

Temporary

Name Brown Saylor Ranch, LLCAddress 22416 Anza Ave
Torrance, CA 90505Change in POU
Date Filed 2/15/2024
Initial notice date 2/27/2024
DPD issued date _____PD issued date _____
PD notice date _____
Date of FO _____ Vol _____ Page _____C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____

DESCRIPTION OF WATER RIGHT(s)

Name of Stream Butter CreekTrib. of Umatilla RiverUse Irrigation, Livestock, Domestic County Umatilla

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

Name of ditch _____

App# Decree Per # Umatilla River Cert # 2679 PR Date 12-31-1966

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

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

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

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

FEES PAID

Date	Amount	Receipt #
<u>2-15-2024</u>	<u>\$997.25</u>	<u>142423</u>
<u>7-3-24</u>	<u>20.25</u>	<u>143246</u>

FEES REFUNDED

Date	Amount	Receipt #

Assignments: _____

Irrigation District Columbia Improvement DistrictAgent Schroeder Law Offices, P.C.
counsel@water-law.comCWRE _____
CC's list Umatilla County☐ - Oversized map - Location _____



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

August 14, 2024

Brown Saylor Ranch, LLC
22416 Anza Ave
Torrance, CA 90505

REFERENCE: District Temporary Transfer Application T-14407

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

The temporary change shall be effective at the **beginning of the 2024 irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2028 irrigation season**.

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

Sincerely,

Elyse D. Richman
Water Rights Services Support
Transfers and Conservation Section

cc: Gregory M. Silbernagel, Watermaster Dist. # 5 (via email)
Laura A. Schroeder, Agent
Irrigation District: Columbia Improvement District
Umatilla County Planning Department, Local Government

Enclosure

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING A TEMPORARY
T-14407, Umatilla County)	CHANGE IN PLACE OF USE

Authority

Oregon Revised Statute (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

BROWN SAYLOR RANCH, LLC
22416 ANZA AVE
TORRANCE, CA 90505

Findings of Fact

1. On February 15, 2024, BROWN SAYLOR RANCH, LLC filed an application to temporarily change the place of use under Certificate 2679 for a period of 5 years. The Department assigned the application number T-14407.
2. Notice of the application for transfer was published on February 27, 2024, pursuant to OAR 690-380-4000.
3. On July 3, 2024, the agent submitted a superseding Map and Table 2.
4. On July 30, 2024, the agent submitted a superseding Map and Table 2.
5. The portion of the right to be temporarily transferred is as follows:

Certificate: 2679 in the name of JESSE MOORE (confirmed by Umatilla River Decree)
Use: IRRIGATION OF 21.5 ACRES OF LAND, DOMESTIC AND STOCK USE.
Priority Date: 1866

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

Rate: 0.36 CUBIC FOOT PER SECOND, AND SHALL BE SUBJECT TO ALL OTHER
CONDITIONS AND LIMITATIONS CONTAINED IN SAID DECREE

Source: BUTTER CREEK, a tributary to the UMATILLA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
NOT DESCRIBED IN CERTIFICATE				

Authorized Place of Use:

IRRIGATION, DOMESTIC AND STOCK USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	28 E	WM	8	SE SW	21.5

6. The Department received information from the applicant that describes the location of the authorized point of diversion for Certificate 2679 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	28 E	WM	19	NE SW	NOT DESCRIBED IN CERTIFICATE

7. Temporary Transfer Application T-14407 proposes to temporarily change the place of use of the right to:

IRRIGATION, DOMESTIC AND STOCK USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	28 E	WM	17	NE NW	3.3
3 N	28 E	WM	17	SW NW	17.5
3 N	28 E	WM	17	SE SW	0.7
				Total	21.5

Temporary Transfer Review Criteria

8. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
10. The proposed change would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred right, as required by ORS 540.523(7).
11. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law


The temporary change in place of use proposed in Temporary Transfer Application T-14407 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in Temporary Transfer Application T-14407 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2024, 2025, 2026, 2027, and 2028 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2028 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificate 2679 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 2679.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. 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.

9. The use of the remaining water right described by Certificate 2679 shall continue to be in accordance with the terms and conditions of Certificate 2679.

Dated in Salem, Oregon on **AUG 14 2024**


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

Mailing Date: **AUG 15 2024**

Oregon Water Resources Department

Measurement Condition Information for the Applicant (To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 14367



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



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



at each new point of diversion/appropriation.

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

Watermaster name: Greg Silbernagl

District: 5

Address: 116 SE Dorion Avenue

City/State/Zip: Pendleton, OR 97801

Phone: 541-969-1677

Email: Greg.M.Silbernagl@water.oregon.gov

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

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

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

Watermaster signature

District

Date

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

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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14407

Transfer Specialist: Scott

Transfer Type: Temporary Transfer

DROUGHT? ☐

Applicant: Brown Saylor Ranch, LLC 22416 Anza Ave Torrance, CA 90505	Agent: Schroeder Law Offices, P.C. 1915 NE Cesar E Chavez Blvd Portland, OR 97212	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District: Columbia Improvement District
Affected Local Gov'ts: Umatilla County	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate
<input type="checkbox"/>			2679
<input type="checkbox"/>			
<input type="checkbox"/>			

Key Dates & Initial Actions (Support Staff)

Rec'd: February 15, 2024	Proposed Action(s): PLACE OF USE	
Fees Pd: 997.25	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 7 Umatilla
Initial Public Notice: 2/27/2024	County sent cc: of Ack Letter <input type="checkbox"/>	County: UMATILLA
WM District: 5 Gregory M. Silbernagel	WM Review request sent:	WM Review date received:
Groundwater	GW Review sent:	GW Review date received:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
FO	Date: <u>8/1/24</u> Initials: <u>Scott</u>	Date: <u>8/5/24</u> Initials: <u>Jon</u>	Date: <u>8/6/24</u> Initials: <u>Long</u>	Date: <u>8/12/24</u> Initials: <u>Scott</u>	Date: <u>8/12/24</u> No. of docs for sig: <u>1</u> WM Sheet <input checked="" type="checkbox"/>	Date: <u>8/14/24</u>

Special Issues: _____

Special Order Volume: Vol. 131 Pages 936-939

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14407

Review Due Date:

Applicant Name: Brown Saylor Ranch, LLC

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

Reviewer(s): Greg Silbernagel

Date of Review: 06/03/2024

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

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

☐ N/A

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

☒ N/A

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

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

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

I have concerns that the original POU (from lands) will continue to be irrigated. The reason being is that this is a flood irrigated property and the "from" lands are on the downstream side resulting in flood water traveling across the field on to the "from" lands.

