

Application for a Permit to Use Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS			
CITY	STATE	ZIP	E-MAIL *

Organization

NAME PORT OF MORROW ATTN: MIFF DEVIN		PHONE 541-481-7467	FAX
ADDRESS PO Box 200, # 2 MARINE DRIVE			CELL
CITY BOARDMAN	STATE OR	ZIP 97818	E-MAIL * MIFFD@PORTOFMORROW.COM

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

AGENT / BUSINESS NAME GSI WATER SOLUTIONS, INC. ATTN: ROBYN COOK		PHONE 971.200.8505	FAX
ADDRESS 650 NE HOLLADAY ST., SUITE 900			CELL
CITY PORTLAND	STATE OR	ZIP 97232	E-MAIL * RCOOK@GSIWS.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.)

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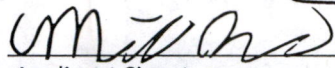
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By my signature below I confirm that I understand:

- 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

 Miff Devin, Operations Manager 8-21-24
Applicant Signature Print Name and Title if applicable Date

Applicant Signature Print Name and Title if applicable Date

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. **The Port is a public corporation and owns all of the properties from which the water is to be diverted, conveyed, and used with the exception of one parcel (Tax Lot 206) where the conveyance pipeline runs in a utility easement along Lindsay Road.**

- YES, there are no encumbrances. For all the Port owned Properties
- 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. For Tax Lot 206
- 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).*

Boardman Foods Inc, PO Box 786, Boardman, OR 97818

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.

See Attachment B for legal description of the properties.

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: Wastewater/Nuisance Runoff	Tributary to: N/A*
TRSQQ of POD: T4N R25E Section 11 NW SW	
Source 2:	Tributary to:
TRSQQ of POD:	

*The water source is wastewater/nuisance runoff (irrigation tail water) originating south of Highway 84 that flows year-round through a series of human-made channels and ditches until it reaches Highway 84. The runoff crosses under the highway through a culvert and ponds on the ground surface in the Port of Morrow Industrial Park (north of the highway). Prior to development of this area the water historically dispersed in this location and would soak into the ground. This water does not naturally discharge to the Columbia River or any other surface water body. Due to recent development in the area, the Port now actively drains this "nuisance water" runoff away from this location through a series of pipes. (See Section 10 – Remarks for additional information).

The POD and water source is not within one of OWRD's WAB, and we understand that the watermaster will be consulted as to whether the wastewater is available. In addition, the Port proposed POD for this application is outside of the WEID Boundary as shown on the attached maps in Attachment C.

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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B. Applications to Use Stored Water N/A Source is not from a reservoir.

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_trsqg_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 N/A – Although the runoff occurs within the Upper Columbia Basin area, the water source is not a "direct streamflow" because it is wastewater/nuisance runoff (irrigation tail water) that is conveyed away from nearby irrigated lands via humanmade ditches and culverts, and the water does not reach and never has reached a natural stream as it is adsorbed into the ground after being dumped on the Port property.

Currently, this wastewater is collected from the man-made ditch system once dumped onto the Port property and there is no fish habitat and the Port is unaware of any federal water quality standards for irrigation wastewater.

The Port will meter the rate and volume of water at the POD and will limit the wastewater use to the quantity of water available at the Port's pumping station (the proposed point of diversion) up to the application's requested rate. All excess water will continue to be managed as nuisance water.

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NOV 12 2024

Surface Water — Page 3

For Department Use: App. Number: _____

Salem, OR

Rev. 07/21

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.

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 N/A not in the Lower Columbia Basin Area

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 The manmade ditches and culverts that convey the tail water from nearby irrigation are not waterways of the state where either sensitive, threatened or endangered fish species are located.

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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NOV 12 2024

Surface Water — Page 4

Rev. 07/21

For Department Use: App. Number: _____

Salem, OR

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
POD 1	Industrial	Year-round	450 <input type="checkbox"/> cfs <input checked="" 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

The proposed Place of Use (POU) is "areas zoned as Industrial within the Port Service Area boundaries."
 (see POU table in Attachment A)

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

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

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s): _____

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

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

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): **40 Hp turbine pump**
 Other means (describe):

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

The Port proposes to pump the nuisance water away from the proposed POD and to an artificial pond. The Port will collect a portion of the nuisance/irrigation tail water, if available, from the pond, which will act as a bulge in the system, and put the water to beneficial use in the Port's existing industrial water distribution system.

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B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
N/A - The Port will distribute the water for industrial use to industrial customers through their existing industrial distribution system.

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.

The Port's need for the requested water is documented in its approved Water Management and Conservation Plan (WMCP; Final Order 4/3/2018), and the Port will follow the conservation measures presented in its WMCP. The Port intends to measure the flow of tail water through the Port's nuisance water conveyance system and the water pumped from the retention pond. Use of the tail water will conserve streamflows, and no damage to public uses of surface waters is expected.

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: N/A - The proposed POD is not located on a stream. The Port captures the nuisance water from disposal ditches. The pond is a human-made artificial structure that is not connected to surface water. Neither the disposal ditches nor the pond contains fish.
- 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: No excavation or clearing of is required to capture the water at the POD.
- 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 Port is not anticipating operating equipment in a water body, however if needed the Port will manage and time any equipment operation to prevent damage to aquatic life, as necessary.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: No erosion or runoff associated with the water use is anticipated, and no chemical product will be used.
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.
N/A

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SECTION 8: PROJECT SCHEDULE

NOV 12 2024

- a) Date construction will begin: within 5 years of permit issuance
- b) Date construction will be completed: within 5 years of permit issuance
- c) Date beneficial water use will begin: within 5 years of permit issuance

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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 West Extension Irrigation District	Address 840 E. Highway 730	
City Irrigon	State OR	Zip 97844

SECTION 10: REMARKS

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

Currently, irrigation wastewater runs off from farmlands year-round and onto land within the Port’s Industrial Park just north of Highway 84. The water originates south of Highway 84 and flows onto the Port’s Industrial Park through a culvert under the highway. This water historically dispersed in this location and soaked into the ground. This water does not naturally discharge to, nor has it ever discharged to, the Columbia River or any other surface water body. Due to recent development in the area (new industrial facilities), the Port now actively drains this “nuisance water” away from the area and into a human-made artificial pond.

The Port will continue to direct this year-round nuisance runoff water away from its industrial facilities built near the culvert under the highway. However, through this application, the Port proposes to take control of a portion of this nuisance water for beneficial use. The wastewater/ nuisance runoff that is the requested source is not direct streamflow and accordingly is not surface water that is tributary to the Umatilla River. Similarly it is not streamflow from a channel of a natural stream.

The POD for this application is located where the Port’s collection structure where the water is pumped away from the area and discharged to a man-made artificial pond. At the pond, which will function as a bulge in the system, the Port will collect a portion of the nuisance water (up to 450 gpm) for industrial use within the Port service area boundaries. The nuisance water flows year-round, and generally at greater than 450 gpm. The water will be metered in the nuisance water conveyance system (at the initial pump station) and the water also will be metered as it is collected from the pond for industrial use. At no time will the Port pump more nuisance water from the pond under this permit for beneficial use than is being collected and moved through the nuisance water conveyance system.

In addition, the Port recognizes that this source is nuisance water (originating as irrigation water runoff) and therefore the Port could not make a call on this water if it is not available in the future. In addition, because the wastewater/ nuisance runoff is not “direct streamflow” and accordingly is not “surface water that is tributary to the Umatilla River”, the basin program classification should not apply to this very particular situation/application. However, if necessary, the Port can add a request for a basin program exception.

The proposed Place of Use (POU) is “areas zoned as Industrial within the Port Service Area boundaries.”

- Attachment A – Application POD and POU Maps and POU Table
- Attachment B – POD Legal Property Description
- Attachment C – WEID Boundary Maps
- Attachment D – LUC Forms (City of Boardman & Morrow County)

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Attachment A

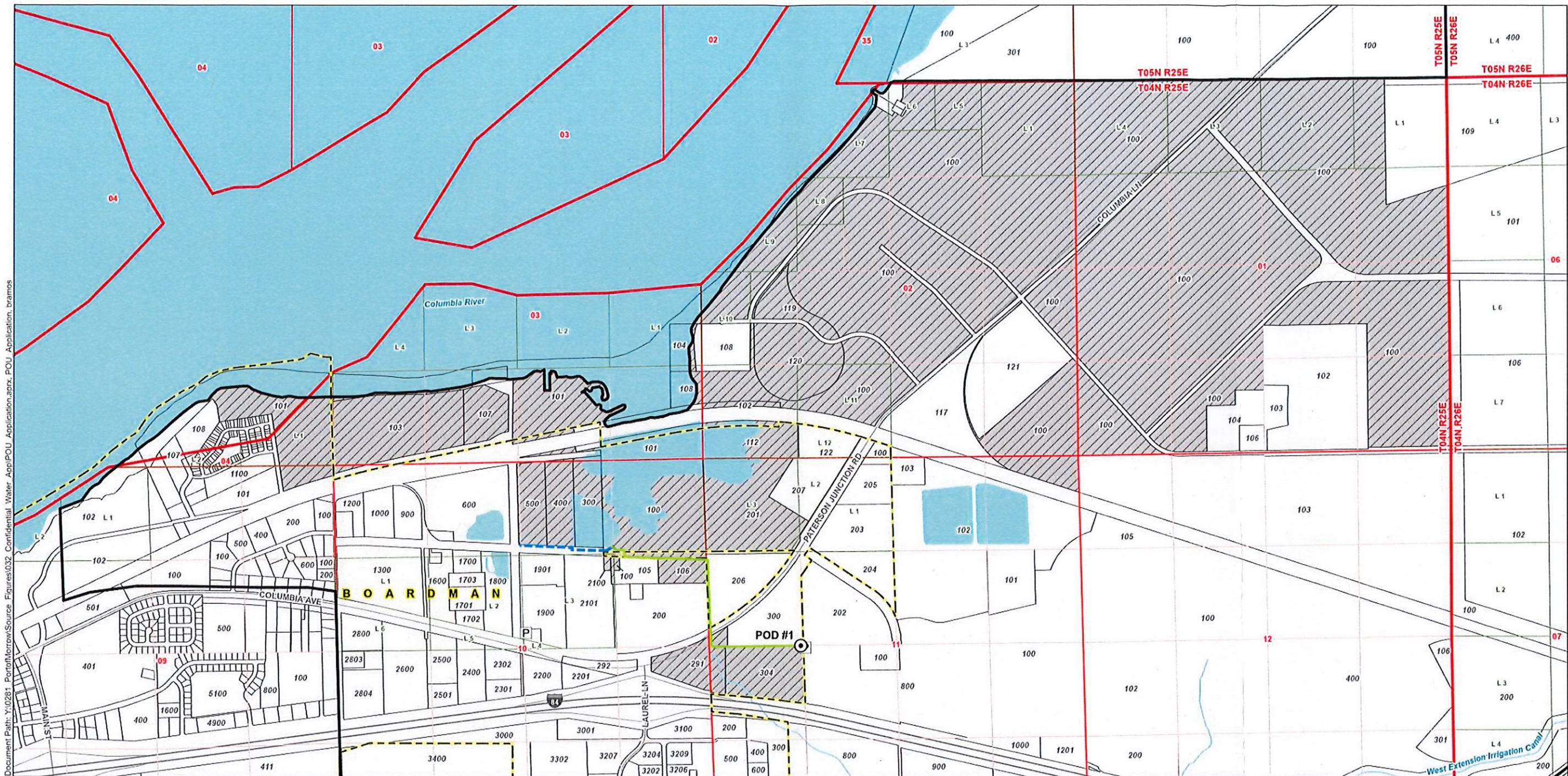
Permit Application Maps and POU Table

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NOV 12 2024

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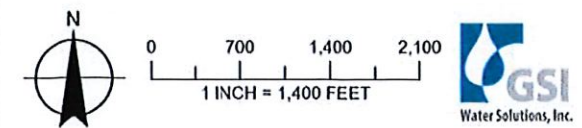
LEGEND

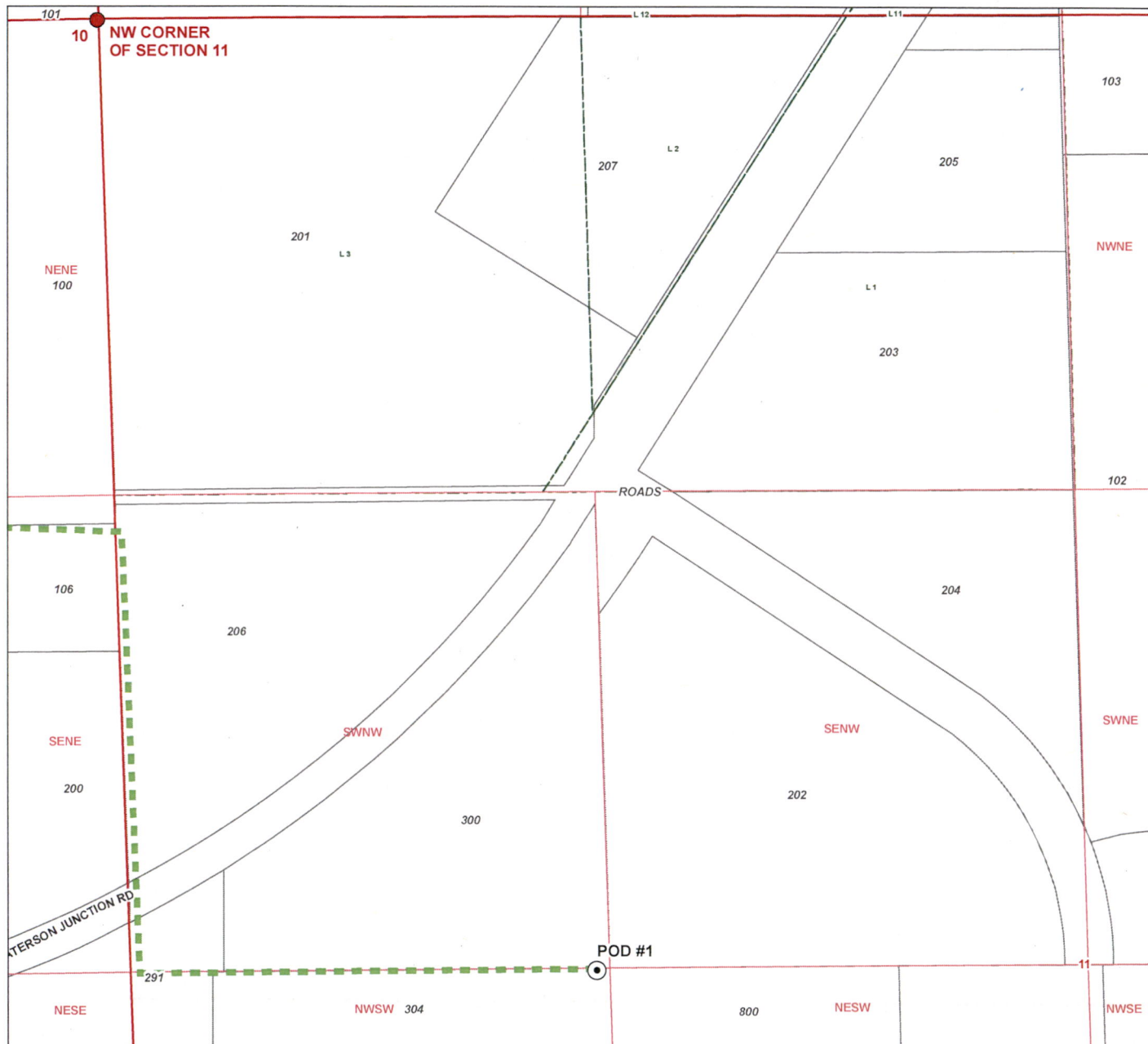
- ⊙ Point of Diversion (POD)
- Ⓟ Pump Station
- Industrial Use Conveyance Line
- Nuisance Water Conveyance Line
- ▨ Place of Use (POU)
- ▭ POM Service Area
- All Other Features
- ▭ City Boundary
- ▭ Tax Lot
- ▭ Government Lot (L)
- ~ Watercourse
- ~ Waterbody

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DISCLAIMER
 This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.
 Date: October 25, 2024
 Data Sources: BLM, ESRI, OWRD, USGS

Application Map
Place of Use
Port of Morrow
Morrow County
 Township 4/5 North, Range 25/26 East (W.M.)





