

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 COLD SPRING CANYON, LLC C/O GREG JUUL		PHONE (HM)	
PHONE (WK)	CELL (541) 567-3704		FAX
ADDRESS 31056 E. WALLS ROAD			
CITY HERMISTON	STATE OR	ZIP 97838	E-MAIL * GENERATION2@EOTNET.NET

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Organization

NAME COLD SPRING CANYON, LLC C/O GREG JUUL		PHONE (541) 567-3704		FAX
ADDRESS 31056 E. WALLS ROAD				CELL (571) 571-1043
CITY HERMISTON	STATE OR	ZIP 97838	E-MAIL * GENERATION2@EOTNET.NET	

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

AGENT / BUSINESS NAME WILLIAM PORFILY		PHONE (541) 561-7259		FAX
ADDRESS P.O. BOX 643				CELL
CITY STANFIELD	STATE OR	ZIP 97838	E-MAIL * WPORFILY@GMAIL.COM	


Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot 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


Greg Juul, A Member
5/6/2022
 Applicant Signature Print Name and Title if applicable Date

SECTION 2: PROPERTY OWNERSHIP

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

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, we 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).*

Relationship to Project	Owner	Address
An Owner	Royale Columbia Farms Inc.	PO Box 93 Hermiston, OR 97838
An Owner	Hawman Properties, LLC c/o Mike Hawman	84917 Highway 37 Hermiston, OR 97838
An Owner	JB Land, LLC c/o Greg Juul	P.O. Box 130 Hermiston, OR 97838
An Owner	JDP Land Company, LLC c/o Paul Bracher	P.O. Box 387 Helix, OR 97835
An Owner of; Tax Lot 1800 T5N, R30E Tax Lot 4000 T5N, R31E	Harry W. Markgraf	81276 S. Cold Spring Canyon RD. Pendleton, OR. 97801

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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 will be pump from the Columbia River at existing Pump Stations with existing pumps described in Section 6 A below. The pumping stations and equipment are owned by Hawman Properties, LLC, JB Land, LLC, Royale Columbia Farms Inc., and East Improvement District (EID). Water will be delivered to irrigated ground owned by the landowners listed above in "Affected Landowners" through their delivery system described below:**

Delivery Systems for Winter Water-Hawman Farms, Royale Columbia Farms, JB Lands, LLC, EID and Cold Spring Canyon Farm.

Hawman Farms Delivery System

The Hawman Farm's delivery system consists of a pumping station on the south bank of the Columbia River. The pumping station has 1 - 250 hp and 6 - 500 hp pumps. From the river pumping station the water will be pumped through a buried 30" diameter steel mainline in a southeasterly direction approximately 4800 feet to the northerly boundary of the farm. From this point the 30" pipeline continues southeasterly approximately 700 feet where a 20" pipeline branches off to the southwest. The 20" branch pipeline extends in a southwesterly direction and reduces to an 18-inch pipeline. The 18" Hawman Farm pipeline just north of Hwy 37 connects to the Royale Columbia Farm 30-inch pipeline. From the connection point between the Royale Columbia Farms and Hawman Farms distribution systems the Royale Columbia Farms pipeline extends in a south direction 5080 ft. ± to a connection point, CL-A, near the NE Corner Section 30. At this point parallel 20" and 16" pipelines connect and extend in a southeast direction 3690 ft.+/- to cluster CL-4 and the location of a booster pumping station which is the start of the Cold Springs Canyon Farm system.

Royale Columbia Delivery System

The Royale Columbia Farms existing point of diversion is located in SW1/4 NW1/4, Section 8, T 5 N, R 30 E. W.M. Water for irrigation will be withdrawn at the point of diversion which is on the south bank of the Columbia River with four pumps totaling 2800 hp. From the river pumping station a 30" mainline extends in a south direction 13,570 ft.+/- to a point near the NE corner of Section 30 where it crosses onto the main farm. Approximately 3070 ft. from the river station along the 30" mainline there is a 2800 hp inline main booster pumping station. It is located in the NE 1/4 of the NE1/4 NE1/4 of Section 18. From the main booster pumping station the 30" mainline continues south 5350 ft.+/- to a point where it crosses and is connected to an 18" Hawman Farm mainline just north of Hwy 37 near the SE corner of Section 18, T5N, R30E, W.M. From the cross tie connection point between the Royale Columbia Farms and Hawman Farms distribution systems the Royale Columbia Farms 30" mainline continues in a south direction 5080 ft.+/- to a connection point, CL-A, near the NE corner of Section 30 At this point parallel 20" and 16" pipelines connect and extend in a southeast direction 3690 ft.+/- to cluster CL-4 and the location of a booster pumping station which is the start of the Cold Springs Canyon Farm system.