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

☐ Yes ☒ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☐ No If "Yes", answer the following:

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:
- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:
- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:
- iv. Do you have any other observations regarding the temporary transfer? ☐ Yes ☐ No If "Yes", describe:
- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

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

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

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

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

☒ Yes ☐ No If "Yes", explain:

The applicant is also irrigating lands within the NENW of 17 that do not have a water right according to maps created by OWRD. They need to also correct this acreage or make plans transfer water rights onto these lands or cease irrigating. It was my understanding that they were going to address this during the transfer process. See email regarding mapping error.

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

Totalizing flowmeter must be installed and is required as part of this transfer.

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

<input type="checkbox"/> Weir	<input type="checkbox"/> Submerged Orifice
<input type="checkbox"/> Parshall Flume	<input type="checkbox"/> Flow Restrictor
<input type="checkbox"/> Other: _____	

Oregon Water Resources Department
Measurement Condition Information for the Applicant
(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- **14367**



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



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



at each new point of diversion/appropriation.

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

Watermaster name: **Greg Silbernagl**

District: **5**

Address: **116 SE Dorion Avenue**

City/State/Zip: **Pendleton, OR 97801**

Phone: **541-969-1677**

Email: **Greg.M.Silbernagl@water.oregon.gov**

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

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

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

 Watermaster signature

 District

 Date

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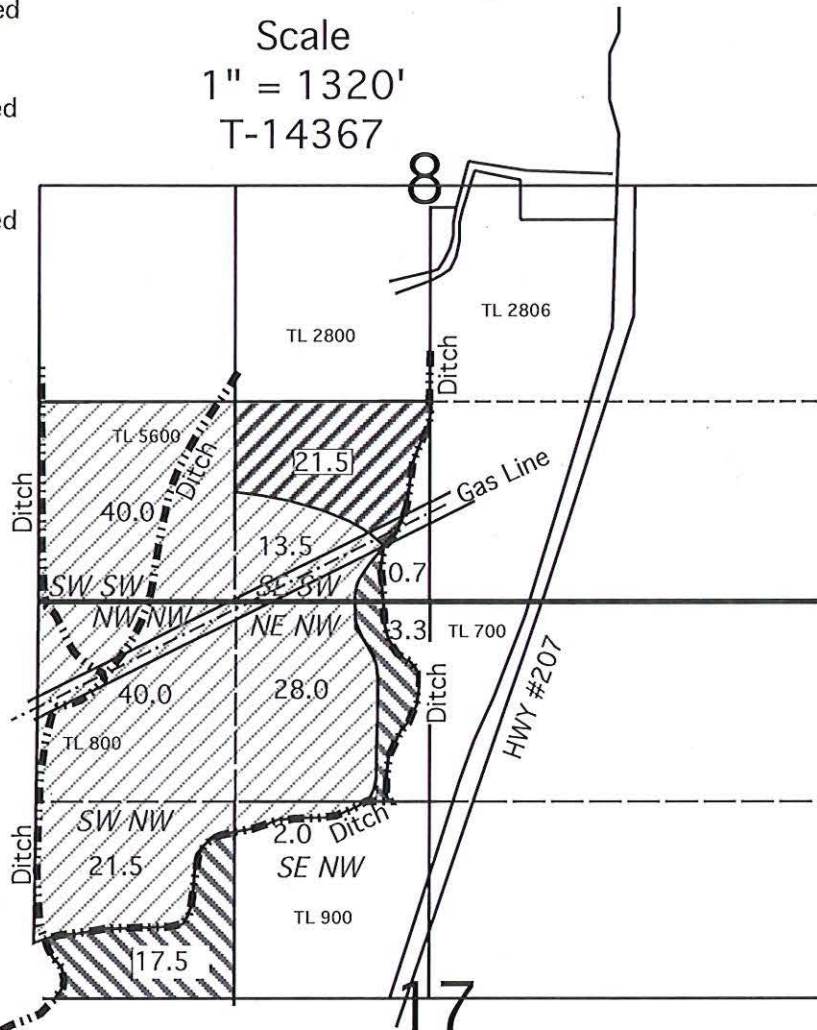
Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, OR 97301-1266

T 3 N, R 28 E

Umatilla County

-  Decree Acres
Cert 2679 - Not Affected
By Transfer
-  Decree Acres Transferred
From This Location
-  Decree Acres Transferred
To This Location

Scale
1" = 1320'
T-14367



Certificate 2679, 1866, POD Located 5 ft. South & 750 ft. West of C1/4 of Section 19, T3N, R 28E

Received by OWRD

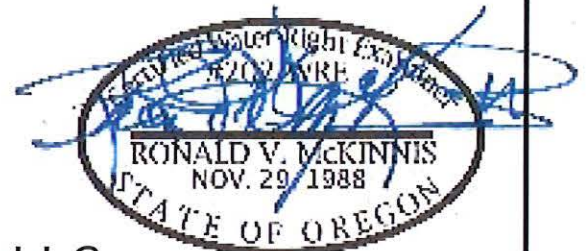
JUL 30 2024

Salem, OR

TRANSFER MAP

In Name Of

Brown Saylor Ranch, LLC



Expires 12-31-24

SUPERSEDING

Rev. 07-29-24

This Map is for the purpose of identifying the location of Water Rights only and is not intended to provide the legal dimensions or locations of property ownership lines.