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Application Map Point of Diversion Port of Morrow Morrow County, Oregon Township 4 North, Range 25 East (W.M.)

LEGEND

- Point of Diversion (POD)
- Nuisance Water Conveyance Line
- Tax Lot

LOCATION DESCRIPTION
POD #1
 Located 2,650 feet South and 1,375 feet East from the NW corner of Section 11, Township 4 North, Range 25 East (W.M.)

DISCLAIMER
 This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

N

0 200 400
1 inch = 400 feet

GSI
Water Solutions, Inc.

Date: October 25, 2024
Data Sources: USGS, BLM, ESRI, Morrow Co.

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Robyn Cook

From: RATCLIFFE Katie S * WRD <Katie.S.RATCLIFFE@water.oregon.gov>
Sent: Wednesday, July 10, 2024 3:29 PM
To: Robyn Cook
Cc: Bruce Brody-Heine
Subject: RE: Map scale waiver?

Good afternoon Robyn,

I approve use of this map scale for this application for the purposes of application intake. Please include a copy of this email with application submittal so that our Customer Service Group has it in hand. If we end up needing a closer level of detail of any area of the map when the caseworker does their review, we will let you know. Please note that I have not checked the map against the other requirements of OAR 690-310-0050.

Katie Ratcliffe

Water Rights Section Manager
Oregon Water Resources Department
Phone: 971-338-8105 (work cell)
katie.s.ratcliffe@water.oregon.gov

From: Robyn Cook <rcook@gsiws.com>
Sent: Tuesday, July 9, 2024 12:54 PM
To: RATCLIFFE Katie S * WRD <Katie.S.RATCLIFFE@water.oregon.gov>
Cc: Bruce Brody-Heine <BBheine@gsiws.com>
Subject: Map scale waiver?

Hello Katie,

Please see the attached map, which will be part of a water right application. Because the place of use is so large, the map is not at one of the approved scales. Can the Department please provide a scale waiver for this map?

Thank you,
Robyn



Water Solutions, Inc.
pronouns: she, her

Robyn Cook, RG, LG, CWRE

Principal Hydrogeologist

direct: 971.200.8505 | mobile: 503.930.3382
650 NE Holladay Street, Suite 900, Portland, OR 97232
GSI Water Solutions, Inc. | www.gsiws.com

Please note: I work a hybrid schedule. I can be reached best through email or mobile phone.

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Place of Use

Port of Morrow Nuisance Water Permit Application

Township	Range	Mer.	Section	1/4 1/4 Section	Gov't Lot or DLC
4N	25E	WM	1	NENE	GL-1
4N	25E	WM	1	NWNE	GL-2
4N	25E	WM	1	SWNE	
4N	25E	WM	1	SENE	
4N	25E	WM	1	NENW	GL-3
4N	25E	WM	1	NWNW	GL-4
4N	25E	WM	1	SWNW	
4N	25E	WM	1	SENW	
4N	25E	WM	1	NESW	
4N	25E	WM	1	NWSW	
4N	25E	WM	1	SWSW	
4N	25E	WM	1	SESW	
4N	25E	WM	1	NESE	
4N	25E	WM	1	NWSE	
4N	25E	WM	1	SESE	
4N	25E	WM	2	NENE	GL-1
4N	25E	WM	2	NWNE	GL-5
4N	25E	WM	2	NWNE	GL-6
4N	25E	WM	2	NWNE	
4N	25E	WM	2	SWNE	
4N	25E	WM	2	SENE	
4N	25E	WM	2	NENW	GL-7
4N	25E	WM	2	SWNW	GL-9
4N	25E	WM	2	SENW	GL-8
4N	25E	WM	2	SENW	
4N	25E	WM	2	NESW	
4N	25E	WM	2	NWSW	GL-10
4N	25E	WM	2	NWSW	
4N	25E	WM	2	SWSW	
4N	25E	WM	2	SESW	GL-11
4N	25E	WM	2	NESE	
4N	25E	WM	2	NWSE	
4N	25E	WM	2	SWSE	
4N	25E	WM	2	SESE	
4N	25E	WM	3	SWSW	
4N	25E	WM	3	SESW	

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Salem, OR

Township	Range	Mer.	Section	1/4 1/4 Section	Gov't Lot or DLC
4N	25E	WM	3	NESE	GL-1
4N	25E	WM	3	SWSE	
4N	25E	WM	3	SESE	
4N	25E	WM	4	SWSE	
4N	25E	WM	4	SESE	GL-1
4N	25E	WM	9	NENE	
4N	25E	WM	10	NENE	
4N	25E	WM	10	NWNE	
4N	25E	WM	10	SWNE	GL-3
4N	25E	WM	10	SENE	
4N	25E	WM	10	NENW	
4N	25E	WM	10	NESE	
4N	25E	WM	11	NENE	
4N	25E	WM	11	NENW	GL-2
4N	25E	WM	11	NWNW	GL-3
4N	25E	WM	11	SWNW	
4N	25E	WM	11	NWSW	

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Attachment B

Legal Descriptions

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**Tax Lots and Corresponding Legal Property Descriptions
Port of Morrow Nuisance Water Permit Application**

Tax Lot	Deed Number	Water to be:
04N25E01 100	67-419	Conveyed & Used
04N25E02 100	M-1165	
04N25E02 119		
04N25E02 120		
04N25E02 102		
04N25E02 112	M-229	
04N25E03 101		
04N25E03 103		
04N25E03 104		
4N25E03 107		
4N25E03 108		
04N25E04 101		
04N25E10 100		
04N25E10 106		
04N25E10 300		
04N25E10 400		
04N25E10 500		
04N25E10 2100		
04N25E11 201		
4N25E10 291	M-2001-1228 & M-2017-40389*	
04N25E11 304	M-2017-40389*	Diverted, Conveyed, Used
04N25E11 206	2020-46217	Conveyed

*See Partition Plat 2018-6

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Port of Morrow

Deed 67-419

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BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That the State of Oregon, acting by and through its Oregon State Game Commission, in consideration of Twenty-one Thousand Three Hundred Dollars (\$21,300.00) to it paid by the Port of Morrow, a municipal corporation of the State of Oregon, has bargained and sold, and by these presents does grant, bargain, sell and convey unto said Port of Morrow, a municipal corporation of the State of Oregon, its successors and assigns, all the following bounded and described real property situated in the County of Morrow and State of Oregon:

Tract A: All of Section 1, Township 4 North, Range 25 East, Willamette Meridian, containing 640 acres, more or less, except the following:

1. Reserving and excepting from said lands such as are now known or shall hereafter be ascertained to contain coal or iron and also the use of such surface ground as may be necessary for mining operations and the right of access to such reserved and excepted coal and iron lands for the purpose of exploring, developing and working the same, etc. Excepted the lands hereby granted being subject however to an easement in the public for any public road or roads heretofore laid out or established and now existing over and across any part of said described premises, recorded in Book "S" of Deeds, page 342, Records of Morrow County, Oregon.
2. Right-of-way Easement: Gene E. Taylor and Ella Mae Taylor, husband and wife, to Umatilla Electric Cooperative Association, a cooperative corporation, dated August 24, 1959, recorded November 25, 1959, in Book 64 of Deeds, page 333, Records of Morrow County, Oregon, right to construct, operate and maintain on the above-described lands and/or in and upon all streets, roads or highways abutting said lands, an electric transmission or distribution line or system, etc.
3. Excepting all lands deeded to the County of Morrow or State of Oregon for roads.

Tract B: All that portion of Sections 35 and 36, Township 5, North, Range 25 East, Willamette Meridian, lying southerly of a line lying parallel to and 50.0 feet southerly of, when measured at right angles and/or radially to a line described as follows:

Beginning at a point lying South 89°12'52" West (Oregon Coordinate System, North Zone), a distance of 2393.84 feet from the Southeast corner of said Section 35; thence easterly along a 3°28'33" curve to the right, having a radius of 1648.48 feet, a distance of 440.92 feet to the point of tangent of said curve; thence North 61°12'01" East (Oregon Coordinate System, North Zone), a distance of 8225.45 feet to a point on the East line of said Section 36, said point lying South 0°38'18" East (Oregon Coordinate System, North Zone), a distance of 1163.93 feet from the Northeast corner of said Section 36 and point of terminus of the above-described line, containing 308 acres, more or less, except the following:

1. Excepting the following land deeded to the State Highway Commission by Deed 47, page 231, Records of Morrow County, Oregon:

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NOV 12 2024

Salem, OR

Beginning at a point which is the intersection of the westerly line of the Boardman Oasis Tract and East and West center line of said Section 36, said point being 59.3 feet West of East quarter corner of the said Section 36; thence North $41^{\circ}11'$ West along said westerly line a distance of 375.8 feet to the northwest corner of said tract; thence South $48^{\circ}49'$ West parallel to and 250 feet distant from center line of the Columbia River Highway a distance of 429.54 feet to the said East and West center line of Section 36; thence West along the said line a distance of 776.2 feet to the Northwest corner of the Northeast quarter of the Southeast quarter of Section 36; thence South along the West line of said subdivision a distance of 971.44 feet to Northerly right-of-way line of the said highway opposite and 30 feet distant Northerly from Engineers' station 532 + 46.7; thence North $48^{\circ}49'$ East along the said Northerly right-of-way line a distance of 1475.3 feet to the said East and West center line of said Section 36; thence East along the said line a distance of 236.61 feet to the point of beginning.

2. Excepting a right-of-way sixty feet (60') wide along the East side of these lands from the Corp of Engineers' property to the Boardman-Umatilla Highway as it now exists or may be relocated.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all right, title and interest, in and to the same, except the following:

1. Repayment contract between the United States of America and the West Extension Irrigation District, dated July 6, 1954, recorded August 10, 1954 in Book 58 of Deeds, page 358, Records of Morrow County, Oregon.
2. Reservations contained in Deed from the Northern Pacific Railway Company to the Oregon Land and Water Company by Deed "3" of Deeds, page 342, Records of Morrow County, Oregon, reserving all lands that contain coal or iron and also use of such of the surface ground as may be necessary for mining operations and the right of access for the purpose of mining and working the same, excepted the lands hereby granted being subject however to an easement in the public for any public road or roads heretofore laid out or established and now existing over and across any part of said described premises.
3. Excepting all land deeded to the County of Morrow and the State of Oregon for roads.
4. The Port of Morrow, its successors or assigns shall close these lands to all hunting or open them to public hunting at their discretion.

To Have and to Hold, the above-described premises unto the said Port of Morrow, a municipal corporation of the State of Oregon, its successors and assigns forever.

IN WITNESS WHEREOF, we the grantors above named hereunto set our

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NOV 12 2024

Salem, OR

hands and seals this 21st day of September, 1961.

STATE OF OREGON, acting by and through its State Game Commission

By John P. Amacher
Commissioner

By Max Wilson
Commissioner

By Joseph W. Smith
Commissioner

By Rollin E. Bowles
Commissioner

By Tallant Greenough
Commissioner

APPROVED AS TO FORM:

Roy G. Atchison
Roy G. Atchison
Assistant Attorney General

STATE OF OREGON }
County of Multnomah } ss

On this 21st day of September, 1961, before me, the undersigned, a Notary Public in and for said County and State, personally appeared John P. Amacher, Rollin E. Bowles, Tallant Greenough, Joseph W. Smith and Max Wilson, to me known to be the identical individuals who executed the foregoing instrument, who, being duly sworn, each did say that he is a member of and that they together constitute the Board of the Oregon State Game Commission and each did acknowledge said instrument to be the free act and deed of said Commission for the uses and purposes therein expressed.



Clifton Lemore
A Notary Public for Oregon

My Commission Expires 3/14/64

93916

STATE OF OREGON }
COUNTY OF MORROW } ss Index

I Certify that the within instrument was received and filed for record on the 12th day of March, 1962 at 11:05 A.M. and duly recorded in book 67 page 419-421 of Deeds

APPROVED AS TO FORM
White, S. & Law, Attorneys at Law
by Ellen J. ...

Judith ... Clerk
By Mary E. ... Deputy

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Salem, OR

Port of Morrow

Deed M-1165

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NOV 12 2024

Salem, OR

77-1160

STATE OF OREGON

IN CONSIDERATION of Eleven Thousand and no/100 (\$11,000) Dollars, paid to the State Land Board and of the exchange of certain lands, as authorized by ORS 273.316, the State of Oregon, acting by and through the State Land Board, does hereby grant, bargain, sell, and convey unto the Port of Morrow County, a Municipal Corporation, the following described lands situate in Morrow County, Oregon, to-wit:

Willamette Meridian

Township 4 North, Range 25 East,
Section 2, Lots 1, 5, and 11, S₂NW₄NE₄,
S₂NE₄, NE₄NE₄SE₄NW₄,
S₂NE₄SE₄NW₄, SE₄SE₄NW₄,
NE₄SW₄SE₄NW₄, S₂SW₄SE₄NW₄,
NE₄SW₄, E₂NE₄NW₄SW₄, SE₄NW₄SW₄,
N₂NE₄SW₄SW₄, and SE₄;
Section 11, Lot 1, SE₄NW₄, and NW₄SE₄;
Section 12, NE₄, N₂NW₄, AND NW₄SW₄;
Section 24, All.

Township 4 North, Range 26 East,
Section 6, Lots 1, 2, 3, 4, 5, 6, and 7,
S₂NE₄, SE₄NW₄, E₂SW₄, and SE₄;
Section 18, Lots 1, 2, and E₂NW₄.

Aggregating 2,257.33 acres;

SUBJECT to reservation to the United States of America of:

1. A right of way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945;
2. Those rights of way for electric power transmission purposes, more particularly identified and described in case files Oregon 02863, 02451, 018714, 016301, and all appurtenances thereto, constructed, or to be constructed, by the United States, through, over, or upon the lands herein described as the NW₄SE₄, Section 11, NE₄NE₄, S₂NE₄, and NW₄SW₄ Section 12, Township 4 North, Range 25 East, and S₂SE₄ Section 6, Township 4 North, Range 26 East, Willamette Meridian, and the right of the United States, its permittees, licensees, or assigns, to maintain, operate, improve, repair, or rebuild the same so long as needed or used for electric power purposes. The described rights of way may be maintained or rebuilt by the United States or its licensees, permittees, or assigns, without any liability for payment therefor to the grantee, or its successors in interest; and

ALSO SUBJECT TO:

1. Such rights for railroad purposes as the Oregon Railroad and Navigation Co., or its successors may have under the Act of March 3, 1875 (18 Stat. 482; 43 U.S.C. 934) pursuant to maps approved as to Lot 11 and the SW₄SE₄ Section 2, and the S₂NE₄ and N₂NW₄ Section 12, Township 4 North, Range 25 East, Willamette Meridian.

