

T-10538

T-10538

TEMPORARY

Name Baker Produce South, Inc
10 Frank Ties, President
 Address PO Box 3110
Pasco, WA 99302
509 545-4545

Change in POU
 Date Filed 2-13-08
 Initial notice date 2-19-08
 DPD issued date _____
 PD issued date _____
 PD notice date _____
 Date of FO 4-1-08 Vol 24 Page 517

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

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Columbia River Wells 1, 2 & 3Trib. of Pacific Ocean - Butter Creek BasinUse Per County Morrow

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

Name of ditch _____

App # 55653 Per # 43877 Cert # 68536 PR Date 1979App # 64025 Per # 6-3777 Cert # 61848 PR Date 1967App # 64792 Per # 6-4504 Cert # 61849 PR Date 1969

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

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

FEES PAID		
Date	Amount	Receipt #
2-13-08	1297.00	91439

FEES REFUNDED		
Date	Amount	Receipt#

Assignments: _____

Irrigation District Columbia Improvement District PO Box 47, Boardman, OR 97818Agent William Porfily PO Box 643 Stanfield, OR 97875 541-449-1327 wk + Fax
541-561-7259 cell 341

CWRE _____

CC's list RCO: Finley Batters Landfill Co. PO Box 4726 Vancouver, WA 98666



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

April 10, 2008

BAKER PRODUCE SOUTH INC.
FRANK TIEGS, PRESIDENT
PO BOX 3110
PASCO WA 99302

Reference: Temporary Transfer 10538

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

The change shall be effective at the end of the 2007 irrigation season. The use shall revert to the authorized place of use at the end of the 2008 irrigation season.

Sincerely,

Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #21
William Porfily, Agent
Finley Buttes Landfill Co., Landowner
Columbia Improvement District

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10538, Morrow County	)	TEMPORARY CHANGE IN PLACE OF
	)	USE

ORS 537.705 and 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 appropriation authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

BAKER PRODUCE SOUTH INC.
FRANK TIEGS, PRESIDENT
PO BOX 3110
PASCO WA 99302

Agent

WILLIAM I. PORFILY
PO BOX 643
STANFIELD OR
99302

Findings of Fact

1. On February 13, 2008 Frank Tiegs of Baker Produce South Inc., filed an application to temporarily change the place of use under Certificates 68563, 61848 and 61849 for a period of ONE year. The Department assigned the application number T-10538.

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

Certificate: 68536 in the name of BOARDMAN FARMS INC., (perfected under Permit S-43877)

Use: PRIMARY IRRIGATION of 194.2 ACRES AND SUPPLEMENTAL IRRIGATION of 599.8 ACRES

Priority Date: FEBRUARY 15, 1979

Rate: 15.41 CUBIC FEET PER SECOND (CFS)

Limit/Duty: ONE-FORTIETH cfs per acre, not to exceed 4.5 acre-feet per acre per year

Source: COLUMBIA RIVER a tributary of the PACIFIC OCEAN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 N	25 E	WM	2	NE NW	SOUTH 86 DEG 32 MIN 38 SEC WEST, 2841.57 FEET FROM THE NE CORNER OF SECTION 2.

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.

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	7	NW NE	12.80
2 N	26 E	WM	7	SW NE	5.80
2 N	26 E	WM	7	SE NE	34.90
2 N	26 E	WM	7	NE NW	23.20
2 N	26 E	WM	7	NW NW	5.50
2 N	26 E	WM	7	NE SE	9.70
2 N	26 E	WM	8	NE SW	1.40
2 N	26 E	WM	8	NW SW	0.30
2 N	26 E	WM	8	SW SW	0.70
2 N	26 E	WM	8	SE SW	1.60
2 N	26 E	WM	8	NW SE	0.10
2 N	26 E	WM	8	SW SE	0.10
2 N	26 E	WM	17	NE SW	1.50
2 N	26 E	WM	17	SE SW	4.00
2 N	26 E	WM	18	SW NE	8.00
2 N	26 E	WM	18	SE NE	3.30
2 N	26 E	WM	18	NW SW	16.60
2 N	26 E	WM	18	SW SW	6.70
2 N	26 E	WM	18	SE SE	22.90
2 N	26 E	WM	19	NE NE	16.20
2 N	26 E	WM	19	NE NW	2.90
2 N	26 E	WM	19	NE SE	16.00
TOTAL ACRES:					194.2

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	7	NE NE	40.00
2 N	26 E	WM	7	NW NE	24.80
2 N	26 E	WM	7	SW NW	30.70
2 N	26 E	WM	7	SE NW	8.00
2 N	26 E	WM	7	NE SW	9.50
2 N	26 E	WM	7	NW SW	31.50
2 N	26 E	WM	8	NE NE	2.00
2 N	26 E	WM	8	NW NE	2.00
2 N	26 E	WM	8	SW NE	2.00
2 N	26 E	WM	8	SE NE	2.00
2 N	26 E	WM	8	NE NW	2.00
2 N	26 E	WM	8	NW NW	2.00
2 N	26 E	WM	8	SW NW	2.00
2 N	26 E	WM	8	SE NW	2.00
2 N	26 E	WM	8	NE SE	2.00
2 N	26 E	WM	8	NW SE	2.00
2 N	26 E	WM	8	SW SE	2.00
2 N	26 E	WM	8	SE SE	2.00
2 N	26 E	WM	17	NE NE	2.00
2 N	26 E	WM	17	NW NE	2.00
2 N	26 E	WM	17	SW NE	2.00
2 N	26 E	WM	17	SE NE	2.00
2 N	26 E	WM	17	NE SW	0.50

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	17	NW SW	29.90
2 N	26 E	WM	17	SW SW	38.90
2 N	26 E	WM	17	SE SW	0.50
2 N	26 E	WM	17	NE SE	1.90
2 N	26 E	WM	17	NW SE	1.60
2 N	26 E	WM	17	SW SE	1.60
2 N	26 E	WM	17	SE SE	1.90
2 N	26 E	WM	18	SW NE	32.00
2 N	26 E	WM	18	NE NW	6.80
2 N	26 E	WM	18	NW NW	6.10
2 N	26 E	WM	18	SW NW	51.00
2 N	26 E	WM	18	SE NW	40.00
2 N	26 E	WM	18	NE SW	40.00
2 N	26 E	WM	18	NW SW	8.40
2 N	26 E	WM	18	SW SW	6.90
2 N	26 E	WM	18	SE SW	38.70
2 N	26 E	WM	18	NW SE	30.50
2 N	26 E	WM	18	SW SE	32.00
2 N	26 E	WM	19	NW NE	25.90
2 N	26 E	WM	19	NE NW	3.50
2 N	26 E	WM	20	NE NE	2.00
2 N	26 E	WM	20	NW NE	2.00
2 N	26 E	WM	20	SW NE	2.00
2 N	26 E	WM	20	SE NE	2.00
2 N	26 E	WM	20	NW NW	8.70
2 N	26 E	WM	20	NE SE	2.00
2 N	26 E	WM	20	NW SE	2.00
2 N	26 E	WM	20	SW SE	2.00
2 N	26 E	WM	20	SE SE	2.00
TOTAL ACRES:					599.8

3. Application T-10538 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	6	NE NW	30.00
2 N	26 E	WM	6	NW NW	30.00
2 N	26 E	WM	6	SW NW	14.20
3 N	26 E	WM	30	SW NE	30.00
3 N	26 E	WM	30	SE NE	30.00
3 N	26 E	WM	30	NE SE	30.00
3 N	26 E	WM	30	NW SE	30.00
TOTAL ACRES:					194.2

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	6	NE NE	5.50
2 N	26 E	WM	6	NW NE	30.40
2 N	26 E	WM	6	SW NE	5.60
2 N	26 E	WM	6	SW NW	15.80
2 N	26 E	WM	6	SE NW	30.00
2 N	26 E	WM	6	NE SW	30.00
2 N	26 E	WM	6	NW SW	30.00
2 N	26 E	WM	6	SW SW	30.00
2 N	26 E	WM	6	SE SW	30.00
2 N	26 E	WM	7	NE NE	13.30
2 N	26 E	WM	7	NW NE	12.60
2 N	26 E	WM	7	SW NE	1.90
2 N	26 E	WM	7	SE NE	11.60
2 N	26 E	WM	7	NE NW	7.70
2 N	26 E	WM	7	NW NW	1.80
2 N	26 E	WM	7	NE SE	3.20
2 N	26 E	WM	18	SW NE	13.40
2 N	26 E	WM	18	SE NE	1.10
2 N	26 E	WM	18	NE NW	2.30
2 N	26 E	WM	18	NE NW	13.30
2 N	26 E	WM	18	NW NW	2.10
2 N	26 E	WM	18	SW NW	17.30
2 N	26 E	WM	18	SE NW	13.30
2 N	26 E	WM	18	NW SW	8.20
2 N	26 E	WM	18	SW SW	4.50
2 N	26 E	WM	18	SE SW	12.90
2 N	26 E	WM	18	NW SE	11.60
2 N	26 E	WM	18	SW SE	10.70
2 N	26 E	WM	19	NW NE	10.30
2 N	26 E	WM	19	NE NW	4.00
3 N	26 E	WM	30	SW SE	28.60
3 N	26 E	WM	30	SE SE	28.30
3 N	26 E	WM	31	NE NE	31.70
3 N	26 E	WM	31	NW NE	32.10
3 N	26 E	WM	31	SW NE	29.80
3 N	26 E	WM	31	SE NE	30.20
3 N	26 E	WM	31	NE SE	4.50
3 N	26 E	WM	31	NW SE	30.20
TOTAL ACRES:					599.8

4. The portion of the Second right to be transferred is as follows:

Certificate: 61848 in the name of FAR WEST FARMS (perfected under Permit G-3777)

Use: IRRIGATION of 802 ACRES

Priority Date: AUGUST 7, 1967

Rate: 1.44 CUBIC FEET PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3.0 acre-feet per acre per year

Source: WELL 1 and WELL 3 in the BUTTER CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 N	26 E	WM	18	NE SE	30 FEET SOUTH AND 30 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 18.
2 N	26 E	WM	20	NW SE	2470 FEET NORTH AND 2910 FEET EAST FROM THE SW CORNER OF SECTION 20.

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	7	NE NE	40.00
2 N	26 E	WM	7	NW NE	24.80
2 N	26 E	WM	7	SW NW	37.00
2 N	26 E	WM	7	SE NW	21.50
2 N	26 E	WM	7	NE SW	17.20
2 N	26 E	WM	7	NW SW	46.90
2 N	26 E	WM	7	SW SW	8.80
2 N	26 E	WM	7	SE SW	2.60
2 N	26 E	WM	8	NE NE	2.00
2 N	26 E	WM	8	NW NE	2.00
2 N	26 E	WM	8	SW NE	2.00
2 N	26 E	WM	8	SE NE	2.00
2 N	26 E	WM	8	NE NW	2.00
2 N	26 E	WM	8	NW NW	2.00
2 N	26 E	WM	8	SW NW	2.00
2 N	26 E	WM	8	SE NW	2.00
2 N	26 E	WM	8	NE SE	2.00
2 N	26 E	WM	8	NW SE	2.00
2 N	26 E	WM	8	SW SE	2.00
2 N	26 E	WM	8	SE SE	2.00
2 N	26 E	WM	17	NE NE	2.00
2 N	26 E	WM	17	NW NE	2.00
2 N	26 E	WM	17	SW NE	2.00
2 N	26 E	WM	17	SE NE	2.00
2 N	26 E	WM	17	NE SW	0.50
2 N	26 E	WM	17	NW SW	38.20
2 N	26 E	WM	17	SW SW	40.00
2 N	26 E	WM	17	SE SW	0.50
2 N	26 E	WM	17	NE SE	1.90
2 N	26 E	WM	17	NW SE	1.60
2 N	26 E	WM	17	SW SE	1.60
2 N	26 E	WM	17	SE SE	1.90

2 N	26 E	WM	18	NW NE	21.00
2 N	26 E	WM	18	SW NE	32.00
2 N	26 E	WM	18	NE NW	18.90
2 N	26 E	WM	18	NW NW	18.60
2 N	26 E	WM	18	SW NW	51.00
2 N	26 E	WM	18	SE NW	40.00
2 N	26 E	WM	18	NE SW	40.00
2 N	26 E	WM	18	NW SW	8.40
2 N	26 E	WM	18	SW SW	8.40
2 N	26 E	WM	18	SE SW	39.80
2 N	26 E	WM	18	NW SE	30.50
2 N	26 E	WM	18	SW SE	32.00
2 N	26 E	WM	19	NW NE	31.00
2 N	26 E	WM	19	SE NE	8.20
2 N	26 E	WM	19	NE NW	9.00
2 N	26 E	WM	19	SE SW	2.40
2 N	26 E	WM	19	SW SE	6.40
2 N	26 E	WM	19	SE SE	14.00
2 N	26 E	WM	20	NE NE	2.00
2 N	26 E	WM	20	NW NE	2.00
2 N	26 E	WM	20	SW NE	2.00
2 N	26 E	WM	20	SE NE	2.00
2 N	26 E	WM	20	NW NW	17.80
2 N	26 E	WM	20	SW NW	5.60
2 N	26 E	WM	20	NE SE	2.00
2 N	26 E	WM	20	NW SE	2.00
2 N	26 E	WM	20	SW SE	2.00
2 N	26 E	WM	20	SE SE	2.00
2 N	26 E	WM	30	NE NE	29.90
2 N	26 E	WM	30	NW NE	4.10
TOTAL ACRES:					802.0

5. Application T-10538 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	6	NE NE	30.50
2 N	26 E	WM	6	NW NE	30.40
2 N	26 E	WM	6	SW NE	30.50
2 N	26 E	WM	6	NE SW	30.00
2 N	26 E	WM	6	NW SW	30.00
2 N	26 E	WM	6	SW SW	30.00
2 N	26 E	WM	6	SE SW	30.00
2 N	26 E	WM	6	NE SE	30.40
2 N	26 E	WM	6	NW SE	30.50
2 N	26 E	WM	6	SW SE	30.50
2 N	26 E	WM	6	SE SE	30.40
2 N	26 E	WM	7	NE NE	13.30
2 N	26 E	WM	7	NW NE	12.60
2 N	26 E	WM	7	SW NE	1.90
2 N	26 E	WM	7	SE NE	11.60
2 N	26 E	WM	7	NE NW	7.70

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	7	NW NW	1.80
2 N	26 E	WM	7	NE SE	3.20
2 N	26 E	WM	18	SW NE	13.40
2 N	26 E	WM	18	SE NE	1.10
2 N	26 E	WM	18	NE NW	2.30
2 N	26 E	WM	18	NW NW	2.10
2 N	26 E	WM	18	SW NW	17.30
2 N	26 E	WM	18	SE NW	13.30
2 N	26 E	WM	18	NE SW	13.30
2 N	26 E	WM	18	NW SW	8.20
2 N	26 E	WM	18	SW SW	4.50
2 N	26 E	WM	18	SE SW	12.90
2 N	26 E	WM	18	NW SE	11.60
2 N	26 E	WM	18	SW SE	10.70
2 N	26 E	WM	19	NW NE	10.30
2 N	26 E	WM	19	NE NW	4.00
3 N	26 E	WM	6	SE NE	30.50
3 N	26 E	WM	6	SW NW	15.80
3 N	26 E	WM	6	SE NW	30.00
3 N	26 E	WM	30	SW SE	28.60
3 N	26 E	WM	30	SE SE	28.30
3 N	26 E	WM	31	NE NE	31.70
3 N	26 E	WM	31	NW NE	32.10
3 N	26 E	WM	31	SW NE	29.80
3 N	26 E	WM	31	SE NE	30.20
3 N	26 E	WM	31	NE SE	4.50
3 N	26 E	WM	31	NW SE	30.20
TOTAL ACRES:					802.0

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

Certificate: 61849 in the name of FAR WEST FARMS (perfected under Permit G-4504)

Use: SUPPLEMENTAL IRRIGATION of 802 ACRES

Priority Date: FEBRUARY 10, 1969

Rate: 1.44 CUBIC FEET PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3.0 acre-feet per acre per year

Source: WELL 2 and 3 in the BUTTER CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 N	26 E	WM	17	NW NE	100 FEET SOUTH AND 1350 FEET WEST FROM THE NE CORNER OF SECTION 17
2 N	26 E	WM	18	NE SE	30 FEET SOUTH AND 30 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 18

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	7	NE NE	40.00
2 N	26 E	WM	7	NW NE	24.80
2 N	26 E	WM	7	SW NW	37.00
2 N	26 E	WM	7	SE NW	21.50
2 N	26 E	WM	7	NE SW	17.20
2 N	26 E	WM	7	NW SW	46.90
2 N	26 E	WM	7	SW SW	8.80
2 N	26 E	WM	7	SE SW	2.60
2 N	26 E	WM	8	NE NE	2.00
2 N	26 E	WM	8	NW NE	2.00
2 N	26 E	WM	8	SW NE	2.00
2 N	26 E	WM	8	SE NE	2.00
2 N	26 E	WM	8	NE NW	2.00
2 N	26 E	WM	8	NW NW	2.00
2 N	26 E	WM	8	SW NW	2.00
2 N	26 E	WM	8	SE NW	2.00
2 N	26 E	WM	8	NE SE	2.00
2 N	26 E	WM	8	NW SE	2.00
2 N	26 E	WM	8	SW SE	2.00
2 N	26 E	WM	8	SE SE	2.00
2 N	26 E	WM	17	NE NE	2.00
2 N	26 E	WM	17	NW NE	2.00
2 N	26 E	WM	17	SW NE	2.00
2 N	26 E	WM	17	SE NE	2.00
2 N	26 E	WM	17	NE SW	0.50
2 N	26 E	WM	17	NW SW	38.20
2 N	26 E	WM	17	SW SW	40.00
2 N	26 E	WM	17	SE SW	0.50
2 N	26 E	WM	17	NE SE	1.90
2 N	26 E	WM	17	NW SE	1.60
2 N	26 E	WM	17	SW SE	1.60
2 N	26 E	WM	17	SE SE	1.90
2 N	26 E	WM	18	NW NE	21.00
2 N	26 E	WM	18	SW NE	32.00
2 N	26 E	WM	18	NE NW	18.90
2 N	26 E	WM	18	NW NW	18.60
2 N	26 E	WM	18	SW NW	51.00
2 N	26 E	WM	18	SE NW	40.00
2 N	26 E	WM	18	NE SW	40.00
2 N	26 E	WM	18	NW SW	8.40
2 N	26 E	WM	18	SW SW	7.90
2 N	26 E	WM	18	SE SW	39.80
2 N	26 E	WM	18	NW SE	30.50
2 N	26 E	WM	18	SW SE	32.00
2 N	26 E	WM	19	NW NE	31.00
2 N	26 E	WM	19	NE NW	9.00
2 N	26 E	WM	19	SE SW	2.40
2 N	26 E	WM	19	SW SE	6.40
2 N	26 E	WM	19	SE SE	14.00

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	20	NE NE	2.00
2 N	26 E	WM	20	NW NE	2.00
2 N	26 E	WM	20	SW NE	2.00
2 N	26 E	WM	20	SE NE	2.00
2 N	26 E	WM	20	NW NW	26.50
2 N	26 E	WM	20	SW NW	5.60
2 N	26 E	WM	20	NE SE	2.00
2 N	26 E	WM	20	NW SE	2.00
2 N	26 E	WM	20	SW SE	2.00
2 N	26 E	WM	20	SE SE	2.00
2 N	26 E	WM	30	NE NE	29.90
2 N	26 E	WM	30	NW NE	4.10
TOTAL ACRES:					802.0

7. Application T-10538 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	6	NE NE	30.50
2 N	26 E	WM	6	NW NE	30.40
2 N	26 E	WM	6	SW NE	30.50
2 N	26 E	WM	6	NE SW	30.00
2 N	26 E	WM	6	NE SW	30.40
2 N	26 E	WM	6	NW SW	30.00
2 N	26 E	WM	6	SW SW	30.00
2 N	26 E	WM	6	NW SE	30.50
2 N	26 E	WM	6	SW SE	30.50
2 N	26 E	WM	6	SE SE	30.40
2 N	26 E	WM	7	NE NE	13.30
2 N	26 E	WM	7	NW NE	12.60
2 N	26 E	WM	7	SW NE	1.90
2 N	26 E	WM	7	SE NE	11.60
2 N	26 E	WM	7	NE NW	7.70
2 N	26 E	WM	7	NW NW	1.80
2 N	26 E	WM	7	NE SE	3.20
2 N	26 E	WM	18	SW NE	13.40
2 N	26 E	WM	18	SE NE	1.10
2 N	26 E	WM	18	NE NW	2.30
2 N	26 E	WM	18	NW NW	2.10
2 N	26 E	WM	18	SW NW	17.30
2 N	26 E	WM	18	SE NW	13.30
2 N	26 E	WM	18	NE SW	13.30
2 N	26 E	WM	18	NW SW	8.20
2 N	26 E	WM	18	SW SW	4.50
2 N	26 E	WM	18	SE SW	12.90
2 N	26 E	WM	18	NW SE	11.60
2 N	26 E	WM	18	SW SE	10.70
2 N	26 E	WM	19	NW NE	10.30
2 N	26 E	WM	19	NE NW	4.00
3 N	26 E	WM	6	SE NE	30.50

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	6	SW NW	15.80
3 N	26 E	WM	6	SE NW	30.00
3 N	26 E	WM	6	SE SW	30.00
3 N	26 E	WM	30	SW SE	28.60
3 N	26 E	WM	30	SE SE	28.30
3 N	26 E	WM	31	NE NE	31.70
3 N	26 E	WM	31	NW NE	32.10
3 N	26 E	WM	31	SW NE	29.80
3 N	26 E	WM	31	SE NE	30.20
3 N	26 E	WM	31	NE SE	4.50
3 N	26 E	WM	31	NW SE	30.20
TOTAL ACRES:					802.0

8. Notice of the application for temporary transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to that notice.
9. Application T-10538 proposes to temporarily transfer water rights within the boundaries of the Columbia Improvement District. On February 15, 2008 the Columbia Improvement District notified the Department that the District approved of temporary transfer T-10538.
10. Water has been used within the last five years according to the terms and conditions of the rights. No evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
12. To avoid the possibility of enlargement, on March 18, 2008 the applicant proposed additional conditions, including a stringent soil moisture monitoring program for the lands subject to this transfer, upon which drip irrigation will be used and the lands between the drip irrigated rows that will be dried up.
13. The proposed change will 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(6) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

The temporary change in proposed in application T-10538 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

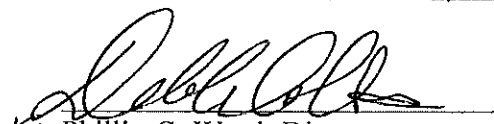
1. The change in place of use proposed in application T-10538, subject to the conditions listed below, is approved.
2. The water user shall install and maintain a water flow and soil moisture monitoring system.
 - a) The water user shall install and maintain valves and in-line flow meters or other suitable devices for controlling, measuring and recording the quantity of water diverted. In-line flow meters shall be installed at each well and each field control manifold serving the drip irrigated areas. The type and plans of the valves and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
 - b) The water user shall operate and maintain the valves and measuring devices, as needed. The Watermaster may monitor the system and accuracy of the measuring devices, as needed.
 - c) The monitoring system shall include Gro-Point Sensors or a similar monitoring system capable of accuracy that is equivalent to, or superior to the level of accuracy provided by the Gro-Point system. If other than a Gro-Point soil moisture monitoring system is used, the type of system and installation plans must be approved by the Watermaster prior to installation.
 - d) The soil moisture monitoring system shall include one monitoring station for each type of crop grown and for every 100 acres of each major soil type. Soil types or crop types with less than 100 acres shall have one monitoring station per soil or crop type. Each monitoring station shall consist of one moisture sensor located outside the irrigated area and paired moisture sensors with one sensor located in the crop row and a second sensor located midway between the crop rows. Additional soil moisture monitoring stations shall be installed as required by the Watermaster where conditions dictate more monitoring stations are required to effectively determine irrigation is occurring only where there is an appurtenant water right. The monitoring program, including both the number and location of the monitoring sites shall be approved by the Watermaster prior to installation.
 - e) The data from the moisture monitoring system shall be continuously monitored or collected at a minimum of weekly intervals. The soil moisture content shall be monitored beginning one week prior to the irrigation season and continuing until one week past the end of the irrigation season. Soil moisture data collected from the monitoring system shall be reported to the Watermaster in summary format including equipment used and monitoring data listed by station and measurement field, as approved by the Watermaster.
 - f) Soil moisture reports shall be made during the first week prior to the irrigation season and once per week during the first three weeks of the irrigation season. Unless otherwise required by the Watermaster, soil moisture data collected after the third week of the irrigation season shall be reported to the Watermaster by the 5th day of the month following the month for which the data was collected. Reporting requirements may be

modified, after the third week of the irrigation season, as dictated by the Watermaster or upon written request from the water user subject to approval of the Watermaster. However, review of the monitoring program can occur at any time with a formal request from the water user or the Watermaster. Modification to the monitoring program may occur at any time as deemed necessary and/or appropriate by the Watermaster.

