

Regular

RA

Name Stanfield Hutterian Brethren
c/o Herb Stahl
Address 36345 Despain Gulch Rd
Stanfield, OR 97875

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Columbia River

Trib. of Pacific Ocean

Use Irrigation

County umatilla

Quantity of water (CFS)

No. of Acres

Name of ditch

App# 5-51288

Per # 5-37121

Cert # 87111

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

FEES PAID		
Date	Amount	Receipt #
<u>4-7-2023</u>	<u>\$4,500.00</u>	<u>140448</u>
<u>4-7-2023</u>	<u>\$125.00</u>	<u>140449</u>
<u>4-20-2023</u>	<u>\$1386.13</u>	<u>140536</u>

Change in POU APOD

Date Filed 4/7/2023

Initial notice date 4/18/2023

DPD issued date

PD issued date 8/2/2024

PD notice date 8/6/2024

Date of FO 11/27/2024 Vol 133 Page 406-411

FEES REFUNDED		
Date	Amount	Receipt #

C-Date

COBU due date

COBU Received date

Certificate issued

Assignments:

Irrigation District Echo irrigation District c/o Jens Rasmussen Agri Northwest
East Improvement District c/o Carl st Hilaire
Agent Bill Porfily - wporfily@gmail.com

CWRE umatilla County
CC's list

- 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

November 27, 2024

Stanfield Hutterian Brethren
C/O Herb Stahl
36345 Despain Gulch Rd
Stanfield, OR 97875
REFERENCE: Transfer Application T-14212

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Kim French, by telephone at (503) 979-9607 or by e-mail at Kim.r.french@water.oregon.gov.

Sincerely,

Elyse D. Richman
Water Rights Services Support
Transfers and Conservation Section

cc: Gregory M. Silbernagel, Watermaster Dist. # 5 (via email)
William Porfily, Agent
Irrigation District: East Improvement District and Echo Irrigation District
Umatilla County Planning Department, Local Government

Enclosure

4. On December 19, 2023, the Department issued a Final Order for Transfer T-12516, which cancelled Certificate 87111 and issued remaining right Certificate 97229. The place of use proposed in Transfer T-14212 is included in remaining right Certificate 97229, therefore, the Department will consider Certificate 97229 the certificate to be used for Transfer T-14212.
5. On August 2, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14212 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on August 6, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
6. The portion of the right to be transferred is as follows:

Certificate: 97229 in the name of HALE FARMS, LLC (perfected under Permit S-37121)
Use: IRRIGATION of 544.9 ACRES
Rate: 5.89 CUBIC FEET PER SECOND (cfs), or its equivalent in case of rotation, measured at the point of diversion, and is further described and limited to:

The rate, duty and priority dates for 544.9 acres are:

Priority Date	Rate (CFS)	Duty (AF)
October 3, 1973 plus one minute	4.64	1,289.4
December 11, 1973 plus one minute	1.25	345.3
Total:	5.89	1,634.7

Limit/Duty: 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-SIXTIETH 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.

Period of Use: March 1 through October 31

Source: COLUMBIA RIVER, a tributary to the PACIFIC OCEAN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	SW NW	POD 1 (SHB RIVER STA.) - 2910 FEET NORTH AND 120 FEET EAST FROM THE SW CORNER OF SECTION 8

Authorized Place of Use:

PRIMARY IRRIGATION WITH A TOTAL RATE OF 5.89 CFS AND A TOTAL DUTY OF 1,634.7 AF					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	14	NE SE	30.4
3 N	29 E	WM	14	SE SE	31.0
3 N	30 E	WM	5	NE SW	29.8

PRIMARY IRRIGATION WITH A TOTAL RATE OF 5.89 CFS AND A TOTAL DUTY OF 1,634.7 AF					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	30 E	WM	5	NW SW	28.2
3 N	30 E	WM	5	SW SW	34.0
3 N	30 E	WM	5	SE SW	31.8
3 N	30 E	WM	7	NE SE	29.0
3 N	30 E	WM	7	NW SE	28.5
3 N	30 E	WM	7	SW SE	28.9
3 N	30 E	WM	7	SE SE	31.3
3 N	30 E	WM	8	NE NW	30.5
3 N	30 E	WM	8	NW NW	31.4
3 N	30 E	WM	8	SW NW	31.2
3 N	30 E	WM	8	SE NW	30.7
3 N	30 E	WM	8	NE SW	31.0
3 N	30 E	WM	8	NW SW	28.1
3 N	30 E	WM	8	SW SW	27.5
3 N	30 E	WM	8	SE SW	31.6
TOTAL					544.9

7. Transfer Application T-14212 proposes an additional point of diversion approximately 90 feet upstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	SW NW	POD 2 (EID RIVER STA.)- 2910 FEET NORTH AND 210 FEET EAST FROM THE SW CORNER OF SECTION 8

8. Transfer Application T-14212 also proposes to change the place of use of the right to:

PRIMARY IRRIGATION WITH A TOTAL RATE OF 5.89 CFS AND A TOTAL DUTY OF 1,634.7 AF					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	30 E	WM	28	NE NE	31.6
3 N	30 E	WM	28	NW NE	31.4
3 N	30 E	WM	28	SW NE	28.8
3 N	30 E	WM	28	SE NE	30.2
3 N	30 E	WM	28	NE NW	31.5
3 N	30 E	WM	28	NW NW	30.3
3 N	30 E	WM	28	SW NW	28.8
3 N	30 E	WM	28	SE NW	31.4
3 N	30 E	WM	28	NE SW	31.8
3 N	30 E	WM	28	NW SW	31.1
3 N	30 E	WM	28	SW SW	28.7
3 N	30 E	WM	28	SE SW	30.4
3 N	30 E	WM	28	NE SE	31.7
3 N	30 E	WM	28	NW SE	31.3

PRIMARY IRRIGATION WITH A TOTAL RATE OF 5.89 CFS AND A TOTAL DUTY OF 1,634.7 AF					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	30 E	WM	28	SW SE	28.7
3 N	30 E	WM	28	SE SE	30.3
3 N	30 E	WM	31	NE NE	29.1
3 N	30 E	WM	31	SE NE	27.8
TOTAL					544.9

9. The authorized place of use as described in Finding of Fact #6, above, is appurtenant to lands described under Water Right Permits S-55114, S-55262, S-55263 and S-55173. These permits are for use of water from the Columbia River, tributary to the Pacific Ocean. The applicant has stated that these permits are not currently being exercised on lands appurtenant to the authorized place of use involved in this transfer. Therefore, the authorized place of use under Certificate 97229, described in Finding of Fact #6, is not subject to conditions set forth in Permits S-55114, S-55262, S-55263 and S-55173.

10. The proposed place of use as described in Finding of Fact #8, above, is appurtenant to lands described under Water Right Permits S-55114, S-55262, S-55263 and S-55173. These permits are for use of water from the Columbia River, tributary to the Pacific Ocean. Use of water under these permits is subject to the following annual use condition:
 - a. If water under Permits S-55114, S-55262, S-55263 and S-55173 is planned for use as supplemental irrigation, then pre-existing primary rights for the same place of use cannot be transferred to another place of use or character of use.

11. On April 17, 2023, the Oregon Department of Fish and Wildlife (ODFW) determined that a fish screen was necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

12. After further review, on November 16, 2023, the Oregon Department of Fish and Wildlife (ODFW) determined that the requirement for a fish screen, identified in the Draft Preliminary Determination, was erroneous. The new point of diversion is equipped with an approved fish screen.

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2), 690-380-2110(2), and 690-380-2200]

13. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the records that would demonstrate that the right is subject to forfeiture under ORS 540.610.

14. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14212.
15. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
16. The proposed point of diversion diverts water from the same source of surface water as the authorized point of diversion, as required by OAR 690-380-2110(2).
17. The proposed change, as conditioned, would not result in enlargement of the rights.
18. The proposed change, as conditioned, would not result in injury to other water rights.
19. All other application requirements are met.

Conclusions of Law

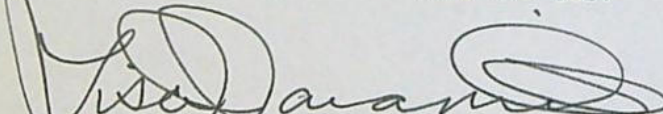
The additional point of diversion and change in place of use proposed in Transfer Application T-14212 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional point of diversion and change in place of use proposed in Transfer Application T-14212 are approved.
2. The right to the use the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 97229 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of diversion or the new place of use.
4. Water right Certificate 97229 is cancelled. A new certificate will be issued describing those portions of Certificate 97229 not affected by this transfer.
5. The quantity of water diverted at the new additional point of diversion (POD 2 (EID River Sta.)), together with that diverted at the original point of diversion (POD 1 (SHB River Sta.)), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1 (SHB River Sta.)).
6. Water shall be acquired from the same source of surface water as the original point of diversion.

7. The former place of use of the transferred right shall no longer receive water under the right.
8. Water use measurement conditions:
 - 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 (new and existing).
 - b. The water user shall maintain the meter in good working order.
 - c. The water user shall allow the Watermaster access to the meter; provided however, where the meter is located within a private structure, the Watermaster shall request access upon reasonable notice.
9. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
10. After satisfactory proof of beneficial use is received, a new certificate confirming the rights transferred will be issued.

Dated in Salem, Oregon on **NOV 27 2024**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing Date: DEC 2 - 2024

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HALE FARMS, LLC
73120 HIGHWAY 207
ECHO, OR 97826

confirms the right to use the waters of COLUMBIA RIVER, a tributary to PACIFIC OCEAN for IRRIGATION of 1860.0 ACRES.

This right was perfected under Permit S-37121. The date of priority is OCTOBER 3, 1973 and DECEMBER 11, 1973. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 10.36 CUBIC FEET PER SECOND (CFS), or its equivalent in case of rotation, measured at the point of diversion, and is further described and limited to:

The rate, duty and priority dates for 1860.0 acres are:

Priority Date	Rate (CFS)	Duty (AF)
October 3, 1973 plus one minute	8.17	1,467.9
December 11, 1973 plus one minute	2.19	393.1
Total:	10.36	1861.0

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-SIXTIETH 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. The irrigation season is March 1 through October 31.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	SW NW	2910 FEET NORTH AND 120 FEET EAST FROM THE SW CORNER OF SECTION 8

To conserve use of water in the critical groundwater area the 1,861 AF of water may be used by the water user for primary irrigation on the 1,860.0 acres covered by additional rights.

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

IRRIGATION WITH A TOTAL RATE OF 10.36 CFS AND A TOTAL DUTY OF 1,861.0 AF						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
3 N	29 E	WM	1	NE NE	1	15.9
3 N	29 E	WM	1	NW NE	2	30.4
3 N	29 E	WM	1	SW NE		31.7
3 N	29 E	WM	1	SE NE		17.6
3 N	29 E	WM	1	NE NW	3	30.5
3 N	29 E	WM	1	NW NW	4	38.7
3 N	29 E	WM	1	SW NW		36.4
3 N	29 E	WM	1	SE NW		18.7
3 N	29 E	WM	1	NE SW		22.7
3 N	29 E	WM	1	NW SW		40.0
3 N	29 E	WM	1	SW SW		31.1
3 N	29 E	WM	1	SE SW		39.0
3 N	29 E	WM	1	NE SE		11.6
3 N	29 E	WM	1	NW SE		40.0
3 N	29 E	WM	1	SW SE		25.1
3 N	29 E	WM	1	SE SE		11.0
3 N	29 E	WM	2	NE NE	1	29.2
3 N	29 E	WM	2	NW NE	2	34.0
3 N	29 E	WM	2	SW NE		29.2
3 N	29 E	WM	2	SE NE		33.3
3 N	29 E	WM	2	NE SE		34.7
3 N	29 E	WM	2	NW SE		38.1
3 N	29 E	WM	2	SW SE		26.9
3 N	29 E	WM	2	SE SE		33.1
3 N	29 E	WM	9	NW NE		3.6
3 N	29 E	WM	9	SW NE		37.5
3 N	29 E	WM	9	SE NE		0.6
3 N	29 E	WM	9	NW SE		26.2
3 N	29 E	WM	11	NE NE		40.0
3 N	29 E	WM	11	NW NE		36.4
3 N	29 E	WM	11	SW NE		7.0
3 N	29 E	WM	11	SE NE		12.4
3 N	29 E	WM	11	NE NW		30.7
3 N	29 E	WM	11	NW NW		30.7
3 N	29 E	WM	11	SW NW		27.2
3 N	29 E	WM	11	SE NW		26.0
3 N	29 E	WM	11	NE SW		15.3
3 N	29 E	WM	11	NW SW		23.0
3 N	29 E	WM	11	SW SW		22.3
3 N	29 E	WM	11	SE SW		22.9
3 N	29 E	WM	12	NE NE		39.6
3 N	29 E	WM	12	NW NE		38.2
3 N	29 E	WM	12	SW NE		25.9
3 N	29 E	WM	12	SE NE		22.3
3 N	29 E	WM	12	NE NW		32.6