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NOV 12 2024

Salem, OR

2. Rights of way for Federal Aid Highways under the Act of August 27, 1958, as amended; 43 U.S.C. 317 (1964).
3. Such rights for electrical transmission line purposes as the Umatilla Electric Cooperative Association may have under the Act of March 4, 1911 (36 Stat. 1253) as amended (43 U.S.C. 961) as to the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12, Township 4 North, Range 25 East, and Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, Township 4 North, Range 26 East, Willamette Meridian.
4. Such rights for telephone and telegraph purposes as the Pacific Telephone and Telegraph Company or its successors may have under the Act of March 4, 1911 (36 Stat. 1253-54) as to the S $\frac{1}{2}$ Section 24, Township 4 North, Range 25 East, Willamette Meridian, under right of way TD 031902 approved May 4, 1944.

TO HAVE AND TO HOLD the same unto the said Port of Morrow County, a municipal corporation, its successors and assigns forever.

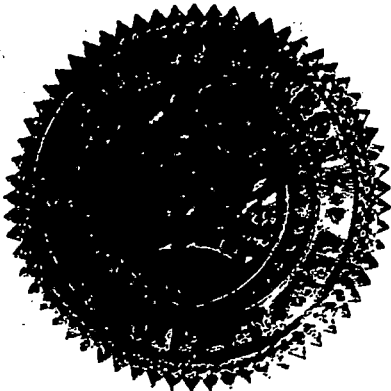
WITNESS the seal of the State Land Board
affixed this 12th day of December, 1968.

STATE LAND BOARD

By Tom H. Cae
Governor

Attest:

Benjamin
Director, Division of State Lands



STATE OF OREGON, **102718**
County of Morrow, ss. **Indexed**
I hereby certify that the within
instrument was received for record
filed March 11, 1969 at 3:40 p
and assigned **Nº 1165**

DEED - Page 2

State Record of Deeds, Book 55, Page 322 and 323

1969-01165

In the Microfilm Records of said County
Witness My Hand and Seal of County
Affixed
Received by OWRD

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Salem, OR

Port of Morrow

Deed M-229

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NOV 12 2024

Salem, OR

M-229

QUITCLAIM DEED

THIS INSTRUMENT, made by and between the UNITED STATES OF AMERICA, acting by and through the Secretary of the Army, under and pursuant to the powers and authority contained in Section 108 of the Act of Congress approved July 14, 1960 (Public Law 86-645; 74 Stat. 486), party of the first part, and the PORT OF MORROW, OREGON, party of the second part.

WHEREAS, pursuant to said Act and to the Delegations, Rules, and Regulations of the Secretary of the Army, as published in the Federal Register of March 11, 1961 (Volume 26, No. 47, pages 2117-2118), it has been determined (1) that the development of public port or industrial facilities on the hereinafter-described land within the John Day Lock and Dam project, a water resource development project under the jurisdiction of the Department of the Army, will be in the public interest, (2) that such development will not interfere with the operation and maintenance of the John Day Lock and Dam project, and (3) that disposition of such land for these purposes will serve the objectives of the John Day Lock and Dam project.

NOW, THEREFORE, in consideration of the sum of FIFTY-EIGHT THOUSAND AND NO/100 DOLLARS (\$58,000) and subject to the exceptions, reservations, restrictions, covenants, and conditions hereinafter set forth, the party of the first part hereby conveys and quitclaims unto the party of the second part, its successors and assigns:

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NOV 12 2024

Salem, OR

FOR PUBLIC PORT PURPOSES ONLY, all right, title, and interest of the United States of America in and to the real estate described as follows:

TRACT A

A tract of land lying in Government Lots 1 and 2, and the south half of the southeast quarter of Section 3, Government Lot 4 and the southwest quarter of the southwest quarter of Section 2, all in Township 4 north, Range 25 east of the Willamette meridian, Morrow County, Oregon, said tract of land being more particularly described as follows:

Beginning at a point on the south line of said Lot 2, said point lying west, a distance of 950 feet from the southeast corner of said Lot 2;

thence south to a point on the northerly operating right of way line of the Oregon-Washington Railroad and Navigation Company;

thence easterly along said right of way line to a point lying easterly, a distance of 660 feet when measured at right angles from the west line of said Section 2;

thence northerly and parallel with said west line, to a point lying northerly, a distance of 660 feet from the south line of said Lot 4;

thence north $45^{\circ}00'$ west, to a point on the ordinary high water line of the south bank of the Columbia River;

thence southerly and westerly along said high water line to a point lying due north of the point of beginning;

thence south to the point of beginning.

There is excepted therefrom a strip of land 75 feet in width lying parallel and adjacent to the north line of the operating Railroad right of way and extending from a point 1,800 feet west of, when measured at right angles from, the east line of said Section 3 to a point 660 feet east of, when measured at right angles to, the east line of said Section 3.

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NOV 12 2024

Salem, OR

The tract of land above described contains 83.76 acres, more or less.

All bearings are referred to the Oregon Coordinate System, North Zone.

FOR INDUSTRIAL PURPOSES ONLY, all right, title, and interest of the United States of America in and to the real estate described as follows:

TRACT B

A tract of land lying in Sections 2, 3, 4, 9, 10, and 11 of Township 4 north, Range 25 east of the Willamette meridian, Morrow County, Oregon; said tract being more particularly described as follows:

Beginning at a point on the north line of said Section 9, a distance of 2,640 feet west of the northeast corner thereof;

thence south $25^{\circ}00'$ east to a point on the northerly line of the right of way of the relocated Oregon-Washington Railroad and Navigation Company;

thence northeasterly along said right-of-way line to a point on the west line of said Section 10;

thence south along the west line of said Section 10, a distance of 1,850 feet, more or less, to a point on the northerly right-of-way line of U. S. Highway No. 30;

thence easterly along said right-of-way line to a point on the south line of the north half of said Section 10;

thence east along said south line to the southwest corner of the southeast quarter of the northeast quarter of said Section 10;

thence north along the west line thereof, a distance of 400 feet;

thence northeasterly along a straight line to a point on a line lying 550 feet westerly from a point on the east line of said Section 10, said point lying 900 feet north of the quarter section corner;

thence east along said line 550 feet to the east line of said Section 10;

thence south along said east line of said Section 10 to a point on the northerly right-of-way line of U. S. Highway No. 730;

thence northeasterly along said right-of-way line to a point on the southerly right-of-way line of the Oregon-Washington Railroad and Navigation Company;

thence westerly along said southerly right-of-way line to a point on the east line of the southwest quarter of the southwest quarter of said Section 2;

thence north along said east line thereof to a point lying south, a distance of 330 feet from the northeast corner of said southwest quarter of the southwest quarter;

thence west, a distance of 660 feet;

thence north, a distance of 990 feet;

thence east, a distance of 330 feet;

thence north to a point on the north line of Government Lot 4 of said Section 2;

thence east along the north line thereof to the northeast corner of said Lot 4;

thence north, a distance of 330 feet;

thence east, a distance of 330 feet;

thence north, a distance of 330 feet;

thence east, a distance of 330 feet;

Received by OWRD

NOV 12 2024

Salem, OR

thence north, a distance of 330
thence east, a distance of 330 feet,
thence north to a point on the north line of
Government Lot 3 of said Section 2;
thence east along said north line of said Lot 3
to the northeast corner thereof;
thence north, a distance of 660 feet;
thence east, a distance of 660 feet;
thence north to a point on the north line of
said Section 2;
thence west along the north line of said Section
2 to a point on the ordinary high water line of
the Columbia River;
thence southwesterly along said high water line
to a point on a line bearing north 25°00' west from
the point of beginning;
thence south 25°00' east to the point of beginning.

There is excepted therefrom all that portion of the abandoned
Oregon-Washington Railroad and Navigation Company right of way
in said Section 9, and the existing operating right of way of
said Railroad across the lands herein conveyed.

There is also excepted therefrom a strip of land 75 feet
in width lying parallel to and adjacent to the north line of
the operating Railroad right of way and extending from a point
660 feet east of, when measured at right angles from, the east
line of said Section 3 and extending to a point 1,100 feet
east of, when measured at right angles from, the east line of
said Section 3.

There is also excepted therefrom a strip of land 75 feet in
width lying parallel and adjacent to the south line of the
operating Railroad right of way and extending from a point
1,800 feet west of, when measured at right angles from, the
east line of said Section 3 to a point 1,100 feet east of,
when measured at right angles from, the east line of said
Section 3.

There is also excepted therefrom a tract of land lying in
Government Lots 1 and 2, and the south half of the southeast
quarter of said Section 3 and Government Lot 4 and the southwest
quarter of the southwest quarter of said Section 2, being more
particularly described as follows:

Beginning at a point on the south line of said
Lot 2, said point lying west, a distance of 950 feet
from the southeast corner of said Lot 2;

thence south to a point on the northerly operating
right-of-way line of the Oregon-Washington Railroad and
Navigation Company;

thence easterly along said right-of-way line to a
point lying easterly, a distance of 660 feet when
measured at right angles from the west line of said
Section 2;

thence northerly and parallel with said west line,
to a point lying northerly, a distance of 660 feet
from the south line of said Lot 4;

thence north 45°00' west, to a point on the
ordinary high water line of the south bank of the
Columbia River;

thence southerly and westerly along said high water
line to a point lying due north of the point of
beginning;

thence south to the point of beginning.

The tract of land above described contains 643.25 acres,
more or less.

All bearings are referred to the Oregon Coordinate System, North
zone.

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NOV 12 2024

Salem, OR

ing easements for public roads and highways, public utilities, roads, and pipelines; reservations, exceptions, and any other outstanding rights contained in, or referred to, in patents issued by the United States Government.

2. Conditions contained in Public Land Order No. 3871 dated 22 November 1965 withdrawing and reserving certain of the lands herein conveyed for the John Day Lock and Dam project.

EXCEPTING, SAVING, AND RESERVING unto the United States of America, and its assigns, from this conveyance the following rights, powers, privileges, and easements, namely:

1. The perpetual right, power, privilege, and easement in, upon, over, and across the lands described herein for the purposes of inundation, overflow, saturation, percolation, and wave action which may result from a pool, including backwater effect, created by water level at the John Day Lock and Dam to elevation 268 feet above mean sea level, U.S.C. & G.S. Datum; provided, no structures for human habitation shall be constructed or maintained on said land.

2. The right to construct, operate, and maintain navigation markers, aids, and/or ranges, water gaging stations, communication facilities, access roads, their appurtenances, and other facilities necessary and/or convenient for the operation and maintenance of the John Day Lock and Dam project consistent with the operation of public port or industrial facilities on said lands.

3. The right of the officers, agents, and employees of the United States to enter upon the said lands at any time and for any purpose necessary or convenient in connection with the reservations and conditions and the operation and maintenance of John Day project in order to fully accomplish the several purposes for which said project was authorized; provided, such entry shall be exercised at such times and for such purposes as not to unreasonably interfere with public port or industrial operations.

4. The right to convey to Morrow County, Oregon, easements for road purposes pursuant to Relocation Contract DA-45-164-CIVENG-65-15 dated 17 November 1964.

AND FURTHER, excepting, saving, and reserving to the United States the assignable right and easement until 31 December 1973 to clear, borrow, excavate, and remove gravel, rock, soil, and other similar materials from the following-described land.

All that portion of the northwest quarter of the northwest quarter of Section 10, Township 4 north, Range 25 east of the Willamette meridian, Morrow County, Oregon, lying east of the east right-of-way line of the relocated Olson Road and south of the south right-of-way line of the Old Columbia River Highway.

Said tract of land contains 28 acres, more or less.

THE SAID PARTY of the second part does by the acceptance of this deed, covenant and agree for itself, and its successors and assigns, forever as follows:

Received by OWRD

NOV 12 2024

Salem, OR

1. To not use the land conveyed in a manner which might result in the deposit of any material, floatable or nonfloatable, which could be detrimental to navigation or the Government's operation of the dam into the John Day reservoir by storms, floods, or otherwise.

2. To comply with all State and Federal laws and regulations with regard to the disposal or emptying of pollutants of any nature into the waters of the reservoir.

3. To obtain any permit(s) required by Section 10 of the Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 403).

4. To permit no activity on the property herein conveyed which will compete with services and facilities offered by public marinas.

5. To construct public port facilities only on the area described as Tract A and to construct industrial facilities only on the area described as Tract B.

PROVIDED, HOWEVER, that if any portion of the above-described tracts is used for any purpose other than the purposes designated above, then all right, title, and interest in and to the portion of the tract so used shall revert to and become the property of the United States at its option and it shall have the immediate right of entry upon said premises, subject to the conditions hereafter set forth.

In the event of a breach of the above condition pertaining to public port or industrial use the Grantor shall, before claiming any

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NOV 12 2024

Salem, OR

forfeiture, give notice in writing of said breach and of its intention to exercise said option to the then occupant of the premises. Said occupant shall have a period of sixty (60) days after receipt of said notice to correct and cure said breach. The right of entry of the Grantor shall arise and become exercisable only after the termination of said sixty (60) day period and failure of the then occupant to correct or cure said breach.

In the event of the failure or refusal of the then occupant of said premises to correct or cure said breach within the time limited, and after exercise by the Grantor of its right of entry, said occupant shall have a reasonable time, not to exceed 120 days, to remove any improvements that have theretofore been placed upon said premises. Such right of removal shall under no circumstances permit such occupant to cause damages to the land involved. In the event that said occupant fails to remove said improvements within the time limited, they shall become the property of the United States.

Failure of the United States to exercise its right of entry upon breach of the above condition pertaining to public port or industrial use shall not be construed as a waiver or relinquishment of said right.

TO HAVE AND TO HOLD the above-described premises unto the said PORT OF MORROW, OREGON, its successors and assigns, forever, subject to the exceptions, reservations, restrictions, covenants, and conditions herein contained.

Received by OWRE

NOV 12 2024

Salem, OR

IN WITNESS WHEREOF the United States of America has caused these presents to be executed in its name by Stanley R. Resor, Secretary of the Army, and the seal of the Department of the Army to be hereunto affixed this 7th day of Sept 1967.

UNITED STATES OF AMERICA
By Stanley R. Resor
Secretary of the Army

STATE OF VIRGINIA)
) ss
COUNTY OF ARLINGTON)

Sept. 7 1967, Personally appeared Stanley R. Resor, who, being duly sworn did say that he is the Secretary of the Army, United States of America, and that the seal affixed to the foregoing instrument is the official seal of the Department of the Army and that said instrument was signed and sealed in behalf of the United States of America under authority of the cited Act of Congress, and he acknowledged said instrument to be its voluntary act and deed. Before me:

Lloyd T. Ford
Notary Public
Arlington County, Virginia

My Commission Expires:
Lloyd T. Ford, Notary Public
County of Arlington
State of Virginia
My Commission Expires 11 Sept. 1971

Received by OWRD
NOV 12 2024
Salem, OR

The foregoing instrument is also executed and accepted for and in behalf of the Port of Morrow by its Commissioners, and attested by its Secretary, and its seal hereunto affixed this 18th day of October 19 67.

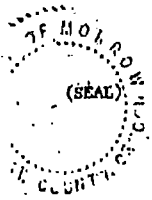
Harvey W. West
Commissioner
John R. Krebs
Commissioner
Laurance D. Lindsay
Commissioner
Oscar E. Peterson
Commissioner
Garland Swanson
Commissioner

STATE OF OREGON)
) ss.
County of Morrow)

John R. Krebs, the duly elected, qualified, and acting Secretary, of the Port of Morrow does hereby certify that Harvey W. West, Jr., John R. Krebs, Laurance D. Lindsay, Oscar E. Peterson, and Garland Swanson are the duly elected; qualified, and acting Commissioners of the Port of Morrow; a municipal corporation of the State of Oregon.

DATED this 18th day of October 1967.