- g) Upon reasonable notice the water user shall provide the Watermaster access to metering equipment and moisture monitoring stations as well as access to monitoring data and flow data, including access to real time data on an internal web site or computer.
 - h) The water user shall promptly inform the Watermaster of any situation that results in the application of water to any land without a water right, including but not limited to the areas between crop rows. The water user shall also inform the Watermaster of the course of action taken by the water user to correct the problem and prevent the future occurrence of similar events.
 - i) If water is applied to lands without water rights, including but not limited to, the area between the crop rows, the Watermaster may regulate the water use until the soil moisture and flow data demonstrate that the areas without water rights are no longer receiving water.
 - j) If, at any time after the third week of irrigation, the Watermaster determines that the water user has not taken all necessary precautions to ensure that areas without appurtenant water rights, including areas between crop rows, are not receiving water this temporary transfer may be terminated. If this transfer is terminated, the water rights subject to this transfer will revert to their original place of use.
- 3. The former place of use **shall not** be irrigated as part of this water right during the 2008 irrigation season.
 - 4. The use shall revert to the authorized place of use at the end of the 2008 irrigation season.
 - 5. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
 - 6. A subsequent application for permanent transfer of Certificates 68536, 61848 and 61849 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.
 - 7. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 68536, 61848 and 61849 and any related decree.
 - 8. The time during which water is used under this temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.

9. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
10. The use of the remaining water right described by Certificates 68536, 61848 and 61849 shall continue to be in accordance with the terms and conditions of Certificates 68536, 61848 and 61849 and any related decree.

Dated at Salem, Oregon this 15th day of April 2008.


Phillip C. Ward, Director

Mailing Date APR 11 2008

Water Right Transfer Checklist

Transfer T-10538

Transfer Specialist: Kody Susan Douthett

Transfer Type: Temporary

Applicant Name/Address: Baker Produce South, Inc., c/o Frank Tiegs, PO Box 3110 Pasco, WA 99302

Agent Name/Address: William Porfily, PO Box 643 Stanfield, OR 97875

CWRE Name/Number: None

Rec Landowner Name/Address: Finley Buttes Landfill Co. PO Box 61726, Vancouver, WA 98666

Irr. District Name/Address: Columbia Improvement District PO Box 47, Boardman, OR 97818

Affected Gov'ts Name/Address: None

Commentors: Name/Address: None

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	S-55653	43877	68536	☐ Yes ☐ No	
☒	☒	G-4025	G-3777	61848	☐ Yes ☐ No	
☒	☒	G-4782	G-4504	61849	☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: <u>2/13/2008</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU	
Fees Pd: <u>1297.00</u>	WM District: <u>21</u>	ODFW District: <u>None</u>
Initial Notice: <u>2/19/2008</u>	WM Review sent: <u>2/22/2008</u>	ODFW Review sent: <u>None</u>
Acknowledgement Letter Sent ☒	GW Review sent: <u>2/22/2008</u>	

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

- ☐ Electronic Files uploaded
- ☐ PD Cover letter
- ☐ PD Notice
- ☐ File Assigned/ ModPod updated

- ☐ Preliminary Determination
- ☐ Fee Refund Due
- ☐ Remaining Rights

Temp

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: <u>ASD</u>
Date: _____	Date: _____	Date: <u>3/24/08</u>
Coordinator: _____	Coordinator: _____	Coordinator: <u>ASD</u>
Date: _____	Date: _____	Date: <u>3/31/08</u>
Comments/Special Issues: _____		

Spécial Order Volume: Vol 74 Pages 517 Final Order Signature Date: 4-1-08

Notice of FO email'd to processors Kody/Susan

Application

- ☐ The type of change is clearly indicated.
- ☐ The application is appropriately signed.
- ☐ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
- ☐ Land use form matches affected tax lots and is signed by proper official. (from ALL affected Govt's)
- ☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- ☐ All required attachments received.

Water right subject to transfer

- ☐ Certificated right or Proof accepted "to the satisfaction...."
- ☐ The right been exercised according to terms & conditions of certificate.
- ☐ Delivery system has the capacity to fully divert the rate/duty of the right.
- ☐ No information in record that suggests forfeiture.
- ☐ No conflicts identified on the plat cards and plat card reports printed.
- ☐ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☐ The map has an original CWRE signature.
- ☐ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- ☐ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- ☐ Metes and bounds for the POD's/POA's are properly described on the map.
- ☐ The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.
- ☐ Map acres match the tabulation on the certificate.
- ☐ Have final proof maps/decree maps for the rights. ☐ Application map matches certificate FPS.
- ☐ Have necessary aerial photos.

Determining the "From" and "To" Lands (make working copy of application and certificates to mark on)

- ☐ Only the authorized POD's/POA's and POUs to be transferred are listed.
- ☐ Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
- ☐ Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.

Ownership

- ☐ The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
- ☐ Have current tax lot map. (If transfer application is several years old, contact assessor's office)
- ☐ The applicant is the owner of the "from" lands.
- ☐ All owners on the deed/ROLI have signed the application.
- ☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- ☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- ☐ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|---|--------------------------------------|------------------------------------|--|--|
| ☐ application complete | ☐ map | ☐ FPS | ☐ evidence of use | ☐ land-use form |
| ☐ deed/ROLI | ☐ certificate | ☐ fees paid | ☐ well logs | ☐ plat card |
| ☐ audit | ☐ dpd | | | |

Reviews/comments/conditions received?

☐ Watermaster☐ ODFW☐ GW

Headgate

☐ When in the judgment☐ Prior to diverting☐ Existing and maintain

Measuring Devices

☐ When in the judgment☐ Prior to diverting☐ Existing and maintain

Fish Screen Devices

☐

Injury: Y N

Enlargement: Y N

Conditions to avoid enlargement/injury –

**facsimile
TRANSMITTAL**

to: Kody @ Water Resources Department
fax #: 503-986-0903
re: See Attached
date: March 24, 2008
pages: 14, including this cover sheet

Additional Comments: Please see page 13 of the Document for approval signature.

The information contained in this communication may be confidential or privileged under the law. Duplication of the information contained herein is strictly prohibited and may be unlawful without the specific authorization of the addressee. If you have received this communication in error, please notify us immediately by telephone at 1-(800) 897-2726 and return any hard copy you have produced via the postal service.

From the desk of...
Tim M. Tippet
Vice President
Western Mortgage & Realty Co.
P.O. Box 3110
Pasco, Wa 99302

(509) 545-4545
Fax: (509) 545-4804

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

In the Matter of Transfer Application)
T-10538, Morrow County)
)

*DRAFT FINAL ORDER APPROVING A
TEMPORARY CHANGE IN PLACE OF
USE*

ORS 537.705 and 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 appropriation authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

BAKER PRODUCE SOUTH INC.
FRANK TIEGS, PRESIDENT
PO BOX 3110
PASCO WA 99302

Agent

WILLIAM I. PORFELY
PO BOX 643
STANFIELD OR
99302

Findings of Fact

1. On February 13, 2008 Frank Tiegs of Baker Produce South Inc., filed an application to temporarily change the place of use under Certificates 68563, 61848 and 61849 for a period of ONE year. The Department assigned the application number T-10538.

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

Certificate: 68536 in the name of BOARDMAN FARMS INC., (perfected under Permit S-43877)

Use: PRIMARY IRRIGATION of 194.2 ACRES AND SUPPLEMENTAL IRRIGATION of 599.8 ACRES

Priority Date: FEBRUARY 15, 1979

Rate: 15.41 CUBIC FEET PER SECOND (CFS)

Limit/Duty: ONE-FORTYTHREE cfs per acre, not to exceed 4.5 acre-feet per acre per year

Source: COLUMBIA RIVER in the PACIFIC OCEAN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 N	25 E	WM	2	NE NW	SOUTH 86 DEG 32 MIN 38 SEC WEST, 2841.57 FEET FROM THE NE CORNER OF SECTION 2.

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.

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	7	NW NE	12.80
2 N	26 E	WM	7	SW NE	5.80
2 N	26 E	WM	7	SE NE	34.90
2 N	26 E	WM	7	NE NW	23.20
2 N	26 E	WM	7	NW NW	5.50
2 N	26 E	WM	7	NE SE	9.70
2 N	26 E	WM	8	NE SW	1.40
2 N	26 E	WM	8	NW SW	0.30
2 N	26 E	WM	8	SW SW	0.70
2 N	26 E	WM	8	SE SW	1.60
2 N	26 E	WM	8	NW SE	0.10
2 N	26 E	WM	8	SW SE	0.10
2 N	26 E	WM	17	NE SW	1.50
2 N	26 E	WM	17	SE SW	4.00
2 N	26 E	WM	18	SW NE	8.00
2 N	26 E	WM	18	SE NE	3.30
2 N	26 E	WM	18	NW SW	16.60
2 N	26 E	WM	18	SW SW	6.70
2 N	26 E	WM	18	SE SE	22.90
2 N	26 E	WM	19	NE NE	16.20
2 N	26 E	WM	19	NE NW	2.90
2 N	26 E	WM	19	NE SE	16.00
TOTAL ACRES:					194.2

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	7	NE NE	40.00
2 N	26 E	WM	7	NW NE	24.80
2 N	26 E	WM	7	SW NW	30.70
2 N	26 E	WM	7	SE NW	8.00
2 N	26 E	WM	7	NE SW	9.50
2 N	26 E	WM	7	NW SW	31.50
2 N	26 E	WM	8	NE NE	2.00
2 N	26 E	WM	8	NW NE	2.00
2 N	26 E	WM	8	SW NE	2.00
2 N	26 E	WM	8	SE NE	2.00
2 N	26 E	WM	8	NE NW	2.00
2 N	26 E	WM	8	NW NW	2.00
2 N	26 E	WM	8	SW NW	2.00
2 N	26 E	WM	8	SE NW	2.00
2 N	26 E	WM	8	NE SE	2.00
2 N	26 E	WM	8	NW SE	2.00
2 N	26 E	WM	8	SW SE	2.00
2 N	26 E	WM	8	SE SE	2.00
2 N	26 E	WM	17	NE NE	2.00
2 N	26 E	WM	17	NW NE	2.00
2 N	26 E	WM	17	SW NE	2.00
2 N	26 E	WM	17	SE NE	2.00
2 N	26 E	WM	17	NE SW	0.50

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	17	NW SW	29.90
2 N	26 E	WM	17	SW SW	38.90
2 N	26 E	WM	17	SE SW	0.50
2 N	26 E	WM	17	NE SE	1.90
2 N	26 E	WM	17	NW SE	1.60
2 N	26 E	WM	17	SW SE	1.60
2 N	26 E	WM	17	SE SE	1.90
2 N	26 E	WM	18	SW NE	32.00
2 N	26 E	WM	18	NE NW	6.80
2 N	26 E	WM	18	NW NW	6.10
2 N	26 E	WM	18	SW NW	51.00
2 N	26 E	WM	18	SE NW	40.00
2 N	26 E	WM	18	NE SW	40.00
2 N	26 E	WM	18	NW SW	8.40
2 N	26 E	WM	18	SW SW	6.90
2 N	26 E	WM	18	SE SW	38.70
2 N	26 E	WM	18	NW SE	30.50
2 N	26 E	WM	18	SW SE	32.00
2 N	26 E	WM	19	NW NE	25.90
2 N	26 E	WM	19	NE NW	3.50
2 N	26 E	WM	20	NE NE	2.00
2 N	26 E	WM	20	NW NE	2.00
2 N	26 E	WM	20	SW NE	2.00
2 N	26 E	WM	20	SE NE	2.00
2 N	26 E	WM	20	NW NW	8.70
2 N	26 E	WM	20	NE SE	2.00
2 N	26 E	WM	20	NW SE	2.00
2 N	26 E	WM	20	SW SE	2.00
2 N	26 E	WM	20	SE SE	2.00
TOTAL ACRES:					599.8

3. Application T-10538 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	6	NE NW	30.00
2 N	26 E	WM	6	NW NW	30.00
2 N	26 E	WM	6	SW NW	14.20
3 N	26 E	WM	30	SW NE	30.00
3 N	26 E	WM	30	SE NE	30.00
3 N	26 E	WM	30	NE SE	30.00
3 N	26 E	WM	30	NW SE	30.00
TOTAL ACRES:					194.2

SUPPLEMENTAL IRRIGATION

TwP	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	6	NE NE	5.50
2 N	26 E	WM	6	NW NE	30.40
2 N	26 E	WM	6	SW NE	5.60
2 N	26 E	WM	6	SW NW	15.80
2 N	26 E	WM	6	SE NW	30.00
2 N	26 E	WM	6	NE SW	30.00
2 N	26 E	WM	6	NW SW	30.00
2 N	26 E	WM	6	SW SW	30.00
2 N	26 E	WM	6	SE SW	30.00
2 N	26 E	WM	7	NE NE	13.30
2 N	26 E	WM	7	NW NE	12.60
2 N	26 E	WM	7	SW NE	1.90
2 N	26 E	WM	7	SE NE	11.60
2 N	26 E	WM	7	NE NW	7.70
2 N	26 E	WM	7	NW NW	1.80
2 N	26 E	WM	7	NE SE	3.20
2 N	26 E	WM	18	SW NE	13.40
2 N	26 E	WM	18	SE NE	1.10
2 N	26 E	WM	18	NE NW	2.30
2 N	26 E	WM	18	NE NW	13.30
2 N	26 E	WM	18	NW NW	2.10
2 N	26 E	WM	18	SW NW	17.30
2 N	26 E	WM	18	SE NW	13.30
2 N	26 E	WM	18	NW SW	8.20
2 N	26 E	WM	18	SW SW	4.50
2 N	26 E	WM	18	SE SW	12.90
2 N	26 E	WM	18	NW SE	11.60
2 N	26 E	WM	18	SW SE	10.70
2 N	26 E	WM	19	NW NE	10.30
2 N	26 E	WM	19	NE NW	4.00
3 N	26 E	WM	30	SW SE	28.60
3 N	26 E	WM	30	SE SE	28.30
3 N	26 E	WM	31	NE NE	31.70
3 N	26 E	WM	31	NW NE	32.10
3 N	26 E	WM	31	SW NE	29.80
3 N	26 E	WM	31	SE NE	30.20
3 N	26 E	WM	31	NE SE	4.50
3 N	26 E	WM	31	NW SE	30.20
TOTAL ACRES:					599.8

4. The portion of the Second right to be transferred is as follows:

Certificate: 61848 in the name of FAR WEST FARMS (perfected under Permit G-3777)

Use: IRRIGATION of 802 ACRES

Priority Date: AUGUST 7, 1967

Rate: 1.44 CUBIC FEET PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3.0 acre-feet per acre per year

Source: WELL 1 and WELL 3 in the BUTTER CREEK DRAINAGE

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 N	26 E	WM	18	NE SE	30 FEET SOUTH AND 30 FEET WEST FROM THE E ¼ CORNER OF SECTION 18.
2 N	26 E	WM	20	NW SE	2470 FEET NORTH AND 2910 FEET EAST FROM THE SW CORNER OF SECTION 20.

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	7	NE NE	40.00
2 N	26 E	WM	7	NW NE	24.80
2 N	26 E	WM	7	SW NW	37.00
2 N	26 E	WM	7	SE NW	21.50
2 N	26 E	WM	7	NE SW	17.20
2 N	26 E	WM	7	NW SW	46.90
2 N	26 E	WM	7	SW SW	8.80
2 N	26 E	WM	7	SE SW	2.60
2 N	26 E	WM	8	NE NE	2.00
2 N	26 E	WM	8	NW NE	2.00
2 N	26 E	WM	8	SW NE	2.00
2 N	26 E	WM	8	SE NE	2.00
2 N	26 E	WM	8	NE NW	2.00
2 N	26 E	WM	8	NW NW	2.00
2 N	26 E	WM	8	SW NW	2.00
2 N	26 E	WM	8	SE NW	2.00
2 N	26 E	WM	8	NE SE	2.00
2 N	26 E	WM	8	NW SE	2.00
2 N	26 E	WM	8	SW SE	2.00
2 N	26 E	WM	8	SE SE	2.00
2 N	26 E	WM	17	NE NE	2.00
2 N	26 E	WM	17	NW NE	2.00
2 N	26 E	WM	17	SW NE	2.00
2 N	26 E	WM	17	SE NE	2.00
2 N	26 E	WM	17	NE SW	0.50
2 N	26 E	WM	17	NW SW	38.20
2 N	26 E	WM	17	SW SW	40.00
2 N	26 E	WM	17	SE SW	0.50
2 N	26 E	WM	17	NE SE	1.90
2 N	26 E	WM	17	NW SE	1.60
2 N	26 E	WM	17	SW SE	1.60
2 N	26 E	WM	17	SE SE	1.90

2 N	26 E	WM	18	NW NE	21.00
2 N	26 E	WM	18	SW NE	32.00
2 N	26 E	WM	18	NE NW	18.90
2 N	26 E	WM	18	NW NW	18.60
2 N	26 E	WM	18	SW NW	51.00
2 N	26 E	WM	18	SE NW	40.00
2 N	26 E	WM	18	NE SW	40.00
2 N	26 E	WM	18	NW SW	8.40
2 N	26 E	WM	18	SW SW	8.40
2 N	26 E	WM	18	SE SW	39.80
2 N	26 E	WM	18	NW SE	30.50
2 N	26 E	WM	18	SW SE	32.00
2 N	26 E	WM	19	NW NE	31.00
2 N	26 E	WM	19	SE NE	8.20
2 N	26 E	WM	19	NE NW	9.00
2 N	26 E	WM	19	SE SW	2.40
2 N	26 E	WM	19	SW SE	6.40
2 N	26 E	WM	19	SE SE	14.00
2 N	26 E	WM	20	NE NE	2.00
2 N	26 E	WM	20	NW NE	2.00
2 N	26 E	WM	20	SW NE	2.00
2 N	26 E	WM	20	SE NE	2.00
2 N	26 E	WM	20	NW NW	17.80
2 N	26 E	WM	20	SW NW	5.60
2 N	26 E	WM	20	NE SE	2.00
2 N	26 E	WM	20	NW SE	2.00
2 N	26 E	WM	20	SW SE	2.00
2 N	26 E	WM	20	SE SE	2.00
2 N	26 E	WM	30	NE NE	29.90
2 N	26 E	WM	30	NW NE	4.10
TOTAL ACRES:					802.0

5. Application T-10538 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	6	NE NE	30.50
2 N	26 E	WM	6	NW NE	30.40
2 N	26 E	WM	6	SW NE	30.50
2 N	26 E	WM	6	NE SW	30.00
2 N	26 E	WM	6	NW SW	30.00
2 N	26 E	WM	6	SW SW	30.00
2 N	26 E	WM	6	SE SW	30.00
2 N	26 E	WM	6	NE SE	30.40
2 N	26 E	WM	6	NW SE	30.50
2 N	26 E	WM	6	SW SE	30.50
2 N	26 E	WM	6	SE SE	30.40
2 N	26 E	WM	7	NE NE	13.30
2 N	26 E	WM	7	NW NE	12.60
2 N	26 E	WM	7	SW NE	1.90
2 N	26 E	WM	7	SE NE	11.60
2 N	26 E	WM	7	NE NW	7.70
2 N	26 E	WM	7	NW NW	1.80

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	7	NE SE	3.20
2 N	26 E	WM	18	SW NE	13.40
2 N	26 E	WM	18	SE NE	1.10
2 N	26 E	WM	18	NE NW	2.30
2 N	26 E	WM	18	NW NW	2.10
2 N	26 E	WM	18	SW NW	17.30
2 N	26 E	WM	18	SE NW	13.30
2 N	26 E	WM	18	NE SW	13.30
2 N	26 E	WM	18	NW SW	8.20
2 N	26 E	WM	18	SW SW	4.50
2 N	26 E	WM	18	SE SW	12.90
2 N	26 E	WM	18	NW SE	11.60
2 N	26 E	WM	18	SW SE	10.70
2 N	26 E	WM	19	NW NE	10.30
2 N	26 E	WM	19	NE NW	4.00
3 N	26 E	WM	6	SE NE	30.50
3 N	26 E	WM	6	SW NW	15.80
3 N	26 E	WM	6	SE NW	30.00
3 N	26 E	WM	30	SW SE	28.60
3 N	26 E	WM	30	SE SE	28.30
3 N	26 E	WM	31	NE NE	31.70
3 N	26 E	WM	31	NW NE	32.10
3 N	26 E	WM	31	SW NE	29.80
3 N	26 E	WM	31	SE NE	30.20
3 N	26 E	WM	31	NE SE	4.50
3 N	26 E	WM	31	NW SE	30.20
TOTAL ACRES:					802.0

