

Application for a Permit to Use Groundwater



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 ROCKING A FEEDERS COMPANY LLC, c/o ABRAHAM RODRIGUEZ			PHONE (HM)
PHONE (WK) 541-314-8609	CELL		FAX
MAILING ADDRESS 81181 MARKS RD			
CITY HERMISTON	STATE OR	ZIP 97838	E-MAIL* ROCKINGACATTLECO@GMAIL.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 WILLIAM PORFILI		PHONE 541-561-7259	FAX
MAILING ADDRESS PO Box 643			CELL
CITY STANFIELD	STATE OR	ZIP 97826	E-MAIL* WPORFILI@GMAIL.COM

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get 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 get water to which they are entitled.

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

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.

- ☒ 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.

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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).*

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: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
WELL	COLUMBIA RIVER	13,858.71'	234'
DRAIN TILE	COLUMBIA RIVER	12,414.99'	210'

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary)*.

The Well described in Well Logs UMAT 3691 and UMAT 54737 is the main source of water in the attached application for livestock feed lot use. This Well was authorized for Irrigation from 68.6 acres under Certificate 52827. It was also authorized for irrigation of 27.4 acres and supplemental irrigation of 204.0 acres under Permit G-15575. This well was used very extensively for irrigation purposes from the 1970's through the mid 2000-2010. During the 2005 through the year 2015 the Hermiston Irrigation District secured water rights, making water to these acres available and delivered for irrigation from their system. The pumping from the District System for the Irrigation of these acres is much less costly and efficient than it was from the Well.

The well currently supplies water to a small cattle feed lot (exempt water right uses). Due to the reliability of the District, the Well will not be used for irrigation in the future- only on rare emergency occasions. The quantity requested with the attached application is about 33% of what was used for irrigation. Attached are copies of OWRD records of water level and water usage records. These records support and indicate water is available for the amount request and will not affect irrigation.

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 550 GPM (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL- SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UMAT 54737	<input type="checkbox"/>	10	145		887	62	BLACK BASALT	905	400	
DRAIN TILE	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	DRAIN TILE PIPE IS 6" IN DIAMETER AND IS 1790' LONG							150	
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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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 if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of appropriation (POA) 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 TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

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

Is the well or proposed well 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.

If **yes**, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the 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 well or proposed well located in an area where the Lower Columbia rules apply?

☐ Yes ☒ No

If **yes**, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing

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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, you will be required to provide the following information, if applicable.

☐ 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 well or proposed well located in an area where the Statewide rules apply?

☐ Yes ☒ No

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If **yes**, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that 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

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
LIVESTOCK/ FEEDLOT	YEAR-ROUND	800 AF

For irrigation use only:

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated (*must match map*).

Primary: Acres Supplemental: Acres Nursery Use: Acres

If you listed supplemental acres, list 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: (Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)
- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*):

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SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

☒ Pump (give horsepower and type): 7.5HP submersible pump at the well and the Drain Tile will have a 2HP pump

☐ Other means (describe):

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

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

WATERING TROUGHS & SPRINKLERS FOR DUST CONTROL AND COOLING

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 aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

ALL TROUGHS WILL HAVE SHUT OFF VALVES TO PREVENT WASTE THROUGH OVERFLOW. OTHER APPLICATION OF WATER WILL BE CONTROLLED BY TIMERS.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: ALREADY STARTED AS THE PUMP IS IN THE WELL
- Date construction will be completed: 1-YEAR AFTER ISSUING OF PERMIT
- Date beneficial water use will begin: UPON ISSUING OF PERMIT

SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent 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.

☐ Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: N/A

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

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

Describe planned actions and additional permits required for project implementation: N/A

☒ Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:

SECTION 9: WITHIN A DISTRICT

☒ Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name Hermiston Irrigation District	Address 366 E Hurlburt Ave	
City Hermiston	State OR	Zip 97838

SECTION 10: REMARKS

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

THIS WATER IS GOING TO BE USED FOR A FEEDLOT AND TO WATER LIVESTOCK USING OVER 21,000 GALLONS OF WATER PER DAY.

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Minimum Requirements Checklist

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

Include this checklist with the application

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

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

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

Include the following additional items:

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

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UMAT 54737

STATE OF OREGON

WATER SUPPLY WELL REPORT JAN 13 2003

(as required by ORS 537.765)

Instructions for completing this report are on the last page of this form.

WELL ID. # L 49868
START CARD # 140907

(1) LAND OWNER

Name Beef City Feedlot
Address 81181 Marks Rd
City Hermiston State OR Zip 97338

(2) TYPE OF WORK

☐ New Well ☒ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger
☐ Other

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well 905 ft.
Explosives used ☐ Yes ☒ No Type Amount

HOLE

SEAL

Diameter	From	To	Material	From	To	Sacks or pounds
12"	0	430	Cement	0	145	26 SCS
11 7/8"	420	580				
9 7/8"	580	905				

How was seal placed: Method ☒ A ☐ B ☐ C ☐ D ☐ E☐ Other

Backfill placed from ft. to ft. Material

Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:	10"	0	145	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used ☒ Inside ☐ Outside ☐ None

Final location of shoe(s) 145

(7) PERFORATIONS/SCREENS:

☐ Perforations Method
☐ Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailer ☒ Air ☐ Flowing ☐ Artesian

Yield gal/min Drawdown Drill stem at Time

1000+ 905 1 hr.