John R. Krebs



STATE OF OREGON 01224
County of Morrow

I hereby certify that the within instrument was received for record Nov. 3, 1967, at 11:00 a.m. and assigned No. 229

In the Microfilm Records of said county
Witness My Hand and Seal of County Clerk
Therese E. Berglund
Deputy

Received by OWRD
NOV 12 2024
Salem, OR

Port of Morrow

Deed M-2001-1228

Received by OWRD

NOV 12 2024

Salem, OR

M 2001-1228

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, ALICE M. TATONE AND ALICE M. TATONE, TRUSTEE OF THE JOSEPH M. TATONE CREDIT SHELTER TRUST, Grantors IN CONSIDERATION FOR THIS CONVEYANCE IS PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF THE GRANTOR, do hereby grant, bargain, sell and convey unto PORT OF MORROW, A MUNICIPAL CORPORATION, Grantee, the following described tract of land in the County of MORROW, and State of Oregon, more particularly described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO-----

TO HAVE AND TO HOLD the granted premises unto the said Grantee, its heirs and assigns forever.

And the grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT, The rights of the public in roads and highways. The premises are within the boundaries of the West Extension Irrigation District, and are subject to the levies, assessments and easements thereof, if any. Reservations, including the terms and provisions thereof, as contained in Patent, recorded February 27, 1973, as Microfilm No. M-5440, Morrow County Microfilm Records. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla Electric Cooperative Association, recorded February 22, 2000, as Microfilm No. M-2000-408, Morrow County Microfilm Records.

and that they will, and their successors heirs executors and administrators shall Warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as above stated.

WITNESS our Hand and Seal this 1st day of June, 2001. 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.

Alice M. Tatone
ALICE M. TATONE

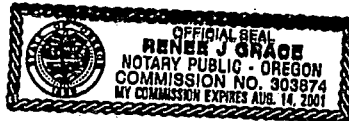
JOSEPH M. TATONE CREDIT SHELTER TRUST

STATE OF OREGON
COUNTY OF MORROW

By: Alice M. Tatone
Alice M. Tatone, Trustee

BE IT REMEMBERED, that on this 1st day of June, 2001, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ALICE TATONE, INDIVIDUALLY AND AS TRUSTEE OF THE JOSEPH M. TATONE CREDIT SHELTER TRUST, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

Renee J. Grace
Notary Public for the State of OREGON
My Commission Expires:



Until a change is requested all tax statements should be sent to the following address: PORT OF MORROW, a Municipal Corp. P.O. Box 200 Boardman, OR 97818

After Recording Please Return to: MID-COLUMBIA TITLE COMPANY P.O. BOX 290 BOARDMAN, OR 97818

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Salem, OR

3977

EXHIBIT "A"
LEGAL DESCRIPTION

Commencing at the one-quarter corner common to Section 10 and 11 of Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon; thence South 1°59'00" East along the Section line common to said Sections 10 and 11 a distance of 590.14 feet to a point on the Northerly right-of-way line of Interstate-84, said right-of-way line lying 200 feet from the centerline, thence Westerly along said right-of-way line, along a 11659.16 foot radius curve to the left, the chord bears North 85°55'32" West a distance of 66.76 feet; thence North 71°01'33" West along the Northerly right-of-way line of the Port of Morrow Interchange with Interstate-84 a distance of 821.53 feet to a point 440 feet from Engineers centerline station 1493+00 of said I-84; thence North 0°23'49" West a distance of 169.76 feet; thence Northeasterly along a 3010.99 foot radius curve to the left the chord bears North 70°45'36" East 855.37 feet, an arc distance of 858.27 feet; thence North 62°35'39" East a distance of 13.26 feet, to a point on said Section line; thence South 1°59'00" East along said Section line a distance of 139.87 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to Morrow County in instrument recorded December 24, 1985, as Microfilm No. M-26023, Morrow County Microfilm Records.

STATE OF OREGON }
County of Morrow } SS

I certify that this instrument was received and recorded in the book of records of said county.

BARBARA BLOODSWORTH,
Morrow County Clerk

by: Robbie H. Childers Deputy.

Doc#: 2001-1228
Rcpt: 19423 31.00
06/05/2001 2:29 pm

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Port of Morrow

Deed M-2017-40389

Received by OWRD


NOV 12 2024

Salem, OR

mctc 9495A

Until a change is requested all tax statements should be sent to the following address:
Port of Morrow
PO Box 200
Boardman, OR 97818

After Recording Please Return to:
MID-COLUMBIA TITLE COMPANY
P.O. BOX 290
BOARDMAN, OR 97818

MORROW COUNTY, OREGON	2017-40389
D-BS	
Cnt=1 Stn=0 TC	06/09/2017 10:46:33 AM
\$10.00 \$11.00 \$10.00 \$20.00	\$51.00
I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the Instrument identified herein was recorded in the Clerk records. Bobbi Childers - County Clerk	
	

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS THAT, UMATILLA READY-MIX, INC., AN OREGON CORPORATION, Grantor, does hereby grant, bargain, sell and convey unto PORT OF MORROW, AN OREGON PORT DISTRICT, Grantee, the following described tract of land in the County of Morrow, and State of Oregon, more particularly described as follows:

All that portion of the Northwest Quarter of the Southwest Quarter of Section 11, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon lying North of the North Right of Way of Highway U.S. 30, also known as I-84.

TO HAVE AND TO HOLD the granted premises unto the said Grantees, its heirs and assigns forever.

THE TRUE AND ACTUAL CONSIDERATION IS: \$580,000.00.

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

Dated: 6/8/17

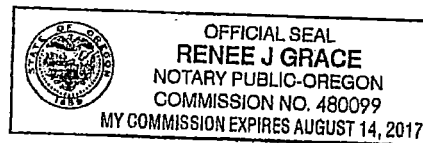
UMATILLA READY-MIX, INC., AN OREGON CORPORATION

By: Rhonda S. Schroeder
Rhonda S. Schroeder, President

STATE OF OREGON
COUNTY OF MORROW

This record was acknowledged before me this 8 day of June, 2017 by Rhonda S. Schroeder as President of Umatilla Ready-Mix, Inc., an Oregon corporation.

Renee J. Grace
Notary Public for the State of OREGON
My Commission Expires:



APPROVED AND ACCEPTED:

PORT OF MORROW

By: Gary Neal
Gary Neal, General Manager

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Port of Morrow

Deed M-2020-46217

Received by OWRD

NOV 12 2024

Salem, OR

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NOV 12 2024

Salem, OR

WARRANTY DEED

MCTE 106019

Grantor's Name: Port of Morrow, an Oregon Municipal Corporation


Grantee's Name: Boardman Foods, Inc., an Oregon Corporation

After recording return to:
Monahan, Grove & Tucker
105 North Main
Milton-Freewater, OR 97862

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

Boardman Foods, Inc.
P.O. Box 786
Boardman, OR 97818

MORROW COUNTY, OREGON	2020-46217
D-WD	
Cnt=1 Stn=23 TC	03/27/2020 10:37:02 AM
\$30.00 \$11.00 \$10.00 \$60.00	\$111.00
I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Bobbi Childers - County Clerk	



Port of Morrow, an Oregon Municipal Corporation, Grantor, conveys and warrants to, Boardman Foods, Inc., an Oregon Corporation, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit A attached which is hereby referred to and made a part hereof ("Property").

The true consideration for this conveyance is \$428,400.00.

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

1 - Warranty Deed: Port of Morrow / Boardman Foods

Exhibit A

That portion of the Southwest Quarter of the Northwest Quarter of Section 11, in Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon, lying Northwesterly of the Right-of-Way line of County Road 3560 (Old Columbia River Highway).

EXCEPTING THEREFROM the improvements conveyed in Bargain and Sale Deed and Bill of Sale recorded May 24, 2005, as Microfilm No. 2005-13829, and rerecorded August 11, 2005, as Microfilm No. 05014611, Morrow County Microfilm Records.

FURTHER EXCEPTING THEREFROM Building 3 and all interest therein more specifically described as follows:

A building, located in the Southwest one-quarter of the Northwest one-quarter (SW1/4 NW1/4) of Section 11, Township 4 North, Range 25 East, W.M., Morrow County, Oregon, more particularly described as follows: Beginning at the intersection point of the North right-of-way line of Columbia Boulevard with the West line of said Southwest one-quarter of the Northwest one-quarter (SW1/4 NW1/4), thence North 13°37'56" East a distance of 413.46 feet to the True Point of Beginning of this legal description; thence North 41°22'48" West a distance of 53.45 feet; thence North 48°37'22" East a distance of 50.10 feet; thence North 41°25'44" West a distance of 74.93 feet; thence North 48°42'35" East a distance of 165.99 feet; thence South 39°10'57" East a distance of 128.34 feet; thence South 48°39'11" West a distance of 211.11 feet to the True Point of Beginning.

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SUBJECT TO:

1. *Public Dedication – Lindsay Avenue.* The Port reserves the right to, at any time in the future, take any and all steps necessary to make Lindsay Avenue, a currently existing roadway located on the west edge of the Property, a public road. BFI agrees to fully cooperate in said process. Port agrees to pay all costs associated with this public dedication. A legal description for said easement is attached hereto as Exhibit B and by this reference incorporated herein.
2. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
3. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
4. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
5. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.

3 - Warranty Deed: Port of Morrow / Boardman Foods

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Salem, OR

6. Unpatented mining claims whether or not shown by the Public Records.
7. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
8. The rights of the public in roads and highways.
9. The premises are within the boundaries of the West Extension Irrigation District, and are subject to the levies, assessments and easements thereof, if any.
10. Reservations, Restrictions, Covenants, and Conditions, including the terms and provisions thereof, recorded November 3, 1967, as Microfilm No. M-229, Morrow County Microfilm Records, by and between the United States of American, as Grantor, and the Port of Morrow, as Grantee.
11. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla County Electric Cooperative Association, recorded January 29, 1993, as Microfilm No. M-39883, Morrow County Microfilm Records.

Amendment to Right of Way Easement, including the terms and provisions thereof, recorded April 12, 2013, as Microfilm No. 2013-32009, Morrow County Microfilm Records.

12. Easement for Electric transmission line and right-of-way, including the terms and provisions thereof, in favor of Portland General Electric Company, recorded September 13, 1994, as Microfilm No. M-43576, Morrow County Microfilm Records.

Assignment of Easement, as disclosed by Document recorded July 21, 2000, as Microfilm No. 2000-1603, were the beneficial interest in the above easement has been assigned, transferred and conveyed to Tule Hub Service Company as to an undivided 50% interest.

13. Right of Way Agreement, including the terms and provisions thereof, recorded March 3, 1995, as Microfilm No. M-44682, Morrow County Microfilm Records. By and between the Port of Morrow, as Grantor, and Pacific Gas Transmission Company, as Grantee.

Notice of Location, as disclosed in document recorded April 15, 1996, as Microfilm No. M-47782, Morrow County Microfilm Records.

14. Right of Way/Roadway Dedication by the Port of Morrow, including the terms and provisions thereof, recorded December 17, 1999, as Microfilm No. M-60133, Morrow County Microfilm Records.

15. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Umatilla County Electric Cooperative Association, recorded February 6, 2006, as Microfilm No. 06015893, Morrow County Microfilm Records.

16. Easement for Utilities, Roadway and Rail Line, including the terms and provisions thereof, as disclosed in Memorandum of Lease recorded May 17, 2005, as Microfilm 2005-13828, and rerecorded August 11, 2005, as Microfilm No. 05014610, and further disclosed in Bargain and Sale Deed and Bill of Sale recorded May 24, 2005, as Microfilm No. 2005-13829, and rerecorded August 11, 2005, as Microfilm No. 05014611, Morrow County Microfilm Records.

17. Reservation of Improvement and Easement, including the terms and provisions thereof, as disclosed in Bargain and Sale Deed and Bill of Sale recorded May 24, 2005, as Microfilm No. 2005-13829, and rerecorded August 11, 2005 as Microfilm No. 05014611, Morrow County Microfilm Records.

18. Irrigation Pipeline Easement, including the terms and provisions thereof, by and between The Port of Morrow, an Oregon Port District and Windy River, an Oregon general

partnership, as disclosed in an Amended Irrigation Pipeline Easement, recorded January 22, 2013, as Microfilm No. 2013-31497, Morrow County Microfilm Records.

19. Irrigation Pipeline Easement, including the terms and provisions thereof, by and between The Port of Morrow, an Oregon Port District and Earl L. Aylett and Deborah J. Aylett, as disclosed in an Amended Irrigation Pipeline Easement, recorded January 22, 2013, as Microfilm No. 2013-31498, Morrow County Microfilm Records.
20. Any right, title or interest of Hyg Financial Services as disclosed by Morrow County Tax Assessor's tax print. (Affects Personal Property Account # 12344)
21. Any right, title or interest of Amerigas Propane, LP as disclosed by Morrow County Tax Assessor's tax print. (Affects Personal Property Account# 8770)
22. Any right, title or interest of Laitram Machinery, Inc. as disclosed by Morrow County Tax Assessor's tax print. (Affects Personal Property Account# 12357)

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Exhibit B

LEGAL DESCRIPTION FOR AN ACCESS ROAD EASEMENT LOCATED IN THE SW1/4
NW1/4 OF SECTION 11, TOWNSHIP 4 NORTH, RANGE 25 EAST, W.M., MORROW
COUNTY, OREGON
LEGAL DESCRIPTION

Legal description of an access road easement located in the Southwest one-quarter of the
Northwest one-quarter (SW1/4 NW1/4) of Section 11, Township 4 North, Range 25 East, W.M.,
Morrow County, Oregon, more particularly described as follows: The West sixty (60) feet of said
Southwest one-quarter of the Northwest one-quarter (SW1/4 NW1/4) lying North of the right-of-
way of Columbia Blvd..

