

Application for a Permit to Use Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME FARMERS IRRIGATION DISTRICT, LES PERKINS		PHONE (HM)	
PHONE (WK) 541-387-5261	CELL 541-490-4062	FAX 541-386-9103	
ADDRESS 1985 COUNTRY CLUB ROAD			
CITY HOOD RIVER	STATE OR	ZIP 97031	E-MAIL * LES@FIDHR.ORG

Organization

NAME FARMERS IRRIGATION DISTRICT		PHONE 541-387-5261	FAX 541-386-9103
ADDRESS 1985 COUNTRY CLUB ROAD			CELL
CITY HOOD RIVER	STATE OR	ZIP 97031	E-MAIL * FIDHR@FIDHR.ORG

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

AGENT / BUSINESS NAME FARMERS IRRIGATION DISTRICT, RICK BROCK		PHONE 541-387-5261	FAX 541-386-9103
ADDRESS 1985 COUNTRY CLUB ROAD			CELL 541-806-0361
CITY HOOD RIVER	STATE OR	ZIP 97031	E-MAIL * RICK@FIDHR.ORG

Note: Attach multiple copies as needed

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

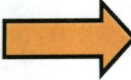
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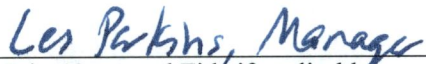

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By my signature below I confirm that I understand:

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

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




 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. **This project proposes public instream use by releasing stored water from Farmers Irrigation District's Upper Green Point Reservoir into Ditch Creek. The releases will occur on property owned by FID. Instream flow use will occur through the natural stream channel.**
- 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).*

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.

1. FARMERS IRRIGATION DISTRICT, DIVERSION POD 16095: 2N-9E-22-NW/SE-NE/SW-SE/SW-SW/SE-0101 UPPER GREEN POINT RESERVOIR.
2. NA
3. NA

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SECTION 3: SOURCE OF WATER

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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: Upper Green Point Reservoir	Tributary to: Ditch Creek
TRSQQ of POD: 16095: 2N-9E-22-NW/SE-NE/SW-SE/SW-SW/SE-0101	
Source 2: Lower Green Point Reservoir (pass-through)	Tributary to: Ditch Creek
TRSQQ of POD: 16096: 2N-9E-15-SE/SE-0101, 2N-9E-22-NW/NE-NE/NE-SW/NE-0101	

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

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

For Department Use: App. Number: 5-88806

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

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

If yes,

- I understand that the proposed use does not involve appropriation of direct stream flow 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

For Department Use: App. Number: 5-88806

Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.

- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

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

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

Yes No

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

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

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

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

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

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the State wide rules apply?

Yes No

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

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For Department Use: App. Number: 5-88806

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
Upper Green Point Reservoir	Flow augmentation to Ditch Creek	July	See attached Permit R-15387 0 to 7.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
Upper Green Point Reservoir	Flow augmentation to Ditch Creek	August	See attached Permit R-15387 0 to 19.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
Upper Green Point Reservoir	Flow augmentation to Ditch Creek	September	See attached Permit R-15387 0 to 19.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
X	X	X	<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: 0 Acres Supplemental: 0 Acres

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

NA

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 0

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

SECTION 6: WATER MANAGEMENT

A.

Diversion and Conveyance

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

- Pump (give horsepower and type): NA
- Other means (describe): No equipment needed, natural stream channel.

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

Open existing Upper Green Point Reservoir outlet valve to release water to Ditch Creek (for flow augmentation to the confluence with the Hood River).

B.

Application Method

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

NA

C.

Conservation

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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.

Permit R-15387 requires instream release from the Upper Green Point Reservoir if storage exceeds 470 acre-feet under the new permit.

