

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

Organization*

NAME HALE BROS., INC C/O BOB HALE		PHONE	FAX
ADDRESS 33935 River View Dr			CELL (541) 571-3401
CITY HERMISTON	STATE OR	ZIP 97838	E-MAIL BHALE@HALE-CO.COM

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

AGENT / BUSINESS NAME GSI WATER SOLUTIONS ATTN: ADAM SUSSMAN		PHONE 541-257-9001	FAX
ADDRESS 1600 WESTERN BLVD.			CELL
CITY CORVALLIS	STATE OR	ZIP 97333	E-MAIL * ASUSSMAN@GSIWS.COM

Note: Attach multiple copies as needed

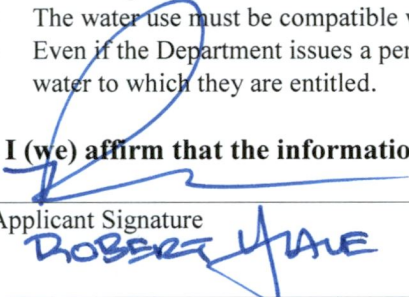
* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

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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

 Applicant Signature ROBERT HALE	Bob Hale, an Owner Print Name and Title if applicable	08/28/19 Date
Applicant Signature	Print Name and Title if applicable	Date

SECTION 2: PROPERTY OWNERSHIP

For Department Use: App. Number: 5-88737

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).*

Columbia Improvement District
P.O. Box 3110, Box 47
Boardman, OR 97818

Rick and Joanna Hale
73426 Hwy 207
Echo, OR 97826

Madison Ranches, Inc.
c/o Jake Madison
29299 Madison RD
Echo, OR 97826

Butter Creek Irrigation District
PO BOX 2308
Tri-Cities, WA 99302-2308

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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. **Water is diverted from the Columbia River at the CID Point of Diversion. The water is transported by CID through their 72 inch buried pipe, 24 inch buried pipe, and concrete ditch (13 miles) to Jake Madison's Pump Station. From this pump station a proposed 36 inch buried pipe will transports the water 4.5 ± miles across Jake Madison ownership to Hale's Tap where Hale Bros, Inc take possession of the water. The legal description for the Hale Bros. property is attached.**

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

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

Source 1: Columbia River						Tributary to: Pacific Ocean					
TRSQQ of POD:											
T 4	N	R25	E	Section 2	NE	NW	South 86 Degree 32 Minutes 38 Seconds West 2841.57 ft from NE Corner of Section 2				

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).

B. Applications to Use Stored Water N/A

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

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

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

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

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

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

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

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

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

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

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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.

If yes,

For Department Use: App. Number: 5-88737

- 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:

We currently use a third party to monitor and report to us the amount of water applied to the crops weekly and with the knowledge of how much water each crop is using weekly we properly apply enough water to replace the amount used by the crops.

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Statewide - OAR 690-033-0330 thru -0340

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

Yes No

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

For Department Use: App. Number: 5-88737

SECTION 5: WATER USE

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

SOURCE	USE	PERIOD OF USE	AMOUNT
Columbia River	Primary and Supplemental Irrigation on <u>1048.75 Acres</u>	October 1 through April 14	12.0 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 1048.75 Acres Supplemental: 1048.75 Acres

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

Butter Creek primary surface water rights: Certificate 63802 (429 acres), Certificate 80705 (323.2 acres)

Butter Creek primary groundwater rights: Certificate 81408 (96.75 acres), Certificate 81409 (54.5 acres)

“Pit Well” primary groundwater right: Certificate 47018 (32.4 acres)

Butter Creek supplemental ‘off season’ water right: Permit S-46499 (752.2 acres)

Columbia River Permits S- 55061, S-55190 & S-55192.

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: **1.5 acre-ft per acre X 1048.75 Acres =1573.1 Ac-ft**

- 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: _____

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SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): Columbia Improvement District (CID) Columbia River Pump Station is equipped with 12 turbine pumps with a total of 11,500 horse power (hp) (61,000 gpm); Booster station #1 is equipped with 4,400 hp turbine pumps; booster station # 2 is equipped with 1,200 hp turbine pumps. From these pumps irrigation water is deliver water through existing 3.25 ± miles of 72 inch buried steel pipe than 2 ± miles of 24 inch buried steel pipe to the CID Concrete Ditch. The water is than delivered to Madison Pump Station though 7.75 ± miles of this concrete ditch. A 2800 hp expansion pump station and flow meter will be added to this pump station to pump water through a proposed new 36 inch buried 4.5 ±