JB Land Delivery System

The distribution system consists of a river pumping station located on the south bank of the Columbia River. There are three river pumps, 1-250 hp, 1-500 hp, and 1-900 hp pump. From the river pumping station water is pumped southerly approximately 6100 feet through a 24" penstock to the northeasterly boundary line of the farm. From this point the buried main pipe continues in a southwesterly direction approximately 15,000 feet± to the NW1/4 SE1/4 Section 24. At this point the 24" pipe turns southeasterly and extends 5,280 ft± passing under Walls Road to Royale Columbia Farm Cluster 1 near the center of Section 30. At this point the 24-inch pipeline continues in a northeasterly direction 2640 ft± to a connection point at CL-A near the NE corner of Section 30. At this point parallel 20" and 16" pipelines connect and extend in a southeast direction 3690 ft.+/- to cluster CL-4 and the location of a booster pumping station which is the start of the Cold Springs Canyon Farm system.

East Improvement District System

The East Improvement District point of diversion is located in the SW1/4 NW1/4, Section 8, T 5 N, R 30 E. W.M. Water for irrigation will be withdrawn at the point of diversion which is on the south bank of the Columbia River with ten pumps totaling 19000 hp. From the river pumping station a 30" mainline extends in a south direction 13,570 ft.+/- to a point near the NW corner of Section 29 where it bends and extends in a southeasterly direction approximately 18260 ft +/- to the CSC Booster Pumping Station near the SE corner of Section 34.

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For Department Use: App. Number: _____

Cold Springs Canyon, LLC System

The Cold Spring Canyon Farm system starts at CL-4, the location of a booster pumping station. This booster pumping station consists of three pumps totaling 350 hp and is referred to as the Cluster 4 Booster Station. This pumping station boost the pressure and pumps water through a 20" pipeline that extends in a southeast direction 15340 ft± to another booster pumping station. This booster station consists of four pumps totaling 660 hp and is referred to as the Bracher Booster Station. From the Bracher Booster Station water is distributed through the delivery system to areas proposed to be irrigated under this application as shown on Application Map A.

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
Existing JB Land POD: Located T5N, R30E, W.M. Sec 7, SE ¼ SW ¼; 460 ft N & 1680 ft E from SW Cor Sec 7	
Existing Royal Columbia POD: Located T5N, R30E, W.M. Sec 8, SW ¼ NW ¼; 2860 ft N& 70 ft E from SW Cor Sec 8	
Existing Hawman Farms POD: T5N, R30E, W.M. Sec 8, NE ¼ NW ¼; 9360 ft N& 3530 ft W from SE Cor Sec 17	
Existing East Improvement District POD: Located T5N, R30E, W.M. Sec 8, SW ¼ NW ¼; 2910 ft N & 120 ft E from the SW Cor Sec 8	

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?

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.

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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) 986-0900.

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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,**

- 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.

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)

For Department Use: App. Number: _____

SOURCE	USE	PERIOD OF USE	AMOUNT
Columbia River	Irrigation*on <u>2902.9</u> Acres (which includes raising the soil moisture to its water holding capacity to be utilized by plant growth in the subsequent growing season).	October 1 st to October 31 st of each year.	23.0 <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
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

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

*Purpose or Use: Primary Irrigation of 2902.9 acres from the Columbia River during the period October 1st thru October 31st of each year (which includes raising soil moisture to field capacity to be utilized by plants in the subsequent growing season.

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 2902.9acres x 0.75
acre-ft/acre = 2177.18 acre-ft

- 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

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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): Turbine

<u>Columbia River's</u> <u>Pump Station Name</u>	<u>Number</u> <u>of</u> <u>Pumps</u>	<u>Individual Pump Size</u> <u>(hp)</u>	<u>Total Capacity</u> <u>(gpm)</u>
Existing Hawman Farms	6 1	500 250	13,200 1,100
Existing Royale Columbia	3 1	800 400	19,650 3,300
Existing JB Land	3 1	500 250	8,100 1,300
Existing East Improvement District	1 9	1000 2000	5905 106,290

Other means (describe): N/A

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 Delivery System Map for the description of the system that provides water to the Cold Spring Canyon Farm. 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, solid sets and drip currently will be used to irrigate the areas 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.

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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: All existing River Pumping Stations on the Columbia River proposed as PODs for this application are existing pumping stations. They all received approval of their screens at the time they were constructed or last modified. There are plans in progress to update the screens based on the latest NMFS and ODF&W criteria if necessary.
- 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 systems already exist; 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: The applicant is presently farming the land. In doing so they monitor and use

the latest technology to prevent erosion, including managing fertilizer and other applications to minimize erosion and run-off.

- List other federal and state permits or contracts to be obtained, if a water right permit is granted. We secured easements and other right-a-ways required when we developed the land. 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 East Improvement District	Address 3750 SW Marshall Place	
City Pendleton	State OR	Zip 97801

SECTION 10: REMARKS

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

This application is similar to a previously submitted application (Application S -88785) with two differences. The Period of Use for application S-88785 is November 1 through April 14. This application is requesting a period of use of October 1 through October 31. We made a request to amend Application S-88785 to include October in the Period of Use, however, it was denied because the date for amending the permit had already lapsed. Together, this application in conjunction with application S-88785 and subsequent permits to be issued will allow a Period of Use from October 1 through April 14 of each year. Irrigation water obtained from Conserved Water Projects, CW-63, CW64, CW 65, along with other permits secured through East Improvement District and other mitigation water will be used to finish the crops during the irrigation season after April 15th each year. The other difference is this application includes the East Improvement District River Pumping Station as a POD.