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

Certificate: 61849 in the name of FAR WEST FARMS (perfected under Permit G-4504)

Use: SUPPLEMENTAL IRRIGATION of 802 ACRES

Priority Date: FEBRUARY 10, 1969

Rate: 1.44 CUBIC FEET PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3.0 acre-feet per acre per year

Source: WELL 2 and 3 in the BUTTER CREEK DRAINAGE

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 N	26 E	WM	17	NW NE	100 FEET SOUTH AND 1350 FEET WEST FROM THE NE CORNER OF SECTION 17
2 N	26 E	WM	18	NE SE	30 FEET SOUTH AND 30 FEET WEST FROM THE E 1/4 CORNER OF SECTION 18

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	7	NE NE	40.00
2 N	26 E	WM	7	NW NE	24.80
2 N	26 E	WM	7	SW NW	37.00
2 N	26 E	WM	7	SE NW	21.50
2 N	26 E	WM	7	NE SW	17.20
2 N	26 E	WM	7	NW SW	46.90
2 N	26 E	WM	7	SW SW	8.80
2 N	26 E	WM	7	SE SW	2.60
2 N	26 E	WM	8	NE NE	2.00
2 N	26 E	WM	8	NW NE	2.00
2 N	26 E	WM	8	SW NE	2.00
2 N	26 E	WM	8	SE NE	2.00
2 N	26 E	WM	8	NE NW	2.00
2 N	26 E	WM	8	NW NW	2.00
2 N	26 E	WM	8	SW NW	2.00
2 N	26 E	WM	8	SE NW	2.00
2 N	26 E	WM	8	NE SE	2.00
2 N	26 E	WM	8	NW SE	2.00
2 N	26 E	WM	8	SW SE	2.00
2 N	26 E	WM	8	SE SE	2.00
2 N	26 E	WM	17	NE NE	2.00
2 N	26 E	WM	17	NW NE	2.00
2 N	26 E	WM	17	SW NE	2.00
2 N	26 E	WM	17	SE NE	2.00
2 N	26 E	WM	17	NE SW	0.50
2 N	26 E	WM	17	NW SW	38.20
2 N	26 E	WM	17	SW SW	40.00
2 N	26 E	WM	17	SE SW	0.50
2 N	26 E	WM	17	NE SE	1.90
2 N	26 E	WM	17	NW SE	1.60
2 N	26 E	WM	17	SW SE	1.60
2 N	26 E	WM	17	SE SE	1.90
2 N	26 E	WM	18	NW NE	21.00
2 N	26 E	WM	18	SW NE	32.00
2 N	26 E	WM	18	NE NW	18.90
2 N	26 E	WM	18	NW NW	18.60
2 N	26 E	WM	18	SW NW	51.00
2 N	26 E	WM	18	SE NW	40.00
2 N	26 E	WM	18	NE SW	40.00
2 N	26 E	WM	18	NW SW	8.40
2 N	26 E	WM	18	SW SW	7.90
2 N	26 E	WM	18	SE SW	39.80
2 N	26 E	WM	18	NW SE	30.50
2 N	26 E	WM	18	SW SE	32.00
2 N	26 E	WM	19	NW NE	31.00
2 N	26 E	WM	19	NE NW	9.00
2 N	26 E	WM	19	SE SW	2.40
2 N	26 E	WM	19	SW SE	6.40
2 N	26 E	WM	19	SE SE	14.00
2 N	26 E	WM	20	NE NE	2.00

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	20	NW NE	2.00
2 N	26 E	WM	20	SW NE	2.00
2 N	26 E	WM	20	SE NE	2.00
2 N	26 E	WM	20	NW NW	26.50
2 N	26 E	WM	20	SW NW	5.60
2 N	26 E	WM	20	NE SE	2.00
2 N	26 E	WM	20	NW SE	2.00
2 N	26 E	WM	20	SW SE	2.00
2 N	26 E	WM	20	SE SE	2.00
2 N	26 E	WM	30	NE NE	29.90
2 N	26 E	WM	30	NW NE	4.10
TOTAL ACRES:					802.0

7. Application T-10538 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	6	NE NE	30.50
2 N	26 E	WM	6	NW NE	30.40
2 N	26 E	WM	6	SW NE	30.50
2 N	26 E	WM	6	NE SW	30.00
2 N	26 E	WM	6	NE SW	30.40
2 N	26 E	WM	6	NW SW	30.00
2 N	26 E	WM	6	SW SW	30.00
2 N	26 E	WM	6	NW SE	30.50
2 N	26 E	WM	6	SW SE	30.50
2 N	26 E	WM	6	SE SE	30.40
2 N	26 E	WM	7	NE NE	13.30
2 N	26 E	WM	7	NW NE	12.60
2 N	26 E	WM	7	SW NE	1.90
2 N	26 E	WM	7	SE NE	11.60
2 N	26 E	WM	7	NE NW	7.70
2 N	26 E	WM	7	NW NW	1.80
2 N	26 E	WM	7	NE SE	3.20
2 N	26 E	WM	18	SW NE	13.40
2 N	26 E	WM	18	SE NE	1.10
2 N	26 E	WM	18	NE NW	2.30
2 N	26 E	WM	18	NW NW	2.10
2 N	26 E	WM	18	SW NW	17.30
2 N	26 E	WM	18	SE NW	13.30
2 N	26 E	WM	18	NE SW	13.30
2 N	26 E	WM	18	NW SW	8.20
2 N	26 E	WM	18	SW SW	4.50
2 N	26 E	WM	18	SE SW	12.90
2 N	26 E	WM	18	NW SE	11.60
2 N	26 E	WM	18	SW SE	10.70
2 N	26 E	WM	19	NW NE	10.30
2 N	26 E	WM	19	NE NW	4.00
3 N	26 E	WM	6	SE NE	30.50
3 N	26 E	WM	6	SW NW	15.80

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	6	SE NW	30.00
3 N	26 E	WM	6	SE SW	30.00
3 N	26 E	WM	30	SW SE	28.60
3 N	26 E	WM	30	SE SE	28.30
3 N	26 E	WM	31	NE NE	31.70
3 N	26 E	WM	31	NW NE	32.10
3 N	26 E	WM	31	SW NE	29.80
3 N	26 E	WM	31	SE NE	30.20
3 N	26 E	WM	31	NE SE	4.50
3 N	26 E	WM	31	NW SE	30.20
TOTAL ACRES:					802.0

8. Notice of the application for temporary transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to that notice.
9. Application T-10538 proposes to temporarily transfer water rights within the boundaries of the Columbia Improvement District. On February 15, 2008 the District notified the Department that the District approved of temporary transfer T-10538.
10. Water has been used within the last five years according to the terms and conditions of the rights. No evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
12. To avoid the possibility of enlargement, on March 18, 2008 the applicant proposed additional conditions, including a stringent soil moisture monitoring program for the lands subject to this transfer, upon which drip irrigation will be used and the lands between the drip irrigated rows that will be dried up.
13. The proposed change will 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(6) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

The temporary change in proposed in application T-10538 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in application T-10538, subject to the conditions listed below, is approved.
2. The water user shall install and maintain a water flow and soil moisture monitoring system.
 - a) The water user shall install and maintain valves and in-line flow meters or other suitable devices for controlling, measuring and recording the quantity of water diverted. In-line flow meters shall be installed at each well and each field control manifold serving the drip irrigated areas. The type and plans of the valves and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
 - b) The water user shall operate and maintain the valves and measuring devices, as needed. The Watermaster may monitor the system and accuracy of the measuring devices, as needed.
 - c) The monitoring system shall include Gro-Point Sensors or similar monitoring system capable of accuracy that is equivalent to, or superior to the level of accuracy provided by the Gro-Point system. If other than a Gro-Point soil moisture monitoring system is used, the type of system and installation plans must be approved by the Watermaster prior to installation.
 - d) The soil moisture monitoring system shall include one monitoring station for each type of crop grown and for every 100 acres of each major soil type. Major soil types with less than 100 acres of a given crop type will have one paired site. Each monitoring station shall consist of one sensor located outside the irrigated area and paired sensors with one sensor located in the crop row and a second sensor located midway between the crop rows. Additional soil moisture monitoring stations shall be installed as required by the Watermaster where conditions dictate more monitoring stations are required to effectively determine irrigation is occurring only where there is an appurtenant water right. The monitoring program, including both the number and location of the monitoring sites shall be approved by the Watermaster prior to installation.
 - e) The data from the moisture monitoring system shall be continuously monitored or collected at a minimum of weekly intervals. The soil moisture content shall be monitored beginning one week prior to the irrigation season and continuing until one week past the end of the irrigation season. Soil moisture data collected from the monitoring system shall be reported to the Watermaster in summary format including equipment used and monitoring data listed by station and measurement field, as approved by the Watermaster.
 - f) Soil moisture reports shall be made during the first week prior to the irrigation season and once per week during the first three weeks of the irrigation season. Unless otherwise required by the Watermaster, soil moisture data collected after the third week of the irrigation season shall be reported to the Watermaster by the 5th day of the month following the month for which the data was collected. Reporting requirements may be modified, after the third week of the irrigation season, as dictated by the Watermaster or upon written request from the water user subject to approval of the Watermaster.

However, review of the monitoring program can occur at any time with a formal request from the water user or the Watermaster. Modification to the monitoring program may occur at any time as deemed necessary and/or appropriate by the Watermaster.

- g) Upon reasonable notice, the water user shall provide the Watermaster access to metering equipment, moisture-monitoring stations, monitoring data and flow data, including access to real time data on an internal web site or computer.
 - h) The water user shall promptly inform the Watermaster of any situation that results in the application of water to any land without a water right, including but not limited to the areas between crop rows. The water user shall also inform the Watermaster of the course of action taken by the water user to correct the problem and prevent the future occurrence of similar events.
 - i) If water is applied to lands without water rights, including but not limited to, the area between the crop rows, the Watermaster may regulate the water use until the soil moisture and flow data demonstrate that the areas without water rights are no longer receiving water.
 - j) IF, AT ANY TIME AFTER THE THIRD WEEK OF IRRIGATION, THE WATERMASTER DETERMINES THAT THE WATER USER HAS NOT TAKEN ALL NECESSARY PRECAUTIONS TO ENSURE THAT AREAS WITHOUT APPURTANANT WATER RIGHTS, INCLUDING AREAS BETWEEN CROP ROWS, ARE NOT RECEIVING WATER THIS TEMPORARY TRANSFER MAY BE TERMINATED AND THE WATER RIGHTS SUBJECT TO THIS TEMPORARY TRANSFER WILL REVERT TO THEIR ORIGINAL PLACE OF USE.
- 3. The former place of use shall not be irrigated as part of this water right during the 2008 irrigation seasons.
 - 4. The use shall revert to the authorized place of use at the end of the 2008 irrigation season.
 - 5. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
 - 6. A subsequent application for permanent transfer of Certificates 68536, 61848 and 61849 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.
 - 7. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 68536, 61848 and 61849 and any related decree.
 - 8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.

9. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
10. The use of the remaining water right described by Certificates 68536, 61848 and 61849 shall continue to be in accordance with the terms and conditions of Certificates 68536, 61848 and 61849 and any related decree.

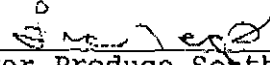
Dated at Salem, Oregon this _____ day of _____ 2008.

DRAFT

Phillip C. Ward, Director

Mailing Date _____

Approved this 24th day of March, 2008.



Baker Produce South, Inc.
Frank Tiegs, President

Kody Thurgood

From: Bill Porfily [bporfily@my180.net]
Sent: Tuesday, March 18, 2008 8:10 AM
To: Kody Thurgood
Cc: ttippett@amerion.com
Subject: Temporary Transfers T-10538 Baker Produce South and T-10539 Coleman

Kody

I have contacted both of my clients involved in the above mentioned Temporary Transfers. I believe Craig Coleman called you and discussed the monitoring required to achieve approval for his temporary transfer. Both Clients are preparing to do the required monitoring to demonstrate that enlargement of the water right will not occur with the drip systems that they propose in the transfer applications.

Thank you for you call and understanding in this matter. If you have any other questions or concerns please call me or e-mail me.

Porfily

3/18/2008



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

**Watermaster Review Form:
Water Right Transfer**

body

Transfer Application: T-10538

Review Due Date: 3-22-08

Applicant Name: Baker Produce South, Inc.

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

Reviewer(s): Tony Justus

Date of Review: Mar. 7, 2008

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: No history of regulation on the Columbia River, The wells are within the Butter Creek Critical Area.
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. 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: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☒ Yes ☐ No If "Yes", explain: The proposal to move water right from between irrigated strips could result in expansion of the groundwater right and greater use than would otherwise occur. Check with Marc Norton who manages the CGWA.
7. For POU changes, would the original place of use continue to receive water from the same source? ☒ Yes ☐ No ☐ N/A If "Yes", explain: Proposal is to place water back onto some of the "from" lands in 3 ft. wide irrigated strips with 6 ft. wide non-irrigated strips between the irrigated strips. There is no method for insuring irrigation is not or will not occur inbetween the irrigated rows.

8. For POU or USE changes, 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: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If
"Yes", explain: _____
10. What alternatives may be available for addressing any issues identified above: Extensive monitoring may be an option, similar to what was required in the Potlatch transfers.
11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	☒ Present and should be maintained.	☐ Should be required prior to diverting water.	☐ May be required in the future.
Headgates	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☐ May be required in the future.

Remit Payment To:

MID-COLUMBIA TITLE COMPANY
P.O. BOX 290
BOARDMAN, OR 97818

INVOICE**Billed To:**

William I. Profily
POB 643
Stanfield OR 97875

Invoice Date: December 13, 2008**Please Pay Before:** December 13, 2008**Our File Number:** 7030**Your Reference Number:** BAKER PRODUCE**Property:**

Boardmawn, OR 97818
Morrow County

Brief Legal:

DESCRIPTION	AMOUNT
Lot Book Search	200.00
Invoice Total Amount Due	\$ 200.00

Hi Bill:

Attached is the Lot Book Search you requested on Baker Produce South. We truly appreciate you business.

Please refer to our order #7030 with your remittance.

Thanks.
Christie

T 10538

(7030.PFD/7030/2)



LOT BOOK SEARCH

Order No. 7030

William I. Profily
POB 6443
Stanfield OR 97875

Dear Bill:

WE HAVE SEARCHED OUR TRACT INDICES ON THE FOLLOWING DESCRIBED PROPERTY:

SEE EXHIBIT "A" ATTACHED HERETO---

AND AS OF February 12, 2008, AT 8:00 A.M. THE LAST DEED OF RECORD RUNS TO: BAKER PRODUCE SOUTH, INC.---

WE FIND THE FOLLOWING APPARENT ENCUMBRANCES WITHIN 10 YEARS PRIOR TO THE EFFECTIVE DATE HEREIN:

1. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
2. Trust Deed, including the terms and provisions thereof, Executed by PSIII Farms, LLC, as grantor, to Rainier Credit Company as trustee for Seattle First National Bank, Beneficiary, dated March 29, 1995, Recorded April 28, 1995, as Microfilm No. M-45107, and re-recorded May 15, 1995 as Microfilm No. M-45204 and rerecorded May 15, 1995 as Microfilm No. M-45204, Morrow County Microfilm Records, given to secure the payment of \$2,830,000.00.

By Instrument recorded February 29, 2002, as Microfilm No. 2002-3571, Morrow County Microfilm Records, Beneficiary interest under said Trust Deed, was assigned to Baker Produce South, Inc.

3. Financing Statement executed by PSIII Farms, LLC, as debtor, to Seattle First National Bank, as secured party, filed April 28, 1995, as Microfilm No. M-45108, Morrow County Microfilm Records.

Continuation recorded December 13, 1999, as Microfilm No. M-60089, Morrow County Microfilm Records.

Continuation recorded March 4, 2002, as Microfilm No. M-2002-3589, Morrow County Microfilm Records. By notice shown on the face of said Financing Statement, the interest of the Secured party has been assigned to Baker Produce South, Inc.

4. Trust Deed, including the terms and provisions thereof, Executed by Robert G. Mueller and Linda D. Mueller, as grantor, to Mid-Columbia Title Company as trustee for Bank of America NA dba Seafirst Bank, Beneficiary, dated September 20, 1999, Recorded September 21, 1999, as Microfilm No. M-59265, Morrow County Microfilm Records, given to secure the payment of \$532,350.00. (Affects other property also)

By document recorded April 2, 2001 as Microfilm No. 2001-684, Morrow County Microfilm Records, said Trust Deed has Been Amended.

By Instrument recorded February 28, 2002, as Microfilm No. 2002-3569, Morrow County Microfilm Records, Beneficiary interest under said Trust Deed was assigned to Baker Produce South, Inc.

5. Line of Credit Trust Deed, including the terms and provisions thereof, Executed by Robert G. Mueller and Linda D. Mueller, as grantor, to as trustee for Bank of America NA, Beneficiary, dated October 25, 2000, Recorded November 7, 2000, as Microfilm No. 2000-2480, Morrow County Microfilm Records, given to secure the payment of \$5,196,842.30.

By Instrument recorded February 28, 2002 as Microfilm No. 2002-3570, Morrow County Microfilm Records, Beneficiary interest under said Trust Deed was assigned to Baker Produce South, Inc.

6. Financing Statement executed by Robert G. Mueller and Linda D. Mueller, as debtor, to Bank of America, as secured party, filed January 22, 2001, as Microfilm No. M-2001-110, Morrow County Microfilm Records.

Assignment recorded March 4, 2002 as Microfilm No. 2002-3588, Morrow County Microfilm Records. By notice shown on the face of said Financing Statement, the interest of the Secured party has been assigned to Baker Produce South, Inc.

7. Financing Statement executed by Rivercrest Farms, Inc., as debtor, to Bank of America, as secured party, filed January 22, 2001, as Microfilm No. M-2001-111, Morrow County Microfilm Records.

Assignment recorded March 4, 2002 as Microfilm No. 2002-3587, Morrow County Microfilm Records. By notice shown on the face of said Financing Statement, the interest of the Secured party has been assigned to Baker Produce South, Inc.

8. Trust Deed, including the terms and provisions thereof, Executed by Rivercrest Farms, Inc., as grantor, to James C. Waggoner as trustee for Bank of America, Beneficiary, dated March 22, 2001, Recorded April 2, 2001, as Microfilm No. M-2001-686, Morrow County Microfilm Records, given to secure any promissory notes.

By Instrument recorded February 22, 2002, as Microfilm No. 2002-3573, Morrow County Microfilm Records, Beneficiary interest under said Trust Deed, was assigned to Baker Produce South, Inc.

9. Unrecorded leases, if any.

10. The effect, if any of that certain judgment entered in Morrow County Circuit Court, Case No. 03CV213.

NOTE: Taxes for 2007-08

\$19.02 Paid in Full

[REDACTED]

(Reference No. 1932)

NOTE: Taxes for 2007-08

\$310.05 Paid in Full

[REDACTED]

(Reference No. 6558)

NOTE: Taxes for 2007-08

\$1,266.31 Paid in Full

[REDACTED]

(Reference No. 10545)

NOTE: Taxes for 2007-08

\$430.02 Paid in Full

[REDACTED]

(Reference No. 6556)

NOTE: Taxes for 2007-08

\$4,034.94 Paid in Full

[REDACTED]

(Reference No. 1933)

NOTE: Taxes for 2007-08

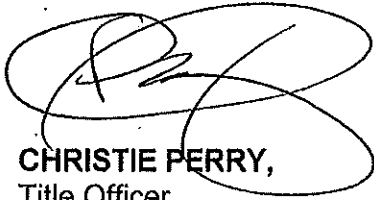
\$220.98 Paid in Full

[REDACTED]

(Reference No. 1936)

THIS IS NOT A COMMITMENT TO ISSUE TITLE INSURANCE, OR A PRELIMINARY TITLE REPORT, and no Examination has been made of the Title to the above described property. The search of our tract indices was limited to apparent monetary encumbrances, and therefore above listings do not include additional matters which may have been disclosed by an examination of the record title. The Liability in connection with this Lot Book Service is expressly limited to the sum paid therefore, and the issuing company will not otherwise be responsible for errors and omissions therein. The charge for this service will not include supplemental reports.

MID-COLUMBIA TITLE COMPANY

A handwritten signature in black ink, appearing to read 'Christie Perry', is written over a large, loopy oval shape.

CHRISTIE PERRY,
Title Officer

EXHIBIT "A"

A parcel of land located in Township 2 North, Range 26, East of the Willamette Meridian, in the County of Morrow and the State of Oregon, described as follows:

Section 7: All.

Section 8: All.

Section 17: All.

Section 18: All.

Section 19: All, **EXCEPTING THEREFROM** beginning at the Southeast corner; thence West a distance of 680.00 feet; thence North a distance of 642.00 feet; thence East a distance of 680.00 feet; thence South a distance of 642.00 feet to the point of beginning.

Section 20: All.

Section 30: The North Half of the North Half.