For Department Use: App. Number: _____

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

Please refer to the accompanying 2 Delivery System Maps and place of use map for the description of the system that provide water to the area described in application. A third party monitors water being used and crop requirement intending to help applicant to prevent waste

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
Center pivots, wheel lines, hand lines, and solid sets and drip are currently used to irrigate the acres described in this application

C. Conservation

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

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

SECTION 7: RESOURCE PROTECTION

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

- Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: **The CID has installed fish screens at their Columbia River Pump Station on the Columbia River as per NMFS Requirements and the screens are consistent with current criteria of other regulating agencies**
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation:
The system already exists; thus, the applicant does not anticipate any construction or work in riparian or streamside areas.
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: **The applicant does not anticipate having to work in the Columbia River as the pumps and equipment already exist**
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: **Applicant monitors and uses the latest technology to prevent erosion, optimizing and the use of fertility and chemistry so erosion and run-off are prevented.**

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For Department Use: App. Number: S-88737

- List other federal and state permits or contracts to be obtained, if a water right permit is granted.
All needed contract and easements are in place and no federal or state permits are expected to be required.

SECTION 8: PROJECT SCHEDULE

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

SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name COLUMBIA IMPROVEMENT DISTRICT (CID)	Address P.O. BOX 47	
City Boardman	State OR	Zip 97818

Irrigation District Name Butter Creek Irrigation District	Address P.O. Box 2308	
City Tri-Cities,	State WA	Zip 99302-2308

SECTION 10: REMARKS

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

Hales Bros., Inc. is requesting a permit to appropriate surface water from the Columbia River for supplemental irrigation from November 1 through April 15 of each year. The water will be used to raise the soil moisture to its water holding capacity to be utilized by plant growth in the subsequent growing season. The supplemental use is requested in the interest of conserving ground water supplies and would be exercised at times when water is available from ground water supplies.

The proposed place of use has existing irrigation rights (primary rights) that authorize the use of water primarily from Butter Creek, Columbia River and Groundwater. The proposed place of use is, however, located within the Butter Creek Critical Groundwater Area and the amount of water available from these existing groundwater rights is generally limited. By raising the soil moisture prior to the growing season, this application is intended to reduce the need to irrigate using groundwater and to conserve the groundwater resource.

A portion of the proposed place of use also has supplemental water rights that allow irrigation during the shoulder season using water from Butter Creek. Water is not, however, always available from Butter Creek when it is needed. Accordingly, this application is intended to provide a more reliable source of supplemental water supply.

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For Department Use: App. Number: 5-88737

Minimum Requirements Checklist

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

Include this checklist with the application

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

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

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

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ 5650.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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For Department Use: App. Number: S-88737

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Attachment A
Application Maps

Application for a Permit to Use Surface Water – Hale Bros, Inc.

5-88737

Zach Pike-Urlacher

From: BJORK Mary F * WRD <Mary.F.Bjork@oregon.gov>
Sent: Friday, August 30, 2019 9:58 AM
To: Zach Pike-Urlacher
Cc: Adam Sussman; BJORK Mary F * WRD
Subject: RE: Map Scale Waiver Request, Hale Bros, Inc.

Hi Zach,

A map scale waiver for the two maps depicting the conveyance system seems appropriate considering the scope of the project. Your request for a map scale waiver for the two maps depicting the conveyance system is approved as requested. Please be aware that this map waiver only applies to the map scale. All other mapping requirements contained in the rules (OAR 690-3100-0050(1)(C), remain in effect.

Best Regards,

Mary

Mary F Bjork | Water Rights Program Analyst

Oregon Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph: 503.986.0804/503.986.0817 | Fax: 503.986.0901
Email: mary.f.bjork@oregon.gov | Web: <http://www.oregon.gov/owrd>

From: Zach Pike-Urlacher <zpikurlacher@gsiws.com>
Sent: Thursday, August 29, 2019 12:36 PM
To: BJORK Mary F * WRD <Mary.F.Bjork@oregon.gov>
Cc: Adam Sussman <asussman@gsiws.com>
Subject: Map Scale Waiver Request, Hale Bros, Inc.

Hi Mary,

Hale Bros, Inc. is preparing an application for a permit to use surface water. Because of the size of the conveyance system depicted in two application maps (see attachments), we are requesting a map scale waiver for these two maps. The place of use map for this application is at a standard scale (1 inch=1,320 feet), and is also attached.

Please let us know if you have any questions regarding our map scale waiver request.

