

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 ALLISON AND TERRY VAN KOLL		PHONE (HM)	
PHONE (WK)	CELL (360) 601-5176		FAX
MAILING ADDRESS 26416 N 243 RD AVE.			
CITY WITTMANN	STATE AZ	ZIP 85361	E-MAIL * TANDARANCH@MSN.COM

Organization

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

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

AGENT / BUSINESS NAME WILL MCGILL SURVEYING, LLC		PHONE (503) 931-0210		FAX
MAILING ADDRESS 15333 PLETZER RD. SE			CELL (503) 510-3026	
CITY TURNER	STATE OR	ZIP 97392	E-MAIL * WILLMCGILL.SURVEYING@GMAIL.COM	

Note: Attach multiple copies as needed

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

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.

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

	Allison Vankoll	6/20/25
Applicant Signature	Print Name and Title if applicable	Date
	Terry Vankoll	6/20/25
Applicant Signature	Print Name and Title if applicable	Date

For Department Use: App. Number: _____

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SECTION 2: PROPERTY OWNERSHIP

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

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

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

Kimberly A. Peterson Revocable Living Trust: 26416 N 243rd Ave., Wittmann, AZ 85361

(Property is in process of being inherited by the applicant)

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.

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: Run-off	Tributary to: McNary Lake
TRSQQ of POD: 3N, 1W, 2, SESW and 3N, 1W, 11, SENW	
Source 2:	Tributary to:
TRSQQ of POD:	

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).

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B. Applications to Use Stored Water

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

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

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For Department Use: App. Number: _____

If yes,

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

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

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

☒ Yes ☐ No

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

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

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

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

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

Equipment will be kept in good operating condition to prevent waste and a water use measuring device will be installed.

Statewide - OAR 690-033-0330 thru -0340

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

☒ Yes ☐ No

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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.

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
Run-off (Drainage Ditch)	Irrigation	Mar. 1 – Oct. 31	2.52 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
Run-off (Drainage Ditch)	Wildlife	Oct. 1 – Nov. 30	45.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

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

Primary: 201.2 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: 503.0 AF

- 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

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A. Diversion and Conveyance

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

- ☒ Pump (give horsepower and type): 40 HP Centrifugal
☐ Other means (describe):

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

A centrifugal pump will deliver water to POU via buried PVC mainline and applied by handlines.
Wildlife use will be flooded from mainline.

B. Application Method

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

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.

Amount of water requested is standard for irrigation. Equipment will be kept in good operating condition with a water use measuring device installed. The additional wildlife water is needed outside of irrigation season.

SECTION 7: RESOURCE PROTECTION

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

- ☒ Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: ODFW approval will be obtained for fish screening at each POD.
- ☒ 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: Minimal to no excavation or clearing will be necessary to complete this project.
- ☒ 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: Operating equipment in a water body should not be necessary.
- ☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: Equipment will be kept in good operating condition and closely monitored to prevent waste. Use of the run-off water should be a benefit to the quality of water returning to the natural water bodies.
- ☐ List other federal and state permits or contracts to be obtained, if a water right permit is granted.

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SECTION 8: PROJECT SCHEDULE

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- a) Date construction will begin: Upon permit issuance
- b) Date construction will be completed: Request standard 5-year completion time
- c) Date beneficial water use will begin: Upon permit issuance or completion of construction

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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	Address	
City	State	Zip

SECTION 10: REMARKS

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

The wildlife use will use the same system as the irrigation use. The season of use will overlap in October, but the additional month (November) is needed for beneficial use in the wildlife area.

Minimum Requirements Checklist

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

Include this checklist with the application

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

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

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

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Include the following additional items:

- ☒ Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- ☒ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- ☒ Fees - Amount enclosed: \$3,750
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☒ Map that includes the following items:
 - ☒ Permanent quality and drawn in ink
 - ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - ☒ North Directional Symbol
 - ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
 - ☒ Reference corner on map
 - ☒ Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Land Use Information Form



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NOTE TO APPLICANTS

In order for your application to be processed by the Oregon Water Resources Department (OWRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be diverted, conveyed, used, and developed. The planning official may choose to complete the form while you wait or return the "Receipt Acknowledging Request for Land Use Information" to you. Applications received by OWRD without the Land Use Information Form, or the signed receipt, will be returned to you. **IMPORTANT:** Please note that while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for OWRD's acceptance of all other applications. Please be aware that your application cannot be approved without land use approval.