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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

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: \$ 12,360 (includes \$610.00 permit recording fee)
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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Attachment to Cold Springs Canyon, LLC - 2021 Surface Water Permit Application

List of names and mailing addresses of owners of lands that are crossed by pipelines or other works.

Lands encumbered by transmission pipelines extending to CSC Farm:

Township &	Section	Tax Lot #	Owner	Address
5N 30E	7 & 8	200	US Army Corps	PO Box 2965 Portland, OR 97208
5N 30E	8	300	Hawman Properties, LLC	84917 Highway 37 Hermiston, OR 97838
5N 30E	17	106	Hawman Properties, LLC	84917 Highway 37 Hermiston, OR 97838
5N 30E	7	201	Randy Rupp	176 Kranichwood St Richland, WA 99352
5N 30E	18	900	JB Land LLC	PO Box 130 Hermiston, OR 97838
5N 30E	18	903	Royale Columbia Farms, Inc	PO Box 93 Hermiston, OR 97838
5N 30E	19	1101, 1102, & 1104	Hawman Properties, LLC	94917 Highway 37 Hermiston, OR 97838
5N 29E	24	5200, 5300	GT Land and Cattle LLC	PO Box 130 Hermiston, OR 97838
5N 29E	24	5500	JB Land LLC	PO Box 130 Hermiston, OR 97838
5N 30E	29 & 30	1100	Royale Columbia Farms, Inc	PO Box 93 Hermiston, OR 97838
5N 30E	28	1200	St Hilaire Bros. Hermiston Farm	84186 Highway 37 Hermiston, OR 97838
5N 30E	33 & 34	1304	St Hilaire Bros. Hermiston Farm	84186 Highway 37 Hermiston, OR 97838

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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 COLD SPRING CANYON, LLC C/O GREG JUUL			PHONE (HM)		
PHONE (WK) (541) 567-8263		CELL (541) 571-1043		FAX	
ADDRESS 31056 E. WALLS ROAD					
CITY HERMISTON		STATE OR	ZIP 97838	E-MAIL* GENERATION2@EOTNET.NET	

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:
4N	30E	1, 2, 11, 12, 13, & 14		100, 300, 800, 1100, 1200, 1400 & 1601	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
4N	31E	7		1801 & 1802	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
5N	30E	25, 26, 35 & 36		1305, 1315 & 1800,	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation

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

Umatilla

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: 23 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:

We propose to **Primary Irrigation** of 2899.4 acres for a total of 4349.1 acre-feet, from the **Columbia River** during the period **November 1st thru April 14th** (which includes raising soil moisture to field capacity to be utilized by plants in the subsequent growing season. We will use existing pump stations on the Columbia River and delivery systems owned and operated by **Royal Columbia Farm, JB Lands and Hawman Farm** to deliver water to the areas described in the attached application and maps

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

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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 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
		<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.

Farm Use

NAME <u>CAROL JOHNSON</u>		TITLE <u>Planner</u>
SIGNATURE <u>Carol Johnson</u>	PHONE: <u>311-278-6052</u>	DATE: <u>9/16/2019</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: _____

WALDE MARKGRAF, Grantor, conveys to HARRY W. MARKGRAF and JONI M. MARKGRAF, husband and wife, Grantee, the following described real property:

North Half of Northeast Quarter; North Half of South Half of Northeast Quarter; all in Section 1, Township 4 North, Range 30;

Northwest Quarter of Northwest Quarter; North Half of Southwest Quarter of Northwest Quarter; all in Section 6, Township 4 North, Range 31;

East Half of Northeast Quarter; West Half of Northeast Quarter lying Southerly of U. S. Highway No. 395; South Half of Northwest Quarter lying Southerly of U. S. Highway No. 395; South One-Half; all in Section 25; East Half of Southeast Quarter lying Southerly of U.S. Highway No. 395, Section 26; East Half of Northeast Quarter, Section 35; North One-Half; North Half of Southwest Quarter; Southeast Quarter; all in Section 36; all being in Township 5 North, Range 30;

West One-Half, Section 30; West One-Half; West Half of Southeast Quarter; all in Section 31; all being in Township 5 North, Range 31,

EXCEPTING any and all roads and highways.

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

The true and actual consideration of this conveyance is \$351,547.55.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses.

///

1 - BARGAIN AND SALE DEED

RECEIVED

MAY 09 2022

OWRD

P-44089

R137 PAGE 654

Until a change is requested, all statements are to be sent to the following address: Harry W. Markgraf
4303 S. W. Sheridan Avenue
Pendleton, Oregon 97801
December

DATED this 13th day of ~~November~~, 1989.

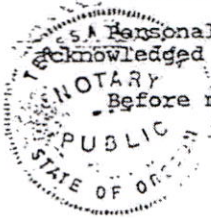
RECEIVED

MAY 09 2022

OWRD

Walde Markgraf
Walde Markgraf

STATE OF OREGON)
County of Umatilla) ss.
December
~~November~~, 13, 1989.