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: **NA, no diversion.**
- 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: **NA, no excavation or clearing necessary for flow release.**
- 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: **NA, no equipment necessary for flow release.**
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: **NA, no construction necessary for flow release.**
- List other federal and state permits or contracts to be obtained, if a water right permit is granted. **NA**

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SECTION 8: PROJECT SCHEDULE

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- a)
Date construction will begin: **Reservoir expansion construction expected to begin May 2020.**
- b)
Date construction will be completed: **Reservoir expansion construction expected to be completed October 2020. Flow augmentation will not occur until water is stored in the expanded reservoir under Permit R-15387. No construction necessary for flow augmentation releases after reservoir expansion. Outlet valve exists currently.**
- c)
Date beneficial water use will begin: **The next July after storage under R-15387 occurs.**

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 Farmers Irrigation District	Address 1985 Country Club Road	
City Hood River	State OR	Zip 97031

SECTION 10: REMARKS

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

OWRD approval of this application for a permit to use surface water will enable FID to release flow augmentation water from the Upper Green Point Reservoir (this instream flow is protected from the reservoir down to the confluence of Ditch Creek and the mainstem Hood River) as described in the Required 25 Percent Instream Flow Protection (RIFP) Conditions in Permit R-15387 (attached). This meets a condition of FID's new storage permit (R-15387) for the Upper Green Point Reservoir.

This application is for flow augmentation water down Ditch Creek. Water will be measured at the Lower Green Point Reservoir outfall and near the confluence of Ditch Creek and the mainstem Hood River, as described in the Monitoring and Measurement Plan for Permit R-15387 (attached). Ditch Creek is approximately 5 miles long from the Upper Green Point Reservoir outfall to the mouth of Ditch Creek.

The amount of flow augmentation water released into Ditch Creek will be a percentage of how many acre-feet are stored in the expanded upper reservoir over 470 acre-feet. Augmentation water will vary year to year depending on the amount stored under Permit R-15387.

The Upper Green Point Reservoir expansion project should be completed by April 2021. Monitoring equipment will be installed before water can be stored in the expanded reservoir under Permit R-15387. Flow augmentation to Ditch Creek will start the July after storage under Permit R-15387 occurs (July 2021 at the earliest). The permit for the expanded upper reservoir storage water (R-16387) was issued in May 2019.

FID diverts storage, irrigation, hydropower, and spray water from Gate Creek, Cabin Creek, and, if approved, Rainy Creek. Gate & Cabin certificates are 85975, 74302, 48819, 75809, and 94391. Rainy Creek certificate is 76230. Upper and Lower Green Point reservoirs certificate is 48819.

FID also diverts water from Ditch Creek from three PODs. DC#1 is the Parker Town Diversion, certificate 85975. DC#2 is the High Line Diversion, certificates 85974, 76230, and 94391. DC#3 is Forebay #3, certificates 74302, 76230, 85975, 75809, 67267, 93491, and 93493.

The Upper Green Point Reservoir POD is located at 2N-9E-22-NW/SE-0101, the Lower Green Point Reservoir POD is located at 2N-9E-22-NE/NE-0101. The confluence of Ditch Creek and the Hood River is at 2N-10E-20-SE/SW-1600. DC#1 diversion is at 2N-9E-14-SE/SE-0100. DC#2 diversion is at 2N-9E-24-NE/NE-0100. DC #3 diversion is at 2N-10E-19-SW/NW-0400.

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Minimum Requirements Checklist

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

Include this checklist with the application

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

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

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

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Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ 1,770.00
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)

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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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Land Use Information Form

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Land Use Information Form



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

Applicant

NAME FARMERS IRRIGATION DISTRICT			PHONE (HM)		
PHONE (WK) 541-387-5261		CELL		FAX 541-386-9103	
ADDRESS 1985 COUNTRY CLUB ROAD					
CITY HOOD RIVER		STATE OR	ZIP 97031	E-MAIL* FIDHR@FIDHR.ORG	

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
2N	9E	22	NW/SE, NE/SW, SE/SW, SW/SE	0101	Primary Forest	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Flow augmentati on water release
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<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:

Hood River County

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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) _____

Estimated quantity of water needed: 0-45 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:

FID will release up to 45.0 acre-feet (depending on the amount stored under permit R-15387) from the Upper Green Point Reservoir into Ditch Creek between July-September under the release schedule described in the Permit R-15387 Required 25 Percent Instream Flow Protection (RIFP) Conditions.