Thank you,

Zach Pike-Urlacher
Water Resources Analyst
direct: 541.754.7095 | mobile: 360.739.2303
1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333
GSI Water Solutions, Inc. | www.gsiws.com

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Attachment B
Land Use Information Forms

Application for a Permit to Use Surface Water – Hale Bros, Inc.

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

Applicants **Morrow County**

NAME HALE BROS., INC C/O BOB HALE			PHONE	FAX
ADDRESS 33935 River View Dr				CELL (541) 571-3401
CITY HERMISTON	STATE OR	ZIP 97838	E-MAIL BHALE@HALE-CO.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:
4N, & 3N,	26E, 27E, & 28E	Columbia Improvement District Delivery System		See attached point of diversion and conveyance system map	EFU	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	Supp. Irrigation See Map 1 of 3
3N	27 E	15, 16, 17		See attached conveyance system map 1100, 1102	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	Supp. Irrigation Buried New 36" Pipe line See Map 2 of three

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

Umatilla & Morrow Counties

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B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond Groundwater Surface Water (name) Columbia River

Estimated quantity of water needed: 12 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:

See attached maps and Surface Water Application

5-88737

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Morrow County Zoning Ord. 3.010.
- 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

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. **This page left intentionally blank.**

NAME <u>Stephanie Case</u>		TITLE: <u>Planner I</u>
SIGNATURE <u>Stephanie Case</u>	PHONE: <u>541-922-4624</u>	DATE: <u>8/29/2019</u>
GOVERNMENT ENTITY <u>Morrow County Planning Department</u>		

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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Land Use Information Form

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

Applicants

Umatilla County

NAME HALE BROS., INC C/O BOB HALE			PHONE	FAX
ADDRESS 33935 River View Dr			CELL (541) 571-3401	
CITY HERMISTON	STATE OR	ZIP 97838	E-MAIL BHALE@HALE-CO.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	Sections	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
3N	27E	15, 22, 25, 26, 36		See attached conveyance system map 4900, 5000, 5500, 5400, 5900, 6200	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> sed	Supp. Irrigation Buried New 36 " Pipe line See Map 2 of 3
2N	27E	1, 2, 11, 12		See attached place of use map 100, 600, 401, 402, 404, 600	EFU	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Suppl Irr. See Map 3 of 3

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

Umatilla & Morrow Counties

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

Source of water: Reservoir/Pond Groundwater Surface Water (name) Columbia River

Estimated quantity of water needed: 12 cfs cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for ___ household(s)

Briefly describe:

See attached maps and Surface Water Application

6-88737

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):

UCDC Section 152.056(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

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>Robert T Waldher</u>		TITLE: <u>Director</u>
SIGNATURE <u>Robert T Waldher</u>	PHONE: <u>541.278.6251</u>	DATE: <u>09/03/19</u>
GOVERNMENT ENTITY <u>Umatilla County</u>		

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Jake Madison – Signed Consent Form
Rick & Joanna Hale – Signed Consent Form
Columbia Improvement District – Signed Consent Form
Butter Creek Irrigation District – Signed Consent Form

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Attachment C
Consent to Application Forms
Application for a Permit to Use Surface Water – Hale Bros, Inc.

2019

Water Right Application for Winter Water from the Columbia River

The Department encourages applicants to coordinate with effected **land owners** during the planning and preparation of the applications including their land in the proposed project.

1. APPLICANT INFORMATION

2.

<u>We, Hale Bros, Inc c/o Bob Hale</u>			
NAME of Applicants			
Bob Hale			
<u>33935 River View Drive, Hermiston, OR 97838</u>			
ADDRESS	CITY	STATE	ZIP
<u>(541)571-3401</u>		<u>bhale@hale-co.com</u>	
PHONE	E-MAIL ADDRESS		

2. Land Owners INFORMATION

Jake Madison

29299 Madison Rd, Hermiston, OR 97838

ADDRESS CITY STATE ZIP

(541)571-0569 **jake@madisonranches.com**

PHONE E-MAIL ADDRESS

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3. CONCURRENCE WITH PROPOSED WATER RIGHT APPICAION

The Applicant certifies the following:

- (1) The applicant has conferred with the **Jake Madison** about the proposed water right application;
- (2) **Jake Madison** has reviewed the applicant's proposed water right application and maps; and
- (3) he concurs with the proposed water right application.



Jake Madison Signature

Jake Madison

Name (print)

8-29-19

Date

2019

Water Right Application for Winter Water from the Columbia River

The Department encourages applicants to coordinate with effected **land owners** during the planning and preparation of the applications including their land in the proposed project.

1. APPLICANT INFORMATION

2.