ENGINEERING - LAND SURVEYING - WATER RIGHTS

R. V. McKINNIS ENGINEERING



79980 Prindle Loop Road
Hermiston, Oregon 97838
(541) -567-2017



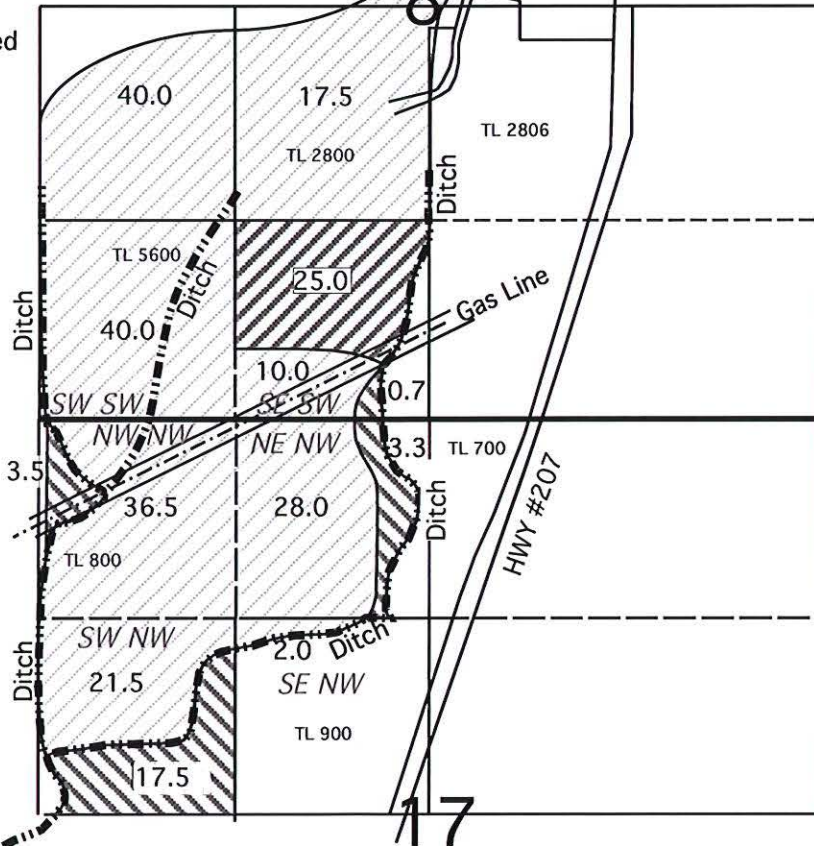
T 3 N, R 28 E

Umatilla County

Received
JUL 03 2024
OWRD

-  Decree Acres
Cert 2679 - Not Affected
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-  Decree Acres Transferred
From This Location,
Irrigation Right Only
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To This Location

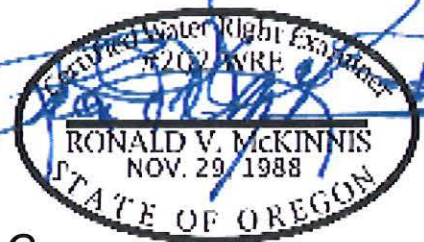
Scale
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T-14367



Certificate 2679, 1866, POD Located 5 ft. South & 750 ft. West of C1/4 of Section 19, T3N, R 28E

SUPERSEDED
SUPERSEDING

TRANSFER MAP
In Name Of
Brown Saylor Ranch, LLC



Expires 12-31-24

Rev. 06-14-24

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ENGINEERING - LAND SURVEYING - WATER RIGHTS

R. V. McKINNIS ENGINEERING



79980 Prindle Loop Road
Hermiston, Oregon 97838
(541) -567-2017

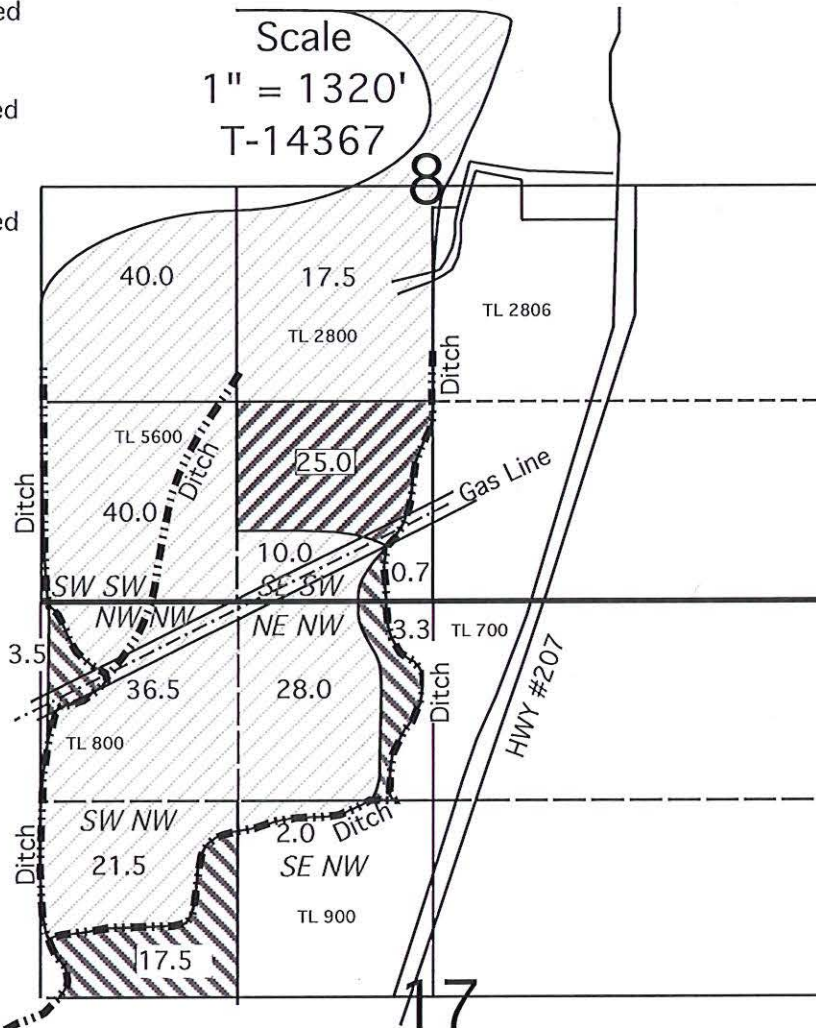


T 3 N, R 28 E

Umatilla County

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Scale
1" = 1320'
T-14367



Certificate 2679, 1866, POD Located 5 ft. South & 750 ft. West of C1/4 of Section 19, T3N, R 28E

SUPERSEDING

Received by OWRD

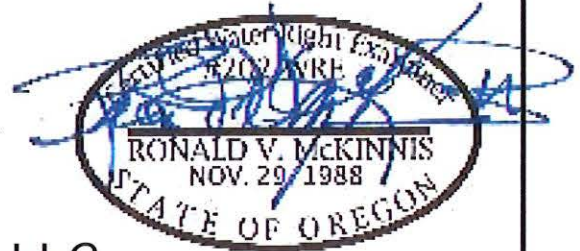
JUL 03 2024

Salem, OR

TRANSFER MAP

In Name Of

Brown Saylor Ranch, LLC



Expires 12-31-24

Rev. 06-14-24

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ENGINEERING - LAND SURVEYING - WATER RIGHTS

