance of 210 feet; thence South 33°00' West, a distance of 106 feet; thence South 19°45' West, a distance of 83 feet; thence North 76°00' West, a distance of 80 feet; thence North 31°30' West, a distance of 62 feet; thence North 06°45' East, a distance of 482 feet; thence North 33°50' West, a distance of 95 feet; thence South 24°50' West, a distance of 227 feet; thence South 86°15' West, a distance of 204 feet; thence South 70°10' West, a distance of 263 feet; thence North 05°54' East, a distance of 235 feet; thence South 82°30' West, a distance of 140 feet; thence North 00°11' West, a distance of 440 feet; thence South 36°30' West, a distance of 589 feet; thence North 34°30' West, a distance of 262 feet; thence North 08°36' West, a distance of 115 feet; thence North 15°00' West, a distance of 40 feet; thence South 57°00' West, a distance of 288 feet; thence South 58°20' West, a distance of 51 feet; thence North 10°24' East, a distance of 390 feet; thence South 32°45' West, a distance of 189 feet; thence South 74°45' West, a distance of 75 feet; thence North 32°40' West, a distance of 203 feet; thence North 02°21' West, a distance of 175 feet; thence North 60°00' West, a distance of 150 feet; thence North 01°21' West, a distance of 102 feet; thence North 21°00' West, a distance of 100 feet; thence North 12°30' East, a distance of 146 feet; thence North 37°40' West, a distance of 148 feet to the West line of said Section 28); thence Northerly along the said West line, a distance of 350 feet to the point of beginning.

Excepting therefrom a strip of land of 15 feet wide, lying immediately North of, adjacent to and parallel to said irrigation canal.

Also excepting therefrom that tract of land conveyed to John Weidert, etux, by Deed recorded in Microfilm Reel 91, Page 373, Office of Umatilla County Records.

Excepting therefrom any portion lying within the County Road and Irrigation Canal rights-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 1

Township 6 North, Range 34, E.W.M.

Section 20: All that portion of Section 20 lying Southerly of a line parallel to and 14 feet distant Southerly from the centerline of the Milton-Freewater & Hudson Bay Irrigation Company Canal, and lying Southerly of a line described as beginning at a point on the West line of said Section 20, a distance of 2,530 feet North of the Southwest corner of said Section; thence North 25°56' East 480 feet; thence North 30°51' East 365 feet; thence South 55°04' East 340 feet; thence South 41°34' East 530 feet to a point 14 feet from and at right angles Southerly from the centerline of said Milton-Freewater & Hudson Bay Irrigation Company ditch and North of Troyer Road.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 2

Township 6 North, Range 34, E.W.M.

Section 20: All that portion of Section 20 lying Southerly of a line parallel to and 14 feet distant Southerly from the centerline of the Milton-Freewater & Hudson Bay Irrigation Company Canal, and Southerly of Troyer Road.

Section 29: Together with that portion of Section 29 lying South and West of said Milton-Freewater & Hudson Bay Irrigation Company Canal.

Excepting therefrom any portion of that tract of land conveyed to Gerald Lee Weidert, etux, by Deed recorded in Microfilm R-221, Page 648, Deed Records located within said Section 29.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

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Tract 13, Parcel 3

Township 6 North, Range 34, E.W.M.

Section 28: All that portion of Section 28 lying immediately South and adjacent to the Milton-Freewater & Hudson Bay Irrigation Company Canal, as said canal was constructed, operated, maintained and located on November 17, 1975 and Westerly of Hudson Bay Road (County Road No. 707).

Excepting a strip of land 10 feet wide lying immediately South of, adjacent to and parallel with said Irrigation Canal.

Also excepting therefrom any portion of that tract conveyed to Gerald Lee Weidert, etux, by Deed recorded in Microfilm R-221, Page 648, Deed Records located within said Section 28.

Also excepting therefrom that tract conveyed to Columbia County Rural Electric Association, Inc., by Deed recorded in Book 216, Page 162, Deed Records.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 14

Township 6 North, Range 34, E.W.M.

Section 28: Beginning at the Northwest corner of said Section 28; thence North 89°18'36" East, a distance of 132.71 feet to point on the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's lateral canal; thence South 21°26'01" West along the centerline of said lateral canal, a distance of 102.25 feet; thence South 00°37'30" East, a distance of 126.75 feet; thence South 14°42'56" West, a distance of 150.59 feet to a point on the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's main canal; thence North 42°05'55" West along the centerline of said main canal, a distance of 21.59 feet; thence North 66°31'01" West, a distance of 42.16 feet to the point of intersection of the centerline of said main canal with the West line of said Section 28; thence North 00°54'56" West, a distance of 333.19 feet to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 15

Township 6 North, Range 34, E.W.M.

Sections 28 and 29: A parcel of land located in the South Half of said Section 29 and the Southwest Quarter of said Section 28, being described as beginning at the Southwest corner of said Section 29; thence North $00^{\circ}48'03''$ West along the West line of said Section 29, a distance of 1,918.54 feet; thence South $89^{\circ}41'02''$ East and parallel with the South line of said Section 29, a distance of 5,321.14 feet to a point on the East line of said Section 29; thence continuing South $89^{\circ}41'02''$ East, a distance of 467.23 feet; thence South $42^{\circ}32'45''$ East, a distance of 1,089.69 feet; thence South $37^{\circ}34'14''$ East, a distance of 352.81 feet; thence South $38^{\circ}56'26''$ East, a distance of 738.34 feet; thence South $11^{\circ}09'57''$ East, a distance of 139.13 feet; thence South $64^{\circ}13'03''$ East, a distance of 252.24 feet to a point on the North right-of-way of County Road No. 717; thence North $89^{\circ}39'03''$ West along the North right-of-way of said County Road, a distance of 68.11 feet to the Southeast corner of that tract of land conveyed to Columbia County Rural Electric Association, Inc. by Deed recorded in Book 216, Page 162, Deed Records; thence along the boundary of said Columbia County Rural Electric Association, Inc. Tract the following courses and distances:

North $64^{\circ}13'03''$ West, a distance of 206.06 feet;
thence North $11^{\circ}09'57''$ West, a distance of 159.84 feet;
thence South $89^{\circ}39'03''$ West, a distance of 150 feet;
thence South $00^{\circ}20'57''$ East, a distance of 247.76 feet to a point on the South line of said Section 28;

thence North $89^{\circ}39'03''$ West along the South line of said Section 28, a distance of 1,673.57 feet to the Southeast corner of said Section 29; thence North $89^{\circ}41'02''$ West, a distance of 5,324.99 feet to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

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PIONEER TITLE COMPANY
PRIVACY POLICY

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WE ARE COMMITTED TO SAFEGUARDING CUSTOMER INFORMATION

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information, particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

APPLICABILITY. This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use the information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

TYPES OF INFORMATION. Depending upon which our services you are utilizing, the types of nonpublic personal information that we may collect include:

- A. Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- B. Information about your transactions with us, our affiliated companies, or others; and
- C. Information we receive from a consumer reporting agency.

USE OF INFORMATION. We request information from you for our own legitimate business purposes and not for the benefit of any non affiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for use to provide the product or service you have requested to use; or (2) as permitted by law. We may however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purposes, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

FORMER CUSTOMERS. Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

CONFIDENTIALITY AND SECURITY. We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

RECEIVED

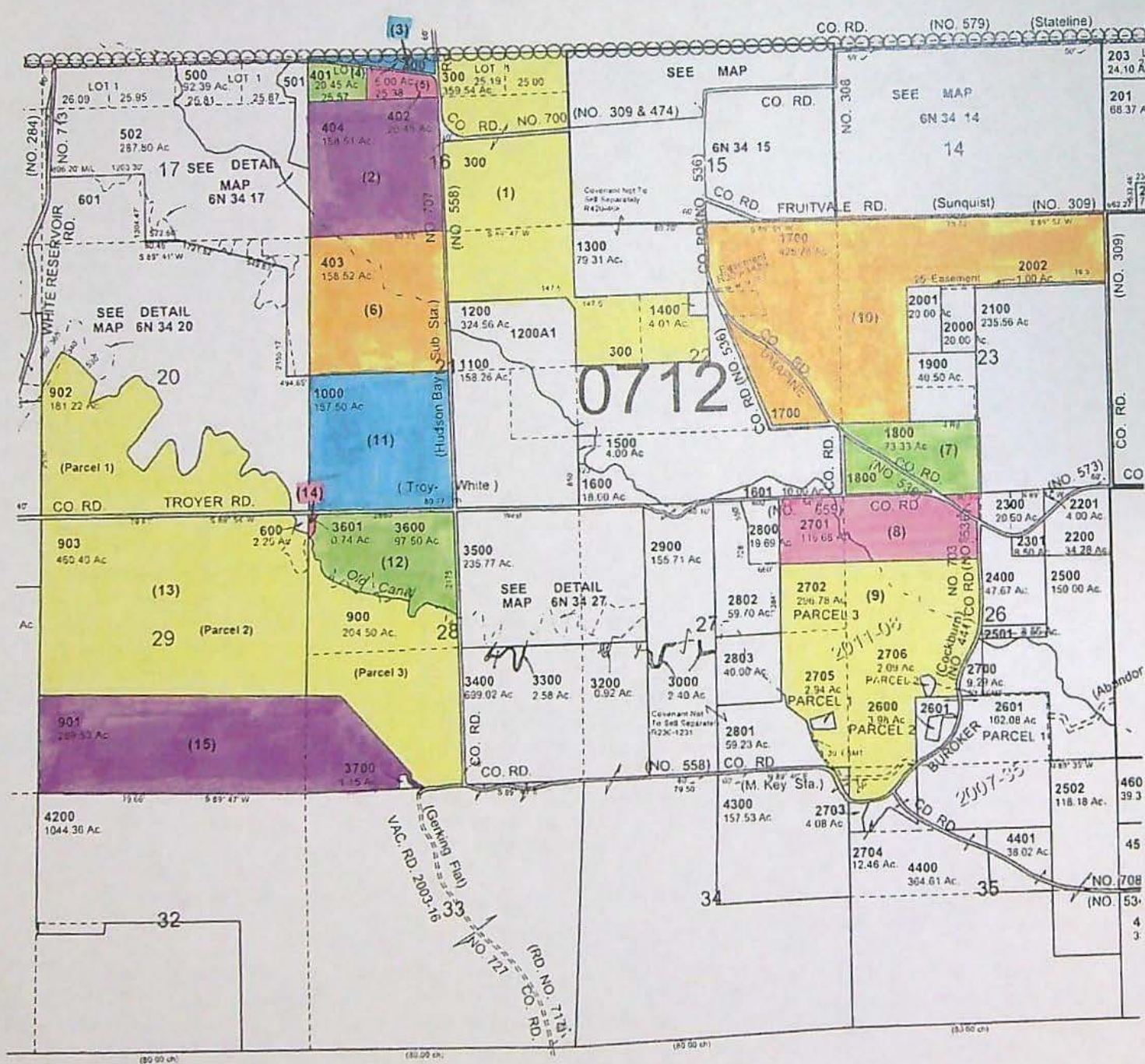
MAR 28 2022

Pioneer Title Company

OWRD

THIS MAP IS NOT A SURVEY AND DOES NOT SHOW THE LOCATION OF ANY IMPROVEMENTS AND IS PROVIDED FOR IDENTIFICATION OF THE LANDS ONLY AND THIS COMPANY ACCEPTS NO LIABILITY FOR THE ACCURACY OF BOUNDARY LINES, EASEMENTS, ROAD OR OTHER MATTERS SHOWN THEREON.

MAP NO. 6N-34



Umatilla County
Received: 2/24/2020



AFTER RECORDING, RETURN TO:
Stoel Rives LLP
760 SW Ninth Avenue, Suite 3000
Portland, OR 97205
Attn: Tyler Clarke

UNTIL A CHANGE IS REQUESTED,
SEND ALL TAX STATEMENTS TO:

The Peoples Company, c/o Alternative Equity Advisors
12119 Stratford Dr.
Clive, IA 50325

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State of Oregon
County of Umatilla



Instrument received
and recorded on
2/24/2020 3:34:15 PM

In the record of instrument
code type DE

Instrument number 2020-6970678
Fee \$176.00

Office of County Records

Steve Churchill

Records Officer
1110902 P17

STATUTORY WARRANTY DEED

T.O. Williams & Associates, Inc., also known as Thomas O. Williams & Associates, Inc., an Oregon corporation, Tom A. Williams, Raymond Williams, also known as Ray L. Williams and Raymond L. Williams and Melinda S. Eden ("Grantor"), conveys and warrants to Pendleton Land LLC, a Delaware limited liability company ("Grantee"), the real property located in Umatilla County, Oregon, described on the attached Exhibit A (the "Property"), free of encumbrances except as specifically set forth herein, subject to the matters shown on attached Exhibit B.

The true consideration for this conveyance is Twenty Three Million and 00/100 Dollars (\$23,000,000.00) and includes other property.

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.

PIONEER TITLE CO. 99435
109 SW COURT, PEND. OR 97801

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21st IN WITNESS WHEREOF, Grantor has executed this Statutory Warranty Deed as of this day of Feb., 2020.

GRANTOR:

Thomas O. Williams & Associates, Inc.,
an Oregon corporation

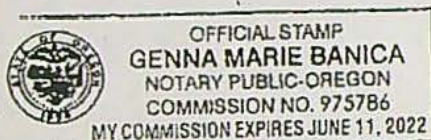
By:

Tom A. Williams
Name: Tom A. Williams
Title: V.P.

STATE OF OREGON)

COUNTY OF Umatilla)ss.

The foregoing instrument is acknowledged before me this 21st day of Feb., 2020,
by Tom A. Williams.



Genna Marie Banica
Notary Public for Oregon
commission expires: June 11, 2022

RECEIVED

MAR 28 2022

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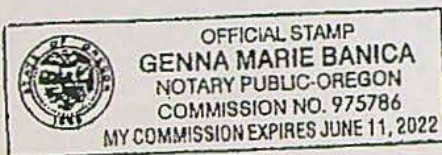
IN WITNESS WHEREOF, Grantor has executed this Statutory Warranty Deed as of this
21st day of Feb., 2020.

GRANTOR:

By: Thomas A. Williams
Thomas A. Williams

STATE OF OREGON)
)ss.
COUNTY OF Umatilla)

The foregoing instrument is acknowledged before me this 21st day of Feb., 2020,
by Thomas A. Williams.



Genna Marie Banica
Notary Public for Oregon
commission expires: June 11, 2022

RECEIVED

MAR 28 2022

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IN WITNESS WHEREOF, Grantor has executed this Statutory Warranty Deed as of this
21st day of Feb., 2020.

GRANTOR:

By:

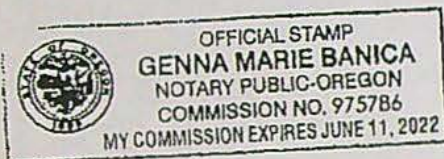
Raymond L. Williams
Raymond L. Williams

STATE OF OREGON)

)ss.

COUNTY OF Umatilla)

The foregoing instrument is acknowledged before me this 21st day of Feb., 2020,
by Raymond L. Williams.



Genna Marie Banica
Notary Public for Oregon

commission expires: June 11, 2022

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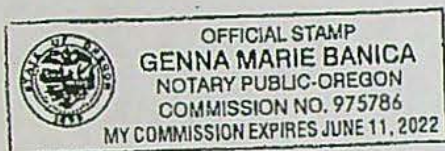
21st IN WITNESS WHEREOF, Grantor has executed this Statutory Warranty Deed as of this
day of Feb., 2020.

GRANTOR:

By: Melinda S. Eden
Melinda S. Eden

STATE OF OREGON)
)ss.
COUNTY OF Umatilla)

The foregoing instrument is acknowledged before me this 21st day of Feb., 2020,
by Melinda S. Eden.



Genna Marie Banica
Notary Public for Oregon
commission expires June 11, 2022

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EXHIBIT A
to Statutory Warranty Deed

Legal Description of Property

Tract 1

Township 6 North, Range 34, E.W.M.

Section 16: Fractional South Half of the Northeast Quarter.
Southeast Quarter.

Section 21: North Half of the Northeast Quarter.

Section 21: Commencing at the Northeast corner of the South Half of the Northeast Quarter of said Section 21; thence Westerly along the North line of said South Half of the Northeast Quarter, a distance of 147.50 feet to the True Point of Beginning for this description; thence Easterly along said North line, a distance of 147.50 feet to the Northeast corner of said South Half of the Northeast Quarter; thence Southerly along the East line of said Section 21, a distance of 147.50 feet; thence Northwesterly to the point of beginning.

Section 22: South Half of the Northwest Quarter.

Excepting therefrom that tract of land conveyed to Owen W. Frost, etal, by Deed recorded in Instrument No. 2012-5920358, Office of Umatilla County Records.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 2

Township 6 North, Range 34, E.W.M.

Section 16: Southwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

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Tract 3

Township 6 North, Range 34, E.W.M.

Section 16: All that portion of the fractional South Half of the Northwest Quarter lying Northerly of County Road No. 700 (aka Umapine-State Line Road).

Excepting therefrom any portion lying within the County Road and Highway rights-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 4

Township 6 North, Range 34, E.W.M.

Section 16: Beginning at a point on the West line of said Section 16, said point being the intersection of said West line with the South right-of-way line of State Line Road; thence Southerly along said West line of Section 16 to a point which is 846.80 feet distant Southerly from the Oregon-Washington State Line; thence North 88°51' East, a distance of 1,124.50 feet; thence Northerly, a distance of 737 feet, more or less, to the South right-of-way line of said State Line Road; thence Westerly to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 5

Township 6 North, Range 34, E.W.M.

Section 16: Commencing at a point on the Oregon-Washington State Line, which point is 1,124.40 feet distant Easterly from the West line of said Section 16; thence Southerly and parallel to the West line of said Section 16, a distance of 96.70 feet, more or less, to the South right-of-way line of State Line Road and the True Point of Beginning for this description; thence Southerly and parallel to the West line of said Section 16, a distance of 737 feet; thence North 88°51' East, a distance of 1,427.90 feet, more or less, to the West right-of-way line of said State Line Road; thence Northwesterly along said right-of-way to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

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Tract 6

Township 6 North, Range 34, E.W.M.

Section 21: Northwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 7

Township 6 North, Range 34, E.W.M.

Section 23: South Half of the Southwest Quarter

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 8

Township 6 North, Range 34, E.W.M.

Section 26: North Half of Northwest Quarter.