[Signature]
Notary Public for Oregon
My Commission Expires: 8-27-93

644059

FILED
J. DEAN FOUQUETTE, SR.
UMATILLA COUNTY CLERK

1989 DEC 14 A 11:19

RECEIVED

MAY 09 2022

OWRD

R 187 PAGE 655

STATE OF OREGON, } ss
COUNTY OF UMATILLA.

I, J. Dean Fouquette, Sr., County Clerk,
certify that this instrument was received and
recorded

ON DEC 14, 1989

at 11:19 o'clock A.M. in the record

of DEEDS of said County in

Book

Page

R 187

653

J. DEAN FOUQUETTE, SR.
County Clerk

By Betty Baseman Deputy

Fees \$ 20.00 No. 151167

PIONEER TITLE COMPANY 7

RECEIVED

MAY 09 2022

OWRD

From: BJORK Mary F * WRD
To: dalevconsulting@gmail.com
Cc: "William Porfily"; generation2@eotnet.net; BJORK Mary F * WRD
Subject: RE: Maps for CSC 2021 Permit App
Date: Wednesday, October 27, 2021 11:53:15 AM
Attachments: [CSC Winter Permit App Map Sht 1 of 2 10-19-21.pdf](#)
[CSC Winter Permit App Map Sht 2 of 2 10-20-21.pdf](#)

Hi Dale,

Your request for a waiver is **approved** as requested. Please be aware that this waiver only applies to the map scale. All other mapping requirements contained in the rules remain in effect. Thank you for requesting a waiver before filing the application.

Please print this email and include it with your application submission materials.

Best Regards,

Mary F. Bjork

Water Rights Program Analyst
Oregon Water Resources Department
725 Summer St NE, Suite A, Salem OR 97301 | Cell 503-979-9895



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

From: dalevconsulting@gmail.com <dalevconsulting@gmail.com>
Sent: Wednesday, October 20, 2021 1:21 PM
To: BJORK Mary F * WRD <Mary.F.Bjork@oregon.gov>
Cc: 'William Porfily' <wporfily@gmail.com>; generation2@eotnet.net
Subject: Maps for CSC 2021 Permit App

Good morning Mary,

I am assisting Cold Spring Canyon LLC in preparing a new permit application for irrigation water for their Umatilla County Farm. The source of the water is the Columbia River. The Points of Diversion are existing irrigation pumping stations on the south bank of the Columbia River. The place of use (POU) is 5 -6 miles from the point of diversion (PODs). The distance between the POD and POU makes it challenging to prepare a map at the OWRD standard scale of 1" = 1320' that can be plotted on standard size sheets.

Attached are two maps (sheets) we propose to submit with the application. Sheet 1 of 2 is the POU with the Qtr Qtr acreage values shown. It is at a standard scale of 1 inch = 1320' and can be printed on a 11 x17 sheet. Sheet 2 of 2 shows the PODs, and the pipe distribution

system from the PODs to the POU. In order to print Sheet 2 of 2 on an 11 x 17 sheet it needs to be plotted at a scale of 1" = 4000'.

We are requesting a waiver on the map scale used for Sheet 2 of 2 showing the PODs and the distribution system from the PODs to the POU to allow the scale to be 1" = 4000'. Sheet 1 of 2 which shows the details associated with the POU will be at a scale of 1" = 1320'.

Thank you for your consideration on this issue.

Dale

DGV Consulting, PLLC
Dale VanSchoiack, PE, CWRE
2141 S. Lyle, Kennewick, WA 99337
509 627 8717
dalevconsulting@gmail.com

RECEIVED

MAY 09 2022

OWRD

**2021 Cold Springs Canyon, LLC 2021 Water Right
Application for Winter Water from the Columbia River**

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

1. APPLICANT INFORMATION

<u>We, Cold Spring Canyon, LLC c/o Greg Juul</u> NAME of Applicants			
<u>31056 Walls Road, Hermiston, OR 97838</u> ADDRESS CITY STATE ZIP			
<u>(541) 571-1043</u> PHONE	<u>generation2@eotnet.net</u> E-MAIL ADDRESS		

RECEIVED

MAY 09 2022

OWRD

2. Land Owner INFORMATION

Harry W. Markgraf
NAME OF LAND OWNER

81276 S. Cold Spring Rd. Pendleton, OR 97801
ADDRESS CITY STATE ZIP

(541) 276-3039 _____
PHONE E-MAIL ADDRESS OTHER PHONE

The Applicant certifies the following:

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

Harry W. Markgraf Signature

Harry W. Markgraf
Name (print)

Date

RECEIVED

MAY 09 2022

OWRD

R187 PAGE 653

BARGAIN AND SALE DEED

151167

WALDE MARKGRAF, Grantor, conveys to HARRY W. MARKGRAF and JONI MARKGRAF, husband and wife, Grantee, the following described real property:

North Half of Northeast Quarter; North Half of South Half of Northeast Quarter; all in Section 1, Township 4 North, Range 30;