6 - Warranty Deed: Port of Morrow / Boardman Foods

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Port of Morrow

Partition Plat 2018-6

Received by OWRB

NOV 12 2024

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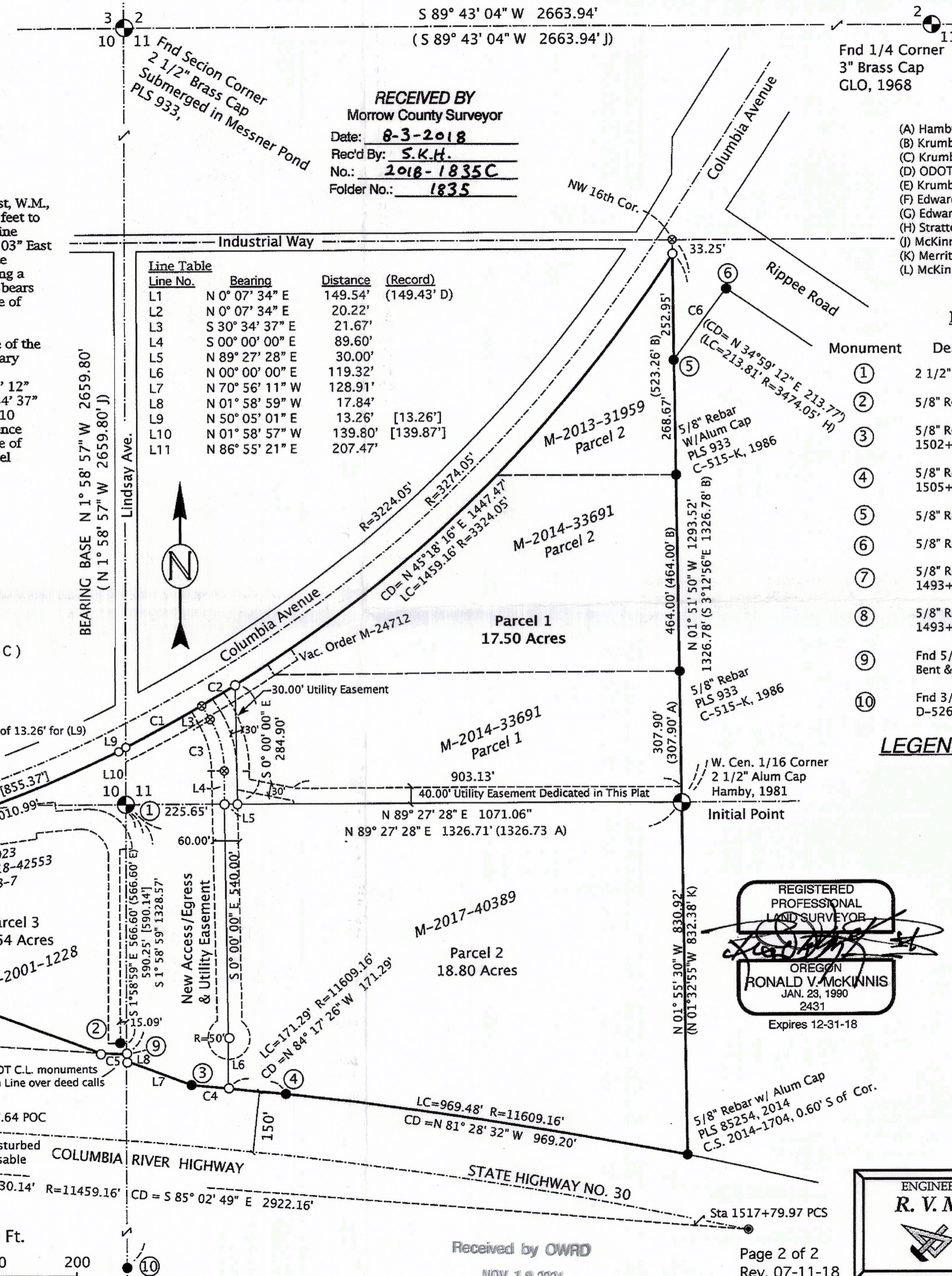
PARTITION PLAT No. 2018 - 6

City of Boardman, Morrow County, Oregon
Township 4 North, Range 25 East, W.M.,
Portions of Sections 10 & 11

For:
Port of Morrow
P.O. Box 200, #2 Marine Drive
Boardman, Oregon 97818

ACCESS/EGRESS & UTILITY EASEMENT CENTERLINE DESCRIPTION:

Commencing at the West Quarter Corner of Section 11, Township 4 North, Range 25 East, W.M., Thence North 1° 58' 57" W, along the said West line of Section 11, a distance of 139.80 feet to the South right of way line of Columbia Avenue; Thence along said South right of way line along an arc of 209.77 feet having a radius of 3324.05 feet and a chord of North 61° 14' 03" East a distance of 209.74 feet to the Point of Beginning of the center line of a 60.00 foot wide Access/Egress & Utility Easement; Thence South 30° 34' 37" East 21.67 feet; Thence along a 136.67 foot curve to the right, said curve having a 256.10 foot radius and a chord that bears South 15° 17' 07" East a distance of 135.04 feet; Thence South 0° 00' 00" East a distance of 629.60 feet to the center of a 50.00 foot radius Cul-De-Sac and the termination of this easement description.
ALONG WITH an adjacent 30.00' wide Utility Easement located on the North & East side of the previously described Access/Egress & Utility Easement, the Northerly & Easterly boundary being described as:
Beginning at a point on the South right of way of Columbia Avenue, being North 40° 18' 12" East a distance of 356.20' of the West Quarter Corner of Section 11; Thence South 30° 34' 37" East 21.80 feet; Thence along a 169.08 foot curve to the right, said curve having a 316.10 foot radius and a chord that bears South 15° 19' 27" East a distance of 167.08 feet; Thence South 00° 00' 00" East a distance of 20.28 feet; Thence South 78° 30' 00" East a distance of 138.07 feet, more or less, to the intersection of a line being North 40.00 feet and parallel with the South line of Parcel 1 of this Plat.



RECEIVED BY
Morrow County Surveyor
Date: 8-3-2018
Rec'd By: S.K.H.
No.: 2018-1835C
Folder No.: 1835

Survey Reference Table

(A) Hamby for Kyd	C-432-K, 1981
(B) Krumbein for Evans	C-515-K, 1982
(C) Krumbein for Morrow County	D-526-K, 1983
(D) ODOT, Columbia River Highway	DRG. 98-21-12, 1983
(E) Krumbein for Morrow County	C-724-K, 1986
(F) Edwards for VanDomelen	B-932-E, 1992
(G) Edwards for Tatone	C-1049-E, 1995
(H) Stratton for J.J. Henry Company	C-1131-E, 1999
(I) McKinnis for Port of Morrow	C-1582-C, 2010
(K) Merritt for VAData	2014-1704, 2014
(L) McKinnis for Port of Morrow	2016-1762-C, 2016

Found Monument Table

Monument	Description	Surveyor	Ref. County Survey
①	2 1/2" Alum Cap	Hamby	C-432-K, 1981
②	5/8" Rebar w/Alum Cap	PLS 933	C-724-K, 1986
③	5/8" Rebar w/Alum Cap	ODOT	DRG. 98-21-12
④	1502+50.00 POC 150.00' Left		
⑤	5/8" Rebar w/Alum Cap	ODOT	DRG. 98-21-12
⑥	1505+00.00 POC 150.00' Left		
⑦	5/8" Rebar	PLS 1111	C-1131-E, 1999
⑧	5/8" Rebar W/Alum Cap	PLS 1111	C-1131-E, 1999
⑨	5/8" Rebar w/Alum Cap	ODOT	DRG. 98-21-12
⑩	1493+00.00 POC 590.00' Left		
⑪	5/8" Rebar w/Alum Cap	ODOT	DRG. 98-21-12
⑫	1493+00.00 POC 440.00' Left		(0.84' N of Corner)
⑬	Fnd 5/8" Rebar from Krumbein's Survey	D-526-K, 1983	
⑭	Bent & Disturbed by Construction - Reset W/ New Pin		
⑮	Fnd 3/4" Iron Rod, 1/16th Corner, Show in Survey	D-526-K, 1983, Bearing Only, No Record Distance	

Curve Table

Curve	Arc Length	Radius	Δ Angle	CD Bearing	CD Distance
C1	209.77'	3324.05'	03° 36' 57"	N 61° 14' 03" E	209.74'
C2	89.72'	3324.05'	01° 32' 47"	N 58° 39' 11" E	89.72'
C3	136.67'	256.10'	30° 34' 23"	S 15° 17' 07" E	135.04'
C4	83.09'	11609.16'	00° 24' 36"	N 84° 55' 06" W	83.09'
C5	64.46'	11659.16'	00° 19' 00"	N 85° 54' 24" W	64.46'
	(66.76')	11659.16'		N 85° 55' 32" W	66.76' (C)

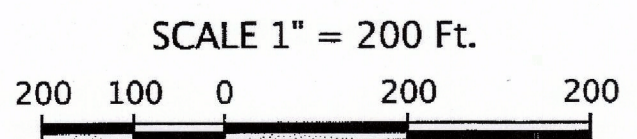
- LEGEND**
- Found Section Corner as Noted
 - Found Monuments as Noted or Described in Table
 - Set 5/8" x 30" Rebar W/ Plastic Cap, PLS #2431
 - Brass Caps in C.L. I-84
 - ⊙ CALCULATED POINT - Not Set
 - SECTION LINES
 - Road Centerline
 - PARTITION BOUNDARIES
 - (000) Record of Survey Listed
 - [000] Record - Deed
 - LC Length of Curve
 - CD Curve Chord, Bearing & Distance

REGISTERED PROFESSIONAL LAND SURVEYOR
RONALD V. MCKINNIS
JAN. 23, 1990
2431
Expires 12-31-18

SCALE 1" = 200 Ft.
September, 2017

ENGINEERING - LAND SURVEYING - WATER RIGHTS
R. V. MCKINNIS ENGINEERING
79980 Prindle Loop Road
Hermiston, Oregon 97838
(541)-567-2017

I, Ronald V. McKinnis do hereby certify that this is a true and exact copy of the Original Plat as filed for the Port of Morrow in Morrow County



Received by OWRD
NOV 12 2024

Page 2 of 2
Rev. 07-11-18

1835

1835

PARTITION PLAT No. 2018 - 6

City of Boardman, Morrow County, Oregon
Township 4 North, Range 25 East, W.M.,
Portions of Sections 10 & 11

For:
Port of Morrow
P.O. Box 200, #2 Marine Drive
Boardman, Oregon 97818

PROPERTY DESCRIPTIONS:

The Combined Property is made up of the following Legal Descriptions.

M-2001-1228:

Commencing at the one quarter corner common to Section 10 and 11 of Township 4 North, Range 25, East of the Willamette Meridian, in Morrow County and State of Oregon; Thence South 1° 59' 00" East along the Section line common to said Sections 10 & 11 a distance of 590.14 feet to a point on the Northerly right-of-way line of Interstate 84, said right-of-way line lying 200 feet from the centerline; Thence Westerly along said right-of-way line along a 11659.16 foot radius curve to the left, the chord bears North 85° 55' 32" West a distance of 66.76 feet; Thence North 71° 01' 33" West along the Northerly right-of-way line of the Port of Morrow interchange with Interstate-84 a distance of 821.53 feet to a point 440 feet from Engineer's centerline Station 1493+00 of said I-84; Thence North 0° 23' 49" West a distance of 169.76 feet; Thence Northeasterly along a 3010.99 foot radius curve to the left the chord bears North 70° 45' 36" East 855.37 feet, an arc distance of 858.27 feet; Thence North 62° 35' 39" East a distance of 13.26 feet to a point on said Section line; Thence South 1° 59' 00" East along said Section line a distance of 139.87 feet to the Point of Beginning.

EXCEPTING THEREFROM that portion conveyed to Morrow County in instrument recorded December 24, 1985 as Microfilm No M-26023, Morrow County Microfilm Records.

M-2013-31959, Parcel 2:

Beginning at the Southeast Corner of the Southwest Quarter of the Northwest Quarter of Section 11, Township 4 North, Range 25, East of the Willamette Meridian; Thence North 1° 14' 55" West along the North-South Centerline of said Northwest Quarter a distance of 307.90 feet to the Point of Beginning of this description; Thence North 1° 14' 55" West along said North-South Centerline a distance of 992.06 feet, more or less to a point on the Southeasterly right of way line of the Columbia River Highway; Thence along the said right of way line along the arc of a 3324.04 feet radius circular curve to the right a distance of 1326.81 feet (chord bears South 44° 33' 52" West and 1318.02 feet), said right of way line being parallel to and 50.00 feet Southeasterly from the Centerline; Thence South 34° 00' 02" East and at right angles to the said Highway Centerline a distance of 30.00 feet; Thence along the right of way line parallel to and 80.00 feet Southeasterly from said centerline and along the arc of a 3354.04 feet radius circular curve to the right a distance of 50.49 feet (chord bears South 56° 25' 50" West and 50.49 feet); Thence East and parallel to the East-West Centerline of the said Section 11 a distance of 971.77 feet more or less, to the Point of Beginning.

EXCEPTING THEREFROM a parcel of land lying in the Southwest One-quarter of the Northwest One-quarter of Section 11, Township 4 North, Range 25 East of the Willamette Meridian, and being more particularly described as:

Commencing at the Northwest One-sixteenth Corner of said Section 11; Thence South 3° 12' 56" East along the East line of said Southwest One-quarter of Northwest One-quarter a distance of 554.88 feet to the true point of beginning for this description:

Thence continuing South 3° 12' 56" East along said East line a distance of 464.00 feet to a point that lies North 3° 12' 56" West a distance of 307.90 feet from the West One-sixteenth center to center Corner of said Section 11; Thence South 88° 06' 20" West a distance of 969.61 feet to a point on the Easterly right of way of the Old Columbia River Highway, now a County Road; Thence Northeasterly along said Easterly right of way, along a 3354.05 feet radius curve to the left (chord bears North 54° 34' 52" East 44.55 feet), a distance of 44.55 feet; Thence North 35° 47' 57" West, continuing along said Easterly right of way, a distance of 30.00 feet; Thence Northeasterly, continuing along said Easterly right of way, along a 3324.05 feet radius curve to the left (chord bears North 48° 34' 49" East 651.10 feet), a distance of 652.14 feet; Thence North 88° 06' 20" East a distance of 436.28 feet to the point of beginning.

M-2014-33691, Parcel I:

Township 4 North, Range 25 East of the Willamette Meridian, in the County of Morrow and State of Oregon:
Section 11: The Southwest Quarter of the Northwest Quarter lying South of the Old Columbia River Highway right of way,

EXCEPTION THEREFROM beginning at the Southeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 11, Thence North 1° 14' 55" West along the North-South centerline of said Northwest Quarter a distance of 307.90 feet to the Point of Beginning of this description; Thence North 1° 14' 55" West along said North-South Centerline a distance of 992.06 feet, more or less to a point on the Southeasterly right of way line of the Old Columbia River Highway; Thence along the said right of way line and along the arc of a 3324.94 foot radius circular curve to the right a distance of 1326.81 feet (chord bears South 44° 33' 52" West and 1318.02 feet), said right of way line being parallel to and 50.00 feet Southeasterly from the centerline; Thence South 34° 00' 02" East and at right angles to the said Highway centerline a distance of 30.00 feet; Thence along the right of way line parallel to and 80.00 feet Southeasterly from the said centerline and along the arc of a 3354.04 foot radius circular curve to the right a distance of 50.49 feet (chord bears South 56° 25' 50" West and 50.49 feet); Thence East and parallel to the East-West Centerline of said Section 11 a distance of 971.77 feet more or less, to the Point of Beginning.

TOGETHER WITH that portion of County Road vacated by Order recorded April 3, 1985 on Microfilm No. M-24712.

M-2017-40389:

All that portion of the Northwest Quarter of the Southwest Quarter of Section 11, Township 4 North, Range 25 East of the Willamette Meridian, in the County of Morrow and State of Oregon lying North of the North Right of Way of Highway U.S. 30, also known as I-84.

*25.49 Denotes Scrivener's Error

SURVEYOR'S CERTIFICATE & NARRATIVE:

I, Ronald V. McKinnis, being a Registered Professional Land Surveyor of the State of Oregon, certify that I have correctly surveyed and monumented the lands more particularly described in the Legal Descriptions shown hereon according to ORS Chapter 92 of the State of Oregon.

This survey is based on my survey for the Port of Morrow in Morrow County, County Survey C-1582-C, 2010. The Bearing Base for this survey is the West Section Line of Section 11 as I established on that Survey. The purpose of this survey was to create three Parcels by Partition from a number of tracts of land all in Port ownership. The combined tracts of land were bordered on the North by Columbia Avenue, formerly Old Columbia River Highway which was previously a County Road and is now a City Street in the City of Boardman. The South boundary of this survey was the North right of way of Interstate 84, U.S. Highway 30. I used the centerline monuments of I-84 to verify the North right of way and check other monuments set by previous surveys. I re-established the South right of way of Columbia Ave. by both deed calls from M-2001-1228 and the surveys of both Krumbain (E) and Edwards (G). I established the combined property boundary by both the rights of ways, previous surveys, and the deeds. I divided the property into three Parcels planned to be future industrial development sites. I established and set all corners of the new Parcels as shown on this Plat. All Parcel dimensions by Record are referenced to the filed survey as indicated in my reference table. The Initial Point for this survey is the West Center 1/16th Corner set by Hamby, Krumbain Engineering, in 1981. I found number of discrepancies in the legal descriptions, of which, I attributed to be blunders, scrivener's errors in rewriting of deeds with the change of ownership, and differences in the record surveys and the found monuments. Specifically, along both north & south boundaries of Parcel 3, I did not hold the deed calls which were created from Krumbain's survey for Morrow County (D-526-K). I held the ODOT survey, 9B-21-12, & their found monuments over deed calls along the north boundary of I-84. While it appears that the deed from both the County to Tatone and the subsequent deed from Tatone to the Port (M-2001-1228) were based on Krumbain's survey, the legal description did not follow the survey along the south right of way of Columbia Avenue, a difference of 30 feet in right of way width. Without more information, I also held the ODOT monuments & Edward's monument from C-1049-E in conjunction with portions of the deed, M-2001-1228, to re-establish the south boundary of Columbia Avenue in Section 10 over the exact deed calls along that boundary. This survey was completed using a Trimble GPS RTK Total Station.