R. V. McKINNIS ENGINEERING



79980 Prindle Loop Road
Hermiston, Oregon 97838
(541) -567-2017



RECEIVED

FEB 15 2024




OWRD

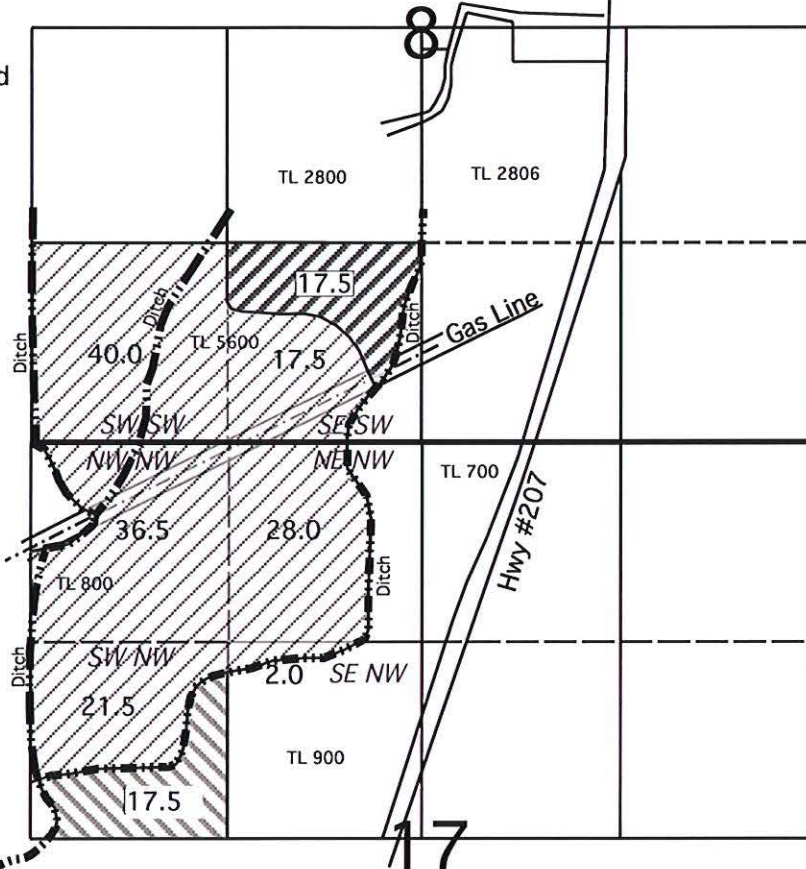
T 3 N, R 28 E

Umatilla County

Scale

1" = 1320'

-  Decree Acres
Cert 2679 - Not Affected
By This Transfer
-  Decree Acres Transferred
From This Location,
Irrigation Right Only
-  Decree Acres Transferred
To This Location



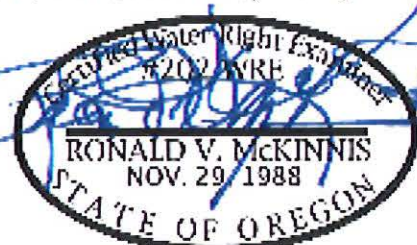
Certificate 2679, 1866, POD Located 5 ft. South & 750 Ft. West of C 1/4 of Section 19, T 3 N, R 28 E

SUPERSEDED

TRANSFER MAP

In Name Of

Brown Saylor Ranch, LLC



Expires 12-31-24

Rev. 11-25-23

This Map is for the purpose of identifying the location of Water Rights only and is not intended to provide the legal dimensions or locations of property ownership lines.

ENGINEERING - LAND SURVEYING - WATER RIGHTS

R. V. McKINNIS ENGINEERING

79980 Prindle Loop Road
Hermiston, Oregon 97838
(541) -567-2017




GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Thursday, July 25, 2024 3:52 PM
To: Rachel Shahidzadeh
Cc: SILBERNAGEL Greg M * WRD; GREW Scott A * WRD
Subject: RE: Saylor: Amended Documents for Application for Water Right Temporary Transfer for Certificate 2679 (Transfer Application T-14407)

Hello Rachel,

Recently amendments were made to application T-14407. The Department has accepted the amendment although the Watermaster Review was already completed.

While reviewing the materials we found an issue.

According to certificate 2679 there are already 40.0 acres irrigating the NW NW, T3N, 28E, Section 17 so there is no reason to move the proposed 3.5 acres to the NW NW.

Please send a corrected map and table 2.

Thank you.

A description of the lands irrigated under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: 40 acres in the Southwest quarter of Southwest quarter; 35 acres in the Southeast quarter of Southwest quarter; of Section Eight; 40 acres in the Northwest quarter of Northwest quarter; 21 $\frac{1}{2}$ acres in the Southwest quarter of Northwest quarter; 2 acres in the Southeast quarter of Northwest quarter; 28 acres in the Northeast quarter of Northwest quarter of Section Seventeen, Township Three North, Range Twenty-eight East of Willamette Meridian, in Umatilla County, Oregon.

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	28 E	WM	8	SW SW	40.0
3 N	28 E	WM	8	SE SW	35.0
3 N	28 E	WM	17	NE NW	28.0
3 N	28 E	WM	17	NW NW	40.0
3 N	28 E	WM	17	SW NW	21.5
3 N	28 E	WM	17	SE NW	2.0
				Total	166.5

Scott Grew
Transfer Specialist
Oregon Water Resources Department

503-986-0890

From: Rachel Shahidzadeh <rachels@water-law.com>

Sent: Monday, July 1, 2024 3:01 PM

To: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>

Cc: Laura Schroeder <schroeder@water-law.com>; Kelsey Seibel <k.seibel@water-law.com>; Tara Lomacz <t.lomacz@water-law.com>; COURCHANE Corey A * WRD <Corey.A.COURCHANE@water.oregon.gov>

Subject: Saylor: Amended Documents for Application for Water Right Temporary Transfer for Certificate 2679 (Transfer Application T-14407)

Some people who received this message don't often get email from rachels@water-law.com. [Learn why this is important](#)

Dear Mr. Grew,

Attached, please find the correspondence from our office. A hard copy with a firm check in the amount of \$20.25 will follow via U.S. Mail.

Please let us know if you have any difficulty opening the attachment.

Sincerely,

Rachel Shahidzadeh

Paralegal

Schroeder Law Offices, P.C.

1915 NE Cesar E. Chavez Blvd., Portland OR 97212

P: (503) 281-4100 | F: (877) 600-4971



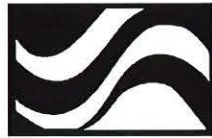
SCHROEDER
LAW OFFICES, P.C.



[Join our mailing list!](#)

Confidentiality Notice: This electronic message may contain information that is attorney-client privileged and confidential, intended only for the use of the individual or entity named above. If you receive this communication in error, please notify me immediately and delete all copies of this message.

