

Temporary

Name Stanfield Hutterian Farm  
C/O Herb Stahl  
Address 36345 Despain Gulch Rd  
Stanfield, OR 97875  
herb.stahl@eonet.com

Change in POU, POA, APOA  
Date Filed 2/5/2024  
Initial notice date 2/13/2024  
DPD issued date  
PD issued date  
PD notice date  
Date of FO 1/7/2025 Vol 135 Page 646-651  
Correcting 10/23/2025 Vol 135 page 911-912

C-Date  
COBU due date  
COBU Received date  
Certificate issued

Assignments:

Irrigation District

Agent William Porfily  
wporfily@gmail.com

CWRE  
CC's list Umatilla County

- Oversized map - Location

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A well,  
Trib. of Umatilla River,  
Use Irrigation County Umatilla  
Quantity of water (CFS) No. of Acres  
Name of ditch  
App# G 7851 Per # G 7183 Cert # 87368 PR Date 2-25-1977  
App# G 7851 Per # G 7183 Cert # 97371 PR Date 2-25-1977  
App# Per # Cert # PR Date  
App# Per # Cert # PR Date

FEES PAID		
Date	Amount	Receipt #
2-5-24	\$ 1,178.67	142365
2-5-24	\$ 600.00	142366

FEES REFUNDED		
Date	Amount	Receipt #



# 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

October 23, 2025

Herb Stahl  
36345 Despain Gulch Rd  
Stanfield, OR 97875

Reference: T-14403 Superseding Correcting Final Order and Superseding Certificate

Enclosed is a correcting final order recorded in Special Order Vol. 135, Page 911, issued to correct a scrivener's error in the order recorded in Special Order Vol. 135, Page 646. A correcting certificate is also enclosed.

If you have any questions please contact your caseworker, Joan Smith, by telephone at (503) 986-0892 or by e-mail at [Joan.m.smith@water.oregon.gov](mailto:Joan.m.smith@water.oregon.gov).

Sincerely,

David Jones Jr  
Water Right Support  
Transfers and Conservation Section

cc: Watermaster Dist. #5 , Gregory M. Silbernagel *(via email)*

Enclosures

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Special Order Volume     )           CORRECTING ORDER  
135, at Page 646 approving T-14403,        )  
Umatilla County                                )

**Applicant**

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

**Findings of Fact**

1. On February 5, 2024, Stanfield Hutterian Farm, c/o Herb Stahl, filed an application to temporarily change the places of use and change the points of appropriation to serve the proposed places of use under Certificates 87368 and 97371 for a period of 5 years. The Department assigned the application number T-14403.
2. On September 17, 2025, the Department issued an order approving Temporary Transfer T-14403, as evidenced in Special Order Volume 135, at Page 646.
3. On September 22, 2025, the Agent for the applicant contacted the Department identifying a scrivener's error in the proposed timing of the Temporary Transfer.
4. Temporary Transfer Application T-14403 should have read "The former place of use **shall not** be irrigated as part of these water rights during the 2026, 2027, 2028, 2029, and 2030 irrigation seasons" and "the use shall revert to the authorized place of use at the end of the **2030** irrigation season. The authorization to use the temporary point of appropriation shall be terminated concurrently."

**Now, therefore, it is ORDERED:**

1. The Order Approving Temporary Transfer Application T-14403 as recorded in Special Order Volume 135, at Page 646, is modified to correctly identify the timing (in years) of this Temporary Transfer.

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

2. The former place of use **shall not** be irrigated as part of these water rights during the 2026, 2027, 2028, 2029, and 2030 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the **2030** irrigation season. The authorization to use the temporary point of appropriation shall be terminated concurrently.

Dated in Salem, Oregon on **OCT 23 2025**



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

*Mailing Date:* **OCT 24 2025**



# 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](http://www.oregon.gov/owrd)

September 17, 2025

Herb Stahl  
36345 Despain Gulch Rd  
Stanfield, OR 97875

REFERENCE: District Temporary Transfer Application T-14403

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

The temporary change shall be effective at the **beginning of the 2026 irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2030 irrigation season**.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Joan Smith, by telephone at (503) 986-0892 or by e-mail at [Joan.m.smith@water.oregon.gov](mailto:Joan.m.smith@water.oregon.gov).

Sincerely,

David V. Jones Jr  
Water Rights Services Support  
Transfers and Conservation Section

cc: Gregory M. Silbernagel, Watermaster Dist. # 5 (via email)  
Bill Porfily, Agent  
Umatilla County

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING TEMPORARY
T-14403, Umatilla County	)	CHANGES IN PLACES OF USE AND
	)	POINTS OF APPROPRIATION

**Authority**

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

**Applicant**

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

**Findings of Fact**

1. On February 5, 2024, Stanfield Hutterian Farm, c/o Herb Stahl, filed an application to temporarily change the places of use and change the points of appropriation to serve the proposed places of use under Certificates 87368 and 97371 for a period of 5 years. The Department assigned the application number T-14403.
2. Notice of the application for transfer was published on February 13, 2024, pursuant to OAR 690-380-4000.
3. The first right to be transferred is as follows:  
**Certificate:** 87368 in the name of IVAN COOK (perfected under Permit G-7183)  
**Use:** IRRIGATION of 152.8 ACRES  
**Priority Date:** FEBRUARY 25, 1977  
**Rate:** 1.91 CUBIC FEET PER SECOND (CFS); being 1.59 CFS from WELL 1 and 0.32 CFS from WELL 3

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

**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-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** TWO WELLS in the UMATILLA RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	28 E	WM	23	SW NE	WELL 3 - 1350 FEET SOUTH AND 1330 FEET WEST FROM THE NE CORNER OF SECTION 23
4 N	28 E	WM	23	SW SE	WELL 1 - 1210 FEET NORTH AND 1800 FEET WEST FROM THE SE CORNER OF SECTION 23

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Well #	Acres
4 N	28 E	WM	23	SW NE	1	0.3
4 N	28 E	WM	23	SE NE	3	25.9
4 N	28 E	WM	23	NE SW	1	5.6
4 N	28 E	WM	23	SE SW	1	5.0
4 N	28 E	WM	23	NE SE	1	20.9
4 N	28 E	WM	23	NW SE	1	37.6
4 N	28 E	WM	23	SW SE	1	37.0
4 N	28 E	WM	23	SE SE	1	20.5
Total						152.8

4. Temporary Transfer Application T-14403 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	28 E	WM	32	NE NW	31.0
3 N	28 E	WM	32	NW NW	31.7
3 N	28 E	WM	32	SW NW	31.9
3 N	28 E	WM	32	SE NW	31.5
3 N	28 E	WM	32	SE NE	26.7
Total					152.8

5. A change in points of appropriation (POA) are necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14403 proposes to move the authorized points of appropriation with approximate distances and direction in mile to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Direction from the Authorized POA
3 N	28 E	WM	23	NW NW	L & L #3 - 60 FEET SOUTH AND 820 FEET EAST FROM THE NW CORNER OF SECTION 23	Well 1- 0.64 NW Well 3- 0.92 NW
3 N	28 E	WM	23	SE SW	L & L #1 - 960 FEET NORTH AND 30 FEET EAST FROM THE S CORNER OF SECTION 23	Well 1- 0.61 SW Well 3- 0.17 SW
3 N	28 E	WM	26	NE NW	L & L #2 - 930 FEET SOUTH FROM THE N1/4 CORNER OF SECTION 26	Well 1- 0.95 SW Well 3- 0.44 SW
3 N	28 E	WM	34	NW SE	SPARKS WELL- 1300 FEET NORTH AND 60 FEET WEST FROM THE SE CORNER OF THE NWSE OF SECTION 34	Well 1- 2.48 SW Well 3- 2.05 SW

6. The second right to be transferred is as follows:

**Certificate:** 97371 in the name of STANFIELD HUTTERIAN FARM; C/O HERB STAHL (perfected under Permit G-7183)

**Use:** IRRIGATION of 39.3 ACRES

**Priority Date:** FEBRUARY 25, 1977

**Rate:** 0.49 CUBIC FOOT PER SECOND (CFS) from WELL 1 and WELL 3

**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-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** TWO WELLS in the UMATILLA RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	28 E	WM	23	SW NE	WELL 3 (ORIGINAL) -1350 FEET SOUTH AND 1330 FEET WEST FROM THE NE CORNER OF SECTION 23
4 N	28 E	WM	23	SW SE	WELL 1 (ADDITIONAL) - 1210 FEET NORTH AND 1800 FEET WEST FROM THE SE CORNER OF SECTION 23

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	28 E	WM	23	SW NE	17.0
4 N	28 E	WM	23	NE SW	8.5
4 N	28 E	WM	23	SE SW	6.5
4 N	28 E	WM	23	NE SE	7.0
4 N	28 E	WM	23	NW SE	0.3
Total					39.3

7. Temporary Transfer Application T-14403 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	28 E	WM	32	SW NE	8.3
3 N	28 E	WM	32	SE NE	5.3
4 N	29 E	WM	20	NW SW	25.7
Total					39.3

8. A change in points of appropriation (POA) are necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14403 proposes to move the authorized points of appropriation with distances and directions as described below to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Direction from the Authorized POA
3 N	28 E	WM	23	NW NW	L & L #3 - 60 FEET SOUTH AND 820 FEET EAST FROM THE NW CORNER OF SECTION 23	Well 1- 0.64 NW Well 3- 0.92 NW
3 N	28 E	WM	23	SE SW	L & L #1 - 960 FEET NORTH AND 30 FEET EAST FROM THE S CORNER OF SECTION 23	Well 1- 0.61 SW Well 3- 0.17 SW
3 N	28 E	WM	26	NE NW	L & L #2 - 930 FEET SOUTH FROM THE N1/4 CORNER OF SECTION 26	Well 1- 0.95 SW Well 3- 0.44 SW
3 N	28 E	WM	34	NW SE	SPARKS WELL- 1300 FEET NORTH AND 60 FEET WEST FROM THE SE CORNER OF SECTION 34	Well 1- 2.48 SW Well 3- 2.05 SW
4 N	29 E	WM	20	SW SE	WELL #5- 1050 FEET NORTH AND 50 FEET EAST FROM THE S1/4 CORNER OF SECTION 20	Well 1- 2.88 SE Well 3- 2.97 E

**Temporary Transfer Review Criteria**

9. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
11. The proposed changes would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred rights, as required by ORS 540.523(7).

12. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

### **Conclusions of Law**

The temporary changes in place of use and points of appropriation to serve the temporary place of use proposed in Temporary Transfer Application T-14403 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

### **Now, therefore, it is ORDERED:**

1. The temporary change in place of use and change in points of appropriation to serve the temporary place of use proposed in Temporary Transfer Application T-14403 are approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2026, 2027, 2028, 2029, and 2030 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2029 irrigation season. The authorization to use the temporary point of appropriation shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. The quantity of water diverted shall be limited to any order issued allocating the amount of water in any year, while this temporary transfer is authorized.
6. The quantity of water diverted at the proposed temporary points of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.
7. A subsequent application for permanent transfer of Certificates 87368 and 97371 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.

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 appropriation.
  - 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.
9. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
10. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 87368 and 97371.

Dated in Salem, Oregon on SEP 17 2025



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

Mailing Date: SEP 18 2025

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14403

Transfer Specialist: *Jean*

Transfer Type: Temporary Transfer

DROUGHT?

<b>Applicant:</b> Herb Stahl 36345 Despain Gulch Rd Stanfield, OR 97875	<b>Agent:</b> Bill Porfily PO Box 643 Stanfield, OR 97875	<b>Receiving Landowner:</b>
<b>Current Landowner if other than Applicant:</b>	<b>CWRE:</b> <i>NA</i>	<b>Irrigation District:</b>
<b>Affected Local Gov'ts:</b>	<b>Affected Tribal Gov't:</b>	<b>BOR Notified (date):</b>

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate
<input type="checkbox"/>	<i>G-7051</i>	<i>G-7103</i>	<i>87368</i>
<input type="checkbox"/>	<i>G-7051</i>	<i>G-7103</i>	<i>97371</i>
<input type="checkbox"/>			

Key Dates & Initial Actions (Support Staff)

Rec'd: February 5, 2024	Proposed Action(s): POINT OF APPROPRIATION; ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 1178.67	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 7 Umatilla
Initial Public Notice: 2/13/2024	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:
Groundwater	GW Review sent:	GW Review date received:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
FO	Date: <i>9/8/25</i> Initials: <i>Jean</i>	Date: <i>9/9/25</i> Initials: <i>Scott</i>	Date: <i>9/10/25</i> Initials: <i>Sah</i>	Date: _____ Initials: _____	Date: <i>9/11/25</i> No. of docs for sig: _____ WM Sheet <input type="checkbox"/>	Date: <i>9/17/2025</i>

Special Issues: \_\_\_\_\_ *TEMP* \_\_\_\_\_

Special Order Volume: Vol. *135* Pages *646-651*

**July 9<sup>th</sup> E-mail**  
**RE: 5 Yr Temporary Transfer**  
**T-14403**

**WaterMaster Comments:**

**Item 4. Page 1 of 5**

To help alleviate some of the confusion associated with the additional Points of Appropriation listed in the application, we propose to amend the application by removing the existing current authorized POAs (Wells #1 & #3) described in Certificates 87368 & 97371. In addition, while amending the application we propose to delete wells L&L #1, L&L #2, and Sparks Well as proposed authorized points of appropriation. With the amended application these wells will not be used in association of Certificates 87368 & 97371 during the propose 5 years Temporary Transfer. This will leave two proposed authorized wells, well #5 and L&L Well #3.

