

T-14008

T-14008

Temporary

Name Stanfield Hutterian BrethrenAddress Hend Stahl
36345 Despain gulch rd
Stanfield or 97875

DESCRIPTION OF WATER RIGHT(S)

Name of Stream wellTrib. of Umatilla riverUse IrrigationCounty Umatilla

Quantity of water (CFS)

No. of Acres

Name of ditch

App# G7851

Per #

G7183

Cert #

87368

PR Date

App#

Per #

Cert #

87374

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

FEES PAID

Date	Amount	Receipt #
<u>05/23/2022</u>	<u>\$1414.71</u>	<u>138236</u>

Change in PODate Filed 5/23/2022Initial notice date 10/1/2022

DPD issued date

PD issued date

PD notice date

Date of FO 7/18/2023 Vol 128 Page 1081withdraw

C-Date

COBU due date

COBU Received date

Certificate issued

FEES REFUNDED

Date	Amount	Receipt #
------	--------	-----------

Assignments:

Irrigation District

Agent William Porfily wporfily@gmail

CWRE

CC's list City of Hermiston☐ - Oversized map - Location



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

July 18, 2023

HERB STAHL
36345 DESPAIN GULCH RD
STANFIELD, OR 97875

ORDER ON WITHDRAWN APPLICATION

Reference: Transfer Application T-14008

The above referenced transfer application was withdrawn from the record of the Water Resources Department on July 18, 2023, by Special Order Volume 128, Page 681 (copy enclosed).

The transfer application is no further force or effect.

If you have any questions related to this transfer, you may contact your caseworker, Arla Davis, by telephone at 503-979-3129 or by e-mail at Arla.L.Davis@oregon.gov.

Sincerely,

Julie C. Baustian
Water Right Services Support
Transfers and Conservation Section

cc: Gregory M. Silbernagel, Watermaster Dist. # 5 (via email)
City of Hermiston
William I. Porfily, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER WITHDRAWING AN
T-14008, Umatilla County)	APPLICATION FOR TEMPORARY CHANGES
)	IN PLACES OF USE AND AN ADDITIONAL
)	POINT OF APPROPRIATION

Authority

Oregon Revised Statute (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of appropriation authorized under an existing water right. Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

STANFIELD HUTTERIAN BRETHERN
C/O HERB STAHL
36345 DESPAIN GULCH RD
STANFIELD, OR 97875

Findings of Fact

1. On May 23, 2022, STANFIELD HUTTERIAN BRETHERN C/O HERB STAHL filed an application to temporarily change the places of use under Certificate 87368 and Certificate 87374 and for an additional point of appropriation under Certificate 87374 for a period of 1 year. The Department assigned the application number T-14008.
2. Notice of the application for transfer was published on June 7, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 15, 2023, the agent for the applicant requested by email that transfer application T-14008 be withdrawn.

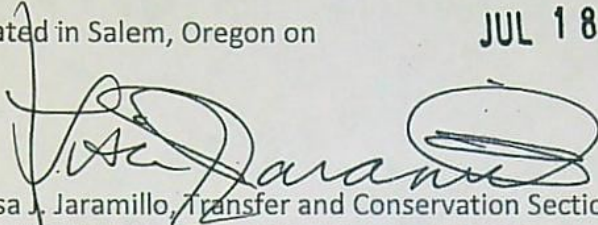
This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Now, therefore, it is ORDERED:

Transfer Application T-14008 in the name of STANFIELD HUTTERIAN BRETHREN C/O HERB STAHL, is withdrawn and of no further force or effect.

Dated in Salem, Oregon on

JUL 18 2023

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", is written over a horizontal line.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Mailing Date:

JUL 19 2023

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14008

Transfer Specialist:

Transfer Type: Temporary Transfer

Cula

Applicant: HERB STAHL 36345 DESPAIN GULCH RD STANFIELD, OR 97875 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A WILLIAM I. PORFELY PO BOX 643 STANFIELD, OR 97875 Email: _____ Phone: _____	
Irrigation District: <input type="checkbox"/> N/A Email: _____		CWRE: <input type="checkbox"/> N/A Email: _____	
Affected Local Gov'ts: <input type="checkbox"/> N/A City Of Hermiston Email: _____		Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____		Receiving Landowner: <input type="checkbox"/> N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: May 23, 2022	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 1414.71	WM District: 5	ODFW District:
Initial Public Notice: June 7, 2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
FO	Date: <u>6/9/23</u> Initials: <u>ASD</u>	Date: <u>6/13/23</u> Initials: <u>Stolt</u>	Date: <u>6/28/23</u> Initials: <u>PKS</u>	Date: <u>7/7/23</u> Initials: <u>ASD</u>	Date: <u>7/7/23</u> How many for signature: <u>1</u>	Date: <u>7/18/2023</u>

Special Issues: Withdrawn

Special Order Volume: Vol. 128 Pages 1081

DAVIS Arla L * WRD

From: wporfily@gmail.com
Sent: Monday, May 15, 2023 9:54 AM
To: DAVIS Arla L * WRD
Cc: 'Herb Stahl'; dalevconsulting@gmail.com
Subject: RE: Temporary Transfer Application T-14008 for Stanfield Hutterian Brethren c/o Herb Stahl

Mornin Arla

I have discussed this application with the client and we are in agreement that we should withdraw the 2022 Temporary Transfer T-14008. Thank you for you email and help in assisting with this issue.