Section 27: Northeast Quarter of Northeast Quarter.

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 9

Parcel 3, PARTITION PLAT NO. 2011-08 (Instrument No. 2011-5770333, Office of Umatilla County Records) located in Sections 26, 27 and 35, Township 6 North, Range 34, East of the Willamette Meridian, Umatilla County, Oregon.

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Tract 10

Township 6 North, Range 34, E.W.M.

Section 22: All that portion of the Northeast Quarter and of the North Half of the Southeast Quarter lying North and East of County Road No. 536.

Section 23: West Half of the Northwest Quarter.
Northwest Quarter of the Southwest Quarter.
Northeast Quarter of the Northwest Quarter.
North Half of the Northeast Quarter.

Excepting therefrom any portion lying within the County Road right-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 11

Township 6 North, Range 34, E.W.M.

Section 21: Southwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

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Tract 12

Township 6 North, Range 34, E.W.M.

Section 28: Beginning at the Northwest corner of said Section 28; thence Easterly along the North line of said Section 28, a distance of 2,860 feet to the West line of County Road No. 558 (as it exists now on the ground); thence Southerly along the West line of said County Road, a distance of 2,175 feet to the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's Canal (as said canal was constructed and located on July 6, 1945); thence Westerly along said centerline the following courses and distances: (South 43°20' West, a distance of 180 feet; thence North 64°40' West, a distance of 67 feet; thence North 11°55' East, a distance of 245 feet; thence North 65°50' West, a distance of 77 feet; thence North 25°00' West, a distance of 88 feet; thence South 58°20' West, a distance of 152 feet; thence North 48°45' West, a distance of 235 feet; thence South 50°35' West, a distance of 210 feet; thence South 33°00' West, a distance of 106 feet; thence South 19°45' West, a distance of 83 feet; thence North 76°00' West, a distance of 80 feet; thence North 31°30' West, a distance of 62 feet; thence North 06°45' East, a distance of 482 feet; thence North 33°50' West, a distance of 95 feet; thence South 24°50' West, a distance of 227 feet; thence South 86°15' West, a distance of 204 feet; thence South 70°10' West, a distance of 263 feet; thence North 05°54' East, a distance of 235 feet; thence South 82°30' West, a distance of 140 feet; thence North 00°11' West, a distance of 440 feet; thence South 36°30' West, a distance of 589 feet; thence North 34°30' West, a distance of 262 feet; thence North 08°36' West, a distance of 115 feet; thence North 15°00' West, a distance of 40 feet; thence South 57°00' West, a distance of 288 feet; thence South 58°20' West, a distance of 51 feet; thence North 10°24' East, a distance of 390 feet; thence South 32°45' West, a distance of 189 feet; thence South 74°45' West, a distance of 75 feet; thence North 32°40' West, a distance of 203 feet; thence North 02°21' West, a distance of 175 feet; thence North 60°00' West, a distance of 150 feet; thence North 01°21' West, a distance of 102 feet; thence North 21°00' West, a distance of 100 feet; thence North 12°30' East, a distance of 146 feet; thence North 37°40' West, a distance of 148 feet to the West line of said Section 28); thence Northerly along the said West line, a distance of 350 feet to the point of beginning.

Excepting therefrom a strip of land of 15 feet wide, lying immediately North of, adjacent to and parallel to said irrigation canal.

Also excepting therefrom that tract of land conveyed to John Weidert, etux, by Deed recorded in Microfilm Reel 91, Page 373, Office of Umatilla County Records.

Excepting therefrom any portion lying within the County Road and Irrigation Canal rights-of-ways.

All being East of the Willamette Meridian, Umatilla County, Oregon.

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Tract 13, Parcel 1

Township 6 North, Range 34, E.W.M.

Section 20: All that portion of Section 20 lying Southerly of a line parallel to and 14 feet distant Southerly from the centerline of the Milton-Freewater & Hudson Bay Irrigation Company Canal, and lying Southerly of a line described as beginning at a point on the West line of said Section 20, a distance of 2,530 feet North of the Southwest corner of said Section; thence North 25°56' East 480 feet; thence North 30°51' East 365 feet; thence South 55°04' East 340 feet; thence South 41°34' East 530 feet to a point 14 feet from and at right angles Southerly from the centerline of said Milton-Freewater & Hudson Bay Irrigation Company ditch and North of Troyer Road.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 13, Parcel 2

Township 6 North, Range 34, E.W.M.

Section 20: All that portion of Section 20 lying Southerly of a line parallel to and 14 feet distant Southerly from the centerline of the Milton-Freewater & Hudson Bay Irrigation Company Canal, and Southerly of Troyer Road.

Section 29: Together with that portion of Section 29 lying South and West of said Milton-Freewater & Hudson Bay Irrigation Company Canal.

Excepting therefrom any portion of that tract of land conveyed to Gerald Lee Weidert, etux, by Deed recorded in Microfilm R-221, Page 648, Deed Records located within said Section 29.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

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Tract 13, Parcel 3

Township 6 North, Range 34, E.W.M.

Section 28: All that portion of Section 28 lying immediately South and adjacent to the Milton-Freewater & Hudson Bay Irrigation Company Canal, as said canal was constructed, operated, maintained and located on November 17, 1975 and Westerly of Hudson Bay Road (County Road No. 707).

Excepting a strip of land 10 feet wide lying immediately South of, adjacent to and parallel with said Irrigation Canal.

Also excepting therefrom any portion of that tract conveyed to Gerald Lee Weidert, etux, by Deed recorded in Microfilm R-221, Page 648, Deed Records located within said Section 28.

Also excepting therefrom that tract conveyed to Columbia County Rural Electric Association, Inc., by Deed recorded in Book 216, Page 162, Deed Records.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Tract 14

Township 6 North, Range 34, E.W.M.

Section 28: Beginning at the Northwest corner of said Section 28; thence North 89°18'36" East, a distance of 132.71 feet to point on the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's lateral canal; thence South 21°26'01" West along the centerline of said lateral canal, a distance of 102.25 feet; thence South 00°37'30" East, a distance of 126.75 feet; thence South 14°42'56" West, a distance of 150.59 feet to a point on the centerline of the Milton-Freewater & Hudson Bay Irrigation Company's main canal; thence North 42°05'55" West along the centerline of said main canal, a distance of 21.59 feet; thence North 66°31'01" West, a distance of 42.16 feet to the point of intersection of the centerline of said main canal with the West line of said Section 28; thence North 00°54'56" West, a distance of 333.19 feet to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

MAR 28 2022

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Tract 15Township 6 North, Range 34, E.W.M.

Sections 28 and 29: A parcel of land located in the South Half of said Section 29 and the Southwest Quarter of said Section 28, being described as beginning at the Southwest corner of said Section 29; thence North $00^{\circ}48'03''$ West along the West line of said Section 29, a distance of 1,918.54 feet; thence South $89^{\circ}41'02''$ East and parallel with the South line of said Section 29, a distance of 5,321.14 feet to a point on the East line of said Section 29; thence continuing South $89^{\circ}41'02''$ East, a distance of 467.23 feet; thence South $42^{\circ}32'45''$ East, a distance of 1,089.69 feet; thence South $37^{\circ}34'14''$ East, a distance of 352.81 feet; thence South $38^{\circ}56'26''$ East, a distance of 738.34 feet; thence South $11^{\circ}09'57''$ East, a distance of 139.13 feet; thence South $64^{\circ}13'03''$ East, a distance of 252.24 feet to a point on the North right-of-way of County Road No. 717; thence North $89^{\circ}39'03''$ West along the North right-of-way of said County Road, a distance of 68.11 feet to the Southeast corner of that tract of land conveyed to Columbia County Rural Electric Association, Inc. by Deed recorded in Book 216, Page 162, Deed Records; thence along the boundary of said Columbia County Rural Electric Association, Inc. Tract the following courses and distances:

North $64^{\circ}13'03''$ West, a distance of 206.06 feet;
thence North $11^{\circ}09'57''$ West, a distance of 159.84 feet;
thence South $89^{\circ}39'03''$ West, a distance of 150 feet;
thence South $00^{\circ}20'57''$ East, a distance of 247.76 feet to a point on the South line of said Section 28;

thence North $89^{\circ}39'03''$ West along the South line of said Section 28, a distance of 1,673.57 feet to the Southeast corner of said Section 29; thence North $89^{\circ}41'02''$ West, a distance of 5,324.99 feet to the point of beginning.

Excepting therefrom any portion lying within the County Road right-of-way.

All being East of the Willamette Meridian, Umatilla County, Oregon.

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EXHIBIT B
to Statutory Warranty Deed

Special Exceptions

1. As disclosed by the tax rolls the premises herein described have been zoned or classified for special use. At any time that said land is disqualified for such use said property will be subject to additional taxes and interest.
2. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
3. The premises herein described are within the boundaries of the Hudson Bay Irrigation District and this property is therefore subject to all easements, including but not limited to the Milton-Freewater and Hudson Bay Irrigation Company Canals, levies and assessments thereof.
4. Easement, including the terms and provisions thereof,
Grantee : Walla Walla Irrigation Company
Recorded : October 10, 1903, Book 42, Page 128, Deed Records.
5. Easement, including the terms and provisions thereof,
Grantee : Lower Hudson Bay Irrigation District
Recorded : October 10, 1910, Book 68, Page 527, Deed Records.
6. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : May 11, 1912, Book 78, Page 428, Deed Records.
7. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : November 20, 1916, Book 95, Page 632, Deed Records.
8. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : December 14, 1916, Book 98, Page 96, Deed Records.
9. Easement, including the terms and provisions thereof,
Grantee : Milton-Freewater & Hudson Bay Irrigation Company
Recorded : November 5, 1919, Book 106, Page 444, Deed Records.
10. Easement, including the terms and provisions thereof,
Grantee : Walla Walla Irrigation Company
Recorded : May 18, 1922, Book 116, Page 571, Deed Records.
11. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : March 28, 1930, Book 139, Page 226, Deed Records.
12. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : March 28, 1930, Book 139, Page 227, Deed Records.

13. Right-of-way easement, including the terms and provisions thereof,
Grantee : Joseph S. Baker, etux
Recorded : March 20, 1935, Book 148, Page 445, Deed Records.
14. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : November 29, 1944, Book 170, Page 268, Deed Records.
15. Water Contract, including the terms and provisions thereof,
First Party : Milton-Freewater Hudson Bay Irrigation Company
Second Party : H.S. Murray
Recorded : March 15, 1951, Book 196, Page 174, Deed Records.
16. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : March 31, 1935, Book 210, Page 342, Deed Records.
17. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : January 27, 1956, Book 231, Page 459, Deed Records.
18. Water Contract, including the terms and provisions thereof,
First Party : Milton-Freewater Hudson Bay Irrigation Company
Second Party : John Weidert
Recorded : August 22, 1967, Book 290, Page 377, Deed Records.
19. Easement, including the terms and provisions thereof,
Grantee : Hudson Bay District Improvement Company
Recorded : September 27, 1967, Book 290, Page 683, Deed Records.
20. Easement for pipeline and pump purposes, including the terms and provisions thereof,
Grantee : Harvey L. Young
Recorded : March 6, 1980, Microfilm Reel 62, Page 1443, Office of Umatilla County Records.
21. Water Contract, including the terms and provisions thereof,
First Party : Hudson Bay District Improvement Company
Second Party : Herb March and Couse Creek Ranches
Recorded : September 5, 1980, Microfilm Reel 70, Page 782, Office of Umatilla County Records.
22. Easement for access purposes, including the terms and provisions thereof, contained in Deed,
Grantee : John Weidert, etux
Recorded : April 28, 1982, Microfilm Reel 91, Page 373, Office of Umatilla County Records.
23. Terms and provisions contained under easement for ingress, egress and roadway purposes,
Grantee : Helen Harris
Recorded : February 15, 1989, Microfilm Reel 177, Page 1009, Office of Umatilla County Records.

RECEIVED

MAR 28 2022

OWRD

RECEIVED

MAR 28 2022

OWRD

24. Easement for ingress and egress purposes, including the terms and provisions thereof, contained in Deed,
Grantee : Gerald Lee Weidert, etux
Recorded : June 9, 1992, Microfilm Reel 221, Page 647, Office of Umatilla County Records.
25. Easement for diverting irrigation water and other matters related thereto, including the terms and provisions thereof,
First Party : Couse Creek Ranches, Inc.
Second Party : Calvin Neal Blessinger, etal
Recorded : May 9, 1997, Microfilm Reel 309, Page 1489, Office of Umatilla County Records.
26. Covenant not to sell separately, including the terms and provisions thereof,
Grantor : Raymond Williams
Grantee : Umatilla County, Oregon
Recorded : October 8, 2004, Instrument No. 2004-4700532, Office of Umatilla County Records.
27. Electric Service Agreement, including the terms and provisions thereof,
First Party : Columbia Rural Electric Association
Second Party : Thomas O. Williams & Associates
Recorded : September 7, 2010, Instrument No. 2010-5700182, Office of Umatilla County Records.
28. Easements as shown on Partition Plat No. 2011-08,
Recorded : April 11, 2011, Instrument No. 2011-5770333, Office of Umatilla County Records.
29. Terms and provisions contained under Easement for ingress, egress, irrigation pump and pipeline repair and maintenance, reserved in Deed,
Grantor : Thomas O. Williams & Associates Inc.
Recorded : May 30, 2012, Instrument No. 2012-5920358, Office of Umatilla County Records.
30. Easement, including the terms and provisions thereof,
Grantee : Columbia Energy, LLC
Recorded : April 27, 2016, Instrument No. 2016-6420628, Office of Umatilla County Records.
31. Electric Service Agreement, including the terms and provisions thereof, disclosed by Memorandum,
First Party : Columbia Rural Electric Association
Second Party : Thomas O Williams & Assoc Inc.
Recorded : February 10, 2017, Instrument No. 2017-6540320, Office of Umatilla County Records.
32. Covenants, Conditions and Restrictions, including the terms and provisions thereof, contained in Declaration,
Recorded : November 16, 2018, Instrument No. 2018-6790370, Office of Umatilla County Records.

33. Covenant Not to Sue, including the terms and provisions thereof,
First Party : Thomas O. Williams and Associates, Inc.
Second Party : Umatilla County
Recorded : November 16, 2018, Instrument No. 2018-6790371, Office of
Umatilla County Records.
34. Communication Site Lease, including the terms and provisions thereof,
disclosed by Agreement,
Lessor : Ray Williams
Lessee : Columbia Energy LLC
Recorded : April 27, 2016, Instrument No. 2016-6420627, Office of
Umatilla County Records.
35. Easement, including the terms and provisions thereof,
Grantee : Milton-Freewater & Hudson Bay Irrigation Company
Recorded : November 5, 1919, Book 106, Page 443, Deed Records.
36. Water Contract, including the terms and provisions thereof,
First Party : Milton-Freewater Hudson Bay Irrigation Company
Second Party : T.F. Starnes
Recorded : March 16, 1922, Book 118, Page 435, Deed Records.
37. Parties in possession or claiming the right of possession by reason of
encroachments as shown on A.L.T.A/N.S.P.S. Land Title Survey performed
by PBS Engineering and Environmental Inc. on February 11, 2020, Project
No. 67617, including but not limited to the following:
- a. Encroachment of field on Sec. 20, 6N-34
 - b. Encroachment of fence on Sec. 20, 6N-34
 - c. Encroachment of road on Sec. 21, 6N-34
 - d. Encroachment of fence on Sec. 22, 6N-34
 - e. Encroachment of field on Sec. 22, 6N-34
 - f. Encroachment of fence on Sec. 23, 6N-34
 - g. Encroachment of stable on Sec. 23, 6N-34
 - h. Encroachment of driveway on Sec. 23, 6N-34
 - i. Encroachment of road on Sec. 23, 6N-34
 - j. Encroachment of road on Sec. 26, 6N-34
 - k. Encroachment of sheds on Sec. 26, 6N-34
 - l. Encroachment of field on Sec. 27, 6N-34
 - m. Encroachment of fence on Sec. 27, 6N-34
 - n. Encroachment of road outside access easement on Sec. 28, 6N-34
 - o. (Intentionally Deleted)
 - p. Encroachment of road on Sec. 29, 6N-34
 - q. Encroachment of fence on Sec. 29, 6N-34
38. Reservations or exceptions in patents or in Acts authorizing the
issuance thereof.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **137954**

INVOICE # _____

RECEIVED FROM: Carbondale Operations, LLC

BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>1-13757</u>

CASH: ☐ CHECK: # 2019 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 572.59

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 911310-23 \$

0412 OTHER: (IDENTIFY) Transfer Reimbursement Authority \$ 572.59

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$

0410 RESEARCH FEES \$

0408 MISC REVENUE: (IDENTIFY) _____ \$

TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$

0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 \$

0203 GROUND WATER EXAM FEE 0204 \$

0205 TRANSFER EXAM FEE 0204 \$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE 0219 \$

LANDOWNER'S PERMIT

0220 \$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD# _____

0210 MONITORING WELLS \$ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$

0231 HYDRO LICENSE FEE (FW/WRD) \$

HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$

RECEIPT: **137954**

DATED: 4-18-2022 BY: Mindy E. Smith

APR 20 2022

Salem, OR

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-310-23**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Pendleton Land, LLC**, hereafter Applicant, hereafter known together as the parties.

OWRD Information

Contact: **Kelly Starnes**
 Title: **Transfer Advisor**
 Address: **725 Summer Street, NE, Suite A
Salem, OR 97301-1266**
 Phone: **503 979-3511**
 Fax: **503 986-0901**
 Email: patrick.k.starnes@water.oregon.gov

Applicant's Information

Name: **Pendleton Land, LLC**
 Contact: **David Muth**
 Address: **12119 Stratford Dr., Ste B
Clive, IA 50325**
 Phone: **(515) 222-1347**
 Fax:
 Email: dave@alternativeequityadvisors.com

Applicant's Representative

Name: **GeoEngineers, Inc.**
 Contact: **Molly Reid**
 Address: **8019 W. Quinault Ave., Ste 201
Kennewick, WA 99336**
 Phone: **(509) 298-2846**
 Fax: **(541) 310-7264**
 Email: mreid@geoengineers.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (Application Number: T-13757)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
 - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is ~~\$1,770.47~~ **\$2,343.06**. Applicant agrees to pay the full amount of ~~\$1,770.47~~ **\$2,343.06** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
9. **Duration of Estimate.** The Estimate of Time to completion is **approximately** 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant:

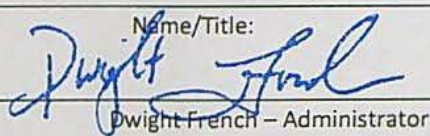


Name/Title:

04/20/2022

Date

For OWRD:


Dwight French - Administrator

4-25-2022

Date

Mail signed Agreement to:

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

SMITH Tamera L * WRD

From: Molly A. Reid <mreid@geoengineers.com>
Sent: Monday, February 14, 2022 2:27 PM
To: SMITH Tamera L * WRD
Cc: Dave Muth
Subject: RE: Status of T-13757 through Reimbursement Authority
Attachments: Part 5 C.89896-C.95919.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks so much Tamera. Here you go.