This form is **NOT** required if:

- 1) Water is to be diverted, conveyed, and used on federal lands only; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a. The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b. The application involves a change in place of use only;
 - c. The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses: **and**

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a new water right or modifying an existing water right. The Oregon Water Resources Department (OWRD) requires applicants to obtain land use information to ensure the water right does not result in land uses that are incompatible with your comprehensive plan. Please complete the form and return it to the applicant for inclusion in their application. **NOTE:** For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete the "Receipt Acknowledging Request for Land Use Information" and return it to the applicant.

You will receive notice via OWRD's weekly Public Notice once the applicant formally submits their request to OWRD. The notice will give more information about OWRD's water right process and provide additional comment opportunities. If you previously only completed the receipt for an application for a new permit to use or store water, you will have 30 days from the Public Notice date to complete the Land Use Information Form and return it to OWRD. Your attention to this request for information is greatly appreciated. If you have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or WRD_DL_customerservice@water.oregon.gov.

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Land Use Information Form



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NAME Allison and Terry Van Koll			PHONE (360) 601-5176		Salem OR
MAILING ADDRESS 26416 N 243rd Ave.					
CITY Wittmann	STATE AZ	ZIP 85361	EMAIL tandaranch@msn.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:
3N	1W	2	SESW	100	EFU	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming/Wildlife
3N	1W	2	SWSE	100	EFU	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming/Wildlife
3N	1W	11	SENW	100	EFU	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming/Wildlife
3N	1W	11	NWNE SWNE NENW	100	EFU	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming/Wildlife

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

Columbia

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Run-off (Drainage Ditch)

Estimated quantity of water needed: 548.0 ☐ cubic feet per second ☐ gallons per minute ☒ acre-feet

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

Briefly describe:

It is proposed to irrigate crops in 3102-00-00100 and 3111-00-00100 with drainage run-off. It is also proposed to flood a small area of the property with the same system for wildlife use.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

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 approvals for activities such as building or grading permits.

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Please check the appropriate box below and provide the requested information

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- ☒ Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): CCZO section 300, 1100, 1170
- ☐ Land uses to be served by the proposed water use(s), 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

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

Compliance with CCZO section 300, 1100, 1170 is required.

Name: Jack Niedermeyer Title: Associate Planner
 Signature: [Signature] Date: 5/25/25
 Governmental Entity: Columbia County land development services Phone: 503-397-7217

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:

Please complete this form and return it to the applicant. **For new water right applications only**, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: Grant McGill
 Staff Name: Jack Niedermeyer Title: Associate Planner
 Staff Signature: [Signature] Date: 5/25/25
 Governmental Entity: Columbia County LDS Phone: 503-397-7217

**The First Amendment
to the
Kimberly A. Peterson Revocable Living Trust**

This First Amendment ("Amendment") to the Kimberly A. Peterson Revocable Living Trust dated July 14, 2003 ("Trust") is entered into by and between Kimberly A. Peterson ("Trustor"), and Kimberly A. Peterson ("Trustee").

RECITALS

On July 14, 2003, Kimberly A. Peterson established the Kimberly A. Peterson Revocable Living Trust (the "Trust").

Currently, Kimberly A. Peterson is serving as the trustee, and the Trust is more formally known as:

Kimberly A. Peterson, Trustee of the Kimberly A. Peterson Revocable Living Trust dated July 14, 2003, and any amendments thereto.

The Trustor hereby exercises the right to amend the trust as follows:

1 Amendment to Specific Gift Provision

Section 4.5 (Specific Gifts) is amended in its entirety as follows:

Section 4.5 Specific Gifts

Upon my death Trustee shall distribute the following specific gift(s), outright and free of trust, as soon as administratively possible: All of my interest in my residence, farm and acreage located at 33491 NW Reeder Road, Portland, Oregon 97231, to ALLISON VAN KOLL, or if she does not survive me, then to her husband, TERRY VAN KOLL, if he survives me. If both Allison Van Koll and Terry Van Koll do not survive me, then this specific gift shall be transferred to the descendants of Allison Van Koll and Terry Van Koll by right of representation.

Provided, however, if any surviving descendant of Allison Van Koll and Terry Van Koll is under the age of 25, my Trustee shall retain that beneficiary's share in a separate trust. My Trustee shall distribute to or for the benefit of the beneficiary those amounts of income or principle which the Trustee considers advisable for the beneficiary's health, education, support and maintenance. When the beneficiary reaches the age of 25, the separate trust shall terminate and the Trustee shall distribute the remainder of the trust to the beneficiary. If the beneficiary dies before receiving full distribution of the share, the Trustee shall distribute the remainder of the trust to the beneficiary's estate.