William Porfily
PO Box 643
Stanfield, OR 97875
Cel (541)561-7259
E-Mail: wporfily@gmail.com

From: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>
Sent: Thursday, May 4, 2023 10:26 AM
To: wporfily@gmail.com; herb.stahl@eotnet.net
Cc: STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Subject: Temporary Transfer Application T-14008 for Stanfield Hutterian Brethren c/o Herb Stahl

Good Morning,

Temporary Transfer Application T-14008 for Stanfield Hutterian Brethren c/o Herb Stahl was filed May 23, 2022. The Department was not able to complete processing of Temporary Transfer Application T-14008 as the Groundwater review was not completed before the end of the 2022 irrigation season. Temporary Transfer Application T-14008 is now being reviewed by The Department's Groundwater Section and as the Transfer Caseworker, I would like to verify whether the applicant would like to continue with processing of the transfer for the 2022 season or would the applicant prefer to amend or withdraw Temporary Transfer Application T-14008 before the groundwater review is completed?

Arla L. Davis

She/Her/Hers
Water Rights Transfer Specialist
Transfer and Conservation Section
725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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

Work Schedule (primarily teleworking remotely): Mon, Tues, & Thurs, Fri – 6:00 a.m. to 3:30 p.m. and Wed – 8:00 a.m. to Noon

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14008

Review Due Date:

Applicant Name: Stanfield Hutterian Brethren c/o Herb Stahl

Proposed Changes: ☒ POU ☐ POD ☒ POA ☐ USE ☐ OTHER

Reviewer(s): Greg Silbernagel

Date of Review: 07/22/2022

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
This area is within the Stage Gulch Critical Groundwater Area. Both water rights have been given an allocation for the 2022 season.
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

☒ N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

☒ N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

☒ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No

9. For POU changes: ☐ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☒ No If "Yes", explain:

10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

☐ Yes ☒ No If "Yes", explain:

11. For POU changes that involve micro-irrigation: ☒ N/A

- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

☐ Yes ☐ No If "Yes", explain:

- b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

☐ Yes ☐ No If "Yes", answer the following:

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:

- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:

- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- iv. Do you have any other observations regarding the temporary transfer?

☐ Yes ☐ No If "Yes", describe:

- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- c. To the best of your knowledge, if this transfer is approved, does it appear that:

- i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☐ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☐ No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

☐ Yes ☒ No If "Yes", explain:

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? ☐ No ☒ Yes, as checked and provided below:

☐ For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

☐ A Headgate should be required prior to diverting water.

☒ Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

*a. Before water use may begin under this order, the water user shall install a **totalizing flow meter***, or, with prior approval of the Director, another suitable measuring device, ☒ at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation ☐ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

☐ Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

*a. Before water use may begin under this order, the water user shall install **staff gages***, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

☐ Weir
☐ Parshall Flume
☐ Other: _____

☐ Submerged Orifice
☐ Flow Restrictor

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

IVAN COOK
1870 S. 1ST STREET
HERMISTON, OR 97838-7104

confirms the right to use the waters of TWO WELLS in the UMATILLA RIVER BASIN for IRRIGATION OF 152.8 ACRES.

This right was perfected under Permit G-7183. The date of priority is FEBRUARY 25, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.91 CUBIC FEET PER SECOND (CFS); being 1.59 CFS from WELL 1 and 0.32 CFS from WELL 3, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

TWP	RNG	MER	SEC	Q-Q	WELL #	MEASURED DISTANCES
4 N	28 E	WM	23	SW NE	3	1350 FEET SOUTH AND 1330 FEET WEST FROM THE NE CORNER OF SECTION 23
4 N	28 E	WM	23	SW SE	1	1210 FEET NORTH AND 1800 FEET WEST FROM THE SE CORNER OF SECTION 23

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

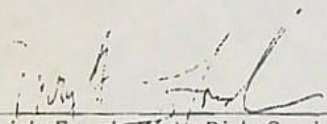
TWP	RNG	MER	SEC	Q-Q	WELL #	ACRES
4 N	28 E	WM	23	SW NE	1	0.3
4 N	28 E	WM	23	SE NE	3	25.9
4 N	28 E	WM	23	NE SW	1	5.6
4 N	28 E	WM	23	SE SW	1	5.0
4 N	28 E	WM	23	NE SE	1	20.9
4 N	28 E	WM	23	NW SE	1	37.6
4 N	28 E	WM	23	SW SE	1	37.0
4 N	28 E	WM	23	SE SE	1	20.5
TOTAL:						152.8

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

This certificate, together with Certificate 87373 and Certificate 87374, describes that portion of the water right confirmed by Certificate 79889, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director approving Transfer Applications T-11254, T-11255 and T-11256, entered JAN 05 2012, and recorded at Special Order Volume 85, Pages 859 to 870.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed JAN 05 2012.



