

**Application for Water Right  
Temporary or Drought Temporary Transfer  
Part 1 of 5 – Minimum Requirements Checklist**



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

**This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

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**FOR ALL TEMPORARY TRANSFER APPLICATIONS**

Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and Begin Year 2022 and End Year 2022 completed Fee Worksheet, page 3. Try the online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 2 List them here: Certificates 87368 & 87374**  
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2022 End Year: End of 2022**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

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**Attachments:**

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

**(For Staff Use Only)**  
**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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Part 2 of 5 – Temporary Transfer Application Map Checklist

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Your temporary transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the temporary transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet; the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated); the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet; or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed temporary place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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**Part 3 of 5 – Fee Worksheet**

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: <u>2</u> (2a) Subtract 1 from the number in 3a above: <u>1</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	\$310.00
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3	3	\$0.00
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>57.3</u> (4a) Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	\$154.71
5	Add entries on lines 1 through 4 above » » » » » » » » » » » » » » » » Subtotal:	5	\$1414.71
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	6	
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » » » <b>Transfer Fee:</b>	7	<b>\$1414.71</b>

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FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » » » » » » » » » » » <b>Transfer Fee:</b>	3	NA

\*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. Divide total authorized cfs by total acres in the water right (for C12345,  $1.25 \text{ cfs} \div 100 \text{ ac}$ ); then multiply by the number of acres to be transferred to get the transfer cfs ( $\times 45 \text{ ac} = 0.56 \text{ cfs}$ ).
2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654,  $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$ )
3. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each “on the ground” acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

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**Part 4 of 5 – Applicant Information and Signature**

**Applicant Information**

APPLICANT/BUSINESS NAME <b>Stanfield Hutterian Brethren c/o Herb Stahl</b>			PHONE NO. <b>(541) 626-3386</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>36345 Despain Gulch Rd</b>				FAX NO.
CITY <b>Stanfield</b>	STATE <b>OR</b>	ZIP <b>97875</b>	E-MAIL <b>herb.stahl@eotnet.net</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

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

AGENT/BUSINESS NAME <b>William Porfily</b>			PHONE NO. <b>541 561 7259</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>PO Box 643</b>				FAX NO.
CITY <b>Stanfield</b>	STATE <b>OR</b>	ZIP <b>97875</b>	E-MAIL <b>wporfily@gmail.com</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

Explain in your own words what you propose to accomplish with this transfer application and why:  
**To farm the land previously farmed under T-13154 for one more year.**

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

*Herb Stahl*  
 Applicant signature

**Herb Stahl**  
 Print Name (and Title if applicable)

5/18/22  
 Date

\_\_\_\_\_  
 Applicant signature

\_\_\_\_\_  
 Print Name (and Title if applicable)

\_\_\_\_\_  
 Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME <b>City of Hermiston</b>	ADDRESS <b>180 NE 2<sup>nd</sup> Street</b>	
CITY <b>Hermiston</b>	STATE <b>OR</b>	ZIP <b>97838</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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**Part 5 of 5 – Water Right**

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**Water Right Certificate # 87368**

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**Description of Water Delivery System**

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System capacity: **2.30** cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Two existing wells supply water through inter-connected buried PVC pipeline to center pivots.**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**  
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 55585	4	N	28	E	23	SW	SE	200	1210'N & 1800' W from SE Corner of Section 23
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 2507	4	N	28	E	23	SW	NE	207	1350'S & 1330'W from NE Corner of Section 23

**Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses):**

- Place of Use (POU)  Appropriation/Well (POA)
- Point of Diversion (POD)  Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

**Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses):**

- Place of Use (POU)  Point of Appropriation/Well (POA)
- Character of Use (USE)  Additional Point of Appropriation (APOA)
- Point of Diversion (POD)  Additional Point of Diversion (APOD)

**Will all of the proposed changes affect the entire water right?**

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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**Table 2. Description of Temporary Changes to Water Right Certificate # 87368**