**Item 10. Page 2 of 5**

As noted in the response above to Item 4. Page 1 of 5 we propose to amend the application to eliminate the existing authorized POAs from the application. The wells that are proposed to be included in the amended application as authorized POAs are Well #5 and L&L Well #3.

**Item 12. Page 4 of 5**

With the amended transfer application, the proposed five-year transfer period of time for use of the irrigation water will start the irrigation season following the irrigation season that this application is approved and run for five consecutive years.

We also propose with the amended application for the area proposed to be irrigated described on map 3 of 3 to list only one well (Well #3) from the current describe three wells. This well is the furthest from neighboring well thus should have less interference with neighboring wells.

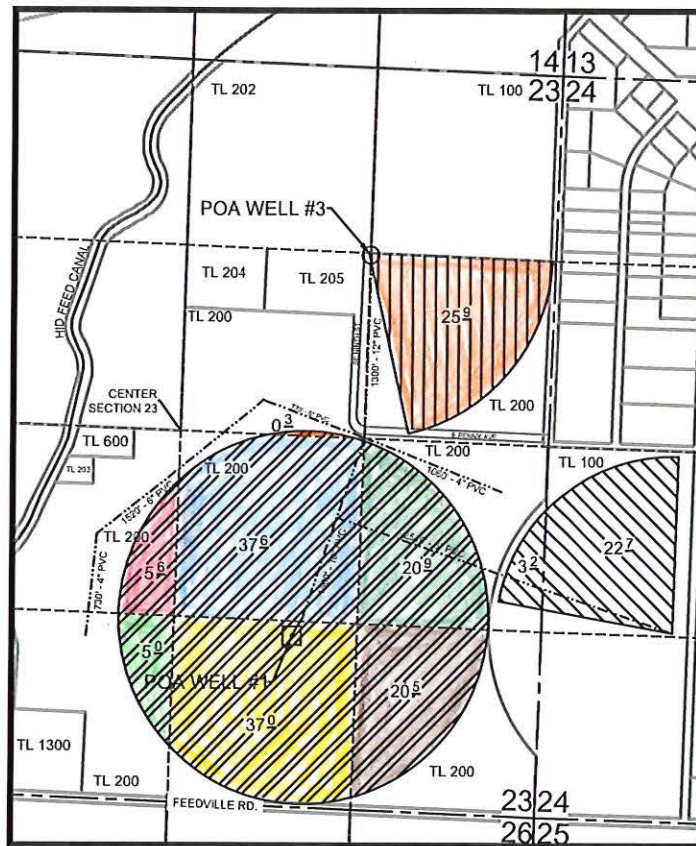
**Ground waters Issues:**

The wells proposed for use under this temporary transfer are authorized for use under other water right certificates. The pumps and irrigation equipment associated with these wells when in use will be pumping the rates (cfs) that are authorized under the other various certificates or the limits that they were designed to pump within the amount described in their respective certificates. They will not be changed (increased) to pump an additional rate because of this transfer being authorized. When the proposed acres described for use with this temporary transfer are being irrigated no more water than has previously been authorized on the existing certificates will be pumped. That is to say, the rate from the existing wells will not be increased by the rate allowed under the transferred certificate acres. Instead, authorized irrigation of acres under the other water right certificates as described above will be discontinued to allow watering of the transferred acres.

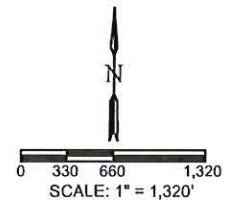
The 166.4 acres proposed with this Transfer described on map 3 of 3 are being proposed for supplemental irrigation to primary Umatilla River Water Rights. When the flow of the river drops during the irrigation season to a level requiring regulation of the primary rights, the ground water rights will be used. Thus, an estimated one acre-ft/season/acre of primary water right received from the river will reduce about 166.4 acre/ft needed from the ground water aquafer for the season for the acres involved in the transfer resulting in a substantial saving of ground water over what the historical use of the two Certificates at the original place of use.



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



*Colored portion only is from lands.*



LEGEND

- SECTION LINES
- - - Q-Q SECTION LINES
- TAX LOTS
- TL 200 TAX LOT NUMBER
- ▨ 25.9 ACRES POU FROM CERT 87368
- ▤ 25.9 ACRES POU TO
- ▧ 126.9 ACRES UNCHANGED

POINTS OF APPROPRIATION *(Auth)*

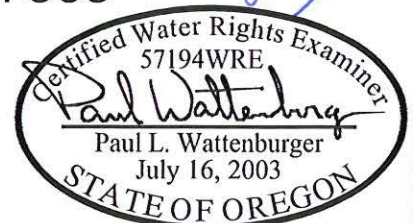
- POA WELL #1 □ 1210'N 1800'W FROM SE COR, SEC 23, T4N, R28E, W.M.
- POA WELL #3 ⊙ 1350'S 1330'W FROM NE COR, SEC 23, T4N, R28E, W.M.

Temporary Transfer Application Map  
Permit G-7183 Certificate 87368

In the name of Ivan Cook  
March 8th, 2019

*T-13154  
Map showing  
use of 25.9 acres  
and Auth. por.*

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



EXPIRES: 6/30/20







<a href="#">Select</a> Cert:75423 CF CR CN Additional Info: LAND L FARMS App: G7598 Permit: G7036 Cert: 75423	12/2/1976	SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)					<del>-36.1</del>												
<a href="#">Select</a> Cert:76051 CR CN Additional Info: TEEL IRRIGATION DISTRICT App: S32422 Permit: S25924 Cert: 76051	T9634, T8418, T8391, T9845, T9894, T10151, T10365, T10580, T10612, T10830, T10853, T11039, T11059, T11224, T11226, T11393, T11431, T11592, T11598, T11785, T11795, T12040, T12097, T12300, T12304, T12322, T8929, T12647, T13407, T9198, T14559	6/27/1958 IRRIGATION CN	<del>-36.7</del>	<del>-36.9</del>	<del>-23.9</del>	<del>-5.4</del>													
<a href="#">Select</a> Cert:80958 OR CN Additional Info: LAND L FARMS App: S62173 Permit: S48968 Cert: 80958	8/10/1981	IRRIGATION CN					<del>-31</del>	<del>-31.7</del>	<del>-31.9</del>	<del>-31.5</del>									
<a href="#">Select</a> Cert:80958 OR CN Additional Info: LAND L FARMS App: S62173 Permit: S48968 Cert: 80958	8/10/1981	SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)	<del>-36.7</del>	<del>-36.9</del>	<del>-32.2</del>	<del>-32</del>													
<a href="#">Select</a> Cert:81417 CR CN Additional Info: LAND L FARMS App: S62173 Permit: S48968 Cert: 81417	T10151, T10251	8/10/1981 IRRIGATION CN					<del>-31</del>	<del>-31.7</del>	<del>-31.9</del>	<del>-31.5</del>									
<a href="#">Select</a> Cert:81417 CR CN Additional Info: LAND L FARMS App: S62173 Permit: S48968 Cert: 81417	T10151, T10251	8/10/1981 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)	<del>-36.7</del>	<del>-36.9</del>	<del>-32.2</del>	<del>-32</del>													
<a href="#">Select</a> Permit: S 54675 CN Additional Info: AXA EQUITABLE AGRIFINANCE LLC	T13573	5/21/2007 IRRIGATION CN									<del>-31.3</del>	<del>-31.3</del>	<del>-31.2</del>	<del>-31.2</del>	6.7	<del>-31.3</del>	<del>-31.2</del>	<del>-31.2</del>	

App: S86866 Permit: S54675																				
<a href="#">Select</a> Permit: S 51017 CN  Additional Info: MADISON RANCHES INC. App: S70272 Permit: S51017	T13367	4/2/1990	IRRIGATION	CN																
<a href="#">Select</a> Permit: G 17354 CN  Additional Info: MADISON RANCHES INC. App: G17738 Permit: G17354	T13683	11/19/2013	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN																

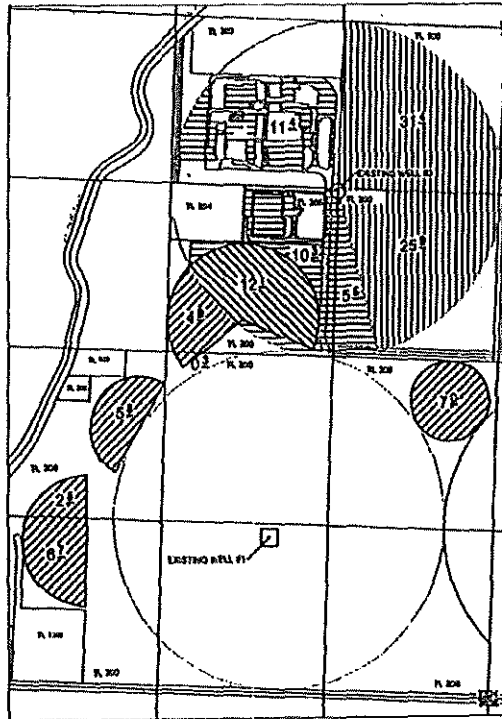
Acreage Legend: 12.25 Regular acreage ~~-12.25~~ Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended \* Acreage is not specified

RECEIVED





DEC 23 2011

WATER RESOURCES DEPT  
SALEM, OREGON



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



LEGEND

- TL 200 TAX LOT NUMBER
-  57.3 AC OF CERT 79889  
POU UNCHANGED
  -  12.1 AC OF CERT 79889  
POU UNCHANGED WITH  
ADDITIONAL POA
  -  27.2 AC OF CERT 79889  
POU CHANGED
  -  27.2 AC FROM CERT 79889  
TO NEW POU WITH  
ADDITIONAL POA

POINTS OF APPROPRIATION

- EXISTING WELL #3  1350'S 1330'W FROM NE COR,  
SEC 23, T4N, R28E, W.M.
- EXISTING WELL #1  1210'N 1800'W FROM SE COR,  
SEC 23, T4N, R28E, W.M.

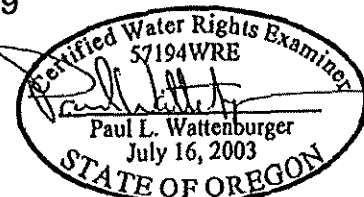
RECEIVED

FEB 05 2024

OWRD

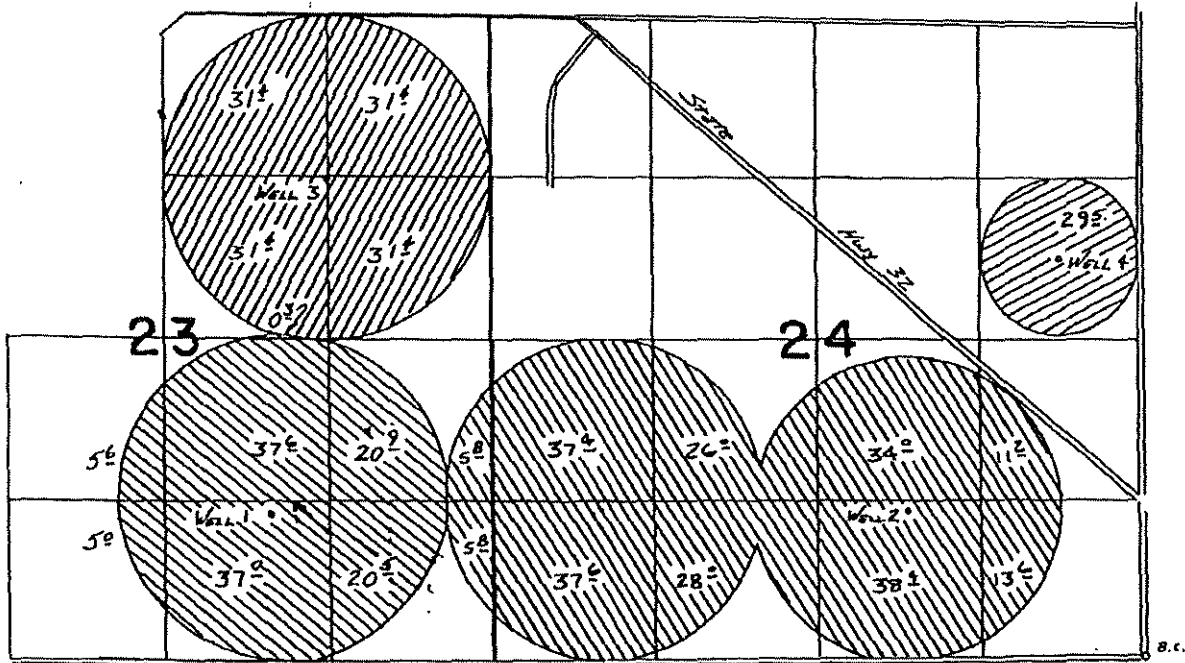
Transfer Map T-11254  
Under Transfer Certificate 79889  
In the name of Ivan Cook  
April 14th, 2011  
(September 13th, 2011)