Northwest Quarter of Northwest Quarter; North Half of Southwest Quarter of Northwest Quarter; all in Section 6, Township 4 North, Range 31;

East Half of Northeast Quarter; West Half of Northeast Quarter lying Southerly of U. S. Highway No. 395; South Half of Northwest Quarter lying Southerly of U. S. Highway No. 395; South One-Half; all in Section 25; East Half of Southeast Quarter lying Southerly of U.S. Highway No. 395, Section 26; East Half of Northeast Quarter, Section 35; North One-Half; North Half of Southwest Quarter; Southeast Quarter; all in Section 36; all being in Township 5 North, Range 30;

West One-Half, Section 30; West One-Half; West Half of Southeast Quarter; all in Section 31; all being in Township 5 North, Range 31,

EXCEPTING any and all roads and highways.

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

The true and actual consideration of this conveyance is \$351,547.55.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses.

///

1 - BARGAIN AND SALE DEED

P. 4489

R137 PAGE 654

Until a change is requested, all statements are to be sent
to the following address: Harry W. Markgraf
4303 S. W. Sheridan Avenue
Pendleton, Oregon 97801
December
DATED this 13th day of ~~November~~, 1989.

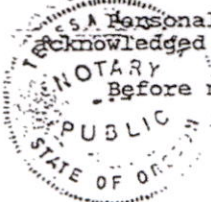
RECEIVED

MAY 09 2022

OWRD

Walde Markgraf
Walde Markgraf

STATE OF OREGON)
County of Umatilla) ss.
December
~~November~~, 13, 1989.



[Signature]
Notary Public for Oregon
My Commission Expires: 8-27-93

6449

FILED
J. DEAN FOUQUETTE, SR.
UMATILLA COUNTY CLERK

1989 DEC 14 A 11:19

RECEIVED

MAY 09 2022

OWRD

R187 PAGE 655

STATE OF OREGON } ss
COUNTY OF UMATILLA }

I, J. Dean Fouquette, Sr., County Clerk,
certify that this instrument was received and
recorded

ON DEC. 14, 1989

at 11:19 o'clock A.M. in the record

of DEEDS of said County in

Book Page
R187 653

J. DEAN FOUQUETTE, SR.
County Clerk

By Beth Reswing Deputy
Fees \$20.00 No. 151167

PIONEER TITLE COMPANY 7

RECEIVED

MAY 09 2022

OWRD

2021 Cold Springs Canyon, LLC 2021 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

NAME COLD SPRING CANYON, LLC C/O GREG JUUL		PHONE (541) 567-8263	FAX
ADDRESS 31056 E. WALLS ROAD			CELL (571) 571-1043
CITY HERMISTON	STATE OR	ZIP 97838	E-MAIL * GENERATION2@EOTNET.NET

2. DISTRICT INFORMATION

District Name: East Improvement District

Address: 3750 SW Marshall Place

City: Pendleton, OR 97801

Home Phone: N/A

Work Phone: (541) 571-1043 Other Phone (541) 567-3704

Fax: (541) 567-1899

E-Mail address: GENERATION2@EOTNET.NET

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.


District-Board Chairman Signature

Greg Juul Chairman
Name (print)

04/26/2022
Date

State of Oregon
County of Umatilla



Instrument received
and recorded on
3/20/2018 3:47:33 PM

In the record of instrument
code type DE

Instrument number 2018-8690746
Fee \$88.00

Office of County Records

Steve Churchill

Records Officer
1078178 P3

AFTER RECORDING, RETURN TO:
Corey, Byler, and Rew, LLP
P.O. Box 218
Pendleton, Oregon 97801-0218

Umatilla County
Received:3/20/2018



1078178

UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS TO:
Cold Springs Canyon, LLC
81891 Hwy. 37
Pendleton, Oregon 97801-9240

RECEIVED

MAY 09 2022

OWRD

STATUTORY BARGAIN AND SALE DEED

JPD Land Company, LLC, an Oregon limited liability company, Grantor, conveys to Cold Springs Canyon, LLC, an Oregon limited liability company, Grantee, the following described real property in the County of Umatilla, State of Oregon:

See Exhibit "A" attached hereto and incorporated herein by this reference.

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.

The true consideration for this conveyance is the adjustment of capital accounts of Grantee.

Dated this 8 day of January, 2018.

JPD LAND COMPANY, LLC

By: Paul Bracher, Member
Paul Bracher, its Authorized Member

1 - Statutory Bargain and Sale Deed

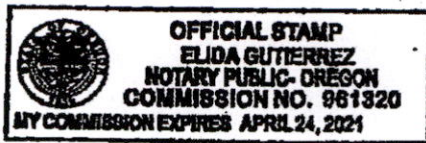
RECEIVED

MAY 09 2022

OWRD

STATE OF OREGON)
County of Umatilla)ss

On January 8, 2018, personally appeared before me the above named Paul Bracher, on behalf of JPD Land Company, LLC, and acknowledged that he executed the same in his authorized capacity, and that by his signature on the instrument the entity upon behalf of which the person acted executed the instrument.