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s) POA(s) to be used (from Table 1)	Priority Date				
4	N	28	E	23	SE	NE	206		25.9	Irrigation	Wells 1 & 3	2/25/1977	POU	4	N	28	E	23	NE	SE	100		2.3	Irrigation	Wells 1 & 3	2/25/1977
														4	N	28	E	24	NW	SW	100		23.6	Irrigation	Wells 1 & 3	2/25/1977
							TOTAL ACRES	25.9								TOTAL ACRES	25.9									

Additional remarks: \_\_\_\_\_

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**For Place of Use Changes**

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands?  Yes  No

If YES, list the certificate, water use permit, or ground water registration numbers: \_\_\_\_\_

Pursuant to ORS 540.525, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

**If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:**

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department’s web page at: [http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx))

**AND/OR**

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). <u>If</u> less than full rate of water right
Well 1	Yes	UMAT 55585	930	14					Basalt	
Well 3	Yes	UMAT 2507	1160	0 to 220	220			280	Basalt	

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**Part 5 of 5 – Water Right Information**

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**Water Right Certificate # 87374**

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**Description of Water Delivery System**

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System capacity: **2.30** cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Two existing wells supply water through inter-connected buried PVC pipeline to center pivots.**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**  
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 2507	4	N	28	E	23	SW	NE	207	1350'S & 1330'W from NE Corner of Section 23
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 55585	4	N	28	E	23	SW	SE	200	1210'N & 1800' W from SE Corner of Section 23

**Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses):**

- Place of Use (POU)
- Point of Diversion (POD)
- Additional Point of Diversion (APOD)
- Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)

**Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses):**

- Place of Use (POU)
- Character of Use (USE)
- Point of Diversion (POD)
- Point of Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

**Will all of the proposed changes affect the entire water right?**

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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**Table 2. Description of Temporary Changes to Water Right Certificate # 87368**

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
4	N	28	E 23	NE NE	100		31.4	Irrigation	Well 3	2/25/ 1977	POU/APOA	4	N	28	E 23	NE SE	100		1.2	Irrigation	Wells 1 & 3	2/25/1977
												4	N	28	E 23	SE SE	100		3.2	Irrigation	Wells 1 & 3	2/25/1977
												4	N	28	E 24	NW SW	100		2.5	Irrigation	Wells 1 & 3	2/25/1977
												4	N	28	E 24	SW SW	100		24.5	Irrigation	Wells 1 & 3	2/25/1977
TOTAL ACRES						31.4							TOTAL ACRES						31.4			

Additional remarks: \_\_\_\_\_

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Water Right Certificate # 87374

**For Place of Use Changes**

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Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands?  Yes  No

If YES, list the certificate, water use permit, or ground water registration numbers: \_\_\_\_\_

Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

**If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:**

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: [http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx))

**AND/OR**

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 1	Yes	UMAT 55585	930	14					Basalt	
Well 3	Yes	UMAT 2507	1160	0 to 220	220			280	Basalt	

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Attachement for Temporary  
Transfer  
Copy of Deed for TL 206  
SENE Sec 23  
Starline Properties LLC

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

State of Oregon  
County of Umatilla



Instrument received  
and recorded on  
5/17/2019 3:37:11 PM

In the record of instrument  
code type DE

Instrument number 2019-6856699  
Fee \$101.00

GRANTEE'S NAME AND ADDRESS:  
STARLINE PROPERTIES LLC, an Indiana  
Limited Liability Company  
560 EAST 25TH STREET  
JASPER, IN 47546

Office of County Records

*Steve Churchill*

Records Officer  
1696953 PZ

GRANTOR'S NAME AND ADDRESS:  
IVAN J. COOK  
333 EAST FEEDVILLE ROAD  
HERMISTON, OR 97838

Umatilla County  
Received: 5/17/2019



WARRANTY DEED -- STATUTORY FORM

(INDIVIDUAL or CORPORATION)

IVAN J. COOK and Grantor, conveys and warrants to: STARLINE PROPERTIES LLC,  
an Indiana Limited Liability Company, Grantee, the following described real property free of  
encumbrances except as specifically set forth herein:

Parcel 2 of PARTITION PLAT NO. 2018-20 (Instrument No. 2018-6800105 Office of  
Umatilla County Records) located in Section 23, Township 4 North, Range 28, East of the  
Willamette Meridian, Umatilla County, Oregon.