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



EXPIRES: 6/30/12

T. 4N., R. 28E., W.M.



FEEDVILLE ROAD

Well 1 Loc: 1210' N. & 1800' W. FROM SE COR. SEC 23

Well 2 Loc: 1230' N. & 1910' W. FROM SE COR. SEC 24

Well 3 Loc: 1350' S. & 1330' W. FROM NE COR. SEC 23

Well 4 Loc: 660' N. & 670' W. FROM E 1/4 COR. SEC 24



**FINAL PROOF SURVEY**

UNDER

Application No. **G-7851**, Permit No. **G-7183**  
IN NAME OF

**VERNON B. IVAN COOK**

Surveyed **5-13**, 1982, by *H. L. Church*

RECEIVED

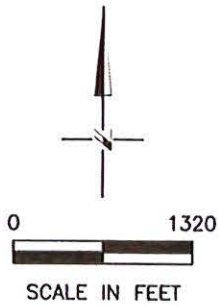
FEB 05 2024

OWRD

2232 222C

**TEMPORARY TRANSFER APPLICATION MAP**  
**FOR CERTIFICATES 87368 & 97371**  
**IN THE NAME OF THE STANFIELD HUTTERIAN BRETHERN c/o HERB STAHL**  
**SHEET 1 OF 3**

**"FROM MAP"**  
**SECTION 23, T4N, R28E, W.M., UMATILLA COUNTY**



**EXISTING POINTS OF APPROPRIATION**

- WELL #1, AUTH POA FOR CERT 87368 & 97371, 1210'N AND 1800'W FROM THE SE COR SEC 23, T4N R28E W.M.
- WELL #3, AUTH POA FOR CERT 87368 & 97371, 1350'S AND 1330'W FROM THE NE COR SEC 23, T4N R28E W.M.

**LEGEND - FROM ACRES**

- CERT 87368 ACRES PRIMARY IRRIG BEING TEMPORARILY TRANSFERRED (152.8 ACRES)
- CERT 97371 ACRES PRIMARY IRRIG BEING TEMPORARILY TRANSFERRED (39.3 ACRES)

**RECEIVED**

**FEB 05 2024**

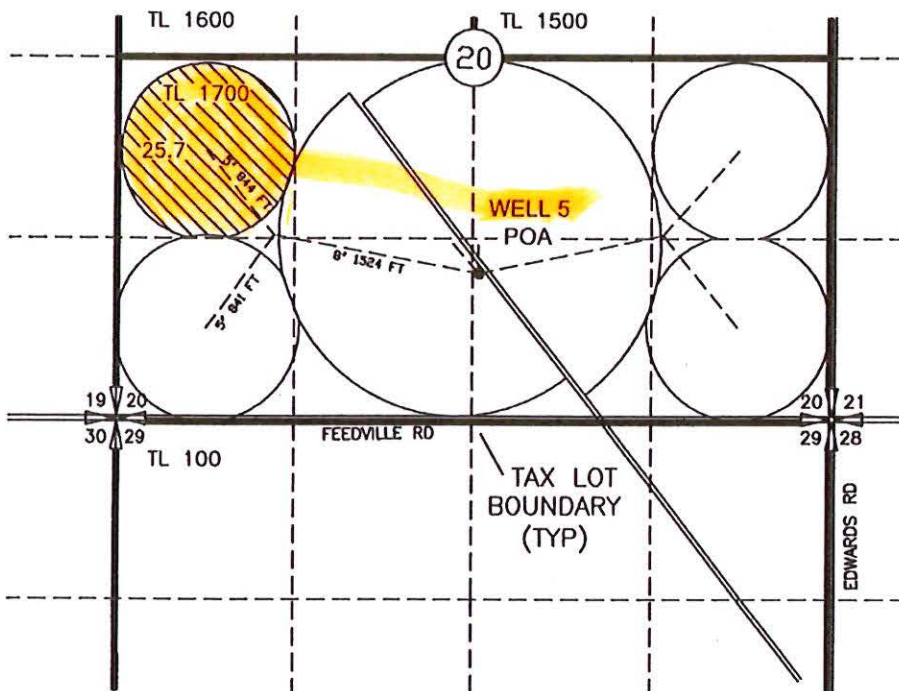
**OWRD**

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: Oct 5, 2023

**TEMPORARY TRANSFER APPLICATION MAP**  
**FOR CERTIFICATES 87368 & 97371**  
**IN THE NAME OF THE STANFIELD HUTTERIAN BRETHERN c/o HERB STAHL**  
**SHEET 2 OF 3**

**"TO MAP "**  
**SECTION 20, T4N, R29E, W.M., UMATILLA COUNTY**



**LEGEND - "TO ACRES"**


**PROPOSED POU CERT 97371**  
**25.7 ACRES SUPPLEMENTAL**  
**IRRIG (THIS SHEET)**

FOR ADDITIONAL "TO ACRES"  
 REFER TO SHEET 2 OF 3

**PROPOSED POINT OF APPROPRIATION**

**WELL 5 - POA**  
**1050' N AND 50' E FROM**  
**THE S1/4 COR OF SEC 20**

**RECEIVED**

**FEB 05 2024**

**OWRD**

DGV Consulting, PLLC  
 PHONE (509) 627-8717  
 dalevconsulting@gmail.com  
 Date: Oct 5, 2023

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.

**TEMPORARY TRANSFER APPLICATION MAP  
FOR CERTIFICATES 87368 & 97371  
IN THE NAME OF THE STANFIELD HUTTERIAN BRETHREN c/o HERB STAHL  
SHHET 3 OF 3**

**"TO MAP"  
SECTION 32, T3N, R28E, W.M., UMATILLA COUNTY**

PROPOSED POINTS OF APPROPRIATION

**SPARKS WELL** LOCATED AT 1300' N AND 60' W FROM THE SE CORNER NW 1/4 SE 1/4 OF SECTION 34, T3N, R28E WM

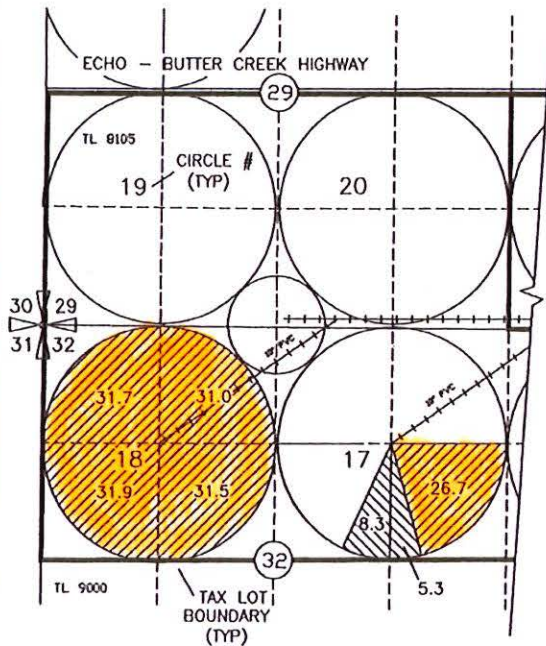
\* **L&L WELL #1**, 400HP \* LOCATED 960'N & 30'E FROM THE S 1/4 CORNER SECTION 26, T3N, R28E WM

\* **L&L WELL #2**, 350HP \* LOCATED 930'S FROM THE N 1/4 CORNER SECTION 26, T3N, R28E WM

\* **L&L WELL #3**, 400HP \* LOCATED 60'S & 820'E FROM THE NW CORNER SECTION 23, T3N, R28E, WM

\* THESE WELLS DURING THE TEMPORARY TRANSFER WILL BE ADDITIONAL POINTS OF APPROPRIATION TO SPARKS WELL PERMIT G-5812 CERTS 79993 & 76263

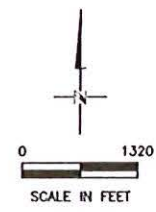
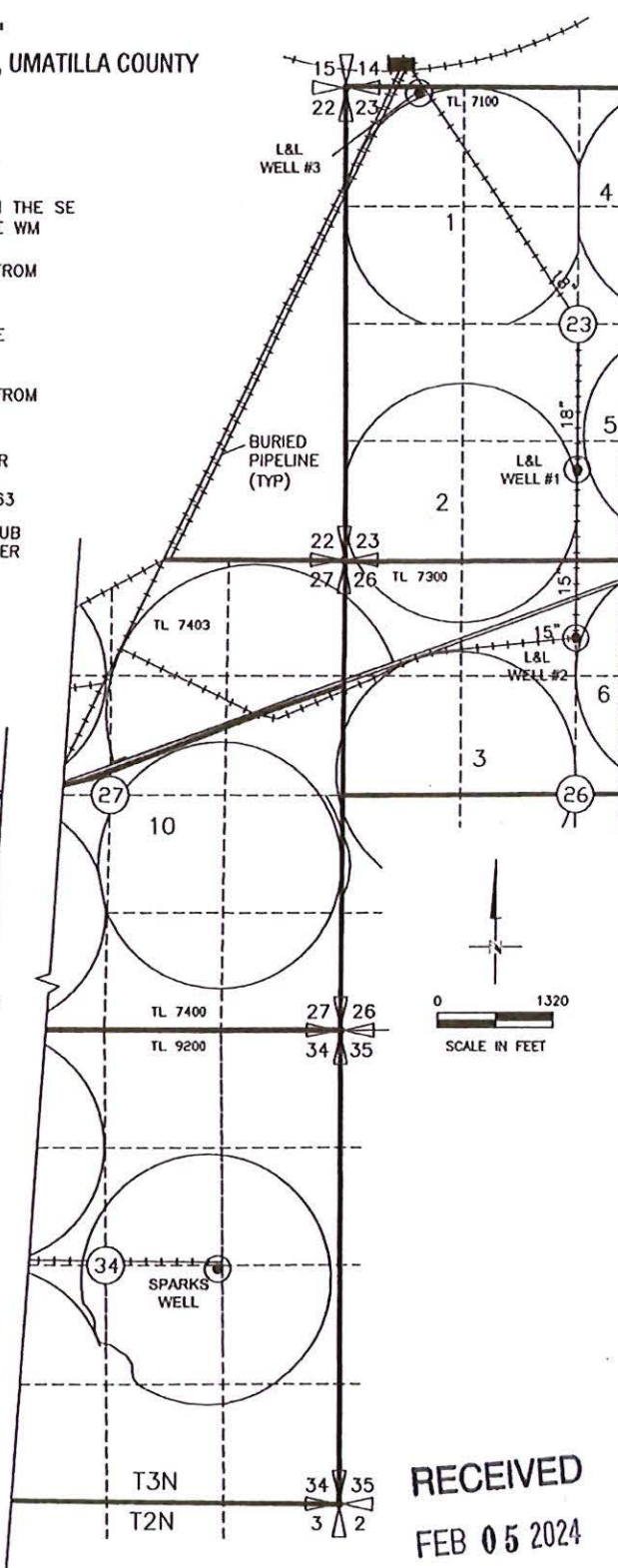
ALL OF THESE WELLS ARE IDENTIFIED AS BEING IN SUB AREA A OF THE STAGE GULCH CRITICAL GROUND WATER AREA



LEGEND - "TO ACRES"

- PROPOSED POU CERT 97371  
13.6 ACRES SUPPLEMENTAL IRRIG (THIS SHEET)
- PROPOSED POU CERT 87368  
152.8 ACRES SUPPLEMENTAL IRRIG (THIS SHEET)

FOR ADDITIONAL "TO ACRES" REFER TO SHEET 2 OF 3



**RECEIVED  
FEB 05 2024**

**OWRD**

**14403 -**

DGV Consulting, PLLC  
PHONE (509) 627-8717  
dolevconsulting@gmail.com  
Date: Oct 5, 2023

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.

# 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-14403

Review Due Date:

Applicant Name: Stanfield Hutterian Farm C/O Herb Stall

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): Greg Silbernagel

Date of Review: 06/21/2024

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable?  Yes  No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)

2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights?  Yes  No Generally characterize the frequency of any regulation or explain why regulation has not occurred:

This area is within the Stage Gulch Critical Groundwater Area and receives and allocation annually.

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:

The additional POA's are confusing and this needs cleaned up. The infrastructure is not connected and it would be difficult to distinguish total allowable quantities of water from each well based on how the application is proposed.

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:

I believe it is possible. This should not be an additional POA transfer application. The acreage being tranfered should be removed from the authroized POAs because the infrastructure is not connected.