OWNER'S DECLARATION & DEDICATION:

We, the Port of Morrow, owners of lands as shown on this plat, do hereby dedicate the Easements as shown on the face of this plat for Access, Egress, & Utilities as necessary to support those Parcels Created in this Plat. We also acknowledge that we have caused this plat to be created, we authorized that this Plat be prepared in accordance with the provisions of ORS Chapter 92, and we recognize this Plat as the Official Plat and Map of the Partition as filed in the County of Morrow and State of Oregon.

Jerry Healy
Jerry Healy, Chairman
Board of Commissioners, Port of Morrow

On this 17 day of July, 2018, the above individual, Jerry Healy, appeared personally before me and is known to me to be the identical individual who executed the plat dedication and acknowledged that he did so freely and voluntarily of his own will.

Before me: *Notasha Dianne Rockwell*
Notary Public for Oregon

My Printed Name is Notasha Dianne Rockwell

My Commission No. is 931585

My Commission Expires August 21, 2018

RECEIVED BY
Morrow County Surveyor
Date: 8-3-2018
Rec'd By: S.K.H.
No.: 2018-1835C
Folder No.: 1835

M-2014-33691, Parcel II:

Township 4 North, Range 25 East of the Willamette Meridian, in the County of Morrow and State of Oregon:
Section 11: A parcel of land lying in the Southwest Quarter of the Northwest Quarter, and being more particularly described as:

Commencing at the Northwest one sixteenth corner of said Section 11; Thence South 3° 12' 56" East along the East line of said Southwest One-quarter of Northwest One-quarter a distance of 554.88 feet to the true point of beginning for this description: Thence continuing South 3° 12' 56" East along said East line a distance of 464.00 feet to a point that lies North 3° 12' 56" West a distance of 307.90 feet from the West one sixteenth center to center Corner of said Section 11; Thence South 88° 06' 20" West a distance of 969.61 feet to a point on the Easterly right of way of the Old Columbia River Highway, now a County Road; Thence Northeasterly along said Easterly right of way, along a 3354.05 foot radius curve to the left (chord bears North 54° 34' 52" East 44.55 feet), a distance of 44.55 feet; Thence North 35° 47' 57" West, continuing along said Easterly right of way, a distance of 30.00 feet; Thence Northeasterly, continuing along said Easterly right of way, along a 3324.05 foot radius curve to the left (chord bears North 48° 34' 49" East 651.10 feet), a distance of 652.14 feet; Thence North 88° 06' 20" East a distance of 436.28 feet to the point of beginning.

TOGETHER WITH that portion of County Road vacated by Order recorded April 3, 1985 on Microfilm No. M-24712.

I, Ronald V. McKinnis do hereby certify that this is a true and exact copy of the Original Plat as filed for the Port of Morrow in Morrow County

REGISTERED PROFESSIONAL LAND SURVEYOR
Ronald V. McKinnis
OREGON
RONALD V. MCKINNIS
JAN. 23, 1990
2431
Expires 12-31-18

APPROVALS:

I certify that I have examined and approved this Partition Plat on this 16th day of July, 2018

Stephen K. Halford
Morrow County Surveyor

I certify that I have examined and approved this Partition Plat on this 12th day of July, 2018

John T. Coe
City of Boardman Planning Chairman

I certify that I have examined and approved this Partition Plat on this 20th day of July, 2018

Michael D. ...
Morrow County Tax Assessor
Morrow County Tax Collector

Morrow County Clerk Recording Information

MORROW COUNTY, OREGON 2018-42662
PLAT-PART 07/20/2018 01:33:11 PM
Cnt=1 Str=23 TC \$406.00



00034743201800426620020025
I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Bobbi Childers - County Clerk



LEGEND

- Found Section / 1/4 Corner
- Found 5/8" x 30" Rebar W/ Plastic Cap, PLS #2431
- Set 5/8" x 30" Rebar W/ Plastic Cap, PLS #2431
- Aluminum Caps in C.L. Pavement
- ⊗ CALCULATED POINT - Not Set
- SECTION LINES
- Road Centerline
- PARTITION BOUNDARIES
- (000) Record of Survey Listed
- [000] Record- Deed

SCALE 1" = 200 Ft.
September, 2017

ENGINEERING - LAND SURVEYING - WATER RIGHTS
R. V. MCKINNIS ENGINEERING
79980 Prindle Loop Road
Hermiston, Oregon 97838
(541) -567-2017

1835

1835

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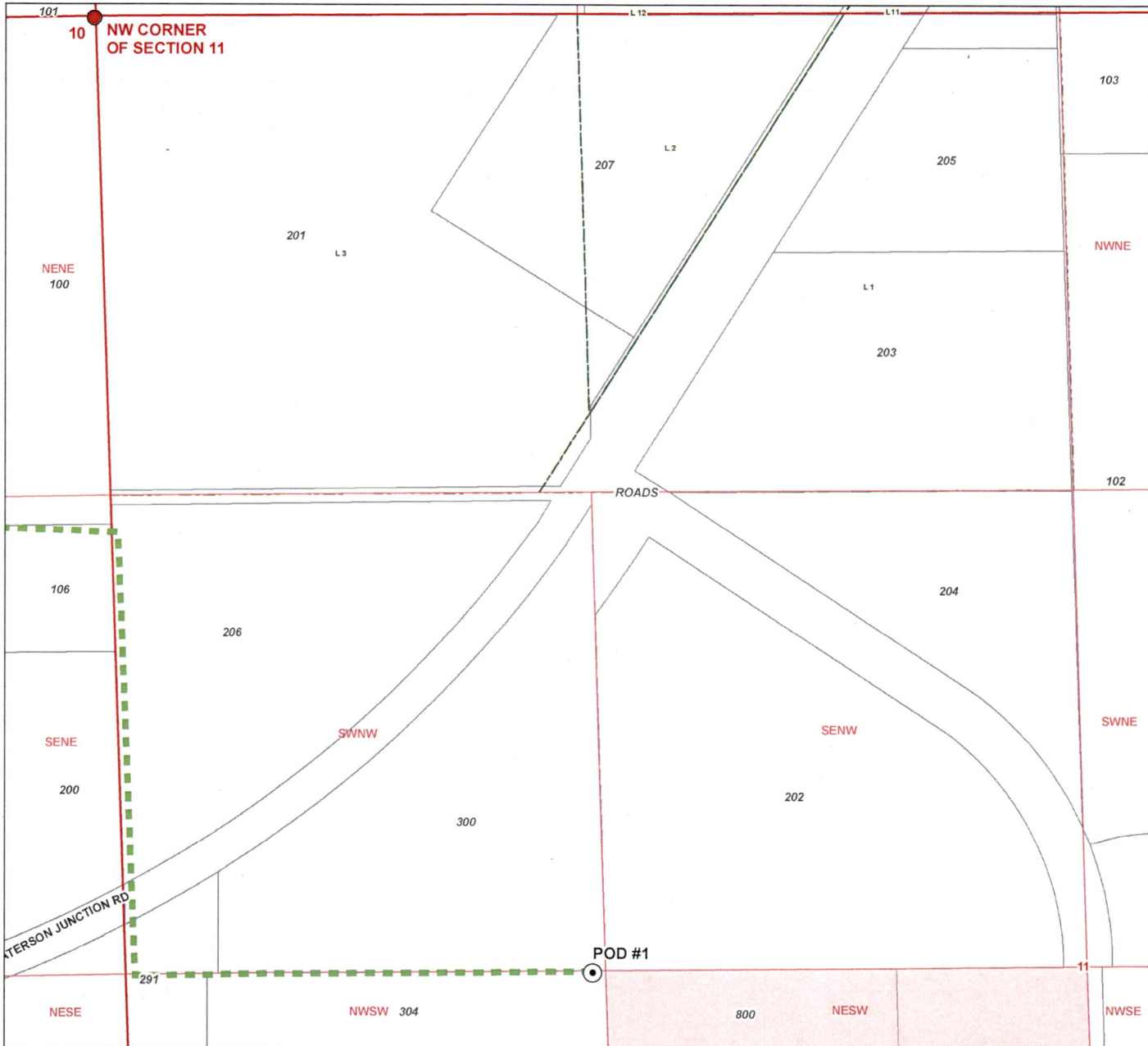
NOV 12 2024

Salem, OR

Attachment C

WEID Boundary Information

Application for a Permit to Use Surface Water - Port of Morrow

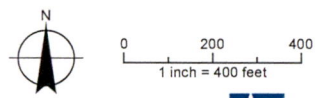


Application Map
Point of Diversion
Port of Morrow
 Morrow County, Oregon
 Township 4 North,
 Range 25 East (W.M.)

- LEGEND**
- Point of Diversion (POD)
 - Nuisance Water Conveyance Line
 - WEID District Land
 - Tax Lot

LOCATION DESCRIPTION
 POD #1
 Located 2,650 feet South and 1,375 feet East from the
 NW corner of Section 11, Township 4 North, Range 25
 East (W.M.)

DISCLAIMER
 This map was prepared for the purpose of identifying the
 location of a water right only and it is not intended to provide
 legal dimensions or location of property ownership lines.



Date: October 25, 2024
 Data Sources: USGS, BLM, ESRI, Morrow Co.










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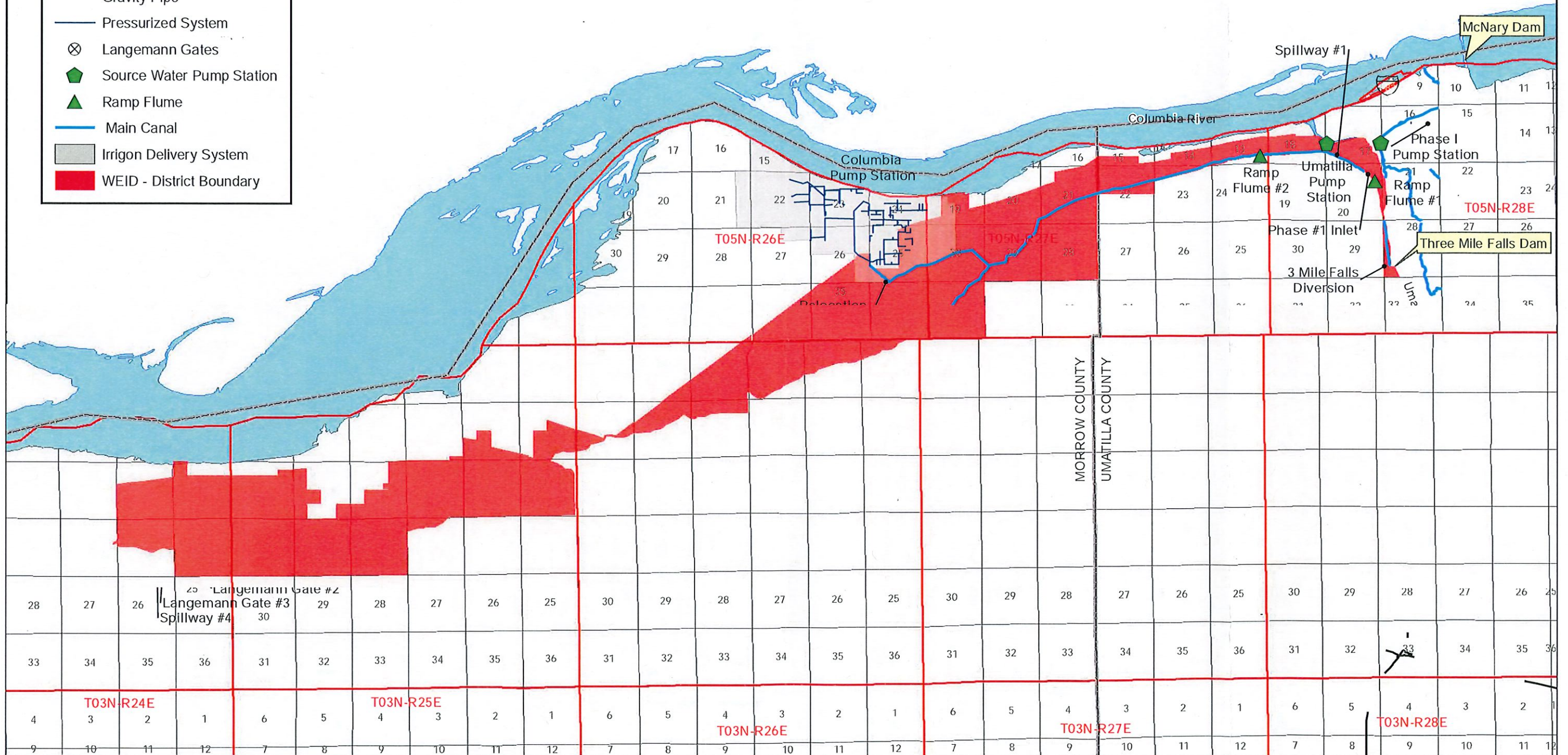
NOV 12 2024

Salem, OR

Document Path: Y:\0281_PortofMorrow\Source_Figures\032_Confidential_Water_App\POD_Application_WEID_District.mxd, bramos

LEGEND

-  Open Lateral
-  Gravity Pipe
-  Pressurized System
-  Langemann Gates
-  Source Water Pump Station
-  Ramp Flume
-  Main Canal
-  Irrigon Delivery System
-  WEID - District Boundary



Proposed
WEID Federal Boundaries



1 inch = 9,000 feet



RECLAMATION

Managing Water in the West

WEST EXTENSION IRRIGATION DISTRICT BOUNDARY ADJUSTMENT

Final Environmental Assessment
Finding of No Significant Impact

Umatilla Basin Project, Oregon

Columbia-Cascades Area Office

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Salem, OR



U.S. Department of the Interior
Bureau of Reclamation

September 2012

FINDING OF NO SIGNIFICANT IMPACT

West Extension Irrigation District Boundary Adjustment

**U.S. Department of the Interior
Bureau of Reclamation
Columbia-Cascades Area Office**

PN-FONSI 12-05

The Bureau of Reclamation (Reclamation) prepared this Finding of No Significant Impact (FONSI) to comply with the Council on Environmental Quality's regulations for implementing the procedural provisions of the National Environmental Policy Act (NEPA). This document briefly describes the proposed federal action, the alternatives considered, potential environmental impacts, and consultation and coordination activities.

Background

The West Extension Irrigation District (WEID) is located in the Umatilla Basin in northeastern Oregon State. WEID was formed in 1919 under the irrigation laws of Oregon State to be the operating entity for the west end of the federal Umatilla Basin Project (Project). WEID, Stanfield, Westland, and Hermiston are the four irrigation districts that comprise the Project. WEID has two major facilities: Three Mile Falls Diversion Dam, and the 27-mile long West Extension Main Canal.

WEID is requesting Reclamation include lands currently outside the federally recognized boundary, and to exclude lands inundated by the construction of John Day Dam. The proposed action would result in no change to irrigated land, water diversion, or water delivery facilities.

Alternatives Considered and Proposed Action

Alternatives considered in the final EA include one action alternative (the proposed action) and a no action alternative. Under the no action alternative Reclamation would decline WEID's request to include lands currently outside of the federal boundary.

