

Application for a Permit to Use Surface Water

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MAR 22 2024



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

OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME WINDY RIVER C/O ROBERT LEVY		PHONE (HM) 541-449-8627	
PHONE (WK) 541-561-5404	CELL 541-449-8627	FAX	
ADDRESS 1000 HWY 395 S #423			
CITY HERMISTON	STATE OR	ZIP 97838	E-MAIL * BOBLEVY@WINDYRIVERFARMS.COM

Organization

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

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

AGENT / BUSINESS NAME WILLIAM PORFILY		PHONE 541-561-7259	FAX
ADDRESS P.O. Box 643			CELL
CITY STANFIELD	STATE OR	ZIP 97875	E-MAIL * WPORFILY@GMAIL.COM


Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.

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


Robert Levy
3/15/24
 Applicant Signature Print Name and Title if applicable Date

 Applicant Signature Print Name and Title if applicable Date

For Department Use: App. Number: _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances. **Place of use has no encumbrances**
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Relationship to Project	Owner	Address
Columbia River To Madison Pump Station Conveyance System	Columbia Improvement District (CID)	501 Columbia Ave NE Boardman, OR 97818
36" buried pipe from Madison Pump Station To AgNW	Madison Ranches C/O Jake Madison	29299 Madison Rd, Echo, OR 97826
24" buried pipe from Madison Ranch to Windy River LLC	AgNW Butter Creek C/O Matthew Vickery	6716 W. Rio Grande Kennewick, WA 99336

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

PLEASE REFER TO THE DELIVERY SYSTEM MAP ATTACHED TO THIS APPLICATION

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: Columbia River	Tributary to: Pacific Ocean
TRSQQ of POD: T4N, R25E, WM, SEC 2, LOCATED 2990' W & 150' S FROM THE NE CORNER	
Source 2:	Tributary to:
TRSQQ of POD:	

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If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

N/A

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For Department Use: App. Number: _____

B. Applications to Use Stored Water N/A

Do you, or will you, own the reservoir(s) described in Section 3A above?

Yes. No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

If **yes, you are notified** that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

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If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

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SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
 (1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Columbia River	Irrigation of 3285.0 Acres (which includes raising the soil moisture to its water holding capacity to be utilized by plant growth in the subsequent growing season).	October 1 st – April 15 th	10.0 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.

Primary: 3285.0 Acres Supplemental: _____ Acres Nursery Use: _____ Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s): **Propose or Use: Primary Irrigation of 3285.0 acres for a total of 4927.5 acre-feet, from the Columbia River during the period November 1st – February 29th, then Supplemental between the months of October, March 1st – April 15th (which includes raising soil moisture to field capacity to be utilized by plants in the subsequent growing season.**

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 4927.5 AF

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: **N/A**
- If the use is **mining**, describe what is being mined and the method(s) of extraction: **N/A**

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

Pump (give horsepower and type):

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<u>Columbia River's Pump Station Name</u>	<u>Number of Pumps</u>	<u>Individual Pump Size (hp)</u>	<u>Total Capacity (gpm)</u>
River Pump Station	6	500	31,667
River Pump Station	2	800	10,000
Booster #1	15	700	9,000
Booster #1	3	1300	17,350
Booster #2	15	1300	14,150
Madison Pump Station	5	700	19,000

Other means (describe): N/A

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Please refer to the accompanying Delivery System Map for the description of the system that provides water to the Windy River Farm. A third-party monitors water being used and crop requirement intending to help applicant to prevent waste.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

Center Pivots, wheel lines, hand lines, solid sets, and drips are currently and will continue to be used to irrigate the areas described in this application

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

We plan to use a third party to monitor, and apply enough water to raise the soil moisture to field holding capacity to be utilized by plants in the subsequent growing season and replacing the amount used by the crop each week during the growing season.

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.

Describe planned actions: All existing Columbia River Pump Station, operated by Columbia Improvement District (CID), on the Columbia River have approved fish screens River as per NMFS Requirements and the screens are consistent with current criteria of other regulating agencies

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: The systems already exist; thus, the applicant does not anticipate any construction work in repairing or streamside areas.

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- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: **The applicant does not anticipate having to work in the Columbia River as the pumps and equipment already exist**
- Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe planned actions: **Applicant monitors and use the latest technology to prevent erosion, optimizing and the use of fertility and chemistry so erosion and run-off are prevented.**
- List other federal and state permits or contracts to be obtained, if a water right permit is granted. **Please see attached Water Facilities Agreement between Levy and Columbia District Improvement, AgrNW, and Madison Ranches**

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: **Started**
- b) Date construction will be completed: **Within 5 years of a permit being issued**
- c) Date beneficial water use will begin: **Within 5 years of a permit being issued**

SECTION 9: WITHIN A DISTRICT

- Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name Columbia Improvement District	Address 501 Columbia Ave	
City Boardman	State OR	Zip Code 97818
Irrigation District Name Westland Irrigation District	Address 77096 OR-207	
City Echo	State OR	Zip Code 97826

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. *(Attach additional sheets if necessary).*