Encumbrances: See exhibit A for permitted exceptions

The true consideration for this conveyance is \$662,725.00 . 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/part 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 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative  
findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and  
Conservation Fund) 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  
(Definitions for ORS 92.010 to 92.192) OR 215.010 (Definitions), 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  
(Definitions for ORS 30.930 to 30.947), AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF  
ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for  
restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) 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 16 day of May, 2019.

GRANTOR(S):

*Ivan J. Cook*  
IVAN J. COOK

State of Oregon  
County of UMATILLA

This instrument was acknowledged before me on May 16, 2019 by IVAN J. COOK.

*Marcia Marie Rosenberg*  
(Notary Public for Oregon)  
My commission expires 4/30/22



14008

PIONEER TITLE CO. 98797  
109 SW COURT, PEND. OR 97801

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MAY 23 2022

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EXHIBIT "A"

Legal Description:

1. As disclosed by the tax rolls the premises herein described have been zoned or classified for special use. At any time that said land is disqualified for such use said property will be subject to' additional taxes and interest.
- 2. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
3. Coal and Iron rights, including the terms and provisions thereof, reserved in Deed,  
Grantee : L.A. McClintock  
Recorded : April 8, 1939, Book 155, Page 274, Deed Records.
4. Easement, including the terms and provisions thereof,  
Grantee : Pacific Power and Light Company  
Recorded : July 9, 1980, Microfilm Reel 67, Page 1528 and  
Amended : November 12, 1980, Microfilm Reel 73, Page 798, Office of Umatilla County Records.
5. Easement, including the terms and provisions thereof,  
Grantee : Pacificorp  
Recorded : January 20, 1999, Instrument No. 1999-3440050, Office of Umatilla County Records.  
Umatilla County Records.
6. Easements as shown on Partition Plat No. 2010-05,  
Recorded : April 2, 2010, Instrument No. 2010-5640139, Office of Umatilla County Records.
7. Easements as shown on Partition Plat No. 2018-20  
Recorded : December 5, 2018, Instrument No. 2018-6800105, Office of Umatilla County Records.

14008

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1913

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MAY 28 1913

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1000



**dalevconsulting@gmail.com**

**From:** STARNES Patrick K \* WRD <Patrick.K.STARNES@water.oregon.gov>  
**Sent:** Tuesday, April 19, 2022 9:21 AM  
**To:** dalevconsulting@gmail.com  
**Subject:** RE: Temporary transfer questions

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MAY 23 2022  
OWRD

Good Morning Dale,

I concur with your assessment below.

Kelly

\*\*\*\*\*

Kelly Starnes, Transfer Program Analyst  
Oregon Water Resources Department  
725 Summer St NE Suite A  
Salem OR 97301-1271  
Cell phone: 503-979-3511 Fax: 503-986-0903  
E-mail: [patrick.k.starnes@water.oregon.gov](mailto:patrick.k.starnes@water.oregon.gov)

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

\*\*\*\*\*

**From:** dalevconsulting@gmail.com <dalevconsulting@gmail.com>  
**Sent:** Monday, April 18, 2022 4:23 PM  
**To:** STARNES Patrick K \* WRD <Patrick.K.STARNES@water.oregon.gov>  
**Subject:** RE: Temporary transfer questions

Kelly,

I am working on a temporary transfer for the Hutterian Brethren. A copy of the transfer map is attached. A portion of the From Lands (Tax Lot 206) is owned by Starline Properties LLC. Starline Properties LLC purchased the property from Ivan J. Cook. The water rights were excluded from the sale (See attached deed and associated Exhibit "A"). Given the exception in the deed and providing there has not been some other water right transaction since sale (which is my understanding), my believe that Ivan J. Cook is the owner of the water rights that were associated with Tax Lot 206. Given the above I believe I need to have Ivan J. Cook sign a affidavit of consent for the temporary transfer. And, since Starline Properties LLC to not have any ownership interest in the water rights I do not believe I need to have them sign and affidavit of consent for the transfer. Do you concur with the above?