Elida Gutierrez
Notary Public for Oregon
My commission expires: April 24, 2021

2 - Statutory Bargain and Sale Deed

EXHIBIT A

RECEIVED

MAY 09 2022

OWRD

Tract 2

Township 4 North, Range 30, E.W.M.

Section 12: All.

Sections All that portion of said Sections 13 & 14 being described as 13 and 14: beginning at the Section corner common to Sections 11, 12, 13 and 14 in said Township 4 North, Range 30; thence South $89^{\circ}51'24''$ West along the North line of said Section 14, a distance of 2,655.48 feet to the Northwest corner of the East Half of said Section 14; thence Southerly along the West line of the East Half of said Section 14, a distance of 2,652 feet, more or less, to a point which bears South $90^{\circ}00'00''$ West, a distance of 50 feet, more or less, from a 5/8 inch iron rebar; thence North $90^{\circ}00'00''$ East, a distance of 50 feet, more or less, to a 5/8 inch iron rebar; thence North $90^{\circ}00'00''$ East, a distance of 6,557.00 feet to a 5/8 inch iron rebar; thence North $00^{\circ}33'35''$ West, a distance of 2,575.00 feet to a 5/8 inch iron rebar; thence continuing North $00^{\circ}33'35''$ West, a distance of 50 feet, more or less, to the North line of said Section 13; thence Westerly along the North line of said Section 13, a distance of 3,940 feet, more or less, to the point of beginning.

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

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

Tract 3

Township 4 North, Range 31, E.W.M.

Section 7: Government Lots 1 and 2.
East Half of the Northwest Quarter.
(All being commonly known as the Northwest Quarter)

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

Tract 4

Township 4 North, Range 31, E.W.M.

Section 7: Government Lots 3 and 4.
East Half of the Southwest Quarter.
(All being commonly known as the Southwest Quarter)

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

1-19

After recording return to grantee herein.
Until a change is requested send all tax
statements to grantee herein.

2015-6290631 1 of 1

State of Oregon
County of Umatilla



Instrument received
and recorded on
5/18/2015 3:46:53 PM

in the record of instrument
code type DE

Instrument number 2015-6290631
Fee \$54.00

GRANTEE'S NAME AND ADDRESS:
COLD SPRINGS CANYON, LLC
81897 HWY 37
PENDLETON, OR 97801

GRANTOR'S NAME AND ADDRESS:
JPD LAND COMPANY, LLC
81891 HWY 37
PENDLETON, OR 97801

Umatilla County
Received: 5/18/2015

1029597

Office of County Records

Steve Churchill

Records Officer
1029597 P1

WARRANTY DEED -- STATUTORY FORM (INDIVIDUAL or CORPORATION)

JPD LAND COMPANY, LLC Grantor, conveys and warrants to: COLD SPRINGS
CANYON, LLC, Grantee, the following described real property free of encumbrances except
as specifically set forth herein:

RECEIVED

MAY 09 2022

OWFD

The Northeast Quarter of Section 11, Township 4 North, Range 30, East of the Willamette
Meridian, Umatilla County, Oregon.

Encumbrances: OF RECORD

The true consideration for this conveyance is \$67,122.00. However, if the actual consideration
consists of or includes other property or other value given or promised, such other property or
value is the whole of the consideration.

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.

If grantor is a corporation, this has been signed by authority of the Board of Directors.

Dated this 18th day of MAY, 2015.

GRANTOR(S):

JPD LAND COMPANY, LLC

BY: *Paul W. Bracher*, Member
PAUL W. BRACHER, AUTHORIZED MEMBER

State of Oregon
County of Umatilla

This instrument was acknowledged before me on MAY 18th, 2015 by Paul W. Bracher, authorized
member of JPD LAND COMPANY, LLC.

Genna Marie Banica
(Notary Public for Oregon)

My commission expires 6/22/18



PIONEER TITLE CO. 93853
126 SE COURT, PEND. OR 97801-404

7

69/5

2012 5950099



2012-5950099 1 of 5

State of Oregon)
County of Umatilla)

This instrument was received and recorded on

08-15-12 at 9:00

In the record of instrument code type DE-B&S

Instrument Number 2012-5950099
Fee 89.00

Office of County Records

AFTER RECORDING, RETURN TO:
Corey, Byler, Rew, Lorenzen & Hojem, LLP
P.O. Box 218
Pendleton, Oregon 97801-0218

UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS TO:
Cold Springs Canyon, LLC
81891 Hwy. 37
Pendleton, Oregon 97801-9240

RECEIVED

AUG 15 2012

UMATILLA COUNTY RECORDS

Deann Hampshire
Records Officer

RECEIVED

MAY 09 2022

OWRD

STATUTORY BARGAIN AND SALE DEED

JPD Land Company, LLC, an Oregon limited liability company, Grantor, conveys to Cold Springs Canyon, LLC, an Oregon limited liability company, Grantee, the following described real property in the County of Umatilla, State of Oregon:

See Exhibit "A" attached hereto and incorporated herein by this reference.

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.

The true consideration for this conveyance is the receipt of ownership interests in Grantee.