**IRRIGATION WITH A TOTAL RATE OF 10.36 CFS
AND A TOTAL DUTY OF 1,861.0 AF**

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
3 N	29 E	WM	12	NW NW		28.0
3 N	29 E	WM	12	SW NW		35.9
3 N	29 E	WM	12	SE NW		36.7
3 N	29 E	WM	12	NE SW		29.3
3 N	29 E	WM	12	NW SW		25.4
3 N	29 E	WM	12	NE SE		35.7
3 N	29 E	WM	12	NW SE		39.9
3 N	29 E	WM	12	SW SE		9.0
3 N	29 E	WM	12	SE SE		10.1
3 N	30 E	WM	6	NW NW	4	44.7
3 N	30 E	WM	6	SW NW	5	51.3
3 N	30 E	WM	6	SE NW		3.5
3 N	30 E	WM	6	NE SW		35.5
3 N	30 E	WM	6	NW SW	6	39.5
3 N	30 E	WM	6	SW SW	7	27.8
3 N	30 E	WM	6	SE SW		23.3
3 N	30 E	WM	7	NE NW		27.7
3 N	30 E	WM	7	NW NW	1	29.1
3 N	30 E	WM	7	SW NW	2	11.4
3 N	30 E	WM	7	SE NW		10.7
3 N	30 E	WM	7	NW SW	3	49.1
3 N	30 E	WM	7	SW SW	4	37.1
TOTAL						1,860.0

The water user must maintain the totalizing flow meters, or other measurement system as approved by the Department, in good working order according to manufacturer's specifications. A different plan for measurement of diverted water at each field diversion, which is acceptable to, and approved by the Department may be allowed. Testing of the approved measurement devices shall occur at such intervals as deemed appropriate and necessary by the Watermaster.

The totalizing flow meters or other measurement system shall be located as follows:

- a) The point of diversion from the Columbia River and all other points of diversion or appropriation, which supply water to the lands;
- b) The northern boundary connection of the Echo Irrigation District; and
- c) All field diversions (center pivots or other method of water delivery) used to apply water to the lands described above.

The water user shall maintain a complete record of water usage on a monthly basis and shall submit monthly and annual reports to the Watermaster's office in Pendleton. The water use reports shall include recorded monthly water usage measurements from each point of diversion, the measurement device located at the North Echo ID boundary connection and for each field diversion (center pivot or other means of application). The reports shall also include dates of measurement and other

information as may be requested by the Watermaster. The frequency or timing of the reports may be modified upon a determination by the Department that an alternate frequency is needed or appropriate. The reporting frequency may also be modified after the second full season of use, if requested by the water user and approved by the Department. The reports may be e-mailed, faxed or mailed.

The water user shall allow the Watermaster access to the water meters described above. Where a meter is located within a private structure, the Watermaster shall request access upon reasonable notice.

Additional measurement and reporting conditions, including, but not limited to, additional measuring sites, general water-use information and the place and nature of water use may be required at the discretion of the Department.

The use of water shall be limited when it interferes with the prior SURFACE WATER rights of others.

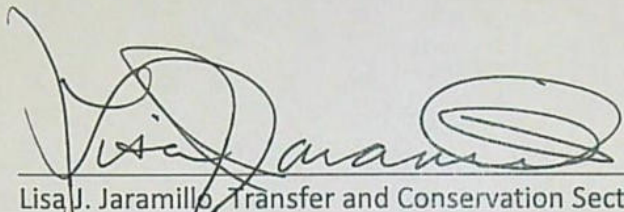
This certificate describes that portion of water right Certificate 97229, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 27 2024, approving Transfer Application T-14212.

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.

The use confirmed herein may be made only at times when sufficient water is available to satisfy prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed NOV 27 2024.

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

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



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

www.oregon.gov/owrd

August 2, 2024

Applicant

STANFIELD HUTTERIAN BRETHERN

C/O HERB STAHL

36345 DESPAIN GULCH RD

STANFIELD, OR 97875

SUBJECT: Water Right Transfer Application T-14212

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14212. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the Department's notice.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please don't hesitate to contact me at 503 979-9607 or Kim.R.French@water.oregon.gov, if I may be of assistance.

Sincerely,

Kim French

Transfer Specialist

Transfer and Conservation Section

cc: Transfer Application File T-14212
Gregory M. Silbernagel, District 5 Watermaster (via e-mail)
Bill Porfily, Agent for the applicant (via e-mail)

encs

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14212, Umatilla County)	PROPOSING APPROVAL OF AN
)	ADDITIONAL POINT OF DIVERSION AND A
)	CHANGE IN PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicants

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

Findings of Fact

1. On April 7, 2023, Stanfield Hutterian Brethren filed an application for an additional point of diversion and to change the place of use under Certificate 87111. The Department assigned the application number T-14212.
2. Notice of the application for transfer was published on April 18, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On November 13, 2023, the Department sent a copy of the draft Preliminary Determination to the applicant proposing to approve Transfer Application T-14212. The draft Preliminary Determination cover letter gave a deadline of December 13, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. On December 19, 2023, the Department issued a Final Order for Transfer T-12516, which cancelled Certificate 87111 and issued remaining right Certificate 97229. The place of use proposed in Transfer T-14212 is included in remaining right Certificate 97229, therefore,

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.

the Department will consider Certificate 97229 the certificate to be used for Transfer T-14212.

5. The portion of the right to be transferred is as follows:

Certificate: 97229 in the name of HALE FARMS, LLC (perfected under Permit S-37121)
Use: IRRIGATION of 544.9 ACRES
Rate: 5.89 CUBIC FEET PER SECOND (cfs), or its equivalent in case of rotation, measured at the point of diversion, and is further described and limited to:

The rate, duty and priority dates for 544.9 acres are:

Priority Date	Rate (CFS)	Duty (AF)
October 3, 1973 plus one minute	4.64	1,289.4
December 11, 1973 plus one minute	1.25	345.3
Total:	5.89	1,634.7

Limit/Duty: 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-SIXTIETH 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.

Period of Use: March 1 through October 31

Source: COLUMBIA RIVER, a tributary to the PACIFIC OCEAN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	SW NW	POD 1 (SHB RIVER STA.) - 2910 FEET NORTH AND 120 FEET EAST FROM THE SW CORNER OF SECTION 8

Authorized Place of Use:

PRIMARY IRRIGATION WITH A TOTAL RATE OF 5.89 CFS AND A TOTAL DUTY OF 1,634.7 AF					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	14	NE SE	30.4
3 N	29 E	WM	14	SE SE	31.0
3 N	30 E	WM	5	NE SW	29.8
3 N	30 E	WM	5	NW SW	28.2
3 N	30 E	WM	5	SW SW	34.0
3 N	30 E	WM	5	SE SW	31.8
3 N	30 E	WM	7	NE SE	29.0
3 N	30 E	WM	7	NW SE	28.5
3 N	30 E	WM	7	SW SE	28.9
3 N	30 E	WM	7	SE SE	31.3
3 N	30 E	WM	8	NE NW	30.5
3 N	30 E	WM	8	NW NW	31.4

PRIMARY IRRIGATION WITH A TOTAL RATE OF 5.89 CFS AND A TOTAL DUTY OF 1,634.7 AF					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	30 E	WM	8	SW NW	31.2
3 N	30 E	WM	8	SE NW	30.7
3 N	30 E	WM	8	NE SW	31.0
3 N	30 E	WM	8	NW SW	28.1
3 N	30 E	WM	8	SW SW	27.5
3 N	30 E	WM	8	SE SW	31.6
TOTAL					544.9

6. Transfer Application T-14212 proposes an additional point of diversion approximately 80 feet upstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	SW NW	POD 2 (EID RIVER STA.)- 2910 FEET NORTH AND 210 FEET EAST FROM THE SW CORNER OF SECTION 8

7. Transfer Application T-14212 also proposes to change the place of use of the right to:

PRIMARY IRRIGATION WITH A TOTAL RATE OF 5.89 CFS AND A TOTAL DUTY OF 1,634.7 AF					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	30 E	WM	28	NE NE	31.6
3 N	30 E	WM	28	NW NE	31.4
3 N	30 E	WM	28	SW NE	28.8
3 N	30 E	WM	28	SE NE	30.2
3 N	30 E	WM	28	NE NW	31.5
3 N	30 E	WM	28	NW NW	30.3
3 N	30 E	WM	28	SW NW	28.8
3 N	30 E	WM	28	SE NW	31.4
3 N	30 E	WM	28	NE SW	31.8
3 N	30 E	WM	28	NW SW	31.1
3 N	30 E	WM	28	SW SW	28.7
3 N	30 E	WM	28	SE SW	30.4
3 N	30 E	WM	28	NE SE	31.7
3 N	30 E	WM	28	NW SE	31.3
3 N	30 E	WM	28	SW SE	28.7
3 N	30 E	WM	28	SE SE	30.3
3 N	30 E	WM	31	NE NE	29.1
3 N	30 E	WM	31	SE NE	27.8
TOTAL					544.9

8. The authorized place of use as described in Finding of Fact #5, above, is appurtenant to lands described under Water Right Permits S-55114, S-55262, S-55263 and S-55173. These permits are for use of water from the Columbia River, tributary to the Pacific Ocean. The

applicant has stated that these permits are not currently being exercised on lands appurtenant to the authorized place of use involved in this transfer. Therefore, the authorized place of use under Certificate 97229, described in Finding of Fact #5, is not subject to conditions set forth in Permits S-55114, S-55262, S-55263 and S-55173.

9. The proposed place of use as described in Finding of Fact #7, above, is appurtenant to lands described under Water Right Permits S-55114, S-55262, S-55263 and S-55173. These permits are for use of water from the Columbia River, tributary to the Pacific Ocean. Use of water under these permits is subject to the following annual use condition:
 - a. If water under Permits S-55114, S-55262, S-55263 and S-55173 is planned for use as supplemental irrigation, then pre-existing primary rights for the same place of use cannot be transferred to another place of use or character of use.
10. On April 17, 2023, the Oregon Department of Fish and Wildlife (ODFW) determined that a fish screen was necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.
11. After further review, on November 16, 2023, the Oregon Department of Fish and Wildlife (ODFW) determined that the requirement for a fish screen, identified in the Draft Preliminary Determination, was erroneous. The new point of diversion is equipped with an approved fish screen.

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2), 690-380-2110(2), and 690-380-2200]

12. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the records that would demonstrate that the right is subject to forfeiture under ORS 540.610.
13. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14212.
14. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
15. The proposed point of diversion diverts water from the same source of surface water as the authorized point of diversion, as required by OAR 690-380-2110(2).
16. The proposed change would not result in enlargement of the rights.
17. The proposed change would not result in injury to other water rights.
18. All other application requirements are met.

Determination and Proposed Action

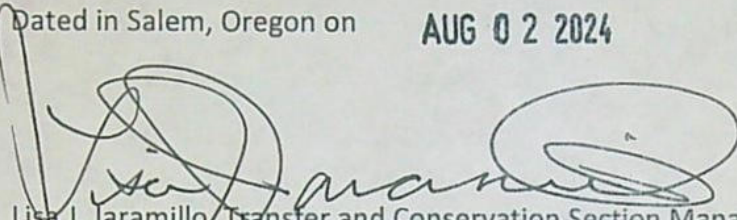
The additional point of diversion and change in place of use proposed in Transfer Application T-14212 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-14212 is approved, the final order will include the following:

1. *The additional point of diversion and change in place of use proposed in Transfer Application T-14212 are approved.*
2. *The right to the use the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 97229 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of diversion or the new place of use.*
4. *Water right Certificate 97229 is cancelled. A new certificate will be issued describing those portions of Certificate 97229 not affected by this transfer.*
5. *The quantity of water diverted at the new additional point of diversion (POD 2 (EID River Sta.)), together with that diverted at the original point of diversion (POD 1 (SHB River Sta.)), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1 (SHB River Sta.)).*
6. *Water shall be acquired from the same source of surface water as the original point of diversion.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Water use measurement conditions:*
 - 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 (new and existing).*
 - b. *The water user shall maintain the meter in good working order.*
 - c. *The water user shall allow the Watermaster access to the meter; provided however, where the meter is located within a private structure, the Watermaster shall request access upon reasonable notice.*

9. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
10. After satisfactory proof of beneficial use is received, a new certificate confirming the rights transferred will be issued.