<u>We, Hale Bros, Inc c/o Bob Hale</u> NAME of Applicants			
Bob Hale			
<u>33935 River View Drive, Hermiston, OR 97838</u>			
ADDRESS	CITY	STATE	ZIP
<u>(541) 571-3401</u>		<u>bhale@hale-co.com</u>	
PHONE	E-MAIL ADDRESS		

2. Land Owners INFORMATION

Rick & Joanna Hale

73426 Hwy 207, Hermiston, OR 97838
ADDRESS CITY STATE ZIP

(541) 571-3669 **rhale@hale-co.com**
PHONE E-MAIL ADDRESS

Other Phone: _____

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3. CONCURRENCE WITH PROPOSED WATER RIGHT APPICAION

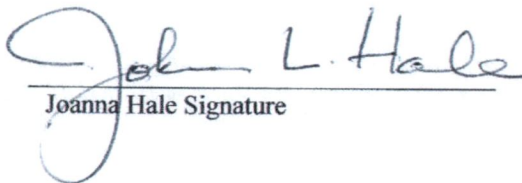
The Applicant certifies the following:

- (1) The applicant has conferred with the **Rick and Joanna Hale** about the proposed water right application;
- (2) **Rick and Joanna Hale** have reviewed the applicant's proposed water right application and maps; and
- (3) They concur with the proposed water right application.


Rick Hale Signature

Rick Hale
Name (print)

8/28/19
Date


Joanna Hale Signature

Johanna L. Hale
Name (print)

8/28/19
Date

2019

Water Right Application for Winter Water from the Columbia River

The Department encourages applicants to coordinate with districts during the planning and preparation of applications involving water rights application requiring the use of an irrigation district system for delivery

1. APPLICANT INFORMATION

We, Hale Bros, Inc c/o Bob Hale; Madison Ranches, Inc. c/o Jake Madison; Rick and Joanna Hale
NAME of Applicants

Bob Hale
33935 River Veiw Drive, Hemiston, OR 97838
ADDRESS CITY STATE ZIP

(541)571-3401 bhale@hale-co.com
PHONE E-MAIL ADDRESS

Jake Madison
29299 Madison Rd, Hemiston, OR 97838
ADDRESS CITY STATE ZIP

(541)571-0569 jake@madisonranches.com
PHONE E-MAIL ADDRESS

Rich & Joanna
73426 Hwy 207, Hemiston, OR 97838
ADDRESS CITY STATE ZIP

(541)571-3669 rhale@hale-co.com
PHONE E-MAIL ADDRESS

2. DISTRICT INFORMATION

District Name: Columbia Improvement District

Address: P.O. Box 47

City: Boardman State: OR Zip: 97818

Home Phone: _____ Work Phone: (541)481-9454 Other Phone: _____

Fax: _____ E-Mail address: _____

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3. DISTRICT CONCURRENCE WITH PROPOSED WATER RIGHT APPICAION

The district certifies the following:

- (1) The applicant has conferred with the district about the proposed water right application;
- (2) The district has reviewed the applicant's proposed water right application and maps; and
- (3) The district concurs with the proposed water right application.

Mark Maynard

District-Manager President Signature

Mark Maynard- Manager

Name (print)

8/19/19

Date

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2019

Water Right Application for Winter Water from the Columbia River

The Department encourages applicants to coordinate with districts during the planning and preparation of applications involving water rights application requiring the use of an irrigation district system for delivery

1. APPLICANT INFORMATION

We, Hale Bros, Inc c/o Bob Hale; Madison Ranches,

Inc. c/o Jake Madison; Rick and Joanna Hale

NAME of Applicants

Bob Hale

33935 River Veiw Drive, Hemiston, OR 97838

ADDRESS CITY STATE ZIP

(541)571-3401

PHONE

bhale@hale-co.com

E-MAIL ADDRESS

Jake Madison

29299 Madison Rd, Hemiston, OR 97838

ADDRESS CITY STATE ZIP

(541)571-0569

PHONE

jake@madisonranches.com

E-MAIL ADDRESS

Rich & Joanna

73426 Hwy 207, Hemiston, OR 97838

ADDRESS CITY STATE ZIP

(541)571-3669

PHONE

rhale@hale-co.com

E-MAIL ADDRESS

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2. DISTRICT INFORMATION

District Name: Butter Creek Irrigation District

Address: P.O. Box 2308

City: Tri-Cities, WA, 99302-2308

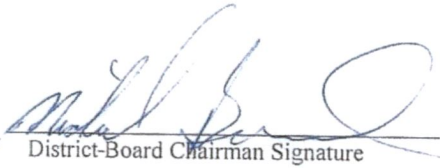
Home Phone: _____ Work Phone: (509-820-9870) Other Phone: _____

Fax: _____ E-Mail address: mbergstrom@agrinw.com

3. DISTRICT CONCURRENCE WITH PROPOSED WATER RIGHT APPLICATION

The district certifies the following:

- (1) The applicant has conferred with the district about the proposed water right application;
- (2) The district has reviewed the applicant's proposed water right application and maps; and
- (3) The district concurs with the proposed water right application.