Temperature of water 59° Depth Artesian Flow Found

Was a water analysis done? ☐ Yes By whomDid any strata contain water not suitable for intended use? ☐ Too little☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata:

(9) LOCATION OF WELL by legal description:

County Linn Latitude Longitude
Township 5N N or S Range 29E E or W. WM.
Section 26 NE 1/4 SW 1/4
Tax Lot 2500 Lot Block Subdivision
Street Address of Well (or nearest address) SAME

(10) STATIC WATER LEVEL:

62 ft. below land surface. Date 1-6-03
Artesian pressure lb. per square inch Date

(11) WATER BEARING ZONES:

Depth at which water was first found

From	To	Estimated Flow Rate	SWL
875	887	500+	62

(12) WELL LOG:

Ground Elevation

Material	From	To	SWL
Reamed well	From 400	580	58
11 7/8"			
Deepened 9 7/8 to 905			
Black Basalt	555	590	62
Gray Basalt	590	665	
Black Basalt	665	679	
Red Cinders	679	695	
Black Basalt	695	735	
Gray Basalt	735	836	
Fractured Basalt	836	875	
Red Brown Basalt	875	887	
Black Basalt	887	905	62

Date started 11-18-02 Completed 1-3-03

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number

Signed Date

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number

Signed 2/1/03 Date 1-7-03

ORIGINAL - WATER RESOURCES DEPARTMENT FIRST COPY - CONSTRUCTOR SECOND COPY - CUSTOMER

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STATE ENGINEER
SALEM, OREGON

State Permit No.

Contractor's License No. 65 Date 7-8 19 74

Land Use Information Form



Attachment 2: Land Use Information Form

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

NAME Rocking A Feeders Company llc, c/o Abraham Rodriguez				PHONE 541-314-8609	
MAILING ADDRESS 81181 Marks Rd					
CITY Hermiston	STATE OR	ZIP 97838	EMAIL rockingacattleco@gmail.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:
5N	29E	23		5000		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	LIVESTOCK
5N	29E	26		6200		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	LIVESTOCK
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<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:

Umatilla County

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) _____

Estimated quantity of water needed: 550 ☐ 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 Livestock and Feedlot Maintenance

Briefly describe:

We are applying for a water permit to water my cattle and maintain the feedlot area as we grow our operation

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 →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): UCDC 152.056(A)
- ☐ 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
	Received DEC 08 2025	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<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.

Name: Tierney Cimpingotti Title: Planner

Signature: *Tierney Cimpingotti* Date: 10/28/25

Governmental Entity: Umatilla County Phone: 541 278 6252

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: _____

Staff Name: _____ Title: _____

SEND TAX STATEMENTS TO:

Pioneer Escrow Company
P.O. Box 1538
Pendleton, OR 97801

AFTER RECORDING RETURN TO:

Pioneer Escrow Company
P.O. Box 1538
Pendleton, OR 97801

State of Oregon County of Umatilla REC-DE-C Pgs=4 \$20.00 \$11.00 \$10.00 \$60.00 \$10.00 Office of County Records <i>Steve Churchill</i> UMATILLA COUNTY	2023-08615 12/15/2023 10:58:00 AM \$111.00
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MEMORANDUM OF LAND SALE CONTRACT

Pursuant to a Land Sale Contract dated December 13, 2023, Findley Acquisitions, LLC, an Oregon limited liability company, as "Seller" and Rodriguez Land Company, LLC, an Oregon limited liability company, as "Buyer" made and entered into a certain Land Sale Contract wherein said Seller agreed to sell to said Buyer and the latter agreed to purchase from Seller the fee-simple title in and to the following described real property in Umatilla County, State of Oregon, to-wit:

See attached Exhibit A

The true and actual consideration for the transfer, set forth in said contract, is \$5,250,000.00. The terms of which are specified in said Land Sale Contract, but generally payable \$500,000.00 down on the signing of said contract and the balance payable in annual installments of not less than \$200,000.00 each, with the entire unpaid balance due on or before December 1, 2034; all deferred balances bear interest at the rate of 0.00% per annum from the date of said contract until paid.

BEFORE SIGNING AND 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, AND 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 13 day of December, 2023.