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

5 - 000006

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): HOOD RIVER COUNTY ZONING ORDINANCE.
- 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
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	FEB 12 2020	<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
		<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>MICHAEL KEUR</u>	TITLE: <u>COMPLIANCE PLANNER</u>
SIGNATURE: <u>[Signature]</u>	PHONE: <u>541.387.6840</u>
GOVERNMENT ENTITY: <u>HOOD RIVER COUNTY</u>	DATE: <u>JAN. 31, 2020</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: _____

5-000006

RECORDING COVER SHEET (Please print or type)

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, and does NOT affect the instrument. ORS 205.234

HOOD RIVER COUNTY, OR **2019-03756**

D-WD

11/14/2019 09:37:01 AM

Str=8 DARCYM

\$50.00 \$11.00 \$10.00 \$64.00 \$25.00

\$160.00

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

Brian D. Beebe, Director of Records and Assessment and Ex-Officio Recorder.

After recording return to: ORS 205.234(1)(c)

Farmers Irrigation District

1895 County Club Road

Hood River, OR 97031

1. Title(s) of the transaction(s) ORS 205.234(1)(a)

Warranty Deed

2. Direct party(ies) / grantor(s) Name(s) ORS 205.234(1)(b)

Hood River County, a home rule county and political subdivision of the State of Oregon

3. Indirect party(ies) / grantee(s) Name(s) ORS 205.234(1)(b)

Farmers Irrigation District, a municipal corporation of the State of Oregon

4. True and actual consideration:
ORS 205.234(1) Amount in dollars or other

\$

Other: Land Exchange

5. Send tax statements to: ORS 205.234(1)(e)

Farmers Irrigation District

1895 Country Club Road

Hood River, OR 97031

6. Satisfaction of lien, order, or warrant:
ORS 205.234(1)(f)

FULL

PARTIAL

7. The amount of the monetary obligation imposed by the lien, order, or warrant: ORS 205.234(1)(f)

\$

8. Previously recorded document reference: 2018-02977

9. If this instrument is being re-recorded complete the following statement: ORS 205.244(2)

"Rerecorded at the request of Hood River County Records and Assessment

to correct Farmer's Irrigation District to Farmers Irrigation District

previously recorded in book _____ and page _____, or as fee number 2018-02977."

5-88806

After recording return to:

Farmer's Irrigation District
1895 Country Club Road
Hood River, OR 97031

Until further notice, all tax statements should be sent to:

Farmer's Irrigation District
1895 Country Club Road
Hood River, OR 97031

Tax Account No. Portion of 2N-9E-22-100
Reference: 10182

Consideration: Land Exchange

HOOD RIVER COUNTY, OR **2018-02977**
D-WD
Str=21 OSCARG **08/31/2018 03:37:00 PM**
\$45.00 \$11.00 \$10.00 \$64.00 \$25.00 **\$155.00**

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

Brian D. Beebe, Director of Records and Assessment and Ex-Officio Recorder.

WARRANTY DEED

HOOD RIVER COUNTY, a home rule county and political subdivision of the State of Oregon, hereinafter referred to as Grantor, does hereby convey and warrant unto FARMER'S IRRIGATION DISTRICT, a municipal corporation of the State of Oregon, hereinafter called Grantee, and to Grantee's heirs, successors and assigns, the following described real property free of encumbrances, except as specifically set forth herein, together with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, to wit:

See attached Exhibit "A."

SUBJECT TO:

1. Taxes not assessed because of Government Exemption. If the exempt status is terminated an additional tax may be levied.
2. Rights of the public and governmental bodies in and to that portion of said premises now or at any time lying below the high water line of Upper Green Point Reservoir and any un-named creeks, including any ownership rights which may be claimed by the State of Oregon as to any portion now or at any time lying below the ordinary high water line.
3. Such rights and easements for navigation and fishing as may exist over that portion of the property now or at any time lying beneath the waters of Upper Green Point Reservoir and any un-named creeks.
4. All matters arising from any shifting in the course of Upper Green Point Reservoir and any un-named creeks including but not limited to accretion, reliction and avulsion.
5. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as reserved in instrument:

AMERITITLE 247200 AM

S-88806

Recorded: February 12, 1903
Book: J, Page: 272

6. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as reserved in instrument:

Recorded: May 10, 1910
Book: 4, Page: 371

To have and to hold the same unto the Grantee's heirs, successors and assigns forever.