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:

This transfer would end at the end of year 2028 - applicant has proposed 2029 but that is six years when including 2024. 2) defer to groundwater review regarding same source review.

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



**RICHMAN Elyse D \* WRD**

---

**From:** SILBERNAGEL Greg M \* WRD  
**Sent:** Friday, June 21, 2024 12:50 PM  
**To:** WRD\_DL\_transferreviews  
**Subject:** T-14403 WM Review  
**Attachments:** T-14403\_Stahls\_Temp 2024-2028.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** REVIEWS

This one is unique as they are proposing an additional POA but the lands aren't connected with infrastructure. I believe it should be an change in POA so that OWRD can accurately document water use.

Greg Silbernagel - Watermaster, District 5  
Oregon Water Resources Department  
116 SE Dorion Ave.  
Pendleton, OR 97801  
(541) 969-1677

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

# Groundwater Transfer Review Summary Form

Transfer/PA # T- 14403

GW Reviewer J. Hootsmans/A. Wentworth Date Review Completed: 5/2/2024

## Summary of Same Source Review:

The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

## Summary of Injury Review:

The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

## Summary of GW-SW Transfer Similarity Review:

The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

*This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.*



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1271  
 (503) 986-0900  
 www.wrd.state.or.us

## Ground Water Review Form:

- Water Right Transfer
- Permit Amendment
- GR Modification
- Other

Application: T-14403

Applicant Name: Stanfield Hutterian Farm C/O Herb Stahl

Proposed Changes:  POA     APOA     SW→GW     RA  
 USE     POU     OTHER

Reviewer(s): J. Hootsmans/A. Wentworth

Date of Review: 5/2/2024

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 6/4/25

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- Other \_\_\_\_\_

1. Basic description of the changes proposed in this transfer: The applicant proposes to change the place of use for Certificate 97371 and Certificate 87368. The applicant also proposes additional POAs for Certificate 97371 and Certificate 87368. The temporary transfer for Certificate 87368 would result in supplemental use to Certificates 83083 and 75554. The temporary transfer for Certificate 97371 would result in supplemental use to Certificates 83083, 75554 and 96886. The authorized and proposed POAs associated with these water rights are displayed in Table 1 and Figure 1.

Table 1:

Certificate	Authorized POAs/PODs	Proposed POAs/PODs (original name, bolded text is name used in application)	Proposed Place of Use (POU) Changes
87368	UMAT 55585 UMAT 2507	UMAT 1224 ( <b>50476</b> ) UMAT 1215 UMAT 1216 UMAT 1214 ( <b>56600</b> )	From 152.8 acres to 152.8 acres
97371	UMAT 55585 UMAT 2507	UMAT 2881 ( <b>5409</b> ) UMAT 1224 ( <b>50476</b> ) UMAT 1215 UMAT 1216 UMAT 1214 ( <b>56600</b> )	From 39.3 acres to 39.3 acres

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
 Yes    No   Comments: All of the authorized From-POAs and the proposed To-POAs are all developed in basalt in the Stage Gulch Critical Groundwater Subarea A.
  
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?  
 Yes    No All Authorized and Proposed POAs develop water from the Columbia River Basalt Group.

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): \_\_\_\_\_
  
4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?  
 Yes    No   Comments: Pumping at the maximum authorized rate from the proposed APOA UMAT 1224 (2.4 cfs) will likely result in 5.9 feet of additional interference with nearest existing groundwater right (UMAT 1233; Cert. 80652, Cert. 61534, and Cert. 95542) (Figure 2). Pumping at the maximum proposed rate from UMAT 2881 (0.49 cfs) will result in approximately 1.0 feet of additional interference at the nearest existing groundwater right (UMAT 2937, Certificate 76119) (Figure 3).

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?  
 Yes    No   If yes, explain: \_\_\_\_\_
  
5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?  
 Yes    No   Comments:
 

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?  
 Stream: \_\_\_\_\_    Minimal    Significant  
 Stream: \_\_\_\_\_    Minimal    Significant  
 Provide context for minimal/significant impact: \_\_\_\_\_
  
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?  
 Yes    No   Comments: \_\_\_\_\_
  
7. What conditions or other changes in the application are necessary to address any potential issues identified above: \_\_\_\_\_
  
8. Any additional comments: \_\_\_\_\_

Figure 1. Map of Authorized POA, Proposed APOA, and nearby wells listed by aquifer system.

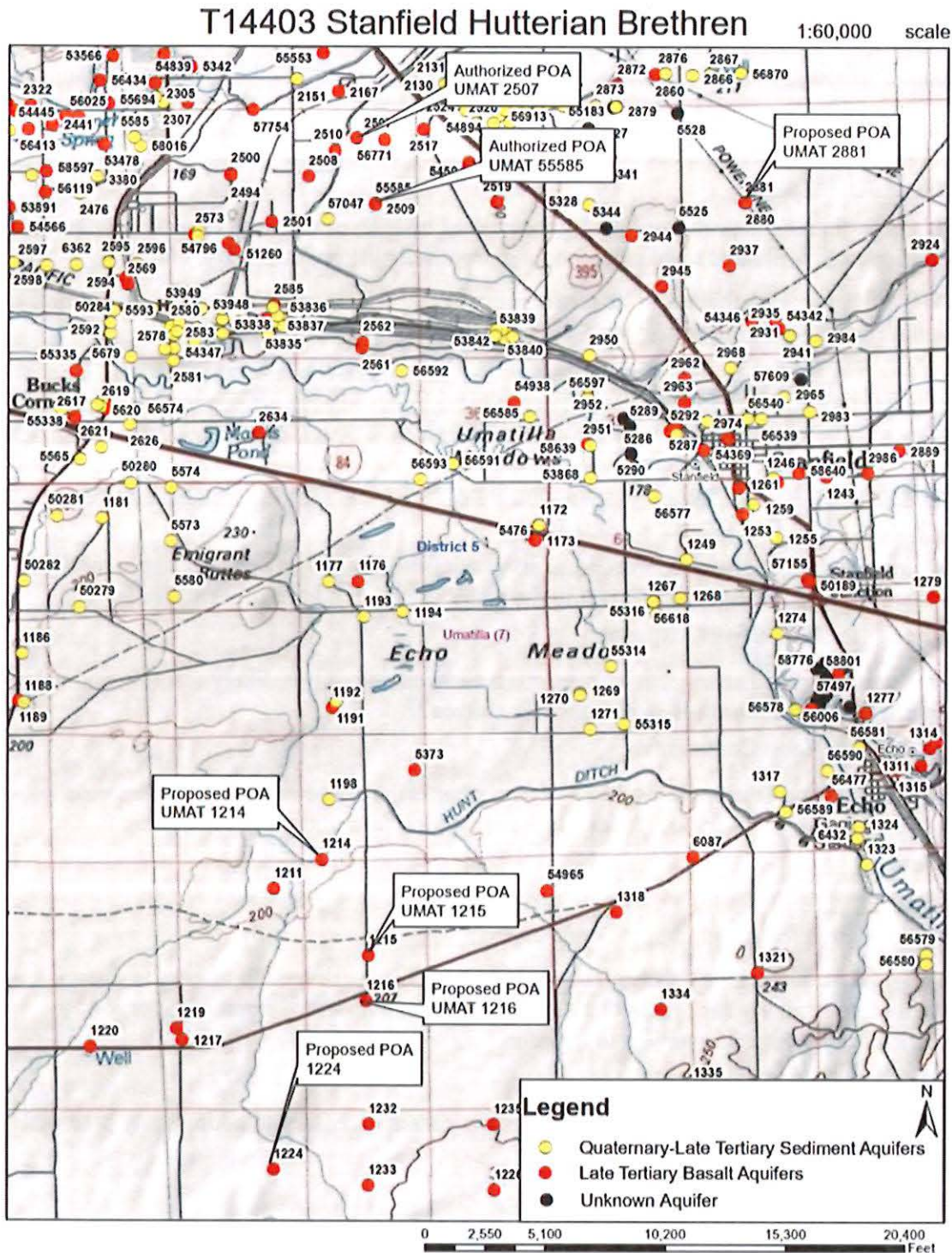


Figure 2. Estimated interference drawdown at the nearest existing water right POD (UMAT 1233) from pumping at the Proposed APOA UMAT 1224. Model inputs for aquifer properties referenced from aquifer test data reported in Zwart 1990.

Show Instructions	Total Model Time [d]:	500			
Run Models	Pumping Time [d]:	274			
	Pumping Rate [gpm]:	<input checked="" type="checkbox"/> cfs	2.4		
Export Values	Distance [ft]:	<input type="checkbox"/> miles	4000	5280	<input type="checkbox"/> Use 2nd Dist.
	Min / Max T [ft <sup>2</sup> /d]:	5000	1000	50000	log(mu) 3
Close Program	Min / Max S [-]:	0.00024	0.001	0.0005	log(sigma) 0.5
	Select Model Type to run:	Single Model	Discrete Models	Range Models	# Runs: 200
	Select Distribution Type:	Uniform-Linear (enter min/max)		Log-Normal (enter mean/std)	

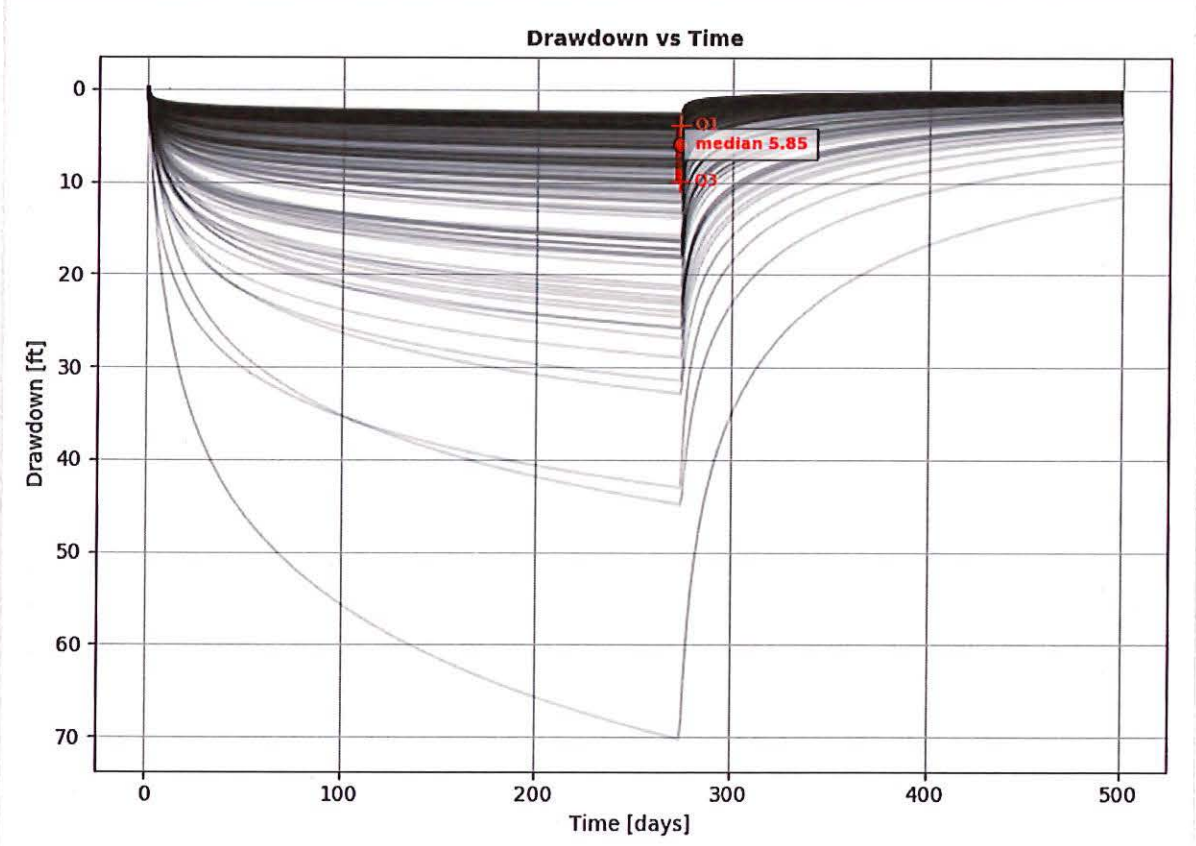
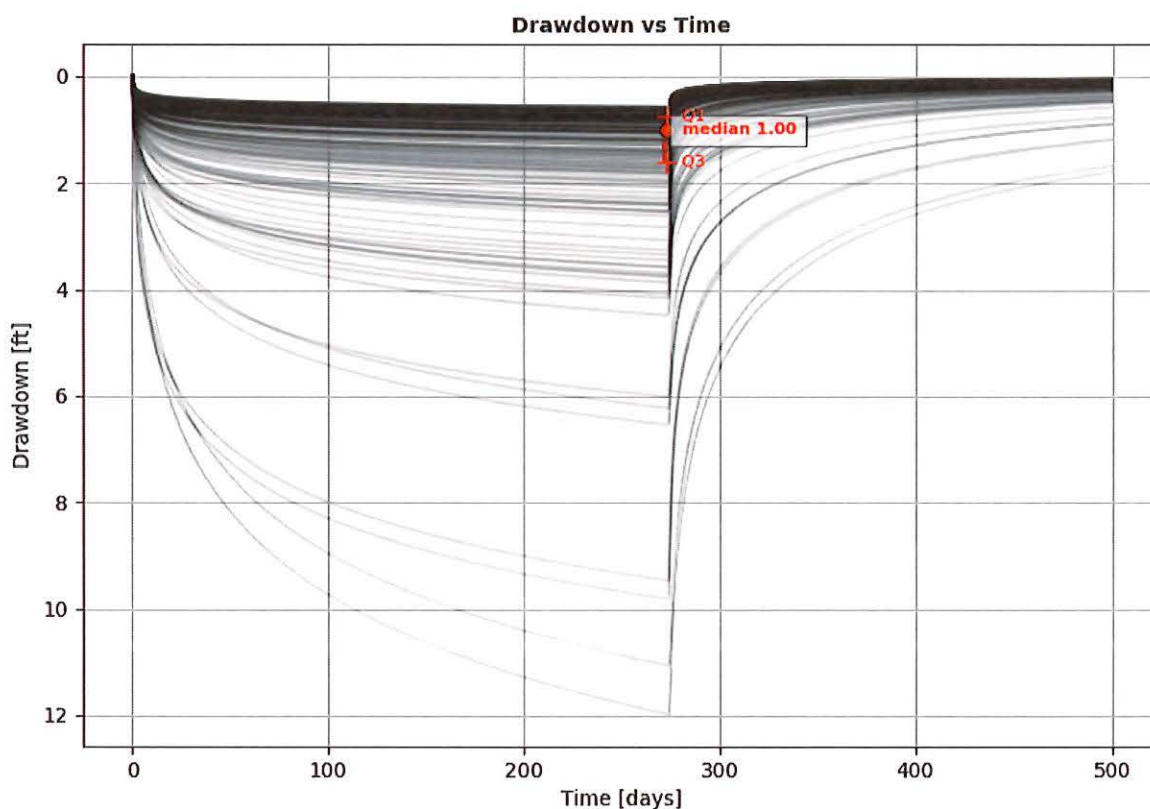