The First Amendment to the
Kimberly A. Peterson Revocable Living Trust
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2 Amendment to Residue Provision

I wish to remove DIA LAUTENSCHLAGER DONAVAN as a residuary beneficiary. Therefore, I amend Section 4.6 of my trust in its entirety to read as follows:

Section 4.6 Distribution of Residue

I give the rest and residue of my trust remaining after compliance with the above provisions in equal shares to the following beneficiaries, one share for each beneficiary who survives me and one share by right of representation for the then surviving descendants of each beneficiary who does not survive me.

Name of Beneficiary:

SHERYL LAUTENSCHLAGER

TEDRA MANDELL

MELINDA LEAKE

JANAE EARLEY

ERYN RICE

PATSY RICE

Provided, however, if any beneficiary or any surviving descendant of a deceased beneficiary who is under the age of 25 years is entitled to a share of my estate or trust estate, my Trustee shall retain that beneficiary's share in a separate trust. Trustee shall distribute to or for the benefit of the beneficiary those amounts of income or principal which Trustee considers advisable for the beneficiary's health, education, support, and maintenance. When the beneficiary reaches the age of 25 years, the separate trust shall terminate and Trustee shall distribute the remainder of the trust to the beneficiary. If the beneficiary dies before receiving full distribution of the share, Trustee shall distribute the remainder of the trust to the beneficiary's estate.

3 Amendment to Accounting Provisions

I amend Section 5.30, together with its subsections 5.30.1 and 5.30.2 and 5.30.3 in their entirety as follows:

Section 5.30 Trustee's Duty to Notify, Inform and Report

My privacy, and my beneficiaries' privacy, is important to me. This section establishes the Trustee's duties to inform, account, and report to beneficiaries of various trusts created under this agreement, and to other individuals during my lifetime and after my death.

Except to the extent required by law, the Trustee is not required to file annual accounts or reports in any jurisdiction.

To the extent allowed by law, all waivable duties of the Trustee under Oregon

Uniform Trust Code (ORS 130.710), or any other applicable law, to give notice, information, and reports to Permissible Distributees or Qualified Beneficiaries are expressly waived for the full term of this trust.

During my lifetime as long as I am financially capable, and I am the only permissible distributee, the Trustee is not required to render an accounting to any Permissible Distributee, Qualified Beneficiary, person or entity.

If I am no longer financially capable, or after my death, or, if my trust has no trust protector or designated person to receive notice, information, and reports, the Trustee's duties shall be as follows:

- a. Within a reasonable time after accepting trusteeship the Trustee shall notify all Qualified Beneficiaries of the identity of the trustee (together with address and telephone number).
- b. Within a reasonable time after my Trust becomes irrevocable the Trustee shall notify all Qualified Beneficiaries of the existence of the trust, the identity of the Trustor, their right to request a copy of the trust agreement, and their right to receive trustee reports.
- c. The Trustee shall send a trustee report to the Qualified Beneficiaries who request the report.
- d. The Trustee shall respond to the request of a Qualified Beneficiary for other information reasonably related to the trust's administration. At the Trustee's sole discretion, the Trustee may respond to a reasonable request for such information from a beneficiary who is not a Qualified Beneficiary.
- e. The Trustee is not required to notify any Qualified Beneficiaries in advance of any change in the method or rate of the Trustee's compensation.

Unless waived as provided above the Trustee must render a report at least annually to the Permissible Distributees of trust income or principal and to other Qualified Beneficiaries who request the report.

The report must include a listing of trust property and liabilities, and must show the market values of trust assets, if feasible. The report must reflect all receipts and disbursements of the trust, including the source and amount of the trustee's compensation.

If the Trustee decides, in the Trustee's sole and absolute discretion, to provide any information to a Permissible Distributee or Qualified Beneficiary, the Trustee may exclude any information that the Trustee determines is not directly applicable to the beneficiary receiving the information. Any decision by the Trustee to make information available to any beneficiary does not constitute an obligation to provide any information to any beneficiary in the future.

In the absence of fraud or manifest error, the assent by all Qualified Beneficiaries to an accounting of the Trustee shall make the matters disclosed in the accounting binding and conclusive upon all persons, both those living on the date of this



Received by OWRD

JUN 27 2025

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Allison B Terry Van Koll
26416 N 243rd Ave, Wittmann AZ 85361

Transaction Type: Surface App

Fees Received: \$ 3750.00

☐ Cash

☒ Check:

Check No. 2420

Name(s) on Check: Will McGill Surveying

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Corie Lounien

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.