And said Grantor hereby covenants to and with said Grantee and Grantee's heirs, successors and assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free of all encumbrances except those items of record as of the date of this deed, and that Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration for this conveyance consists of a land exchange.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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: August 30, 2018.

HOOD RIVER COUNTY

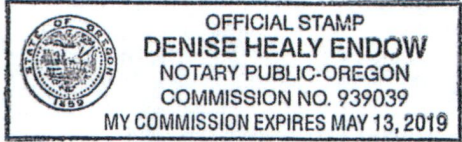
Jeff Hecksel

By: Jeff Hecksel
Its: Administrator

STATE OF OREGON)
) ss:
County of Hood River)

On the 30th day of August, 2018, personally appeared the above named Jeff Hecksel. Hood River County Administrator, and acknowledged the foregoing instrument as his voluntary act and deed.

Denise Healy Endow
Notary Public for Oregon
My commission expires: May 13, 2018

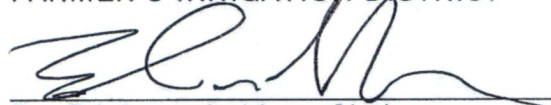


S-88806

Farmer's Irrigation District, acting by and through its Chair, does hereby accept the foregoing Statutory Warranty Deed, to which this acceptance is attached, pursuant to ORS 93.808.

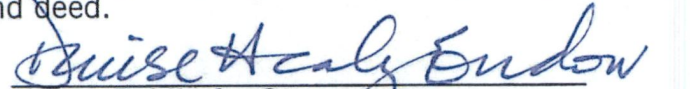
DATED this 30 day of August, 2018.

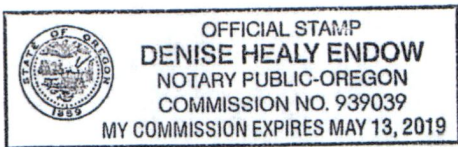
FARMER'S IRRIGATION DISTRICT


By: Erick von Lubken, Chair

STATE OF OREGON)
) ss:
County of Hood River)

On the 30th day of August, 2018, personally appeared the above named Erick von Lubken, Chair, Farmer's Irrigation District, and acknowledged the foregoing instrument as his voluntary act and deed.