Thanks for your assistance with this matter.  
Dale

10-24

REC'D  
MAY 2 1955  
MAY 2 1955  
O'D  
C

14008

**Application for  
Water Right Transfer**



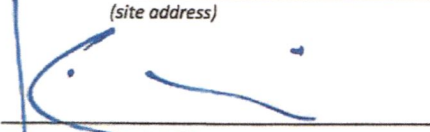
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.wrd.state.or.us

**Consent by Deeded Landowner**

State of Oregon )  
 )ss  
County of Umatilla )

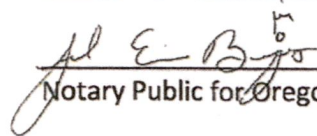
**RECEIVED**  
**MAY 23 2022**  
**OWRD**

I Kim Puzey in my/our capacity as Manager of the Port of Umatilla,  
mailing address 500 Willamette, Umatilla, OR 97882,  
telephone number (541) 922 3224, duly sworn depose and say that I/We  
consent to the proposed change(s) to Water Right Certificate Number 87374  
described in a Water Right Transfer Application (T-\_\_\_\_), submitted by the Stanfield  
Hutterian Brethren on the property in tax lot number TL 100,  
Section 23, Township 4 North, Range 28 East, W.M.,  
located at 2302 SE 9<sup>th</sup> Street, Hermiston.  
(site address)

  
\_\_\_\_\_  
Signature of Affiant

May 16, 2022  
Date

Subscribed and Sworn to before me this 16 day of may, 20 22.

  
\_\_\_\_\_  
Notary Public for Oregon

My commission expires March 23, 2026.



14008

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MAY 23 2022

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Attachement for Temporary  
Transfer  
Copy of Deed for TL 100  
NENE Sec 23  
Port of Umatilla

10-1

REEL 290 PAGE 0922

ODOT  
File 27880  
1R-1-1477

ORIGINAL

DEED

The STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantor, for the true and actual consideration of \$155,000.00 does convey unto PORT OF UMATILLA, Grantee, the following described property:

The Northeast quarter of the Northeast quarter (NE¼NE¼), of Section 23, Township 4 North, Range 28 East, W.M., Umatilla County, Oregon, containing 40 acres, save and except 1.79 acres, more or less, for road rights of way.

This parcel of land contains 38.21 acres, more or less.

This conveyance is made and delivered upon the following express conditions, reservations, and restrictions:

1. Subject to special assessments, existing restriction, reservations and easements, if any.
2. That the above described land shall never be used for the placing or maintenance of any advertising sign, display, or device, except such sign, display, or device used to advertise the activities on said land, or the lease or sale of said land or any portion thereof. In the event of violation of this condition, Grantor shall have the right, through its authorized officers, agents, or employees to enter upon said land and remove, destroy, or obliterate any unauthorized sign, display, or device, without liability for damage or injury thereto, and to recover the cost of such removal, destruction or obliteration from the owner of said land.
3. That no junk, scrap, junked motor vehicles, or parts thereof, debris, trash, waste, or other such materials shall be placed on said land for whatever purpose in any manner so as to be visible from a state highway, provided that such items as listed above can otherwise be placed on said land without violating any applicable law, ordinance, or regulation. In the event of violation of this condition, Grantor shall have the right, through its authorized officers, agents, or employees, to enter upon said land and remove or destroy any unauthorized junk, scrap, or other material mentioned above and recover the cost of such removal or destruction from the owner of said land.
4. That this property shall not be used for the operation of any garbage dump or sanitary land fill. If such use is made of the property, Grantor may, at its election, enter upon said land and restore it to the condition that existed prior to said use for garbage dump or sanitary land fill purposes and recover the cost thereof from the owner of said land.