Molly

From: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>
Sent: Monday, February 14, 2022 2:18 PM
To: Molly A. Reid <mreid@geoengineers.com>
Cc: Dave Muth <dave@alternativeequityadvisors.com>; JARAMILLO Lisa J * WRD <Lisa.J.JARAMILLO@water.oregon.gov>; STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Subject: RE: Status of T-13757 through Reimbursement Authority

[EXTERNAL]

Good afternoon Molly,

Thank you for the clarification. If there are no changes with the remaining right, I believe we can put a letter in the file to reflect the change of Certificate number from Certificate 89896 to the remaining right Certificate 95919 for the maps. Please email the revised pages and Tables that referred to C-89896.

Kindest regards,
Tamera

From: Molly A. Reid <mreid@geoengineers.com>
Sent: Monday, February 14, 2022 1:51 PM
To: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>
Cc: Dave Muth <dave@alternativeequityadvisors.com>; JARAMILLO Lisa J * WRD <Lisa.J.JARAMILLO@water.oregon.gov>; STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Subject: RE: Status of T-13757 through Reimbursement Authority
Importance: High

Tamera: Thank you for your email. When we filed this transfer application in June of 2021 and requested that it go through reimbursement authority Certificate 89896 was a valid certificate. It appears it was later cancelled in September of 2021. Nothing changes on the tables or the map, just the certificate number. Wouldn't it be easier to have OWRD just line out the certificate and put in the new one and not ask the applicant to spend hundreds of dollars more to have a map redone, stamped and signed by a CWRE, thus further delaying the expedited process, when we had no control over when Certificate 89896 was cancelled? I am happy to redo the tables and send them to you via email, but the map will take longer and we are going on eight months into this process. Any help you can provide would be greatly appreciated.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **135695**

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

INVOICE # _____

RECEIVED FROM: Carbondale Operations, LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-13757</u>

CASH: ☐ CHECK: # X 1696 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 3,130.00

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	\$	0202	\$
0203 GROUND WATER	\$	0204	\$

0205 TRANSFER \$ 3,130.00

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **135695**

DATED: 6-28-2021 BY: [Signature]

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist



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

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

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

RECEIVED

JUN 28 2021

OWRD

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? four List them here: Certificates 30636, 42976, 89896, 95268**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- ☒ Completed Transfer Application Map. **Attachment #1**
- ☒ Completed Evidence of Use Affidavit and supporting documentation. **Attachment #2**
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- ☒ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district. **Attachment #5**
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☒ ☐ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. **Attachment #6**
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

JUN 28 2021

Part 2 of 5 – Transfer Application Map

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

OWRD

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

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Pendleton Land LLC c/o Alternative Equity Advisors LLC (Dave Muth)			PHONE NO. 515-222-1347	ADDITIONAL CONTACT NO. Not applicable
ADDRESS 12119 Stratford Drive, Suite B			FAX NO. Not applicable	
CITY Clive	STATE Iowa	ZIP 50325	E-MAIL dave@alternativeequityadvisors.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Molly Reid, GeoEngineers, Inc.			PHONE NO. 509-209-2846	ADDITIONAL CONTACT NO. 541-310-7264 (cell)
ADDRESS 8019 W Quinault Avenue Suite 201			FAX NO. Not applicable	
CITY Kennewick	STATE WA	ZIP 99336	E-MAIL mreid@geoengineers.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
Replacing three existing wells to create more efficiency in operation of irrigation systems.

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

Check One Box

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

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By my signature below, I confirm that I understand:

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

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

Applicant signature

Adam D. Borod,
Authorized Person

June 22, 2021
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 deeded landowners (and mailing and/or e-mail

Check the following boxes that apply:

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

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

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

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

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

RECEIVING LANDOWNER NAME Not applicable			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	


Describe any special ownership circumstances here: _____

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

IRRIGATION DISTRICT NAME Hudson Bay District Improvement Company	ADDRESS P.O. Box 110	
CITY Milton-Freewater	STATE OR	ZIP 97862

- ☐ 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 Not applicable	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Umatilla County Planning Department	ADDRESS 216 SE 4th Street	
CITY Pendleton	STATE OR	ZIP 97801

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ENTITY NAME Not applicable	ADDRESS	
CITY	STATE	ZIP

Part 5 of 5 – Water Right Information

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

CERTIFICATE # **30636**

Description of Water Delivery System

System capacity: **3.79** cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from the well with 25-150 hp pumps into 15 inch to 8 inch buried PVC and steel mainline to center pivots with drop tube sprinklers, and 3 inch wheel and handlines. There are three boosters (one 25hp centrifugal, one 50 hp turbine, and one 50 hp centrifugal) used to convey water across the property site.

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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)
Williams Well #1 (W1 Well)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4178	6 N	34 E	35	NW NW	2702	11 chains South and ¼ chain East from NW corner, Section 35; further described as 726 feet South and 16.5 feet East from NW Corner Section 35
Williams Well #1 Replacement (WWR1 Well)	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NOT DRILLED YET	6 N	34 E	35	NW NW	2702	45.959971 -118.537696 715 ft South & 161 ft East from the NW Corner, Section 35

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 30636

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng			Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)		Priority Date	Twp	Rng			Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
6	N	34	E	26	NE	NW	2701		18.9	IS	W1 Well	3/7/1949	POA	6	N	34	E	26	NE	NW	2701		18.9	IS	WWR1 Well	3/7/1949		
6	N	34	E	26	NW	NW	2701		35.8	IS	W1 Well	3/7/1949	POA	6	N	34	E	26	NW	NW	2701		35.8	IS	WWR1 Well	3/7/1949		
6	N	34	E	26	SW	NW	2702		24.5	IS	W1 Well	3/7/1949	POA	6	N	34	E	26	SW	NW	2702		24.5	IS	WWR1 Well	3/7/1949		
6	N	34	E	26	SE	NW	2702		12.0	IS	W1 Well	3/7/1949	POA	6	N	34	E	26	SE	NW	2702		12.0	IS	WWR1 Well	3/7/1949		
6	N	34	E	26	NE	SW	2702		7.0	IS	W1 Well	3/7/1949	POA	6	N	34	E	26	NE	SW	2702		7.0	IS	WWR1 Well	3/7/1949		
6	N	34	E	26	NW	SW	2702		36.8	IS	W1 Well	3/7/1949	POA	6	N	34	E	26	NW	SW	2702		36.8	IS	WWR1 Well	3/7/1949		
6	N	34	E	26	SE	SW	2702		36.5	IS	W1 Well	3/7/1949	POA	6	N	34	E	26	SE	SW	2702		36.5	IS	WWR1 Well	3/7/1949		
6	N	34	E	27	NE	NE	2701		35.8	IS	W1 Well	3/7/1949	POA	6	N	34	E	27	NE	NE	2701		35.8	IS	WWR1 Well	3/7/1949		
6	N	34	E	27	SE	NE	2702		34.7	IS	W1 Well	3/7/1949	POA	6	N	34	E	27	SE	NE	2702		34.7	IS	WWR1 Well	3/7/1949		
6	N	34	E	35	NW	NW	2702		12.1	IS	W1 Well	3/7/1949	POA	6	N	34	E	35	NW	NW	2702		12.1	IS	WWR1 Well	3/7/1949		
									(254.1)	TOTAL IS													(254.1)	TOTAL IS				
TOTAL ACRES:									254.1					TOTAL ACRES:									254.1					

Additional remarks: Certificate 30636 affects the Basalt aquifer only. "W1" refers to Williams Well #1. "WWR1" refers to Williams Well #1 Replacement. The final proof survey map for Certificate 30636 does not delineate between primary and supplemental acres. This will be rectified upon final proof of this transfer.

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

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

Table 2. Description of Changes to Water Right Certificate # 30636

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)		Priority Date	Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
6	N	34	E	26	NE	NW	2701		14.3	IR	W1 Well	3/7/1949	POA	6	N	34	E	26	NE	NW	2701		14.3	IR	W1 Well Replace	3/7/1949
6	N	34	E	26	NW	NW	2701		3.8	IR	W1 Well	3/7/1949	POA	6	N	34	E	26	NW	NW	2701		3.8	IR	W1 Well Replace	3/7/1949
6	N	34	E	26	SW	NW	2702		4.7	IR	W1 Well	3/7/1949	POA	6	N	34	E	26	SW	NW	2702		4.7	IR	W1 Well Replace	3/7/1949
6	N	34	E	26	SE	NW	2702		20.9	IR	W1 Well	3/7/1949	POA	6	N	34	E	26	SE	NW	2702		20.9	IR	W1 Well Replace	3/7/1949
6	N	34	E	26	NE	SW	2702		8.2	IR	W1 Well	3/7/1949	POA	6	N	34	E	26	NE	SW	2702		8.2	IR	W1 Well Replace	3/7/1949
6	N	34	E	26	SW	SW	2702		0.5	IR	W1 Well	3/7/1949	POA	6	N	34	E	26	SW	SW	2702		0.5	IR	W1 Well Replace	3/7/1949
6	N	34	E	27	SE	NE	2702		3.7	IR	W1 Well	3/7/1949	POA	6	N	34	E	27	SE	NE	2702		3.7	IR	W1 Well Replace	3/7/1949
6	N	34	E	35	NW	NW	2702		2.3	IR	W1 Well	3/7/1949	POA	6	N	34	E	35	NW	NW	2702		2.3	IR	W1 Well Replace	3/7/1949
								(58.4)	TOTAL IR												(58.4)	TOTAL IR				
TOTAL ACRES:														TOTAL ACRES:												

Additional remarks: The 58.4 acres associated with Williams Well #1 are from the Basalt aquifer. The 3.4 acres on Tax Lot 2601 in the SESW of Section 26, and 4.0 acres on Tax Lot 2703 in the NWNW of Section 35 are not part of this transfer.

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: 89896, 83956.



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

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

Ground water supplemental Permit or Certificate # NA;

Surface water primary Certificate # NA.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Authorized Williams Well #1	Yes	UMAT 4178	702' bgs	12- & 18-inch	0-60' bgs	Not on well log	No	Not on well log	Basalt	Not on well log
Replacement Williams Well #1	No	N/A	710' bgs	12- to 14 inch	0-90' bgs	90' Top of Basalt	No	Not known at this time	Basalt	Not known at this time

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 42976

Description of Water Delivery System

System capacity: 1.0 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from the well with 50 hp, submersible pump into 15 inch to 8 inch buried PVC and steel mainline to center pivots with drop tube sprinklers, and 3 inch wheel and handlines. There are three boosters (one 25hp centrifugal, one 50 hp turbine, and one 50 hp centrifugal) used to convey water across property site.

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	W
Well U-452	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4627	6 N	34 E	21	SE SW	1000	690 ft North, 420 ft West from the South ¼ corner, Section 21
Replacement Well U-452	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NOT DRILLED YET	6 N	34 E	21	SW SE	1000	45.976565, -118.568334 107 ft North and 282 ft East from the S ¼ corner, Section 21

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 42976

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
6	N	34	E	21	NE	SW	1000		16.2	IR	Well U-452	3/27/1952	POA	6	N	34	E	21	NE	SW	1000		16.2	IR	Well R-U-452	3/27/1952
6	N	34	E	21	SE	SW	1000		2.1	IR	Well U-452	3/27/1952	POA	6	N	34	E	21	SE	SW	1000		2.1	IR	Well R-U-452	3/27/1952
								(18.3)	TOTAL IR									(18.3)	TOTAL IR							
6	N	34	E	21	NE	SW	1000		23.8	IS	Well U-452	3/27/1952	POA	6	N	34	E	21	NE	SW	1000		23.8	IS	Well R-U-452	3/27/1952
6	N	34	E	21	SE	SW	1000		37.9	IS	Well U-452	3/27/1952	POA	6	N	34	E	21	SE	SW	1000		37.9	IS	Well R-U-452	3/27/1952
								(61.7)	TOTAL IS									(61.7)	TOTAL SI							
TOTAL ACRES:							80.0							TOTAL ACRES:							80.0					

Additional remarks: The 18.3 acres associated with Well U-452 is for Primary Irrigation from the gravel alluvial aquifer. The 61.7 acres associated with Well U-452 is for Supplemental Irrigation from the gravel alluvial aquifer. R-U-452 is the replacement well. The Final Proof survey map for Certificate 42976 does not distinguish between primary and supplemental acres. This will be rectified upon completion of proof for the transfer.

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: 95268, 83953, 87556, 93399.



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

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

Ground water supplemental Permit or Certificate # N/A;
Surface water primary Certificate # N/A.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Authorized Well U-452	YES	UMAT 4627	231' bgs	12-inch	Not on well log	Not on well log	Not on well log	Not on well log	Gravel alluvial	Not on well log
Replacement Well U-452	No	N/A	250' bgs	12-inch	0-100 bgs	0-100 bgs	100-250'	Not known at this time	Gravel alluvial	Not known at this time

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 89896

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Description of Water Delivery System

JUN 28 2021

System capacity: 9.56 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from the wells with 25-150 hp pumps into 8 inch to 15 inch buried PVC and steel mainline to center pivots with drop tube sprinklers, and 3 inch wheel and handlines. There are three boosters (one 25hp centrifugal, one 50 hp turbine, and one 50 hp centrifugal) used to convey water across property site.

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)
March well 3 (MW3)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 5378	6	N	34	E	22	NE	NE	1700	Alluvial: 60 Feet South and 10 Feet West from NE Corner, Section 22
March Well 1 (MW1)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4113	6	N	34	E	23	NE	NW	1700	Alluvial: 650 Feet South and 90 Feet West from N ¼ Corner, Section 23
March Well 2 (MW2)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 5357	6	N	34	E	23	SW	NW	1700	Alluvial: 10 Feet North and 350 Feet East from W ¼ Corner, Section 23
Key Bros Well 1 (KBW1)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4121	6	N	34	E	23	SW	SW	1800	Alluvial: 260 Feet North and 1230 Feet East from SW Corner, Section 23
Williams Well 7 (WW7)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 52037	6	N	34	E	23	SW	SW	1800	Alluvial: 1230 Feet North and 90 Feet East from SW Corner, Section 23
Key Bros Well 2 (KBW2)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4122	6	N	34	E	23	SE	SW	1800	Alluvial: 30 Feet North and 1620 Feet East From SW Corner, Section 23
Williams Well 3 (WW3)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 53567	6	N	34	E	27	SE	SE	2702	Basalt: 970 Feet North and 5 Feet East from SW Corner, Section 26
Williams Well 4 (WW4)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4177	6	N	34	E	35	SE	NW	4400	Basalt: 1290 Feet South and 1710 Feet East from NW Corner, Section 35.
Williams Well 1 (WW1) (Basalt)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4178	6	N	34	E	35	NW	NW	2702	Basalt: 670 feet South & 35 feet East from NW Corner, Section 35
Williams Well 1 (WW1R) Replacement (Basalt)	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NOT DRILLED	6	N	34	E	35	NW	NW	2702	45.959971 -118.537696 Basalt: 715 ft South & 161 ft East from the NW Corner, Section 35

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 89896

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
6	N	34	E	22	NE	NE	1700		24.9	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	22	NE	NE	1700		24.9	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	22	NW	NE	1700		15.0	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	22	NW	NE	1700		15.0	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	22	SW	NE	1700		15.9	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	22	SW	NE	1700		15.9	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	22	SE	NE	1700		16.8	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	22	SE	NE	1700		16.8	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	22	NE	SE	1700		20.7	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	22	NE	SE	1700		20.7	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	22	NW	SE	1700		9.1	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	22	NW	SE	1700		9.1	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	23	NE	NW	1700		13.4	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	23	NE	NW	1700		13.4	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	23	NW	NW	1700		15.5	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	23	NW	NW	1700		15.5	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	23	SW	NW	1700		36.7	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	23	SW	NW	1700		36.7	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	23	NW	SW	1700		5.6	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	23	NW	SW	1700		5.6	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	26	NE	NW	2701		1.6	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	NE	NW	2701		1.6	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	26	SW	NW	2702		4.8	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	SW	NW	2702		4.8	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
TOTAL ACRES:						See total on next page					TOTAL ACRES:															

Additional remarks: This POA transfer affects the basalt aquifer portions of Pendleton Land's acreage only. The POA transfer map legend lists location of affected wells only.

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Additional remarks: The water right allows 33 acres for Supplemental Irrigation to be used from either the Alluvial aquifer or the Basalt aquifer.
The replacement well for Williams Well #1 will be Basalt.

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						
6	N	34	E	26	SE	NW	2702		2.2	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	SE	NW	2702		2.2	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	26	NE	SW	2702		7.4	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	NE	SW	2702		7.4	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	26	NW	SW	2702		4.5	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	NW	SW	2702		4.5	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	26	SW	SW	2702		1.0	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	SW	SW	2702		1.0	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	35	NW	NW	2702		0.5	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	35	NW	NW	2702		0.5	IR	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
								(195.6)	TOTAL									(195.6)	TOTAL							
6	N	34	E	22	NW	NE	1700		23.0	IS either aquifer	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	22	NW	NE	1700		23.0	IS either aquifer	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
6	N	34	E	22	SW	NE	1700		10.0	IS either aquifer	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1, WW4	4/20/98	POA	6	N	34	E	22	SW	NE	1700		10.0	IS either aquifer	MW3, MW1, MW2, KBW1, WW7, KBW2 WW3, WW1R, WW4	4/20/98
								(33.0)	TOTAL									(33.0)	TOTAL							
TOTAL ACRES:												TOTAL ACRES:														

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Table 2. Description of Changes to Water Right Certificate # 89896

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)		Priority Date	Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
6	N	34	E	23	NW	NW	1700		1.6	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	23	NW	NW	1700		1.6	IS basalt	WW3, WW1R, WW4	4/20/98
6	N	34	E	23	SW	SW	1800		37.3	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	23	SW	SW	1800		37.3	IS basalt	WW3, WW1R, WW4	4/20/98
6	N	34	E	23	SE	SW	1800		38.4	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	23	SE	SW	1800		38.4	IS basalt	WW3, WW1R, WW4	4/20/98
6	N	34	E	26	NE	NW	2701		8.0	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	NE	NW	2701		8.0	IS basalt	WW3, WW1R, WW4	4/20/98
6	N	34	E	26	NE	SW	2702		3.5	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	NE	SW	2702		3.5	IS basalt	WW3, WW1R, WW4	4/20/98
6	N	34	E	26	NW	SW	2702		0.4	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	26	NW	SW	2702		0.4	IS basalt	WW3, WW1R, WW4	4/20/98
6	N	34	E	27	NE	NE	2701		2.2	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	27	NE	NE	2701		2.2	IS basalt	WW3, WW1R, WW4	4/20/98
6	N	34	E	27	SE	NE	2702		0.4	IS basalt	WW3, WW1, WW4	4/20/98	POA	6	N	34	E	27	SE	NE	2702		0.4	IS basalt	WW3, WW1R, WW4	4/20/98
									(91.8)	TOTAL													(91.8)	TOTAL		
TOTAL ACRES:													TOTAL	TOTAL ACRES:												

Additional remarks: These 91.8 acres of Certificate 89896 associated with Williams Well #1 are for Supplemental Irrigation from Basalt aquifer.