Dated in Salem, Oregon on **AUG 02 2024**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Kim French. If you have questions about the information in this document, you may reach me at 503-979-9607 or kim.r.french@water.oregon.gov.

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably

ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;

- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to

pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.



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

www.oregon.gov/owrd

November 13, 2023

VIA E-MAIL

Applicant

STANFIELD HUTTERIAN BRETHERN

ATTN: HERB STAHL

36345 DESPAIN GULCH RD

STANFIELD, OR 97875

Reference: Water Right Transfer Application T-14212

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-14212. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by December 13, 2023.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. Respond in writing by December 13, 2023, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; AND
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at: [https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent%20to%20transfer%20form.pdf)

Conditions of your water right...

The Watermaster has required a water measurement device(s) at the new diversion point(s) prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device(s).

This transfer will require installation of a fish screen at the new diversion point prior to diversion of water. You may not divert water prior to installation and approval of the fish screen by the Oregon Department of Fish and Wildlife (ODFW). You may wish to contact the ODFW staff person listed on the enclosed contact sheet for more information about the screen and to determine a reasonable timeline.

Please note the proposed date by which all conditions must be met: October 1, 2025. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

Once the preliminary determination is issued a publication period is required. The Department will publish a notice in their weekly publication, which opens a 30-day period in which the transfer can be protested.

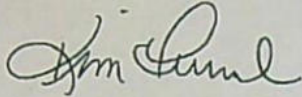
Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by December 13, 2023, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at 503 979-9607 or Kim.R.French@water.oregon.gov if I may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim French".

Kim French
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14212
Gregory M. Silbernagel, District 5 Watermaster (*via e-mail*)
Bill Porfily, Agent for the applicant (*via e-mail*)

encs

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-14212

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: 05/10/2023

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:
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

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form
(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: T-14212

Date of review: 04/17/2023

A. Please check box if you believe there is a potential for injury to an instream water right.

The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on _____ [stream], tributary to _____, because _____.

(Please attach any available supporting information.)

Note: This will prompt WRD to make a determination whether the transfer will injure an instream water right. (OWRD makes the determination of injury to a water right, while ODFW's role is to raise concerns, and to evaluate proposed mitigation and net benefit to the resource if OWRD consents to injury of an instream water right.)

B. Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.525 or 540.532:

1. Screen Maintain

[Select this option if the new Point of Diversion (POD) requires a fish screen and is currently equipped with an appropriate fish screen that will still be in compliance if the transferred water is diverted from this POD.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

Condition: The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

2. Screen Now

[Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Condition: Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

Please return all 3 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1266

3. Screen 2 Year

[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should NOT be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. Please provide contact information on the "Fish Screening and Passage Information" sheet.] If extraordinary circumstances are present, please explain: _____

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost-share funds become available to assist in the construction of a fish screen. If cost-share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost-share funding.

Condition: By October 1, 20__ [Within two years after the date of this order] the water user shall install an approved fish screen at the new point of diversion. The water user may withdraw water at the new point of diversion without a screen until October 1, 20__. The water user shall provide to OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall maintain and operate the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

4. Screen Future

[Use this option if fish are not currently present, but might possibly be at some future time.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

Condition: The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

5. No Screen Needed

[Check this box if fish are not currently present, and are not expected in the future.]

Jorden D Smith

Digitally signed by Jorden D
Smith
Date: 2023.04.17 09:26:57 -0700'

Signature

Jorden Smith
Printed Name

(541) 805-1990

Phone

East Region Hydro and Water Rights Coordinator
Title

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant

(To be completed by ODFW for WRD to provide to the applicant.)

Transfer #: T-14212

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening. **Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.**

ODFW staff name: Nathaniel Ashley

Address: 357 Patterson Bridge Rd

City/State/Zip: John Day, OR 97845

Phone: (541) 575-0561

- This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff member below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: Taylor McCroskey

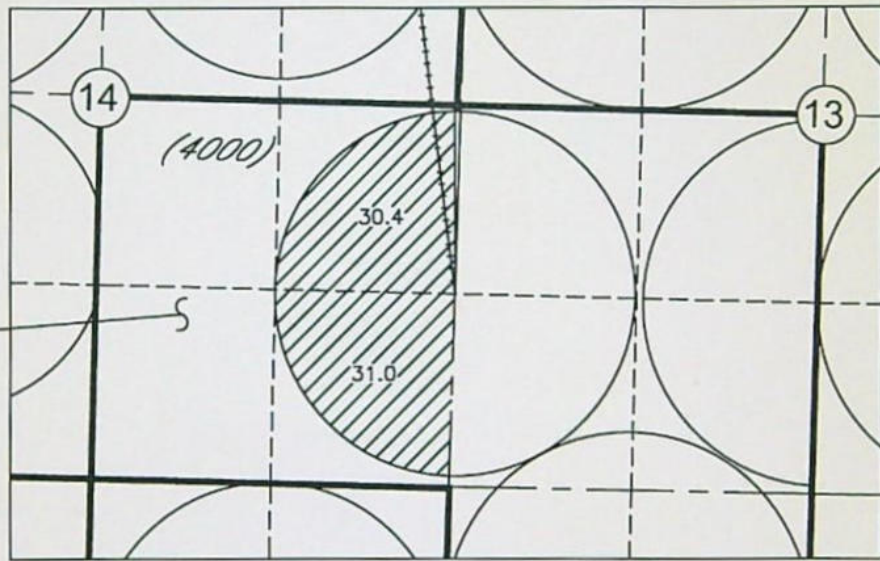
Address: 73471 Mytinger Ln

City/State/Zip: Pendleton, OR 97801

Phone: (541) 276-2344

EXHIBIT TO ACCOMPANY CONSENT BY DEEDED LANDOWNER
 FOR
 CONSENT TO TRANSFER A PORTION OF CERTIFICATE 87111
 IN THE NAME OF STANFIELD HUTTERIAN BRETHREN
 T3N, R30E, W.M., UMATILLA COUNTY

Tax Lot 4000
 Ownership:
 Matilda LLC and
 Joseph Ramos

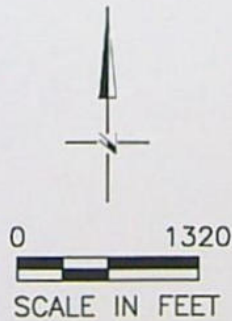


T3N, R29E, W.M.

LEGEND



WATER RIGHT
 ACRES BEING
 TRANSFERRED
 TAX LOT 4000
 61.4 ACRES



RECEIVED

APR 07 2023

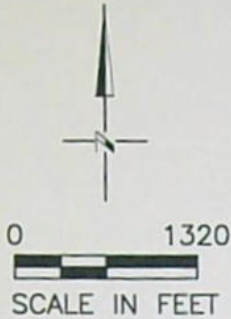
OWRD

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.

DGV Consulting, PLLC
 PHONE (509) 627-8717
 dalevconsulting@gmail.com
 Date: Jan 31, 2023

EXHIBIT TO ACCOMPANY CONSENT BY DEEDED LANDOWNER
 FOR
 CONSENT TO TRANSFER A PORTION OF CERTIFICATE 87111
 IN THE NAME OF STANFIELD HUTTERIAN BRETHAREN
 T3N, R30E, W.M., UMATILLA COUNTY

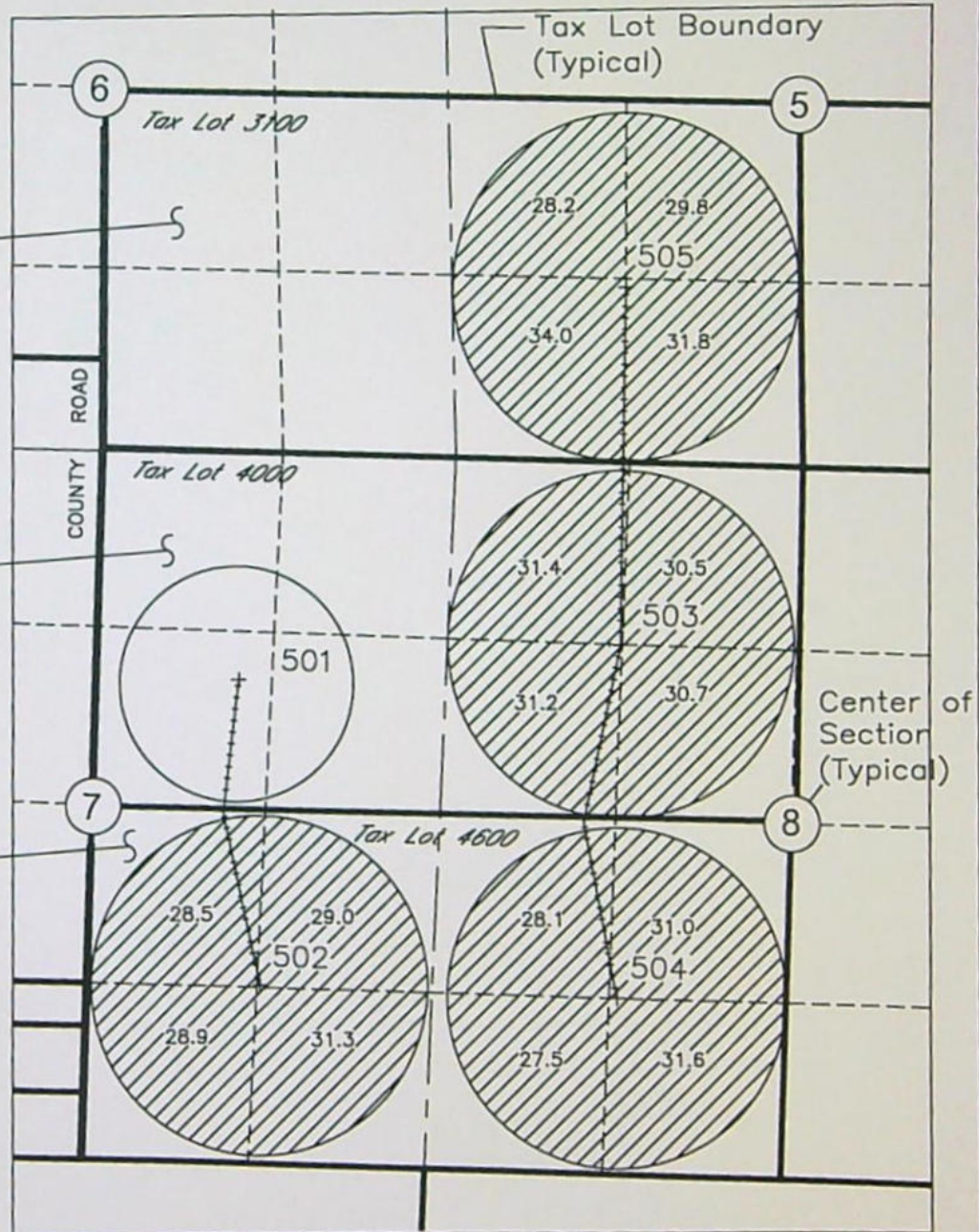
"FROM MAP" for a portion of Cert 87111



Tax Lot 3100
 Ownership:
 Crow Family
 Properties Oregon
 Limited

Tax Lot 4000
 Ownership:
 Crow Family
 Properties Oregon
 Limited

Tax Lot 4600
 Ownership:
 Crow Family
 Trust



LEGEND



WATER RIGHT
 ACRES BEING
 TRANSFERRED
 TAX LOT 3100 123.8 ACRES
 TAX LOT 4000 123.8 ACRES
 TAX LOT 4600 235.9 ACRES

T3N, R30E, W.M.