T.2N. R.26E.W.M.
MORROW COUNTY

2N 26

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SEE MAP 31 26

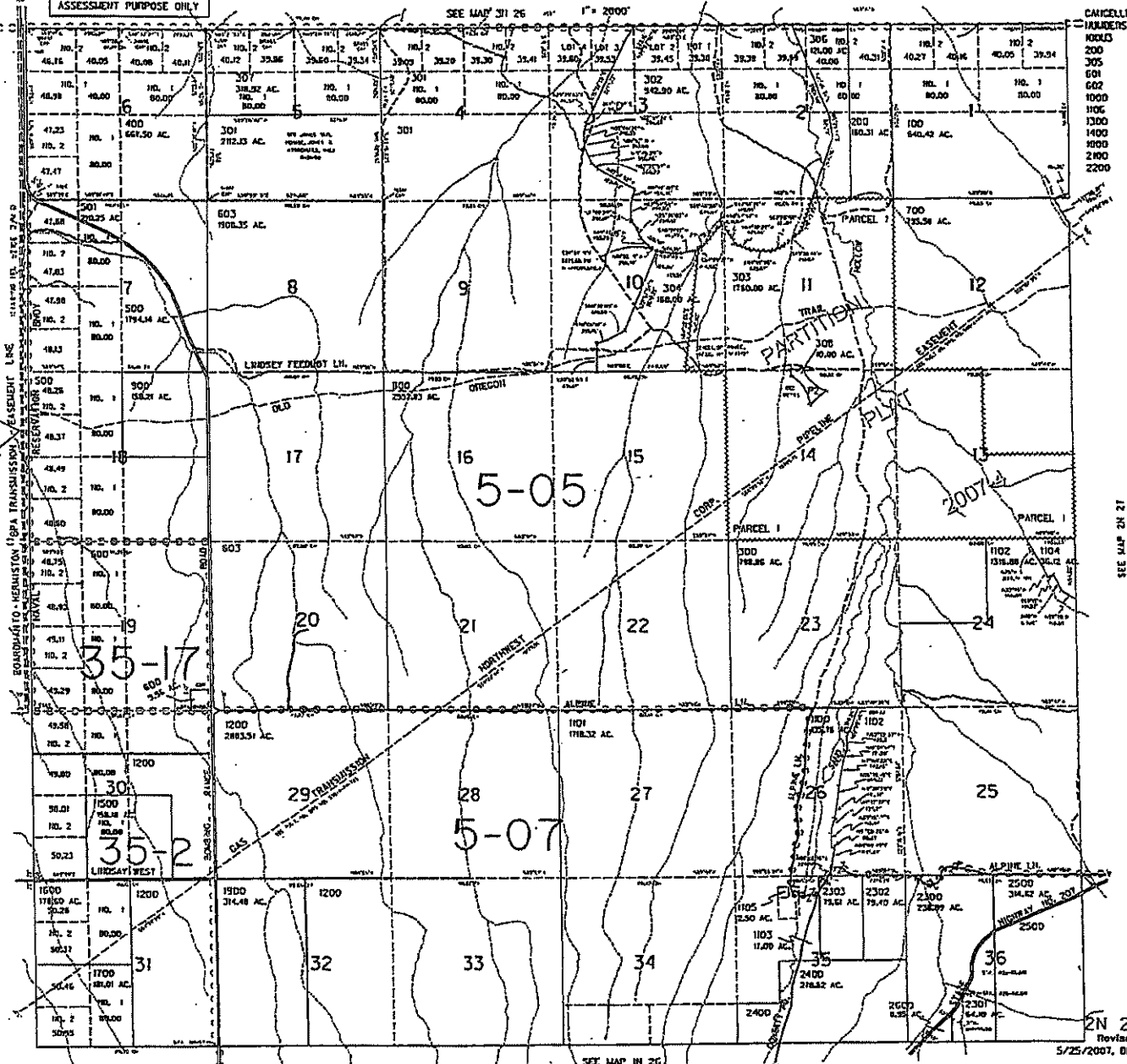
1" = 2000'

0 1000 2000
SCALE IN FEET

PARCEL 308 DETAIL
SEC 14



SEE MAP 2N 25



SEE MAP 2N 27

2N 26
Revised
5/25/2007, DBJ

T 10538



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 of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- 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;
- Information about your transactions with us, our affiliated companies, or others; and
- 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 nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; 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 purpose, 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 in accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

William I. Porfily

P.O. Box 643
Stanfield, OR 97875
(541) 449-1327
bporfily@my180.net

February 12, 2008

217

Greg Nelson
Oregon Water Resources Dept.
725 Summer St. NE, Ste. A
Salem, OR 97301-2430

RE: Baker Produce South, Inc. 2008 Temporary Water Right Transfer

Dear Greg:

Enclosed please find copies of the Baker Produce South, Inc. 2008 temporary water right transfer application, five application maps (one colored), check for \$12967.00, and CD with copy of the transfer on it. We have requested a lot book report from Mid Columbia Title Company for the "From" lands described in the application, a consent to the transfer letter from Columbia Improvement District and a consent to the transfer affidavit from Finley Buttes Landfill Co. We will forward these to you upon receipt of them.

If you have any question or concerns regarding the transfer, please contact me at (541) 449-1327.

Sincerely,



William I Porfily

cc: Tim Tippet, Baker Produce South, Inc. P.O. Box 3110, Pasco, WA 99302

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MAR 03 2008
WATER RESOURCES DEPT
SALEM, OREGON

Columbia Improvement District

P.O. Box 47
Boardman, OR 97818
(541) 481-9454

February 15, 2008

Greg Nelson
Oregon Water Resources Dept.
725 Summer St. NE, Ste. A
Salem, OR 97301-2430

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FEB 18 2008

BY:

RE: Baker Produce South, Inc. 2008 Temporary Water Right Transfer

Dear Greg:

The Columbia Improvement District consents to the temporary transfer application of district water user, Baker Produce South, Inc. for the 2008 irrigation season

If you have any question or concerns regarding this transfer, please contact me at (541) 481-9454.

Sincerely



Larry Sandlin
Manager

cc: Tim Tippet, Baker Produce South, Inc. P.O. Box 3110, Pasco, WA 99302

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MAR 03 2008

WATER RESOURCES DEPT
SALEM, OREGON

AFFIDAVIT OF CONSENT OF WATER RIGHT TRANSFER

State of Washington)
) SS
County of CLARK)

I, ROBERT A. NIELSEN III, REGION VICE PRESIDENT, of Finley-Buttes
(Name) (Title)
Limited Partnership d.b.a. Finley Buttes Landfill Company, P.O. Box 61726,
Vancouver, WA 98666, being first duly sworn, depose and say:

We are the owner of Tax Lot 400 in Section 6, Township 2 North, Range 26
East W.M., and

We consent to the attached temporary water right transfer application
changing the place of use from land owned by Baker Produce South, Inc. to
our in Tax Lot 400.

Robert A. Nielsen III
Signature

2/28/08
Date

State of Washington
County of CLARK

Subscribed and Sworn to Before Me this 28th day of FEBRUARY, 2008 by
KRISTINA L. HICKEL
(Name)



Kristina L. Hickel
Notary Public – State of Washington

My commission expires OCTOBER 24, 2011

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MAR 03 2008

WATER RESOURCES DEPT
SALEM, OREGON

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 # 91439

INVOICE # _____

RECEIVED FROM: Baker Produce South

BY: _____

CASH: ☐ CHECK: # 15084 OTHER: (IDENTIFY) ☐

APPLICATION
PERMIT
TRANSFER 7-10538

TOTAL REC'D \$ 1297.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
OTHER: (IDENTIFY) \$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER \$
0203 GROUND WATER \$
0205 TRANSFER \$ 1297.00

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

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: 91439

DATED: 2-13-08 BY: L. Pasalle

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



Oregon Water Resources
725 Summer Street NE
Salem Oregon 97301-1
(503) 986-0900
www.wrd.state.or.us

Originals

Application for Water Right Transfer

Please type or print legibly in dark ink. If any information is incorrect or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one

- | | |
|--|--|
| ☐ Permanent Transfer | ☐ Instream Transfer |
| ☒ Temporary Transfer | ☐ Permanent |
| • total number of years: <u>one</u> | ☐ Time-Limited |
| (begin year: <u>April 1st 2008</u>) | ☐ Drought Transfer |
| (end year: <u>Nov. 1, 2008</u>) | ☐ Other |

2. APPLICANT INFORMATION

Name: Baker Produce South, Inc. c/o Frank Tiegs, President
First Last

Address: P.O. Box 3110

Pasco WA 99302
City State Zip

Phone: (509)545-4545
Home Work Other

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: William I. Porfily
First Last

Address: P.O. Box 643

Standfield OR 97875
City State Zip

Phone: (541)449-1327 (541)561-7259 Cell
Home Work Other

Fax: (541)449-1327 E-Mail address: bporfily@my180.net

- If an agent is listed above, please check one of the following:
 - ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
 - ☒ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

RECEIVED 10538
OVER THE COUNTER

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WATER RESOURCES DEPT
SALEM, OREGON

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.	55653	43877	68536
2.		G-3777	61848
3.		G-4504	61849
4.			
5.			
6.			

- Check **all** proposed change(s) included in this transfer application:
 - ☒ Place of Use ☐ Point of Diversion ☐ Additional Point of Diversion
 - ☐ Character of Use ☐ Point of Appropriation ☐ Additional Point of Appropriation
 - ☐ Instream Transfer ☐ Surface Water source to Ground Water source
- Reason(s) for change(s): To irrigate circles we have under contract for the 2008 irrigation season which do not have water rights

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system or the system that **was in place** at some time within the last 5 years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

Please refer to Delivery System Map

- System capacity: 24.8 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

The Columbia River Right and the two Ground Water Rights all use the same delivery system for the irrigation of the acres authorized in each right.

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6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☒ Yes ☐ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☒ Yes ☐ No
- Is 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? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

Columbia Improvement District, P.O. Box 47, Boardman, Oregon 97818

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

Morrow County, Court House , Heppner, OR 97836

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SALEM, OREGON

T 10538

8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☒ Yes & ☒ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): Finley Buttes Landfill Co.* _____
First Last

Address: P.O. Box 61726 _____

Vancouver, WA 98666
City State Zip

- Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

***Owns the Land in Section 6, T2N, R26E, WM. receiving four circles of water rights proposed under this temporary water right transfer application. The authorized (from) area and the other circles in Sections 30 and 31, T3N, R26E, W.M. proposing to receive water right are all owned by the applicant.**

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**WATER RESOURCES DEPT
SALEM, OREGON**

T 10538

9. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☒ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☒ The Evidence of Use Affidavit **must** be accompanied by supporting documentation.

Map

- ☐ *Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☒ *Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☒ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

- ☐ Enclosed; *or*
- ☒ Not Required if all of the following are met:
- ❶ In EFU zone or irrigation district,
 - ❷ Change in place of use only,
 - ❸ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ❹ Irrigation only.

Fees:

- ☒ Amount enclosed: \$ 1297.00
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☒ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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WATER RESOURCES DEPT
SALEM, OREGON

T 10538

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

10. SIGNATURES

▪ Check one of the following, as appropriate, and sign the application in the signature box below:

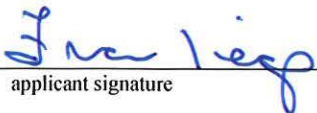
☒ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a **notarized statement consenting to the transfer** (*attached*) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

☐ I (we) affirm that 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. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (*NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.*)

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

 applicant signature	<u>Frank Tiegs, President</u> name (print)	<u>2/12/08</u> date
 applicant signature	 name (print)	 date

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**WATER RESOURCES DEPT
SALEM, OREGON**

- J 10538

1st of 3 Water Rights Involved in This Temporary Transfer
Water Right Transfer Supplemental Form A
DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 68536

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT
SALEM, OREGON

T 10538

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	68536 Certificate Number	43877 Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	 Name of Decree	 Page Number
☐ Permit for which Proof has been Approved	 Permit Number	 Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	 Previous Transfer Number	 Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Boardman Farms Inc.
- County: Morrow
- Authorized Use(s) to be Affected by Transfer: Irrigation and Supplemental Irrigation
- Priority Date(s): April 11, 1977 and February 15, 1979* * Will be the priority used in this transfer

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: Columbia River

Tributary to: Pacific Ocean

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there Other Water Rights, Permits or Ground Water Registrations associated with this land?

☒ Yes ☐ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? Certs. 61848 & 61849

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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SALEM, OREGON

T 10538

■ Certificate Number or other identifying number: **68536**

The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
N/A								

- Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A									

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**WATER RESOURCES DEPT
SALEM, OREGON**

▪ Certificate Number or other identifying number: 68536

The following information **must be provided only** for those places of use that are involved in the transfer (i.e., **list only the portion of the water right you propose to transfer.**) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only if** the information is reflected on the existing water right.

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Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

WATER RESOURCES DEPT
SALEM, OREGON

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
							Primary Irrigation
Columbia River Feb. 15, 1979	2N	26E	WM	7	NW NE	500	12.8
Columbia River Feb. 15, 1979	2N	26E	WM	7	SW NE	500	5.8
Columbia River Feb. 15, 1979	2N	26E	WM	7	SE NE	500	34.9
Columbia River Feb. 15, 1979	2N	26E	WM	7	NE NW	500	23.2
Columbia River Feb. 15, 1979	2N	26E	WM	7	NW NW	500	5.5
Columbia River Feb. 15, 1979	2N	26E	WM	7	NE SE	500	9.7
Columbia River Feb. 15, 1979	2N	26E	WM	8	NE SW	603	1.4
Columbia River Feb. 15, 1979	2N	26E	WM	8	NW SW	603	0.3
Columbia River Feb. 15, 1979	2N	26E	WM	8	SW SW	603	0.7
Columbia River Feb. 15, 1979	2N	26E	WM	8	SE SW	603	1.6
Columbia River Feb. 15, 1979	2N	26E	WM	8	NW SE	603	0.1
Columbia River Feb. 15, 1979	2N	26E	WM	8	SW SE	603	0.1
Columbia River Feb. 15, 1979	2N	26E	WM	17	NE SW	603	1.5
Columbia River Feb. 15, 1979	2N	26E	WM	17	SE SW	603	4.0
Columbia River Feb. 15, 1979	2N	26E	WM	18	SW NE	900	8.0

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Columbia River Feb. 15, 1979	2N	26E	WM	18	SE NE	900	3.3
Columbia River Feb. 15, 1979	2N	26E	WM	18	NW SW	500	16.6
Columbia River Feb. 15, 1979	2N	26E	WM	18	SW SW	500	6.7
Columbia River Feb. 15, 1979	2N	26E	WM	18	SE SE	500	22.9
Columbia River Feb. 15, 1979	2N	26E	WM	19	NE NE	500	16.2
Columbia River Feb. 15, 1979	2N	26E	WM	19	NE NW	500	2.9
Columbia River Feb. 15, 1979	2N	26E	WM	19	NE SE	500	16.0
						Total	194.2
							Supplemental Irrigation
Columbia River Feb. 15, 1979	2N	26E	WM	7	NE NE	500	40.0
Columbia River Feb. 15, 1979	2N	26E	WM	7	NW NE	500	24.8
Columbia River Feb. 15, 1979	2N	26E	WM	7	SW NW	500	30.7
Columbia River Feb. 15, 1979	2N	26E	WM	7	SE NW	500	8.0
Columbia River Feb. 15, 1979	2N	26E	WM	7	NE SW	500	9.5
Columbia River Feb. 15, 1979	2N	26E	WM	7	NW SW	500	31.5
Columbia River Feb. 15, 1979	2N	26E	WM	8	NE NE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	8	NW NE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	8	SW NE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	8	SE NE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	8	NE NW	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	8	NW NW	603	2.0

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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Columbia River Feb. 15, 1979	2N	26E	WM	8	SW NW	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	8	SE NW	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	8	NE SE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	8	NW SE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	8	SW SE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	8	SE SE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	17	NE NE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	17	NW NE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	17	SW NE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	17	SE NE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	17	NE SW	603	0.5
Columbia River Feb. 15, 1979	2N	26E	WM	17	NW SW	603	29.9
Columbia River Feb. 15, 1979	2N	26E	WM	17	SW SW	603	38.9
Columbia River Feb. 15, 1979	2N	26E	WM	17	SE SW	603	0.5
Columbia River Feb. 15, 1979	2N	26E	WM	17	NE SE	603	1.9
Columbia River Feb. 15, 1979	2N	26E	WM	17	NW SE	603	1.6
Columbia River Feb. 15, 1979	2N	26E	WM	17	SW SE	603	1.6
Columbia River Feb. 15, 1979	2N	26E	WM	17	SE SE	603	1.9
Columbia River Feb. 15, 1979	2N	26E	WM	18	SW NE	900	32.0
Columbia River Feb. 15, 1979	2N	26E	WM	18	NE NW	500	6.8
Columbia River Feb. 15, 1979	2N	26E	WM	18	NW NW	500	6.1
Columbia River Feb. 15, 1979	2N	26E	WM	18	SW NW	500	51.0

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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Columbia River Feb. 15, 1979	2N	26E	WM	18	SE NW	500	40.0
Columbia River Feb. 15, 1979	2N	26E	WM	18	NE SW	500	40.0
Columbia River Feb. 15, 1979	2N	26E	WM	18	NW SW	500	8.4
Columbia River Feb. 15, 1979	2N	26E	WM	18	SW SW	500	6.9
Columbia River Feb. 15, 1979	2N	26E	WM	18	SE SW	500	38.7
Columbia River Feb. 15, 1979	2N	26E	WM	18	NW SE	500	30.5
Columbia River Feb. 15, 1979	2N	26E	WM	18	SW SE	500	32.0
Columbia River Feb. 15, 1979	2N	26E	WM	19	NW NE	500	25.9
Columbia River Feb. 15, 1979	2N	26E	WM	19	NE NW	500	3.5
Columbia River Feb. 15, 1979	2N	26E	WM	20	NE NE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	20	NW NE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	20	SW NE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	20	SE NE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	20	NW NW	603	8.7
Columbia River Feb. 15, 1979	2N	26E	WM	20	NE SE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	20	NW SE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	20	SW SE	603	2.0
Columbia River Feb. 15, 1979	2N	26E	WM	20	SE SE	603	2.0
						Total	599.8

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 68536

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
N/A							

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A										

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▪ Certificate Number or other identifying number: 68536

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
							Primary Irrigation
Columbia River Feb. 15, 1979	2N	26E	WM	6	NE NW	400	30.0
Columbia River Feb. 15, 1979	2N	26E	WM	6	NW NW	400	30.0
Columbia River Feb. 15, 1979	2N	26E	WM	6	SW NW	400	14.2
Columbia River Feb. 15, 1979	3N	26E	WM	30	SW NE	511	30.0
Columbia River Feb. 15, 1979	3N	26E	WM	30	SE NE	511	30.0
Columbia River Feb. 15, 1979	3N	26E	WM	30	NE SE	511	30.0
Columbia River Feb. 15, 1979	3N	26E	WM	30	NW SE	511	30.0
						Total	194.2
							Supplemental Irrigation
Columbia River Feb. 15, 1979	2N	26E	WM	6	NE NE	400	5.5
Columbia River Feb. 15, 1979	2N	26E	WM	6	NW NE	400	30.4
Columbia River Feb. 15, 1979	2N	26E	WM	6	SW NE	400	5.6
Columbia River Feb. 15, 1979	2N	26E	WM	6	SW NW	400	15.8
Columbia River Feb. 15, 1979	2N	26E	WM	6	SE NW	400	30.0
Columbia River Feb. 15, 1979	2N	26E	WM	6	NE SW	400	30.0

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Supplemental Form A

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Description of Proposed Change(s) to a Water Right

**WATER RESOURCES DEPT
SALEM, OREGON**

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Columbia River Feb. 15, 1979	2N	26E	WM	6	NW SW	400	30.0
Columbia River Feb. 15, 1979	2N	26E	WM	6	SW SW	400	30.0
Columbia River Feb. 15, 1979	2N	26E	WM	6	SE SW	400	30.0
Columbia River Feb. 15, 1979	2N	26E	WM	7	NE NE	500	13.3
Columbia River Feb. 15, 1979	2N	26E	WM	7	NW NE	500	12.6
Columbia River Feb. 15, 1979	2N	26E	WM	7	SW NE	500	1.9
Columbia River Feb. 15, 1979	2N	26E	WM	7	SE NE	500	11.6
Columbia River Feb. 15, 1979	2N	26E	WM	7	NE NW	500	7.7
Columbia River Feb. 15, 1979	2N	26E	WM	7	NW NW	500	1.8
Columbia River Feb. 15, 1979	2N	26E	WM	7	NE SE	500	3.2
Columbia River Feb. 15, 1979	2N	26E	WM	18	SW NE	900	13.4
Columbia River Feb. 15, 1979	2N	26E	WM	18	SE NE	900	1.1
Columbia River Feb. 15, 1979	2N	26E	WM	18	NE NW	500	2.3
Columbia River Feb. 15, 1979	2N	26E	WM	18	NW NW	500	2.1
Columbia River Feb. 15, 1979	2N	26E	WM	18	SW NW	500	17.3
Columbia River Feb. 15, 1979	2N	26E	WM	18	SE NW	500	13.3
Columbia River Feb. 15, 1979	2N	26E	WM	18	NE SW	500	13.3
Columbia River Feb. 15, 1979	2N	26E	WM	18	NW SW	500	8.2
Columbia River Feb. 15, 1979	2N	26E	WM	18	SW SW	500	4.5
Columbia River Feb. 15, 1979	2N	26E	WM	18	SE SW	500	12.9
Columbia River Feb. 15, 1979	2N	26E	WM	18	NW SE	500	11.6
Columbia River Feb. 15, 1979	2N	26E	WM	18	SW SE	500	10.7

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Supplemental Form A

FEB 13 2008 Description of Proposed Change(s) to a Water Right

WATER RESOURCES DEPT
SALEM, OREGON

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Columbia River Feb. 15, 1979	2N	26E	WM	19	NW NE	500	10.3
Columbia River Feb. 15, 1979	2N	26E	WM	19	NE NW	500	4.0
Columbia River Feb. 15, 1979	3N	26E	WM	30	SW SE	511	28.6
Columbia River Feb. 15, 1979	3N	26E	WM	30	SE SE	511	28.3
Columbia River Feb. 15, 1979	3N	26E	WM	31	NE NE	511	31.7
Columbia River Feb. 15, 1979	3N	26E	WM	31	NW NE	511	32.1
Columbia River Feb. 15, 1979	3N	26E	WM	31	SW NE	511	29.8
Columbia River Feb. 15, 1979	3N	26E	WM	31	SE NE	511	30.2
Columbia River Feb. 15, 1979	3N	26E	WM	31	NE SE	511	4.5
Columbia River Feb. 15, 1979	3N	26E	WM	31	NW SE	511	30.2
						Total	599.8

Remarks: _____

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**WATER RESOURCES DEPT
SALEM, OREGON**

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2nd of 3 Water Rights Involved in This Temporary Transfer
Water Right Transfer Supplemental Form A
DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 61848

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	<u>61848</u>	<u>G-3777</u>
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
☐ Permit for which Proof has been Approved		
	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed		
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Far West Farms
- County: Morrow
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): August 7, 1967

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: Two Wells, #1 & #3

Tributary to: Butter Creek Basin

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☒ Yes ☐ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? Certs. 68536 & 61849

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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▪ Certificate Number or other identifying number: 61848

*The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.*

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
N/A								

▪ Does the water right being transferred involve a ground water source(s)?