Notary Public for Oregon
My commission expires: May 13, 2018



BB
Cert #2018-2

Exhibit A
LEGAL DESCRIPTION OF
TRACT TO BE EXCHANGED TO FID

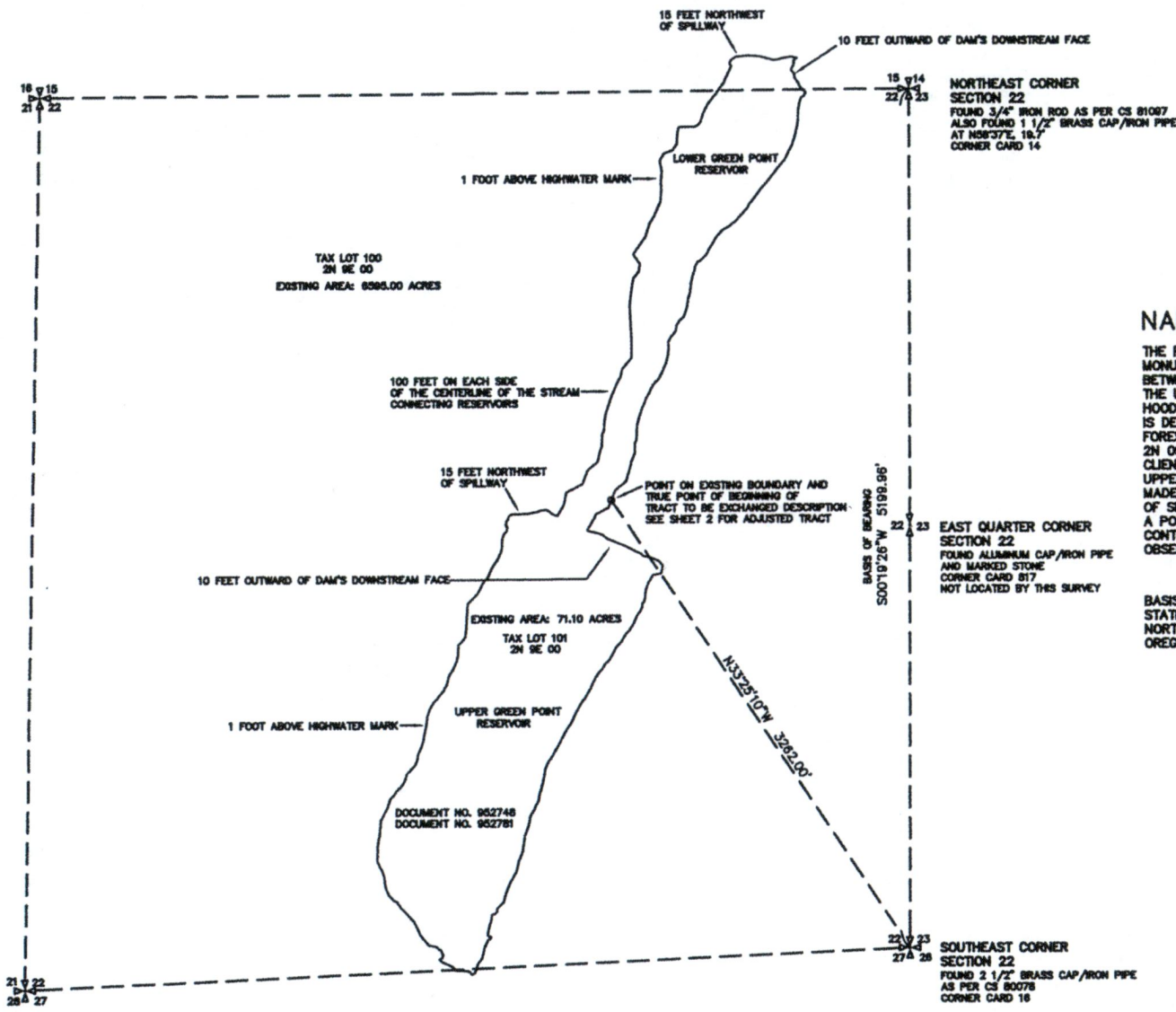
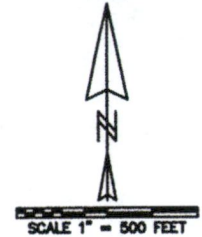
A tract of land located in Sections 22 and 27, Township 2 North, Range 9 East of the Willamette Meridian, in the County of Hood River and State of Oregon being more particularly described as follows:

Beginning at a 3/4" iron rod found at the northeast corner of said Section 22; thence South 00°19'26" West, a distance of 5199.96 feet to an iron pipe with 2 1/2" brass cap found at the southeast corner of said Section 22; thence North 33°25'10" West, a distance of 3262.00 feet to a 5/8" iron rod with yellow plastic cap marked "WYEAST LS 2393" which lies 100 feet easterly of the centerline of the stream connecting the Upper Green Point Reservoir with the Lower Green Point Reservoir, being a point on the exterior boundary of that tract of land conveyed to Farmers Irrigation District by deed recorded September 29, 1995 as Microfilm No. 952781, Hood River County Deed Records and the true point of beginning; thence South 60°52'29" East, a distance of 652.82 feet to a similar iron rod; thence South 18°50'09" West, a distance of 150.06 feet to a similar iron rod; thence South 68°24'05" West, a distance of 98.52 feet to a similar iron rod; thence South 72°56'48" West, a distance of 144.55 feet to a similar iron rod on the 3177.3 foot contour line (NAVD88 datum); thence along said contour line the following chord bearings and distances:
South 12°06'36" West, a distance of 108.36 feet to a similar iron rod;
South 31°00'07" West, a distance of 261.22 feet to a similar iron rod;
South 34°50'35" West, a distance of 196.08 feet to a similar iron rod;
South 30°53'49" West, a distance of 323.71 feet to a similar iron rod;
South 29°20'31" West, a distance of 208.75 feet to a similar iron rod;
South 17°46'02" West, a distance of 280.29 feet to a similar iron rod;
South 16°04'40" West, a distance of 212.40 feet to a similar iron rod;
South 15°59'05" West, a distance of 265.58 feet to a similar iron rod;
South 19°12'23" West, a distance of 279.20 feet to a similar iron rod;
South 08°02'04" West, a distance of 249.21 feet to a similar iron rod;
South 27°28'15" West, a distance of 164.69 feet to a similar iron rod;
thence leaving said 3177.3 foot contour line, South 01°44'10" West, a distance of 197.18 feet to a similar iron rod; thence North 89°36'58" West, a distance of 496.97 feet to a similar iron rod; thence North 03°07'34" East, a distance of 128.23 feet to a similar iron rod on the 3177.3 foot contour line; thence along said contour line the following chord bearings and distances:
North 17°52'35" West, a distance of 134.43 feet to a similar iron rod;
North 22°18'58" West, a distance of 150.55 feet to a similar iron rod;
North 54°43'57" West, a distance of 225.42 feet to a similar iron rod;
North 15°21'03" West, a distance of 216.44 feet to a similar iron rod;
North 13°02'17" West, a distance of 277.54 feet to a similar iron rod;
North 15°41'50" East, a distance of 329.95 feet to a similar iron rod;
North 11°58'16" East, a distance of 330.05 feet to a similar iron rod;
North 41°51'22" East, a distance of 332.56 feet to a similar iron rod;

North 33°23'09" East, a distance of 253.20 feet to a similar iron rod;
North 31°28'12" East, a distance of 240.58 feet to a similar iron rod;
North 08°03'24" East, a distance of 192.00 feet to a similar iron rod;
North 26°29'16" East, a distance of 182.80 feet to a similar iron rod;
North 22°11'51" East, a distance of 251.29 feet to a similar iron rod;
thence leaving said 3177.3 foot contour line, North 25°38'48" West, a distance of 106.32 feet
to a similar iron rod; thence North 19°01'39" East, a distance of 89.81 feet to a similar iron rod;
thence South 84°11'31" East, a distance of 442.39 feet to a similar iron rod which lies
100 feet westerly of the centerline of the stream connecting the Upper Green Point Reservoir
with the Lower Green Point Reservoir, being a point on the exterior boundary of said
Farmers Irrigation District tract; thence North 83°24'08" East, a distance of 294.90 feet
to the true point of beginning.

Excepting therefrom that portion conveyed to Farmers Irrigation District by deed recorded
September 29, 1995 as Microfilm No. 952781, Hood River County Deed Records.

HOOD RIVER COUNTY
SURVEYOR'S OFFICE
SURVEY NO. _____
FILED DATE: _____
BY: _____



NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO FILE FOR RECORD AND TO MONUMENT THE ADJUSTED LINES OF A PROPERTY LINE ADJUSTMENT BETWEEN THE FARMERS IRRIGATION DISTRICT TRACT CONTAINING THE UPPER AND LOWER GREEN POINT RESERVOIRS AND SURROUNDING HOOD RIVER COUNTY FOREST LANDS. THE IRRIGATION DISTRICT TRACT IS DESCRIBED IN DOCUMENT NO.'S 952748 AND 952781. THE COUNTY FOREST LANDS ARE COLLECTIVELY DESCRIBED AS TAX LOT 100, 2N 09E 00. THE ADJUSTED LINES WERE ESTABLISHED AS PER CLIENT INSTRUCTION TO ADD ADDITIONAL LANDS FOR THE UPPER KINGSLEY RESERVOIR ENHANCEMENT PROJECT. TIES WERE MADE TO MONUMENTS AT THE NORTHEAST AND SOUTHEAST CORNERS OF SECTION 22 TO DEFINE THE LOCATION OF THE ADJUSTED TRACT. A PORTION OF THE ADJUSTED TRACT IS DEFINED BY THE 3177.3 FOOT CONTOUR LINE. THE ELEVATION WAS DETERMINED FROM GPS OBSERVATIONS USING GED10 12B, NAVD88 DATUM.