Figure 3. Estimated interference drawdown at the nearest existing water right POD (UMAT 2937) from pumping at the Proposed APOA UMAT 2881. Model inputs for aquifer properties referenced from aquifer test data reported in Zwart 1990.

Show Instructions	Total Model Time [d]:	500	
	Pumping Time [d]:	274	
Run Models	Pumping Rate [gpm]:	<input checked="" type="checkbox"/> cfs	0.49
	Distance [ft]:	<input type="checkbox"/> miles	2740 5280 <input type="checkbox"/> Use 2nd Dist.
Export Values	Min / Max T [ft <sup>2</sup> /d]:	5000 1000 50000	log(mu) 3 log(sigma) 0.5
	Min / Max S [-]:	0.00024 0.001 0.0005	-3 0.5
Close Program	Select Model Type to run:	Single Model Discrete Models Range Models	# Runs: 200
	Select Distribution Type:	Uniform-Linear (enter min/max) Log-Normal (enter mean/std)	



**References**

Zwart, M. J. 1990. "Groundwater Conditions in the Stage Gulch Area, Umatilla County, Oregon." 35. Ground Water Report. Salem, OR: Oregon Water Resources Department. A4. GW Library.



# 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

February 8, 2024

Herb Stahl  
36345 Despain Gulch Rd  
Stanfield, OR 97875

Reference: Application T-14403

On February 5, 2024, the Department received your water right Temporary Transfer Application. The application was accompanied by \$1178.67. Receipt number 142365 is enclosed.

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

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

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

If you have any questions, please contact the Transfer Section at (503) 986-0935.

Cc: Watermaster Dist. #5, Gregory M. Silbernagel (via email)  
Bill Porfily, Agent  
Umatilla County, Local Government

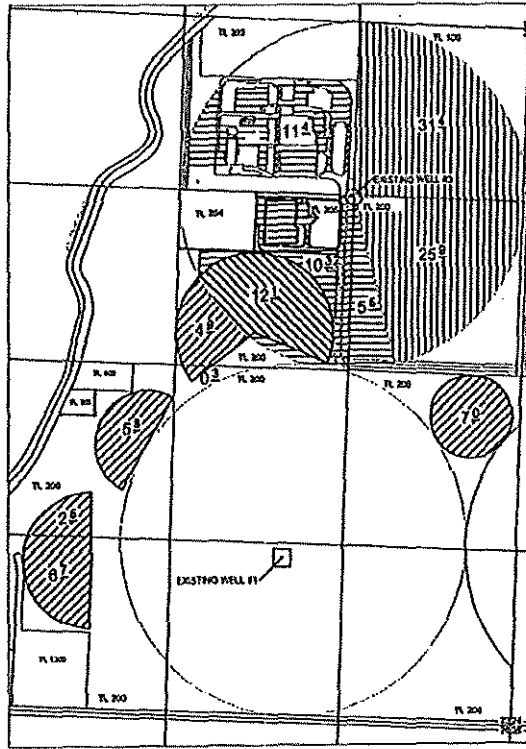
Enclosure

RECEIVED





DEC 23 2011

WATER RESOURCES DEPT  
SALEM, OREGON



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



LEGEND

- TL 200 TAX LOT NUMBER
-  57.3 AC OF CERT 79889  
POU UNCHANGED
-  12.1 AC OF CERT 79889  
POU UNCHANGED WITH  
ADDITIONAL POA
-  27.2 AC OF CERT 79889  
POU CHANGED
-  27.2 AC FROM CERT 79889  
TO NEW POU WITH  
ADDITIONAL POA

POINTS OF APPROPRIATION

- EXISTING WELL #3  1350'S 1330'W FROM NE COR,  
SEC 23, T4N, R28E, W.M.
- EXISTING WELL #1  1210'N 1800'W FROM SE COR,  
SEC 23, T4N, R28E, W.M.

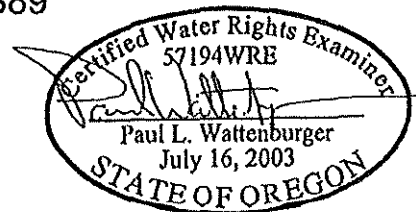
RECEIVED

FEB 05 2024

OWRD

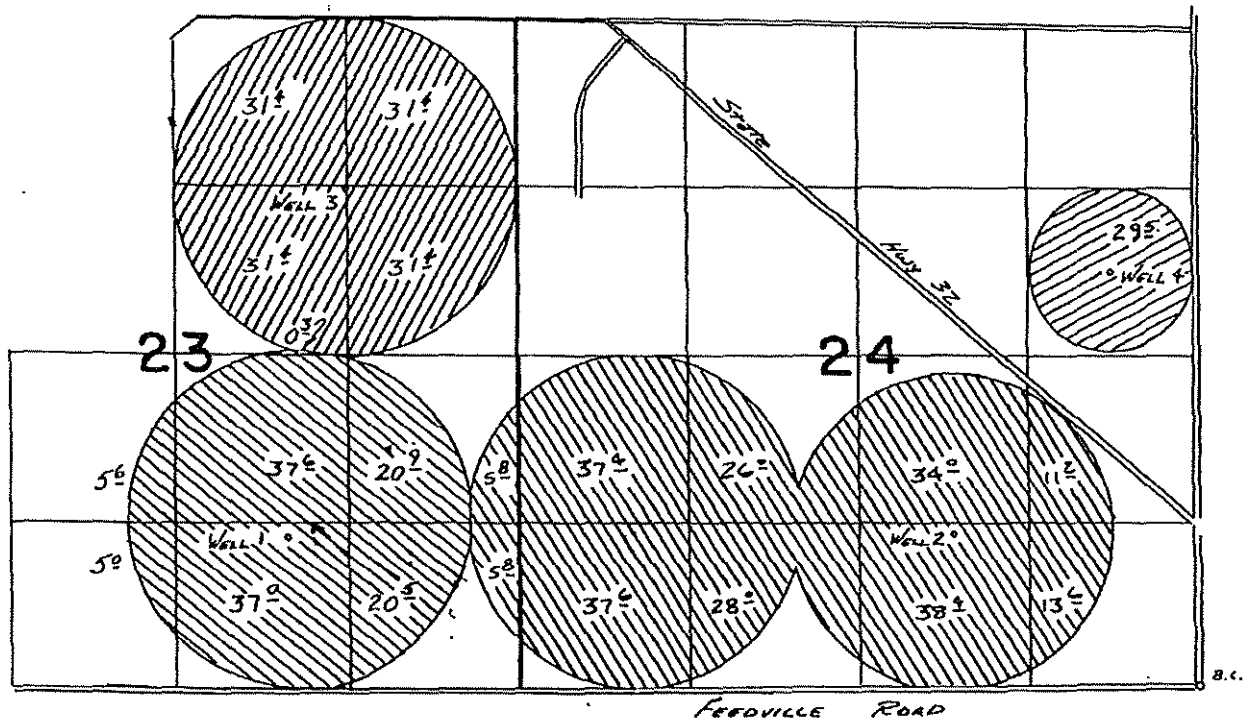
Transfer Map T-11254  
Under Transfer Certificate 79889  
In the name of Ivan Cook  
April 14th, 2011  
(September 13th, 2011)

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



EXPIRES: 6/30/12

T. 4N., R. 28E., W.M.



Well 1 Loc: 1210'N. & 1800'W. FROM SE COR. SEC 23  
 Well 2 Loc: 1230'N. & 1910'W. FROM SE COR. SEC 24  
 Well 3 Loc: 1350'S. & 1330'W. FROM NE COR. SEC 23  
 Well 4 Loc: 660'N. & 670'W. FROM E 1/4 COR. SEC 24



**FINAL PROOF SURVEY**  
 UNDER

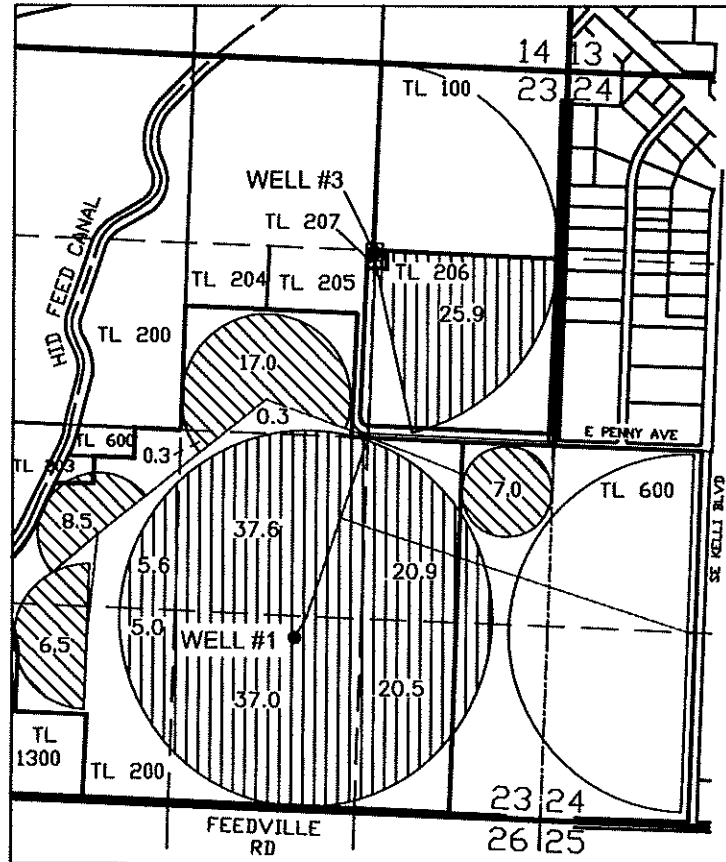
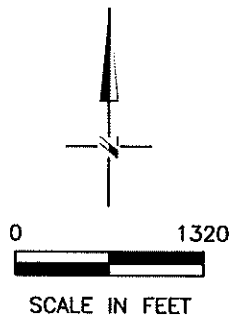
Application No. **G-7851** Permit No. **G-7183**  
 IN NAME OF  
**VERNON & IVAN COOK**  
 Surveyed 5-13 1982, by W. J. Church

**RECEIVED**  
**FEB 05 2024**  
**OWRD**

2232 2226

**TEMPORARY TRANSFER APPLICATION MAP**  
**FOR CERTIFICATES 87368 & 97371**  
**IN THE NAME OF THE STANFIELD HUTTERIAN BRETHERN c/o HERB STAHL**  
**SHEET 1 OF 3**

**"FROM MAP"**  
**SECTION 23, T4N, R28E, W.M., UMATILLA COUNTY**



**EXISTING POINTS OF APPROPRIATION**

- WELL #1, AUTH POA FOR CERT 87368 & 97371, 1210'N AND 1800'W FROM THE SE COR SEC 23, T4N R28E W.M.
- WELL #3, AUTH POA FOR CERT 87368 & 97371, 1350'S AND 1330'W FROM THE NE COR SEC 23, T4N R28E W.M.