☒ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. *Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)*

or

B. *If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.*

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

*Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.*

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A									

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**WATER RESOURCES DEPT
SALEM, OREGON**

▪ Certificate Number or other identifying number: 61848

*The following information **must be provided** only for those places of use that **are involved in the transfer** (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.*

*Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.*

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot,	Acres (if applicable)
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	NE NE	500	40.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	NW NE	500	24.8
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	SW NW	500	37.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	SE NW	500	21.5
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	NE SW	500	17.2
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	NW SW	500	46.9
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	SW SW	500	8.8
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	SE SW	500	2.6
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	8	NE NE	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	8	NW NE	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	8	SW NE	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	8	SE NE	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	8	NE NW	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	8	NW NW	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	8	SW NW	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	8	SE NW	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	8	NE SE	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	8	NW SE	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	8	SW SE	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	8	SE SE	603	2.0

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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot,	Acres (if applicable)
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	17	NE NE	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	17	NW NE	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	17	SW NE	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	17	SE NE	603	2.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	17	NE SW	603	0.5
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	17	NW SW	603	38.2
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	17	SW SW	603	40.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	17	SE SW	603	0.5
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	17	NE SE	603	1.9
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	17	NW SE	603	1.6
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	17	SW SE	603	1.6
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	17	SE SE	603	1.9
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	18	NW NE	900	21.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	18	SW NE	900	32.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	18	NE NW	500	18.9
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	18	NW NW	500	18.6
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	18	SW NW	500	51.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	18	SE NW	500	40.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	18	NE SW	500	40.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	18	NW SW	500	8.4
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	18	SW SW	500	7.9
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	18	SE SW	500	39.8
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	18	NW SE	500	30.5
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	18	SW SE	500	32.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	19	NW NE	500	31.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	19	NE NW	500	9.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	19	SE SW	500	2.4

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Supplemental Form A

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Description of Proposed Change(s) to a Water Right

WATER RESOURCES DEPT
SALEM, OREGON

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot,	Acres (if applicable)
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	19	SW SE	500	6.4
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	19	SE SE	500	14.0
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	20	NE NE	603	2.0
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	20	NW NE	603	2.0
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	20	SW NE	603	2.0
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	20	SE NE	603	2.0
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	20	NW NW	603	8.7
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	20	NW NW	603	17.8
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	20	SW NW	603	5.6
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	20	NE SE	603	2.0
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	20	NW SE	603	2.0
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	20	SW SE	603	2.0
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	20	SE SE	603	2.0
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	30	NE NE	500	29.9
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	30	NW NE	500	4.1
						Total	802

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SALEM, OREGON

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▪ Certificate Number or other identifying number: 61848

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
N/A							

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A										

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▪ Certificate Number or other identifying number: 61848

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	6	NE NE	400	30.5
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	6	NW NE	400	30.4
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	6	SW NE	400	30.5
Wells #1 & 3 Aug. 7, 1967	3N	26E	WM	6	SE NE	400	30.5
Wells #1 & 3 Aug. 7, 1967	3N	26E	WM	6	SW NW	400	15.8
Wells #1 & 3 Aug. 7, 1967	3N	26E	WM	6	SE NW	400	30.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	6	NE SW	400	30.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	6	NW SW	400	30.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	6	SW SW	400	30.0
Wells #1 & 3 Aug. 7, 1967	3N	26E	WM	6	SE SW	400	30.0
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	6	NE SE	400	30.4
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	6	NW SE	400	30.5
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	6	SW SE	400	30.5
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	6	SE SE	400	30.4
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	NE NE	500	13.3
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	NW NE	500	12.6
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	SW NE	500	1.9
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	SE NE	500	11.6
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	NE NW	500	7.7
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	NW NW	500	1.8
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	7	NE SE	500	3.2
Wells #1 & 3 Aug. 7, 1967	2N	26E	WM	18	SW NE	900	13.4

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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	18	SE NE	900	1.1
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	18	NE NW	500	2.3
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	18	NW NW	500	2.1
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	18	SW NW	500	17.3
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	18	SE NW	500	13.3
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	18	NE SW	500	13.3
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	18	NW SW	500	8.2
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	18	SW SW	500	4.5
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	18	SE SW	500	12.9
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	18	NW SE	500	11.6
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	18	SW SE	500	10.7
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	19	NW NE	500	10.3
Wells #1 & 3 Aug. 7,1967	2N	26E	WM	19	NE NW	500	4.0
Wells #1 & 3 Aug. 7,1967	3N	26E	WM	30	SW SE	511	28.6
Wells #1 & 3 Aug. 7,1967	3N	26E	WM	30	SE SE	511	28.3
Wells #1 & 3 Aug. 7,1967	3N	26E	WM	31	NE NE	511	31.7
Wells #1 & 3 Aug. 7,1967	3N	26E	WM	31	NW NE	511	32.1
Wells #1 & 3 Aug. 7,1967	3N	26E	WM	31	SW NE	511	29.8
Wells #1 & 3 Aug. 7,1967	3N	26E	WM	31	SE NE	511	30.2
Wells #1 & 3 Aug. 7,1967	3N	26E	WM	31	NE SE	511	4.5
Wells #1 & 3 Aug. 7,1967	3N	26E	WM	31	NW SE	511	30.2
						Total	802

Remarks: _____

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Supplemental Form A

Description of Proposed Change(s) to a Water Right

**WATER RESOURCES DEPT
SALEM, OREGON**

3rd of 3 Water Rights Involved in This Temporary Transfer
Water Right Transfer Supplemental Form A
DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 61849

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (*check and complete one of the following*):

☒ Certificated Right	61849	G-4504
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	Name of Decree	Page Number
☐ Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Far West Farms
- County: Morrow
- Authorized Use(s) to be Affected by Transfer: Supplemental Irrigation
- Priority Date(s): February 10, 1969

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: Two Wells, #2 & #3

Tributary to: Butter Creek Basin

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☒ Yes ☐ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? Certs. 68536 & 61848

*Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled**, except as provided in OAR 690-380-2240(5).*

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▪ Certificate Number or other identifying number: 61849

*The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.*

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
N/A								

▪ Does the water right being transferred involve a ground water source(s)?

☒ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. *Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)*

or

B. *If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.*

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

*Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.*

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A									

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**WATER RESOURCES DEPT
SALEM, OREGON**

■ Certificate Number or other identifying number: 61849

The following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot,	Acres (if applicable)
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	NE NE	500	40.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	NW NE	500	24.8
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	SW NW	500	37.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	SE NW	500	21.5
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	NE SW	500	17.2
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	NW SW	500	46.9
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	SW SW	500	8.8
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	SE SW	500	2.6
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	8	NE NE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	8	NW NE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	8	SW NE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	8	SE NE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	8	NE NW	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	8	NW NW	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	8	SW NW	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	8	SE NW	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	8	NE SE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	8	NW SE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	8	SW SE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	8	SE SE	603	2.0

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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot,	Acres (if applicable)
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	17	NE NE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	17	NW NE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	17	SW NE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	17	SE NE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	17	NE SW	603	0.5
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	17	NW SW	603	38.2
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	17	SW SW	603	40.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	17	SE SW	603	0.5
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	17	NE SE	603	1.9
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	17	NW SE	603	1.6
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	17	SW SE	603	1.6
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	17	SE SE	603	1.9
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	NW NE	900	21.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	SW NE	900	32.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	NE NW	500	18.9
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	NW NW	500	18.6
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	SW NW	500	51.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	SE NW	500	40.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	NE SW	500	40.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	NW SW	500	8.4
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	SW SW	500	7.9
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	SE SW	500	39.8
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	NW SE	500	30.5
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	SW SE	500	32.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	19	NW NE	500	31.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	19	NE NW	500	9.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	19	SE SW	500	2.4

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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot,	Acres (if applicable)
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	19	SW SE	500	6.4
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	19	SE SE	500	14.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	20	NE NE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	20	NW NE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	20	SW NE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	20	SE NE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	20	NW NW	603	8.7
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	20	NW NW	603	17.8
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	20	SW NW	603	5.6
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	20	NE SE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	20	NW SE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	20	SW SE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	20	SE SE	603	2.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	30	NE NE	500	29.9
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	30	NW NE	500	4.1
						Total	802

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▪ Certificate Number or other identifying number: 61849

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
N/A							

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A										

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▪ Certificate Number or other identifying number: 61849

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	6	NE NE	400	30.5
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	6	NW NE	400	30.4
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	6	SW NE	400	30.5
Wells # 2& 3 Feb. 10, 1969	3N	26E	WM	6	SE NE	400	30.5
Wells # 2& 3 Feb. 10, 1969	3N	26E	WM	6	SW NW	400	15.8
Wells # 2& 3 Feb. 10, 1969	3N	26E	WM	6	SE NW	400	30.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	6	NE SW	400	30.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	6	NW SW	400	30.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	6	SW SW	400	30.0
Wells # 2& 3 Feb. 10, 1969	3N	26E	WM	6	SE SW	400	30.0
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	6	NE SE	400	30.4
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	6	NW SE	400	30.5
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	6	SW SE	400	30.5
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	6	SE SE	400	30.4
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	NE NE	500	13.3
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	NW NE	500	12.6
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	SW NE	500	1.9
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	SE NE	500	11.6
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	NE NW	500	7.7
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	NW NW	500	1.8
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	7	NE SE	500	3.2

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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	SW NE	900	13.4
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	SE NE	900	1.1
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	NE NW	500	2.3
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	NW NW	500	2.1
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	SW NW	500	17.3
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	SE NW	500	13.3
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	NE SW	500	13.3
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	NW SW	500	8.2
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	SW SW	500	4.5
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	SE SW	500	12.9
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	NW SE	500	11.6
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	18	SW SE	500	10.7
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	19	NW NE	500	10.3
Wells # 2& 3 Feb. 10, 1969	2N	26E	WM	19	NE NW	500	4.0
Wells # 2& 3 Feb. 10, 1969	3N	26E	WM	30	SW SE	511	28.6
Wells # 2& 3 Feb. 10, 1969	3N	26E	WM	30	SE SE	511	28.3
Wells # 2& 3 Feb. 10, 1969	3N	26E	WM	31	NE NE	511	31.7
Wells # 2& 3 Feb. 10, 1969	3N	26E	WM	31	NW NE	511	32.1
Wells # 2& 3 Feb. 10, 1969	3N	26E	WM	31	SW NE	511	29.8
Wells # 2& 3 Feb. 10, 1969	3N	26E	WM	31	SE NE	511	30.2
Wells # 2& 3 Feb. 10, 1969	3N	26E	WM	31	NE SE	511	4.5
Wells # 2& 3 Feb. 10, 1969	3N	26E	WM	31	NW SE	511	30.2
						Total	802

Remarks: _____

RECEIVED

FEB 13 2008

WATER RESOURCES DEPT
SALEM, OREGON

T 10538

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BOARDMAN FARMS INC.
P.O. BOX 320
BOARDMAN, OREGON 97818

confirms the right to use the waters of COLUMBIA RIVER, a tributary of THE PACIFIC OCEAN, for IRRIGATION OF 2428.1 ACRES BEING PRIMARY IRRIGATION OF 500.9 ACRES AND SUPPLEMENTAL IRRIGATION OF 1927.2 ACRES.

This right was perfected under Permit 43877. The date of priority is APRIL 11, 1977 - FOR 22.28 CUBIC FEET PER SECOND, AND FEBRUARY 15, 1979 - FOR 24.62 CFS. This right is limited to 47.1 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 NW 1/4, SECTION 2, T 4 N, R 25 E, W.M.; SOUTH 86 DEGREES 32 MINUTES 38 SECONDS WEST 2841.57 FEET FROM THE NE CORNER OF SECTION 2.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

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

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

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 NE 1/4		40.0 ACRES
NW 1/4 NE 1/4	12.8 ACRES	24.3 ACRES
SW 1/4 NE 1/4	8.1 ACRES	
SE 1/4 NE 1/4	37.0 ACRES	
NE 1/4 NW 1/4	23.2 ACRES	
NW 1/4 NW 1/4	5.5 ACRES	
SW 1/4 NW 1/4	1.2 ACRES	40.7 ACRES
SE 1/4 NW 1/4	0.8 ACRE	8.0 ACRES
NE 1/4 SW 1/4	9.5 ACRES	23.3 ACRES
NW 1/4 SW 1/4		15.6 ACRES
SW 1/4 SW 1/4		19.8 ACRES
SE 1/4 SW 1/4	2.8 ACRES	28.3 ACRES
NE 1/4 SE 1/4	10.5 ACRES	
NW 1/4 SE 1/4	26.9 ACRES	
SW 1/4 SE 1/4	6.5 ACRES	
SECTION 7		
NE 1/4 NE 1/4		21.4 ACRES
NW 1/4 NE 1/4		21.4 ACRES
SW 1/4 NE 1/4		21.4 ACRES
SE 1/4 NE 1/4		21.4 ACRES
NE 1/4 NW 1/4		21.4 ACRES
NW 1/4 NW 1/4		21.4 ACRES
SW 1/4 NW 1/4		21.4 ACRES
SE 1/4 NW 1/4		21.4 ACRES
SECTION 8		

SEE NEXT PAGE

	PRIMARY	SUPPLEMENTAL
NE 1/4 SW 1/4	20.6 ACRES	
NW 1/4 SW 1/4	6.1 ACRES	
SW 1/4 SW 1/4	13.1 ACRES	
SE 1/4 SW 1/4	33.7 ACRES	
NE 1/4 SE 1/4		31.4 ACRES
NW 1/4 SE 1/4	0.1 ACRE	31.4 ACRES
SW 1/4 SE 1/4	0.7 ACRE	31.4 ACRES
SE 1/4 SE 1/4		31.4 ACRES
SECTION 8		
NE 1/4 NE 1/4		31.4 ACRES
NW 1/4 NE 1/4		31.4 ACRES
SW 1/4 NE 1/4		31.4 ACRES
SE 1/4 NE 1/4		31.4 ACRES
NW 1/4 NW 1/4	21.1 ACRES	
SW 1/4 NW 1/4	29.7 ACRES	
NE 1/4 SW 1/4	1.5 ACRES	2.4 ACRES
NW 1/4 SW 1/4		29.9 ACRES
SW 1/4 SW 1/4		38.9 ACRES
SE 1/4 SW 1/4	4.0 ACRES	2.4 ACRES
NE 1/4 SE 1/4		26.8 ACRES
NW 1/4 SE 1/4		32.6 ACRES
SW 1/4 SE 1/4		33.6 ACRES
SE 1/4 SE 1/4		26.8 ACRES
SECTION 17		
SW 1/4 NE 1/4	8.0 ACRES	32.0 ACRES
SE 1/4 NE 1/4	3.3 ACRES	
NE 1/4 NW 1/4		21.6 ACRES
NW 1/4 NW 1/4		34.7 ACRES
SW 1/4 NW 1/4		51.0 ACRES
SE 1/4 NW 1/4		49.0 ACRES
NE 1/4 SW 1/4		40.0 ACRES
NW 1/4 SW 1/4	16.6 ACRES	8.4 ACRES
SW 1/4 SW 1/4	6.7 ACRES	8.9 ACRES
SE 1/4 SW 1/4		38.7 ACRES
NW 1/4 SE 1/4	4.1 ACRES	30.5 ACRES
SW 1/4 SE 1/4		32.0 ACRES
SE 1/4 SE 1/4	22.9 ACRES	
SECTION 18		
NE 1/4 NE 1/4	16.2 ACRES	
NW 1/4 NE 1/4		25.9 ACRES
SW 1/4 NE 1/4		38.5 ACRES
SE 1/4 NE 1/4		8.2 ACRES
NE 1/4 NW 1/4	6.1 ACRES	3.5 ACRES
NW 1/4 NW 1/4	32.9 ACRES	
SW 1/4 NW 1/4	34.0 ACRES	
SE 1/4 NW 1/4	1.4 ACRES	17.1 ACRES
NE 1/4 SW 1/4	0.5 ACRE	17.0 ACRES
NW 1/4 SW 1/4	39.6 ACRES	
SW 1/4 SW 1/4	10.9 ACRES	
SE 1/4 SW 1/4	6.3 ACRES	4.7 ACRES
NE 1/4 SE 1/4	16.0 ACRES	7.8 ACRES
NW 1/4 SE 1/4		37.0 ACRES
SW 1/4 SE 1/4		34.0 ACRES
SE 1/4 SE 1/4		13.8 ACRES
SECTION 19		
NE 1/4 NE 1/4		31.4 ACRES
NW 1/4 NE 1/4		31.4 ACRES
SW 1/4 NE 1/4		31.4 ACRES
SE 1/4 NE 1/4		31.4 ACRES
NW 1/4 NW 1/4		19.4 ACRES
SECTION 20		

SEE NEXT PAGE

SUPPLEMENTAL

SW 1/4 NW 1/4	33.0 ACRES
NE 1/4 SW 1/4	20.0 ACRES
NW 1/4 SW 1/4	26.8 ACRES
SW 1/4 SW 1/4	32.0 ACRES
SE 1/4 SW 1/4	24.4 ACRES
NE 1/4 SE 1/4	31.4 ACRES
NW 1/4 SE 1/4	31.4 ACRES
SW 1/4 SE 1/4	32.4 ACRES
SE 1/4 SE 1/4	31.4 ACRES

SECTION 20

NE 1/4 NE 1/4	11.1 ACRES
NW 1/4 NE 1/4	35.2 ACRES
NE 1/4 NW 1/4	3.5 ACRES

SECTION 30

TOWNSHIP 2 NORTH, RANGE 26 EAST, W.M.

IN THE INTEREST OF CONSERVING GROUNDWATER, COLUMBIA RIVER WATER WILL AT TIMES BE USED BEFORE WELL WATER.

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.

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

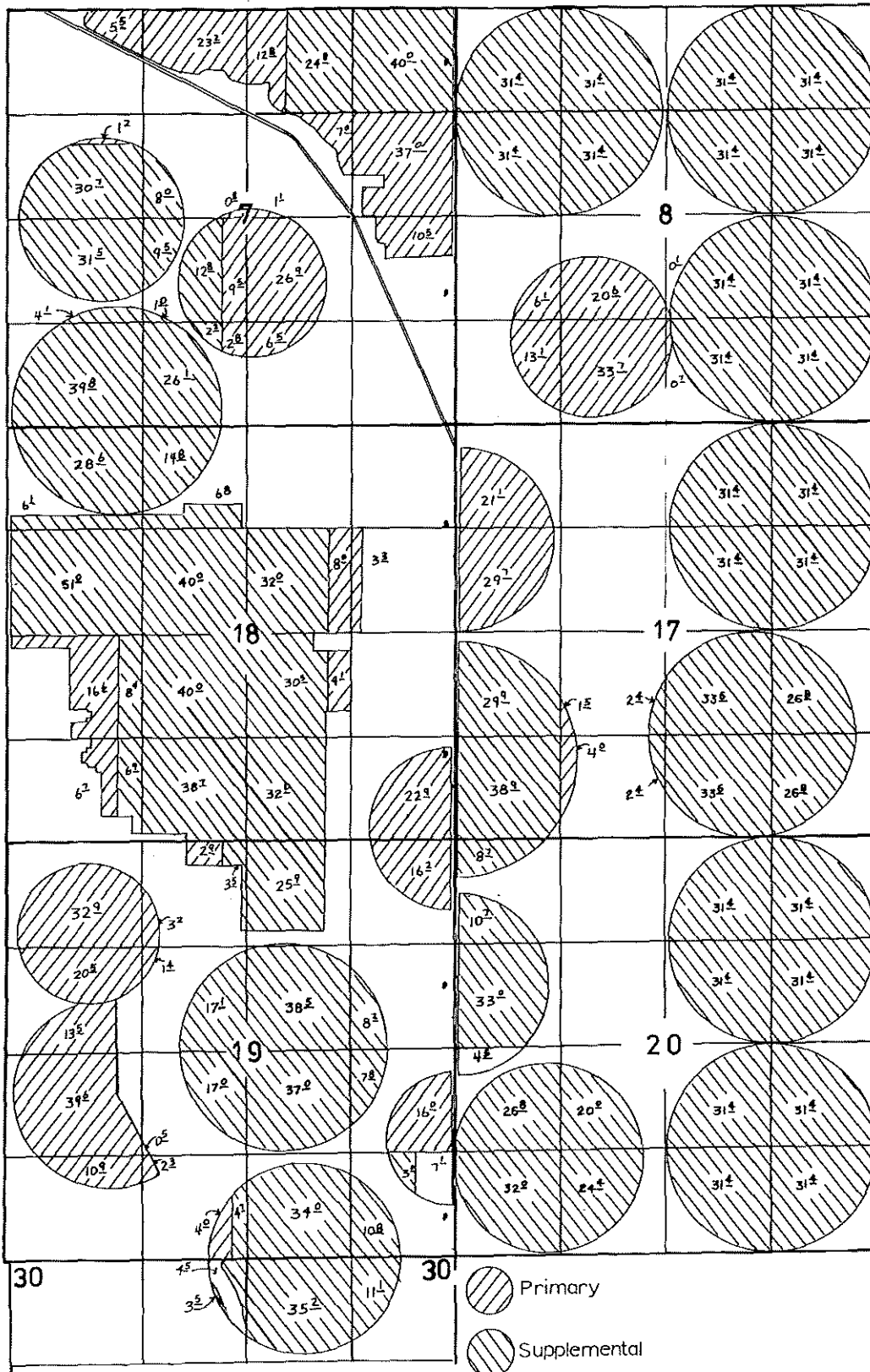
WITNESS the signature of the Water Resources Director, affixed
JULY 14, 1995.

Martha O. Pagel

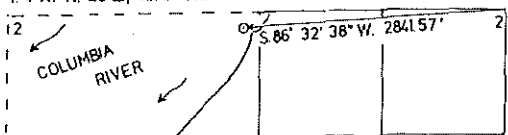
Recorded in State Record of Water Right Certificates numbered 68536.

55653.JM

T. 2 N., R. 26 E., W.M.



POINT OF DIVERSION
T. 4 N. R. 25 E., W.M. NE 1/4 NW 1/4 SEC. 2.



FINAL PROOF SURVEY
UNDER

Application No. 55653 Permit No. 4387Z
IN NAME OF

Surveyed 10-15-1993 by J. MILLER

1" = 1320'

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FAR WEST FARMS
P.O. BOX 64
BOARDMAN, OREGON 97818

confirms the right to use the waters of TWO WELLS in the BUTTER CREEK BASIN for the purpose of IRRIGATING 2240.4 ACRES.