Dwight French, Water Right Services Division Administrator, for
PHILLIP C. WARD, DIRECTOR

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PORT OF UMATILLA
PO BOX 879
UMATILLA, OR 97882

confirms the right to use the waters of A WELL in the UMATILLA RIVER BASIN for IRRIGATION OF 31.4 ACRES.

This right was perfected under Permit G-7183. The date of priority is FEBRUARY 25, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.39 CUBIC FOOT PER SECOND (CFS) from WELL 3, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

TWP	RNG	MER	SEC	Q-Q	WELL #	MEASURED DISTANCES
4 N	28 E	WM	23	SW NE	3	1350 FEET SOUTH AND 1330 FEET WEST FROM THE NE CORNER OF SECTION 23

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

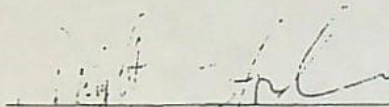
TWP	RNG	MER	SEC	Q-Q	WELL #	ACRES
4 N	28 E	WM	23	NE NE	3	31.4

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

This certificate, together with Certificate 87368 and Certificate 87373, describes that portion of the water right confirmed by Certificate 79889, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director approving Transfer Applications T-11254, T-11255 and T-11256, entered JAN 05 2012, and recorded at Special Order Volume 85, Pages 859 to 870.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

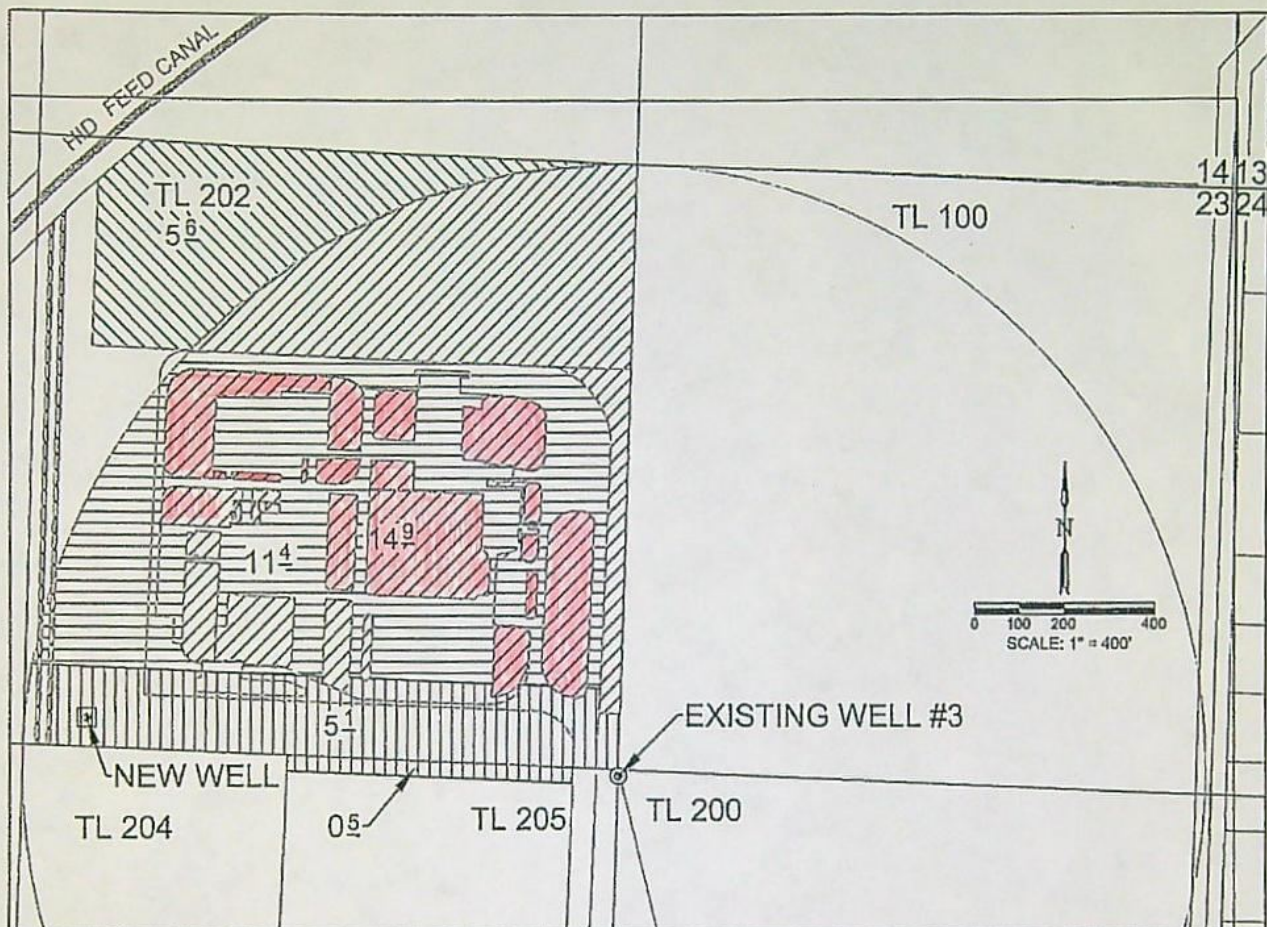
WITNESS the signature of the Water Resources Director, affixed JAN 05 2012.