RECEIVED

APR 07 2023

OWRD

DGV Consulting, PLLC
 PHONE (509) 627-8717
 dalevconsulting@gmail.com
 Date: Jun 31, 2023

NOTE:
 THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
 OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
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14212

TRANSFER APPLICATION MAP FOR A PORTION OF CERTIFICATE 87111
 IN THE NAME OF STANFIELD HUTTERIAN BRETHREN
 T3N, R29E & R30E, W.M., UMATILLA COUNTY

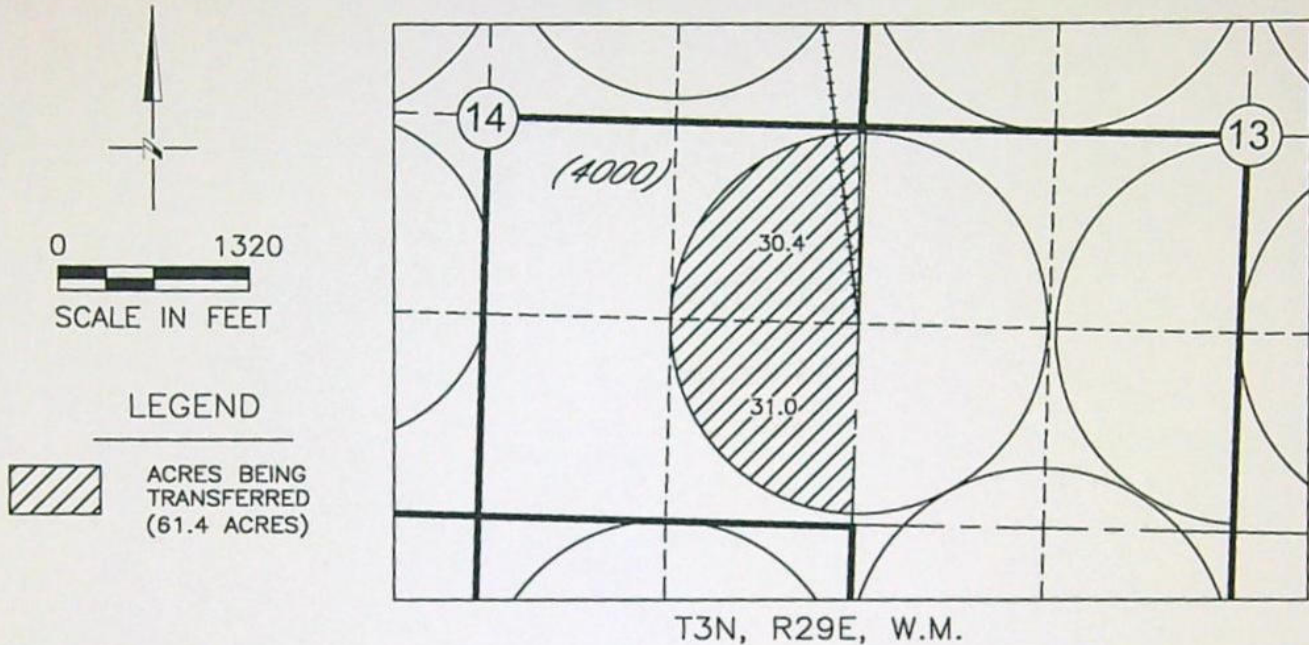
RECEIVED

APR 07 2023

SHEET 1 OF 4

"FROM MAP" for a portion of Cert 87111

OWRD



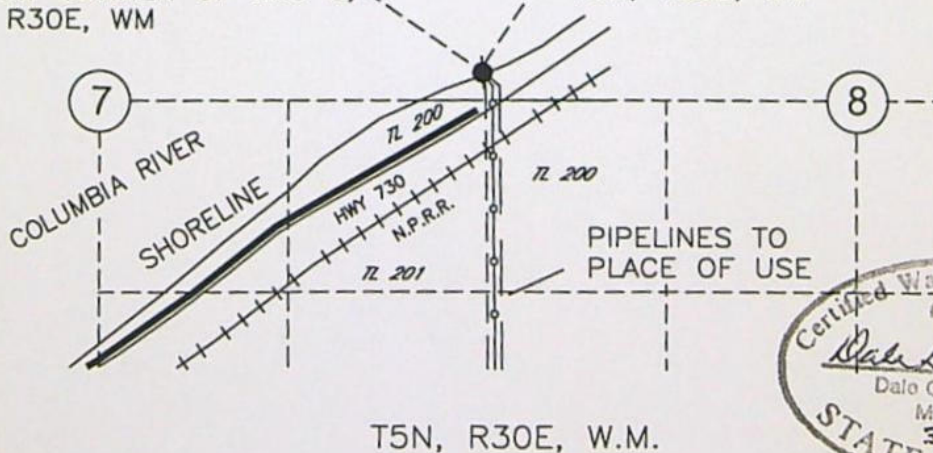
LOCATION OF PODs

AUTHORIZED AND PROPOSED

PROPOSED

HUTTERITE RIVER PUMP STA.
 2910' N AND 120' E FROM
 THE SW CORNER OF SEC 8,
 T5N, R30E, WM

EAST IMPROVEMENT DISTRICT RIVER
 PUMP STA. 2910' N AND 210' E
 FROM THE SW CORNER OF SEC 8,
 T5N, R30E, WM



Certified Water Right Examiner
 #333 WRE
Dale G. VanScherack
 Dale G. VanScherack
 May 19, 1982
 3/28/23
 STATE OF OREGON

Renews 6/30/24

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.

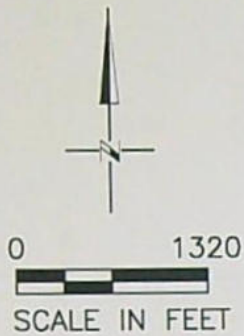
DGV Consulting, PLLC
 PHONE (509) 627-8717
 dalevconsulting@gmail.com
 Date: Jan 29, 2023

14212


TRANSFER APPLICATION MAP FOR A PORTION OF CERTIFICATE 87111 IN THE
 NAME OF STANFIELD HUTTERIAN BRETHEREN
 T3N, R29E & R30E, W.M., UMATILLA COUNTY

SHEET 2 OF 4

"FROM MAP" for a portion of Cert 87111



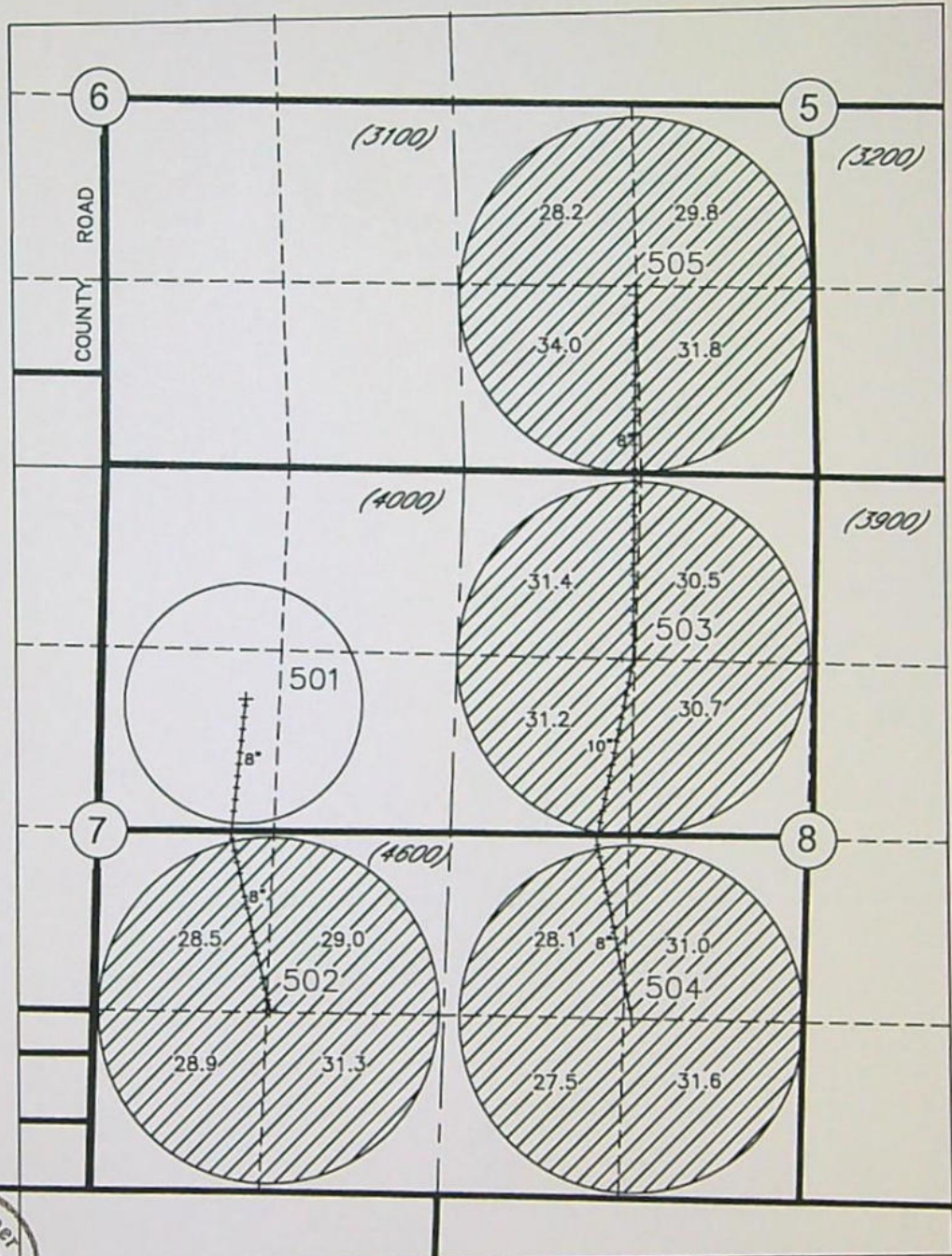
LEGEND

 ACRES BEING TRANSFERRED (483.5 ACRES)

RECEIVED

APR 07 2023

OWRD



T3N, R30E, W.M.

Certified Water Right Examiner
 #333 WRE
Dale G. VanScheiack
 Dale G. VanScheiack
 May 19, 1992
 3/28/23
 STATE OF OREGON

Renewal 6/30/24

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.

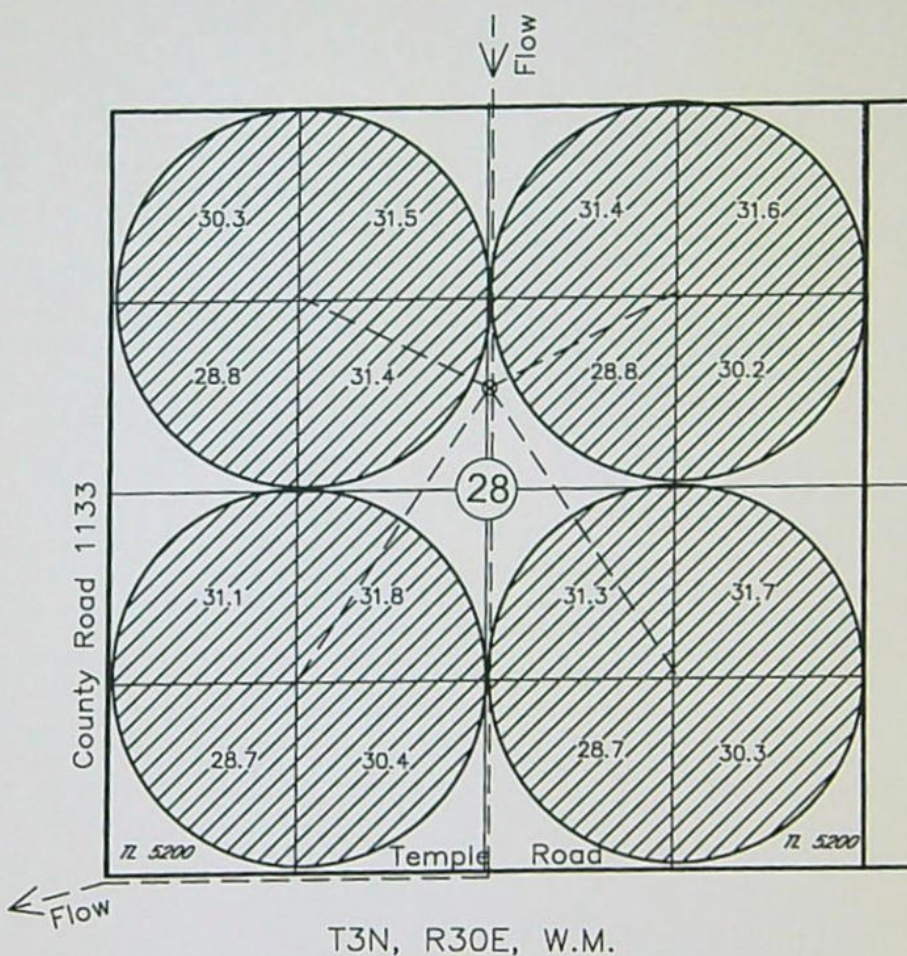
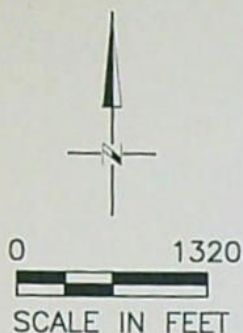
DGV Consulting, PLLC
 PHONE (509) 627-8717
 dalevconsulting@gmail.com
 Date: Jan 29, 2023

14212


TRANSFER APPLICATION MAP FOR A PORTION OF CERTIFICATE 87111
 IN THE NAME OF STANFIELD HUTTERIAN BRETHREN
 T3N, R29E & R30E, W.M., UMATILLA COUNTY

SHEET 3 OF 4

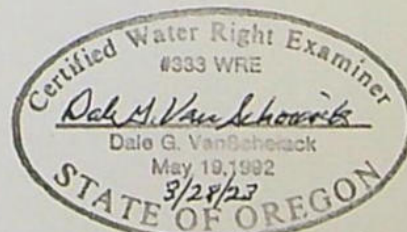
"TO MAP" for a portion of Cert 87111



LEGEND

 PLACE OF USE
(488.0 ACRES)

NOTE: FOR LOCATION OF POINTS
 OF DIVERSION REFER TO SHEET 1



Roncus 6/30/24

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.