The right has been perfected under Permit G-3777. The date of priority is AUGUST 7, 1967. The right is limited to not more than 4.13 CUBIC FEET PER SECOND, PROVIDED THAT WELL 3 SHALL NOT EXCEED THE CAPACITY OF WELL 1 AND BOTH WELLS SHALL NOT BE PUMPED SIMULTANEOUSLY, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

NW 1/4 SE 1/4, SECTION 20, NE 1/4 SE 1/4, SECTION 18, T 2 N, R 26 E, W.M.; WELL 1 - 2470 FEET NORTH & 2910 FEET EAST FROM SW CORNER SECTION 20; WELL 3 - 30 FEET SOUTH & 30 FEET WEST FROM E 1/4 CORNER SECTION 18.

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.

The right 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, and to which such right is appurtenant, is as follows:

NE 1/4 NE 1/4	40.0 ACRES
NW 1/4 NE 1/4	24.8 ACRES
SW 1/4 NW 1/4	37.0 ACRES
SE 1/4 NW 1/4	21.5 ACRES
NE 1/4 SW 1/4	31.0 ACRES
NW 1/4 SW 1/4	51.0 ACRES
SW 1/4 SW 1/4	51.0 ACRES
SE 1/4 SW 1/4	31.0 ACRES

SECTION 7

NE 1/4 NE 1/4	31.4 ACRES
NW 1/4 NE 1/4	31.4 ACRES
SW 1/4 NE 1/4	31.4 ACRES
SE 1/4 NE 1/4	31.4 ACRES
NE 1/4 NW 1/4	31.4 ACRES
NW 1/4 NW 1/4	31.4 ACRES
SW 1/4 NW 1/4	31.4 ACRES
SE 1/4 NW 1/4	31.4 ACRES
NE 1/4 SE 1/4	31.4 ACRES
NW 1/4 SE 1/4	31.4 ACRES
SW 1/4 SE 1/4	31.4 ACRES
SE 1/4 SE 1/4	31.4 ACRES

SECTION 8

TOWNSHIP 2 NORTH, RANGE 26 EAST, W.M.

NE 1/4 NE 1/4 31.4 ACRES
 NW 1/4 NE 1/4 31.4 ACRES
 SW 1/4 NE 1/4 31.4 ACRES
 SE 1/4 NE 1/4 31.4 ACRES
 NE 1/4 SW 1/4 2.4 ACRES
 NW 1/4 SW 1/4 41.0 ACRES
 SW 1/4 SW 1/4 41.0 ACRES
 SE 1/4 SW 1/4 2.4 ACRES
 NE 1/4 SE 1/4 26.8 ACRES
 NW 1/4 SE 1/4 33.6 ACRES
 SW 1/4 SE 1/4 33.6 ACRES
 SE 1/4 SE 1/4 26.8 ACRES

SECTION 17

NW 1/4 NE 1/4 32.0 ACRES
 SW 1/4 NE 1/4 32.0 ACRES
 NE 1/4 NW 1/4 40.0 ACRES
 NW 1/4 NW 1/4 51.0 ACRES
 SW 1/4 NW 1/4 51.0 ACRES
 SE 1/4 NW 1/4 40.0 ACRES
 NE 1/4 SW 1/4 40.0 ACRES
 NW 1/4 SW 1/4 8.4 ACRES
 SW 1/4 SW 1/4 8.4 ACRES
 SE 1/4 SW 1/4 40.0 ACRES
 NW 1/4 SE 1/4 32.0 ACRES
 SW 1/4 SE 1/4 32.0 ACRES

SECTION 18

NW 1/4 NE 1/4 31.0 ACRES
 SW 1/4 NE 1/4 38.5 ACRES
 SE 1/4 NE 1/4 8.2 ACRES
 NE 1/4 NW 1/4 9.0 ACRES
 SE 1/4 NW 1/4 17.1 ACRES
 NE 1/4 SW 1/4 17.0 ACRES
 SE 1/4 SW 1/4 6.0 ACRES
 NE 1/4 SE 1/4 7.8 ACRES
 NW 1/4 SE 1/4 37.0 ACRES
 SW 1/4 SE 1/4 40.0 ACRES
 SE 1/4 SE 1/4 24.6 ACRES

SECTION 19

NE 1/4 NE 1/4 31.4 ACRES
 NW 1/4 NE 1/4 31.4 ACRES
 SW 1/4 NE 1/4 31.4 ACRES
 SE 1/4 NE 1/4 31.4 ACRES
 NW 1/4 NW 1/4 41.0 ACRES
 SW 1/4 NW 1/4 41.0 ACRES
 NE 1/4 SW 1/4 20.0 ACRES
 NW 1/4 SW 1/4 26.8 ACRES
 SW 1/4 SW 1/4 32.0 ACRES
 SE 1/4 SW 1/4 24.4 ACRES
 NE 1/4 SE 1/4 31.4 ACRES
 NW 1/4 SE 1/4 31.4 ACRES
 SW 1/4 SE 1/4 31.4 ACRES
 SE 1/4 SE 1/4 31.4 ACRES

SECTION 20

NE 1/4 NE 1/4 40.0 ACRES
 NW 1/4 NE 1/4 39.7 ACRES
 NE 1/4 NW 1/4 34.0 ACRES
 NW 1/4 NW 1/4 50.0 ACRES

SECTION 30

TOWNSHIP 2 NORTH, RANGE 26 EAST, W.M.

This certificate is issued to confirm an ALTERNATE POINT OF APPROPRIATION approved by an order of the Water Resources Director entered MAY 23, 1979 and supersedes certificate 43928, State Record of Water Right Certificates.

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 this date JULY 7, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 61848

T-4159.BE

Application No. G-4025 Permit No. G-3777
G-4782 G-4504
IN NAME OF

Surveyed APRIL 17 1974, by D. NORBY

PTS-1974-A
41049-172-38
41049-172-41
41049-172-43

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FAR WEST FARMS
P.O. BOX 64
BOARDMAN, OREGON 97818

confirms the right to use the waters of TWO WELLS in the BUTTER CREEK BASIN for the purpose of SUPPLEMENTAL IRRIGATION OF 2240.4 ACRES.

The right has been perfected under Permit G-4504. The date of priority is FEBRUARY 10, 1969. The right is limited to not more than 4.13 CUBIC FEET PER SECOND, PROVIDED THAT WELL 3 SHALL NOT EXCEED THE CAPACITY OF WELL 2 AND BOTH WELLS SHALL NOT BE PUMPED SIMULTANEOUSLY, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

NW 1/4 NE 1/4, SECTION 17, NE 1/4 SE 1/4, SECTION 18, T 2 N, R 26 E, W.M.; WELL 2 - 100 FEET SOUTH & 1350 FEET WEST FROM NE CORNER SECTION 17; WELL 3 - 30 FEET SOUTH & 30 FEET WEST FROM E 1/4 CORNER SECTION 18.

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. The right shall be limited to any deficiency in the available supply of any prior right for the same land and shall not exceed the limitation allowed herein.

The right 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, and to which such right is appurtenant, is as follows:

NE 1/4 NE 1/4	40.0 ACRES
NW 1/4 NE 1/4	24.8 ACRES
SW 1/4 NW 1/4	37.0 ACRES
SE 1/4 NW 1/4	21.5 ACRES
NE 1/4 SW 1/4	31.0 ACRES
NW 1/4 SW 1/4	51.0 ACRES
SW 1/4 SW 1/4	51.0 ACRES
SE 1/4 SW 1/4	31.0 ACRES

SECTION 7

NE 1/4 NE 1/4	31.4 ACRES
NW 1/4 NE 1/4	31.4 ACRES
SW 1/4 NE 1/4	31.4 ACRES
SE 1/4 NE 1/4	31.4 ACRES
NE 1/4 NW 1/4	31.4 ACRES
NW 1/4 NW 1/4	31.4 ACRES
SW 1/4 NW 1/4	31.4 ACRES
SE 1/4 NW 1/4	31.4 ACRES
NE 1/4 SE 1/4	31.4 ACRES
NW 1/4 SE 1/4	31.4 ACRES
SW 1/4 SE 1/4	31.4 ACRES
SE 1/4 SE 1/4	31.4 ACRES

SECTION 8

TOWNSHIP 2 NORTH, RANGE 26 EAST, W.M.

NE 1/4 NE 1/4 31.4 ACRES
 NW 1/4 NE 1/4 31.4 ACRES
 SW 1/4 NE 1/4 31.4 ACRES
 SE 1/4 NE 1/4 31.4 ACRES
 NE 1/4 SW 1/4 2.4 ACRES
 NW 1/4 SW 1/4 41.0 ACRES
 SW 1/4 SW 1/4 41.0 ACRES
 SE 1/4 SW 1/4 2.4 ACRES
 NE 1/4 SE 1/4 26.8 ACRES
 NW 1/4 SE 1/4 33.6 ACRES
 SW 1/4 SE 1/4 33.6 ACRES
 SE 1/4 SE 1/4 26.8 ACRES

SECTION 17

NW 1/4 NE 1/4 32.0 ACRES
 SW 1/4 NE 1/4 32.0 ACRES
 NE 1/4 NW 1/4 40.0 ACRES
 NW 1/4 NW 1/4 51.0 ACRES
 SW 1/4 NW 1/4 51.0 ACRES
 SE 1/4 NW 1/4 40.0 ACRES
 NE 1/4 SW 1/4 40.0 ACRES
 NW 1/4 SW 1/4 8.4 ACRES
 SW 1/4 SW 1/4 8.4 ACRES
 SE 1/4 SW 1/4 40.0 ACRES
 NW 1/4 SE 1/4 32.0 ACRES
 SW 1/4 SE 1/4 32.0 ACRES

SECTION 18

NW 1/4 NE 1/4 31.0 ACRES
 SW 1/4 NE 1/4 38.5 ACRES
 SE 1/4 NE 1/4 8.2 ACRES
 NE 1/4 NW 1/4 9.0 ACRES
 SE 1/4 NW 1/4 17.1 ACRES
 NE 1/4 SW 1/4 17.0 ACRES
 SE 1/4 SW 1/4 6.0 ACRES
 NE 1/4 SE 1/4 7.8 ACRES
 NW 1/4 SE 1/4 37.0 ACRES
 SW 1/4 SE 1/4 40.0 ACRES
 SE 1/4 SE 1/4 24.6 ACRES

SECTION 19

NE 1/4 NE 1/4 31.4 ACRES
 NW 1/4 NE 1/4 31.4 ACRES
 SW 1/4 NE 1/4 31.4 ACRES
 SE 1/4 NE 1/4 31.4 ACRES
 NW 1/4 NW 1/4 41.0 ACRES
 SW 1/4 NW 1/4 41.0 ACRES
 NE 1/4 SW 1/4 20.0 ACRES
 NW 1/4 SW 1/4 26.8 ACRES
 SW 1/4 SW 1/4 32.0 ACRES
 SE 1/4 SW 1/4 24.4 ACRES
 NE 1/4 SE 1/4 31.4 ACRES
 NW 1/4 SE 1/4 31.4 ACRES
 SW 1/4 SE 1/4 31.4 ACRES
 SE 1/4 SE 1/4 31.4 ACRES

SECTION 20

NE 1/4 NE 1/4 40.0 ACRES
 NW 1/4 NE 1/4 39.7 ACRES
 NE 1/4 NW 1/4 34.0 ACRES
 NW 1/4 NW 1/4 50.0 ACRES

SECTION 30

TOWNSHIP 2 NORTH, RANGE 26 EAST, W.M.

This certificate is issued to confirm an ALTERNATE POINT OF APPROPRIATION approved by an order of the Water Resources Director entered MAY 23, 1979 and supersedes certificate 43929, State Record of Water Right Certificates.

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 this date JULY 7, 1989.

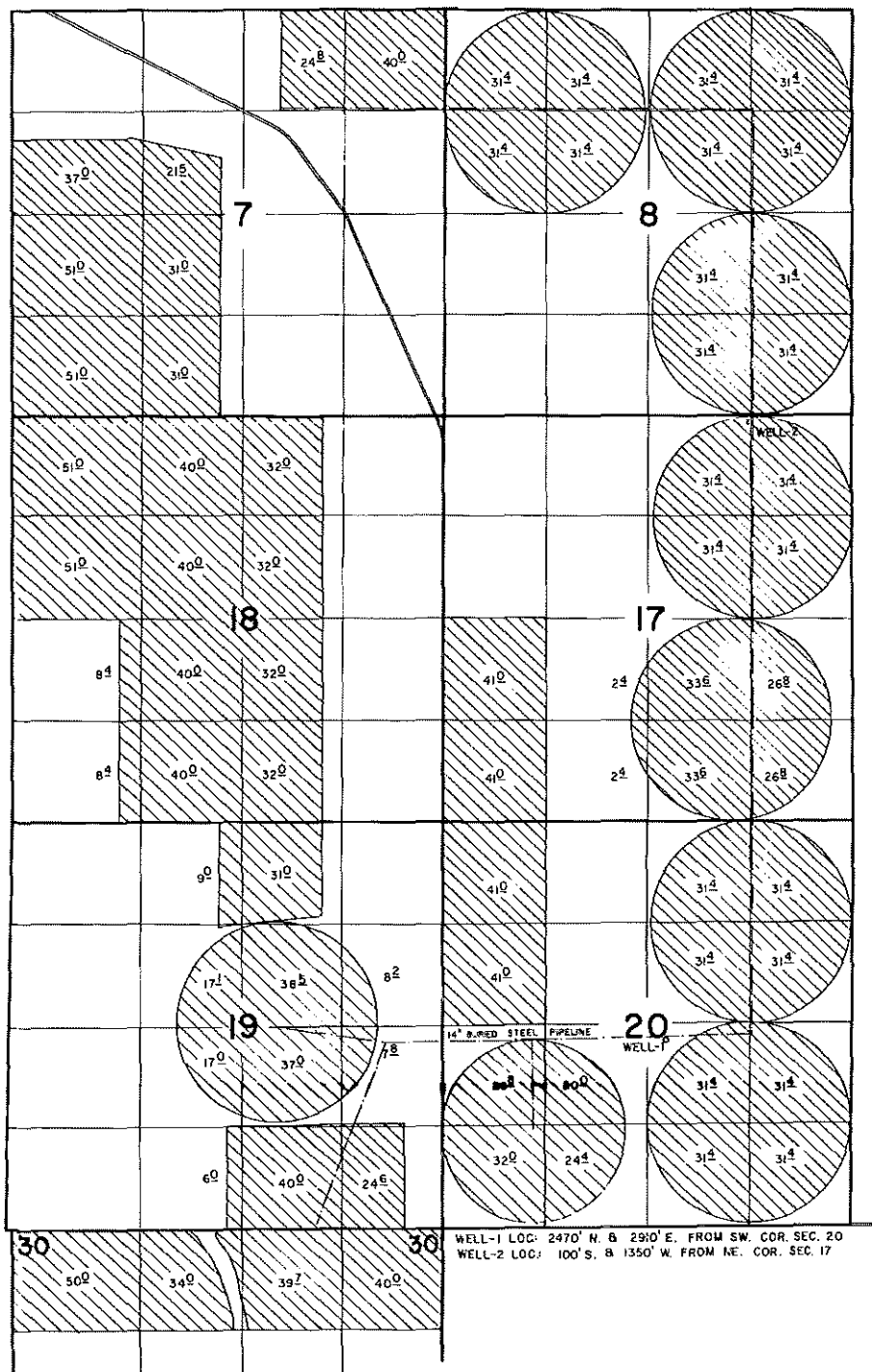
/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 61849

T-4160.BE

T. 2N., R. 26E., W.M.



FINAL PROOF SURVEY
UNDER

Application No. G-4025 Permit No. G-3777
G-4782 G-4504
IN NAME OF

FAR WEST FARMS

Surveyed APRIL 17 1974, by D. NORBY

Water Right Transfer Supplemental Form B

AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
 County of _____)

I, Frank Tiegs, in my capacity as Owner- President,
 mailing address P.O. Box 3110, Pasco, WA 99302
 telephone number (541) 545-4545, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **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.

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

☒ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot,	Acres (if applicable)
		Certificate 68536				
2N	26E	WM	7	NW NE	500	12.8
2N	26E	WM	7	SW NE	500	5.8
2N	26E	WM	7	SE NE	500	34.9
2N	26E	WM	7	NE NW	500	23.2
2N	26E	WM	7	NW NW	500	5.5
2N	26E	WM	7	NE SE	500	9.7
2N	26E	WM	8	NE SW	603	1.4
2N	26E	WM	8	NW SW	603	0.3

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T 10538

Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot,	Acres (if applicable)
2N	26E	WM	8	SW SW	603	0.7
2N	26E	WM	8	SE SW	603	1.6
2N	26E	WM	8	NW SE	603	0.1
2N	26E	WM	8	SW SE	603	0.1
2N	26E	WM	17	NE SW	603	1.5
2N	26E	WM	17	SE SW	603	4.0
2N	26E	WM	18	SW NE	900	8.0
2N	26E	WM	18	SE NE	900	3.3
2N	26E	WM	18	NW SW	500	16.6
2N	26E	WM	18	SW SW	500	6.7
2N	26E	WM	18	SE SE	500	22.9
2N	26E	WM	19	NE NE	500	16.2
2N	26E	WM	19	NE NW	500	2.9
2N	26E	WM	19	NE SE	500	16.0
					Total	194.2
Certificates 61848 & 61849						
2N	26E	WM	7	NE NE	500	40.0
2N	26E	WM	7	NW NE	500	24.8
2N	26E	WM	7	SW NW	500	37.0
2N	26E	WM	7	SE NW	500	21.5
2N	26E	WM	7	NE SW	500	17.2
2N	26E	WM	7	NW SW	500	46.9
2N	26E	WM	7	SW SW	500	8.8
2N	26E	WM	7	SE SW	500	2.6
2N	26E	WM	8	NE NE	603	2.0
2N	26E	WM	8	NW NE	603	2.0
2N	26E	WM	8	SW NE	603	2.0
2N	26E	WM	8	SE NE	603	2.0

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**WATER RESOURCES DEPT
SALEM, OREGON**

Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot,	Acres (if applicable)
2N	26E	WM	8	NE NW	603	2.0
2N	26E	WM	8	NW NW	603	2.0
2N	26E	WM	8	SW NW	603	2.0
2N	26E	WM	8	SE NW	603	2.0
2N	26E	WM	8	NE SE	603	2.0
2N	26E	WM	8	NW SE	603	2.0
2N	26E	WM	8	SW SE	603	2.0
2N	26E	WM	8	SE SE	603	2.0
2N	26E	WM	17	NE NE	603	2.0
2N	26E	WM	17	NW NE	603	2.0
2N	26E	WM	17	SW NE	603	2.0
2N	26E	WM	17	SE NE	603	2.0
2N	26E	WM	17	NE SW	603	0.5
2N	26E	WM	17	NW SW	603	38.2
2N	26E	WM	17	SW SW	603	40.0
2N	26E	WM	17	SE SW	603	0.5
2N	26E	WM	17	NE SE	603	1.9
2N	26E	WM	17	NW SE	603	1.6
2N	26E	WM	17	SW SE	603	1.6
2N	26E	WM	17	SE SE	603	1.9
2N	26E	WM	18	NW NE	900	21.0
2N	26E	WM	18	SW NE	900	32.0
2N	26E	WM	18	NE NW	500	18.9
2N	26E	WM	18	NW NW	500	18.6
2N	26E	WM	18	SW NW	500	51.0
2N	26E	WM	18	SE NW	500	40.0
2N	26E	WM	18	NE SW	500	40.0
2N	26E	WM	18	NW SW	500	8.4

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**WATER RESOURCES DEPT
SALEM, OREGON**

Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot,	Acres (if applicable)
2N	26E	WM	18	SW SW	500	7.9
2N	26E	WM	18	SE SW	500	39.8
2N	26E	WM	18	NW SE	500	30.5
2N	26E	WM	18	SW SE	500	32.0
2N	26E	WM	19	NW NE	500	31.0
2N	26E	WM	19	NE NW	500	9.0
2N	26E	WM	19	SE SW	500	2.4
2N	26E	WM	19	SW SE	500	6.4
2N	26E	WM	19	SE SE	500	14.0
2N	26E	WM	20	NE NE	603	2.0
2N	26E	WM	20	NW NE	603	2.0
2N	26E	WM	20	SW NE	603	2.0
2N	26E	WM	20	SE NE	603	2.0
2N	26E	WM	20	NW NW	603	8.7
2N	26E	WM	20	NW NW	603	17.8
2N	26E	WM	20	SW NW	603	5.6
2N	26E	WM	20	NE SE	603	2.0
2N	26E	WM	20	NW SE	603	2.0
2N	26E	WM	20	SW SE	603	2.0
2N	26E	WM	20	SE SE	603	2.0
2N	26E	WM	30	NE NE	500	29.9
2N	26E	WM	30	NW NE	500	4.1
					Total	802

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Potatoes, Wheat, Corn, Peas and Alfalfa

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SALEM, OREGON

T 10538

5. The water delivery system used to apply water as authorized by the right is described below:

Please refer to delivery system Map

6. One or more of the following documentation supporting the above statements is attached:

- ☐ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☒ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,
- ☐ Other: _____

Signature of Affiant

Joe Topp pro

Date

2/12/08

Signed and sworn to (or affirmed) before me this 12 day of FEBRUARY, 20 08.



Notary Public for Oregon WASH.

My Commission Expires: 5-9-09

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**WATER RESOURCES DEPT
SALEM, OREGON**

T 10538

CONSUMER NO. RIVERCREST FARMS INC
 ALPINE LN - 350 HP WELL # 1
 DUE DATE 9/09/05

PREVIOUS BALANCE 4,137.12
 PAYMENTS 4,137.12
 BALANCE FORWARD .00

RATE SCH	BILL DATE	FROM	SERVICE PERIOD	TO	BILLING DAYS	PREVIOUS	METER READINGS	PRESENT	MULTIPLIER	USAGE	AMOUNT
E	8/28/06	7/21	8/25	35		9945	10029	30		5720	
D							2.510	60		208.400	

IRRIGATION RATE @ 191.52
 350 HP IRRIGATION 991.60
 TOTAL AMOUNT DUE 1,133.12

ELECTRIC MTR # 4422

COLUMBIA BASIN ELECTRIC CO-OP
 HEPPNER - 676-9146 CONDON - 384-2023

tommy@columbiabasin.co
<http://heppner.net/cbec>

NOTICE: PAST DUE BALANCES ARE CONSIDERED
 DELINQUENT AND SUBJECT TO DISCONNECT
 UNLESS ARRANGEMENTS HAVE BEEN MADE.
 A 1.5% PER MONTH LATE CHARGE WILL BE
 ADDED TO THE PAST DUE AMOUNT.