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Table 2. Description of Changes to Water Right Certificate # 89896


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				
6	N	34	E	26	NE	NW	2701		33.2	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	26	NE	NW	2701		33.2	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	26	NW	NW	2701		39.6	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	26	NW	NW	2701		39.6	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	26	SW	NW	2702		29.2	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	26	SW	NW	2702		29.2	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	26	SE	NW	2702		32.9	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	26	SE	NW	2702		32.9	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	26	NE	SW	2702		15.2	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	26	NE	SW	2702		15.2	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	26	NW	SW	2702		36.8	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	26	NW	SW	2702		36.8	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	26	SW	SW	2702		37.1	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	26	SW	SW	2702		37.1	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	27	NE	NE	2701		35.8	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	27	NE	NE	2701		35.8	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	27	SE	NE	2702		38.4	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	27	SE	NE	2702		38.4	IS Deficiency Basalt	W1 Well Replace	4/20/98
6	N	34	E	35	NW	NW	2702		19.4	IS Deficiency Basalt	W1 Well	4/20/98	POA	6	N	34	E	35	NW	NW	2702		19.4	IS Deficiency Basalt	W1 Well Replace	4/20/98
									(317.6)	TOTAL										(317.6)	TOTAL					
TOTAL ACRES:												TOTAL	TOTAL ACRES:													

Comments: These 317.6 acres associated with Williams Well #1 are for Supplemental Irrigation for Deficiency from Basalt Aquifer. The acres associated with Supplemental Irrigation from Alluvial Aquifer and Supplemental Irrigation for a Deficiency from Alluvial Aquifer are not part of this transfer as we are only replacing a basalt well.

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: 2810, 5516, 5528, 6323, 7967, 30636, 36131, 36132, 66888, 76705, 83954, 83956, 87556, 93399, 94536, T-8286, G-12728.

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

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

Ground water supplemental Permit or Certificate # N/A;

Surface water primary Certificate # N/A.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Authorized Williams Well #1	Yes	UMAT 4178	702' bgs	14- & 18-inch	60' bgs	Not on well log	Not on well log	Not on well log	Basalt	Not on well log
Replacement Williams Well #1	No	N/A	710' bgs	12- to 14-inch	0-90'	90 minimum top of basalt	No	Not known at this time	Basalt	Not known at this time

Part 5 of 5 – Water Right Information

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

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Description of Water Delivery System

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System capacity: 10.98 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from the wells with 50 and 75 hp, submersible pumps into 8 inch to 15 inch buried PVC and steel mainline to center pivots with drop tube sprinklers, and 3 inch wheel and handlines. There are three boosters (one 25hp centrifugal, one 50 hp turbine, and one 50 hp centrifugal) used to convey water across property site.

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)
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 53646	6	N	34	E	21	SE	NW	403	85 feet North and 40 feet West from C 1/4 corner, Section 21
Well 8	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 52007	6	N	34	E	21	SW	NW	403	125 feet North and 90 feet East from West ¼ corner, Section 21
Well U-452	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4627	6	N	34	E	21	SE	SW	1000	690 feet North and 420 feet West from South ¼ corner, Section 21
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 4167	6	N	34	E	28	SW	NE	3600	2,130 feet South and 2,930 feet East from NW corner, Section 28
Replacement Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NOT DRILLED YET	6	N	34	E	21	SE	NW	403	45.984155, -118.568686 147 ft North & 179 Ft East from Center Section 21
Replacement Well U-452	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NOT DRILLED	6	N	34	E	21	SE	SW	1000	45.976565, -118.568334 107 ft North & 282 ft East from the S ¼ corner, Section 21

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

- | | |
|---|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |

- | | |
|---|--|
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water
POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 95268

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng		Sec		¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate		POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec		¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
6	N	34	E	28	SW	NE	3500		4.6	IR	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	28	SW	NE	3500		4.6	IR	Well 1, 8, R-4, R-U-452	8/10/2001
									(4.6)	Total IR													(4.6)	Total IR		
6	N	34	E	20	SW	NW	900		0.2	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	20	SW	NW	900		0.2	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	20	SE	NW	900		0.2	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	20	SE	NW	900		0.2	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	20	NE	SW	900		25.2	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	20	NE	SW	900		25.2	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	20	NW	SW	900		35.5	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	20	NW	SW	900		35.5	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	20	SW	SW	900		39.1	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	20	SW	SW	900		39.1	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	20	SE	SW	900		35.1	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	20	SE	SW	900		35.1	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	20	NW	SE	900		5.1	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	20	NW	SE	900		5.1	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	20	SW	SE	900		36.0	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	20	SW	SE	900		36.0	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	20	SE	SE	900		15.8	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	20	SE	SE	900		15.8	IS	Well 1, 8, R-4, R-U-452	8/10/2001
TOTAL ACRES:										SEE NEXT PAGE				TOTAL ACRES:										SEE NEXT PAGE		

Additional remarks: R-4 and R-U-452 are replacement wells.

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Please use and attach additional pages of Table 2 as needed.
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Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 95268

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.

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		
6	N	34	E	21	NE	SW	1000		40.0	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	21	NE	SW	1000		40.0	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	21	NW	SW	1000		40.0	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	21	NW	SW	1000		40.0	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	21	SW	SW	1000		37.4	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	21	SW	SW	1000		37.4	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	21	SE	SW	1000		38.2	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	21	SE	SW	1000		38.2	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	21	NW	SE	1000		1.4	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	21	NW	SE	1000		1.4	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	21	SW	SE	1000		4.9	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	21	SW	SE	1000		4.9	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	28	NW	NE	3500		6.9	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	28	NW	NE	3500		6.9	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	28	SW	NE	3500		4.3	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	28	SW	NE	3500		4.3	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	28	NE	NW	3600		39.0	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	28	NE	NW	3600		39.0	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	28	NW	NW	3600		36.1	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	28	NW	NW	3600		36.1	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	28	SW	NW	900		39.8	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	28	SW	NW	900		39.8	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	28	SE	NW	900		37.3	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	28	SE	NW	900		37.3	IS	Well 1, 8, R-4, R-U-452	8/10/2001
TOTAL ACRES:										SEE NEXT PAGE				TOTAL ACRES:										SEE NEXT PAGE		

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

Additional remarks: R-4 and R-U-452 are replacement wells.

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Please use and attach additional pages of Table 2 as needed.
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Do you have questions about how to fill-out the tables?
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Table 2. Description of Changes to Water Right Certificate # 95268

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.

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
6	N	34	E 28	NE SW	900	41.1	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E 28	NE SW	900	41.1	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E 28	NW SW	900	26.9	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E 28	NW SW	900	26.9	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E 28	SW SW	3700	27.9	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E 28	SW SW	3700	27.9	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E 28	SE SW	900	31.7	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E 28	SE SW	900	31.7	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E 28	NW SE	900	10.2	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E 28	NW SE	900	10.2	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E 28	SW SE	900	10.9	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E 28	SW SE	900	10.9	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E 29	NE NE	900	29.2	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E 29	NE NE	900	29.2	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E 29	NW NE	900	39.1	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E 29	NW NE	900	39.1	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E 29	SW NE	900	38.9	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E 29	SW NE	900	38.9	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E 29	SE NE	900	34.2	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E 29	SE NE	900	34.2	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E 29	NE NW	900	39.1	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E 29	NE NW	900	39.1	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E 29	SW NW	900	14.0	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E 29	SW NW	900	14.0	IS	Well 1, 8, R-4, R-U-452	8/10/2001
TOTAL ACRES:						SEE NEXT PAGE					TOTAL ACRES:						SEE NEXT PAGE			

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

Additional remarks: R-4 and R-U-452 are replacement wells.

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6	N	34	E	29	SE	NW	900		38.8	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	29	SE	NW	900		38.8	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	29	NE	SW	900 901		40.7	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	29	NE	SW	900 901		40.7	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	29	NW	SW	900 901		40.0	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	29	NW	SW	900 901		40.0	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	29	SW	SW	901		39.1	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	29	SW	SW	901		39.1	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	29	SE	SW	901		39.3	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	29	SE	SW	901		39.3	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	29	NE	SE	900 901		31.9	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	29	NE	SE	900 901		31.9	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	29	NW	SE	900 901		41.3	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	29	NW	SE	900 901		41.3	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	29	SW	SE	901		33.5	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	29	SW	SE	901		33.5	IS	Well 1, 8, R-4, R-U-452	8/10/2001
6	N	34	E	29	SE	SE	901		32.5	IS	Well 1, 4, 8, U-452	8/10/2001	POA	6	N	34	E	29	SE	SE	901		32.5	IS	Well 1, 8, R-4, R-U-452	8/10/2001
								(1197.8)	Total IS				POA										(1197.8)	TOTAL IS		
TOTAL ACRES:									1197.8				TOTAL ACRES:									1197.8				

Table 2. Description of Changes to Water Right Certificate # 95268

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.

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Additional remarks: R-4 and R-U-452 are replacement wells. Well 4 and Well U-452 will be decommissioned.

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: 42976, 66553, 83940, 83953, 87556, 93399.



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

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

Ground water supplemental Permit or Certificate # N/A;

Surface water primary Certificate # N/A.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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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
Well 4	Yes	UMAT 53646	660' bgs	10-, 14-, and 16-inch	16" = +2-217' 14" = 150-495' 10" = 486-660'	Not on well log	150-495' and 567-623' bgs	Not on well log	Gravel alluvial	Not on well log
Well 8	Yes	UMAT 52007	423' bgs	10-, 12-, and 16-inch	12" = +2-348'	Not on well log	353-423' and 333-353' bgs	Not on well log	Gravel alluvial	Not on well log
Well U-452	Yes	UMAT 4627	231' bgs	12-inch	Not on well log	Not on well log	Not on well log	Not on well log	Gravel alluvial	Not on well log
Well 1	Yes	UMAT 4167	323' bgs	12-inch	0-160' bgs	Not on well log	Not on well log	Not on well log	Gravel alluvial	Not on well log
Replacement Well 4	No	N/A	660' bgs	16-14-inch	0-220 bgs	220-660'	Not known at this time	Not known at this time	Gravel alluvial	Not known at this time
Replacement Well U-452	No	N/A	250' bgs	12-inch	0-100' bgs	100-250'	Not known at this time	Not known at this time	Gravel alluvial	Not known at this time

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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.

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State of Oregon)
County of UMATILLA) ss

I, GRIFFIN MURPHY, in my capacity as FARM MANAGER,

mailing address PENDLETON LAND, LCC C/O ALTERNATIVE EQUITY ADVISORS, 12119 STRATFORD DRIVE, SUITE B, CLIVE, IOWA, 50325

telephone number (509)876-8633, 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 # 30636, 42976, 89896, AND 95268; **OR**

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

Certificate #	Township	Range	Mer	Sec	1/4 1/4	Gov't Lot or DLC	Acres (if applicable)

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)

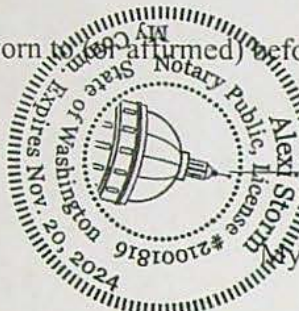
3. The water right was used for: (e.g., crops, pasture, etc.): IRRIGATION FOR WHEAT, PINTO BEANS, BLACK BEANS, CORN FOR GRAIN, AND COVER CROPS

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.

Justin Munn
Signature of Affiant

5/5/2021
Date

Signed and sworn to (or affirmed) before me this 5th day of May, 2021.



Alex Storch
Notary Public for Oregon Washington
Commission Expires: 11-20-2024

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

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Land Use Information Form

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

Applicant(s): Pendleton Land, LLC, Dave Muth

Mailing Address: 12119 Stratford Drive, Suite B c/o Alternative Equity Advisors

City: Clive

State: Iowa

Zip Code: 50325

Daytime Phone: 515-222-1347

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	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
6N	34E	26, 27, 35	Many, see map	2701, 2702	EFU	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigation
6N	34E	21	SW 1/4	1000	EFU	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigation
6N	34E	22, 23, 26, 27, 35	Many, see map	1700, 1800, 2701, 2702	EFU	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigation
6N	34E	20, 21, 28, 29	Many, see map	900, 901, 902, 903, 1000, 3600	EFU	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigation

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

Umatilla 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 ☐ 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) _____

Estimated quantity of water needed: 15.77 ☒ 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:

Replacing three old wells to water rights (Certificates 30636, 42976, 89896, and 95268) with three new ones for better efficiency in distribution and use of the resource.

JUN 28 2021

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.

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Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): UCDC Section 152.054(A)
- ☐ 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: CAROL JOHNSON Title: Planner

Signature: Carol Johnson Phone: 541-278-6252 Date: 04/26/2021

Government Entity: Umatilla County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

STATE OF OREGON
COUNTY OF UMATILLA

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CERTIFICATE OF WATER RIGHT

This Is to Certify, That DOROTHY KELLY COCKBURN

of Route 2, Box 109, Milton-Freewater, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

a tributary of Pine Creek (Walla Walla River) for the purpose of irrigation of 65.6 acres and supplemental irrigation of 254.1 acres

under Permit No. U-269 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 7, 1949,

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 3.79 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, T. 6 N., R. 34 E., W. M. Well located 11 chains South and $\frac{1}{4}$ chain East from NW corner, Section 35.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

	Supplemental	Primary
NE $\frac{1}{4}$ NW $\frac{1}{4}$	18.9 acres	14.3 acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$	35.8 acres	3.8 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$	24.5 acres	4.7 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	12.0 acres	20.9 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$	7.0 acres	8.2 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	36.8 acres	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	36.5 acres	0.5 acre
SE $\frac{1}{4}$ SW $\frac{1}{4}$		3.4 acres
Section 26		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	35.6 acres	
SE $\frac{1}{4}$ NE $\frac{1}{4}$	34.7 acres	3.7 acres
Section 27		
NW $\frac{1}{4}$ NW $\frac{1}{4}$	12.1 acres	6.3 acres
Section 35		
T. 6 N., R. 34 E., W. M.		

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

WITNESS the signature of the State Engineer, affixed

this date. FEBRUARY 8 1963

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 72, page 30636

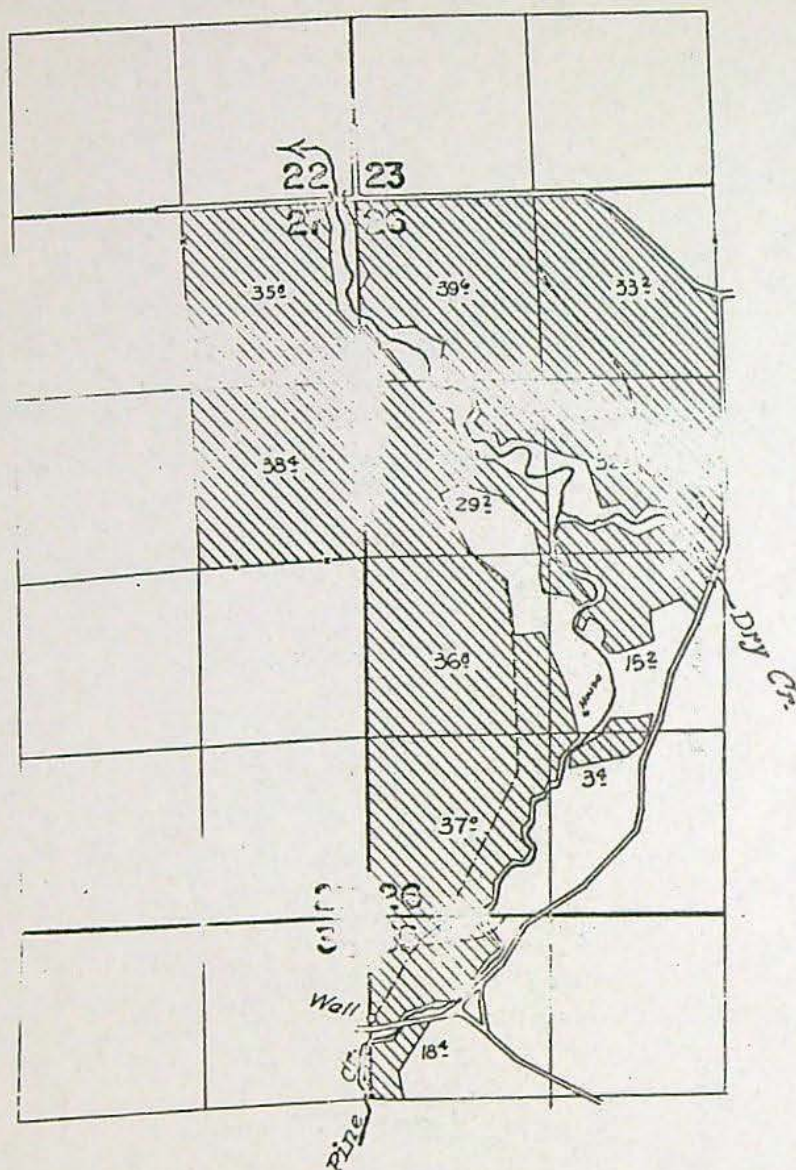
264
C-30636

T.6N.R.34E.W.M.