Dated this 10 day of August, 2012.

JPD LAND COMPANY, LLC

By *Clifford Bracher*
Clifford Bracher, its Authorized Member

///



2012-5950099 2 of 5

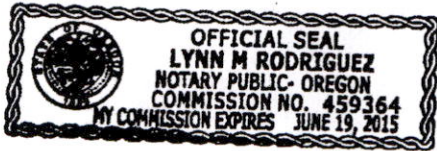
STATE OF OREGON)
)ss
County of Umatilla)

On August 10, 2012, personally appeared before me the above named Clifford Bracher, on behalf of JPD Land Company, LLC, and acknowledged that he executed the same in his authorized capacity, and that by his signature on the instrument the entity upon behalf of which the person acted executed the instrument.

Lynn M. Rodriguez

Notary Public for Oregon
My commission expires:

6/19/2015



RECEIVED

MAY 09 2022

OWRD



EXHIBIT A

TRACT 1: (Tax Lot 1315, Umatilla County Assessor Map Nos. 4N30 and 5N30)

A tract of land located in the Southeast Quarter of Section 34, the South Half of the South Half of Section 26, Section 35, the South Half of the Southwest Quarter of Section 36, Township 5 North, Range 30 East W.M., and the Northwest Quarter of Section 1, and the North Half of Section 2, Township 4 North, Range 30 East, W.M., Umatilla County, Oregon described as follows:

RECEIVED

MAY 09 2022

Township 5 North, Range 30 East W.M., Umatilla County, Oregon:

OWRD

Section 34:

That portion of the South Half of the South Half of the South Half of Section 34, described as follows: BEGINNING at the Southeast corner of said Section 34; thence North 00°46'17" West along the East line of said Section 34 a distance of 658.99 feet to the Northeast Corner said South Half of South Half of South Half; thence South 89°02'53" West along the North line of the South Half of the South Half of the South Half a distance of 848.44 feet; thence South 36°04'20" East a distance of 119.08 feet; thence South 48°35'50" East a distance of 145.99 feet; thence South 51°28'20" East a distance of 270.17 feet; thence South 47°30'40" East a distance of 128.91 feet; thence South 39°34'38" East a distance of 64.45 feet; thence South 28°59'33" East a distance of 127.82 feet; thence North 62°14'51" East a distance of 17.00 feet; thence South 28°16'27" East a distance of 53.32 feet to a point on the South line of said Section 34; thence North 89°01'49" East along the South line of said Section 34 a distance of 227.86 feet to the POINT OF BEGINNING.

Section 35:

W1/2 of the W1/2

A tract of land located in the South Half of Section 26, Section 35, and the South Half of the Southwest Quarter of Section 36, Township 5 North, Range 30 East, W.M., Umatilla County, Oregon described as follows:

COMMENCING at the Southwest Corner of the Southwest Quarter of said Section 35, thence North 89°01'28" East along the South line of said Southwest Quarter a distance of 1330.18 feet to the Southwest Corner of the East Half of the Southwest Quarter the POINT OF BEGINNING for this description; thence North 00°38'28" West along the West line of the East Half of the Southwest Quarter a distance of 2628.92 feet to the Northwest Corner of said East Half of the Southwest Quarter; thence North 00°38'31" West along the West line of the East Half of the Northwest Quarter of said Section 35 a distance of 2315.26 feet; thence South 71°24'23" East a distance of 191.31 feet; thence North 68°08'31" East a distance of 563.31 feet; thence along the arc of a 1060.50 foot radius curve to the right a distance of 2584.74 feet (long chord bears South 83°43'11" East a distance of 1990.84 feet)



2012-5950099 4 of 5

RECEIVED

MAY 09 2022

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to a point on the East line of the West Half of the Northeast Quarter of said Section 35; thence South 00°23'00" East along said East line a distance of 2214.90 feet to the Southeast Corner of the West Half of the Northeast Quarter of said Section 35; thence North 89°19'51" East along the South line of the East Half of the Northeast Quarter of said Section 35 a distance of 1336.05 feet to the Southeast Corner of said East Half of Northeast Quarter; thence South 00°15'11" East along the East line of the Southeast Quarter of said Section 35 a distance of 1303.59 feet, more or less, to the Northwest corner of the South Half of the Southwest Quarter of said Section 36; thence North 89°31' East along the North line of said South Half of the Southwest Quarter a distance of 2633.02 feet, more or less, to the Northeast Corner of said South Half of the Southwest Quarter; thence South 00°41' East along the East line of said South Half of the Southwest Quarter a distance of 1314.75 feet, more or less, to the Southeast corner of said South Half of the Southwest Quarter; thence South 89°46'14" West along the South line of said South Half of the Southwest Quarter a distance of 2642.94 feet to the Southeast Corner of the Southeast Quarter of said Section 35; thence South 89°00'52" West along the South line of said Southeast Quarter a distance of 2660.37 feet to the Southwest Corner of said Southeast Quarter; thence South 89°01'28" West along the South line of the Southwest Quarter of said Section 35 a distance of 1330.19 feet to the POINT OF BEGINNING.