MAKE CHECKS PAYABLE TO C.B.E.C.
 MAIL TO: P.O. Box 398
 Monmouth, OR 97336

SERVICE TO	NO OF DAYS	USAGE	AVG USE PER DAY
6/27/05	34	140480	4132
9/20/05	24	82300	3450
10/12/05	32	44950	2044
11/22/05	41	85560	2160
12/20/05	25		
1/10/06	49	240	5
2/13/06	34	80	2
3/15/06	30	240	8
4/20/06	30	560	16
5/20/06	30	15760	525
6/12/06	23	15200	661
7/21/06	39	153440	3934
8/25/06	35	6720	192

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WATER RESOURCES DEPT
 SALEM, OREGON

T 10538

CONSUMER NO. RIVERCREST FARMS INC
 ACCOUNT NO. LINDSAY FEED LOT LN - 235-HP-02
 9/03/06
 DUE DATE

PREVIOUS BALANCE 2,850.75
 PAYMENTS 2,850.75 CR
 BALANCE FORWARD .00

RATE SCH	BILL DATE	FROM	SERVICE PERIOD	TO	BILLING DAYS	PREVIOUS METER READINGS	PRESENT	MULTIPLIER	USAGE	AMOUNT
B	8/28/06	7/21-	8/25	35		69175	69282	150	17120	
D							1.090	150	174.400	

IRRIGATION RATE \$ 487.92
 235 HP IRRIGATION 735.15
 TOTAL AMOUNT DUE 1,223.07

well #2

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 WATER RESOURCES DEPT
 SALEM, OREGON

ELECTRIC MTR # 3309

COLUMBIA BASIN ELECTRIC CO-OP
 HEPPNER - 676-9146 CONDON - 384-2023

tommy@columbiabasin.co
<http://heppner.net/cbec>

NOTICE: PAST DUE BALANCES ARE CONSIDERED
 DELINQUENT AND SUBJECT TO DISCONNECT
 UNLESS ARRANGEMENTS HAVE BEEN MADE.
 A 1.5% PER MONTH LATE CHARGE WILL BE
 ADDED TO THE PAST DUE AMOUNT.

MAKE CHECKS PAYABLE TO C.B.E.C.
 MAIL TO: P.O. Box 398
 Heppner, OR 97825

SERVICE TO	NO. OF DAYS	USAGE	AVG USE PER DAY
8/27/05	34	65320	1957
9/19/05	23	36950	1607
10/12/05	23	44000	1913
11/22/05	41	92540	2250
12/13/05	21		
1/10/06	23		
2/13/06	34		
3/15/06	30	480	16
4/20/06	35	17750	493
5/11/06	21	18400	876
6/12/06	32	48000	1500
7/21/06	39	103200	2646
8/25/06	35	17120	489

CONSUMER NO. ACCOUNTING NO.

RIVERCREST FARMS INC

BOARDMAN HWY - 325 HP well #3

9/08/06

DUE DATE

PREVIOUS BALANCE

3,228.72

PAYMENTS

3,228.72 CR

BALANCE FORWARD

.00

RATE SCH	BILL DATE	FROM	SERVICE PERIOD	TO	BILLING DAYS	PREVIOUS METER READINGS	PRESENT	MULTIPLIER	USAGE	AMOUNT
E	8/28/06	7/21-	8/25	35		36095	37828	40	69320	
D							6.562	40	262.480	

IRRIGATION RATE 5

1,975.62

150 HP IRRIGATION

530.10

TOTAL AMOUNT DUE

2,505.72

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WATER RESOURCES DEPT
SALFAM, OREGON

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ELECTRIC MTR # 5131

COLUMBIA BASIN ELECTRIC CO-OP
HEPPNER - 676-9146 CONDON - 384-2023

tommy@columbiabasin.co
http://heppner.net/cbec

NOTICE: PAST DUE BALANCES ARE CONSIDERED
DELINQUENT AND SUBJECT TO DISCONNECT
UNLESS ARRANGEMENTS HAVE BEEN MADE.
A 1.5% PER MONTH LATE CHARGE WILL BE
ADDED TO THE PAST DUE AMOUNT.

MAKE CHECKS PAYABLE TO C.B.E.C.
MAIL TO: P.O. Box 398
Heppner, OR 97226

SERVICE TO	NO. OF DAYS	USAGE	AVG. USE PER DAY
3/27/05	34	41280	1214
9/20/05	24	12560	523
10/12/05	22	11320	515
11/22/05	41	23880	582
12/13/05	21	560	27
1/10/06	23	720	26
2/13/06	34	1000	29
3/15/06	30	2560	85
4/20/06	36	1800	50
5/11/06	21	8040	383
6/12/06	32	20280	634
7/21/06	39	131640	3375
8/25/06	35	69320	1981

MATILLA ELECTRIC COOPERATIVE
50 W. ELM
P.O. BOX 1148
HERMISTON, OR. 97838 541-567-6414

PAGE 1

78200

8/04/06

ERT & LINDA MUELLER
HAMILTON ST
MATILLA OR 97882-9727

This summary statement is provided for your convenience. Please return one copy with your payment in lieu of your bill stubs. You may also receive other bills from us at another time of the month. This is only a summary of the enclosed bill

Meter Number	Account Number	Total Billing	Service Address
1012626		\$118.95	PS3-C301-309-310 (25HP)
1125283		\$82.40	PS3-C302-303-311 (25HP)
1287111		\$63.14	PS3-C304-312 (15HP)
1287480		\$2,932.33	PS3-B306-307-308-(320 HP)
1017699		\$66.70	PS3-C305-313 (15HP)
84186072		\$66.85	PS3-C315-316-320 (25HP)
84186104		\$83.14	PS3-C314-318-319 (25HP)
3741391		\$24,626.65	PS3 CANAL ST-2000HP
1125267		\$44.77	POTATO SHED-BOARDMAN
80787515		\$20,982.76-N	PS3 317 321 & 322 283.07
3876192		\$49,186.45-N	RESVR-UPPER FARM 1450 HP 27, 761.13 w/o int
83687385		\$191.07	25 HP CIRC 323
1012540		\$250.50	37 1/2 HP TOTAL-PS3 C325
3876191		\$21,771.88	SAND HOLLOW CANAL 1000 HP
1006526		\$422.58	PACKING SHED/OFFICE

Number of accounts on statement: 15

\$78,765.16

This cycle's grand total due--> \$78,924.65
=====

Payment DUE Date is --> 08/21/06

If you wish to contribute to UCARE, enter the amount of your donation and increase your payment to match. Thank you.

demand \$18,153.79
usage 60, 611.37

T 10538

580

ROBERT & LINDA MUELLER

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M. OREGON

Indicate in this column whether or not the item is satisfied.

Temporary Transfer Application – OAR 690-380 3000 & 3100

Completeness Checklist

Applicant's Name: Baker Produce South (Form last revised: March 13, 2007)

Section A – Status of Right

Is this a Water Right that can be transferred?

[OAR 690-380-0100(14)]

NOTE: The Department can accept a Transfer application for any right that is:

- ___ 1) an adjudication with a court decree; *or*
___ 2) a certificate that is not cancelled; *or*
___ 3) a transfer that's been approved & A COBU has been received by the Department

If the subject right does not fall into any of the above categories, **RETURN** the application & fee to the applicant.

Section B – Type of Change

Is the proposed change(s) allowed under the Temporary Transfer process?

[ORS 540.523]

NOTE: Only **POU** changes are allowed on Temporary Transfers.

UNLESS... POA/POD change is necessary to convey water to the new temp place of use.

OR - Character of Use of storage right (R-xxxxx)

OR - In the Deschutes Basin, a change in Use from irrigation to municipal is allowed.

If the application proposes a change other than those listed above, **RETURN** the application & fee to the applicant.

Section C - Fees

Have the appropriate fees been paid?

Fee Schedule – ORS 536.050(1)(i)

\$175 - Base (1st CFS of water)

+ \$1 - Per acre of land irrigated

+ \$75 - For each cfs or fraction thereof beyond the 1st cfs for non-irrigated land

200 Base 1st WR
50 2nd WR
50 3rd WR
996.2 acres

Total Required Fees:

1296.20

Total Fees Paid:

1297.00

Fees Due (if any):

0

Refund Due (if any):

.80

If the applicant has **NOT** submitted the total fees required, **RETURN** the application & deficient fee to the applicant.

Section D – Completeness

Is the Temporary Transfer application complete?

All required elements necessary for a complete temporary transfer application are listed below.

Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items. If any one of the items is deficient, then the application is incomplete.

NOTE: For reference, the application page number upon which each item is requested is identified.

If the application is **NOT** complete, **RETURN** the application & fee to the applicant.

• Type of transfer application clearly marks Temporary and indicates the number of years. 1 (Page 1)

• Applicant's name, mailing address and contact information. (Page 1)

• Agent's name, mailing address and contact information, if applicable. (Page 1)

• Are the water rights to be affected by this temporary transfer listed? 3 (Page 2)

If there are multiple water rights listed..... The applicant must supply a separate "set" of Supplemental Form A for each water right to be transferred.

Checklist for Supplemental Form A – (Attachments)		
OK	• Certificate # filled in on each page?	(Page 1)
OK	• Type of change(s) proposed clear?	(Page 1)
OK	• Current Water Right information is complete?	(Page 2)
OK	• If for a change in POU... (Page 2) Are there any “layered” irrigation rights, permits, or GR registrations appurtenant to the same place of use as the water right proposed to be transferred? YES NO If YES..... the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5). OR...applicant indicates supplemental right will not be exercised on “From” lands Are they included in application? If not, contact applicant or agent.	
N/A	• Location description of the authorized POA/POD to be changed. (Page 3) NOTE: Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map. Additionally, if the existing authorized source is ground water (POA), the applicant must either: _____ 1) supply a copy of the well log(s), <u>or</u> _____ 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.	
OK	• Location description of the existing authorized POU and associated acres (if applicable). (Page 4) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.	
N/A	• Location description of the proposed POA/POD. (Page 5) NOTE: Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map. Additionally, if the proposed source is ground water (POA), the applicant must either: _____ 1) supply a copy of the well log(s), <u>or</u> _____ 2) if well logs are not available <u>or</u> the well is not yet constructed, describe the construction of the well(s) in the table provided on page 5 of the application.	
OK	• Location description of the proposed POU and associated acres (if applicable). (Page 6) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.	
Return back to Page 2 of transfer application		
OK	• The type of change(s) being proposed. POU	(Page 2)
OK	• Reason for the temporary transfer. Irrigate 2008	(Page 2)
OK	• Description of current water delivery system. delivery map system?	(Page 2)
OK	• System Capacity. 24.8	(Page 2)
Checklist for Supplemental Form B – (Attachments)		
OK	• Is there a box checked in #1?	(Page 1)

OK	Is there a box checked in #2?	(Page 1)
OK	Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3?	(Page 1)
OK	In question #4 and #5 are they filled out.	(Page 2)
OK	Is there a box checked in #6?	(Page 2)
OK	Is the #6 supporting documentation included with application?	(Page 2)
OK	Is there an original signature of the notary and notary stamp?	(Page 2)
	Return back to Page 3 of transfer application	
OK	Affected districts and local governments. If within a district/local government jurisdiction, ensure that name & mailing address is provided. And agreement with district to deliver water to "To" lands	(Page 3)
OK	Is the applicant the Landowner of the "from" and "to" Lands? YES NO If NO..... The applicant must list current landowner name & address. And include a notarized statement granting consent to the transfer from each landowner.	(Page 4)
Applicant	Who will be responsible for completion of the changes? Is a box checked? If no box is checked the applicant or agent must be contacted.	(Page 4)
OK	Map..... ☐ if more than 3 rights are included in transfer, is there a separate map for each water right? ☐ If larger than 8 1/2 X 14 - then 3 copies of map is needed & an electronic pdf of map ☐ north arrow ☐ size & scale ☐ other: _____ ☐ authorized acreage per 1/4 1/4 matches the water right ☐ authorized POD/POA and POU (clearly shown, labeled & matches application listing) ☐ point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR ☐ proposed POD/POA and/or POU (clearly shown, labeled & matches application "proposed" listing) ☐ location coordinates accurately describe the point identified as the proposed POD/POA	(Page 5)
N/A	Land Use form, <i>if applicable</i>. Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in WR.	(Page 5)
N/A	If a groundwater right is involved, are the well logs or a description included.	(Page 5)
	Is a copy of the current deed included for the From lands?	(Page 5)
OK	Signature(s) of applicant(s): Are one of the boxes checked? (not needed for Temporary Transfer) <u>All</u> applicants listed on page 1 of the application <u>must</u> sign the application.	(Page 6)
WRD Completeness Reviewer's Name: <u>S. Henderson</u> Date: <u>2-14-08</u>		

William I. Porfily

P.O. Box 643
Stanfield, OR 97875
(541) 449-1327
bporfily@my180.net

February 12, 2008

217

Greg Nelson
Oregon Water Resources Dept.
725 Summer St. NE, Ste. A
Salem, OR 97301-2430

RE: Baker Produce South, Inc. 2008 Temporary Water Right Transfer

Dear Greg:

Enclosed please find copies of the Baker Produce South, Inc. 2008 temporary water right transfer application, five application maps (one colored), check for \$12967.00, and CD with copy of the transfer on it. We have requested a lot book report from Mid Columbia Title Company for the "From" lands described in the application, a consent to the transfer letter from Columbia Improvement District and a consent to the transfer affidavit from Finley Buttes Landfill Co. We will forward these to you upon receipt of them.

If you have any question or concerns regarding the transfer, please contact me at (541) 449-1327.

Sincerely,



William I Porfily

cc: Tim Tippet, Baker Produce South, Inc. P.O. Box 3110, Pasco, WA 99302

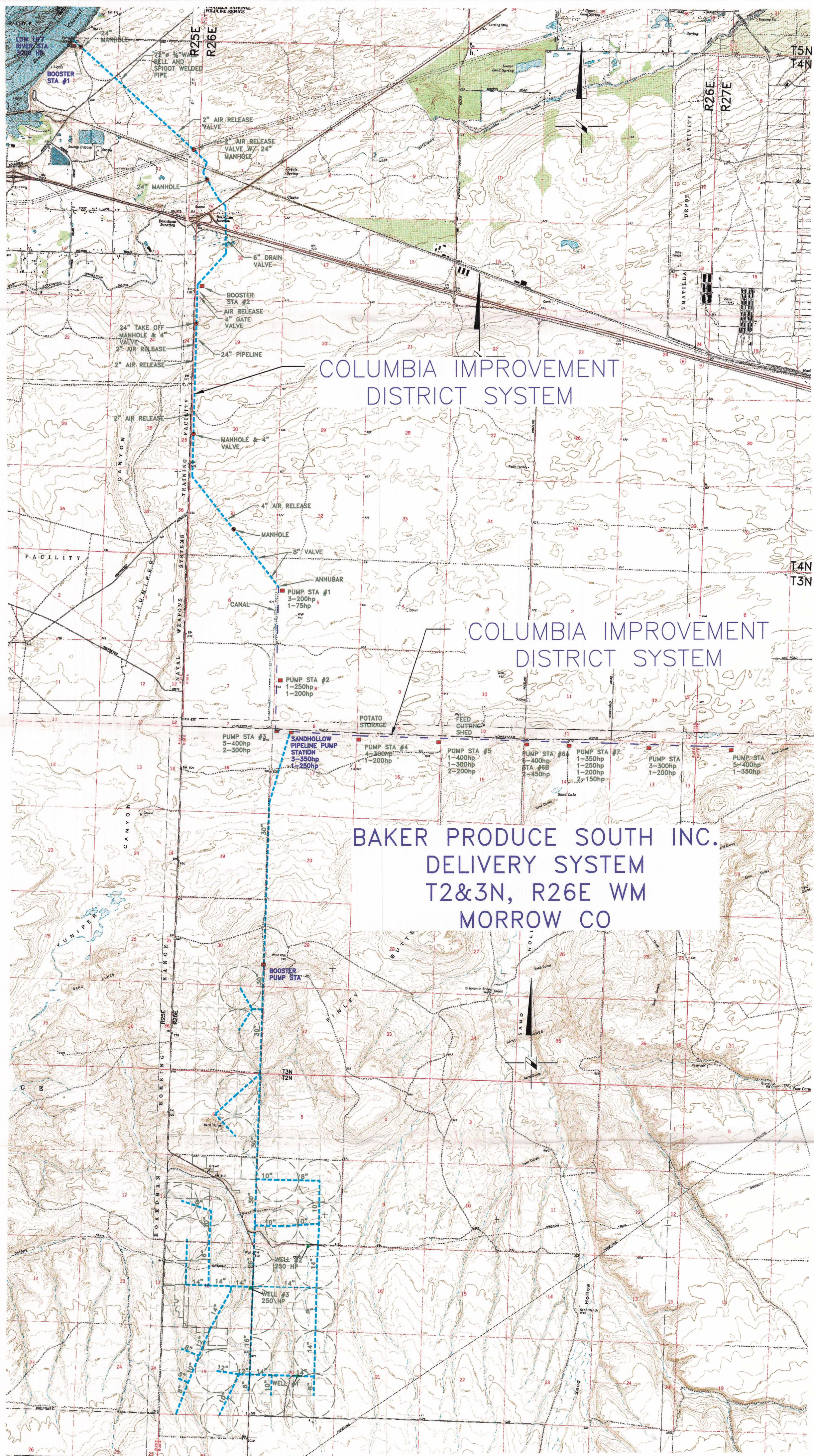
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OVER THE COUNTER**

**WATER RESOURCES DEPT
SALEM, OREGON**



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WATER RESOURCES DEPT
SALEM, OREGON

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2008 BAKER PRODUCE SOUTH, INC
TEMPORARY TRANSFER APPLICATION
TO MAP
INVOLVING CERTIFICATES 68536,
61848 & 61849
T2&3N, R26E WM
MORROW CO

TO

194.2 AC PRIMARY COLUMBIA RIVER
CERT 68536

599.8 AC PRIMARY WELLS #1 & #3 CERT 61848
SUPPLEMENTAL COLUMBIA RIVER CERT 68536
SUPPLEMENTAL WELL #2 & #3 CERT 61849

202.2 AC PRIMARY WELLS #1 & #3 CERT 61848
SUPPLEMENTAL WELL #2 & #3 CERT 61849

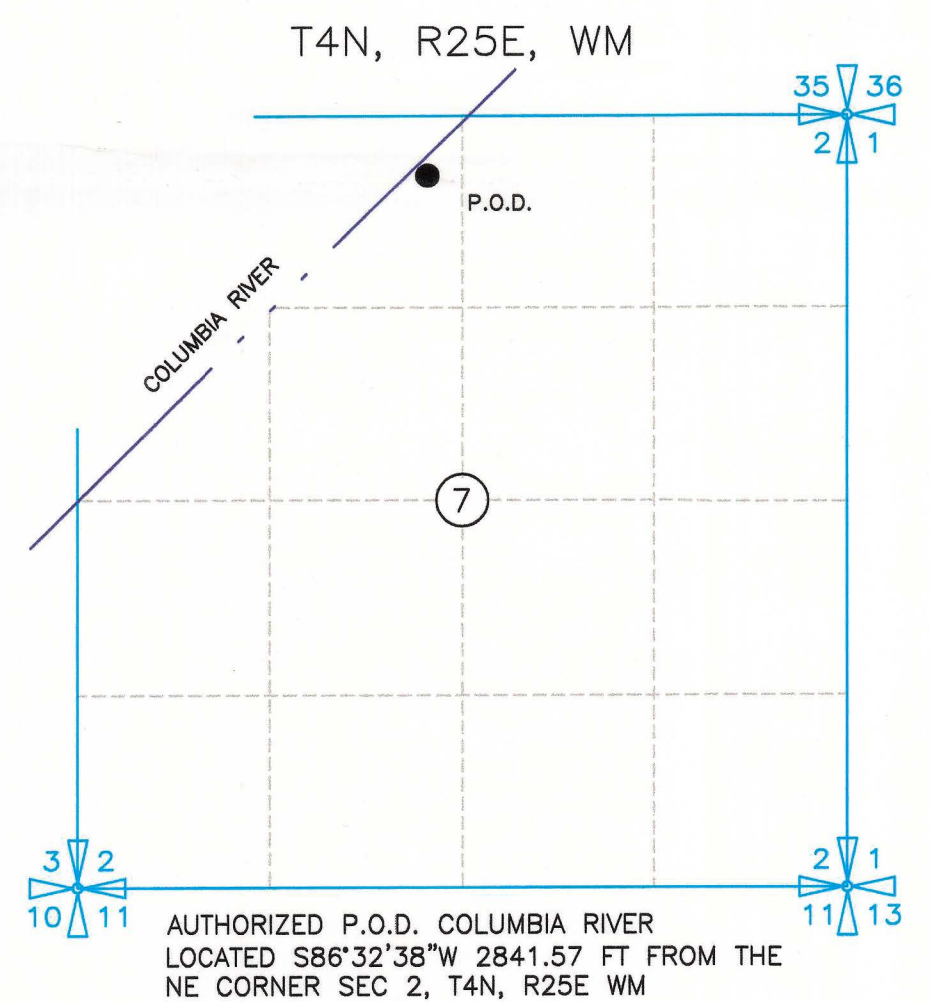
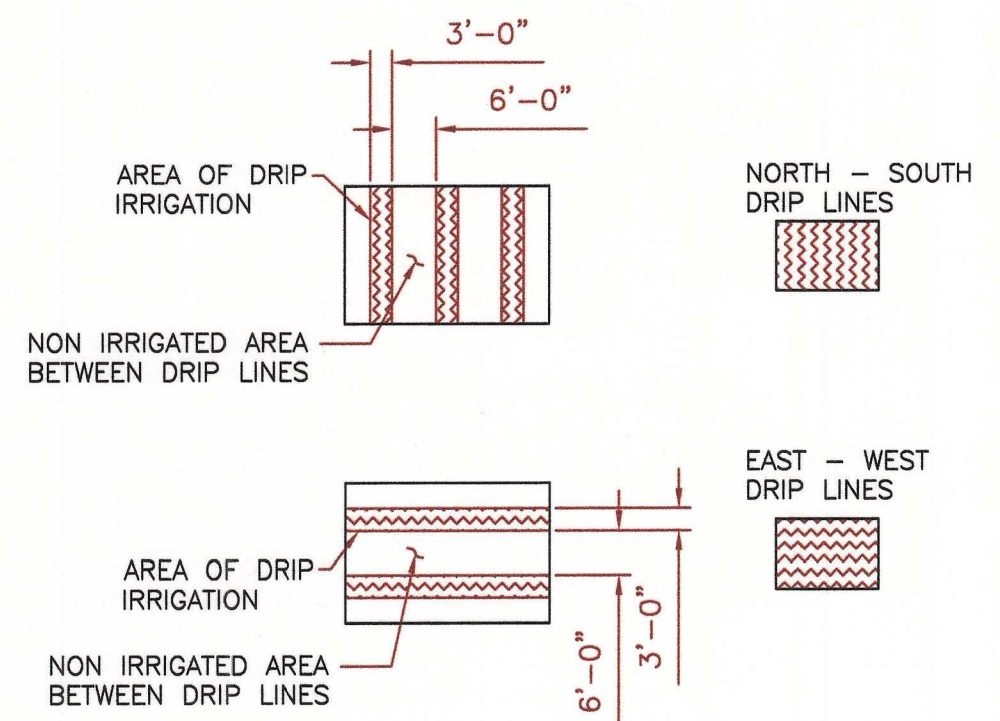
AUTHORIZED P.O.D.
LOCATED S86°32'38"W 2841.57 FT FROM THE
NE CORNER SEC 2, T4N, R25E WM