BASIS OF BEARING:
STATE PLANE COORDINATES BETWEEN MONUMENTS FOUND AT THE NORTHEAST AND SOUTHEAST CORNERS OF SECTION 22. OREGON NORTH ZONE NAD 83 (2011) EPOCH 2010.00

FOR REVIEW

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 28, 1999
KEVIN DOWD
2393
RENEW DATE 12-31-17
OCTOBER 18, 2017

PROPERTY LINE ADJUSTMENT

LOCATED IN SECTIONS 15, 22 AND 27
T2 NORTH, R9 EAST, W.M.
HOOD RIVER COUNTY, OREGON

**FOR: FARMERS IRRIGATION DISTRICT
HOOD RIVER COUNTY**

LEGEND

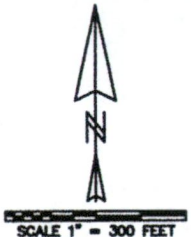
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "WYEAST LS 2393"

REFERENCES

- R1) CS 80078 SURVEY BY LARRY D. BISHOP LS 896 FOR CHAMPION TIMBERLANDS, FILED SEPTEMBER 18, 1980
- R2) CS 81097 SURVEY BY DONALD J. BRANTON LS 385 AND LAWRENCE E. JONES LS 994 FOR MT. HOOD NATIONAL FOREST, FILED AUGUST 19, 1981

WYEAST SURVEYS
KEVIN DOWD
4399 WOODWORTH DRIVE
MT HOOD-PARKDALE, OR 97041
(541) 352-8065

HOOD RIVER COUNTY
SURVEYOR'S OFFICE
SURVEY NO. _____
FILED DATE: _____
BY: _____



FOR REVIEW

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 24, 1988
KEVIN DOWD
2393
RENEW DATE: 12-31-17
OCTOBER 18, 2017

LEGEND

- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "WYEAST LS 2393" DURING THE PERIOD OF NOVEMBER 2018 THROUGH AUGUST 2017

AREA TABLE

EXISTING TAX LOT 100 2N 9E 00: 6575.85 ACRES
EXISTING TAX LOT 101 2N 9E 00: 90.25 ACRES
ADJUSTED TAX LOT 100 2N 9E 00: 6575.85 ACRES
ADJUSTED TAX LOT 101 2N 9E 00: 90.25 ACRES