District-Board Chairman Signature

Mike Bergstrom, Chairman
Name (print)

08-12-2019
Date

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Hale Bros, Inc.
Deed Rick & Joanna
Hale Deed

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Attachment D
Property Deeds

Application for a Permit to Use Surface Water – Hale Bros, Inc.

COPY

50 Pa

AFTER RECORDING

RETURN TO:

FEENEY TITLE CO.

120 S.E. COURT ST.

PENDLETON, OR 97801

REEL 246 PAGE 1061

189651

SPECIAL WARRANTY DEED--STATUTORY FORM
Individual Grantor

FILED
COUNTY CLERK
94 JAN -5 P 2:11

CLAUSIE H. AMMON, EDWARD N. AMMON, DENNIS AMMON, and DARLENE CARR, Grantor, conveys and specially warrants to HALE BROS., INC., an Oregon corporation, Grantee, the following described real property free of encumbrances created or suffered by the Grantor except as specifically set forth herein, situated in Umatilla County, Oregon, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

The said property is free of all encumbrances created or suffered by the Grantor except zoning ordinances, building and use restrictions, the specific exceptions listed as items 1, 2, 3, 4, and 5 on the Exhibit "A" and any and all liens and encumbrances placed upon the property or suffered by the Grantee subsequent to the date of this deed.

The true consideration for this conveyance is \$350,000.00.

DATED this 13th day of October, 1990.

Clausie H. Ammon
Clausie H. Ammon

STATE OF OREGON)
) ss.
COUNTY OF LINN)

DATE: October 13, 1990

Personally appeared the above named CLAUSIE H. AMMON and acknowledged the foregoing instrument to be his voluntary act and deed.



Michael S. Crowell
Notary Public for Oregon
My Commission expires: 7/11/91

DATED this 13 day of October, 1990.

Edward N. Ammon
Edward N. Ammon

STATE OF OREGON)
) ss.
COUNTY OF LINN)

DATE: October 13, 1990

Personally appeared the above named EDWARD N. AMMON and acknowledged the foregoing instrument to be his voluntary act and deed.



Michael S. Crowell
Notary Public for Oregon
My Commission expires: 7/11/91

SPECIAL WARRANTY DEED--STATUTORY FORM

PTC 44607-E-8050

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5-88737

REEL 246 PAGE 1062

DATED this 13th day of October, 1990.

Dennis E. Ammon
Dennis Ammon

STATE OF OREGON)
COUNTY OF LINN) ss.

DATE: October 13, 1990



Personally appeared the above named DENNIS AMMON and acknowledged the foregoing instrument to be his voluntary act and deed.

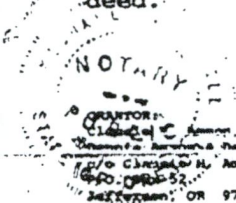
Michael J. Givens
Notary Public for Oregon
My Commission expires: 7/11/91

DATED this 13th day of October, 1990.

Darlene Carr and Darlene Bordighier
Darlene Carr

STATE OF OREGON)
COUNTY OF LINN) ss.

DATE: October 13, 1990



Personally appeared the above named DARLENE CARR and acknowledged the foregoing instrument to be her voluntary act and deed.

Michael J. Givens
Notary Public for Oregon
My Commission expires: 7/11/91

GRANTOR:
Dennis E. Ammon, Edward W. Ammon,
Darlene Carr, Darlene Bordighier
c/o Dennis E. Ammon
P.O. Box 52
Jefferson, OR 97352

GRANTEE:
Male Bros., Inc.
P.O. Box 110
Hermiston, OR 97838

AFTER RECORDING RETURN TO:
Male Bros., Inc.
P.O. Box 110
Hermiston, OR 97838

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:
Male Bros., Inc.
P.O. Box 110
Hermiston, OR 97838

[file:dally:ammon.mcd:08-28-90]

2 - SPECIAL WARRANTY DEED--STATUTORY FORM

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REEL 246 PAGE 1063

EXHIBIT "A"

(Ammon Bros., Inc. to Hale Bros., Inc.)