The proposed action would affirm WEID's request to include lands currently outside of WEID's federally recognized boundary. The boundary adjustment is needed to:

- Insure that all acres presently irrigated by WEID with Project water through Project facilities are federally authorized to remain in contract compliance with the United States;
- Provide sufficient lands in order for WEID to maintain its base assessment acres;
- Assure the federally recognized district boundaries are consistent with Oregon's state district boundaries.

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Summary of Environmental Consequences

The final EA identifies the affected environment and environmental consequences of implementing the alternatives. The following summarizes the environmental consequences identified in the final EA for the proposed action.

Hydrology – Wells that currently service lands outside of WEID boundaries would be idled when they receive district water resulting in an overall reduction in consumptive use of groundwater. It is impossible to estimate the magnitude of savings considering that inclusion/exclusion of lands would occur in the future and cannot be predicted.

No other impacts to hydrology were identified because no alteration of operations of any WEID or Federal facility is required.

Fisheries – The final EA identifies all fish species in the project area, including federally listed threatened/endangered species. No impacts to fisheries, critical habitat, or endangered species were identified because no increase to diversion in the Umatilla or Columbia Rivers is required. Also, the recommended action does not require a change in operation of WEID or federal facilities.

Historic Resources – No impacts to historic properties are identified in the final EA. A literature search revealed no listed sites in the project area; additionally, no significant changes in agricultural practices or land use are expected to occur from implementation of the recommended action.

Environmental Justice – No impacts to minority or low-income populations are identified in the final EA. The recommended action would not change agricultural practices, alter employment opportunities, affect housing availability, or result in disproportionately high adverse human health or environmental effects.

Indian Trust Assets – Potential ITAs in the project area are associated with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). No impacts to ITAs are identified in the final EA. Additionally, the recommended action would not impact the ongoing water rights negotiation between the United States and CTUIR.

Sacred Sites – The final EA identifies no sacred sites within the project area. Therefore, the proposed action would not result in impacts that would adversely affect the physical integrity of such sites and that access to, or ceremonial use of, such sites would not be restricted.

Cumulative Impacts – The final EA considers the four other boundary adjustments that have occurred in the Umatilla Project. Those EAs identified no significant impacts; therefore, no cumulative impacts were identified in this final EA.

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Agency Consultation and Coordination

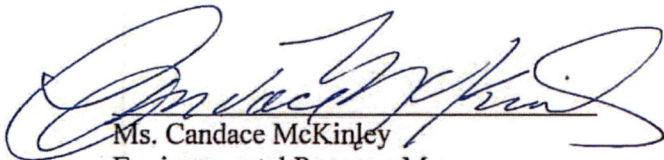
Reclamation worked extensively with WEID and the CTUIR in preparation of the final EA. WEID provided information on the history of WEID, project operation, facility details, and other helpful information that assisted in preparation of the final EA. WEID also provided comments on various drafts of the EA.

The CTUIR was also extremely helpful in preparation of the final EA. The Tribe provided information on fish species, especially lamprey, plant harvest, and treaty rights. CTUIR also provided comments on the various drafts of the EA.

Finding

Based on analysis of the environmental impacts and consultation and coordination as presented in this final EA and FONSI, Reclamation concludes that implementation of the recommended action will not have a significant effect on the quality of the human environment or natural and historic resources. No significant impacts to resources are identified in the final EA. Therefore, Reclamation concludes that preparation of an Environmental Impact Statement is not required and that this FONSI satisfies the requirements of NEPA.

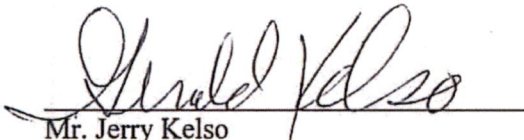
Recommended:



Ms. Candace McKinley
Environmental Program Manager
Columbia-Cascades Area Office
Yakima, WA

9/21/12
Date

Approved:



Mr. Jerry Kelso
Area Manager
Columbia-Cascades Area Office
Yakima, WA

9/21/12
Date

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NOV 12 2024

Salem, OR

Contents

1.0	Purpose of and Need for Action	2
1.1	Introduction	2
1.2	Purpose and Need.....	4
1.3	Location and General Description of the Area.....	4
1.4	History and Background.....	5
1.5	Description of Facilities	7
1.6	Water Rights.....	8
1.7	Land Use	12
1.8	Permits and Contracts.....	13
2.0	Alternatives.....	14
2.1	Alternative 1 – No Action	14
2.2	Alternative 2 – Adjust Boundary to Include Lands Currently Irrigated by WEID and Reserved Land; Exclude Inundated Lands	14
3.0	Affected Environment and Environmental Consequences	16
3.1	Hydrology.....	16
3.2	Fisheries	17
3.3	Historic Resources.....	19
3.4	Environmental Justice	21
3.5	Indian Trust Assets.....	21
3.6	Sacred Sites	22
3.7	Cumulative Impacts.....	23
4.0	Consultation and Coordination	25
5.0	Literature Cited.....	25

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Attachment D

Land Use Information Forms

Application for a Permit to Use Surface Water - Port of Morrow

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NOV 12 2024

Salem, OR

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 PORT OF MORROW ATTN: MIFF DEVIN			PHONE (HM)	
PHONE (WK) 541-481-7467		CELL		FAX
ADDRESS PO Box 200, # 2 MARINE DRIVE				
CITY BOARDMAN	STATE OR	ZIP 97818	E-MAIL* MIFFD@PORTOFMORROW.COM	

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:
See Attached Maps						<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Industrial
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

City of Boardman & 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) irrigation runoff

Estimated quantity of water needed: 450 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:

The Port proposes capturing nuisance water currently discharging and ponding onto the Port facility and use the water for industrial purposes within the Port service area boundaries.

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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Salem, OR

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): BDC Chapter 2.3

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>Carla McLane</u>	TITLE: <u>Planning Official</u>
SIGNATURE <u>Carla McLane</u>	PHONE: <u>541 481 9252</u>
GOVERNMENT ENTITY <u>City of Boardman</u>	DATE: <u>8/22/2024</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: _____

Land Use Information Form

Page 1 of 3
Received by OWRD

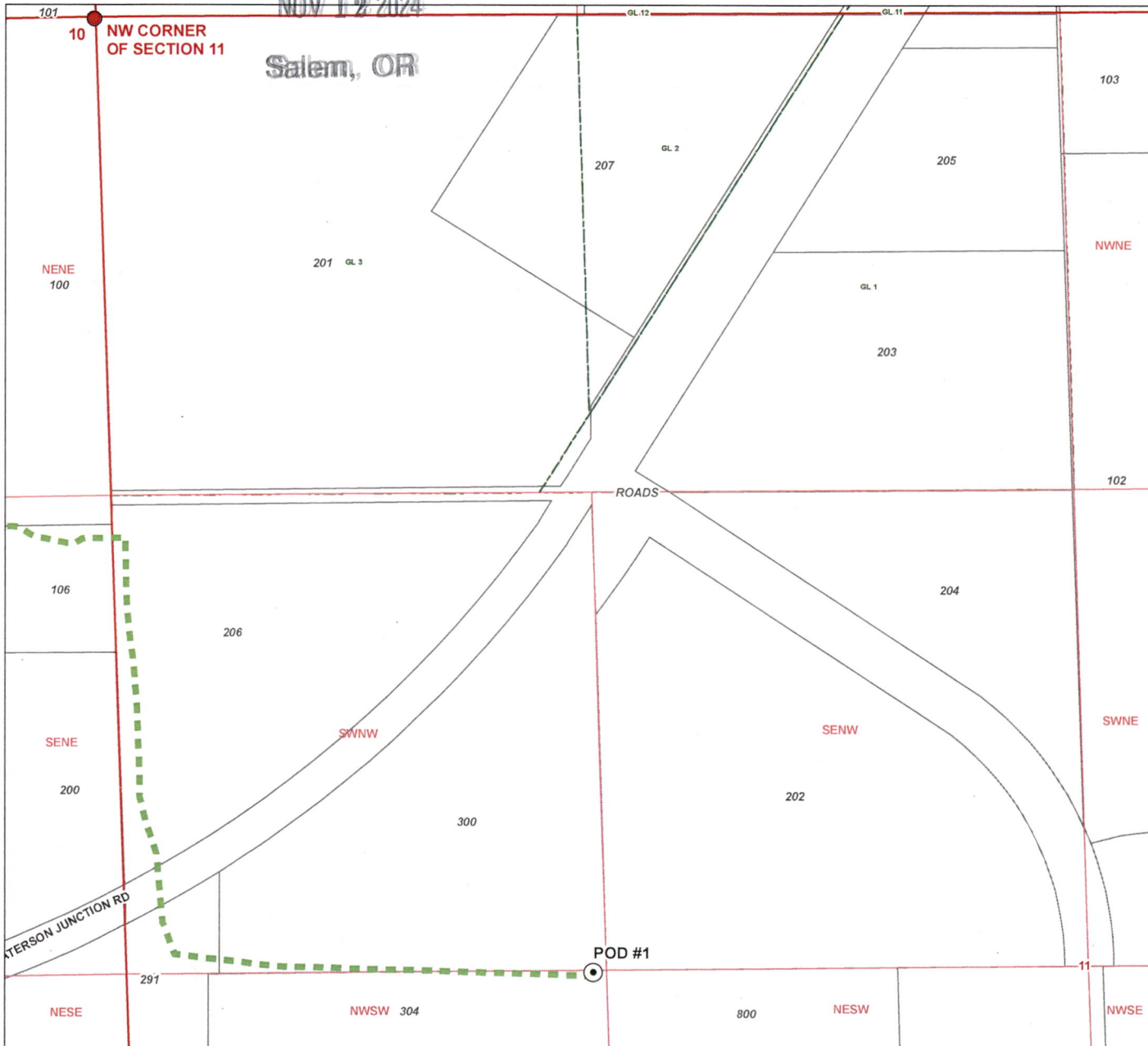
NOV 12 2024

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Salem, OR



Application Map
Point of Diversion
Port of Morrow
 Morrow County, Oregon
 Township 4 North,
 Range 25 East (W.M.)

LEGEND

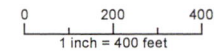
- Point of Diversion (POD)
- Nuisance Water Conveyance Line
- Tax Lot

LOCATION DESCRIPTION

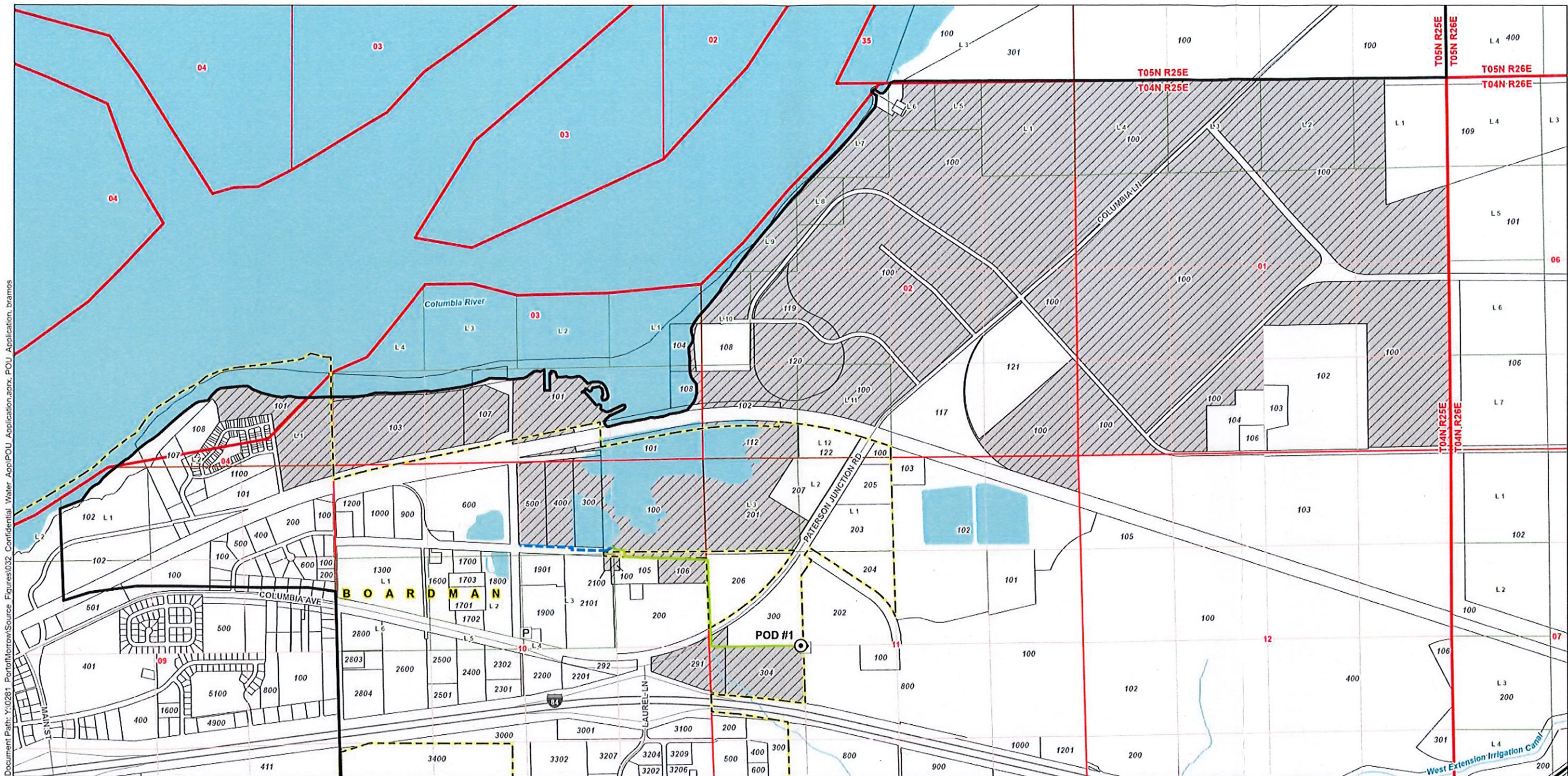
POD #1
 Located 2,650 feet South and 1,375 feet East from the
 NW corner of Section 11, Township 4 North, Range 25
 East (W.M.)

DISCLAIMER

This map was prepared for the purpose of identifying the
 location of a water right only and it is not intended to provide
 legal dimensions or location of property ownership lines.



Date: August 13, 2024
 Data Sources: USGS, BLM, ESRI, Morrow Co. Water Solutions, Inc.



Document Path: Y:\0281_PortofMorrow\Source_Figures\032_Confidential_Water_App\POU_Application.aprx_POU_Application_bramos

LEGEND

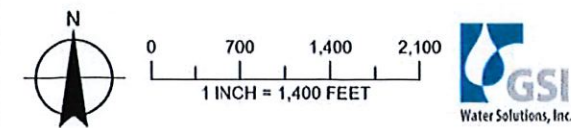
- Point of Diversion (POD)
- Pump Station
- Industrial Use Conveyance Line
- Nuisance Water Conveyance Line
- ▨ Place of Use (POU)
- ▭ POM Service Area
- ▭ All Other Features
- ▭ City Boundary
- ▭ Tax Lot
- ▭ Government Lot (L)
- ~ Watercourse
- ~ Waterbody

Received by OWRD
 NOV 12 2024
 Salem, OR

DISCLAIMER
 This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.
 Date: October 25, 2024
 Data Sources: BLM, ESRI, OWRD, USGS

**Application Map
 Place of Use
 Port of Morrow
 Morrow County**

Township 4/5 North, Range 25/26 East (W.M.)