Laura A. Schroeder
Oregon, Idaho,
Nevada, Washington & Utah
Therese A. Ure Stix
Oregon & Nevada
Caitlin R. Skulan
Nevada & Idaho



SCHROEDER
LAW OFFICES, P.C.

William F. Schroeder
(1928 - 2015)
James Browitt
Of Counsel
Idaho & Washington

July 1, 2024

VIA ELECTRONIC & U.S. MAIL

Oregon Water Resources Department
Attn: Scott Grew
725 Summer Street NE, Suite A
Salem, OR 97301
Email: scott.a.grew@water.oregon.gov

**RE: Amended Documents for Application for Water Right Temporary Transfer
for Certificate 2679 (Transfer Application T-14407)**

Dear Mr. Grew:

Enclosed for filing on behalf of Brown Saylor Ranch LLC ("Saylor"), please find an Amended Table Two, Amended Map, Amended Fee Worksheet, and firm check for the additional fees calculated to be due in the amount of \$20.25. This application amends the February 15, 2024 application submitted to the Oregon Water Resources Department ("OWRD") by Saylor.

Thank you for your assistance with this matter. Please contact our office if you have any questions, or if anything further is needed to process this amended application.

Very truly yours,
SCHROEDER LAW OFFICES, P.C.

Rachel Shahidzadeh
Paralegal

RMS:rms

Enclosures

cc: Corey Courchane – *via email only*
Client – *via email only*

Received
JUL 03 2024
OWRD



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 21, 2024

Brown Saylor Ranch LLC
22416 Anza Ave
Torrance, CA 90505

Reference: Application T-14407

On February 15, 2024, the Department received your water right Temporary Transfer Application. The application was accompanied by \$997.25. Receipt number 142423 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.

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

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

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

Cc: Watermaster Dist. #5, Gregory M. Silbernagel (via email)
Laura A. Schroeder, Agent
Irrigation District: Columbia Improvement District
Umatilla County, Local Government

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **143246**

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

INVOICE # _____

RECEIVED FROM: Schroeder Law Offices, P.C.

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14407

CASH: ☐ CHECK: # 30476 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 20.25

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES 46110 \$ _____

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 \$ 20.25

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: **143246**

DATED: 7-3-27 BY: m. mills

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **142423**

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

INVOICE # _____

RECEIVED FROM: Brown Saylor Ranch LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14407

CASH: ☐ CHECK: # 1023 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 997.25

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY) _____	\$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$

0205 TRANSFER \$ 997.25

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

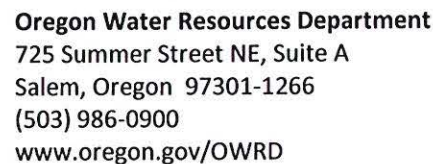
FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$

RECEIPT: **142423**

DATED: 2-15-24 BY: [Signature]



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

FEB 15 2024

WARD

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

14407

RECEIVED

FEB 15 2024

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: <u>1 (2a)</u> Subtract 1 from the number in 3a above: <u>0 (2b)</u> <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	0
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: <u>0 (3a)</u> Subtract 1.0 from the number in 3a above: <u>0 (3b)</u> If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: <u>0 (3c)</u> and multiply 4c by \$210.00, then enter on line 3	3	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>21.5 (4a)</u> Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	58.05
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	5	1008.05
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	6	0
7	Subtract line 6 from line 5 » » » » » » » » » » » » Transfer Fee:	7	1008.05

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

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

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

Received by OWRD

SUPERSEDING

JUL 30 2024

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: <u>1 (2a)</u> Subtract 1 from the number in 3a above: <u>0 (2b)</u> <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	0
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: <u>0 (3a)</u> Subtract 1.0 from the number in 3a above: <u>0 (3b)</u> If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: <u>0 (3c)</u> and multiply 4c by \$210.00, then enter on line 3	3	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>25.0 (4a)</u> Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	67.50
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	5	1017.5
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	6	0
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » » » Transfer Fee:	7	1017.5

Temporary Transfer Application – Page 3 of 10

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS		
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	\$950.00
2	Number of water rights included in transfer: <u>1 (2a)</u> Subtract 1 from the number in 3a above: <u>0 (2b)</u> <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » »	0
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: <u>0 (3a)</u> Subtract 1.0 from the number in 3a above: <u>0 (3b)</u> If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: <u>0 (3c)</u> and multiply 4c by \$210.00, then enter on line 3	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>25.0 (4a)</u> Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	67.50
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	1017.5
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » »	0
7	Subtract line 6 from line 5 » » » » » » » » » » » » » Transfer Fee:	1017.5

Temporary Transfer Application – Page 3 of 10

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: <u>1 (2a)</u> Subtract 1 from the number in 3a above: <u>0 (2b)</u> <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	0
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: <u>0 (3a)</u> Subtract 1.0 from the number in 3a above: <u>0 (3b)</u> If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: <u>0 (3c)</u> and multiply 4c by \$210.00, then enter on line 3	3	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>17.5 (4a)</u> Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	47.25
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	5	997.25
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 »	6	0
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » » » Transfer Fee:	7	997.25

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): <u>0.0 (2a)</u> Subtract 1.0 from the number in 2a above: <u>0 (2b)</u> If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: <u>0 (2c)</u> and multiply 2c by \$50, then enter on line 2 » » » » » » » » » »	2	0
3	Add entries on lines 1 through 2 above » » » » » » » » » » Transfer Fee:	3	0

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

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

RECEIVED

SUPERSEDED 14407 -

FEB 15 2024

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Brown Saylor Ranch, LLC		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 22416 Anza Ave		FAX NO.	
CITY Torrance	STATE CA	ZIP 90505	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

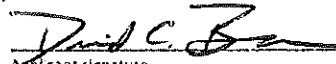

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME Schroeder Law Offices, P.C.		PHONE NO. (503) 281-4100	ADDITIONAL CONTACT NO.
ADDRESS 1915 NE Cesar E. Chavez Blvd		FAX NO.	
CITY Portland	STATE OR	ZIP 97212	E-MAIL counsel@water-law.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:
To change the place of use from a portion of the property described under Certificate that is not in need of irrigation to a portion that is currently undescribed by any water right of use and in need of irrigation. Please note this temporary transfer application is identical to permanent transfer application T-14367 and is being submitted to allow applicant to irrigate the "to" lands while the permanent transfer is being processed.