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FINAL PROOF SURVEY
UNDER

Application No. U-294 Permit No. U-269...
IN NAME OF

DOROTHY KELLY COCKBURN

Surveyed Sept. 13-14 1962, by C.O. Bartels...

1961-

St

STATE OF OREGON

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COUNTY OF

UMATILLA

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CERTIFICATE OF WATER RIGHT

OWRD

This Is to Certify, That EUGENE M. KEY

of Milton-Freewater, State of Oregon, 97862, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Well No. 1

a tributary of Pine Creek (Walla Walla River) for the purpose of irrigation and supplemental irrigation of 80.0 acres

under Permit No. U-452 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 27, 1952

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.0 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, T. 6 N., R. 34 E., W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year;

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

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

Primary

2.1 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
16.2 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 21
T. 6 N., R. 34 E., W. M.

Supplemental

37.9 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
23.8 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 21
T. 6 N., R. 34 E., W. M.

An order of the State Engineer entered April 18, 1963, canceled the right for the irrigation of 40.0 acres. This certificate is issued to confirm the remaining right and supersedes the certificate heretofore issued to Howard S. Murray and recorded at Page 22882, Volume 16, State Record of Water Right Certificates.

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

WITNESS the signature of the Water Resources Director, affixed

this date. April 21, 1976

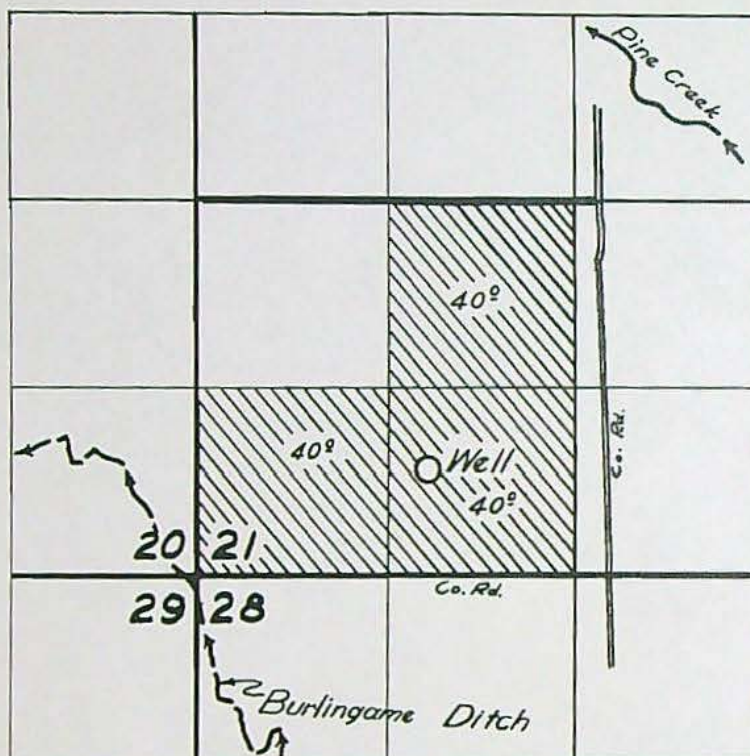
James E. Sexson
Water Resources Director

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T. 6 N. R. 34 E. W. M.



FINAL PROOF SURVEY

UNDER

Application No. U-484 Permit No. U-452

IN NAME OF

H. S. MURRAY

Surveyed 5 Nov. 1955 by [Signature]

NZ-5F-111

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STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

T.O. WILLIAMS & ASSOCIATES
C/O RAY WILLIAMS
49654 UMAPINE RD
MILTON FREEWATER OR 97862

JOHN C & LINDA K VANDREE,
TRUSTEES of the REVOCABLE LIVING TRUST OF JOHN C VANDREE & LINDA K VANDREE
812 GRAND AVENUE
EVERETT WA 98201

confirms the right to use the waters of NINE WELLS in the SWARTZ SPRING CANYON AND PINE CREEK BASINS for IRRIGATION of 238.4 ACRES, SUPPLEMENTAL IRRIGATION FROM BOTH AQUIFERS OF 33.0 ACRES, SUPPLEMENTAL IRRIGATION from the BASALT AQUIFER OF 91.8 ACRES, SUPPLEMENTAL IRRIGATION FROM THE ALLUVIAL AQUIFER OF 494.4 ACRES, and SUPPLEMENTAL IRRIGATION TO MAKE UP DEFICIENCY IN RATE OF 433.0 ACRES FROM BASALT AQUIFER, AND SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE OF 6.4 ACRES FROM THE ALLUVIAL AQUIFER.

This right was perfected under Permit G-13697. The date of priority is APRIL 20, 1998. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 9.562 CUBIC FEET PER SECOND (CFS) measured at the wells as follows: 2.77 CFS FOR IRRIGATION, 0.412 CFS FOR SUPPLEMENTAL IRRIGATION FROM EITHER AQUIFER, AND 1.15 CFS SUPPLEMENTAL IRRIGATION FROM THE BASALT AQUIFER, AND 4.892 CFS FOR SUPPLEMENTAL IRRIGATION FROM THE ALLUVIAL AQUIFER, 0.338 CFS FOR SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE FROM THE BASALT AQUIFER, AND 0.006 CFS FOR SUPPLEMENTAL IRRIGATION TO MAKE UP DEFICIENCY IN RATE FROM ALLUVIAL AQUIFER. (FOR DEFICIENT RATE FROM THE BASALT AQUIFER DEFICIENCY SEE CERTIFICATES 30636 AND 30638; FOR DEFICIENT RATE FROM THE ALLUVIAL AQUIFER SEE CERTIFICATES 36131 AND 36132 AND PERMIT G-12940) FURTHER LIMITED TO A MAXIMUM RATE OF 4.67 CFS FROM BASALT WELLS: WILLIAMS WELLS 1, 3, & 4; AND 4.892 FROM ALLUVIAL WELLS: MARCH WELLS 1, 2 & 3, KEY BROTHERS WELLS 1 & 2, AND FROM WILLIAMS WELL 7.

The period of use is March 1 through October 31.

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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. 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 within three months after issuance of the certificate.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	22	NE NE	MARCH WELL 3 (UMAT 5378) - ALLUVIAL 60 FEET SOUTH & 10 FEET WEST FROM NE CORNER, SECTION 22
6 N	34 E	WM	23	NE NW	MARCH WELL 1 (UMAT 4113) - ALLUVIAL 650 FEET SOUTH & 90 FEET WEST FROM N1/4 CORNER, SECTION 23
6 N	34 E	WM	23	SW NW	MARCH WELL 2 (UMAT 5357) - ALLUVIAL 10 FEET NORTH & 350 FEET EAST FROM W1/4 CORNER, SECTION 23
6 N	34 E	WM	23	SW SW	KEY BROS WELL 1 (UMAT 4121) - ALLUVIAL 260 FEET NORTH & 1230 FEET EAST FROM SW CORNER, SECTION 23
6 N	34 E	WM	23	SW SW	WILLIAMS WELL 7 (UMAT 52037) - ALLUVIAL 1230 FEET NORTH & 90 FEET EAST FROM SW CORNER, SECTION 23
6 N	34 E	WM	23	SE SW	KEY BROS WELL 2 (UMAT 4122) - ALLUVIAL 30 FEET NORTH & 1620 FEET EAST FROM SW CORNER, SECTION 23
6 N	34 E	WM	27	SE SE	WILLIAMS WELL 3 (UMAT 53567) - BASALT 970 FEET NORTH & 5 FEET EAST FROM SW CORNER, SECTION 26
6 N	34 E	WM	35	NW NW	WILLIAMS WELL 1 (UMAT 4178) - BASALT 670 FEET SOUTH & 35 FEET EAST FROM NW CORNER, SECTION 35
6 N	34 E	WM	35	SE NW	WILLIAMS WELL 4 (UMAT 4177) - BASALT 1290 FEET SOUTH & 1710 FEET EAST FROM NW CORNER, SECTION 35

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

BASALT WELLS = Williams 1, 3, and 4

ALLUVIAL WELLS = Williams 7; March 1, 2, and 3; and Key Brothers 1 and 2

The place of use is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	22	NE NE	24.9
6 N	34 E	WM	22	NW NE	15.0
6 N	34 E	WM	22	SW NE	15.9
6 N	34 E	WM	22	SE NE	16.8
6 N	34 E	WM	22	NE SE	20.7
6 N	34 E	WM	22	NW SE	9.1
6 N	34 E	WM	23	NE NW	13.4
6 N	34 E	WM	23	NW NW	15.5
6 N	34 E	WM	23	SW NW	36.7
6 N	34 E	WM	23	NW SW	5.6
6 N	34 E	WM	26	NE NW	1.6
6 N	34 E	WM	26	SW NW	4.8
6 N	34 E	WM	26	SE NW	2.2
6 N	34 E	WM	26	NE SW	7.4
6 N	34 E	WM	26	NW SW	4.5
6 N	34 E	WM	26	SW SW	1.0
6 N	34 E	WM	26	SE SW	11.8
6 N	34 E	WM	26	SW SE	27.5
6 N	34 E	WM	35	NW NE	3.5
6 N	34 E	WM	35	NW NW	0.5

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SUPPLEMENTAL IRRIGATION FROM EITHER
AQUIFER

Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	22	NW NE	23.0
6 N	34 E	WM	22	SW NE	10.0

SUPPLEMENTAL IRRIGATION FROM BASALT
AQUIFER

6 N	34 E	WM	23	NW NW	1.6
6 N	34 E	WM	23	SW SW	37.3
6 N	34 E	WM	23	SE SW	38.4
6 N	34 E	WM	26	NE NW	8.0
6 N	34 E	WM	26	NE SW	3.5
6 N	34 E	WM	26	NW SW	0.4
6 N	34 E	WM	27	NE NE	2.2
6 N	34 E	WM	27	SE NE	0.4

SUPPLEMENTAL IRRIGATION FROM ALLUVIAL
AQUIFER

Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE NW	34.8
6 N	34 E	WM	26	NW NW	39.6
6 N	34 E	WM	26	SW NW	29.2
6 N	34 E	WM	26	SE NW	32.9
6 N	34 E	WM	26	NE SW	18.7
6 N	34 E	WM	26	NW SW	37.2
6 N	34 E	WM	26	SW SW	37.1
6 N	34 E	WM	26	SE SW	25.2
6 N	34 E	WM	26	SW SE	12.5
6 N	34 E	WM	27	NE NE	38.0
6 N	34 E	WM	27	SE NE	38.8
6 N	34 E	WM	27	NE SE	36.7
6 N	34 E	WM	27	SE SE	16.6
6 N	34 E	WM	35	NW NE	37.1
6 N	34 E	WM	35	NE NW	40.6
6 N	34 E	WM	35	NW NW	19.4

SUPPLEMENTAL IRRIGATION FOR A
DEFICIENCY FROM BASALT AQUIFER

Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE NW	33.2
6 N	34 E	WM	26	NW NW	39.6
6 N	34 E	WM	26	SW NW	29.2
6 N	34 E	WM	26	SE NW	32.9
6 N	34 E	WM	26	NE SW	15.2
6 N	34 E	WM	26	NW SW	36.8
6 N	34 E	WM	26	SW SW	37.1
6 N	34 E	WM	26	SE SW	25.2
6 N	34 E	WM	26	SW SE	12.5
6 N	34 E	WM	27	NE NE	35.8
6 N	34 E	WM	27	SE NE	38.4
6 N	34 E	WM	35	NW NE	37.1
6 N	34 E	WM	35	NE NW	40.6
6 N	34 E	WM	35	NW NW	19.4

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SUPPLEMENTAL IRRIGATION FOR A DEFICIENCY FROM ALLUVIAL AQUIFER					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE NW	6.4

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

The Water Resources Department has determined the reference levels based on the March 2007 static water levels in the basalt Williams Wells 1, 3, and 4 and non-basalt March Wells 1 and 2, and Williams Well 7. The table below identifies the reference level below ground surface for each of these six wells.

Static Water Level Reference Levels	
WELL	Below Land Surface
Williams Well 1	60
Williams Well 3	73
Williams Well 4	45
March Well 1	25
March Well 2	45
Williams Well 7	14

For Williams Wells 3 and 4, ground water for use under this permit shall be produced from the basalt aquifers only.

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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

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

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

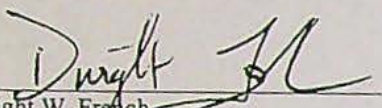
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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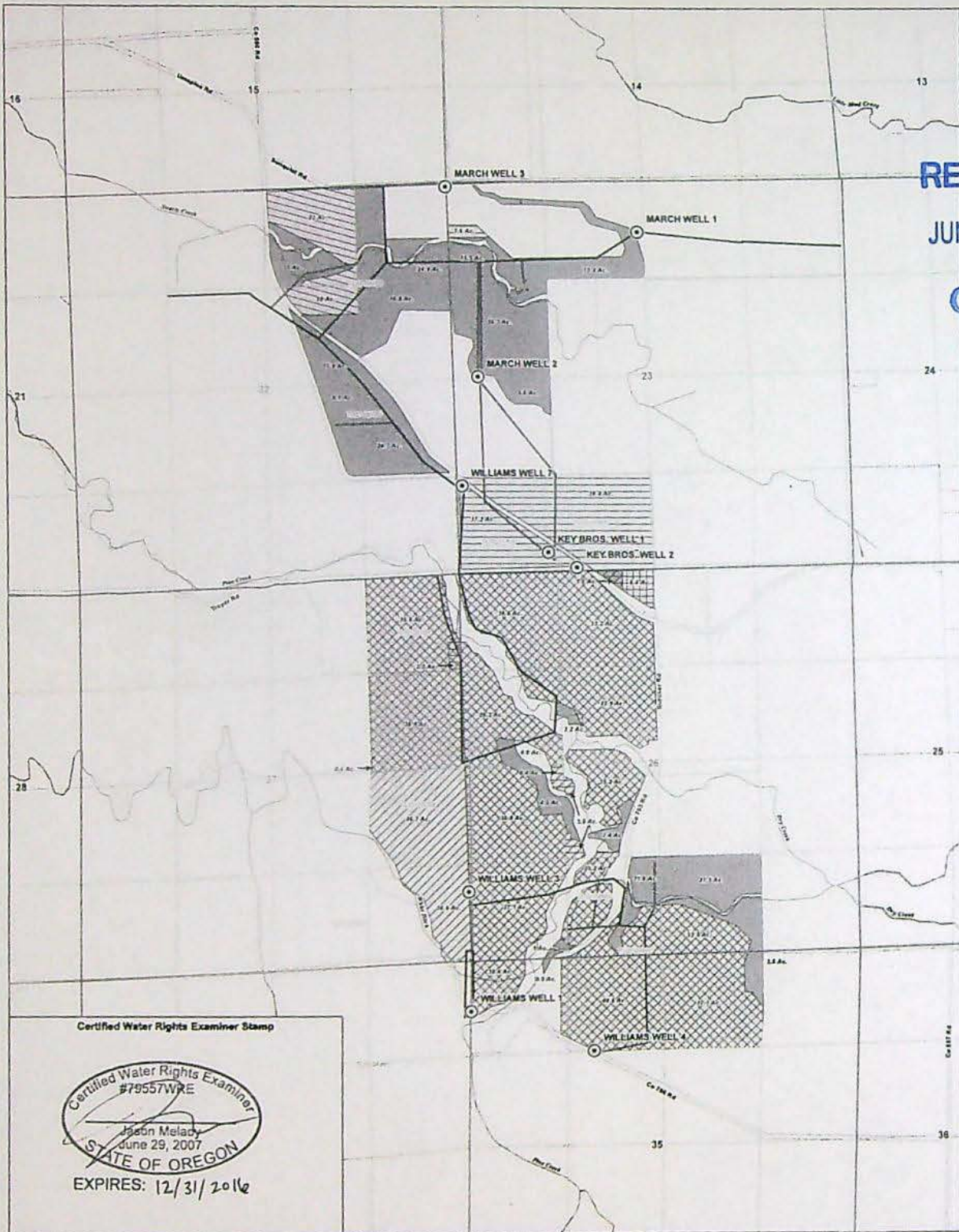
Issued FEB 20 2015


Dwight W. French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

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LEGEND

- Point of Appropriation (POA)
- Tax Lot
- Watercourse
- Place of Use
 - Primary
 - Supplemental
 - Supplemental Alluvial
 - Supplemental Basalt
 - Supplemental for a Deficiency
 - Supplemental for a Deficiency Basalt
- Irrigation Distribution System
 - 15" Intake Main
 - 12" PVC
 - 10" PVC
 - 8" PVC
 - 6" PVC

NOTE:
In-line flow meter installed at the wellhead for each well, with the exception of the Key Brothers wells. A combined power meter to measure flow at both Key Brothers wells is located near Key Brothers Well 2.

POA Legal Description:
March Well 1: Located 650 feet South and 90 feet West from the North quarter corner of Section 23, Township 6 North, Range 34 East (W.M.).
March Well 2: Located 10 feet North and 350 feet East from the West quarter corner of Section 23, Township 6 North, Range 34 East (W.M.).
March Well 3: Located 80 feet South and 10 feet West from the Northwest corner of Section 23, Township 6 North, Range 34 East (W.M.).
Key Bros. Well 1: Located 260 feet North and 1,230 feet East from the Southwest corner of Section 23, Township 6 North, Range 34 East (W.M.).
Key Bros. Well 2: Located 30 feet North and 1,620 feet East from the Southwest corner of Section 23, Township 6 North, Range 34 East (W.M.).
Williams Well 1: Located 570 feet South and 35 feet East from the Northwest corner of Section 35, Township 6 North, Range 34 East (W.M.).
Williams Well 3: Located 870 feet North and 5 feet East from the Southwest corner of Section 26, Township 6 North, Range 34 East (W.M.).
Williams Well 4: Located 1,290 feet South and 1,710 feet East from the Northwest corner of Section 35, Township 6 North, Range 34 East (W.M.).
Williams Well 7: Located 1,230 feet North and 90 feet East from the Southwest corner of Section 23, Township 6 North, Range 34 East (W.M.).