Dwight French, Water Right Services Division Administrator, for
PHILLIP C. WARD, DIRECTOR

87374

Township 4 North, Range 28 East - Section 23
UMATILLA COUNTY



LEGEND

TL 200 TAX LOT NUMBER

- 14.9 AC OF CERT 79889
POU UNCHANGED WITH NEW POA
- 5.6 AC OF CERT 79889
POU CHANGED
- 5.6 AC OF CERT 79889
TO NEW POU WITH NEW POA
- 11.4 AC OF CERT 79889
TO NEW POU UNDER T-11254
FOR IVAN COOK

POINTS OF APPROPRIATION

- EXISTING WELL #3 ○ 1350'S 1330'W FROM NE COR,
SEC 23, T4N, R28E, W.M.
- PROPOSED NEW WELL □ 1280'S 2520'W FROM NE COR,
SEC 23, T4N, R28E, W.M.

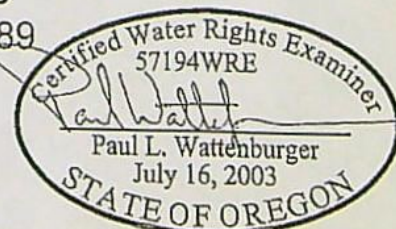
RECEIVED

SEP 13 2011

WATER RESOURCE DEPT.
EASTERN REGION

Transfer Map T-11256
Under Transfer Certificate 79889
In the name of Pioneer
Hi-Bred International, Inc.
April 14th, 2011
(September 13th, 2011)

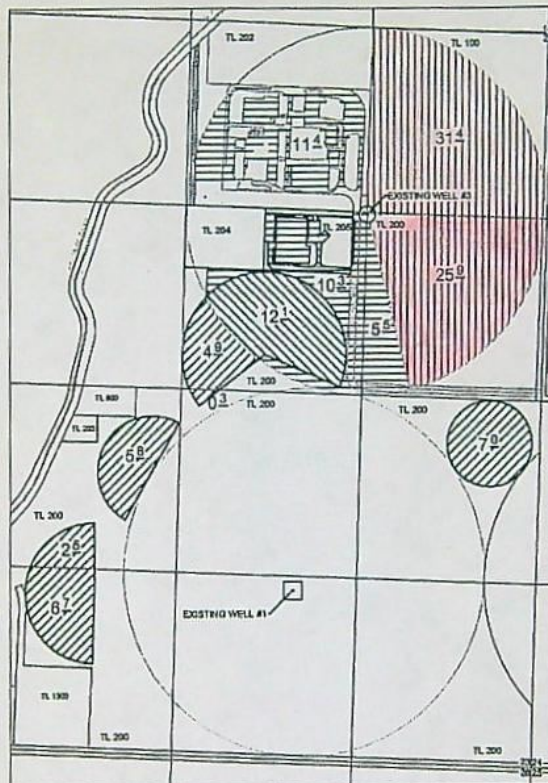
THIS MAP WAS PREPARED FOR THE
PURPOSE OF IDENTIFYING THE
LOCATION OF A WATER RIGHT ONLY
AND IS NOT INTENDED TO PROVIDE
LEGAL DIMENSIONS OR LOCATION
OF PROPERTY OWNERSHIP LINES.







EXPIRES: 6/30/12

DEC 23 2011

Township 4 North, Range 28 East - Section 23
UMATILLA COUNTY



TL 200 TAX LOT NUMBER

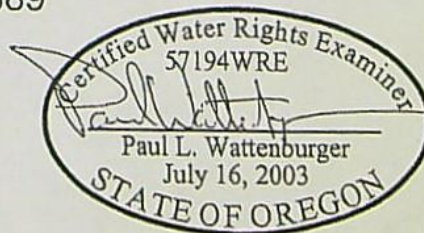
- | | |
|---|---|
|  | 57.3 AC OF CERT 79889
POU UNCHANGED |
|  | 12.1 AC OF CERT 79889
POU UNCHANGED WITH
ADDITIONAL POA |
|  | 27.2 AC OF CERT 79889
POU CHANGED |
|  | 27.2 AC FROM CERT 79889
TO NEW POU WITH
ADDITIONAL POA |

EXISTING WELL #3 ○ 1350'S 1330'W FROM NE COR,
SEC 23, T4N, R28E, W.M.