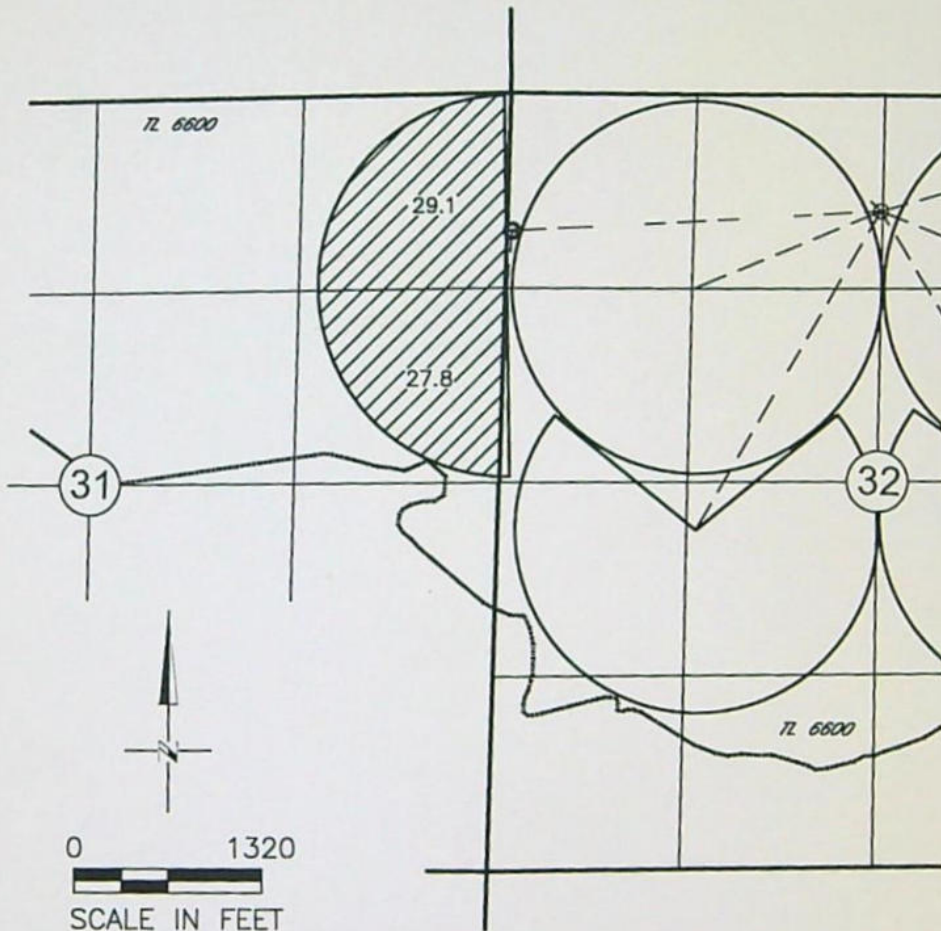
DGV Consulting, PLLC
 PHONE (509) 627-8717
 dalevconsulting@gmail.com
 Date: Jan 29, 2023

14212

TRANSFER APPLICATION MAP FOR A PORTION OF CERTIFICATE 87111
 IN THE NAME OF STANFIELD HUTTERIAN BRETHREN
 T3N, R29E & R30E, W.M., UMATILLA COUNTY


SHEET 4 OF 4

"TO MAP" for a portion of Cert 87111

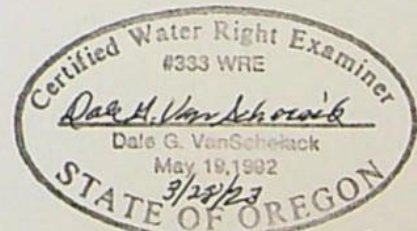


T3N, R30E, W.M.

LEGEND

 PLACE OF USE
 (56.9 ACRES)

NOTE: FOR LOCATION OF POINTS
 OF DIVERSION REFER TO SHEET 1



Revised 6/30/24

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.

DGV Consulting, PLLC
 PHONE (509) 627-8717
 dalevconsulting@gmail.com
 Date: Jan 29, 2023

14212

Columbia River
McNary Pool

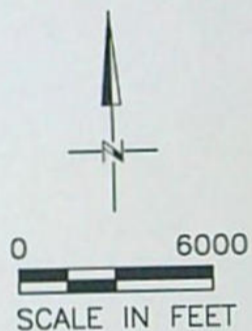
POINTS OF DIVERSION
HUTTERITE RIVER PUMP STA. AND
EAST IMPROVEMENT RIVER PUMP STA.
REFER TO SHT 1 OF 4

OVERALL LAYOUT FOR MAP FOR
TRANSFER APPLICATION
FOR A PORTION OF CERTIFICATE 87111
IN THE NAME OF
STATFIELD HUTTERIAN BRETHREN


RECEIVED


APR 07 2023

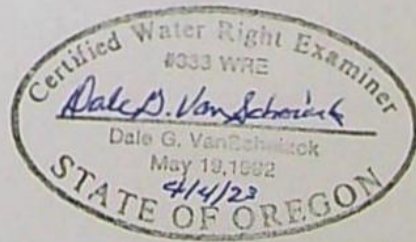
OWRD



LEGEND

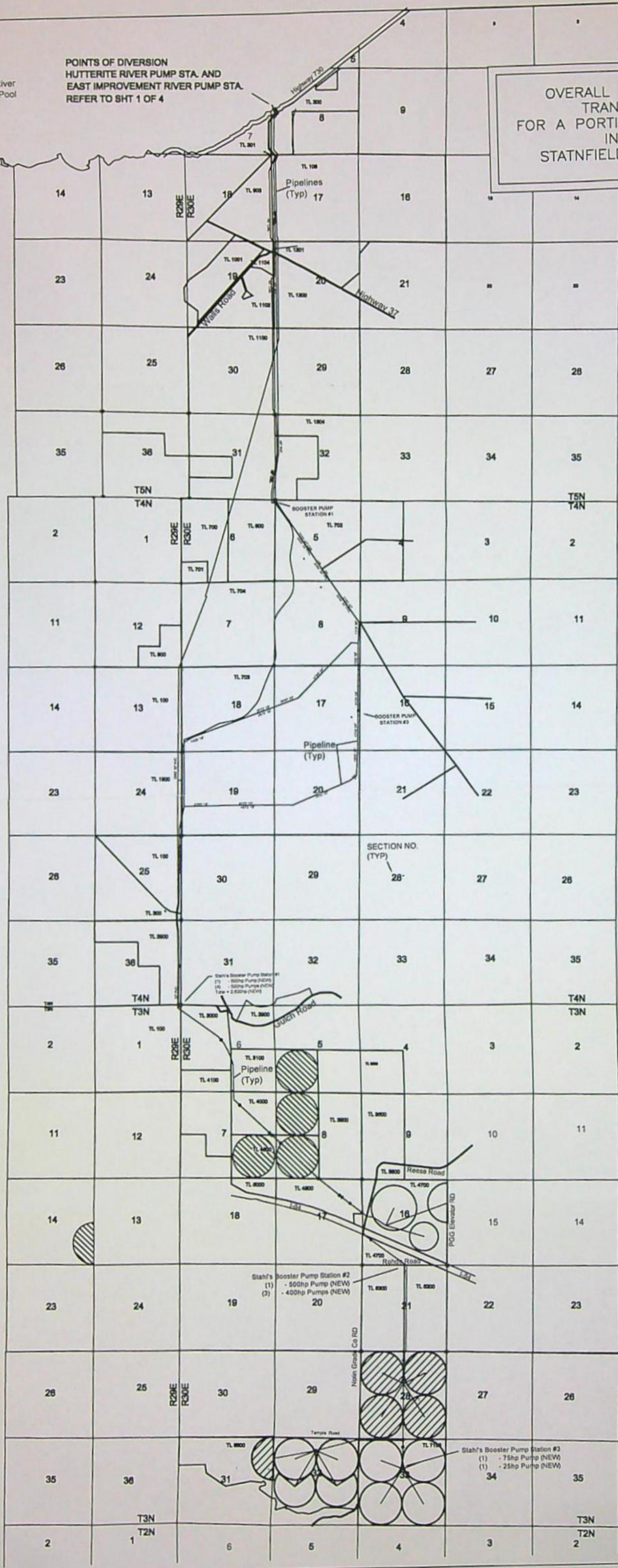
 FROM LANDS
REFER TO
SHT 1 OF 4
AND
SHT 2 OF 4

 TO LANDS
REFER TO
SHT 3 OF 4
AND
SHT 4 OF 4



Renewal 6/30/24

14212



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 # 140448

INVOICE # _____

RECEIVED FROM: Stanfield Hutlerian
BY: Brethren

APPLICATION _____
PERMIT _____
TRANSFER T-14212

CASH: CHECK: # 13106 OTHER: (IDENTIFY)

TOTAL REC'D \$4,500.00

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 46110
0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME _____ \$ _____
WATER RIGHTS:
0201 SURFACE WATER \$ _____ 0202 RECORD FEE \$ _____
0203 GROUND WATER \$ _____ 0204 RECORD FEE \$ _____
0205 TRANSFER \$4,500.00
WELL CONSTRUCTION
0218 WELL DRILL CONSTRUCTOR \$ _____ 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 (FWWRD) \$ _____
0231 HYDRO LICENSE FEE (FWWRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX RECEIVED

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIVED
OVER THE COUNTER

RECEIPT: 140448

DATED: 4/7/2023 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Banner Bank

4,500.00

RECEIVED
APR 07 2023
OWRD

STANFIELD HUTTERIAN BRETHERN
36345 DESPAIN GULCH RD
13106
OREGON WATER RESOURCES DEPT.
Date 4/3/2023
Type Bill
Reference
Original Amt. 4,500.00
Balance Due 4,500.00
4/3/2023
Discount
Check Amount
Payment 4,500.00
4,500.00

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

This 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.

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new 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 Water Rights to be Transferred: **How many water rights are to be transferred? One List them here: C-87111**
 Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

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Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation 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.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(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"/> Evidence of Use Form not enclosed or incomplete
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

Part 2 of 5 – Transfer Application Map

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

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

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- 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 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), 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 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
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 Bill Porfily		PHONE NO. 541 449 1327	ADDITIONAL CONTACT NO.
ADDRESS P.O. 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:
This transfer is to relocate water rights authorized by Certificate 87111 from the existing place of use to new farmland to comply with an agreement between the Stanfield Hutterian Brethren and Agri Northwest (formally Hale Farms, LLC). While this transfer application is being made in early 2023 it is not intended to take effect until the 2024 irrigation season. The FROM LANDS identified in this transfer will be irrigated and farmed using C 87111 water rights during the 2023 irrigation season.

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

Check One Box

- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

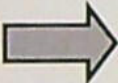
RECEIVED
 APR 07 2023
 OWRD

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. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME Echo Irrigation District c/o Jens Rasmussen Agri Northwest	ADDRESS 6716 W Rio Brande Ave	
CITY Kennewick	STATE WA	ZIP 99336

ENTITY NAME East Improvement District c/o Carl St Hilaire	ADDRESS 495 East Main St	
CITY Hermiston	STATE OR	ZIP 97838

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.

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

ENTITY NAME Umatilla County	ADDRESS 216 SE 4th	
CITY Pendleton	STATE OR	ZIP 97801

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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APR 07 2023

OWRD

Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 87111

Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) OR

15,000 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.