FIGURE 1
Claim of Beneficial Use Map
Permit G13697 (Application G14728)
Township 6N, Range 34E
Sections 22, 23, 26, 27, 34, 35

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



0 660 1,320
Feet



MAP NOTES:
Date: December 4, 2014
Data Sources: ESRI, OWRD

FEB 02 2015

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STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PENDLETON LAND LLC
C/O ALTERNATIVE EQUITY ADVISORS
12119 STRATFORD DR SUITE B
CLIVE IA 50325

confirms the right to the use of water perfected under the terms of Permit G-15272. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15579

SOURCE OF WATER: FOUR WELLS IN PINE CREEK BASIN

PURPOSE OR USE: PRIMARY IRRIGATION OF 4.6 ACRES AND SUPPLEMENTAL IRRIGATION OF 1197.8 ACRES

MAXIMUM RATE: 10.98 CUBIC FEET PER SECOND (CFS), BEING NO MORE THAN 3.79 CFS FROM WELL 1, 2.10 CFS FROM WELL 4, 3.75 CFS FROM WELL 8, AND 1.34 CFS FROM WELL U 452

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: AUGUST 10, 2001

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	21	SE NW	WELL 4 - 85 FEET NORTH AND 40 FEET WEST FROM C1/4 CORNER, SECTION 21
6 N	34 E	WM	21	SW NW	WELL 8 - 125 FEET NORTH AND 90 FEET EAST FROM W1/4 CORNER, SECTION 21
6 N	34 E	WM	21	SE SW	WELL U 452 - 690 FEET NORTH AND 420 FEET WEST FROM S1/4 CORNER, SECTION 21
6 N	34 E	WM	28	SW NE	WELL 1 - 2130 FEET SOUTH AND 2930 FEET EAST FROM NW CORNER, SECTION 28

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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. 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 within three months after issuance of the certificate.

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	28	SW NE	4.6

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	20	SW NW	0.2
6 N	34 E	WM	20	SE NW	0.2
6 N	34 E	WM	20	NE SW	25.2
6 N	34 E	WM	20	NW SW	35.5
6 N	34 E	WM	20	SW SW	39.1
6 N	34 E	WM	20	SE SW	35.1
6 N	34 E	WM	20	NW SE	5.1
6 N	34 E	WM	20	SW SE	36.0
6 N	34 E	WM	20	SE SE	15.8
6 N	34 E	WM	21	NE SW	40.0
6 N	34 E	WM	21	NW SW	40.0
6 N	34 E	WM	21	SW SW	37.4
6 N	34 E	WM	21	SE SW	38.2
6 N	34 E	WM	21	NW SE	1.4
6 N	34 E	WM	21	SW SE	4.9
6 N	34 E	WM	28	NW NE	6.9
6 N	34 E	WM	28	SW NE	4.3
6 N	34 E	WM	28	NE NW	39.0
6 N	34 E	WM	28	NW NW	36.1
6 N	34 E	WM	28	SW NW	39.8
6 N	34 E	WM	28	SE NW	37.3
6 N	34 E	WM	28	NE SW	41.1
6 N	34 E	WM	28	NW SW	26.9
6 N	34 E	WM	28	SW SW	27.9
6 N	34 E	WM	28	SE SW	31.7
6 N	34 E	WM	28	NW SE	10.2
6 N	34 E	WM	28	SW SE	10.9
6 N	34 E	WM	29	NE NE	29.2
6 N	34 E	WM	29	NW NE	39.1
6 N	34 E	WM	29	SW NE	38.9
6 N	34 E	WM	29	SE NE	34.2
6 N	34 E	WM	29	NE NW	39.1
6 N	34 E	WM	29	SW NW	14.0
6 N	34 E	WM	29	SE NW	38.8
6 N	34 E	WM	29	NE SW	40.7
6 N	34 E	WM	29	NW SW	40.0
6 N	34 E	WM	29	SW SW	39.1
6 N	34 E	WM	29	SE SW	39.3
6 N	34 E	WM	29	NE SE	31.9
6 N	34 E	WM	29	NW SE	41.3
6 N	34 E	WM	29	SW SE	33.5
6 N	34 E	WM	29	SE SE	32.5

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Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order. The water user shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or device is located within a private structure, the watermaster shall request access upon reasonable notice.

The water user shall monitor and report the impact of water use under this right in accordance with the approved water level monitoring plan on file with the Department. The reference level against which any future measurements will be compared is 113.55 feet below ground surface (bgs) for Well 1, 90.00 feet bgs for Well 4, 120.00 feet bgs for Well 8, and 74.00 feet bgs for Well U 452.

If a well listed on this right (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right.

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

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

The Director may require water level or pump test results every ten years.

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

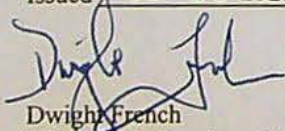
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

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

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

Issued SEP 29 2020



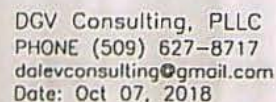
Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

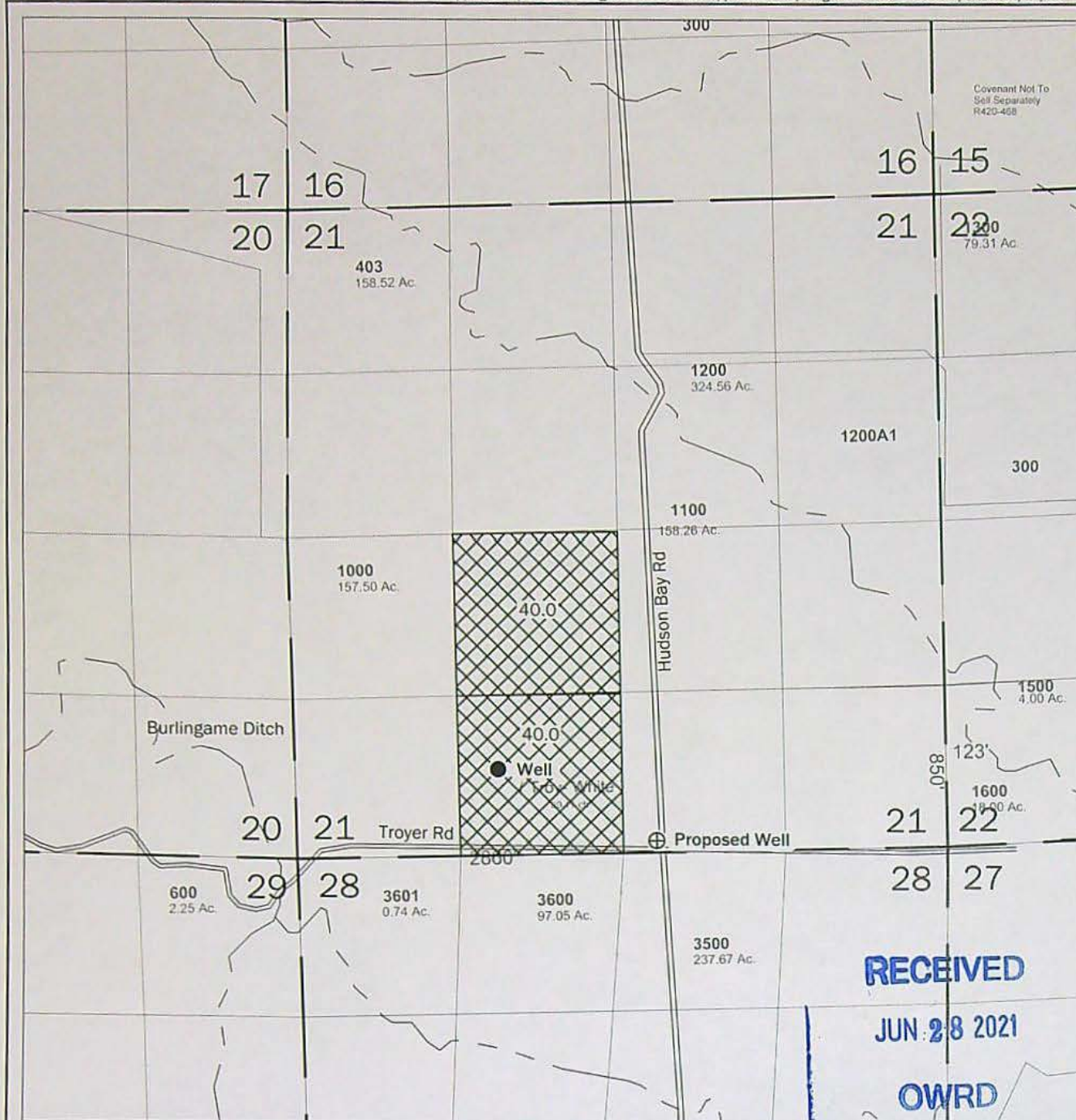
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Transfer Application Map for Client Name Certificate 42976

T6N, R34E, W.M.
Section 21
Umatilla County, Oregon

Legend

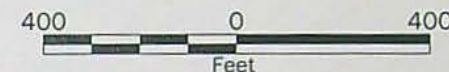
- Authorized Well
- ⊕ Proposed Well
- ▨ C.42976

Well Location

Well
Located 738 feet North and 315 feet West from the S 1/4 corner, section 21 T6N R34E, W.M.
Proposed Well
Located 107 feet North and 282 feet East from the S 1/4 corner, section 21 T6N R34E, W.M.



EXPIRES: 6/30/2022



Disclaimer

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

Map Notes

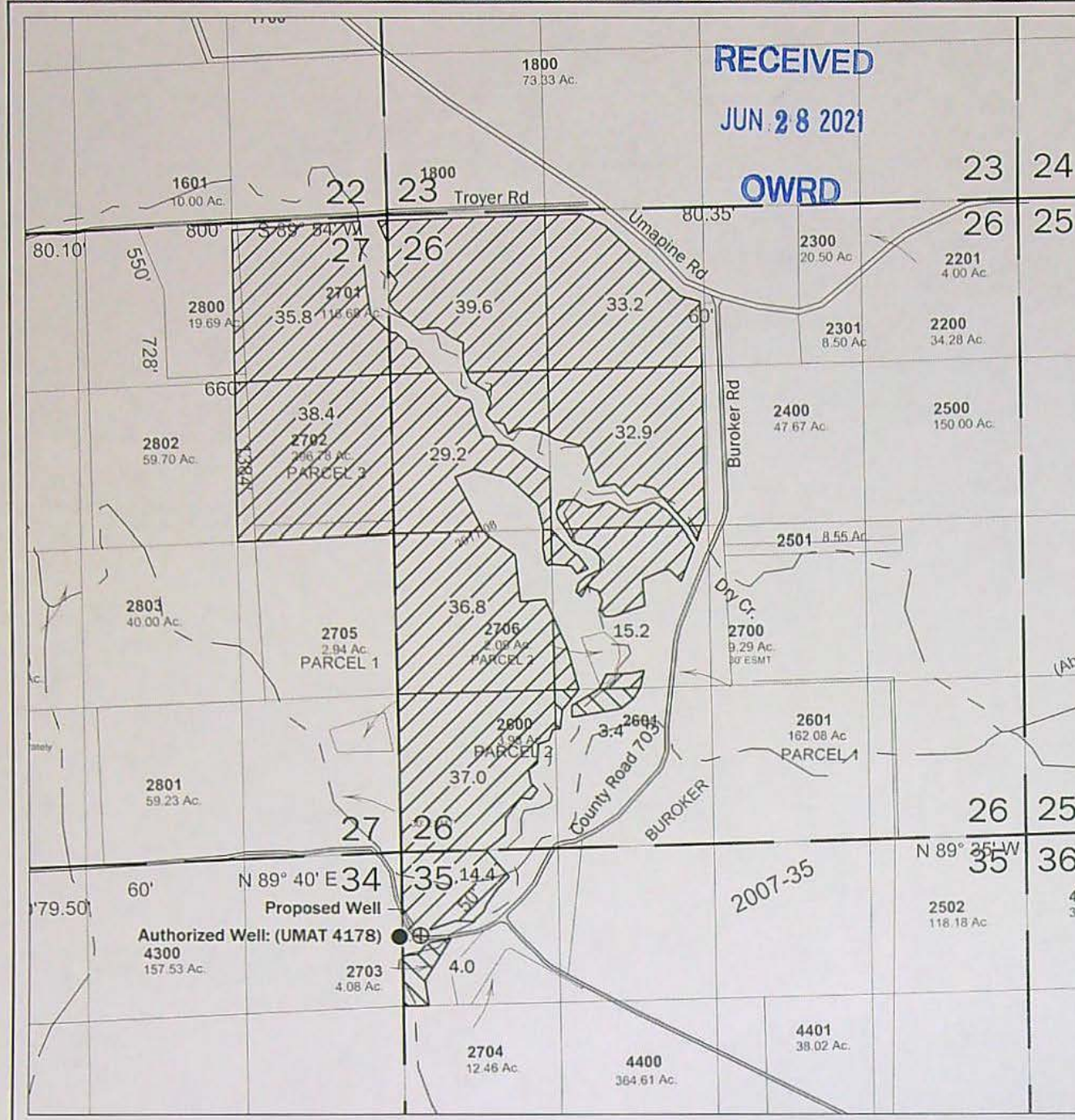
Date: 5/3/21
Data Sources: ESRI
Prepared By: GeoEngineers

GEOENGINEERS

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Transfer Application Map for Pendleton Land Certificate 30636

T6N, R34E, W.M.
Sections 26,27,35
Umatilla County, Oregon

Legend

- Authorized Well
- ⊕ Proposed Well
-  C.30636
-  C.30636 not involved in transfer

Well Location

Authorized Well: (UMAT 4178)

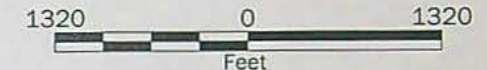
Located 726 feet South and 16.5 feet East from the NW corner, section 35 T6N R34E, W.M.

Proposed Well

Located 715 feet South and 161 feet East from the NW corner, section 35 T6N R34E, W.M.



EXPIRES: 6/30/2022



Disclaimer

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

Map Notes

Date: 5/3/21

Data Sources: ESRI

Prepared By: GeoEngineers

GEOENGINEERS

Supplemental Form D

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

[For transfers submitted under OAR Chapter 690 Division 380]

OREGON



WATER RESOURCES
DEPARTMENT

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

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

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

1. APPLICANT INFORMATION

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NAME PENDLETON LAND LLC c/o ALTERNATIVE EQUITY ADVISORS LLC (DAVE MUTH)			PHONE (HM)	
PHONE (WK) 515-222-1347		CELL		FAX
ADDRESS 12119 STRATFORD DRIVE, SUITE B				
CITY CLIVE	STATE IOWA	ZIP 50325	E-MAIL** DAVE@ALTERNATIVEEQUITYADVISORS.COM	

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME HUDSON BAY DISTRICT IMPROVEMENT COMPANY (TIM DERUWE – BOARD CHAIRMAN)			PHONE (HM)	
PHONE (WK) (541) 938-5989		CELL		FAX
ADDRESS P.O. Box 110				
CITY MILTON-FREEWATER	STATE OR	ZIP 97862	E-MAIL**	

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

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

a. 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.		-	30636	No
2.		-	42976	No
3.		-	89896 & 95268	No

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

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

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

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

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

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

COMMENTS OR ADDITIONAL INFORMATION

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4. APPLICANT'S SIGNATURE

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

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

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

Ad B

Adam D. Borod

June 23, 2021

Applicant Signature

Name (print)

Date

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

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

The district/water supplier certifies the following:

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

- (2) The district/water supplier consents to the proposed water right transfer application.

YES ☐ NO ☐ After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES ☐ NO ☐ The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Tim DeRauw

Tim DeRauw

23 June 2021

Signature of District Manager /Water Supplier

Name (print), Title

Date

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COLUMBIA REA

OWRD

Revision: 20602

05/06/2021 8:30:14 am

USAGE HISTORY

Page: 1

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3
 Srv Loc Nbr: [REDACTED]

Service Status: 1
 Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
450	2020	0	0	0	0	0	0	15,440	15,520	12,640	3,920	0	0	47,520
450	2021	80	0	80	3,120	0	0	0	0	0	0	0	0	3,280
4502	2020	0	0	0	0	0	0	0	0	0	0	0	0	0
4502	2021	0	0	0	0	0	0	0	0	0	0	0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3
 Srv Loc Nbr: [REDACTED]

Service Status: 1
 Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
450	2020	0	0	0	11,680	12,080	0	45,720	49,680	41,520	13,720	40	40	174,480
450	2021	40	40	40	13,040	0	0	0	0	0	0	0	0	13,160
4502	2020	0	0	0	0	0	0	0	0	0	0	0	0	0
4502	2021	0	0	0	0	0	0	0	0	0	0	0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3
 Srv Loc Nbr: [REDACTED]

Service Status: 1
 Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2020	0	0	0	36	3,853	3,714	2,139	18	19	109	1,685	19	11,592
430	2021	19	18	19	362	0	0	0	0	0	0	0	0	418

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3
 Srv Loc Nbr: [REDACTED]

Service Status: 1
 Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2020	0	0	0	0	3,361	12,929	5,930	495	1,053	95	17	35	23,915
430	2021	18	0	0	13,886	0	0	0	0	0	0	0	0	13,904

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3
 Srv Loc Nbr: [REDACTED]

Service Status: 43
 Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
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COLUMBIA REA

Revision: 20602

05/06/2021 8:30:14 am

USAGE HISTORY

OWRD

Page: 2

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 43

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
420	2020	0	0	0	1	374	0	0	0	0		0	0	375

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 41

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
420	2020	0	0	0	0	0	0	0	0	0		0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 41

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2020	0	0	0	0	0	0	0	0	0		0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 41

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2020	0	0	0	0	0	0	0	0	0		0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 5

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
132	2020	0	0	0	304	378	312	267	266	234	258	135	124	2,278
132	2021	141	173	171	355	0	0	0	0	0		0	0	840

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 1

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
110	2020	0	0	0	0	0	0	0	1,437	1,001	1,782	2,533	3,535	10,288

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Page: 3

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 1

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
110	2021	3,162	3,414	2,500	1,795	0	0	0	0	0		0	0	10,871

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 1

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
110	2020	0	0	0	1,750	1,187	743	591	613	683	1,907	3,094	3,670	14,238
110	2021	3,346	3,610	2,836	1,622	0	0	0	0	0		0	0	11,414

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 5

Service Status: 43

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
132	2020	0	0	0	0	0	0	0	0	0	0	0	0	0
132	2021	0	0	0	0	0	0	0	0	0		0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 5

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
130	2020	0	0	0	119	110	153	105	125	99	82	354	1,085	2,232
130	2021	1,179	33	42	44	0	0	0	0	0		0	0	1,298

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 43

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
420	2020	0	0	0	276	16	325	2	0	0		0	0	619

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
------	------	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-------