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

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

	David Brown, Owner	2/7/24
Applicant signature	Print Name (and Title if applicable)	Date
	Laura Haggerty, Owner	2/6/24
Applicant signature	Print Name (and Title if applicable)	Date

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

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

RECEIVED

FEB 15 2024

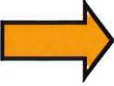
OWRD

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

DISTRICT NAME Columbia Improvement District	ADDRESS PO Box 47	
CITY Boardman	STATE Oregon	ZIP 97818

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Umatilla County	ADDRESS 721 SE Hailey Ave #3	
CITY Pendleton	STATE OR	ZIP 97801

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED

FEB 15 2024

OWRD

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 rows to tables within the form.

Water Right Certificate # 2679

Description of Water Delivery System

System capacity: 40 cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

RECEIVED

FEB 15 2024

OWRD

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 conveyed by flood irrigation.

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or Is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		3 N	28 E	19	NE S W		NA
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 2679

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901			
"	"	"	" "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901			
3	N	28	E 8 SE SW	5600		17.5	Irrigation	POD 1	1866	POU	3	N	28	E 17 SW NW	800		17.5	Irrigation	POD 1	1866			
3	N	28	E 8 SE SW	5600		0.7	Irrigation	POD 1	1866	POU	3	N	28	E 17 SE SW	5600		0.7	Irrigation	POD 1	1866			
3	N	28	E 8 SE SW	5600		3.3	Irrigation	POD 1	1866	POU	3	N	28	E 17 NE NW	800		3.3	Irrigation	POD 1	1866			
TOTAL ACRES						21.5						TOTAL ACRES						21.5					

Additional remarks: _____

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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 # 2679

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
3	N	28	E	8	SE	SW	5600		17.5	Irrigation	POD 1	1866	POU	3	N	28	E	17	SW	NW	800		17.5	Irrigation	POD 1	1866
3	N	28	E	8	SE	SW	5600		0.7	Irrigation	POD 1	1866	POU	3	N	28	E	17	SE	SW	5600		0.7	Irrigation	POD 1	1866
3	N	28	E	8	SE	SW	5600		3.3	Irrigation	POD 1	1866	POU	3	N	28	E	17	NE	NW	800		3.3	Irrigation	POD 1	1866
3	N	28	E	8	SE	SW	5600		3.5	Irrigation	POD 1	1866	POU	3	N	28	E	17	NW	NW	800		3.5	Irrigation	POD 1	1866
TOTAL ACRES:						25.0								TOTAL ACRES:						25.0						

Additional remarks:_____.

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 # 2679

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

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
3	N	28	E	8	SE	SW	5600		17.5	Irrigation	POD 1	1866	POU	3	N	28	E	17	SW	NW	800		17.5	Irrigation	POD 1	1866
3	N	28	E	8	SE	SW	5600		0.7	Irrigation	POD 1	1866	POU	3	N	28	E	17	SE	SW	5600		0.7	Irrigation	POD 1	1866
3	N	28	E	8	SE	SW	5600		3.3	Irrigation	POD 1	1866	POU	3	N	28	E	17	NE	NW	800		3.3	Irrigation	POD 1	1866
3	N	28	E	8	SE	SW	5600		3.5	Irrigation	POD 1	1866	POU	3	N	28	E	17	NW	NW	800		3.5	Irrigation	POD 1	1866
TOTAL ACRES:									25.0					TOTAL ACRES:									25.0			

Additional remarks:_____.

SUPERSEDING

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Salem, OR

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 2679

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901				
"	"	"	" "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901				
3	N	28	E 8 SE SW	5600		17.5	Irrigation	POD 1	1866	POU	3	N	28	E 17 SW NW	800		17.5	Irrigation	POD 1	1866				
TOTAL ACRES						17.5																		
							TOTAL ACRES 17.5																	

Additional remarks: _____

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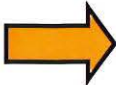
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For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: S-55061, S-55192, S-54633, and S-55401.



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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Klamath Basin/County Drought Transfer Applications

Table 4. Klamath Basin/County Well Information (DROUGHT TRANSFER APPLICATIONS ONLY)

Is there currently a flowmeter installed on each of the POAs listed in Table 1 of this application? ☐ Yes ☐ No*

**Please note that watermaster staff will visit the well to confirm flowmeter presence. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements.*

For each well, please provide a description of the flowmeter location, the serial number, the current flowmeter reading and the date the reading was taken in the table below.

OWNER'S WELL NAME OR NUMBER	WELL TAG NUMBER (IF AVAILABLE)	WELL LOG ID (E.G., KLAM 1234)	FLOWMETER SERIAL NUMBER	FLOWMETER READING	FLOWMETER DATE	FLOWMETER LOCATION

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Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of UMATILLA)

I, LOWELL SAYLOR, in my capacity as RANCH MANAGER,

mailing address 33 SW BIRCH DRIVE IN HERMISTON, OREGON 97838

telephone number (541)571-4000, 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 # 2679; OR

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

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

OR

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

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(continues on reverse side)

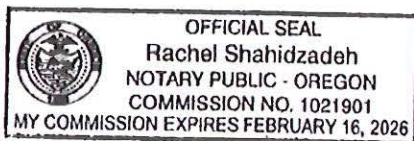
3. The water right was used for: (e.g., crops, pasture, etc.): IRRIGATION OF CROPS AND PASTURING LIVESTOCK

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

[Signature]
Signature of Affiant

Nov 3, 2023
Date

Signed and sworn to (or affirmed) before me this 3rd day of November, 2023.



[Signature]
Notary Public for Oregon

My Commission Expires: 2/16/2026

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.terraserver.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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TACS

SAYLOR RANCHES LLC

1000 Hwy 395 S. PMB 217 • Hermiston, OR 97838 • (541) 571-4000

1127

INVOICE AND WEIGHT RECORD

SOLD TO Tony Osborne ADDRESS 375 W Nevada PHONE 541 720-9065
HAULED BY _____ ADDRESS Traverse, OR PHONE _____
TRUCK LICENSE NUMBER _____ SCALE TICKET NUMBER _____

	Truck	Trailer	Total
GROSS	12120	23470	35590
TARE	8720	5140	13860
NET	3400	18330	21730

21
Weighed By

COMMODITY/LOT NUMBER SR 3rd
NET WEIGHT 10.86 T PRICE/TON \$ 195 COST \$ 2118.67
FREIGHT \$ _____ PER TON TOTAL FREIGHT CHARGES \$ _____ DELIVERED TOTAL COST \$ _____

TERMS OF SETTLEMENT: CASH _____ CHECK _____

CONTRACT NUMBER _____

The undersigned driver of the truck picking up this load does hereby certify that the weights indicated on this slip are true and accurate according to the scales weighing this load.