The water is pumped from the Columbia River at the Hutterite Farm River Pumping Station. The river pumping station consists of 12 pumps with a total of 11,500 horsepower. The pump station pumps water from the Columbia River approximately 4.5 miles south to the northerly boundary of the Hutterite Farm where the Hutterian Farm Main Booster Pumping Station is located. The Hutterite Farm Main Booster Pumping Station is a 4800 hp booster pumping station. It boosts the pressure and pumps the water further to the south through a buried piping network. Approximately 8000' to the southeast of the Hutterite Farm Main Booster the main distribution pipeline branches into two secondary mains. One branch extends in a southwesterly direction approximately 12000' where a connection is made (Northerly Tap) to the Agri NW pipeline. The second branch of the Hutterite Farm main pipeline extends approximately 4,800' south where to the Hutterite Farm Booster Pumping Station #3. This booster pumping station consists of 350 hp which boosts the pressure and pumps the water approximately 3,600' to the south and then approximately 10,000' to the west where a second connection (Southerly Tap) to the Agri NW pipeline is made.

The Agri NW pipeline from the two pipe taps join approximately 1860' north of the SW corner of Section 19, T4N, R30E, W.M. into a single 30" pipeline which extends south 11,500' to the northerly boundary of Echo Irrigation District (EID). At this point the water flows through the Agri NW Main Booster Station. This booster station consists of four 125 hp pumps which boost the pressure and pump the water through a buried pipe distribution systems that consists of two primary pipe branches.

One branch consists of a 24" pipe that extends in a southwesterly direction eventually crossing beneath Highway I – 84. Secondary pipelines connecting to this pipeline provide water to circular irrigation machines that are used to irrigate portions of the farmland.

The second branch pipeline extending from the Agri NW Main Booster Station consists of 18" and 12" pipe and extends in a southeasterly direction. Secondary pipelines connecting to this pipeline provide water to circular irrigation machines that are used to irrigate portions of the farmland. Approximately 12,000' along this pipeline there is a booster pumping station, the EID Section 8 Booster Station. It consists of a single 75 hp pump which boosts the pressure and pumps the water further east and north to more farmland.

There are a five circular irrigation machines that are used to irrigate the ground involved in this transfer.

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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	% %		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1 (SHB River Sta.)	<input checked="" type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		5	N	30	E	8	SW	NW		2910' N and 120' E from the SW Cor of Sec 8
POD 2 (EID River Sta.)	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		5	N	30	E	8	SW	NW		2910' N and 210' E from the SW Cor of Sec 8
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

- Yes Complete only the Proposed ("to" or "on" 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.

This transfer involves the portion of Certificate C-87111 for Primary Irrigation With a Total Rate of 7.83 cfs and a Total Duty of 2171.7 AF that is not involved in transfer T-12516.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 87111

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, 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				
EXAMPLE																										
3	N	29	E	14	NE	SE	4000		30.4	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	NE	NE	5200		31.6	Irrigation	POD 1 & POD 2	10/3/73 12/11/73
3	N	29	E	14	SE	SE	4000		31.0	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	NW	NE	5200		31.4	Irrigation	POD 1 & POD 2	10/3/73 12/11/73
3	N	30	E	5	NE	SW	3100		29.8	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	SW	NE	5200		28.8	Irrigation	POD 1 & POD 2	10/3/73 12/11/73
3	N	30	E	5	NW	SW	3100		28.2	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	SE	NE	5200		30.2	Irrigation	POD 1 & POD 2	10/3/73 12/11/73
3	N	30	E	5	SW	SW	3100		34.0	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	NE	NW	5200		31.5	Irrigation	POD 1 & POD 2	10/3/73 12/11/73
3	N	30	E	5	SE	SW	3100		31.8	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	NW	NW	5200		30.3	Irrigation	POD 1 & POD 2	10/3/73 12/11/73
3	N	30	E	7	NE	SE	4600		29.0	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	SW	NW	5200		28.8	Irrigation	POD 1 & POD 2	10/3/73 12/11/73
3	N	30	E	7	NW	SE	4600		28.5	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	SE	NW	5200		31.4	Irrigation	POD 1 & POD 2	10/3/73 12/11/73
3	N	30	E	7	SW	SE	4600		28.9	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	NE	SW	5200		31.8	Irrigation	POD 1 & POD 2	10/3/73 12/11/73
3	N	30	E	7	SE	SE	4600		31.3	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	NW	SW	5200		31.1	Irrigation	POD 1 & POD 2	10/3/73 12/11/73

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Additional remarks: Table continued from previous page.

3	N	30	E	8	NE	NW	4000		30.5	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	SW	SW	5200		28.7	Irrigation	POD 1 & POD 2	10/3/73 12/11/73						
3	N	30	E	8	NW	NW	4000		31.4	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	SE	SW	5200		30.4	Irrigation	POD 1 & POD 2	10/3/73 12/11/73						
3	N	30	E	8	SW	NW	4000		31.2	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	NE	SE	5200		31.7	Irrigation	POD 1 & POD 2	10/3/73 12/11/73						
3	N	30	E	8	SE	NW	4000		30.7	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	NW	SE	5200		31.3	Irrigation	POD 1 & POD 2	10/3/73 12/11/73						
3	N	30	E	8	NE	SW	4600		31.0	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	SW	SE	5200		28.7	Irrigation	POD 1 & POD 2	10/3/73 12/11/73						
3	N	30	E	8	NW	SW	4600		28.1	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	28	SE	SE	5200		30.3	Irrigation	POD 1 & POD 2	10/3/73 12/11/73						
3	N	30	E	8	SW	SW	4600		27.5	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	31	NE	NE	6600		29.1	Irrigation	POD 1 & POD 2	10/3/73 12/11/73						
3	N	30	E	8	SE	SW	4600		31.6	Irrigation	POD 1	10/3/73 12/11/73	POU/APOD	3	N	30	E	31	SE	NE	6600		27.8	Irrigation	POD 1 & POD 2	10/3/73 12/11/73						
TOTAL ACRES:									544.9						TOTAL ACRES:									544.9								

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For Place of Use or Character 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: **CW-98, and portions of Permits S-55167, Permits S-55114, S-55262, and S-55263.**

The "To Lands" associated with this transfer presently have conserved water rights (CW-98) associated with them. Once this transfer is completed and finalized the conserved water, where not needed, will be relocated.

Permits S-55114, S-55167, S-55262, and S-55263 are all in the name of East Improvement District. They involve mitigation water. The authorized place of use (POU) for these permits is extensive and it includes both the "From" and "To" lands associated with this transfer. While the POU includes the land associated with this transfer, no water from these permits is being used on the land associated with this transfer at the time of the transfer.



Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # NA;
Surface water primary Certificate # NA.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

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For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

NA Well log(s) are attached 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

NA Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells 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
Not	Applicable									

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Application for Water Right Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) ss
 County of UMATILLA)

I, Herb Stahl, in my capacity as WATER RIGHT OWNER,
 mailing address 36345 Despain Gulch Rd, Stanfield, OR 97875.
 telephone number (541)626 3386, being first duly sworn depose and say:

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 OWRD

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation Professional expertise

2. I attest that:

Water was used during the previous five years on the entire place of use for Certificate # _____; OR

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
87111	3	N	29	E	WM	14	NE	SE		30.4
87111	3	N	29	E	WM	14	SE	SE		31.0
87111	3	N	30	E	WM	5	NE	SW		29.8
87111	3	N	30	E	WM	5	NW	SW		28.2
87111	3	N	30	E	WM	5	SW	SW		34.0
87111	3	N	30	E	WM	5	SE	SW		31.8
87111	3	N	30	E	WM	7	NE	SE		29.0
87111	3	N	30	E	WM	7	NW	SE		28.5
87111	3	N	30	E	WM	7	SW	SE		28.9
87111	3	N	30	E	WM	7	SE	SE		31.3
87111	3	N	30	E	WM	8	NE	NW		30.5
87111	3	N	30	E	WM	8	NW	NW		31.4
87111	3	N	30	E	WM	8	SW	NW		31.2
87111	3	N	30	E	WM	8	SE	NW		30.7

87111	3	N	30	E	WM	8	NE	SW		31.0
87111	3	N	30	E	WM	8	NW	SW		28.1
87111	3	N	30	E	WM	8	SW	SW		27.5
87111	3	N	30	E	WM	8	SE	SW		31.6

OR

- Confirming Certificate # _____ has been issued within the past five years; OR
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

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(continues on reverse side)

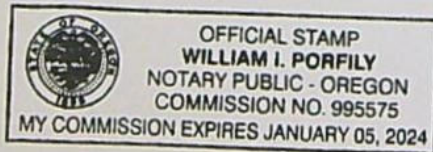
3. The water right was used for: (e.g., crops, pasture, etc.): ROW CROPS

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Herb Stahl
Signature of Affiant

4/4/23
Date

Signed and sworn to (or affirmed) before me this 04 day of April, 2023



William J. Porfily
Notary Public for Oregon

My Commission Expires: JAN 05, 2024

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt

<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> ● District assessment records for water delivered ● Crop reports submitted under a federal loan agreement ● Beneficial use reports from district ● IRS Farm Usage Deduction Report ● Agricultural Stabilization Plan ● CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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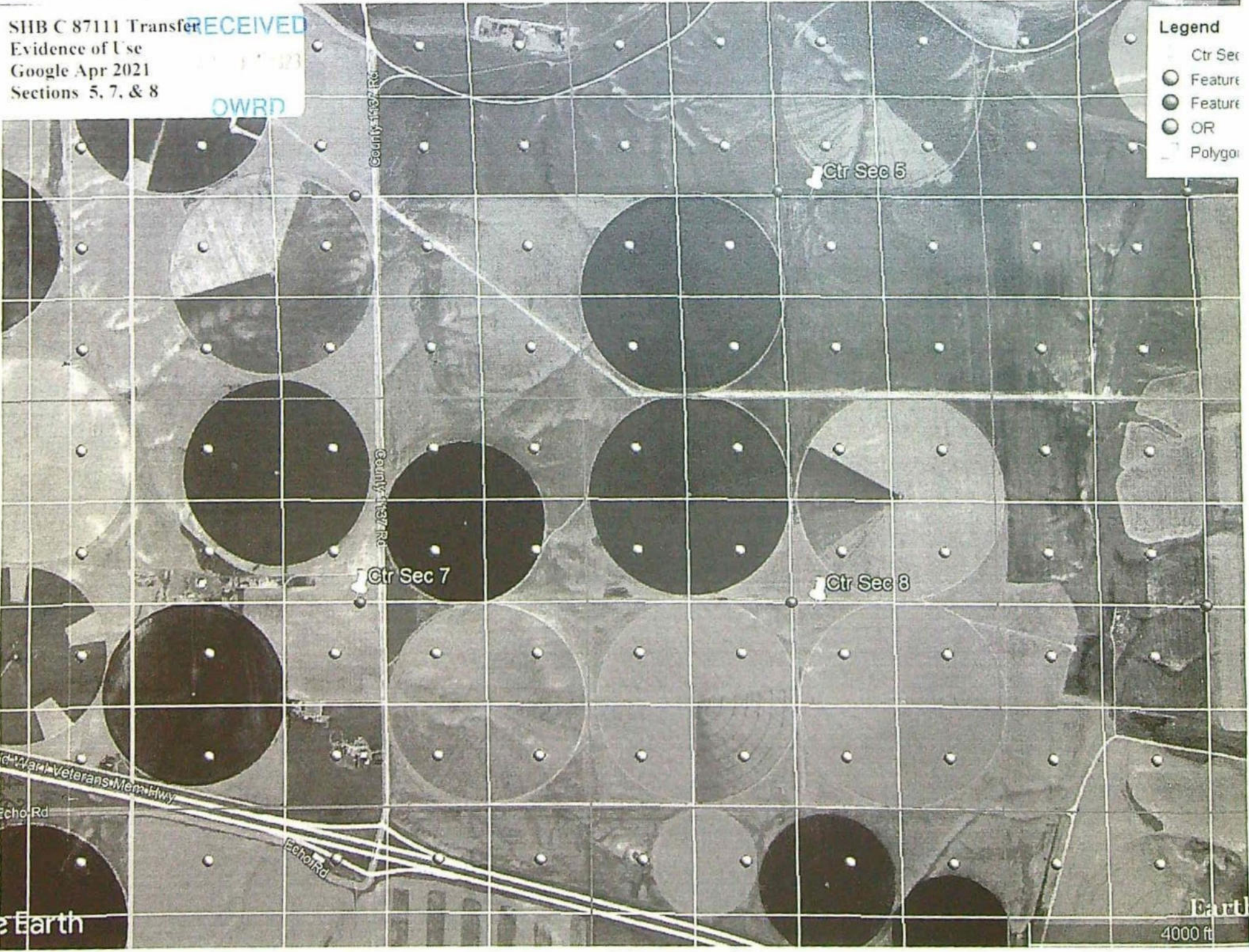
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SHB C 87111 Transfer
Evidence of Use
Google Apr 2021
Sections 5, 7, & 8