EXISTING WELL #1 □ 1210'N 1800'W FROM SE COR,
SEC 23, T4N, R28E, W.M.

Transfer Map T-11254
Under Transfer Certificate 79889
In the name of Ivan Cook
April 14th, 2011
(September 13th, 2011)

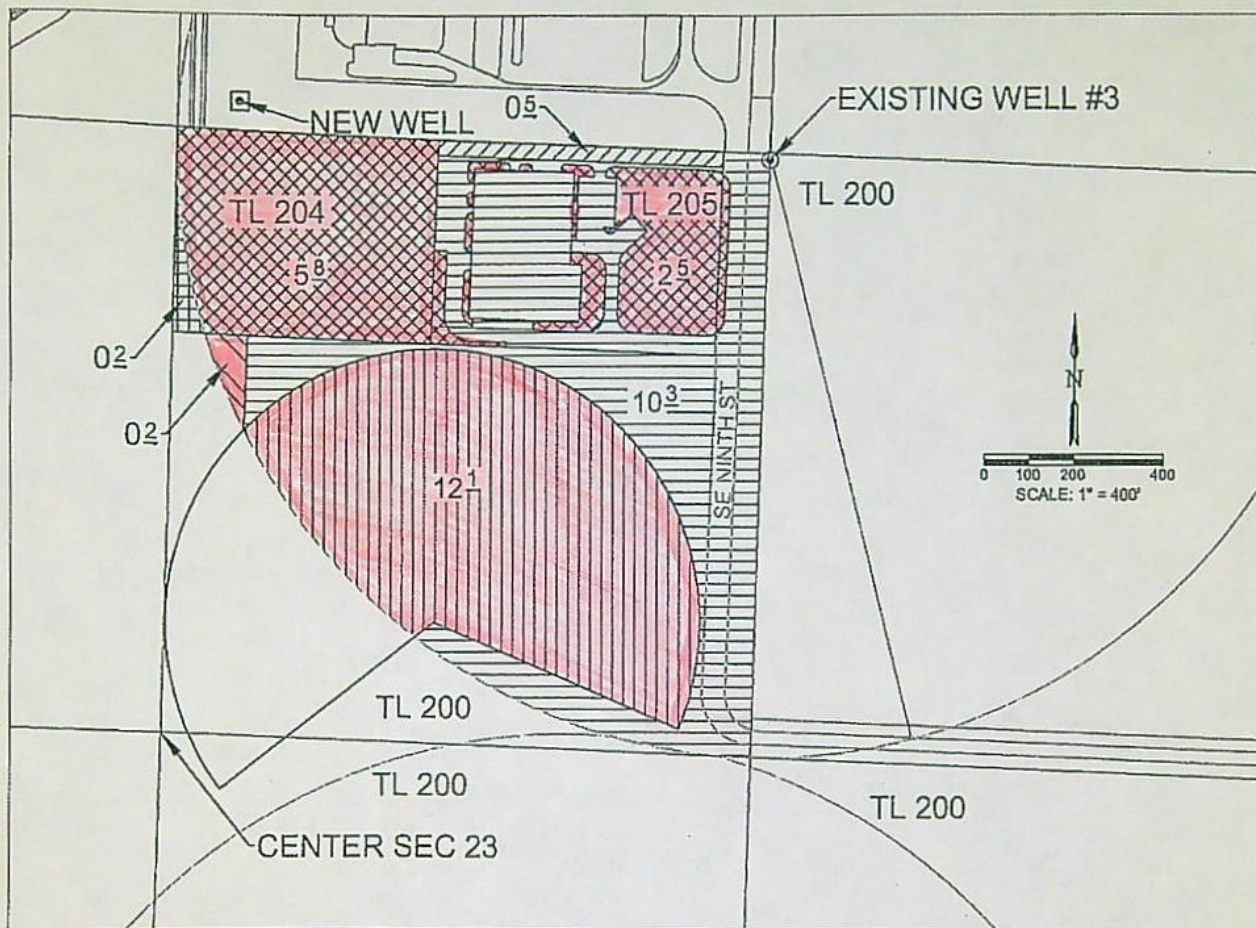
THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



EXPIRES: 6/30/12

87368

Township 4 North, Range 28 East - Section 23
UMATILLA COUNTY



LEGEND

TL 200	TAX LOT NUMBER
	8.3 AC OF CERT 79889 POU UNCHANGED WITH NEW POA
	0.2 AC OF CERT 79889 TO NEW POU WITH NEW POA
	0.2 AC OF CERT 79889 FROM OLD POU AND POA
	12.1 AC OF CERT 79889 POU UNCHANGED UNDER T-11254 FOR IVAN COOK
	10.3 AC OF CERT 79889 TO NEW POU UNDER T-11254 FOR IVAN COOK
	0.5 AC OF CERT 79889 TO NEW POU UNDER T-11256 FOR PIONEER HI-BRED

POINTS OF APPROPRIATION

EXISTING WELL #3	○ 1350'S 1330'W FROM NE COR, SEC 23, T4N, R28E, W.M.
PROPOSED NEW WELL	□ 1280'S 2520'W FROM NE COR, SEC 23, T4N, R28E, W.M.