See Attachments

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: **\$6,210.00**
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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For Department Use: App. Number: _____

Land Use Information Form



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

Applicant

NAME WINDY RIVER C/O ROBERT LEVY		PHONE (HM) 541-449-8627	
PHONE (WK) 541-561-5404	CELL 541-449-8627	PHONE (WK) 541-561-5404	
ADDRESS 1000 HWY 395 S #423			
CITY HERMISTON	STATE OR	CITY HERMISTON	STATE OR

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
2N	28E	4	ALL	800	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
3N	28E	23	ALL	7100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
3N	28E	26	N ½	7300	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
3N	28E	27	ALL	7403 & 7404	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
3N	28E	28	ALL	7500	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
3N	28E	29 & 32	S ½ & N ½	8105	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
3N	28E	31-32			EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	IRR
3N	28E	33	ALL	8103 & 8105	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
MADISON RANCHES DIVERSION									
3N	27E	16-17, 22-23, 26, & 35-36			EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	IRR

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

UMATILLA COUNTY

B. Description of Proposed Use

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

- Permit to Use or Store Water
- Water Right Transfer
- Permit Amendment or Groundwater Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

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Land Use Information Form

MAR 22 2024

Page 2 of 3

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Attachment 2: Land Use Information Form

Source of water: Reservoir/Pond Groundwater Surface Water (name) COLUMBIA RIVER

Estimated quantity of water needed: 10.0 cubic feet per second gallons per minute acre-feet

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

Briefly describe:

Propose or Use: Primary Irrigation of 3285.0 acres for a total of 4927.5 acre-feet, from the Columbia River during the period November 1st – February 29th, then Supplemental between the months of October, March 1st – April 15th (which includes raising soil moisture to field capacity to be utilized by plants in the subsequent growing season.



Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): UCDC 152.0514(A)
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

NAME: <u>CARDI JOHNSON</u>	TITLE: <u>Planner</u>
SIGNATURE: <u><i>Cardi Johnson</i></u>	PHONE: <u>541-278-6252</u> DATE: <u>02/23/2024</u>
GOVERNMENT ENTITY: <u>Umatilla County</u>	

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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Land Use Information Form

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BY: *me*

Attachment 2: Land Use Information Form
OREGON
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

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NAME WINDY RIVER C/O ROBERT LEVY		PHONE (HM) 541-449-8627	
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ADDRESS 1000 HWY 395 S #423			
CITY HERMISTON	STATE OR	CITY HERMISTON	STATE OR

A. Land and Location

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

Township	Range	Section	%	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
CID DIVERSION							
4N	25E	2				<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	IRR
4N	25E	1				<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	IRR
4N	26E	6, 7, 18-19, & 30-31				<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	IRR
3N	26E	5-6, 8, & 13-18				<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	IRR

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

MORROW COUNTY

B. Description of Proposed Use

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

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Groundwater Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) COLUMBIA RIVER

Estimated quantity of water needed: 10.0 cubic feet per second gallons per minute acre-feet

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

Briefly describe:

Propose or Use: Primary Irrigation of 3285.0 acres for a total of 4927.5 acre-feet, from the Columbia River during the

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

Please check the appropriate box below and provide the requested information

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

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

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

NAME <u>WRECSICKS, STEPHEN</u>	TITLE: <u>GIS ASSOCIATE PLANNER</u>
SIGNATURE 	PHONE: <u>541.922.4627</u>
DATE: <u>13 MAR 24</u>	
GOVERNMENT ENTITY <u>MORROW COUNTY PLANNING DEPARTMENT</u>	

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

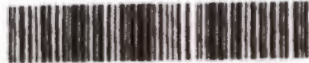
RECEIVED

MAR 22 2024

OWRD

Call 20

State of Oregon)
County of Umatilla)



2002-4240378 1 of 3

This instrument was received and recorded on

11-15-02 at 11:10

in the record of document code type DE-S&S

Location R424-0378
Document number 2002-4240378
Fee 38.00

Office of County Records

John Humphill
Records Officer

After recording, return to:

Richard A. Canaday
Miller Nash LLP
3500 US Bancorp Tower
111 SW Fifth Avenue
Portland, OR 97204

RECEIVED

NOV 15 2002

UMATILLA COUNTY RECORDS

424 0378

BARGAIN AND SALE DEED

Robert L. Levy ("Grantor") conveys to Westland Enterprises LLC, an Oregon limited liability company ("Grantee"), the real property in Umatilla County, Oregon, described on attached Exhibit A.

The true consideration for this conveyance is stated in terms of dollars is \$0.00 and includes value given or promised.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated November 7, 2002.

Robert L. Levy
Robert L. Levy

State of Oregon)
County of Umatilla) ss.

The foregoing instrument was acknowledged before me on November 7, 2002, by Robert L. Levy.



Marilee Huffman
Notary Public for Oregon
My commission expires: 2/7/05

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

Westland Enterprises LLC, 822 Hwy 395S #423, Hermiston, OR 97838.