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Legend

- Ctr Sec
- Feature
- Feature
- OR
- Polygon



4000 ft

4712

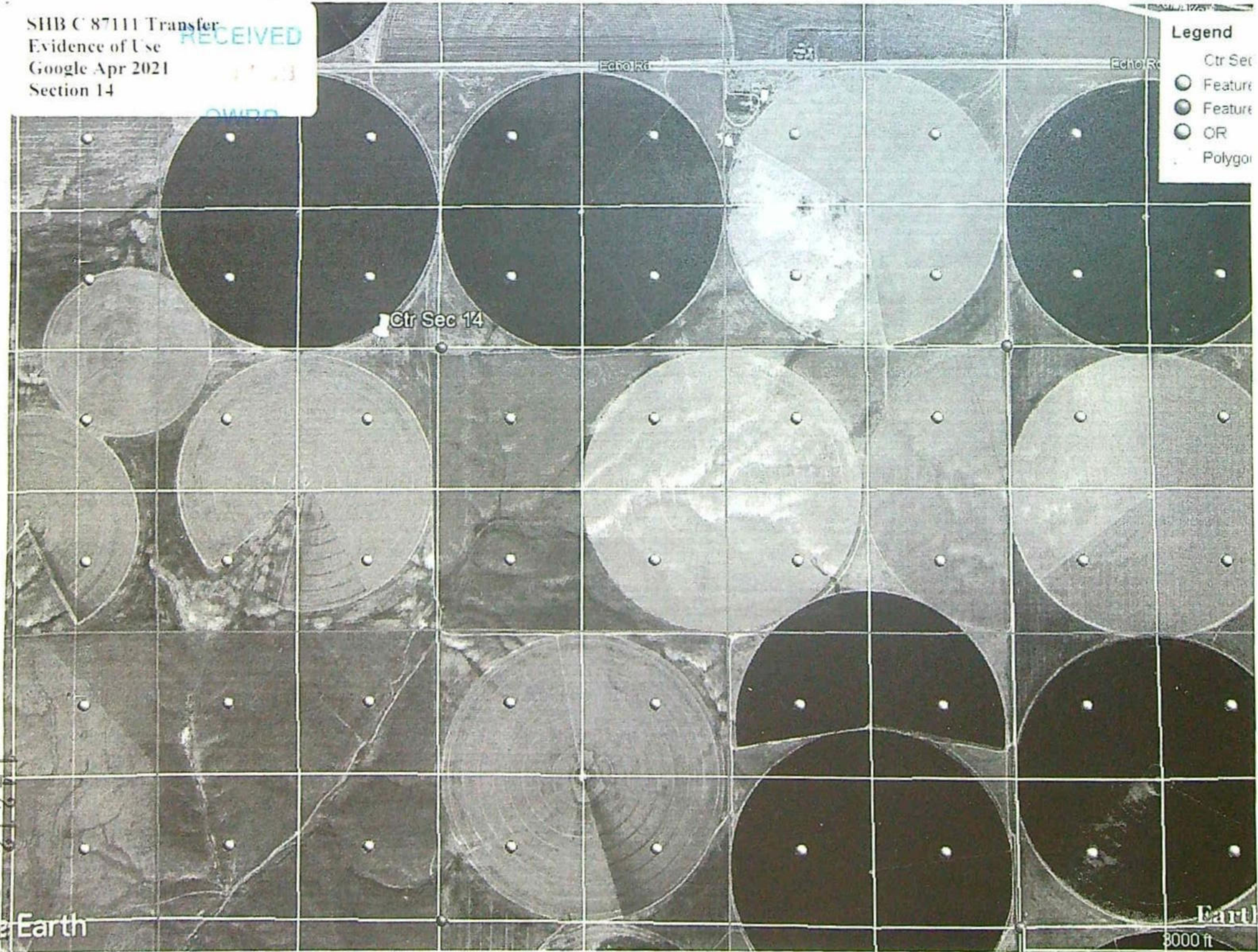
Earth

SHB C 87111 Transfer
Evidence of Use
Google Apr 2021
Section 14

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OWBO

Legend

- Ctr Sec
- Feature
- Feature
- OR
- Polygon



21211

Earth

Earth
8000 ft

Land Use Information Form



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

Applicant

NAME STANFIELD HUTTERIAN BRETHREN C/O HERB STAHL			PHONE (HM)		
PHONE (WK)		CELL (541) 626 3386		FAX	
ADDRESS 36345 Despain Gulch Road					
CITY STANFIELD		STATE OR	ZIP 97875	E-MAIL* HERB.STAHL@EOTNET.NET	

A. Land and Location

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

Township	Range	Sections	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
5N	30E	8		200	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
5N	30E	7, 17, 18, 19, 20, 29, 30, 31, 32		201, 106, 903, 1102, 1201, 1200, 1100, 1304	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
4N	30E	5, 6, 7, 8, 17, 18, 19, 20		702, 600, 700, 704, 703	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
4N	29E	12, 13, 24, 25, 36		900, 100, 1900, 100, 300, 2900	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
3N	29E	1		100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
3N	30E	6, 7, 8, 16, 17, 21, 32, 33		3000, 3100, 4000, 4600, 4700, 4800, 5200, 6600, 7100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
3N	30E	28, 31		5200, 6600	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Umatilla

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B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: **5.89** cubic feet per second gallons per minute **1634.7** acre-feet

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

Municipal Quasi-Municipal Instream Other ____

Briefly describe:

Water rights from a portion of Certificate 87111 are being relocated from the Agri Northwest Echo farm to the Stanfield Hutterian Brethren (SHB) Rohde project. Existing Columbia River pumping stations and existing pipelines will be used to deliver irrigation water to this project.



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

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

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

UCDC 152.051e (A)

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

NAME <u>CARDI JOHNSON</u>	TITLE: <u>Planner</u>
SIGNATURE <u>Cardi Johnson</u>	PHONE: <u>511-278-6252</u> DATE: <u>03/28/2023</u>
GOVERNMENT ENTITY <u>Umatilla County</u>	

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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Land Use Information Form

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14212

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
)ss
County of Clackamas

I Carol Crow in my capacity as the authorized representative of Crow Family Properties Oregon Limited, mailing address 1200 Overlook DR. #Apt. 101, Lake Oswego, OR 97034-6601, telephone number 503 348 8614, duly sworn depose and say that I consent to the proposed transfer changes to a portion of Water Right Certificate Number 87111 submitted by Stanfield Hutterrian Farm c/o Herb Stahl on the property in the SW Quarter of Section 5 (Tax Lot 3100), and the NW Quarter of Section 8 (Tax Lot 4000), Township 3 North Range 30 East, W.M. Refer to attached Exhibit Map.

[Signature]
Signature of Affiant attorney in fact for Carol Crow

3/20/23
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 20th day of March, 2023.



[Signature]
Notary Public for Oregon

My commission expires Aug 5, 2025

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General Durable Power of Attorney of Carol L. Crow

I, Carol L. Crow of Lake Oswego, Oregon, am creating a Durable Power of Attorney under the laws of the State of Oregon. I revoke all Powers of Attorney previously granted by me as Principal and terminate all agency relationships created by me except:

powers granted by me under any Advance Healthcare Directive;

powers granted by me on forms provided by financial institutions granting the right to write checks on, deposit funds to, and withdraw funds from accounts to which I am a signatory; and

powers granting access to a safe-deposit box.

Article One Appointment of Agent

Section 1.01 Appointment

I appoint Elizabeth C. Yancey and Gerald W. Crow, Jr. as my Agents (collectively, my Agent). Any one of my Agents may act alone and without the approval or consent of any other successor Agent regarding a matter or may act jointly with any other Agent. If any Agent fails to serve, no further Agent need be appointed unless there is no Agent then serving.

Section 1.02 Prior or Joint Agent Unable to Act

A successor Agent or an Agent serving jointly with another Agent may establish that the acting Agent or joint Agent is no longer able to serve as Agent by signing an affidavit that states that the Agent is not available or is incapable of acting. The affidavit must be supported by a death certificate of the Agent, a certificate showing that a guardian or conservator has been appointed for the Agent, or a letter from the Agent stating his or her unwillingness to act or delegating his or her power to the successor Agent. An affidavit supported by one of the foregoing certificates or letters will terminate the Agent's authority under this power of attorney.

Article Two Effectiveness of Appointment - Durability Provision

Section 2.01 Effectiveness

The authority granted to my Agent under this power of attorney will be effective immediately upon signing.

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Section 7.15 Severability

If any provision of this power of attorney is declared invalid for any reason, the remaining provisions will remain in full force and effect.

Section 7.16 Shall and May

Unless otherwise specifically provided in this document or by the context in which used, I use the word *shall* in this document to impose a duty, command, direct, or require, and the word *may* to allow or permit, but not require. In the context of my Agent, when I use the word *shall*, I intend to impose a fiduciary duty on my Agent; when I use the word *may*, I intend that my Agent is empowered to act with sole and absolute discretion unless otherwise stated in this document.

**Article Eight
Declarations of the Principal**

I understand that this power of attorney is an important legal document. Before executing this power of attorney, my attorney explained the following information to me.

The power of attorney provides my Agent with broad powers to dispose of, sell, convey, and encumber my real and personal property.

The powers will exist for an indefinite period unless I revoke the power of attorney or I have limited their duration by specific provisions in the power of attorney.

This Durable Power of Attorney will continue to exist during my subsequent disability or incapacity.

I have the power to revoke or terminate this Durable Power of Attorney at any time.

Dated: October 22, 2020

Carol L. Crow

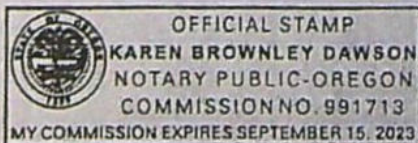
Carol L. Crow, Principal

STATE OF OREGON)

) ss.

COUNTY OF CLACKAMAS)

This instrument was acknowledged before me on October 22, 2020, by Carol L. Crow, as Principal.



Karen B. Dawson

Oregon Notary Public

RECEIVED

APR 07 2023

OWRD

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
County of Clackamas)ss

We Gerald Crow Jr and Charee Crow in our capacity as the authorized representatives of the Crow Family Trust, mailing address 1200 Overlook DR. #Apt, 101, Lake Oswego, OR 97034-6601, telephone number 503 348 8614, duly sworn depose and say that we consent to the proposed transfer changes to a portion of Water Right Certificate Number 87111 submitted by Stanfield Hutterrian Farm c/o Herb Stahl on the property in the SE Quarter of Section 7, and the SW Quarter of Section 8 (Tax Lot 4600), Township 3 North Range 30 East, W.M.

[Signature]
Signature of Affiant

3/20/23
Date

[Signature]
Signature of Affiant

3/20/23
Date

Subscribed and Sworn to before me this 20th day of March, 2023.



[Signature]
Notary Public for Oregon

My commission expires Aug 5, 2025

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APR 07 2023

OWRD

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
)ss
County of Umatilla)

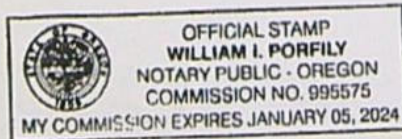
I Elaine J. Ramos in my capacity as an Authorized Representative, of Matilda LLC,
mailing address P.O. Box 188, Echo, OR, 97826, telephone number 541 379 1891, duly sworn
depose and say that I consent to the proposed transfer changes to a portion of Water Right
Certificate Number 87111 submitted by Stanfield Hutterian Brethren c/o Herb Stahl on the
property in the SE Quarter of Section 14 (Tax Lot 4000), Township 3 North Range 29 East,
W.M.

Elaine J. Ramos
Signature of Affiant

03/29/23
Date

Subscribed and Sworn to before me this 29 day of March, 2023.

William I. Porfily
Notary Public for Oregon



My commission expires Jan 05, 2024.

RECEIVED
APR 07 2023
OWRD

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
)ss
County of Umatilla)

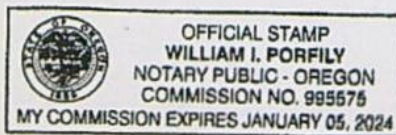
I Joesph E Ramos in my capacity as an Owner, mailing address 34327 Rieth RD, Echo, OR, 97826, telephone number 509 366 3980, duly sworn depose and say that I consent to the proposed transfer changes to a portion of Water Right Certificate Number 87111 submitted by Stanfield Hutterrian Brethren c/o Herb Stahl on the property in the SE Quarter of Section 14 (Tax Lot 4000), Township 3 North Range 29 East, W.M.

Joseph E. Ramos
Signature of Affiant

3/29/23
Date

Subscribed and Sworn to before me this 29 day of March, 2023.