TRACT I:

TOWNSHIP 2 NORTH, RANGE 27, E. W. M.

Section 1: South Half of Northwest Quarter.
North Half of Southwest Quarter.
All that portion of Northeast Quarter and of North
Half of Southeast Quarter, lying Westerly of Oregon
State Highway No. 207;

EXCEPTING THEREFROM that tract conveyed to Ammon
Brothers, Inc., by Deed recorded in Book 286, Page
460, Deed Records.

Section 2: South Half of Northeast Quarter.
North Half of Southeast Quarter.

SUBJECT to any and all water rights of way, loads and highways;

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

TRACT II:

TOWNSHIP 2 NORTH, RANGE 27, E. W. M.

Section 2: North Half of Northeast Quarter.
Northwest Quarter.

SUBJECT to any and all water rights of way, roads and highways;

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

TRACT III:

TOWNSHIP 2 NORTH, RANGE 27, E. W. M.

Section 1: A tract of land located in West Half of said
Section 1, being that tract conveyed to Ammon
Brothers, Inc., by Deed recorded in Book 286, Page
460, Deed Records, and described as beginning at a
point 2778.6 feet South of and 449.8 feet West of
Northeast corner of said Section 1; thence North
82° 34' West 90 feet; thence South 07° 26' West 30
feet; thence South 82° 34' East 90 feet; thence
North 07° 26' East 30 feet to the point of
beginning;

SUBJECT to any and all water rights of way, roads and highways;

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

1 - AMMON/HALE -- Exhibit "A"

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REEL 246 PAGE 1064

All of the above described real property is sold subject to the following liens, easements, conditions and restrictions of record as more fully set forth in Preliminary Title Report No. 44667 issued by Pioneer Title Company with an effective date of February 1, 1990, at 5:00 p.m., to-wit:

1. As disclosed by the tax rolls the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use said property will be subject to additional taxes and interest.
2. Reservations, including the terms and provisions thereof, contained in Deed from State of Oregon to Katherine M. Stanfield, recorded October 23, 1944, Book 127, Page 50, Deed Records. Affects S-1/2 & NW-1/4 of Sec. 1.
3. Right of Way Easement, including the terms and provisions thereof, granted by Katherine M. Stanfield to Umatilla Electric Cooperative Association, recorded April 14, 1938, Book 120, Page 522, Deed Records. Affects Sec. 1.
4. Agreement, including the terms and provisions thereof, between Clausie H. Ammon, et al, and Joy A. Anderson, et al, recorded March 11, 1957, Book 240, Page 541, Deed Records.
5. Mortgage, including the terms and provisions thereof, given to secure a note for \$170,000.00, with interest thereon,
 From : Ammon Bros., Inc., an Oregon corporation
 To : The Prudential Insurance Company of America
 Dated : November 27, 1967
 Recorded : December 14, 1967, Book 228, Page 256, Mortgage Records.

STATE OF OREGON, COUNTY OF UMATILLA
 I, Thomas L. Groat, County Clerk, CERTIFY THIS
 INSTRUMENT WAS RECEIVED AND RECORDED ON 01-05-94
 AT 2:11 IN THE RECORDS OF INSTRUMENT CORE TYPE
 DE-ND
 LOCATION R246-1061
 INSTRUMENT NUMBER 94-189651
 FEE 50.00

THOMAS L. GROAT
 UMATILLA COUNTY CLERK

RECEIVED BY J. McArthur DEPUTY

[rka:daily:exhibit.a:3-2-90]

2 - AMMON/HALE -- Exhibit "A"

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SEP 04 2019

OWRD

5-88737

EM
RE

State of Oregon
County of Umatilla



Instrument received
and recorded on
8/14/2019 9:45:52 AM

in the record of instrument
code type DE

Instrument number 2019-6890386
Fee \$111.00

After recording, return to:

Ellen Jackson
Stokes Lawrence Velikanje Moore & Shore
120 N. Naches Avenue
Yakima, WA 98901

Mail all tax statements to:

Rick L. Hale and Johanna L. Hale, Trustees
73426 Hwy 207
Echo, OR 97826

Tax Account No. 0504-106934
Assessor's Parcel No. 2N27 600

Umatilla County
Received: 8/14/2019



1101225

Office of County Records

Steve Churchill

Records Officer
1101225 PA

BARGAIN AND SALE DEED

Rick L. Hale and Johanna L. Hale, husband and wife, Grantors, convey to **Rick L. Hale and Johanna L. Hale, Trustees of the Rick and Jody Hale Family Living Trust** dated 8-1, 2019, Grantees, the real property located in Echo, Umatilla County, Oregon, described in Exhibit A attached hereto.