PIONEER TITLE CO. 59802-1
126 SE Court, Pend. OR, 97801

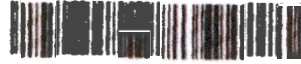
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OWRD

180020-0008/111002/PDXDOCS:1325864.1

23



2002-4248378 2 of 3

TRACT I:

TOWNSHIP 3 NORTH, RANGE 28, E.W.M.

Section 23: ALL.

An Easement for water pipeline, granted by Jack Correa to L & L Farms, an Oregon Partnership consisting of Dennis B. Logan and Robert L. Levy, recorded September 21, 1979 in Microfilm R-55, Page 1736, Deed Records.

Section 26: North Half.

Section 27: North Half.

Excepting therefrom that portion of the Southeast Quarter of the Northwest Quarter and of the Southwest Quarter of the Northeast Quarter and of the Southeast Quarter of the Northeast Quarter lying South of Highway 320.

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

RECEIVED

MAR 22 2024

OWRD



2002-4240378 3 of 3

TRACT IV:

TOWNSHIP 3 NORTH, RANGE 28, E.W.M.

Section 33: South Half.

TOWNSHIP 2 NORTH, RANGE 28, E.W.M.

Section 4: ALL.

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

RECEIVED

MAR 22 2024

OWRD

12/04



2002-4240379 1 of 2

After recording, return to:

Richard A. Canaday
Miller Nash LLP
3500 US Bancorp Tower
111 SW Fifth Avenue
Portland, OR 97204

RECEIVED

NOV 15 2002

UMATILLA COUNTY
RECORDS

424 0379

State of Oregon)

County of Umatilla)

This instrument was received
and recorded on

11-15-02 at 11:10

in the record of document
code type DE-B&S

Location R424-0379
Document number 2002-4240379
Fee \$1.00

Office of County Records

Joan Hampshire
Records Officer

BARGAIN AND SALE DEED

Robert L. Levy as trustee of the Robert L. Levy Family Trust ("Grantor") conveys to Robert D. Levy, Carrie Ann Burnus, and William R. Levy ("Grantees"), the real property located in Umatilla County, Oregon, described on attached Exhibit A.

The true consideration for this conveyance is stated in terms of dollars is \$0.00 and includes other property or value given or promised.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated November 7, 2002.

Robert L. Levy
Robert L. Levy as trustee of the
Robert L. Levy Family Trust

State of Oregon)
County of Umatilla) ss.

The foregoing instrument was acknowledged before me on November 7, 2002, by Robert L. Levy as trustee of the Robert L. Levy Family Trust.



Marilee Huffman
Notary Public for Oregon
My commission expires: 2/7/05

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

Westland Enterprises LLC, 822 Hwy 395S #423, Hermiston, OR 97838.

RECEIVED

MAR 22 2024

OWRD

180020-0008/111002/PDXDOCS:1325865.2

PIONEER TITLE CO. 2002-2
126 SE Court, Pend. OR, 97801

RECEIVED

MAR 22 2024

OWRD



2002-4240379 2 of 2

TRACT II:

TOWNSHIP 3 NORTH, RANGE 28, E.W.M.

Section 27: South Half.

Section 27: All that portion of the Southeast Quarter of the Northwest Quarter and of the Southwest Quarter of the Northeast Quarter and of the Southeast Quarter of the Northeast Quarter lying South of Highway 320.

Section 28: All.

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

1/2/02

State of Oregon)

County of Umatilla)

This instrument was received and recorded on

11-15-02 at 11:10

In the record of document code type DE-B&S

Location R424-0381
Document number 2002-4240381
Fee \$1.00

Office of County Records

Joan Hemphill
Records Officer



2002-4240381 1 of 2

After recording, return to:

Richard A. Canaday
Miller Nash LLP
3500 US Bancorp Tower
111 SW Fifth Avenue
Portland, OR 97204

RECEIVED

NOV 15 2002

UMATILLA COUNTY RECORDS

424 0381

BARGAIN AND SALE DEED

Robert L. Levy dba Westland Enterprises ("Grantor") conveys to Westland Enterprises LLC, an Oregon limited liability company ("Grantee"), the real property in Umatilla County, Oregon, described on attached Exhibit A.

The true consideration for this conveyance is stated in terms of dollars is \$0.00 and includes value given or promised.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated November 7, 2002.

Robert L. Levy
Robert L. Levy dba Westland Enterprises

State of Oregon)

County of Umatilla)

ss.

The foregoing instrument was acknowledged before me on November 7, 2002, by Robert L. Levy dba Westland Enterprises.



Marilee Huffman
Notary Public for Oregon
My commission expires: 2/7/05

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

Westland Enterprises LLC, 822 Hwy 395S #423, Hermiston, OR 97838.

RECEIVED

MAR 22 2024

OWRD

180020-0008/111002/PDXIDOCs:1325864.1

26

PIONEER TITLE CO. 5000-4
125 SE Court, Pend. OR, 97301

RECEIVED

MAR 22 2024

OWRD



2002-4240381 2 of 2

TRACT III:

TOWNSHIP 3 NORTH, RANGE 28, E.W.M.

Section 29: South Half.

Section 32: North Half.

Section 33: North Half.

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