3-22-96

TAX STATEMENTS SHALL BE SENT TO  
P O Box 879  
Umatilla OR 97882

RETURN TO  
PROPERTY MANAGEMENT  
411 Transportation Bldg.  
Salem OR 97310

State of Oregon )  
                  )  
County of Umatilla)  
This instrument was received and recorded on  
05-22-96 at 9:55  
in the record of document code type 62

Location 290-0922  
Document number 96-218835  
Fee 10.00

Office of County Records

Received by S. Chamberlain  
Records Officer

14008

REEL 290726:0923

218835

ODOT  
File 27880  
1R-1-1477

5. That this conveyance is made upon the further condition, which shall constitute a covenant running with the land, that Grantor shall not at any time become liable to Grantee and grantee's heirs, successors and assigns in interest, for damages to the land herein described or any buildings, structures, improvements, or property of any kind or character now or hereafter located upon said land or for any injuries to any owner, occupant, or any person in or upon said land or for any interference with the use and enjoyment of said land or for damages which except for this covenant might constitute a nuisance caused directly or indirectly by noise or air pollutant emissions from transportation vehicles using the highway or transportation facility adjacent to said land. Any reference in this covenant to the highway or transportation facility adjacent to said land refers to the highway or transportation facility as it now exists and also as it will exist with future improvements. Grantee and grantee's heirs, successors and assigns covenant not to sue Grantor for any said injuries or damages.

It is understood that the conditions, reservations, restrictions, and covenants herein set out have been considered in determining the amount of consideration of this conveyance.

The rights and remedies herein reserved or provided shall not be exclusive and shall not be in derogation of any other right or remedy which Grantor may have. The conditions and restrictions herein contained shall run with said land and shall forever bind Grantee and grantee's heirs, successors and assigns. Where any action is taken to enforce the above mentioned conditions and restrictions, Grantor shall not be liable for any trespass or conversion as to any real or personal property. Where legal proceedings are commenced by Grantor to enforce the foregoing conditions and restrictions or for the recovery of the aforementioned removal or destruction costs, the successful party shall be entitled to reasonable attorney fees and court costs.

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

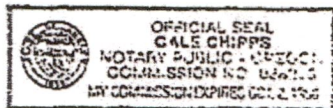
Dated this 22<sup>nd</sup> day of March, 1996.

STATE OF OREGON, by and through its  
DEPARTMENT OF TRANSPORTATION

By: Deolinda G. Jones  
Deolinda G. Jones, Right of Way Manager

STATE OF OREGON, County of Marion

March 22 1996. Personally appeared Deolinda G. Jones, who being sworn, stated that she is the Right of Way Manager for the State of Oregon, Department of Transportation, and that this document was voluntarily signed on behalf of the State of Oregon by authority delegated to her. Before me:



Gale Chippis  
Notary Public for Oregon  
My Commission expires 10-2-98

REC'D

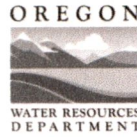
MAY 2 9 2025

REC'D

MAY 8 8 2025

①

# Application for Water Right Transfer



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.wrd.state.or.us

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MAY 23 2022

OWRD

## Consent by ~~Deeded Landowner~~ Water Right Owner

State of Oregon )  
 )ss  
County of Umatilla )

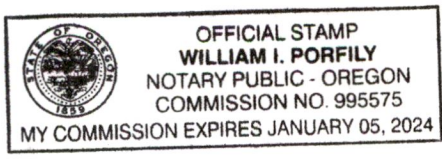
I Ivan J. Cook in my capacity as owner of the portion of water right Certificate 87368 associated with TL 206, mailing address 1870 South 1<sup>st</sup> Street, Hermiston, Oregon 97838, telephone number (541) 561 3984, duly sworn depose and say that I consent to the proposed change(s) to Water Right Certificate Number C 87368 described in a Water Right Transfer Application (T- \_\_\_\_\_), submitted by the Stanfield Hutterian Brethren on the property in tax lot number TL 206, Section 23, Township 4 North, Range 28 East, W.M., located at SE 9<sup>th</sup> Street, Hermiston, Oregon.  
*(site address)*

Ivan J Cook By: POA Dregler 5/6/22  
Signature of Affiant Date

Subscribed and Sworn to before me this 6 day of may, 2022.