The consideration for this conveyance is \$0.00.

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 this 1 day of August, 2019.

[Signature]

RICK L. HALE

[Signature]

JOHANNA L. HALE

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EXHIBIT A

Tract I

The Northwest Quarter and the North Half of the Northeast Quarter of Section 2, Township 2 North, Range 27, East of the Willamette Meridian, Umatilla County, Oregon;

Also including that portion of the West Half of Section 1 and the East Half of Section 2, said Township 2 North, Range 27, being described as beginning at the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 1; thence North 89°56'43" West along the North line of the Southeast Quarter of the Northeast Quarter of said Section 2, a distance of 189.94 feet, more or less, to a 5/8" iron rebar; thence South 14°45'04" West, a distance of 1,151.44 feet to a 5/8" iron rebar; thence North 81°52'20" West, a distance of 190.08 feet; thence South 07°40'37" West, a distance of 257.04 feet to a point which lies 15 feet distant Northerly (when measured at right angles) from the centerline of an existing gravel road; thence South 80°11'33" East and parallel with the centerline of said gravel road, a distance of 328.96 feet; thence North 87°23'05" East and parallel with the centerline of said gravel road, a distance of 235.05 feet; thence South 35°28'37" West, a distance of 209.33 feet along the centerline of an abandoned irrigation ditch; thence South 55°20'12" West and continuing along the centerline of said ditch, a distance of 197.20 feet; thence South 80°45'30" West, a distance of 238.63 feet to a 5/8" iron rebar; thence South 29°14'50" West, a distance of 230.10 feet to a 5/8" iron rebar; thence North 86°52'39" East, a distance of 1,475.72 feet to a 5/8" iron rebar; thence North 00°00'26" East, a distance of 163.69 feet to a 5/8" iron rebar; thence North 84°54'55" West, a distance of 99.32 feet; thence North 19°29'29" East along a fence line, a distance of 294.07 feet to a point which lies 15 feet distant Southerly (when measure at right angles) from the centerline of an existing gravel road; thence South 87°23'05" West and parallel with the said gravel road centerline, a distance of 643.37 feet; thence South 64°37'56" West, a distance of 66.87 feet to a 5/8" iron rebar; thence North 55°30'40" West, a distance of 53.14 feet; thence North 02°36'55" West, a distance of 83.81 feet to a point which lies 75 feet distant Northerly (when measured at right angles) from the centerline of an existing gravel road; thence South 87°23'05" West and parallel with the said gravel road centerline, a distance of 278.83 feet to a point which lies on the centerline of Butter Creek; thence Northerly along said Creek centerline, a distance of 1,472.52 feet, more or less, to a point which lies on the North line of the Southwest Quarter of the Northwest Quarter of said Section 1; thence North 89°56'43" West, a distance of 63.07 feet, more or less, to the point of beginning;

Tract I (continued)

Also including that portion of the West Half of said Section 1 and the East Half of said Section 2, being described as commencing at the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 1; thence North 89°56'43" West along the North line of the Southeast Quarter of the Northeast Quarter of said Section 2, a

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distance of 189.94 feet, more or less, to a 5/8" iron rebar; thence South 14°45'04" West, a distance of 1,151.44 feet to a 5/8" iron rebar; thence North 81°52'20" West, a distance of 190.08 feet; thence South 07°40'37" West, a distance of 257.04 feet to a point which lies 15 feet distant Northerly (when measure at right angles) from the centerline of an existing gravel road; thence South 80°11'33" East and parallel with said gravel road centerline, a distance of 328.96 feet; thence North 87°23'05" East and continuing parallel with said gravel road centerline, a distance of 235.05 feet; thence South 35°28'37" West along the centerline of an abandoned irrigation ditch, a distance of 209.33 feet; thence South 55°20'12" West and continuing along said ditch centerline, a distance of 197.20 feet; thence South 80°45'30" West, a distance of 238.63 feet to a 5/8" iron rebar; thence South 29°14'50" West, a distance of 230.10 feet to a 5/8" iron rebar and the True Point of Beginning for this description; thence South 39°49'52" West, a distance of 102.47 feet; thence North 86°52'39" East, a distance of 1,541.44 feet; thence North 00°00'26" East, a distance of 75.11 feet; thence South 86°52'39" West, a distance of 1,475.72 feet to the point of beginning;