Transfer Map T-11255

Under Transfer Certificate 79889

In the name of Hermiston Partner 1, LLC

April 14th, 2011

(September 13th, 2011)

THIS MAP WAS PREPARED FOR THE
PURPOSE OF IDENTIFYING THE
LOCATION OF A WATER RIGHT ONLY
AND IS NOT INTENDED TO PROVIDE
LEGAL DIMENSIONS OR LOCATION
OF PROPERTY OWNERSHIP LINES.

RECEIVED

SEP 13 2011

WATER RESOURCE DEPT.
EASTERN REGION



EXPIRES: 6/30/12



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

June 8, 2022

STANFIELD HUTTERIAN BRETHREN
HERB STAHL
36345 DESPAIN GULCH RD
STANFIELD, OR 97875

Reference: Application T-14008

On May 23, 2022, OWRD received your water right Temporary Transfer Application. The application was accompanied by \$1414.71. Our receipt number 138236 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change.

Except as provided under ORS 540.510(3) for municipalities, you may not **temporarily** use water at the new place of use or from the new point of diversion/appropriation until a final order approving the temporary transfer application has been issued by the Department. Additionally, pursuant to OAR 690-380-8010, the lands **from** which an irrigation water right is to be temporarily transferred and the land **to** which the right is to be temporarily transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

If the land is sold before the temporary transfer is approved, the buyer's consent to the temporary transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #5, Gregory M. Silbernagel (via email)
City of Hermiston
William I. Porfily, Agent

Enclosure

OREGON WATER RESOURCES DEPT.

Date 5/18/2022
Type Bill
Reference

Original Amt.
1,414.71

Balance Due
1,414.71

5/18/2022
Discount
Check Amount

Payment
1,414.71
1,414.71

RECEIVED

MAY 23 2022

OWRD

Banner Bank

1,414.71

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 138236

INVOICE #

RECEIVED FROM: Stanfield Hutterian
BY: Brethren

APPLICATION
PERMIT
TRANSFER T-14008

CASH: ☐ CHECK: # 11888 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$1,414.71

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
OTHER: (IDENTIFY) \$
0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 RECORD FEE \$
0203 GROUND WATER EXAM FEE 0204 RECORD FEE \$
0205 TRANSFER EXAM FEE 1,414.71 \$
WELL CONSTRUCTION EXAM FEE \$
0218 WELL DRILL CONSTRUCTOR EXAM FEE 0219 LICENSE FEE \$
LANDOWNER'S PERMIT 0220 LICENSE FEE \$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD#
0210 MONITORING WELLS \$ CARD#
OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND TITLE
OBJ. CODE VENDOR #
DESCRIPTION \$

RECEIPT: 138236

DATED: 5.23.2022 BY: [Signature]

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



Cook-Stahl T
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)

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- ☒ 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.
- ☒ 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)

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):

☐ Application fee not enclosed/insufficient ☐ Map not included or incomplete

☐ Land Use Form not enclosed or incomplete

☐ Additional signature(s) required

☐ Part _____ is incomplete

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.

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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°).

14008

[illegible]

1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
	Enter the cfs for the portions of the rights to be transferred (see example below*): <div style="text-align: right;">_____ (2a)</div> 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		2	
3	Add entries on lines 1 through 2 above » » » » » » » » » » Transfer Fee:	3	NA

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).

TACS

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Stanfield Hutterian Brethren c/o Herb Stahl			PHONE NO. (541) 626-3386	ADDITIONAL CONTACT NO.
ADDRESS 36345 Despain Gulch Rd				FAX NO.
CITY Stanfield	STATE OR	ZIP 97875	E-MAIL herb.stahl@eotnet.net	
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.				

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

AGENT/BUSINESS NAME William Porfily			PHONE NO. 541 561 7259	ADDITIONAL CONTACT NO.
ADDRESS PO Box 643				FAX NO.
CITY Stanfield	STATE OR	ZIP 97875	E-MAIL wporfily@gmail.com	
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.				

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)

6/18/22
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 City of Hermiston	ADDRESS 180 NE 2 nd Street	
CITY Hermiston	STATE OR	ZIP 97838

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right

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Water Right Certificate # 87368

MAY 23 2022

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):

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | |

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

- | | |
|---|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> 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.

14008

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 $\frac{1}{4}$ $\frac{1}{4}$, 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) 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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MAY 23 2022

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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)

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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- 14008 MAY 23 2022

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Part 5 of 5 – Water Right Information

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Water Right Certificate # 87374

MAY 23 2022

Description of Water Delivery System

OWRD

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):

- | | |
|---|--|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | |

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

- | | |
|---|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Diversion (APOD) |

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> 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. |
| <input type="checkbox"/> 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

87374

List only the part of the right that will be changed. For the acreage in each $\frac{1}{4}$ $\frac{1}{4}$, 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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MAY 23 2022

OWRD

RECEIVED

MAY 23 2022

Water Right Certificate # 87374

For Place of Use Changes

OWRD

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)

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	

14008

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

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MAY 23 2022

OWRD

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

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

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 2019-6850699
Fee \$101.08

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

Umatilla County
Received: 5/17/2019



Office of County Records

Sten Churchill

Records Officer
1096953 PZ

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. 987917
109 SW COURT, PEND. OR 97801

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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

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

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

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)
County of Umatilla)ss
)

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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 9th Street, Hermiston.