William I. Porfily  
Notary Public for Oregon

My commission expires Jan 5, 2022



14008





UMAT 2507

Attachment for Well #00-79

Material	From	To	SWL
Sand	0	10	
Gravel Conglomerate	10	190	
Black Basalt	190	235	
Black w/yellow Bassalt	235	255	Water
Black hard	255	360	
Black w/Blue	360	385	Water
Black	385	405	
Black w/green & yellow	405	415	Water
Black	415	425	
Black w/green	425	458	Water
Black	458	505	
Black w/blue & red	505	520	Water
Black	520	540	
Black w/blue & Yellow	590	625	Water
Black & Grey	625	664	
Black w/blue	664	685	
Black	685	710	
Black w/blue & yellow	710	728	
Grey	728	775	
Black w/yellow & green	775	790	
Black	790	820	
Black w/ blue	820	843	
Black	843	850	
Hard Grey	850	1010	
Black	1010	1030	
Hard Grey	1030	1077	
Black, yellow	1077	1103	
Black	1103	1125	
Hard Grey	1125	1140	
Black	1140	1165	
Hard Grey	1165	1160	

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 NOV 23 1979  
 WATER RESOURCES DEPT  
 SALEM, OREGON

water

RECEIVED

MAY 23 2022

OWRD

RECEIVED

FEB 23 1980

WATER RESOURCES DEPT  
 SALEM, OREGON

14008

WELL I.D. # L \_\_\_\_\_

*Submers Well Near Center Large Circle.*

(1) LAND OWNER Well Number \_\_\_\_\_  
 Name Ivan + Vernon Cook  
 Address \_\_\_\_\_  
 City Echo State OR Zip \_\_\_\_\_

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other \_\_\_\_\_

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION:  
 Special Construction approval  Yes  No Depth of Completed Well 930 ft.  
 Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL			Sacks or pounds	
Diameter	From	To	Material	From		To

How was seal placed: Method  A  B  C  D  E  
 Other \_\_\_\_\_

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
 Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	<u>14</u>				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used  Inside  Outside  None  
 Final location of shoe(s) \_\_\_\_\_

(7) PERFORATIONS/SCREENS:

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

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

Yield gal/min	Drawdown	Drill stem at	Flowing Artesian Time 1 hr.

Temperature of water \_\_\_\_\_ Depth Artesian Flow Found \_\_\_\_\_  
 Was a water analysis done?  Yes By whom \_\_\_\_\_  
 Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
 Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
 County Umatilla Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 Township 4 N N or S Range 28 E E or W. WM.  
 Section 23 SW 1/4 SE 1/4  
 Tax Lot \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) \_\_\_\_\_

(10) STATIC WATER LEVEL:  
 \_\_\_\_\_ ft. below land surface. Date \_\_\_\_\_  
 Artesian pressure \_\_\_\_\_ lb. per square inch Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found \_\_\_\_\_

From	To	Estimated Flow Rate	SWL

(12) WELL LOG:  
 Ground Elevation \_\_\_\_\_

Material	From	To	SWL
<u>Nearby wells indicate Columbia River Basalt at depths below about 200 feet.</u>			

Date started \_\_\_\_\_ Completed \_\_\_\_\_

SOURCE OF DATA/INFO Final-proof survey in application file G-7851, permit G-7183. Well # 1 on permit (1210'N, 1800'W fr SE cor S. 23). No log on file at OWRD. Driller's well # 77-10-2088. Drilled sometime between 1977 + 1979.

COMPILED BY: Karl G. Wozniak

DATE: 11-18-2005

*930 ft Deep OWRD Records-*

RECEIVED  
 MAY 23 2022  
 OWRD

14008

TO: NIE

FROM: YAM

RE: (C)