**LEGEND - FROM ACRES**

- CERT 87368 ACRES PRIMARY IRRIG BEING TEMPORARILY TRANSFERRED (152.8 ACRES)
- CERT 97371 ACRES PRIMARY IRRIG BEING TEMPORARILY TRANSFERRED (39.3 ACRES)

**RECEIVED**

**FEB 05 2024**

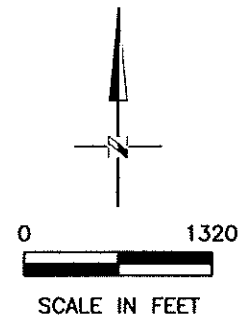
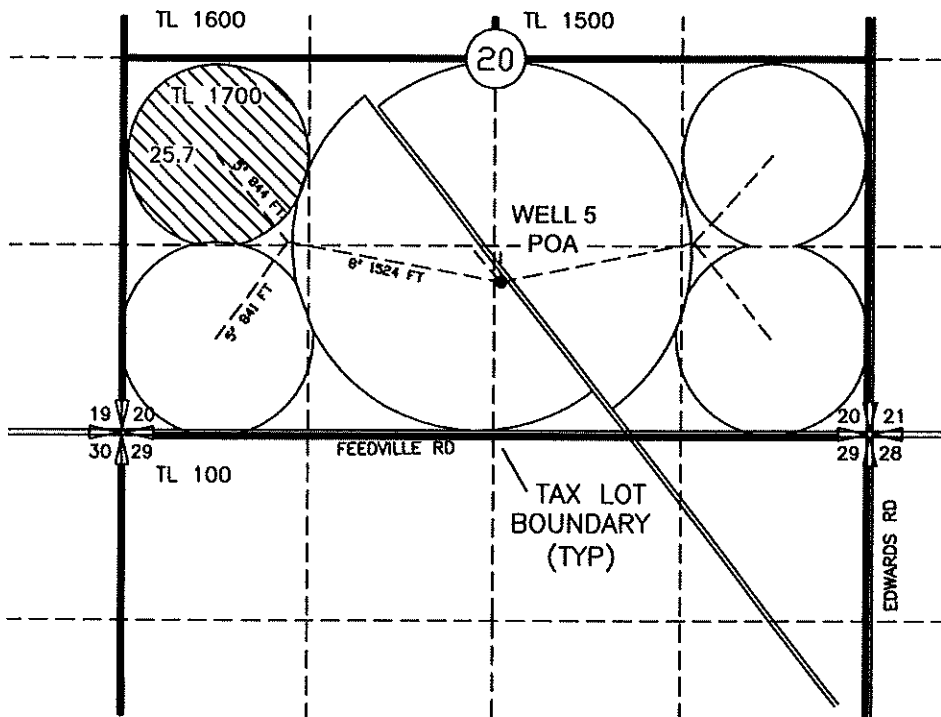
**OWRD**

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: Oct 5, 2023

**TEMPORARY TRANSFER APPLICATION MAP**  
**FOR CERTIFICATES 87368 & 97371**  
**IN THE NAME OF THE STANFIELD HUTTERIAN BRETHREN c/o HERB STAHL**  
**SHEET 2 OF 3**

**"TO MAP "**  
**SECTION 20, T4N, R29E, W.M., UMATILLA COUNTY**



**LEGEND – "TO ACRES"**

**PROPOSED POU CERT 97371**  
**25.7 ACRES SUPPLEMENTAL**  
**IRRIG (THIS SHEET)**

**FOR ADDITIONAL "TO ACRES"**  
**REFER TO SHEET 2 OF 3**

**PROPOSED POINT**  
**OF APPROPRIATION**

**WELL 5- POA**  
**1050' N AND 50' E FROM**  
**THE S1/4 COR OF SEC 20**

**RECEIVED**

**FEB 05 2024**

**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: Oct 5, 2023**

**TEMPORARY TRANSFER APPLICATION MAP  
FOR CERTIFICATES 87368 & 97371  
IN THE NAME OF THE STANFIELD HUTTERIAN BRETHREN c/o HERB STAHL  
SHEET 3 OF 3**

**"TO MAP"  
SECTION 32, T3N, R28E, W.M., UMATILLA COUNTY**

PROPOSED POINTS OF APPROPRIATION

SPARKS WELL LOCATED AT 1300' N AND 60' W FROM THE SE CORNER NW 1/4 SE 1/4 OF SECTION 34, T3N, R28E WM

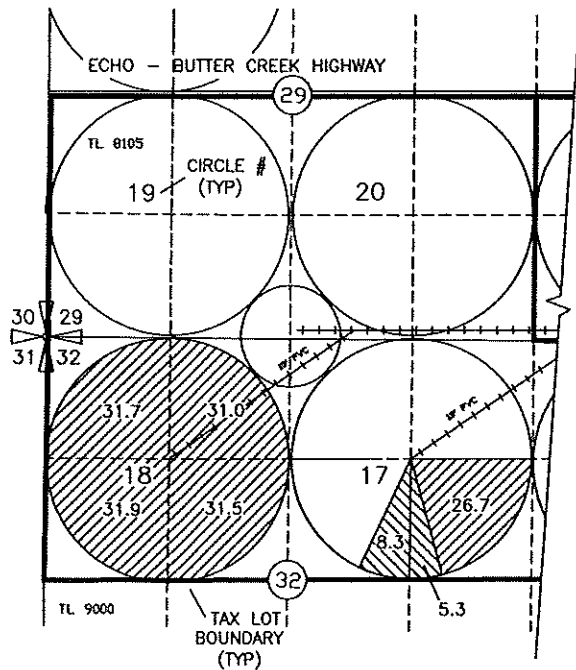
\* L&L WELL #1, 400HP \* LOCATED 960' N & 30' E FROM THE S 1/4 CORNER SECTION 23, T3N, R28E WM

\* L&L WELL #2, 350HP \* LOCATED 930' S FROM THE N 1/4 CORNER SECTION 26, T3N, R28E WM

\* L&L WELL #3, 400HP \* LOCATED 60' S & 820' E FROM THE NW CORNER SECTION 23, T3N, R28E, WM

\* THESE WELLS DURING THE TEMPORARY TRANSFER WILL BE ADDITIONAL POINTS OF APPROPRIATION TO SPARKS WELL PERMIT G-5812 CERTS 79993 & 76263

ALL OF THESE WELLS ARE IDENTIFIED AS BEING IN SUB AREA A OF THE STAGE GULCH CRITICAL GROUND WATER AREA

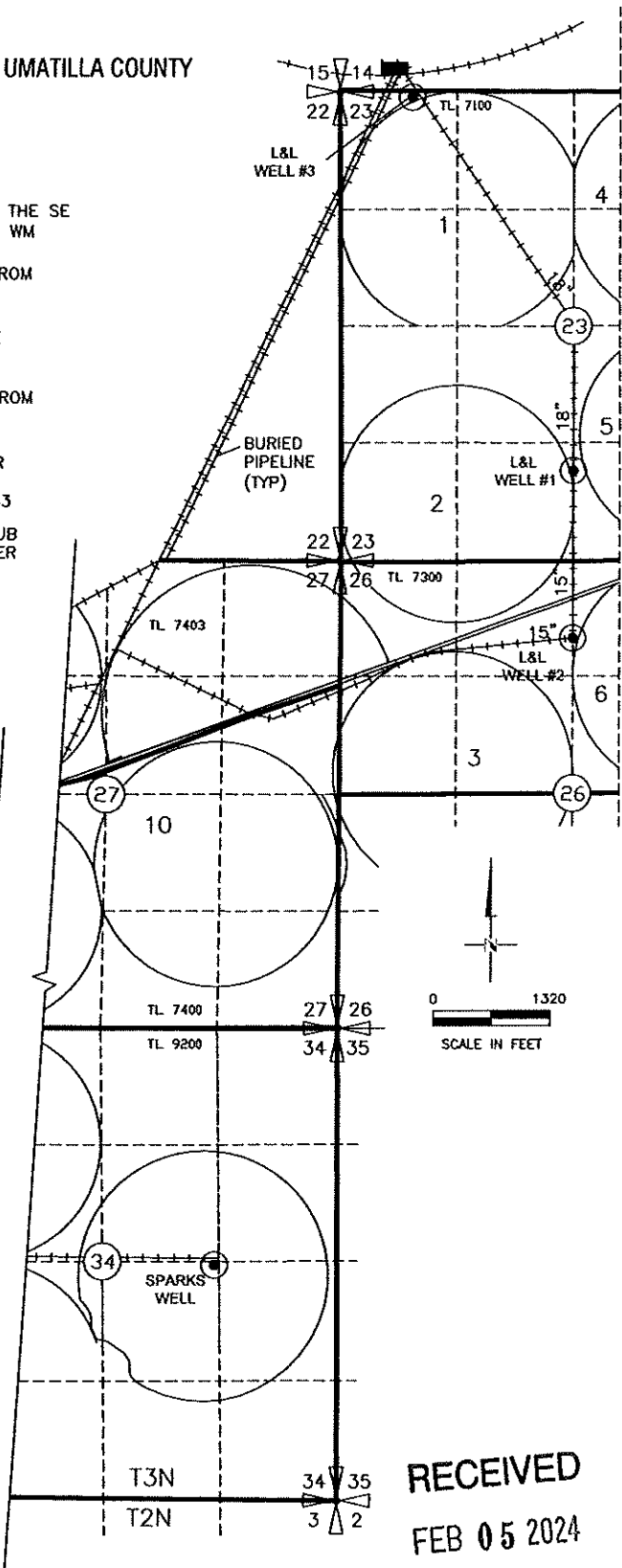


**LEGEND - "TO ACRES"**

PROPOSED POA CERT 97371  
13.6 ACRES SUPPLEMENTAL IRRIG (THIS SHEET)

PROPOSED POA CERT 87368  
152.8 ACRES SUPPLEMENTAL IRRIG (THIS SHEET)

FOR ADDITIONAL "TO ACRES"  
REFER TO SHEET 2 OF 3



**RECEIVED  
FEB 05 2024**

**OWRD**

14403 -

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.

**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 # **142366**

INVOICE # \_\_\_\_\_

RECEIVED FROM: PORELLY Water Rights Consulting  
BY: \_\_\_\_\_

APPLICATION	_____
PERMIT	_____
TRANSFER	<u>T-14403</u>

CASH:  CHECK:# 7238 OTHER: (IDENTIFY)

TOTAL REC'D \$ 600.00

**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**

0407 COPY & TAPE FEES \$ \_\_\_\_\_ 46110  
 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	\$ <u>600.00</u>	
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 (FW/WRD) \$ \_\_\_\_\_  
 0231 HYDRO LICENSE FEE (FW/WRD) \$ \_\_\_\_\_  
 \_\_\_\_\_ HYDRO APPLICATION \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

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

RECEIPT: **142366** DATED: 2-5-2024 BY: m mills

**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 # **142365**

INVOICE # \_\_\_\_\_

RECEIVED FROM: <u>Windy River</u>	APPLICATION
BY: _____	PERMIT
CASH: <input type="checkbox"/>	TRANSFER <u>T-14403</u>
CHECK: # <u>13168</u> <input checked="" type="checkbox"/>	TOTAL REC'D \$ <u>1178.67</u>
OTHER: (IDENTIFY) _____ <input type="checkbox"/>	

<b>1083 TREASURY 4170 WRD MISC CASH ACCT</b>
0407 COPIES \$ _____
OTHER: (IDENTIFY) _____ \$ _____
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

<b>4270 WRD OPERATING ACCT</b>			
MISCELLANEOUS			
0407 COPY & TAPE FEES <u>46110</u>			\$ _____
0410 RESEARCH FEES			\$ _____
0408 MISC REVENUE: (IDENTIFY) _____			\$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____			\$ _____
0240 EXTENSION OF TIME			\$ _____
<b>WATER RIGHTS:</b>			
	<b>EXAM FEE</b>		<b>RECORD FEE</b>
0201 SURFACE WATER	\$ _____	0202	\$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ <u>1178.67</u>		
<b>WELL CONSTRUCTION</b>			
	<b>EXAM FEE</b>		<b>LICENSE FEE</b>
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
LANDOWNER'S PERMIT		0220	\$ _____
OTHER (IDENTIFY) _____			

<b>0536 TREASURY 0437 WELL CONST. START FEE</b>			
0211 WELL CONST START FEE	\$ _____	CARD#	_____
0210 MONITORING WELLS	\$ _____	CARD#	_____
OTHER (IDENTIFY) _____			