(site address)

Signature of Affiant

May 16, 2022
Date

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

Joel E. Barajas
Notary Public for Oregon

My commission expires March 23, 2026



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

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 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), 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 2290-0922
Document number 96-215835
Fee 10.00

Office of County Records

Received by S. Chambers
Records Officer

14008

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MAY 23 2022

OWRD

REEL 290726 0923

218835

ODOT
File 27860
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 22nd 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 Chipp
Notary Public for Oregon
My Commission expires 6-2-98

3-22-96
Page 2 - Deed
ael/

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

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Consent by ~~Deeded Landowner~~ Water Right Owner

State of Oregon)
)ss
County of Umatilla)

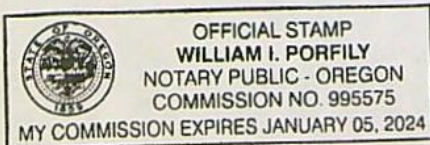
I Ivan J. Cook in my capacity as owner of the portion of water right Certificate 87368 associated with TL 206, mailing address 1870 South 1st Street, Hermiston, Oregon 97838, telephone number (541) 561 3984, duly sworn depose and say that I consent to the proposed change(s) to Water Right Certificate 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 9th 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, 2024



14008

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the
WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

UMAT 2507
WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

State Well No. 4N/28E-239C
State Permit No. _____

(1) OWNER:

Name VERNON & IVAN COOK
Address RT #1 Box 1961 HERMISTON, OR

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☐ Jetted ☐
Dig ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☒
14" Diam. from 0 ft. to 220 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used _____

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name _____
Type _____ Model No. _____
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? CUSTOMER
1800 gal./min. with 30 ft. drawdown after 2 hrs.

Ballor test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used NEAT CEMENT
Well sealed from land surface to 220 ft.
Diameter of well bore to bottom of seal 18 in.
Diameter of well bore below seal 14 in.
Number of sacks of cement used in well seal 100 sacks
How was cement grout placed? GROUT PUMP

Was a drive shoe used? ☐ Yes ☒ No Plugs _____ Size: location _____ ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? _____ depth of strata _____

Method of sealing strata off _____

Was well gravel packed? ☐ Yes ☒ No Size of gravel: _____

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County UMATILLA Driller's well number 00-79
SW 1/4 NE 1/4 Section 23 T. 4N R. 28 E. W.M.
Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 235 ft.
Static level 280 ft. below land surface. Date 10-16-79
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 8" BELOW
Depth drilled 1180 ft. Depth of completed well 1180 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
SEE ATTACHED			
RECEIVED			
MAY 23 2022			
OWRD			
RECEIVED			
FEB 23 1980			
WATER RESOURCES DEPT			
SALEM, OREGON			

Work started 9/17 19 79 Completed 10-16 19 79
Date well drilling machine moved off of well 10-16 19 79

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision.
Materials used and information reported above are true to my
best knowledge and belief.

[Signed] X. Morrow Littlefield Date 11-2, 1979
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1299

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is
true to the best of my knowledge and belief.

Name WALLACE WELLS DRILLING CO.
(Person, firm or corporation) (Type or print)

Address PENDLETON, OR

[Signed] E. Walker
(Water Well Contractor)

Contractor's License No. 583 Date 11-14, 1979

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	1180	

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NOV 23 1979
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
MAY 23 2022