LUIS #069

RECEIVED
AUG 8 1 2024
MP

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

PAID 25.00 PPD

Applicant

NAME PORT OF MORROW ATTN: MIFF DEVIN		PHONE (HM)	
PHONE (WK) 541-481-7467	CELL	FAX	
ADDRESS PO BOX 200, # 2 MARINE DRIVE			
CITY BOARDMAN	STATE OR	ZIP 97818	E-MAIL* MIFFD@PORTOFMORROW.COM

A. Land and Location

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						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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 Exchange of Water

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Received by OWRD

NOV 12 2024

Salem, OR

Bruce Brashy Heine

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): 3.073(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>Tamra J. Mabbott</u>	TITLE: <u>Planning Director</u>
SIGNATURE: <u>[Signature]</u>	DATE: <u>8-29-24</u>
PHONE: <u>541-922-4624</u>	
GOVERNMENT ENTITY: <u>Morrow Conf</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: _____

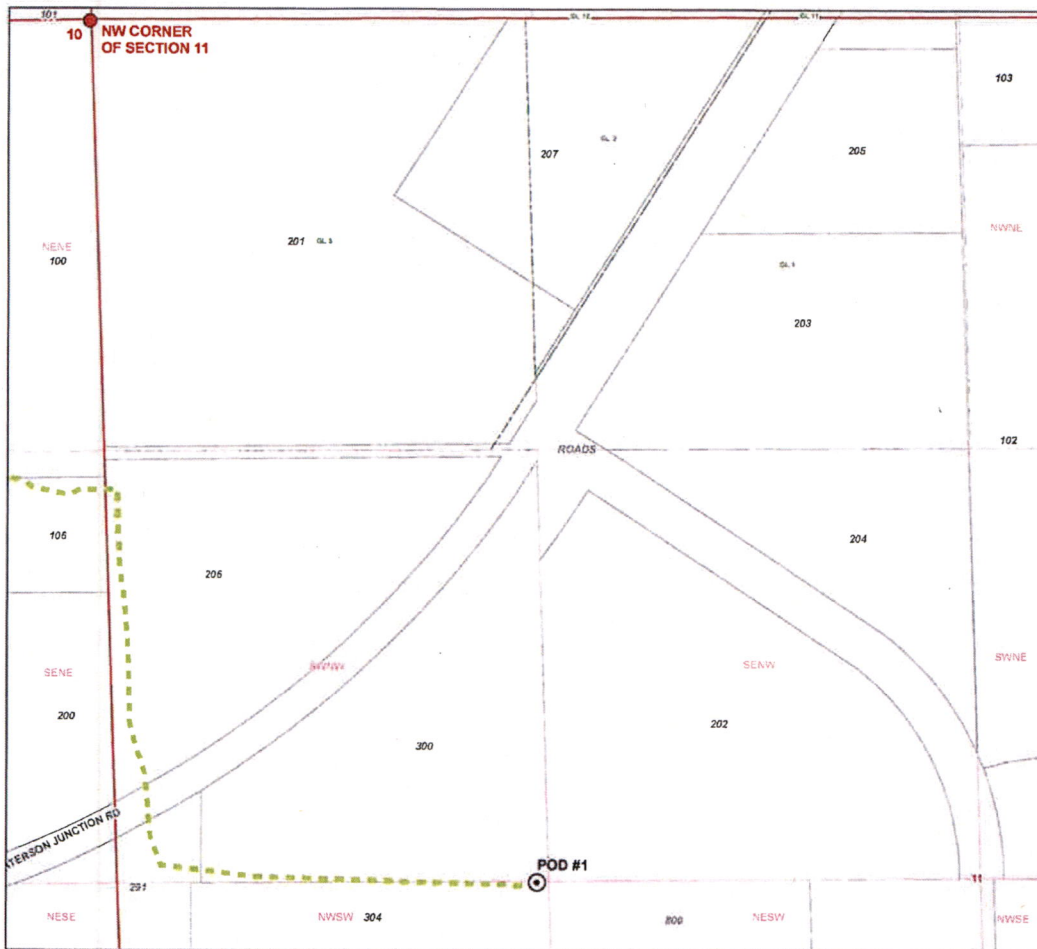
Signature: _____ Phone: _____ Date: _____

Received by OWRD Land Use Information Form

Page 1 of 3

NOV 12 2024

Salem, OR

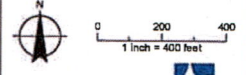


**Application Map
Point of Diversion
Port of Morrow
Morrow County, Oregon
Township 4 North,
Range 25 East (W.M.)**

- LEGEND**
- ⊙ Point of Diversion (POD)
 - Nuisance Water Conveyance Line
 - Tax Lot

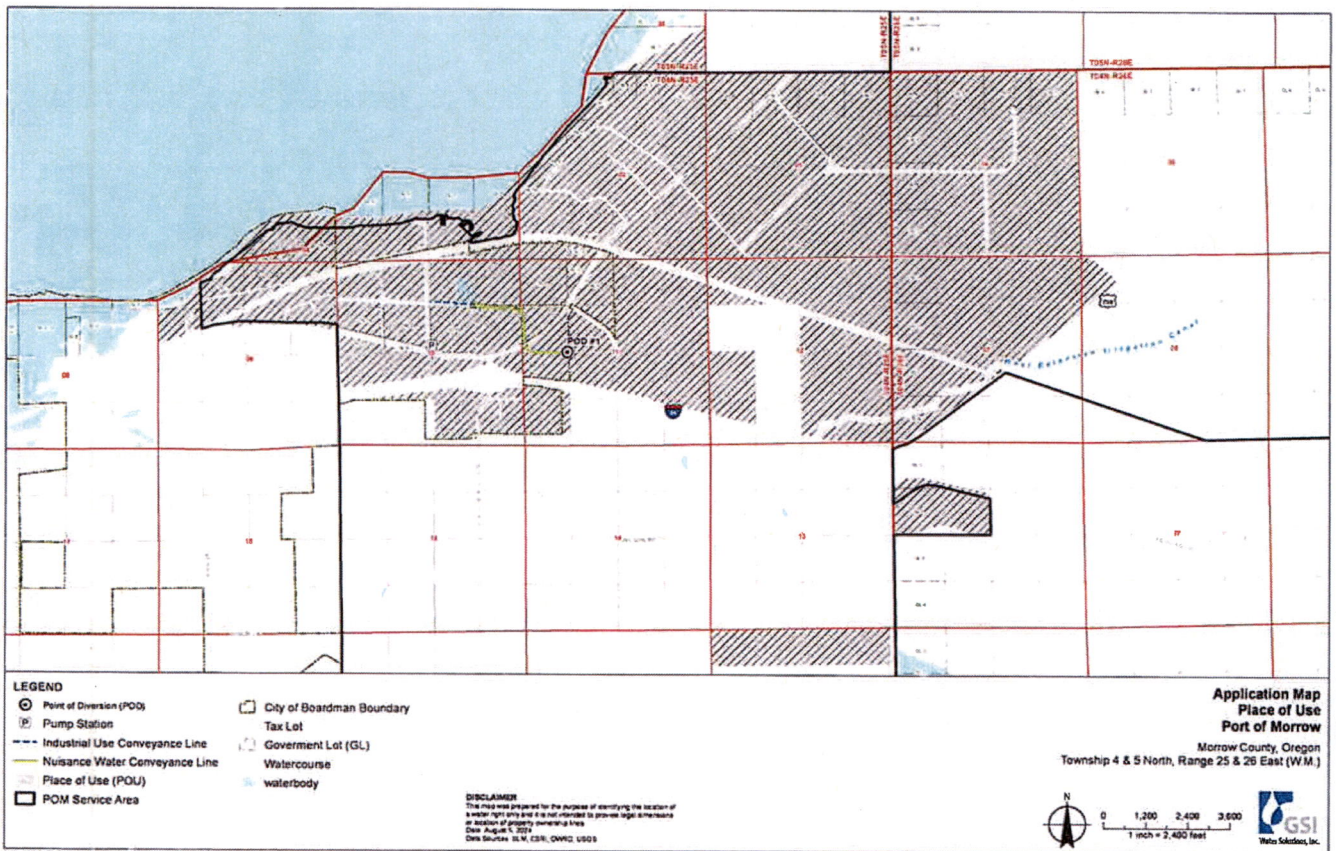
LOCATION DESCRIPTION
POD #1
Located 2,650 feet South and 1,275 feet East from the
NW corner of Section 11, Township 4 North, Range 25
East (W.M.)

DISCLAIMER
This map was prepared for the purpose of identifying the
location of a water right only and it is not intended to provide
legal dimensions or location of property ownership lines.



Date: August 13, 2024
Data Source: USGS, BLM, BNSF, Morrow Co

Received by OWRD
NOV 12 2024
Salem, OR



Received by OWRD

NOV 12 2024

Salem, OR



Water Solutions, Inc.

Via electronic mail to corie.l.lovrien@water.oregon.gov

November 6, 2024

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

Dear Corie,

GSI Water Solutions, Inc. (GSI) on behalf of the Port of Morrow (Port) electronically submitted an application for a permit to use surface water on August 29, 2024. Oregon Water Resources Department (OWRD) communicated via email (see attached email) that the Department requires additional information be submitted to accept the application as complete. Specifically, OWRD requested that the legal descriptions for all properties where water is conveyed and used be included in the application package. Please find attached a revised Page 2/Section 2 of the application, and an updated set of Attachments that include deeds containing legal descriptions for the place of use and the properties where water will be conveyed. The proposed place of use has been updated to cover a smaller area (subset) of that shown in the original application, however all of the revised POU is owned by the Port.

Please replace Page 2 and all the Attachments from the original submittal with the enclosed Revised Application page 2, and Revised Attachments package and discard the original pages. Please let us know if there is any additional information that you need for this application.

The permit application fee will be mailed to OWRD after we receive the temporary number for this application. The application fee was calculated as follows:

Surface Water Base Fee	\$1,090.00
First CFS or fraction thereof	\$410.00
Total	\$1,500.00

Permit Recording Fee \$610.00 (to be sent in after receiving the temporary number for this application)

If you have any questions, please contact me at 971-200-8519.

Sincerely,
GSI Water Solutions, Inc.

Bruce Brody-Heine, RG, CWRE
Principal Hydrogeologist

Received by OWRD
NOV 12 2024
Salem, OR

Enclosure: Revised Application Page 2 and Revised Attachments for Application for Permit to Use Surface Water

From: [LOVRIEN Corie L * WRD](#)
To: [Bruce Brody-Heine](#); [WRD_DL_customerservice](#)
Cc: [Robyn Cook](#); [Mifflin Devin](#); [Kirk B. Maag - Stoel Rives \(kirk.maag@stoel.com\)](#)
Subject: RE: Application to use water
Date: Wednesday, September 4, 2024 8:21:06 AM

Hello Bruce,

Thank you for contacting OWRD. After talking with both the water right section manager and administrator, **before we can accept this application, we'll need section 2 completed for affected landowners for "all the properties involved where water is diverted, conveyed, and used."** It looks like you've provided the legal description for the property where water is being diverted, now we just need the legals for where water is being conveyed and used.

Let me know if you have any questions.

Thanks,
Corie

Corie Lovrien

Customer Service Representative
Water Right Services Division
725 Summer Street NE Ste A
Salem, Oregon 97301
(503) 986-0801



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

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

From: Bruce Brody-Heine <BBheine@gsiws.com>
Sent: Thursday, August 29, 2024 3:06 PM
To: WRD_DL_customerservice <wrd_dl_customerservice@water.oregon.gov>
Cc: Robyn Cook <rcook@gsiws.com>; Mifflin Devin <MiffD@portofmorrow.com>; Kirk B. Maag - Stoel Rives (kirk.maag@stoel.com) <kirk.maag@stoel.com>
Subject: Application to use water

Hello,

Received by OWRD
NOV 12 2024
Salem, OR

GSI Water Solutions, Inc. (GSI) is submitting on behalf of the Port of Morrow (Port) the enclosed application for a permit to use surface water. The applicant is requesting a permit to appropriate up to 450 gallons per minute (gpm) (1.0 cubic feet per second [cfs]) of wastewater/nuisance runoff water for industrial use. The source of the surface water is wastewater/nuisance water (irrigation tailwater) that runs off from farmlands year-round, flows through man-made ditches, and ponds on land within the Port's Industrial Park just north of Highway I-84.

The wastewater originates south of the highway and is discharged onto the Port's Industrial Park through a culvert under the highway. This water historically dispersed in this location and soaked into the ground. The wastewater/nuisance water is not moving through a natural stream channel and does not discharge to, nor has it ever discharged to, the Columbia River or any other surface water body. Due to recent development in the area (new industrial facilities), the Port now actively drains this "nuisance water" away from the area and directs it into an artificial pond constructed by the Port.

Please do not hesitate to contact me or Robyn if you have any questions.

Cheers,

Bruce

Bruce Brody-Heine

Principal Hydrogeologist

direct: 971.200.8519 | mobile: 541.390.0591

GSI Water Solutions, Inc.

Received by OWRD

NOV 12 2024

Salem, OR



Via electronic mail to wrd_dl_customerservice@water.oregon.gov

August 29, 2024

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

Dear Katie,

GSI Water Solutions, Inc. (GSI) is submitting on behalf of the Port of Morrow (Port) the enclosed application for a permit to use surface water. The applicant is requesting a permit to appropriate up to 450 gallons per minute (gpm) (1.0 cubic feet per second [cfs]) of wastewater/nuisance runoff water for industrial use.

The source of the surface water is wastewater/nuisance water (irrigation tailwater) that runs off from farmlands year-round, flows through man-made ditches, and ponds on land within the Port's Industrial Park just north of Highway I-84. The wastewater originates south of the highway and is discharged onto the Port's Industrial Park through a culvert under the highway. This water historically dispersed in this location and soaked into the ground. The wastewater/nuisance water is not moving through a natural stream channel and does not discharge to, nor has it ever discharged to, the Columbia River or any other surface water body. Due to recent development in the area (new industrial facilities), the Port now actively drains this "nuisance water" away from the area and directs it into an artificial pond constructed by the Port.

Through this application, the Port proposes to take control of a portion of this nuisance water for beneficial use. The water will be used for industrial purposes within the Port's industrial park boundaries.

The permit application fee will be mailed to OWRD after we receive the temporary number for this application. The application fee was calculated as follows:

Surface Water Base Fee	\$1,090.00
First CFS or fraction thereof	\$410.00
Total	\$1,500.00

Permit Recording Fee \$610.00 (to be sent in after receiving the temporary number for this application)

If you have any questions regarding this application, please contact me at 971-200-8505.

Sincerely,
GSI Water Solutions, Inc.

Robyn Cook, RG, CWRE
Principal Hydrogeologist

Enclosure: Application for Permit to Use Surface Water and attachments

Received by OWRD
NOV 12 2024
Salem, OR

Bruce Brody-Heine

Received

NOV 12 2024

From: LOVRIEN Corie L * WRD <corie.l.lovrien@water.oregon.gov>
Sent: Thursday, November 7, 2024 2:03 PM
To: Bruce Brody-Heine; WRD_DL_customerservice
Cc: Robyn Cook; Mifflin Devin; Kirk B. Maag - Stoel Rives (kirk.maag@stoel.com); MATHER Amanda L * WRD
Subject: RE: Application to use water

OWRD

Hello,

OWRD has received and accepted the Surface Water e-application for **Port of Morrow**. The temporary application number is: **CL-42**.

Please print this email and include a copy of it when mailing in the payment. The fees due for this application are: **\$ 1,500.00** (If opting to include recording fee: **\$2,110.00**)

A copy of the fee calculator is included for your reference:

Base Application Fee.		\$1,090.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	1	\$410.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	1	
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
Subtotal:		\$1,500.00
Permit Recording Fee. ***		\$610.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,110.00

Amount submitted

Thanks,

Corie

Corie Lovrien
Customer Service Representative