Township 4 North, Range 30 East, W.M., Umatilla County, Oregon:

Commencing at the Northwest corner of the Northwest Quarter Section 2; thence North 89°01'28" East along the North line of said Northwest Quarter a distance of 872.14 feet to the POINT OF BEGINNING for this description; thence along the arc of a 1162.00 foot radius curve to the left a distance of 2571.67 feet, (Long Chord bears South 87°25'16" East a distance of 2078.05 feet); thence South 83°26'23" East a distance of 50.60 feet; thence along the arc of a 1162.00 foot radius curve to the left a distance of 3044.47 feet, (Long Chord bears South 84°00'02" East a distance of 2245.42 feet); thence South 83°26'23" East a distance of 50.85 feet; thence South 17°03'07" East a distance of 158.88 feet more or less, to a point on the West line of the Northwest Quarter of the Northwest Quarter of said Section 1; thence South 00°51'23" East along the West line of said Northwest Quarter of the Northwest Quarter a distance of 319.05 feet more or less to the Southwest Corner of said Northwest Quarter of the Northwest Quarter; thence North 90°00'00" East along the South line of said Northwest Quarter of the Northwest Quarter a distance of 163.86 feet more or less, to point of curvature of a non-tangent curve; thence along the arc of a 1380.50 foot radius non-tangent curve to the left a distance of 3174.65 feet more or less, (Long Chord bears North 78°45'01" East a distance of 2519.94 feet, more or less), to the East line of the Northwest Quarter of Section 1; thence North 00°48' West along said East line a distance of 405 feet, more or less, to the Northeast Corner of said Northwest Quarter; thence South 89°46'14" West along the North line of said Northwest Quarter a distance of 2642.94 feet to the Northwest corner of said Northwest Quarter; thence South 89°00'52" West along the North line of the Northeast Quarter of said Section 2 a distance of 2660.37 feet to the Northwest Corner of said Northeast Quarter; thence South 89°01'28" West along the North line of the Northwest Quarter of said Section 2 a distance of 1788.23 feet to the POINT OF BEGINNING.



EXCEPTING THEREFROM, public road rights-of-way.

Bearings and distances used in descriptions are based on the Oregon State Plane Coordinate System, North Zone.

Tract contains 792.08 acres, more or less.

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TRACT 2: (Tax Lot 800, Umatilla County Assessor Map No. 4N30)

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A tract of land located in the South Half of Section 2, and the Northwest Quarter of Section 11, Township 4 North, Range 30 East, W.M., Umatilla County, Oregon described as follows:

The Northwest Quarter of Section 11.

That portion of the South Half of Section 2 described as:

BEGINNING at the Southwest Corner of the Southwest Quarter of said Section 2, thence North 00°35'40" West along the West line of said Southwest Quarter a distance of 1317.30 feet; thence along the arc of a 1061.00 foot radius curve to the right a distance of 2800.00 feet, (Long Chord bears South 86°58'33" East a distance of 2055.35 feet); thence South 83°26'23" East a distance of 50.73 feet; thence along the arc of a 748.00 foot radius curve to the right a distance of 2923.52 feet, (Long Chord bears South 34°42'21" East a distance of 1387.37 feet), to a point on the South line of the Southeast Quarter of said Section 2; thence South 88°45'26" West along said South line a distance of 208.18 feet to the Southwest Corner of said Southeast Quarter; thence South 88°45'26" West along the South line of the Southwest Quarter of said Section 2 a distance of 2671.64 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM, public road rights-of-way.

Bearings and distances used in description are based on the Oregon State Plane Coordinate System, North Zone.

Tract contains 290.67 acres, more or less.

TRACT 3: (Tax Lot 1100, Umatilla County Assessor Map No. 4N30)

Township 4 North, Range 30, E.W.M., Umatilla County, Oregon:
Section 11: Southwest Quarter.

TRACT 4: (Tax Lot 1200, Umatilla County Assessor Map No. 4N30)

Township 4 North, Range 30, E.W.M., Umatilla County, Oregon:
Section 11: Southeast Quarter.

**2021 Cold Springs Canyon, LLC 2021 Water Right
Application for Winter Water from the Columbia River**

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

1. APPLICANT INFORMATION

<u>We, Cold Spring Canyon, LLC c/o Greg Juul</u> NAME of Applicants			
<u>31056 Walls Road, Hermiston, OR 97838</u> ADDRESS CITY STATE ZIP			
<u>(541) 571-1043</u> PHONE	<u>generation2@eotnet.net</u> E-MAIL ADDRESS		

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2. Land Owner INFORMATION

Harry W. Markgraf
NAME OF LAND OWNER

81276 S. Cold Spring Rd. Pendleton, OR 97801
ADDRESS CITY STATE ZIP

(541) 276-3039 _____ _____
PHONE E-MAIL ADDRESS OTHER PHONE

The Applicant certifies the following:

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

Harry W. Markgraf Signature
Harry W. Markgraf

Harry W. Markgraf 12-01-21
Name (print) Date
HARRY W. MARKGRAF