William I. Porfily
Notary Public for Oregon



My commission expires JAN 05, 2024

Revised 9/2/10

RECEIVED

APR 07 2023

OWRD

14212

APR 07 2023

Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

OWRD

OREGON



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

[For transfers submitted under OAR Chapter 690 Division 380]

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

NAME STANFIELD HUTTERIAN BRETHERN C/O HERB STAHL			PHONE (HM)
PHONE (WK) 541 626 3386	CELL	FAX	
ADDRESS 36345 DESPAIN GULCH RD			
CITY STANFIELD	STATE OR	ZIP 97875	E-MAIL**

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME ECHO IRRIGATION DISTRICT C/O JENS RASMUSSEN AGRI NORTHWEST			PHONE (HM)
PHONE (WK) 509 820 3234	CELL	FAX	
ADDRESS 6716 W RIO GRANDE AVE			
CITY KENNEWICK	STATE WA	ZIP 99336	E-MAIL**

** By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	A portion of C 87111	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

CURRENT ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES NO One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.

YES NO All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES NO One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.

YES NO All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

COMMENTS OR ADDITIONAL INFORMATION

RECEIVED

APR 07 2023

4. APPLICANT'S SIGNATURE

(1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:
 email, phone, postal mail, in person, or other (please specify) _____

(2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

Herb Stahl
Applicant Signature

Herb Stahl
Name (print)

4/4/23
Date

5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

(1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

(2) The district/water supplier consents to the proposed water right transfer application.

YES NO After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES NO The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Signature of District Manager /Water Supplier

Name (print), Title

Date

APR 07 2023

Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



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

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

NAME STANFIELD HUTTERIAN BRETHREN C/O HERB STAHL			PHONE (HM)
PHONE (WK) 541 626 3386	CELL	FAX	
ADDRESS 36345 DESPAIN GULCH RD			
CITY STANFIELD	STATE OR	ZIP 97875	E-MAIL**

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME EAST IMPROVEMENT DISTRICT			PHONE (HM)
PHONE (WK)	CELL	FAX	
ADDRESS 495 EAST MAIN STREET			
CITY HERMISTON	STATE OR	ZIP 97838	E-MAIL**

** By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	A portion of C 87111	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

14212

b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

CURRENT ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES NO One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.

YES NO All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES NO One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.

YES NO All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

RECEIVED

APR 07 2023

COMMENTS OR ADDITIONAL INFORMATION

4. APPLICANT'S SIGNATURE

OWRD

(1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:

email, phone, postal mail, in person, or other (please specify) _____

(2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.



Herb Stahl

4/4/23

Applicant Signature

Name (print)

Date

5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

(1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

(2) The district/water supplier consents to the proposed water right transfer application.

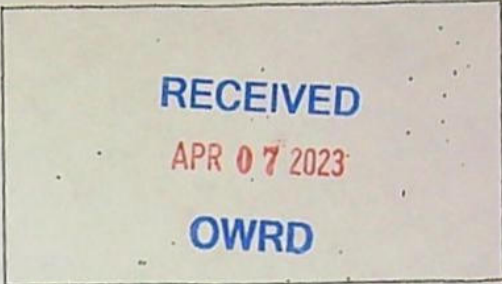
YES NO After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES NO The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Signature of District Manager /Water Supplier

Carl St Hilaire, President
Name (print), Title

Date



Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

c/o Herb Stahl

Applicant Name(s) & Address: Stanfield Hutterian Brethren
36345 Despain Gulch Rd, Stanfield OR 97875

Transaction Type: RA

Fees Received: \$ 125.00

Cash Check; Check No. 13109

Name(s) on Check: Stanfield Hutterian Brethren

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,
OWRD Customer Service Staff

Submission received by: Corie Louren
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt Information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

14212



RECEIVED
APR 07 2023
OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

*clg
Herb Stahl*

Applicant Name(s) & Address: Stanfield Hutterian Brothers
36345 Despain Gulch Rd, Sheridan OR 97875

Transaction Type: Transfer

Fees Received: \$ 4,500.00

Cash Check; Check No. 13106

Name(s) on Check: Same as above

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,
OWRD Customer Service Staff

Submission received by: Corie Lovrien
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt Information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

dalevconsulting@gmail.com

From: dalevconsulting@gmail.com
Sent: Wednesday, April 5, 2023 10:30 AM
To: 'REECE Ann L * WRD'
Cc: Arla.LDAVIS@water.oregon.gov; herb.stahl@eotnet.net; wporfily@gmail.com
Subject: Stanfield Hutterian Brethren New Transfer App for a portion of C 87111

Hi Ann/Arla,

Today I am mailing a transfer application to the department. It is being submitted by the Stanfield Hutterian Brethren. It involves a change in place of use and an additional POD for a portion of C 87111.

The transfer application includes:

The transfer application,
An overall layout map,
Transfer maps Sheets 1-4,
Evidence of Use Affidavit,
Land Use Information Form,
Exhibit Map for Consent to Transfer for Crow property,
Carol Crow Consent to Transfer signed by Gerald Crow,
Gerald Crow Power of Attorney for Carol Crow,
Gerald and Charee Crow Consent to Transfer,
Exhibit Map for Consent to Transfer for Ramos property,
Elaine Ramos (Matilda LLC) Consent to Transfer,
Joseph Ramos Consent to Transfer,
Supplemental Form D for Echo Irrigation District,
Supplemental Form D for East Improvement District,
A check payable to OWRD for \$4500.

RECEIVED

APR 07 2023

OWRD

The submittal also includes a Transfer Reimbursement Authority Estimate Application and a check for \$125.

Regards,
Dale

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

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 # **140536**

INVOICE # _____

RECEIVED FROM: Stanfield Huttenen
BY: Brothers

APPLICATION _____
PERMIT _____
TRANSFER T-14212

CASH: CHECK: # 13180 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1,386.13

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R11-431-23 \$ _____
0412 OTHER: (IDENTIFY) Transfer RA \$ 1,386.13
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	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$ _____	0220	\$ _____
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 (FWWRD) \$ _____
0231 HYDRO LICENSE FEE (FWWRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **140536** DATED: 4/16/23 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Banner Bank

PROCEIVED
APR 20 2023
OWARD

STANFIELD HUTTERIAN BRETHREN
36345 DESPAIN GULCH RD
13180
OREGON WATER RESOURCES DEPT.
Date 4/16/2023 Type Bill Reference
Original Amt. 1,386.13 Balance Due 1,386.13
4/16/2023 Discount
Payment 1,386.13
Check Amount 1,386.13

1,386.13

APR 20 2023

Salem, OR

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-431-23**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Stanfield Hutterian Brethren c/o Herb Stahl**, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes	Name: Stanfield Hutterian Brethren	Name: Bill Porfily
Title: Transfer Advisor	Contact: Herb Stahl	Contact:
Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266	Address: 36345 Despain Gulch Rd. Stanfield, OR 97875	Address: PO Box 643 Stanfield, OR 97875
Phone: 503 979-3511	Phone: (541) 626-3386	Phone: (541) 561-7259
Fax: 503 986-0901	Fax:	Fax:
Email: patrick.k.starnes@water.oregon.gov	Email:	Email: wporfily@gmail.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (Application Number: T-14212)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
 - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$1,386.13**. Applicant agrees to pay the full amount of **\$1,386.13** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **140449**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Stanfield Hutterian Brethren APPLICATION _____
BY: _____ PERMIT _____
TRANSFER T-14212

CASH: CHECK: # 13109 OTHER: (IDENTIFY)
TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 \$ _____
0412 OTHER: (IDENTIFY) Transfer Reimbursement Authority \$ 125.00
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:

	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$ _____	0202	\$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		

WELL CONSTRUCTION

	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
LANDOWNER'S PERMIT		0220	\$ _____

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 (FWWRD) \$ _____
0231 HYDRO LICENSE FEE (FWWRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

**RECEIVED
OVER THE COUNTER**

RECEIPT: **140449** DATED: 4/7/2023 BY: _____

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Banner Bank

125.00

OWRD

APR 7 2023

RECEIVED

STANFIELD HUTTERIAN BRETHREN

36345 DESPAIN GULCH RD

13109

OREGON WATER RESOURCES DEPT.

Date 4/3/2023
Type Bill
Reference

Original Amt.
125.00

Balance Due
125.00

4/3/2023
Discount
Check Amount

Payment
125.00
125.00



OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION



ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate From Transfer fees.

The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number: Unknown New Transfer T-14212

	Applicant Information	Applicant's Representative/Contact
Name:	Stanfield Hutterian Brethren c/o Herb Stahl	Bill Porfily
Address:	36345 Despain Gulch Rd Stanfield, OR 97875	P.O. Box 643 Stanfield, OR 97875
Phone:	541 626 3386	541 561 7259
Fax:		
E-Mail Address:		wporfily@gmail.com

I understand the following:

- That upon receipt of my non-refundable application fee of \$ 125.00, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

Oregon Water Resources Department
Transfer Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271

RECEIVED

APR 07 2023

OWRD

I certify that I am the (check one):

Applicant Applicant's Representative Other (Please specify) _____

Name: Herb Stahl

Signature: _____

Herb Stahl 4/4/23

OWRD USE ONLY: Reimbursement Authority Number: R11-431 -23

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14212

Transfer Specialist:

Transfer Type: Regular Transfer

Reimbursement Authority?

Applicant: STANFIELD HUTTERIAN BRETHERN HERB STAHL 36345 DESPAIN GULCH RD STANFIELD, OR 97875	Agent: BILL PORFILY PO BOX 643 STANFIELD, OR 97875	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District: East Improvement District Carl St Hilaire
Affected Local Gov'ts: Umatilla County Planning Department	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	S-51288	S-37121	87111	<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 (Support Staff)

Rec'd: April 7, 2023	Proposed Action(s): ADDITIONAL POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 4500.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 7 Umatilla
Initial Public Notice:	County sent cc: of Ack Letter <input type="checkbox"/>	County: UMATILLA
WM District: 5 Gregory M. Silbernagel	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed: <input type="checkbox"/>	Name of Newspaper:
Newspaper notice sent to coordinator:	Newspaper notice quote requested (NRS1):
Request for news \$ sent:	News \$ received:
Affidavit of publication received:	Last day of publication:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ No. of docs for sig: _____	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____



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

April 11, 2023

STANFIELD HUTTERIAN BRETHREN

HERB STAHL

36345 DESPAIN GULCH RD

STANFIELD, OR 97875

Reference: Application T-14212

On April 7, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$4500.00. Receipt number 140448 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. A review form will also be sent to Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use or from the new point of diversion until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

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

Cc: Watermaster Dist. #5, Gregory M. Silbernagel (*via email*)
Umatilla County
Bill Porfily, Agent
Irrigation District: East Improvement District Carl St Hilaire & Ann Reece (if in District)
Bureau of Reclamation

Enclosure

Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # T- 14212

Checked by <u> Dante </u>	Type of Change(s) Proposed:	
Date <u> 4/11/2023 </u>	<u>NO</u> other changes allowed other than those listed	
Fee Received: \$4500	<input checked="" type="checkbox"/> POU <input type="checkbox"/> POD <input checked="" type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE	
Calculated Fee: \$4500		How many rights to be Transferred? <u> 1 </u>
Deficiencies and Observations: Permits underneath, CW-98 (Conserved Water) also layered, 545 acres		Certificate #(s) <u> 87111 </u>

If OK, check box; if not, fill in.

1. Is the applicant information complete? Have all the applicants listed at the top of the page signed at the bottom?
If not, what is missing? Whose signature is missing? _____
2. Has the applicant indicated that the place of use is in or near an irrigation district? Have they included a Form D? N/A.
Name of the District Echo Irrigation District
3. Part 5 of application, has the applicant completed the entire page and does the information match the description of the explanation of the reasons on Part 4 of the application?
If not, you may need to contact the applicant or agent? _____
4. For multiple certificates, do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2? (*compare with OAR 690-380-3220-may need to return*)
If no, which certificates are missing a separate Part 5, tables 1 & 2? _____
5. Has the map been completed and signed by a CWRE? Does the map meet the requirements?
If not, what is missing? _____. Map waiver included?
6. If a change in point of appropriation, have the well logs been included? N/A.
7. If a change in place of use within Umatilla County, have the applicant(s) provided a Supplemental Form U? N/A.
8. Has applicant filled out the Minimum Requirements Checklist (Part 1 of 5)? Is the application complete? If not, what is missing (check Evidence of Use and Land Use)? _____
9. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

- This application is deficient, and 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.

Actions taken:

_____ date _____

Revised 12/2022.krf

14212