<b>0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER</b>			
0233 POWER LICENSE FEE (FW/WRD)			\$ _____
0231 HYDRO LICENSE FEE (FW/WRD)			\$ _____
HYDRO APPLICATION			\$ _____

<b>TREASURY OTHER / RDX</b>			
FUND _____	TITLE _____		
OBJ. CODE _____	VENDOR # _____		
DESCRIPTION _____			\$ _____

RECEIPT: **142365** DATED: 2-5-2024 BY: m mills

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



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

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

**FOR ALL TEMPORARY TRANSFER APPLICATIONS**

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 2** List them here: [87368](#) and [97371](#)  
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2024 End Year: 2029.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

**Attachments:**

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

**(For Staff Use Only)**

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

<input type="checkbox"/> Application fee not enclosed/insufficient <input type="checkbox"/> Land Use Form not enclosed or incomplete <input type="checkbox"/> Additional signature(s) required Other/Explanation _____ Staff: _____ Phone: _____ Date: ____/____/____	<input type="checkbox"/> Map not included or incomplete <input type="checkbox"/> Part ____ is incomplete
---	---

RECEIVED

FEB 05 2024

OWRD

Part 2 of 5 – Temporary Transfer Application Map Checklist

RECEIVED

FEB 05 2024

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

OWRD

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

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

14403 -



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

**Applicant Information**

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

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

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

Explain in your own words what you propose to accomplish with this transfer application and why:  
**We have sold the land involved with these certificates, but have retained the water rights to be re-located in an effort to prevent the five years non-use.**

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

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

 Applicant signature	<b>Herb Stahl</b> Print Name (and Title if applicable)	Date <b>1/4/24</b>
 Applicant signature	<b>Bob Levy</b> Print Name (and Title if applicable)	Date <b>1/26/2024</b>

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No **Attached is the sales contract agreement between the new land owner and the Stanfield Hutterian Farm showing the Stanfield Hutterian Farm retained the water rights.**

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

**RECEIVED**  
**FEB 05 2024**  
**OWRD**

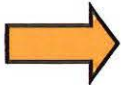
**14403 - TACS**

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

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME <i>Umatilla County</i>	ADDRESS <i>216 SE 4th</i>	
CITY <i>Pendleton</i>	STATE <i>OR</i>	ZIP <i>97801</i>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

**RECEIVED**

**FEB 05 2024**

**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 rows to tables within the form.

Water Right Certificate # 87368

**RECEIVED**

**Description of Water Delivery System**

FEB 05 2024

System capacity: **Well 1: 1.59 Well 3: 0.32** cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

**OWRD**

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. [See Application Maps](#)

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 55585	4	N	28	E	23	SW	SE	TL 200	1210 Ft N and 1800 Ft W from the SE corner of Section 23
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 2507	4	N	28	E	23	SW	NE	TL 206	1350 Ft S and 1330 Ft W from the NE corner of Section 23
Sparks Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 50476	3	N	28	E	34	NW	SE	TL 9200	1300 Ft N and 60 Ft W from the SE corner of Sec 34
L&L #1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 1215	3	N	28	E	23	SE	SW	TL 7100	960 Ft N & 30 Ft E from the S corner of Sec 23
L&L #2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 1216	3	N	28	E	26	NE	NW	TL 7300	930 Ft S from the N ¼ corner of Sec 26
L&L #3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 56600	3	N	28	E	23	NW	NW	TL 7100	60 Ft S and 820 Ft E from the NW corner of Sec 23

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

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

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

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

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

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

RECEIVED

FEB 05 2024

OWRD

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 Temporary Changes to Water Right Certificate # 87368**

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

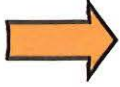
AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
4	N	28	E 23 SW NE	200		.3	IRR	WELL 1	2/25/1977		3	N	28	E 32 NE NW	8105		31.0	Supp. Irr	Sparks, L&L #1, L&L#2, L&L #3 Wells	2/25/1977		
4	N	28	E 23 SE NE	200		25.9	IRR	WELL 3	2/25/1977		3	N	28	E 32 NW NW	8105		31.7	Supp. Irr	Sparks, L&L #1, L&L#2, L&L #3 Wells	2/25/1977		
4	N	28	E 23 NE SW	200		20.9	IRR	WELL 1	2/25/1977		3	N	28	E 32 SW NW	8105		31.9	Supp. Irr	Sparks, L&L #1, L&L#2, L&L #3 Wells	2/25/1977		
4	N	28	E 23 NW SE	200		37.6	IRR	WELL 1	2/25/1977		3	N	28	E 32 SE NW	8105		31.5	Supp. Irr	Sparks, L&L #1, L&L#2, L&L #3 Wells	2/25/1977		
4	N	28	E 23 SW SE	200		37.0	IRR	WELL 1	2/25/1977		3	N	28	E 32 SE NE	8105		26.7	Supp. Irr	Sparks, L&L #1, L&L#2, L&L #3 Wells	2/25/1977		
4	N	28	E 23 SE SE	200		20.5	IRR	WELL 1	2/25/1977													



**For Place of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: [83083 & 75554 \(To Lands\)](#)



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

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

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

**AND/OR**

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

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

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

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

**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 rows to tables within the form.

**Water Right Certificate # 97371**

System capacity: .49 cubic feet per second (cfs)

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. [See Application Map](#)

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or Is It Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 55585	4	N	28	E	23	SW	SE	TL 200	1210 Ft N and 1800 Ft W from the SE corner of Section 23
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 2507	4	N	28	E	23	SW	NE	TL 206	1350 Ft S and 1330 Ft W from the NE corner of Section 23
Well #5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 5409	4	N	29	E	20	SW	SE	TL 300	1050 Ft N and 50 Ft E from the S ¼ corner of sec 20
Sparks Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 50476	3	N	28	E	34	NW	SE	TL 9200	1300 Ft N and 60 Ft W from the SE corner of Sec 34
L&L #1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 1215	3	N	28	E	23	SE	SW	TL 7100	960 Ft N & 30 Ft E from the S corner of Sec 23
L&L #2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 1216	3	N	28	E	26	NE	NW	TL 7300	930 Ft S from the N ¼ corner of Sec 26
L&L #3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 56600	3	N	28	E	23	NW	NW	TL 7100	60 Ft S and 820 Ft E from the NW corner of Sec 23

**RECEIVED**  
FEB 05 2024

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

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

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

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

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

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

**RECEIVED**

**FEB 05 2024**

**OWRD**

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 Temporary Changes to Water Right Certificate #**

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DL C	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
4	N	28	E	23	NE	SE	200	7.0	IRR	WELL 3	2/25/1977	3	N	28	E	32	SE	NE	8105	5.3	Supp. Irr	Sparks, L&L #1, L&L #2, L&L #3, #5 Wells	2/25/1977	
4	N	28	E	23	NW	SE	200	.3	IRR	WELL 3	2/25/1977	3	N	28	E	32	SW	NE	8105	8.3	Supp. Irr	Sparks, L&L #1, L&L #2, L&L #3, #5 Wells	2/25/1977	
4	N	28	E	23	SW	NE	200	12.1	IRR	WELL 1	2/25/1977	4	N	29	E	20	NW	SW	1700	25.7	Supp. Irr	Sparks, L&L #1, L&L #2, L&L #3, #5 Wells	2/25/1977	
4	N	28	E	23	SW	NE	200	4.9	IRR	WELL 3	2/25/1977													
4	N	28	E	23	NE	SW	200	8.5	IRR	WELL 3	2/25/1977													
4	N	28	E	23	SE	SW	200	6.5	IRR	WELL 3	2/25/1977													
TOTAL ACRES							39.3											TOTAL ACRES	39.3					

Additional remarks: [This will be Supplemental to Certificate 83083, 75554 and 96886](#)

RECEIVED

FEB 05 2024

OWRD

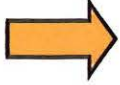
TACS

14403 -

**For Place of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: 83083, 75554 & 96886 (To Lands)



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

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

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

**AND/OR**

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

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

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

14403 -

RECEIVED

FEB 05 2024

# Land Use Information Form

Applicant(s): Stanfield Hutterian Farm C/O Herb Stahl/ Bob Levy

Mailing Address: 1000 HWY 395 S

City: Hermiston

State: OR

Zip Code: 97838

Daytime Phone: 541-449-8627

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>3N</u>	<u>28E</u>	<u>32</u>	<u>NW</u>	<u>8105</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>SUPP IRR</u>
<u>3N</u>	<u>28E</u>	<u>32</u>	<u>SE NE</u>	<u>8105</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>SUPP IRR</u>
<u>3N</u>	<u>28E</u>	<u>32</u>	<u>SW NE</u>	<u>8105</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>SUPP IRR</u>
<u>4N</u>	<u>29E</u>	<u>20</u>	<u>NW SW</u>	<u>1700</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>SUPP IRR</u>

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

Umatilla County

## B. Description of Proposed Use

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

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

Source of water:  Reservoir/Pond   
 Ground Water   
 Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 2.4   
 cubic feet per second   
 gallons per minute   
 acre-feet

Intended use of water:  Irrigation   
 Commercial   
 Industrial   
 Domestic for \_\_\_\_\_ household(s)  
 Municipal   
 Quasi-Municipal   
 Instream   
 Other \_\_\_\_\_

Briefly describe:

We plan to temporarily transfer ground water to Supplement Irrigation to already existing surface water rights.

RECEIVED

FEB 05 2024

OWRD



**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.

# 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 Section 152.056 (A), Farm Use
- 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
	<b>RECEIVED</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>FEB 05 2024</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>OWRD</b>	<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: CAROL JOHNSON Title: PLANNER

Signature:  Phone: 541-278-6252 Date: 11/02/2023

Government Entity: UMATILLA COUNTY

**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: \_\_\_\_\_

# 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, Stanfield Hutterian Farm C/O Herb Stahl, in my capacity as, Irrigation Manager

mailing address 36345 DESPAIN GULCH RD STANFIELD, OR 97875

telephone number (541)626-3386, being first duly sworn depose and say:

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

- Personal observation                       Professional expertise

RECEIVED

FEB 05 2024

2. I attest that:

- Water was used during the previous five years on the entire place of use for Certificate # 87368 and 97371; OR

OWRD

- 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)

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)

(continues on reverse side)

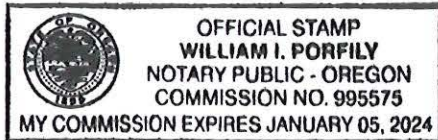
3. The water right was used for: (e.g., crops, pasture, etc.): IRRIGATION CROPS

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

1/4/24  
Date

Signed and sworn to (or affirmed) before me this 4 day of Jan, 2024.



William I. Porfily  
Notary Public for Oregon

My Commission Expires: Jan 5, 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 <b>confirming</b> 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"> <li>● Power usage records for pumps associated with irrigation use</li> <li>● Fertilizer or seed bills related to irrigated crops</li> <li>● Farmers Co-op sales receipt</li> </ul>
<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"> <li>● District assessment records for water delivered</li> <li>● Crop reports submitted under a federal loan agreement</li> <li>● Beneficial use reports from district</li> <li>● IRS Farm Usage Deduction Report</li> <li>● Agricultural Stabilization Plan</li> <li>● CREP Report</li> </ul>
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph  <a href="#">2020 Google Earth Aerial Photo</a>	<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 – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a>            OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a>            Google Earth – <a href="http://earth.google.com">earth.google.com</a>            TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

**RECEIVED**  
**FEB 05 2024**  
**OWRD**

14403 -

**Evidence of use**

4N 28E Section 23  
Date: February 2020

**Legend**

- Feature 4
- OR T4N R28E

RECEIVED  
FEB 05 2024  
OWRD  
14403

Google Earth

Earth Point

1000 ft

Image © 2023 CNES / Airbus



AmeriTitle 541 274AM

After Recording, Return To:

ATTN: Valerie Rapp, VP, Senior Advisory Escrow Officer  
Fidelity National Title – National Commercial Services  
4400 MacArthur Blvd, Suite 200, Newport Beach, CA 92660  
Direct telephone: 949-477-3646; Email: Valerie.Rapp@fnf.com

Send All Tax Statements To:

Amazon Data Services, Inc.  
ATTN: Property Tax (AWS) PDX245  
PO Box 80416  
Seattle, WA 98108-0416

Grantor:

Stanfield Hutterian Brethren

Grantee:

Amazon Data Services, Inc.

Consideration: [REDACTED]

State of Oregon County of Umatilla REC-DE Pgs=14 \$70.00 \$11.00 \$10.00 \$80.00 \$10.00 Office of County Records <i>Steve Churchill</i> UMATILLA COUNTY	2022-7490811 12/07/2022 04:13:00 PM \$161.00
--	--

STATUTORY WARRANTY DEED  
ORS 93.850

The STANFIELD HUTTERIAN BRETHREN, an Oregon nonprofit (religious) corporation, GRANTOR, conveys and warrants to AMAZON DATA SERVICES, INC., a Delaware corporation, GRANTEE, the following described real property situated in Umatilla County, Oregon, free of encumbrances except as specifically set forth herein, to-wit:

The real property described in Exhibit "A" attached hereto (the "Property").