SELLER:

Findley Acquisitions, LLC, an Oregon
limited liability company

[Signature]
By: Ian K. Findley, Manager

BUYER:

Rodriguez Land Company, LLC, an Oregon
limited liability company

[Signature]
By: Margaret Ann Rodriguez, Manager

Received

DEC 08 2025


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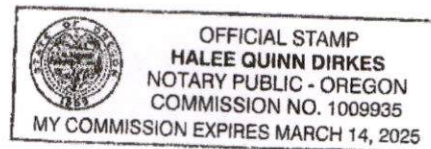
PIONEER TITLE CO. 101237-2
109 SW COURT, PEND. OR 97801


By: Abraham Rodriguez, Member

State of OREGON
County of Umatilla

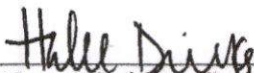
This record was acknowledged before me on December 13, 2023, by Ian K. Findley.


Notary Public - State of Oregon



State of OREGON
County of Umatilla


This record was acknowledged before me on December 13, 2023, by Margaret Ann Rodriguez.

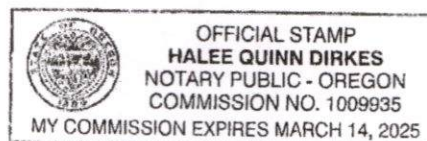

Notary Public - State of Oregon



State of OREGON
County of Umatilla

This record was acknowledged before me on December 13, 2023, by Abraham Rodriguez.


Notary Public - State of Oregon



PREPARED BY:
Cameron R. Bendixsen, OSB 135340
Attorney at Law
245 E. Main St. Suite E
Hermiston, OR 97838

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EXHIBIT A

Pg 1 of 2

Township 5 North, Range 29, E.W.M.;

Section 23: That portion of the Northeast Quarter and of the Southeast Quarter of the Southwest Quarter and of the Southeast Quarter lying Southerly of the railroad right of way.

Section 26: The West Half of the West Half of the Northwest Quarter, lying Southerly of the railroad right of way.

Section 26: Beginning at the Northeast corner of said Section 26; thence Southwesterly in a straight line to the Southwest corner of the Northeast Quarter of said Section 26; thence West along the East-West centerline of said Section 26 to the Southwest corner of the East Half of the West Half of the Northwest Quarter of said Section 26; thence North along the West line of said East Half of the West Half of the Northwest Quarter of said Section 26, to a point on the Southerly line of the railroad right of way; thence Northeasterly along said railroad right of way line to a point on the North line of said Section 26; thence East to the Point of Beginning.

Section 26: West Half of the Southwest Quarter.
West Half of the East Half of the Southwest Quarter.

Excepting therefrom any portion lying within the County Road right-of-way.

Also excepting therefrom those tracts of land conveyed to C-2-L, Inc., by Deed recorded in Microfilm Reel 105, Page 498, Office of Umatilla County Records.

Also excepting therefrom that tract of land conveyed to United States of America, by Deed recorded in Microfilm Reel 257, Page 445, Office of Umatilla County Records.

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

Subject to

1. 2023-2024 Taxes, which are a lien on July 1, 2023, but not yet payable.
(First 1/3 due and payable November 15, 2023. Amounts not yet available)
2. As disclosed by the tax rolls the premises herein described have been zoned or classified for special use. At any time that said land is disqualified for such use said property will be subject to additional taxes and interest.

Persons or parties acquiring title to said lands should check with the appropriate Planning Department and Assessors Office to verify zoning or classification.

3. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.

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EXHIBIT A

Pg 2 of 2

4. The premises herein described are within the boundaries of the Hermiston Irrigation District and this property is therefore subject to all easements, canals, ditches, levies and assessments thereof.
5. Liens and/or assessments of the Hermiston Irrigation District, if any.
6. Easement, including the terms and provisions thereof,
Grantee : Umatilla Electric Cooperative Association
Recorded : April 9, 1939, Book 120, Page 458, Deed Records.
(Blanket Easement)
7. Easement, including the terms and provisions thereof,
Grantee : United States of America (BPA)
Recorded : July 15, 1965, Book 280, Page 626, Deed Records. (Tract I)
8. Easement, including the terms and provisions thereof,
Grantee : Pacific Power & Light Company
Recorded : December 2, 1968, Book 298, Page 479, Deed Records. (Tract I)
9. Easement, including the terms and provisions thereof
Grantee : Umatilla Electric Cooperative Association
Recorded : July 19, 1974, Book 339, Page 173, Deed Records and
Modified : July 17, 2017, Instrument No. 2017-6600398, Office of Umatilla
County Records. (Tracts I, II & III)
10. Mutual Release and Settlement Agreement, including the terms and provisions thereof, contained in Affidavit of Recording of Stipulated Motion to Dismiss, filed April 12, 2004 in State Circuit Court for Umatilla County, Oregon, Case No. CV020843,
Petitioners : L.J. Marks and Alice Marks, DBA Beef City Feedlot and Beef City Feedlot LLC
Respondents : Water Resources Department of the State of Oregon, Water Resources Commission for the State of Oregon and Hermiston Irrigation District
Recorded : June 24, 2005, Instrument 2005-4840190, Office of Umatilla County Records. (Tracts I, II & III)
11. Easement, including the terms and provisions thereof,
Grantee : Pacificorp
Recorded : June 29, 2017, Instrument No. 2017-6590682, Office of Umatilla County Records. (Tract I)

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