05/06/2021 8:30:14 am

USAGE HISTORY

Page: 4

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
Account: [REDACTED] Cycle: 1
Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2020	0	0	0	9,527	5,232	9,534	4,650	32	296	18	1,178	52	30,519
430	2021	51	46	73	10,612	0	0	0	0	0	0	0	0	10,782

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
Account: [REDACTED] Cycle: 1
Service: ELEC Provider: CREA

Revenue Class: 5

Service Status: 43

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
330	2020	0	0	0	400	140	160	160	160	140	140	120	120	1,540
330	2021	40	0	0	0	0	0	0	0	0	0	0	0	40

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
Account: [REDACTED] Cycle: 1
Service: ELEC Provider: CREA

Revenue Class: 5

Service Status: 43

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
332	2020	0	0	0	0	0	0	0	0	0	0	0	0	0
332	2021	0	0	0	0	0	0	0	0	0	0	0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
Account: [REDACTED] Cycle: 1
Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
440	2020	0	0	0	231	20	147	17	146	5,141	19	18	20	5,759
440	2021	19	17	47	20,531	0	0	0	0	0	0	0	0	20,614

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
Account: [REDACTED] Cycle: 1
Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 43

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
420	2020	0	0	0	0	0	0	0	0	0	0	0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
Account: [REDACTED] Cycle: 1
Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 1

Srv Loc Nbr: 3729

Substation: S

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Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2020	0	0	0	3,907	2,545	13,131	11,100	2,424	3,619	16	0	0	36,742
430	2021	0	0	0	1	0	0	0	0	0		0	0	1

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 6

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2020	0	0	0	0	0	0	0	0	0	0	0	0	0
430	2021	0	0	0	0	0	0	0	0	0		0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2020	0	0	0	91	367	1,951	13,858	7,640	15,373	92	43	44	39,459
430	2021	43	40	43	35	0	0	0	0	0		0	0	161

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 5

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
130	2020	0	0	0	3,840	3,320	2,920	3,040	2,760	2,240	2,640	4,480	5,240	30,480
130	2021	5,200	5,280	4,320	3,280	0	0	0	0	0	0	0	0	18,080

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 5

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
132	2020	0	0	0	50	43	40	37	43	48	54	63	64	442
132	2021	27	5	5	3	0	0	0	0	0		0	0	40

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2020	0	0	0	68	99	1,609	8,836	2,888	5,346	1,780	4,471	122	25,219

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Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2021	69	60	37	305	0	0	0	0	0		0	0	471

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 41

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2020	0	0	0	0	0	0	0	0	0		0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 41

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2020	0	0	0	0	0	0	0	0	0		0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 41

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
420	2020	0	0	0	0	0	0	0	0	0		0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 5

Service Status: 41

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
332	2020	0	0	0	0	0	0	0	0	0		0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 4

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
450	2020	0	0	0	7,640	10,600	23,280	11,400	0	0	0	26,840	0	79,760
450	2021	0	0	0	0	0	0	0	0	0		0	0	0

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Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 4
 Srv Loc Nbr: [REDACTED]

Service Status: 1
 Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
510	2021	0	0	0	37,600	0	0	0	0	0		0	0	37,600
5102	2021	0	0	0	0	0	0	0	0	0		0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3
 Srv Loc Nbr: [REDACTED]

Service Status: 43
 Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
450	2020	0	0	0	7,400	3,960	1,400	0	0	0	0	0	0	12,760
450	2021	0	0	0	0	0	0	0	0	0		0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3
 Srv Loc Nbr: [REDACTED]

Service Status: 43
 Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
420	2020	0	0	0	0	0	0	0	0	0	0	0	0	0
420	2021	0	0	0	0	0	0	0	0	0		0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3
 Srv Loc Nbr: [REDACTED]

Service Status: 43
 Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
420	2020	0	0	0	687	494	536	790	480	860	462	501	108	4,918
420	2021	157	198	0	0	0	0	0	0	0		0	0	355

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3
 Srv Loc Nbr: [REDACTED]

Service Status: 41
 Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2020	0	0	0	0	0	0	0	0	0		0	0	0

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Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 41

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2020	0	0	0	0	0	0	0	0	0		0	0	0

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
440	2020	0	0	0	1,399	565	2,641	7,764	5,532	2,871	1,743	74	103	22,692
440	2021	90	113	127	1,275	0	0	0	0	0		0	0	1,605

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
440	2020	0	0	0	0	0	0	40	0	0	0	0	0	40
440	2021	0	0	0	40	0	0	0	0	0		0	0	40

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 3

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
430	2020	0	0	0	1,403	6,281	8,457	5,804	876	991	41	259	53	24,165
430	2021	38	35	538	3,529	0	0	0	0	0		0	0	4,140

Customer: [REDACTED] Name: CARBONDALE OPERATIONS LLC
 Account: [REDACTED] Cycle: 1
 Service: ELEC Provider: CREA

Revenue Class: 5

Service Status: 1

Srv Loc Nbr: [REDACTED]

Substation: S

Rate	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
380	2020	0	0	0	30	79	17	256	175	26	18	40	19	660
380	2021	18	16	18	34	0	0	0	0	0		0	0	86

Grand Totals:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
	13,737	13,098	10,896	162,308	55,104	83,999	137,946	91,310	94,200	28,896	45,945	14,453	751,892

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PARAMETERS ENTERED:

Format: Detail
Primary Group: None
Customer Number: [REDACTED]
Account Number: 0
Months of History: 13
Include DVC Usage: No
Service: All
Provider: All
Service Status: All
Rate Schedule: All
Billing Cycle: All
Revenue Class: All
Substation: All
Register Mode: All

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STATE ENGINEER
Salem, Oregon



Well Record

STATE WELL NO. 6N/34-35D(1)
COUNTY UMATILLA
APPLICATION NO. U-294

OWNER: Dorothy Kelly Cockburn

MAILING
ADDRESS: _____

LOCATION OF WELL: Owner's No. _____

CITY AND
STATE: _____

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. _____ T. _____ N. _____ E. _____
S. R. _____ W., W.M.

Bearing and distance from section or subdivision

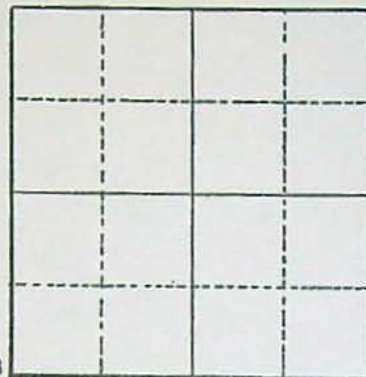
corner 746' S. & 23' E. of NW corner of Sec. 35

Altitude at well _____

TYPE OF WELL: Drilled Date Constructed Sept. '47 - Mar '48

Depth drilled 702 Depth cased 60

Section 35



CASING RECORD:

18 and 14 inch - set to 60 feet

FINISH: _____

AQUIFERS: _____

WATER LEVEL: _____

PUMPING EQUIPMENT: Type _____ H.P. _____
Capacity _____ G.P.M.

WELL TESTS:

Drawdown _____ ft. after _____ hours _____ G.P.M.

Drawdown _____ ft. after _____ hours _____ G.P.M.

USE OF WATER Irrigation Temp. _____ °F. _____, 19 _____

SOURCE OF INFORMATION U-294, U.S.G.S. Report

DRILLER or DIGGER A. A. Durand & Son

ADDITIONAL DATA:

Log X Water Level Measurements _____ Chemical Analysis _____ Aquifer Test _____

REMARKS: _____

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STATE ENGINEER
Salem, Oregon

OWRD

State Well No. 6N/34-35D(1)County UmatillaApplication No. U-294

Well Log

Owner: Dorothy Kelly Cockburn Owner's No. _____Driller: A. A. Durand & Son Date Drilled Sept. '47, Mar. '48

CHARACTER OF MATERIAL	(Feet below land surface)		Thickness (feet)
	From	To	
Soil and yellow clay	0	11	11
Gravel, cemented	11	20	9
Rock and boulders	20	21	1
Gravel, cemented	21	37	16
Rock, water bearing	37	38	1
Basalt, brown	38	48	10
Gravel	48	51	3
Gravel and clay	51	58	7
Gravel, cemented	58	75	17
Basalt, brown	75	90	15
Basalt, brown, hard	90	102	12
Basalt, crevice	102	106	4
Basalt, honey combed, water bearing	106	108	2
Basalt, brown, hard	108	120	12
Gravel, gray, cemented	120	125	5
Clay, blue and gravel	125	140	15
Basalt, brown, water bearing	140	160	20
Basalt, hard, gray	160	168	8
Basalt, gray	168	178	10
Basalt, gray, soft	178	200	22
Basalt, broken, brown	200	220	20
Basalt, blue	220	255	35
Basalt, brown honeycombed	255	260	5
Basalt, blue	260	270	10

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STATE ENGINEER
Salem, Oregon

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State Well No. 6N/34-35D(1)

County Umatilla

Application No. U-294

Well Log - Cont.

Owner: Dorothy Kelly Cockburn

Owner's No.

Driller: A. A. Durand

Date Drilled Sept. '47 - Mar. '48

CHARACTER OF MATERIAL	(Feet below land surface)		Thickness (feet)
	From	To	
Basalt, gray	270	280	10
Rock, honeycombed	280	304	24
Basalt, blue	304	354	50
Basalt, black	354	371	17
Basalt, blue	371	378	7
Basalt, black	378	388	10
Basalt, blue, water bearing	388	394	6
Basalt, black	394	403	9
Basalt, firm, water flowing	403	408	5
Basalt	408	430	22
Basalt, hard	430	434	4
Basalt	434	436	2
Basalt, hard and sharp formation	436	440	4
Basalt, sandy	440	443	3
Basalt	443	454	11
Basalt, hard	454	458	4
Basalt, flowing 165 gpm	458	575	117
Shale, brown	575	580	5
Basalt	580	600	20
Basalt, hard	600	702	102

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9-159
(Oct. 1950)

DEC 19 1963

NOTEBOOK SHEET

Name Newcomb, Leva & Turner Date Dec. 17, 1963Current metering deep wells near
Milton - Free water

Marion Cockburn well 6/34-35 D1

Well flowing 5 gpm (est) over 14-inch
flange at land surface

Depth (ft below land surface)	icks/min	Vel (ft/sec)	Flow (gpm)
----------------------------------	----------	-----------------	---------------

50

0

100

0

200

0

300

0

400

0

500

0

540

entered smaller hole, or pipe, or offset

550

0

600

0

650

0

666

passed pipe, hole offset, or such

690

0

699±

on bottom

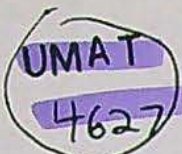
Conclusion:

No water moving in well, except
the 5 gpm over flow, at
this time and hydraulic
condition.

new

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OREGON



REPORT ON COMPLETION OF WELL

6N/34-21 P(1)
Application No. U U-484
Permit No. U 452
Well No. 1

UMATILLA

(Note: This report should be submitted to the State Engineer, Salem, Oregon, as soon as possible after the well is completed. If more than one well is covered by this permit, a separate report shall be filed for each)

Date of Report Oct 20th, 1953

1. Location of well: S E of S W 1/4 of Section 21 Twp. 6 N Rge. 34, W. M.
2. Name of nearest natural surface stream Pine Creek
3. Distance from well to that stream: 5000 feet.
4. If the well is less than 1300 feet from a natural surface stream, give the difference in elevation between the ground surface at the well and the lowest point in stream channel: - feet.
5. Date of beginning drilling or digging. March 1952
6. Date well was completed April 1952

7. LOG OF MATERIALS ENCOUNTERED

Character of Material	Depth at which encountered	Thickness of stratum
Volcanic Ash	At surface	ft.
Top Soil	0 ft.	28 ft.
Loose gravel	28 ft.	32 ft.
Clay & "	32 ft.	80 ft.
Cement & "	80 ft.	103 ft.
Clay	103 ft.	110 ft.
Cement gravel	110 ft.	160 ft.
Clay	160 ft.	166 ft.
Cement gravel	166 ft.	204 ft.
Remarks: <u>Little or no rock encountered</u>		
Clay	204 "	212 "
Gravel	212 "	220 "
Cement Gravel	220 "	231 "

WELL INFORMATION

8. Diameter of well 12 inches. Depth of well 231 feet.
9. Depth at which water was first encountered 34 35 feet.
10. Water level when completed: 23 23 feet below ground surface.
11. Additional information regarding well; such as soil conditions, quick sand, caves, obstructions, rock, etc.:

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± 1953

6N/34-2 P(1)
UMATILLA

ENGINEER
ALEM, OREGON

PUMP INFORMATION

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12. Manufacturer of pump: Peerless
13. Address: _____
14. Data on name or base plate: _____
15. Data on pump bowl assembly: No- 154082
16. Size of pump: 10 inch
17. Rated capacity: 600 gallons per minute.
18. Rated speed: 1750 revolutions per minute.
19. Number of stages: 6
20. Size of intake pipe: 8 "
21. Size of discharge pipe: 8 "
22. Length of intake pipe: _____
23. Length of discharge pipe: _____
24. Suction lift: (difference in elevation between water surface in well and pump) _____
25. Discharge lift: (difference in elevation between pump and end of discharge line) _____
26. Depth of pump intake below ground surface: _____ feet.
27. Remarks: _____

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MOTOR OR ENGINE INFORMATION

28. Name of manufacturer: General Electric
29. Address: _____
30. Type of motor or engine: _____
31. Data on name or base plate: Model 5K6522 X A 1 A
32. Rated horsepower: Ø 50
33. Rated speed of motor or engine: 1770 revolutions per minute.
34. Rated Capacity of Pump
(with described motor)

600	g.p.m. at	270	ft. head
	g.p.m. at		ft. head
	g.p.m. at		ft. head
	g.p.m. at		ft. head
	g.p.m. at		ft. head

35. Remarks: _____

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4 1953

6N/34-21P(1)

CAPACITY TEST

ENGINEER

SALEM, OREGON

36. Date of test: April 1952 37. Temperature of water °F. or °C.
38. Motor speed during test: 1750
39. Test made by (weir, tank or other means): Orifice

40. Pounds pressure	TOTAL HEAD	*Total lift in feet		Gallons per min.	°Feet to water level	Draw-down	+Time
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.
lbs.; Gauge at pump	Total	ft.	in.		ft.	ft.	M.

* Difference in elevation between water level in well and outlet of pump test line.

- ° Distance from ground level to water surface in well. 25 ft
■ Distance water level is lowered during time interval. 110 ft
+ Hour and minute at which observation was made.

41. Installation will work efficiently under normal head of 170 ft.
42. Water is discharged into: sprinkling system
43. Was water lowered to pump intake by test? yes
44. Remarks:

GENERAL INFORMATION

45. Name of contractor or other party who drilled or dug well: Heitstuman Brothers Address: Freewater, Oregon- Route # 2
46. Pump and motor were installed by: White Brothers Address: Walla Walla, Washington.
47. Capacity test was made by: Heitstuman Brothers Address: Freewater, Oregon Route
48. General remarks:

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2ND AMENDED
COPY

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

Instructions for completing this report are on the last page of this form.

WELL I.D. # L 32546
START CARD # 100776

- (1) OWNER: _____ Well Number _____
 Name To William & Anne
 Address 49654 Umagine Rd
 City Milton Freewtr State OR Zip 97862
 (2) TYPE OF WORK _____
☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3)-DRILL METHOD:

- ☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger
☒ Other

(4) PROPOSED USE:

- ☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☒ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:

- Special Construction approval ☐ Yes ☒ No Depth of Completed Well 660 ft.
Explosives used ☐ Yes ☒ No Type 47 Amount 5-1

HOLE SEAL

Diameter	From	To	Material	From	To	Sacks or pounds
20	0	18	PTD Cam	0	217	3 YDS
16	18	2170	Cam			"
14 3/4	217	511				
12	511	660				

- How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other

- Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	16	+2	217	25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	14	150	495	2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	10	486	660		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

- | | | | |
|--|-----|---------------------|----------------|
| <input checked="" type="checkbox"/> Perforations | | Method <u>TORCH</u> | |
| <input type="checkbox"/> Screens | | Type _____ | Material _____ |
| From | To | Slot size | Number |
| 150 | 495 | 1" x 12" | 690 |
| 567 | 623 | 1" x 12" | 100 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
- RECEIVED**
- MAR 21 2002**
- WATER RESOURCES DEPT

(8) **WELL TESTS:** Minimum testing time is 1 hour

- | | | | |
|-------------------------------|---------------------------------|---|--|
| <input type="checkbox"/> Pump | <input type="checkbox"/> Bailor | <input checked="" type="checkbox"/> Air | <input type="checkbox"/> Flowing
Artesian |
| Yield gal/min | Drawdown | Drill stem at | Time |
| 1000 + | | 500 | 1 hr. |
| | | | |

Temperature of water 68 Depth Artesian Flow Found

- Was a water analysis done? ☐ Yes By whom _____
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:

- County Umatilla Latitude _____ Longitude _____
Township 6N N or S Range 34E E or W. WM.
Section 21 SF 1/4 NW 1/4
Tax Lot 403 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:

- 84 ft. below land surface. Date 10-6-99
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found

From	To	Estimated Flow Rate	SWI
200	210	200	
430	500	1000	
550	560	1500	34

(12) WELL LOG:

Ground Elevation

Material	From	To	SWL
Soil	0	10	
Cemented Gravel	10	50	
tan clay	50	65	
cemented gravel	65	455	
cemented gravel/tan clay	455	511	
gravel w/ green clay at	511	550	
gravel	550	560	
Gravel + brown claystone	560	620	
Gravel w/ green claystone	620	660	

NOTE REMOVAL OF 10" PIPE FROM 420 486

Date started 4-28-99 Completed 10-7-99

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number 1735

Signed Ch2 D COURTNEY

Date 10-17-99

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number: 544

Signed James Baird

Date 10-17-99

ORIGINAL - WATER RESOURCES DEPARTMENT : FIRST COPY - CONSTRUCTOR SECOND COPY - CUSTOMER

RECEIVED

JUN 28 2021

OWRD

RECEIVED

AMENDED

APR 20 2000

STATE OF OREGON WATER SUPPLY WELL REPORT (as required by ORS 537.765)

WATER RESOURCES DEPT.
SALEM, OREGON

WELL I.D. # 32546
START CARD # 100776

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number _____
Name To Williams & Assoc.
Address 49654 Unigine Rd
City Milton Free Water State OR Zip _____

(2) TYPE OF WORK
☐ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:
☐ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger
☐ Other _____

(4) PROPOSED USE:
☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☒ No Depth of Completed Well 660 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
20	0	18	P10 Cam	0	217	3 YDS
16	18	217				
14 3/4	217	511				
12	511	660				

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	16	42	217	125	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	14	150	495		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	10	420	660		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

☒ Perforations Method TORCH
☐ Screens Type _____ Material _____

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min		Drawdown		Drill stem at		Time	
1000 +				500		1 hr.	