The undersigned buyer or agent of the buyer of this load does hereby certify that the commodity received is of the quantity indicated and is of acceptable quality.

DRIVER _____

BUYER OR AGENT Tony Osborne

DATE _____

DATE June 12, 2023

BUTTERCREEK ALFALFA HAY

47104 AP

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FEB 15 2024

OWRD

14407 -

1000 Hwy 395 S. PMB 217 • Hermiston, OR 97838 • (541) 571-4000

1107

TO Mr. J. J. Smith ADDRESS 3375 W. 14th St. PHONE 44-5000
 BY J. J. Smith ADDRESS 3375 W. 14th St. PHONE 44-5000
 LICENSE NUMBER _____ SCALE TICKET NUMBER _____

	Truck	Trailer	Total
GROSS	10320	22070	30300
TARE	3160	4240	12400
NET	3020	15830	17900

Weighed By

DDITY LOT NUMBER 5A 370

WIGHT	8957	PRICE/TON \$	225	COST \$	2003.25
-------	------	--------------	-----	---------	---------

IT \$ _____ PER TON TOTAL FREIGHT CHARGES \$ _____ DELIVERED TOTAL COST \$ _____

OF SETTLEMENT: CASH _____ CHECK _____

CONTRACT NUMBER _____

I, James M. Smith, driver of the truck picking up this load does hereby certify that the weights indicated on this slip are true and accurate according to the scales weighing this load.

The undersigned buyer or agent of the buyer of this load does hereby certify that the commodity received is of the quantity indicated and is of acceptable quality.

BUYER OR AGENT Y. J. V.

DATE May 29, 1922

BUTTERCREEK ALFALFA HAY

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OWRD

14407 -

SAYLOR RANCHES LLC

1000 Hwy 395 S. PMB 217 • Hermiston, OR 97838 • (541) 571-4000

1083

INVOICE AND WEIGHT RECORD

TO 1500 ADDRESS 3935 W 15th St PHONE 541-272-2205
BY Hutchinson ADDRESS Hutchinson PHONE
LICENSE NUMBER SCALE TICKET NUMBER

	Truck	Trailer	Total
GROSS	27400	19250	29020
TARE	8130	4030	12160
NET	1610	15250	16860

LB
Weighed By

QUANTITY/LOT NUMBER 58 Tons
SHT 843 T PRICE/TON \$ 110 COST \$ 92730
\$ PER TON TOTAL FREIGHT CHARGES \$ DELIVERED TOTAL COST \$

SETTLEMENT: CASH CHECK 4225
signed driver of the truck picking up this load does hereby
the weights indicated on this slip are true and accurate ac-
the scales weighing this load.

CONTRACT NUMBER
The undersigned buyer or agent of the buyer of this load does hereby
certify that the commodity received is of the quantity indicated and is
of acceptable quality.

BUYER OR AGENT A. H. Nier
DATE April 16, 2001

BUTTERCREEK ALFALFA HAY

47104 AP

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14407 -

State of Oregon
County of Umatilla



Instrument received
and recorded on
7/28/2015 2:24:51 PM

in the record of instrument
code type DE

Instrument number 2015-6320561
Fee \$64.00

AFTER RECORDING, RETURN TO:

Corey, Byler & Rew, L.L.P.
ATTN: Timothy P. O'Rourke
P.O. Box 218
Pendleton, Oregon 97801-0218

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

Brown Saylor Ranch, LLC
57 Ramona Road
Danville, California 94526-2823

Umatilla County
Received: 7/28/2015



1033287

Office of County Records

Steve Churchill

Records Officer
1033287 P3

STATUTORY BARGAIN AND SALE DEED

Eugene H. Brown and Steven C. Brown, Co-Trustees of the Brown Trust UAD April 24, 2000, GRANTORS, convey to Brown Saylor Ranch, LLC, an Oregon limited liability company, GRANTEE, the following described real property in the County of Umatilla, State of Oregon:

Township 3 North, Range 28, East of the Willamette Meridian, Umatilla County,
Oregon:

Section 8: South Half of Southwest Quarter;

Section 17: North Half and Southwest Quarter of Northwest Quarter.

(Assessor's Acct. Nos. 116767 and 140575; Map No. 3N28, Tax Lot No. 5600 and
Map No. 3N2817, Tax Lot No 800.)

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.

The true consideration for this conveyance is the receipt by Grantors of ownership interests in Grantee.

Dated effective as of July 8, 2015.

1 - Statutory Bargain and Sale Deed

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14407

Eugene H. Brown
Eugene H. Brown, Co-Trustee of the
Brown Trust UAD April 24, 2000
Date: 7/21/2015, 2015

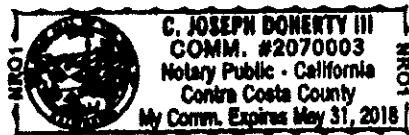
Steven C. Brown
Steven C. Brown, Co-Trustee of the
Brown Trust UAD April 24, 2000
Date: JULY 21, 2015

STATE OF CALIFORNIA)
County of Contra Costa) ss.

On July 21, 2015, personally appeared before me the above named
Eugene H. Brown and Steven C. Brown, Co-Trustees of the Brown Trust UAD April 24, 2000,
and acknowledged the foregoing instrument to be their voluntary act and deed.

C. Joseph Doherty III
Notary Public for California
My commission expires: May 31, 2018

Please see California Notarial Acknowledgment attached
here to



2 - Statutory Bargain and Sale Deed

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OWRD

14407

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Contra Costa

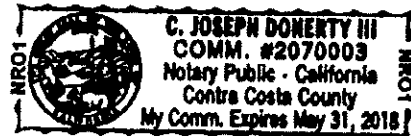
On July 21, 2015 before me, C. Joseph Doherty III
(insert name and title of the officer)

personally appeared Eugene H. Brown and Steven C. Brown
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature C. Joseph Doherty III (Seal)



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Supplemental Form D

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

[For transfers submitted under OAR Chapter 690 Division 380]



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

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

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

1. APPLICANT INFORMATION

NAME Brown Saylor Ranch, LLC			PHONE (HM)
PHONE (WK)	CELL		FAX
ADDRESS 22416 Anza Ave			
CITY Torrance	STATE CA	ZIP 90505	E-MAIL**

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME Columbia Improvement District			PHONE (HM)
PHONE (WK)	CELL		FAX
ADDRESS PO Box 47			
CITY Boardman	STATE OR	ZIP 97818	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.	Umatilla River	-	2679	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

- b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and 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

* Please note the "from" and "to" lands associated with this transfer are within the place of use for CID permits S-55061, S-55192, S-54633, and S-55401, however though there is an overlapping POU, CID does not have the infrastructure to serve Applicant's POU.