AUTHORIZED P.O.A.
WELL #1 LOCATED 2470'N AND 2910'E FROM
THE SW COR SEC 20 T2N, R26E, WM

WELL #2 LOCATED 100'S AND 1350'W FROM
THE NE COR SEC 17 T2N, R26E, WM

WELL #3 LOCATED 30'S AND 30'W FROM THE
E 1/4 COR SEC 18 T2N, R26E, WM

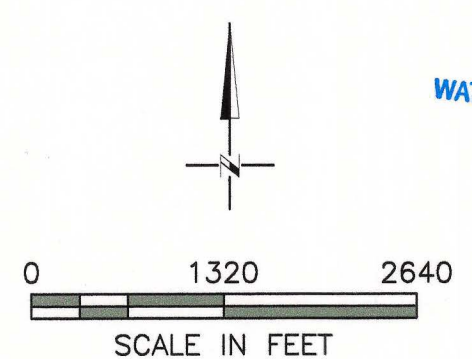
DRIP LINE DETAIL



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SALEM, OREGON



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PRINTED BY: Roger Willard on 02/05/08 02:05 PM

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

82901

68536 Primary (1979)
 68536 IS (1979)
 61848 IR (1967)
 61849 IS (1969)

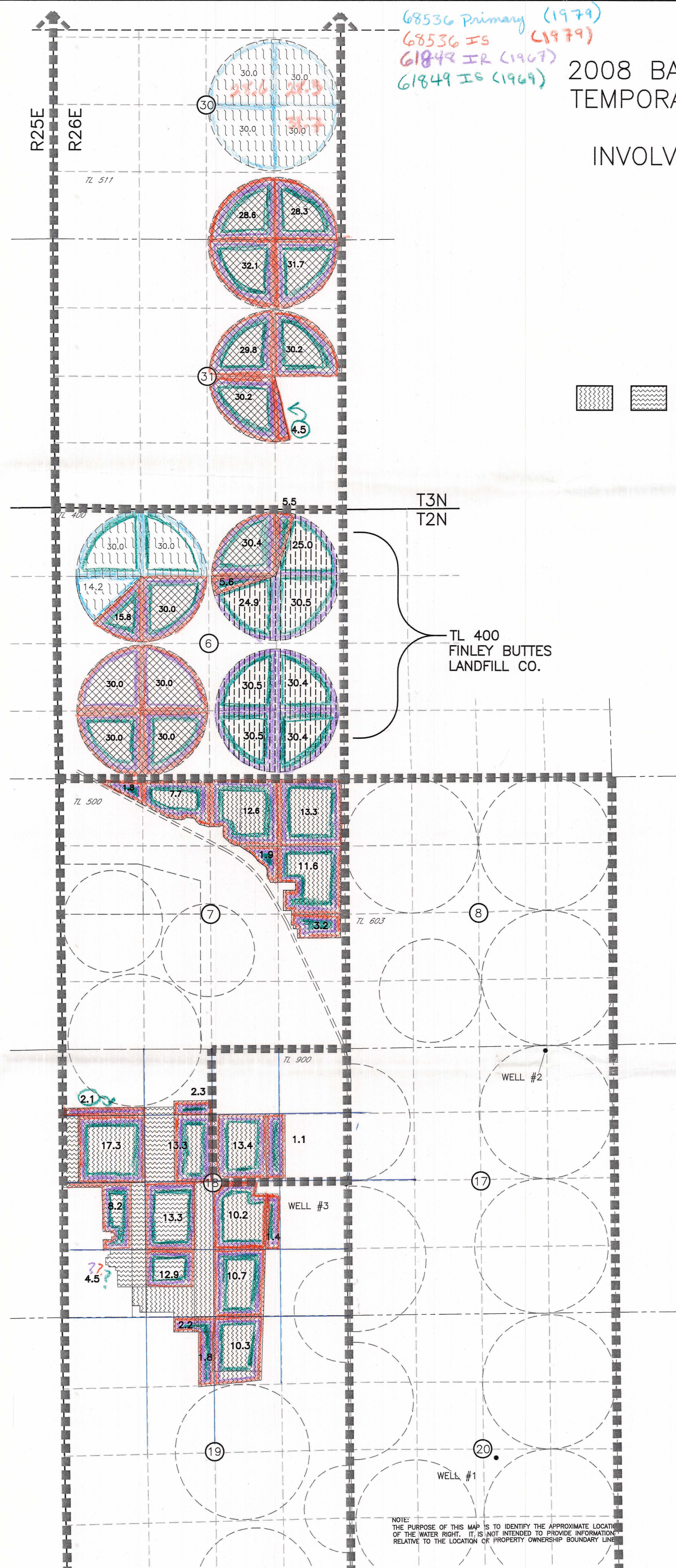
2008 BAKER PRODUCE SOUTH, INC
 TEMPORARY TRANSFER APPLICATION
 TO MAP
 INVOLVING CERTIFICATES 68536,
 61848 & 61849
 T2&3N, R26E WM
 MORROW CO

TO

194.2 AC PRIMARY COLUMBIA RIVER
 CERT 68536

599.8 AC PRIMARY WELLS #1 & #3 CERT 61848
 SUPPLEMENTAL COLUMBIA RIVER CERT 68536
 SUPPLEMENTAL WELL #2 & #3 CERT 61849

202.2 AC PRIMARY WELLS #1 & #3 CERT 61848
 SUPPLEMENTAL WELL #2 & #3 CERT 61849



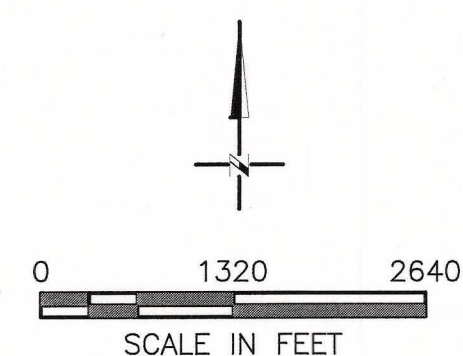
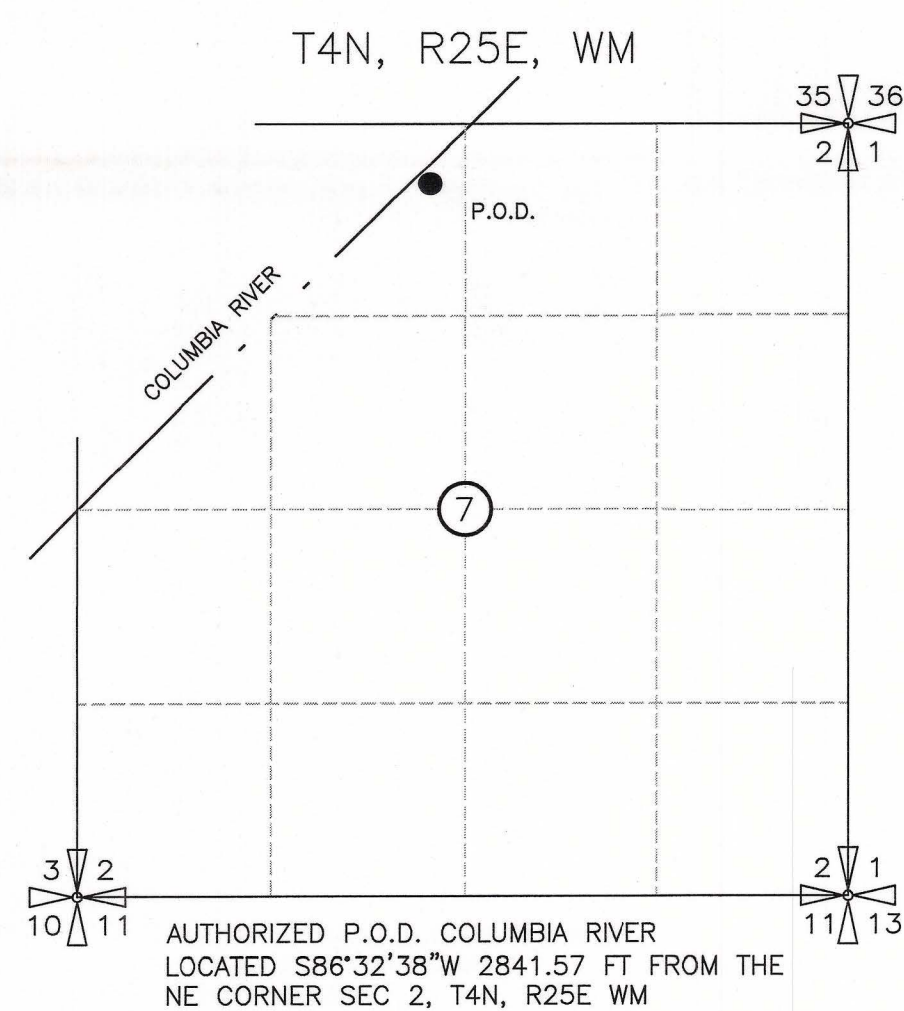
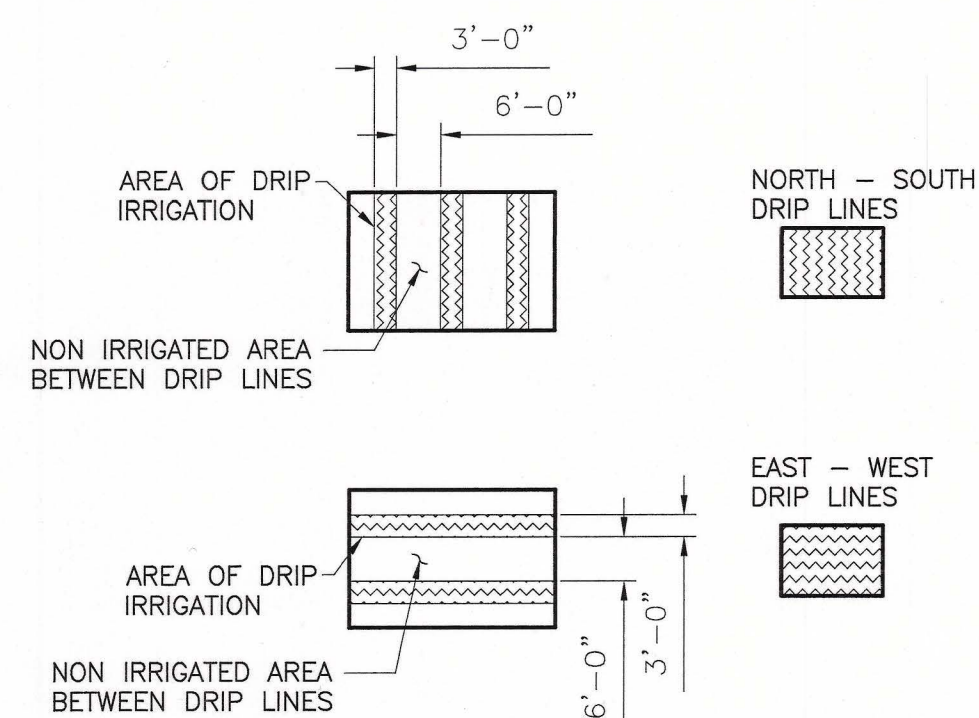
AUTHORIZED P.O.D.
 LOCATED S86°32'38"W 2841.57 FT FROM THE
 NE CORNER SEC 2, T4N, R25E WM

AUTHORIZED P.O.A.
 WELL #1 LOCATED 2470'N AND 2910'E FROM
 THE SW COR SEC 20 T2N, R26E, WM

WELL #2 LOCATED 100'S AND 1350'W FROM
 THE NE COR SEC 17 T2N, R26E, WM

WELL #3 LOCATED 30'S AND 30'W FROM THE
 E 1/4 COR SEC 18 T2N, R26E, WM

DRIP LINE DETAIL



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WATER RESOURCES DEPT
SALEM, OREGON

2008 BAKER PRODUCE SOUTH, INC
TEMPORARY TRANSFER APPLICATION
FROM MAP
INVOLVING CERTIFICATES 68536,
61848 & 61849
T2&3N, R26E WM
MORROW CO

FROM

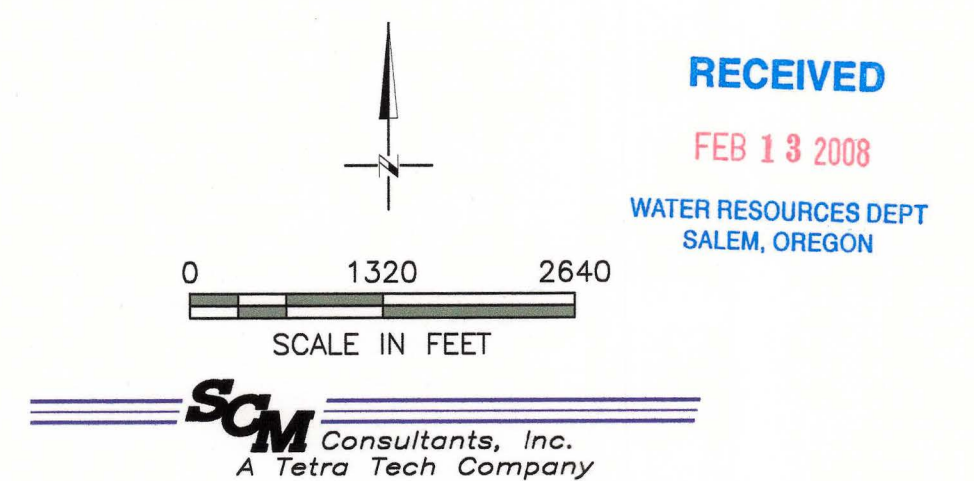
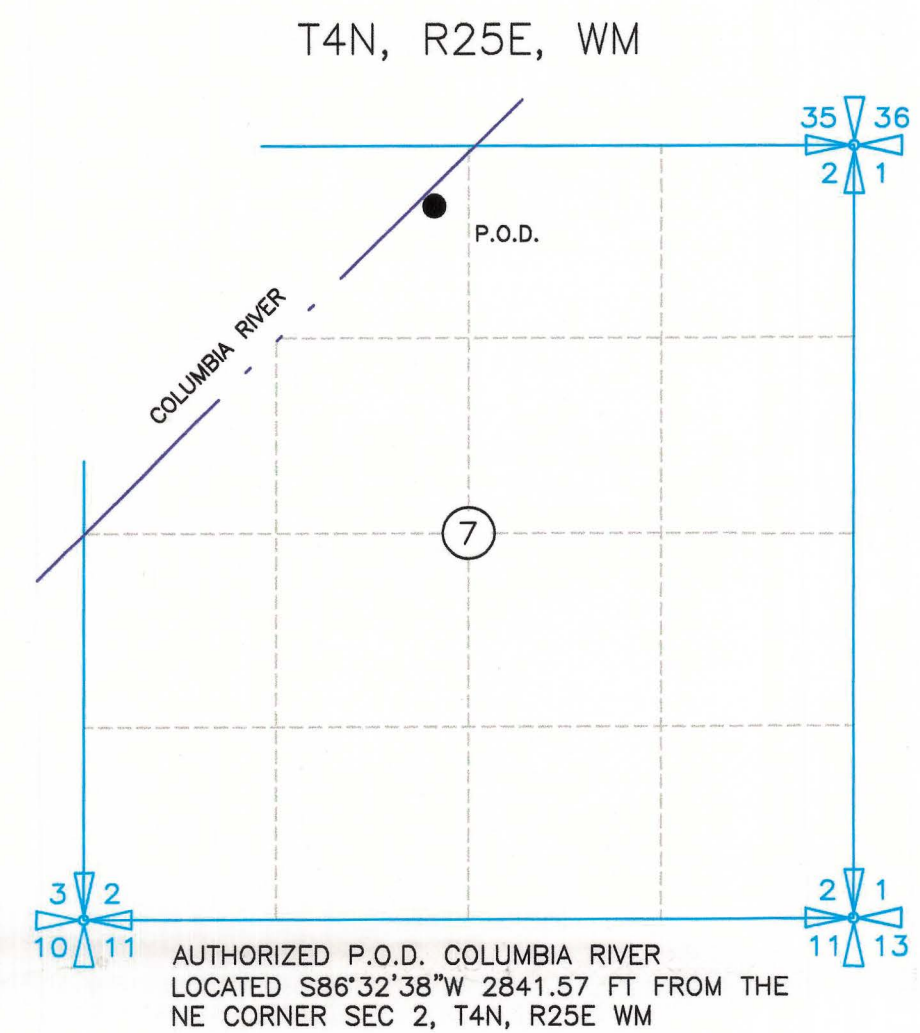
-  194.2 AC PRIMARY COLUMBIA RIVER
CERT 68536
-  599.8 AC PRIMARY WELLS #1 & #3 CERT 61848
SUPPLEMENTAL COLUMBIA RIVER CERT 68536
SUPPLEMENTAL WELL #2 & #3 CERT 61849
-  202.2 AC PRIMARY WELLS #1 & #3 CERT 61848
SUPPLEMENTAL WELL #2 & #3 CERT 61849

AUTHORIZED P.O.D.
LOCATED S86°32'38"W 2841.57 FT FROM THE
NE CORNER SEC 2, T4N, R25E WM

AUTHORIZED P.O.A.
WELL #1 LOCATED 2470'N AND 2910'E FROM
THE SW COR SEC 20 T2N, R26E, WM

WELL #2 LOCATED 100'S AND 1350'W FROM
THE NE COR SEC 17 T2N, R26E, WM

WELL #3 LOCATED 30'S AND 30'W FROM THE
E 1/4 COR SEC 18 T2N, R26E, WM

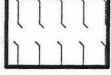


NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

DRAWING: H:\CAD\AG\3522\TIPPETT\3522300ipTT08.dwg
PRINTED BY: Roger Willard on 02/05/08 02:17 PM

2008 BAKER PRODUCE SOUTH, INC
TEMPORARY TRANSFER APPLICATION
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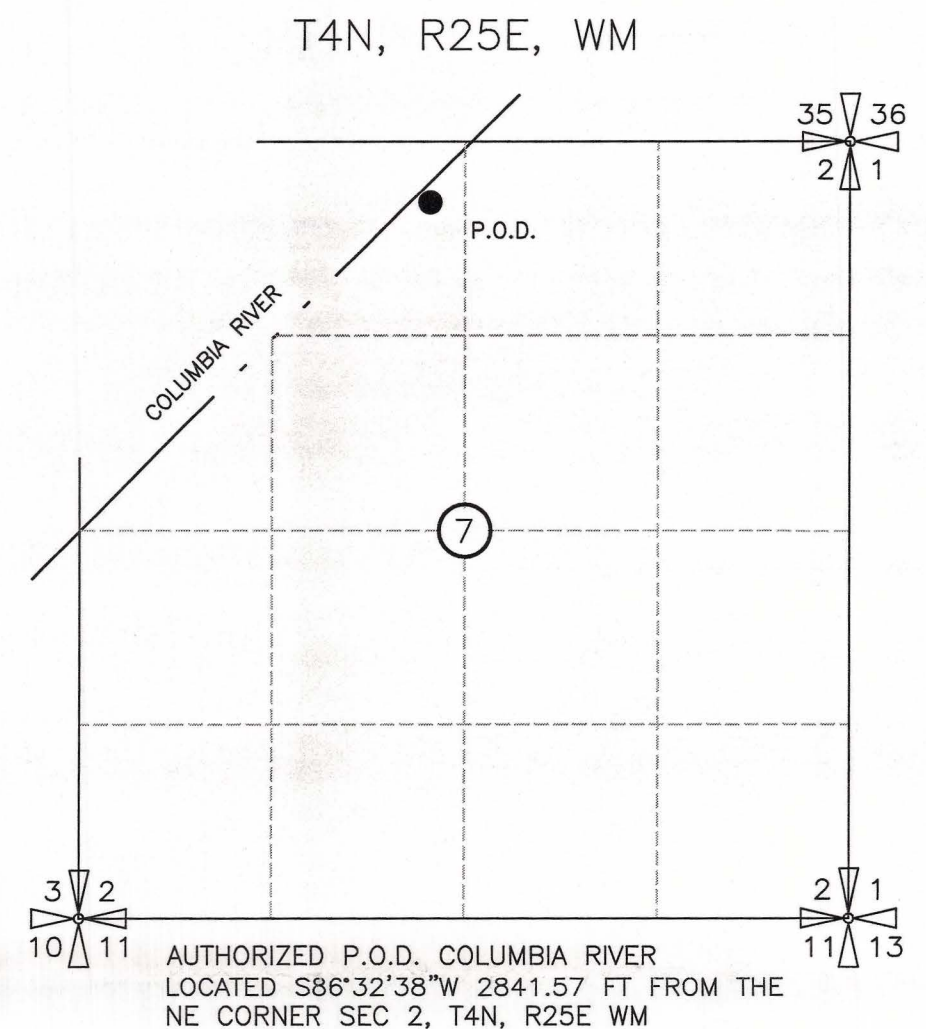
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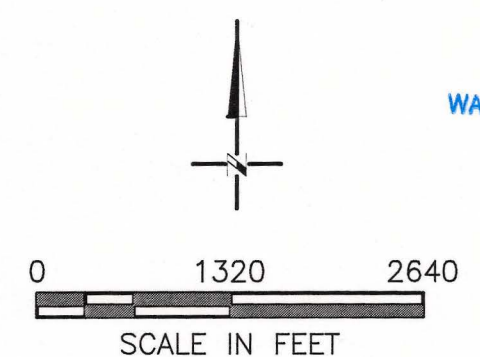
WELL #3 LOCATED 30'S AND 30'W FROM THE
E 1/4 COR SEC 18 T2N, R26E, WM



RECEIVED

FEB 13 2008

WATER RESOURCES DEPT
SALEM, OREGON



SCM Consultants, Inc.
A Tetra Tech Company

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