OWRD

RECEIVED
FEB 23 1980
WATER RESOURCES DEPT
SALEM, OREGON

14008

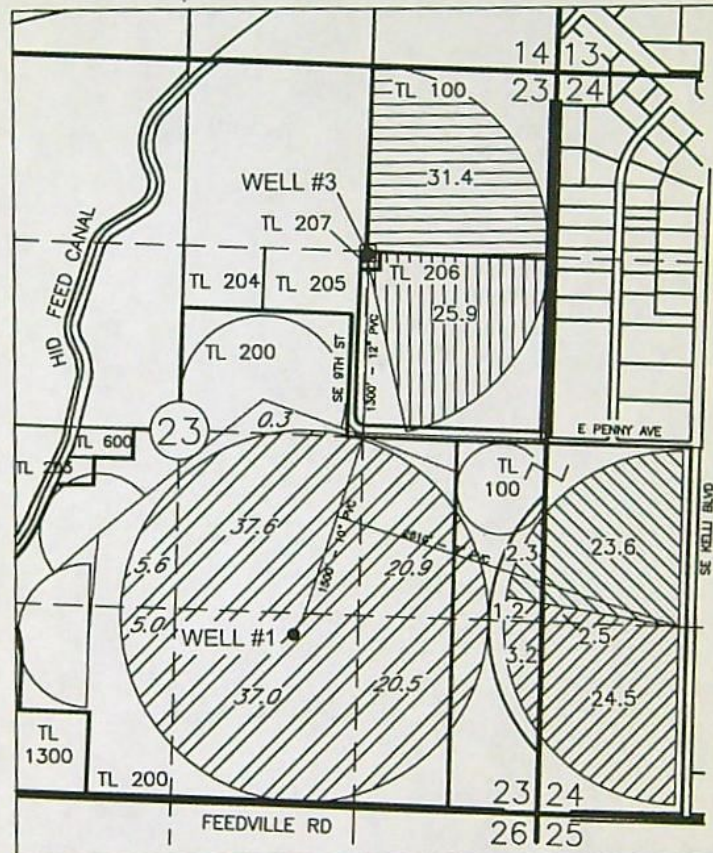
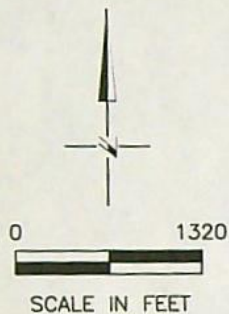
11/16/2000

TEMPORARY TRANSFER APPLICATION MAP
FOR CERTIFICATE 87368 AND A PORTION OF CERTIFICATE 87374
IN THE NAME OF THE STANFIELD HUTTERIAN BRETHREN
SECTION 23, T4N, R28E, W.M., UMATILLA COUNTY




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LEGEND - FROM ACRES

-  CERT 87374 - AREA BEING TRANSFERRED 31.4 ACRES
-  PORTION OF CERT 87368 BEING TRANSFERRED 25.9 ACRES
-  PORTION OF CERT 87368 NOT INVOLVED IN THIS TRANSFER

LEGEND - TO ACRES

-  CERT 87374 - 31.4 ACRES
-  CERT 87368 - 25.9 ACRES

POINTS OF APPROPRIATION

- WELL #1, AUTH POA FOR CERT 87368, PROPOSED POA FOR CERT 87374 - 1210'N AND 1800'W FROM THE SE COR SEC 23, T4N R28E W.M.
- WELL #3, AUTH POA FOR CERT 87368 & CERT 87374 - 1350'S AND 1330'W FROM THE NE COR SEC 23, T4N R28E W.M.

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT
INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

GV Consulting, PLLC
Date: April 18, 2022

Land Use Information Form



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

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Applicant(s): **Stanfield Hutterian Brethren**

Mailing Address: **36345 Despian Gulch Rd**

City: **Stanfield**

State: **OR**

Zip Code: **97875**

Daytime Phone: **541 626 3386**

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
4N	28E	23	SWNE	207	C-2/M-2	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	C-2/M-2
4N	28E	23	SESE	206	C-2/M-2	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	C-2/M-2
4N	28E	23	NESE	200	C-2/M-2	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	C-2/M-2
4N	28E	23	NESE	100	C-2/M-2	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigated Farmland
4N	28E	23	NWSE	200	C-2/M-2	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	C-2/M-2
4N	28E	23	SWSE	200	C-2/M-2	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	C-2/M-2
4N	28E	23	SESE	100	C-2/M-2	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigated Farmland
4N	28E	24	NWSW	100	C-2/M-2	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigated Farmland
4N	28E	24	SWSW	100	C-2/M-2	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigated Farmland

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

City of Hermiston

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 Ground Water Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 321.5 ☐ 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:

I am transferring water from a half circle in the east half of the NE quarter of Section 23, T4N, R28E W.M. to a nearby half circle in the east half of the SE quarter of Section 23 and the west half of the SW quarter of Section 24, T4N, R28E W.M.

MAY 23 2022

For Local Government Use Only

OWRD

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):
- ☐ 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

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: CLINTY SPENCER Title: PLANNING DIR

Signature: [Signature] Phone: 541 567-5521 Date: 5-6-22

Government Entity: CITY OF HERMISTON

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: _____

Regular Temporary Water Right Transfer Application Checklist

Checked by Jon

Date 5/25/22

T-14008

A temporary transfer must be for a change in place of use. A temporary change in POD/POA or APOD/APOA cannot be accepted as a stand-alone change.

A change in POD/POA can accompany the temporary change in place of use, only if the proposed temporary POD/POA is supplying water to the proposed temporary place of use.

If OK, check box to left; if not, fill in the blank)

- ☒ 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____
- ☒ 2. Are fees included and correct?
If not, the correct fee would be: _____, so the amount missing is: _____
- ☒ 3. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?
If not, whose signature is missing? _____
- ☒ 4. Are all listed certificates shown by WRIS as non-cancelled?
If not, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.
- ☒ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☒ N/A ☐ Form D needed from _____ (district)
6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

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T-14008