Temperature of water 68 Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____
Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Umatilla Latitude _____ Longitude _____
Township 6N N or S Range 34E E or W. WM.
Section 21 SE 1/4 NW 1/4
Tax Lot 403 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:
84 ft. below land surface. Date 10-6-99
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

From	To	Estimated Flow Rate	SWL
200	210	200	
430	500	1000	
550	560	1500	84

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
Soil	0	10	
Cemented Gravel	10	50	
Tan clay	50	65	
Cemented Gravel	65	455	
Cemented Gravel/tan clay	455	511	
Gravel w/ green clay at	511	550	
Gravel	550	560	
Green + Brown claystone	560	620	
Gravel w/ green claystone	620	660	

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JUN 28 2021

OWRD

Date started 4-28-99 Completed 10-7-99
(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number 1735
Signed Chad Courtney Date 10-17-99

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 544
Signed Larry Burd Date 10-17-99

UMAT
53646

NOV 08 1999

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

WATER RESOURCES DEPT.
SALEM, OREGON

WELL I.D. # L. 32546
START CARD # 100776

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number _____

Name To. Williams + Assoc
Address 49654 Umagine Rd
City Milton Freewater State ore Zip 97

(2) TYPE OF WORK
☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:
☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger
☐ Other _____

(4) PROPOSED USE:
☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☐ No Depth of Completed Well 200 ft.
Explosives used ☐ Yes ☐ No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
20	0	18				3 YDS
16	18	217				
14 3/4	217	511				
12	511	660				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

Casing	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
	16	+2	217	.25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	14	150	495		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	10	420	660		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Liner: _____

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

☒ Perforations Method torch
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
150	495	1"		14"		<input checked="" type="checkbox"/>	<input type="checkbox"/>
480	660	1"		10"		<input checked="" type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Time
1000+			1 hr.

Temperature of water 68°F Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Umatilla Latitude _____ Longitude _____
Township 6N N or S Range 34E E or W. WM.
Section 21 SE 1/4 NW 1/4
Tax Lot 403 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:

84 ft. below land surface. Date 10-6-99
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 200

From	To	Estimated Flow Rate	SWL
200	210	200	
430	500	1000	
550	560	1500	50

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
Soil	0	10	
Cemented Gravel	10	50	
T2N Ch2Y	50	65	
Cemented Gravel	65	455	
Cemented Gravel/Clay	455	511	
Gravel with green claystone	511	550	
Gravel	550	560	
Green + brown claystone	560	620	
Gravel w/ green claystone	620	660	

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RECEIVED

JUN 28 2021

DEC 20 1999

OWRD

WATER RESOURCES DEPT
SALEM, OREGON

Date started _____ Completed 10-7-99

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed Chad Goup WWC Number 1735 Date 10-17-99

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed Jerry Burel WWC Number 544 Date 10-17-99

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **135677**

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

INVOICE # _____

RECEIVED FROM: Carbondale Operations LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-13757</u>

CASH: ☐ CHECK # X 1695 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R 11310-23 \$
0412 OTHER: (IDENTIFY) Reimbursement Authority \$ 125.00

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201	SURFACE WATER	EXAM FEE \$	0202	RECORD FEE \$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$		

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **135677**

DATED: 6-28-2021 BY: [Signature]



OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION



ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate from Transfer fees.

The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.

<u>TYPE</u>	<u>FILE NUMBER</u>
Transfer Application	Transfer Number <u>T-13757</u> Not assigned yet

	<u>Applicant Information</u>	<u>Applicant's Representative/Contact</u>
Name:	David Muth, Pendleton Land, LLC	Molly Reid, GeoEngineers Inc.
Address:	12119 Stratford Drive, Suite B	8019 W. Quinault Avenue, Suite 201
	Clive, Iowa 50325	Kennewick, WA 99336
Phone:	(515) 222-1347	(509) 298-2846
Fax:		(541) 310-7264 Cell
E-Mail Address:	dave@alternativeequityadvisors.com	mreid@geoengineers.com

I understand the following:

- That upon receipt of my non-refundable application fee of \$ 125.00, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) business days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

Oregon Water Resources Department
Transfer Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271

RECEIVED

JUN 28 2021

OWRD

I certify that I am the (check one):

☐ Applicant ☒ Applicant's Representative ☐ Other (Please specify) _____

Name: Molly Reid, GeoEngineers Inc.

Signature: _____

Molly Reid

OWRD USE ONLY: Reimbursement Authority Number: R11310 - 23



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

July 12, 2021

PENDLETON LAND LLC
C/O ALTERNATIVE EQUITY ADVISORS
12119 STRATFORD DR SUITE B
CLIVE, IA 50325

Reference: Application T-13757

On June 28, 2021, we received your water right Transfer application. The application was accompanied by \$3130.00. Our receipt number 135695 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

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

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

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

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

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

Cc: Watermaster Dist. #5 (*via email*)
Molly Reid, Agent
Hudson Bay District Improvement Co.
Umatilla County

Enclosure

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **136379**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Carbondale Operations, LLC

BY: _____

APPLICATION

PERMIT

TRANSFER

T-13757

CASH: ☐ CHECK: # 1782 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,770.47

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124

\$

OTHER: R 11310-23

(IDENTIFY) Reimbursement Authority

\$

0243 I/S Lease _____

0244 Muni Water Mgmt. Plan _____

0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

RECORD FEE

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

EXAM FEE

\$

0219

LICENSE FEE

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD#

0210 MONITORING WELLS

\$

CARD#

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT:

136379

DATED: 9-10-2021

BY: [Signature]

RECEIVED

SEP 10 2021

OWRD

REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-310-23

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and Pendleton Land, LLC, hereafter Applicant, hereafter known together as the parties.

OWRD Information

Contact: **Kelly Starnes**
Title: Transfer Advisor
Address: 725 Summer Street, NE, Suite A
Salem, OR 97301-1266

Phone: 503 986-0886
Fax: 503 986-0901
Email: patrick.k.starnes@oregon.gov

Applicant's Information

Name: Pendleton Land, LLC
Contact: David Muth
Address: 12119 Stratford Dr, Ste B
Clive, IA, 50325

Phone: (515) 222-1347
Fax:
Email: dave@alternativeequityadvisors.com

Applicant's Representative

Name: GeoEngineers Inc.
Contact: Molly Reid
Address: 8019 W. Quinault Ave, Ste 201
Kennewick, WA 99336

Phone: (509) 298-2846
Cell: (541) 310-7264
Email: mreid@geoengineers.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (Application Number: T-13757)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
 - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$1,770.47**. Applicant agrees to pay the full amount of **\$1,770.47** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
9. **Duration of Estimate.** The Estimate of Time to completion is **approximately** 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant: Adam D. Borod
Authorized Person *AdB*
Name/Title: _____
For OWRD: *Dwight French*
Dwight French - Administrator

September 2, 2021

Date

9-15-21

Date

Mail signed Agreement to:

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

Regular Permanent Water Right Transfer Application Checklist

Checked by RB Date 6.29.21

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

☐ 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____

☒ 2. Are fees included and correct? Fee paid: 3130
If not, the correct fee would be: _____, so the amount missing is: _____

► If a Government Action POD change (see: Page 5): NO CHARGE

*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type
POU is counted as one type
[USE *or* (Supplemental to Primary)] are counted as one type

☒ 3. Page 3 of application: Have all the applicants listed at the top of the page signed?
If no, whose signature is missing? _____

☐ 4. Are all listed certificates or permits shown by WRIS as non-cancelled? ☒
If no, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.

☐ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☒ N/A ☐ Form D needed from _____ (district)

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder. If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Certs & acres involved:

Changes: _____

cfs involved: _____

Source: _____

* 89896 - involved in another transfer → T-13369

1
1160
1560
410

3130 ✓

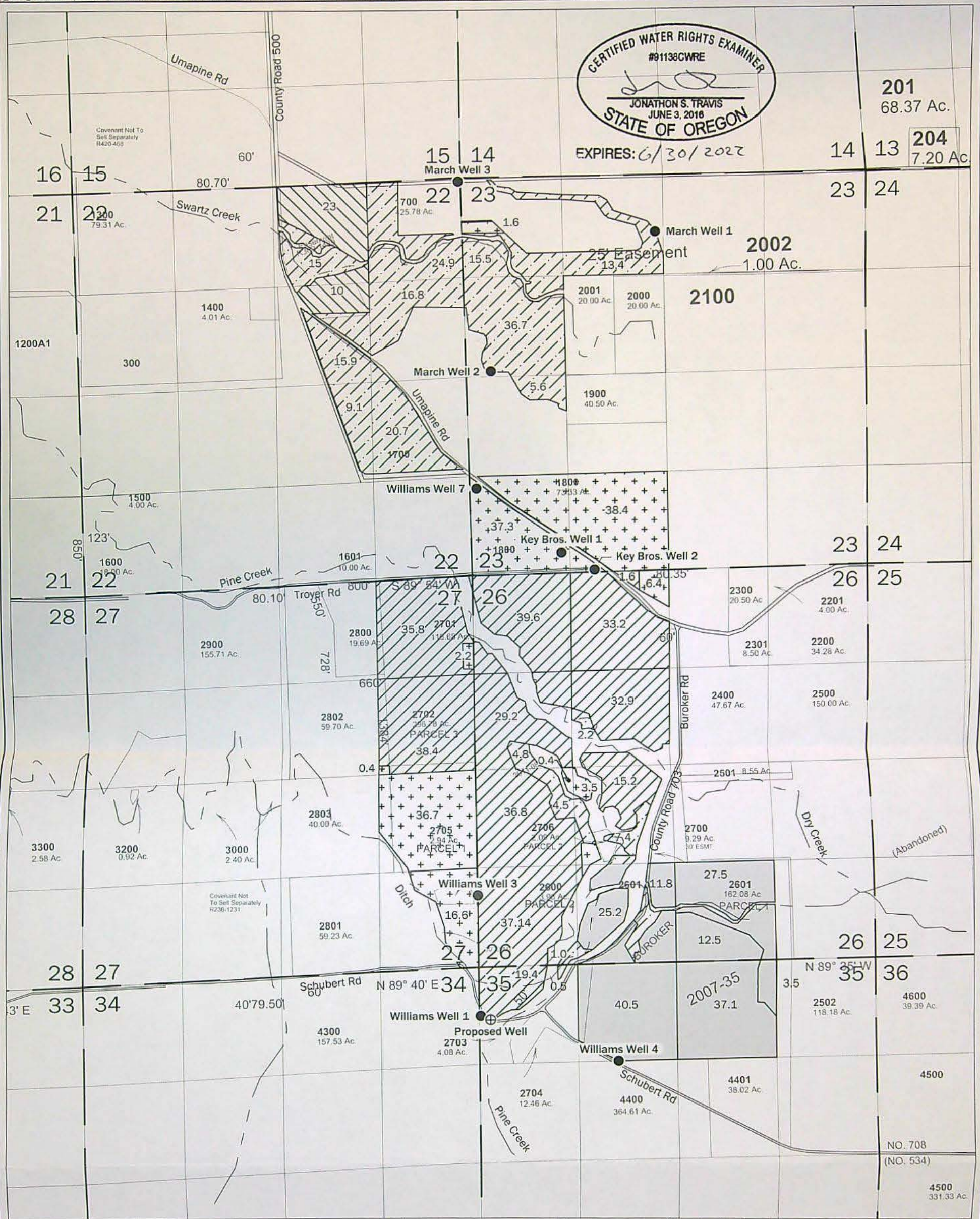
Carbondale Dps.

4 Certs. 80 A x 3

Pinkets No: 13577, + 13695



EXPIRES: 6/30/2022



Legend

- Authorized Well
- ⊕ Proposed Well
- C.89896 Primary
- C.89896 Supplemental basalt aquifer
- Not Involved in this Transfer
- Supplemental from either aquifer
- Supplemental for deficiency from basalt aquifer

Well Location

Proposed Well
Located 715 feet South and 161 feet East from the NW 1/4 corner, section 35 T6N R35E, W.M.
Authorized Well: Williams Well
Located 670 feet South and 35 feet East from the NW corner, section 35 T6N R34E, W.M.

Disclaimer

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

Map Notes

Date: 5/3/21
Data Sources: ESRI
Prepared By: GeoEngineers

GEOENGINEERS



1320 0 1320
Feet

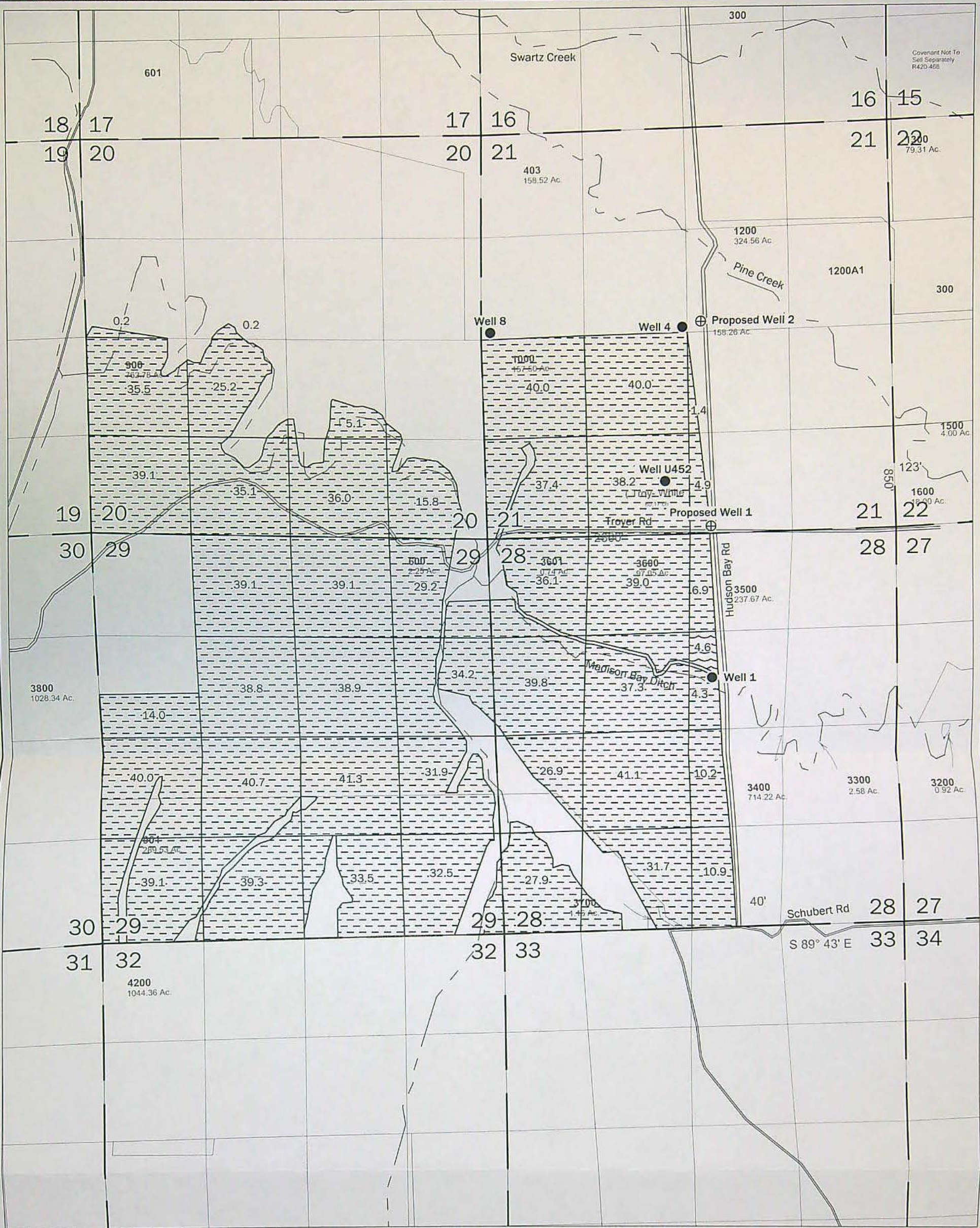
RECEIVED

JUN 28 2021

OWRD

Transfer Application Map for Pendleton Land
Certificate 89896

T6N, R34E, W.M.
Sections 22,23,26,27,35
Umatilla County, Oregon



Well Location

Proposed Well 1
Located 107 feet North and 282 feet East from the S 1/4 corner, section 21 T6N R34E, W.M.

Proposed Well 2
Located 147 feet North and 179 feet East from the center, section 21 T6N R34E, W.M.

Authorized Wells:

Well 1
Located 2,130 feet South and 2930 feet East from the NW corner, section 28 T6N R34E, W.M.

Well 4
Located 85 feet North and 40 feet West from the center, section 21 T6N R34E, W.M.

Well 8
Located 125 feet North and 90 feet East from the W 1/4 corner, section 21 T6N R34E, W.M.

Well U452
Located 690 feet North and 420 feet West from the S 1/4 corner, section 21 T6N R34E, W.M.

Disclaimer

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

Map Notes

Date: 6/25/21
Data Sources: ESRI
Prepared By: GeoEngineers

Legend

- Authorized Well
- ⊕ Proposed Well
- ▨ C.95268 Supplemental
- ▩ C.95268 Primary



EXPIRES: 6/30/2022

RECEIVED

JUN 28 2021

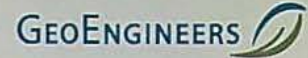
OWRD



1320 0 1320
Feet

Transfer Application Map for Pendleton Land
Certificate 95268

T6N, R34E, W.M.
Sections 20, 21, 28, 29
Umatilla County, Oregon



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

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JUN 28 2021

OWRD

June 25, 2021

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

RE: Point of Appropriation Transfer Application for Pendleton Land LLC
(Certificates 30636, 42976, 89896 and 95268.)

Dear Mr. Starnes:

Enclosed please find a Point of Appropriation Transfer Application with supporting documents submitted on behalf of our client, Pendleton Land LLC. A check in the amount of \$3,130.00 for application fees, and a check in the amount of \$125 to accompany the Transfer Reimbursement Authority Estimate Application are enclosed.

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

Sincerely,

Molly Reid
Senior Planner

Cc: David Muth, Alternative Equity Advisors LLC
File