EXCEPTING AND RESERVING UNTO GRANTOR all right, title and interest in those irrigation water rights appurtenant to the land evidenced by the two following water right documents:

1. State of Oregon County of Umatilla Certificate of Water Right #87368 issued in the name of Ivan Cook, dated January 5, 2012, and recorded in the Oregon State Record of Water Right Certificates, and numbered 87368; and
2. Water Resources Department of the State of Oregon Transfer Application Transfer T-11254, Umatilla County, related to State of Oregon Certificate of Water Rights Certificate #79889, which transfer was approved with Final Order Approving an Additional Point of Appropriation and Change in Place of Use by the Oregon Water Resources Department on January 5, 2012, by Special Order, and recorded in Special Order Volume 85, Page 859-862, of the Oregon Water Resources Records;

true and correct copies of Water Right Certificate 87368 and Water Right Transfer T-11254 are attached hereto in Exhibit A-1.

AND BEING SUBJECT TO those exceptions described on EXHIBIT B attached hereto and by this reference incorporated herein.

The true and actual consideration for this conveyance is \$8,399,580.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

RECEIVED  
FEB 05 2024

OWRD

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

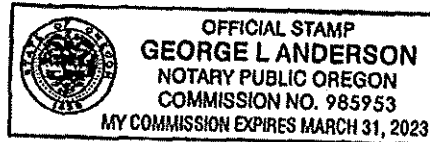
MADE, GRANTED AND DATED ON 12-02, 2022.

STANFIELD HUTTERIAN BRETHREN,  
an Oregon nonprofit (religious) corporation

By: [Signature]  
Arnold Stahl, President

STATE OF OREGON, County of Umatilla  
This instrument was acknowledged before me on Dec. 2, 2022, by Arnold Stahl, the President of the Stanfield Hutterian Brethren, an Oregon nonprofit (religious) corporation, and on its behalf.

[Signature]  
Notary Public, State of Oregon      NOTARY SEAL +



\\g\stahl\remaining acreage\ deed

RECEIVED  
FEB 05 2024  
OWRD

**EXHIBIT A TO STATUTORY WARRANTY DEED**

**PROPERTY DESCRIPTION**

Lot 1 as shown on the STAHL REPLAT - A REPLAT OF PARCEL 1 OF PARTITION PLAT 1997-06 & PARCEL 2 OF PARTITION PLAT 2019-08 (Document No. 2019-6940037, Office of Umatilla County Records, as corrected by that certain Affidavit of Correction (REPLAT) dated as of November 21, 2022, and recorded on November 22, 2022, as Document No. 2022-7490475 Office of Umatilla County Records), located in Section 23, Township 4 North, Range 28, East of the Willamette Meridian, City of Hermiston, Umatilla County, Oregon (consisting of approximately 199.99 acres).

**RECEIVED**

**FEB 05 2024**

**OWRD**

**EXHIBIT A-1 TO STATUTORY WARRANTY DEED**  
**Water Right Documents Certificate 87368 and Transfer T-11254**  
*(attached)*

**RECEIVED**  
**FEB 05 2024**  
**OWRD**

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

IVAN COOK  
1870 S. 1<sup>st</sup> STREET  
HERMISTON, OR 97838-7104

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

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

The wells are located as follows:

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

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

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

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

RECEIVED

FEB 05 2024

OWRD

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

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

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

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

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

RECEIVED  
FEB 05 2024  
OWRD

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

In the Matter of Transfer Application            )    FINAL ORDER APPROVING AN  
T-11254, Umatilla County                        )    ADDITIONAL POINT OF  
  )    APPROPRIATION AND CHANGE IN  
  )    PLACE OF USE

**Authority**

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

IVAN COOK  
1870 S 1ST STREET  
HERMISTON, OR 97838

**Agent**

DR. PAUL WATTENBURGER  
505 E MAIN ST  
HERMISTON, OR 97838

**Findings of Fact**

**Background**

1. On June 2, 2011, IVAN COOK filed an application to change the point of appropriation and to change the place of use under Certificate 79889. The Department assigned the application number T-11254.
2. On September 13, 2011, the agent submitted an amended application map clarifying that the transfer was for an additional point of appropriation.
3. The portion of the right to be transferred is as follows:

**Certificate:** 79889 in the name of VERNON AND IVAN COOK (perfected under Permit G-7183)

**Use:** IRRIGATION OF 39.3 ACRES

**Priority Date:** FEBRUARY 25, 1977

**Rate:** 0.49 CUBIC FOOT PER SECOND

**RECEIVED**

**FEB 05 2024**

**OWRD**

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

**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-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** WELL 3 within the UMATILLA RIVER BASIN

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	28 E	WM	23	SW NE	WELL 3 - 1350 FEET SOUTH AND 1330 FEET WEST FROM THE NE CORNER OF SECTION 23

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Type of Change Proposed
4 N	28 E	WM	23	NW NE	11.4	APOA and POU
4 N	28 E	WM	23	SW NE	12.1	APOA
4 N	28 E	WM	23	SW NE	10.3	APOA and POU
4 N	28 E	WM	23	SE NE	5.5	APOA and POU
<b>TOTAL:</b>					<b>39.3</b>	

APOA means additional point of appropriation  
POU means place of use

4. Transfer Application T-11254 proposes an additional point of appropriation approximately 2720 feet South and 470 feet West from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	28 E	WM	23	SW SE	WELL 1 - 1210 FEET NORTH AND 1800 FEET WEST FROM THE SE CORNER OF SECTION 23

5. In addition to proposing an additional point of appropriation, Transfer Application T-11254 also proposes to change the place of use of a portion of the water right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Type of Change Proposed	Tax Lot
4 N	28 E	WM	23	SW NE	12.1	APOA	200
4 N	28 E	WM	23	SW NE	4.9	APOA and POU	200
4 N	28 E	WM	23	NE SW	8.3	APOA and POU	200
4 N	28 E	WM	23	SE SW	6.7	APOA and POU	200
4 N	28 E	WM	23	NE SE	7.0	APOA and POU	200
4 N	28 E	WM	23	NW SE	0.3	APOA and POU	200
<b>TOTAL:</b>					<b>39.3</b>		

RECEIVED  
FEB 05 2024  
OWRD

6. Notice of the application for transfer was published on June 7, 2011, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

7. On September 13, 2011, Department staff met with the agent and hand delivered copy of the Draft Preliminary Determination proposing to approve Transfer Application T-11254. On September 29, 2011, 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.

8. On October 7, 2011, the Department issued a Preliminary Determination proposing to approve Transfer Application T-11254 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on October 11, 2011, and in the Hermiston Herald newspaper on October 29, November 5 and November 12, 2011, pursuant to ORS 540.520 and OAR 690-380-4020.
9. On November 10, 2011, Hale Farms, LLC timely submitted a Protest of the Preliminary Determination. No other timely protests were received by the Department.
10. On December 12, 2011, Hale Farms, LLC withdrew its protest of the Preliminary Determination.
11. On December 20, 2011, the agent verified that an additional point of appropriation for 12.1 acres proposed in the transfer application had been inadvertently omitted from the Preliminary Determination. The additional point of appropriation for the 12.1 acres is now included in this order.

***Transfer Review Criteria (OAR 690-380-4010)***

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 record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
13. A pump, pipeline, and sprinkler 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-11254.
14. The proposed changes would not result in enlargement of the right.
15. The proposed changes would not result in injury to other water rights.

**Conclusions of Law**

The additional point of appropriation and place of use proposed in Transfer Application T-11254 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. The application is approved pursuant to the terms and conditions below.

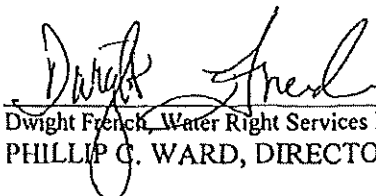
**Now, therefore, it is ORDERED:**

1. The additional point of appropriation and change in place of use proposed in Transfer Application T-11254 are approved.

**RECEIVED**  
**FEB 05 2024**  
**OWRD**

2. The right to the use of 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 79889 and any related decree.
3. Transfers T-11254, T-11255 and T-11256 all modify water right certificate 79889. Certificate 79889 will be cancelled upon issuance of the final orders for these transfers. A new certificate will be issued describing those portions of the right not affected by these transfers.
4. The quantity of water diverted at the new point of appropriation, together with the additional point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2013. 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 changes and full beneficial use of the water.
9. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 5 day of January, 2012.

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

RECEIVED  
 FEB 05 2024  
 OWRD

Mailing Date: JAN 09 2012

EXHIBIT B TO STATUTORY WARRANTY DEED

PERMITTED EXCEPTIONS

1. Taxes deferred, as disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said Land is disqualified for such use the property will be subject to additional taxes or penalties and interest, none now due and payable.
2. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Hermiston Irrigation District, none now due and payable.
3. Reservation of Coal and Iron, including the terms and provisions contained therein, in deed from Northern Pacific Railway Company, a corporation.  
Recorded: April 8, 1939  
Book: 155, Page 274
4. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument: Granted To: Columbia Basin Electric Cooperative, Inc.  
Recorded: June 20, 1949  
Book: 189, Page: 342
5. Easement or easements, including the terms and provisions thereof, as contained in instrument,  
Recorded: March 6, 1980  
Reel: 62, Page: 1418
6. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument: Granted To: Umatilla Electric Cooperative Association  
Recorded: May 19, 1980  
Reel: 65, Page: 1433
7. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument: Granted To: Pacific Power & Light Company  
Recorded: July 9, 1980  
Reel: 67, Page: 1528  
  
Amended by instrument,  
Recorded: November 12, 1980  
Reel: 73, Page: 798
8. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument: Granted To: Pacific Telephone and Telegraph Company  
Recorded: January 20, 1999  
Instrument No.: 1999-3440050
9. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument: Granted To: Umatilla Electric Cooperative Association  
Recorded: November 28, 2001  
Instrument No.: 2001-4010321
10. Easements as shown on the Partition Plat No. 2008-25
11. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument: Granted To: PacifiCorp  
Recorded: March 17, 2009  
Instrument No.: 2009-5480611

RECEIVED  
FEB 05 2024

12. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument: Granted To: City of Hermiston, dba Hermiston Energy Services  
Recorded: November 16, 2011  
Instrument No.: 2011-5850092
13. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument: Granted To: City of Hermiston, dba Hermiston Energy Services  
Recorded: December 14, 2015  
Instrument No.: 2015-6370556
14. Rights of Stanfield Hutterian Brethren, an Oregon non-profit corporation, in possession, as tenant only, under that certain unrecorded Lease Agreement, dated December 6, 2022 without option to purchase or right of first refusal.

*[end of Exhibit B]*

RECEIVED

FEB 05 2024

OWRD

## Temporary Transfer Application Intake Checklist

**Transfer # T-14403**

Reviewer Nick Date 2/7/2024	Type of Change(s) Proposed: <b>MUST INCLUDE A CHANGE IN PLACE OF USE</b> <input type="checkbox"/> POU <input type="checkbox"/> POU/POD <input checked="" type="checkbox"/> POU/APOD <input type="checkbox"/> POU/POA <input type="checkbox"/> POU/APOA
Calculated Fee \$1778.67	Fee Received \$1778.67
Certificate(s): 87368, 97371	Check <b>ALL</b> Certs in WRIS to confirm they are not cancelled
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why?      Use the flow chart for multiple Certs	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Notes: Trasfer timeframe is six years.	

<b>Application: OAR 690-380-3000; OAR 690-380-3220</b>				
1.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Have <b>ALL</b> of the applicant's signed and dated the application? If no, whose signature is missing?	
2.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Part 5 of application: Does the information match the description of the explanation on Part 4 of the application?	
3.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	For multiple certificates: Each certificate proposed for transfer has their own separate completed Part 5, Tables 1 & 2? If no, which certificate(s) are missing separate Part 5, Tables 1 & 2?

<b>Map Requirements: OAR 690-380-3100</b>				
4.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Map included and meets mapping requirements?	
5.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Map Waiver? The map waiver must be issued by the Department
Notes:				

<b>Attachments: OAR 690-380-3000</b>				
6.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Evidence of Use included, signed, & notarized w/supporting documentation?	
	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Current recorded deed for the land from which the authorized place of use is temporarily being moved included?	
	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Affidavit of Consent from Landowner(s) described on the deed?
7.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	Land Use Form included and signed by the County?
8.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	District: Place of use is in <u>or</u> near an irrigation district? If Yes, is Form D included? Name of the District
9.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A	For changes in POA/APOA – are the well logs included?
10.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A	For change in POU within Umatilla County, Supplemental Form U included?

<input type="checkbox"/>	<b>Application complete:</b> no deficiencies identified, assign a T-number and put this checklist in T-folder.
<input type="checkbox"/>	<b>Application DEFICIENT: DO NOT accept</b> - return to applicant with letter explaining deficiencies identified.