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.

Laura B. Haggerty
Applicant Signature

LAURA B. HAGGERTY
Name (print)

2/6/24
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).

Signature of District Manager /Water Supplier

Name (print), Title

Date

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Business Registry Business Name Search

[New Search](#)

Business Entity Data

02-21-2024

09:19

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1127260-96	DLLC	ACT	OREGON	07-08-2015	07-08-2024	
Entity Name	BROWN SAYLOR RANCH, LLC					
Foreign Name						

[New Search](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	75794 HWY 207					
Addr 2						
CSZ	ECHO	OR	97826		Country	UNITED STATES OF AMERICA

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

Type	AGT	REGISTERED AGENT		Start Date	06-16-2020	Resign Date	
Name	TIMOTHY		O'ROURKE				
Addr 1	222 SE DORION AVE						
Addr 2							
CSZ	PENDLETON	OR	97801	Country	UNITED STATES OF AMERICA		

Type	MAL	MAILING ADDRESS				
Addr 1	22416 ANZA AVE					
Addr 2						
CSZ	TORRANCE	CA	90505		Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER			Resign Date	
Name	DAVID	C	BROWN			
Addr 1	22416 ANZA AVE					
Addr 2						
CSZ	TORRANCE	CA	90505	Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER			Resign Date	
Name	LAURA	BROWN	HAGGERTY			
Addr 1	11260 DONNER PASS RD STE C1 PMB 321					
Addr 2						
CSZ	TRUCKEE	CA	96161	Country	UNITED STATES OF AMERICA	

Type	MGR	MANAGER			Resign Date	
Name	DAVID	C	BROWN			
Addr 1	22416 ANZA AVE					

Addr 2						
CSZ	TORRANCE	CA	90505		Country	UNITED STATES OF AMERICA











[New Search](#)

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
BROWN SAYLOR RANCH, LLC	EN	CUR	07-08-2015	

Please [read](#) before ordering [Copies](#).[New Search](#)

Summary History

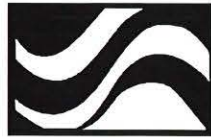
Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	05-19-2023		FI		
	AMENDED ANNUAL REPORT	05-20-2022		FI		
	AMENDED ANNUAL REPORT	05-25-2021		FI		
	AMENDED ANNUAL REPORT	06-16-2020		FI	Agent	
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	11-05-2019		FI		
	AMENDED ANNUAL REPORT	08-28-2019		FI		
	AMENDED ANNUAL REPORT	06-03-2018		FI		
	AMENDED ANNUAL REPORT	06-02-2017		FI		
	AMENDED ANNUAL REPORT	08-12-2016		FI		
	ARTICLES OF ORGANIZATION	07-08-2015		FI	Agent	

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Laura A. Schroeder
Oregon, Idaho,
Nevada, Washington & Utah

Therese A. Ure Stix
Oregon & Nevada

Caitlin R. Skulan
Nevada & Idaho



SCHROEDER
LAW OFFICES, P.C.

William F. Schroeder
(1928 - 2015)

James Browitt
Of Counsel
Idaho & Washington

February 13, 2024

VIA U.S. MAIL ONLY

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

**RE: Brown Saylor Ranch, LLC: Application for a Temporary Water Right
Transfer for Certificate 2679**

To Whom It May Concern:

Enclosed on behalf of Brown Saylor Ranch, LLC, please find an Application for a Temporary Water Right Transfer for Certificate 2679 with the required enclosures. Please note, the evidence of use affidavit enclosed with this temporary transfer is a copy of the affidavit filed with the permanent transfer application for Certificate 2679, assigned application number T-14367. We kindly ask that you consult the file for T-14367 if the original is needed. Also enclosed is a check in the amount of \$997.25 for the application fee.

Thank you for your assistance with this matter. Please contact our office if anything further is needed to process the application.

Very truly yours,
SCHROEDER LAW OFFICES, P.C.

Laura A. Schroeder

LAS:mjt

Enclosures

cc: Client

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1915 NE Cesar E. Chavez Boulevard, Portland, Oregon 97212 (503) 281-4100

10615 Double R Boulevard, Suite 100, Reno, Nevada 89521 (775) 786-8800

www.water-law.com counsel@water-law.com

Temporary Transfer Application Intake Checklist

Transfer # T-

Reviewer <u>Nick AREA</u>	Type of Change(s) Proposed: <u>MUST INCLUDE A CHANGE IN PLACE OF USE</u>		
Date <u>2/21/24</u>	<input checked="" type="checkbox"/> POU	<input type="checkbox"/> POU/POD	<input type="checkbox"/> POU/APOD <input type="checkbox"/> POU/POA <input type="checkbox"/> POU/APOA
Calculated Fee \$ <u>997.25</u>		Fee Received \$ <u>997.25</u>	
Certificate(s): <u>2679</u>	Check <u>ALL</u> Certs in WRIS to confirm they are not cancelled		
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why? Use the flow chart for multiple Certs		<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	
Notes: <u>Request 24-29 which is 6 years</u>			

Application: OAR 690-380-3000; OAR 690-380-3220			
1.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Have <u>ALL</u> of the applicant's signed and dated the application? If no, whose signature is missing?
2.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Part 5 of application: Does the information match the description of the explanation on Part 4 of the application?
3.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		For multiple certificates: Each certificate proposed for transfer has their own separate completed Part 5, Tables 1 & 2? If no, which certificate(s) are missing separate Part 5, Tables 1 & 2?

Map Requirements: OAR 690-380-3100			
4.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Map included and meets mapping requirements?
5.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		Map Waiver? The map waiver must be issued by the Department
Notes:			

Attachments: OAR 690-380-3000			
6.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Evidence of Use included, signed, & notarized w/supporting documentation?
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Current recorded deed for the land from which the authorized place of use is temporarily being moved included?
	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		Affidavit of Consent from Landowner(s) described on the deed?
7.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		Land Use Form included and signed by the County?
8.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		District: Place of use is in <u>or</u> near an irrigation district? If Yes, is Form D included? Name of the District
9.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		For changes in POA/APOA – are the well logs included?
10.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		For change in POU within Umatilla County, Supplemental Form U included?

<input checked="" type="checkbox"/>	Application complete: no deficiencies identified, assign a T-number and put this checklist in T-folder.
<input type="checkbox"/>	Application DEFICIENT: DO NOT accept - return to applicant with letter explaining deficiencies identified.