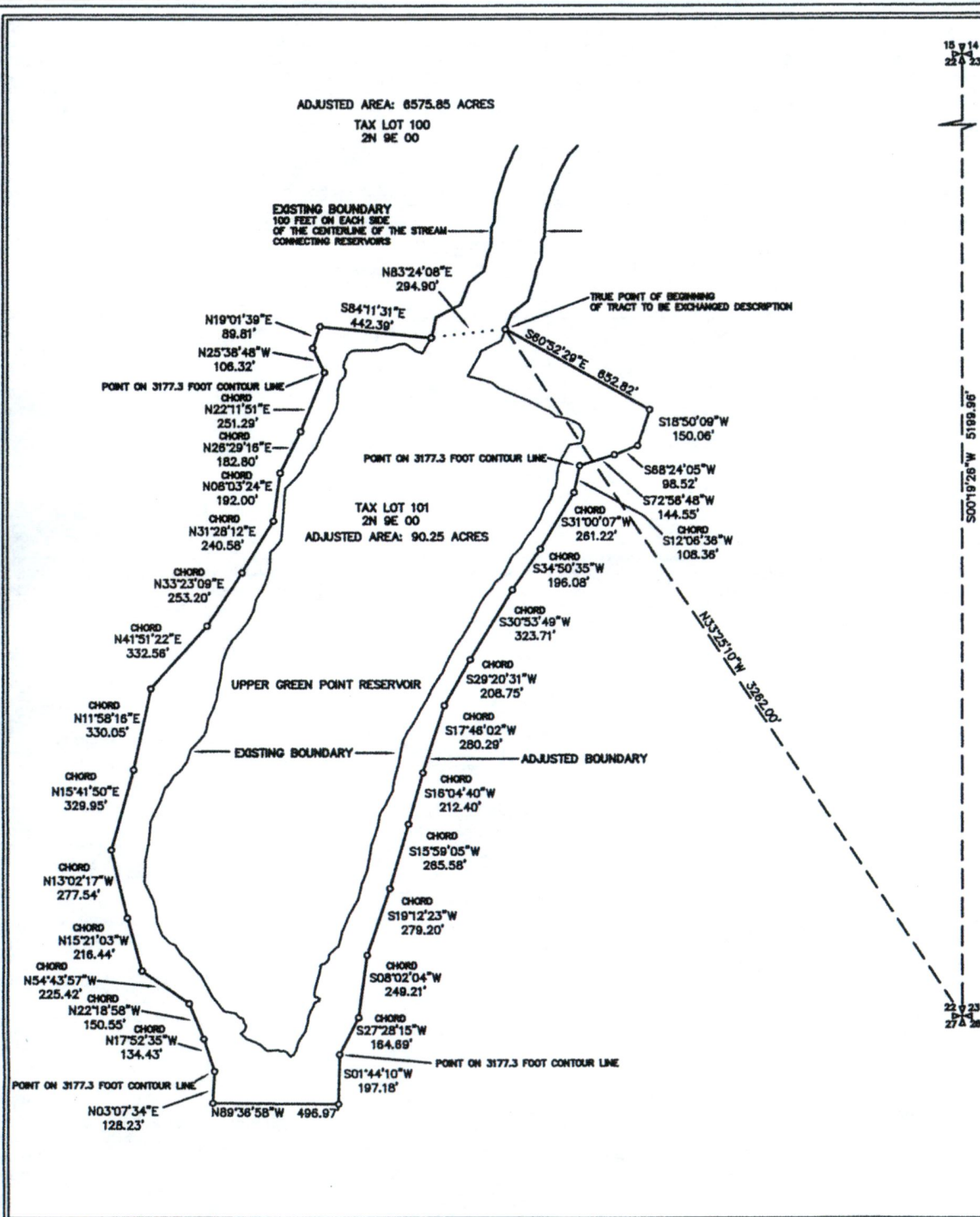
EXISTING AREAS ARE AS PER TAX ASSESSOR'S MAP
AREA TO BE EXCHANGED PROVIDED BY OTHERS
AS CALCULATED FROM LIDAR DATA

PROPERTY LINE ADJUSTMENT

LOCATED IN SECTIONS 15, 22 AND 27
T2 NORTH, R9 EAST, W.M.
HOOD RIVER COUNTY, OREGON

FOR: FARMERS IRRIGATION DISTRICT
HOOD RIVER COUNTY

WYEAST SURVEYS
KEVIN DOWD
4399 WOODWORTH DRIVE
MT HOOD-PARKDALE OR 97041
(541) 352-6065



15 27 14
22 23
NORTHEAST CORNER
SECTION 22
FOUND 3/4" IRON ROD
AS PER CS 81097

500'19'26"W 5189.96'

22 23
27 23
SOUTHEAST CORNER
SECTION 22
FOUND 2 1/2" BRASS CAP/IRON PIPE
AS PER CS 80076

S-99901



Certification of Charges Paid
(2015 Oregon Laws Chapter 96)

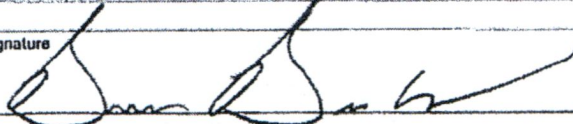
Certification #
2018-2

All charges against the real property have been paid for the property that is the subject of the deed between:

Grantor
Hood River County

Grantee
Farmer's Irrigation District

Signed on (date) 08/30/2018 and for consideration of \$ Land Exchange

Assessor's signature  Date 8/31/18

150-310-411 (Rev. 10-15)

Parent Account #10182
Portion of MTL # 2N09E00-00-00100