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

Tract II

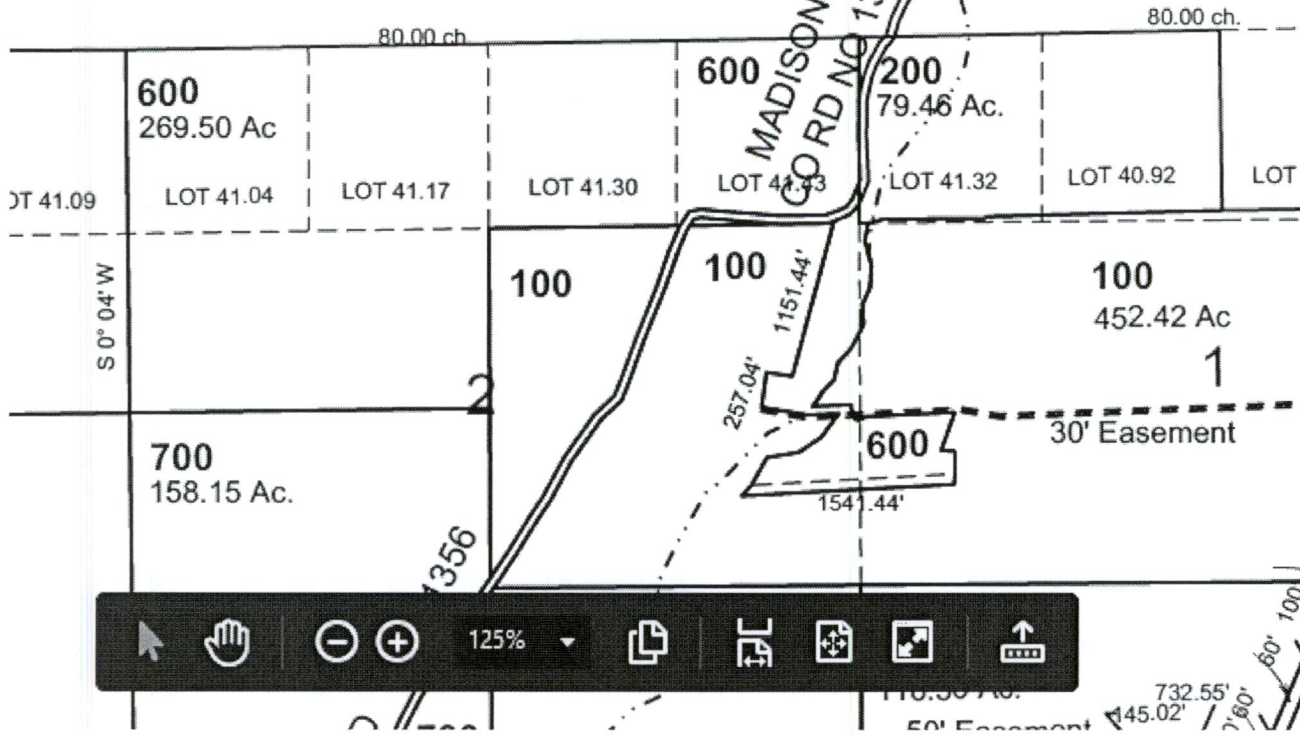
A 30 foot easement for ingress, egress and utilities over a strip of land, the centerline of which is the centerline of an existing gravel road and being described as beginning at the point of intersection of said gravel road centerline with the Westerly right-of-way line of State Highway No. 207, said point being located South 24°25'32" West, a distance of 2,960.29 feet, more or less, from the Northeast corner of Section 1, Township 2 North, Range 27, East of the Willamette Meridian, Umatilla County, Oregon; thence North 85°21'29" West, a distance of 290.43 feet; thence South 87°44'23" West, a distance of 2,744.20 feet; thence North 80°25'03" West, a distance of 273.94 feet; thence South 87°23'05" West, a distance of 1,132.91 feet to a concrete nail in a concrete bridge; thence North 80°11'33" West, a distance of 330.04 feet to the terminus point of said centerline description.

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See Map 3N 27E



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SEP 04 2019

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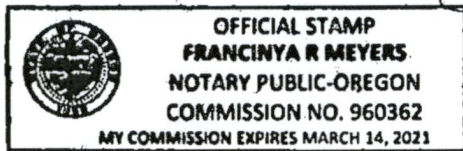
5-88737

#106934

STATE OF OREGON)
) ss.
COUNTY OF Umatilla)

I certify that I know or have satisfactory evidence that Rick L. Hale and Johanna L. Hale are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: August 1, 2019.



Francinya R. Meyers

[Print Name] Francinya R. Meyers
NOTARY PUBLIC for the State of Oregon,
residing at Hermiston, Oregon.
My appointment expires: 3-14-2021

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