

Application for Water Right Drought Temporary Transfer



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

This application will be returned if Parts 1 through Part 4 and all required attachments are not completed and included upon submittal.

Part 1 of 4 – Drought Temporary Transfer Application Minimum Requirements Checklist

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

☒	Part 1 – Completed Minimum Requirements Checklist.
☒	Part 2 – Completed Drought Temporary Transfer Application Map Checklist.
☒	Part 3 – Completed Applicant Information and Signature. NOTE: If the applicant is a public agency, corporation or business, trust, or other organization, the title or authority of the person who signs the application on behalf of the entity and evidence of signatory authority or a signed statement that such authority exists must be included.
☒	Part 4 – Information about Transferred Water Rights/Determined Claims: How many water rights/determined claims are to be transferred? <u>2</u> List them here: <u>72286, 90060</u> Please include a separate Part 4 for each water right - see instructions on last page.
☒	Application Fee - payable by check to the Oregon Water Resources Department (OWRD). The online fee calculator is located: https://apps.wrd.state.or.us/apps/wr/wr_transfer_calculator/drought_temporary_transfer.aspx
Required Attachments:	
☒	Completed Drought Temporary Transfer Application Map.
☒ Yes ☐ N/A	Completed Evidence of Use Affidavit and supporting documentation.
☐ Yes ☒ 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. NOTE: This form is 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.
☒	Current recorded deed for the land from which the authorized place of use is temporarily being moved.
☐ Yes ☒ N/A	Affidavit(s) of Consent from Deeded Landowner(s) or Deeded Water Right Holder(s) - NOTE: only if the applicant does not own the land on which the water right is located or if the water right was severed from the land and conveyed separately to other individuals/entities.
☒ Yes ☐ N/A	Supplemental Form D –water rights/claims proposed for transfer are or will be located within or served by an irrigation or other water district AND the district is not the applicant
☐ Yes ☒ N/A	Supplemental Form U -For water rights <u>involving irrigation</u> within portions of Morrow & Umatilla Counties <u>only</u> .
Required Groundwater Attachments:	
☐ Yes ☒ N/A	Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
☐ Yes ☒ N/A	Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

Part 2 of 4 – Drought Temporary Transfer Application Map Requirements Checklist

The application will be returned if any of the map requirements listed below are not met. Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map.	
Check all boxes that apply. The map need not be prepared by a Certified Water Right Examiner (CWRE)	
☐ Yes ☒ N/A	If more than three water rights are involved, a separate map for each water right is required.
☒	Permanent quality printed with dark ink on polyester film or good quality paper. Maps may also be submitted as a PDF (portable document format) if they meet all other requirements.
☒	The preferred size is 8½ x 11 inches and should be no larger than 30 x 30 inches (one extra map copy is required for 30 x 30 inch maps). To request a waiver for a map larger than 30 x 30 inches, please send an email to mapwaiver@water.oregon.gov .
☒	A north arrow and a legend.
☒	Include the scale, which must be even-numbered and not exceed 1 inch = 1,320 feet. To request a waiver for a map scale that exceeds 1 inch = 1,320 feet, please send an email to mapwaiver@water.oregon.gov .
☒	Township, Range, Section, ¼ ¼, tax lot boundaries (property lines) and tax lot numbers, DLC, Government Lot, and other recognized public land survey lines.
☒	Major physical features including rivers, creeks, streams, lakes, reservoirs, ponds, roads and railroads. For any surface water on the map, indicate the direction of flow.
☒	All point(s) of diversion (POD for surface water), point(s) of appropriation (POA for wells/groundwater), or dam location(s) (or center of reservoir(s) if no dam exists) authorized by the water right(s), clearly labeled, shown by distance and bearing, or by coordinates (distance north/south and distance east/west) from a recognized public land survey corner. (This information can be found in the water right certificate or decree.) In addition, include latitude and longitude for each POD or POA in degrees-decimal with five or more digits after the decimal (example – 44.53764°) and the datum used (example – NAD 83, NAD 27 or WGS 84).
☐ Yes ☒ N/A	If a change in point(s) of diversion (POD for surface water) or a change in point(s) of appropriation (POA for wells/ groundwater) is proposed, include the proposed location(s), clearly labeled, shown by distance and bearing, or by coordinates (distance north/south and distance east/west) from a recognized public land survey corner. In addition, include latitude and longitude for each POD/POA in degrees-decimal with five or more digits after the decimal (example – 44.53764°) and the datum used (example – NAD 83, NAD 27 or WGS 84).
☒	General location of main canals, ditches, flumes, pipelines, pumps, or other water delivery features used to transport water from the point(s) of diversion, and/or reservoir/pond to the place of use, including delivery features at the place of use.
☒	Place of use (POU) by Township, Range, Section, and ¼ ¼, that includes separate hachuring for lands affected by changes proposed in this application, for lands left unchanged and not affected by this application, for each water right, for each priority date, for each use, and served by each point of diversion (POD), point of appropriation (POA), and/or reservoir/pond (POD).
☐ Yes ☒ N/A	For a place of use limited to a point, like a stock watering tank, include latitude and longitude for the place of use in degrees-decimal with five or more digits after the decimal (example – 44.53764°) and the datum used (example – NAD 83, NAD 27 or WGS 84).
☒ Yes ☐ N/A	If the use is irrigation, nursery, cranberry, or other similar uses with acreage associated with it, the place of use must include the number of acres in each quarter-quarter (¼ ¼) section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
☐ Yes ☒ N/A	If the use is supplemental irrigation, include the location(s) and water right reference number of the underlying primary right, registration, or claim.

Received

**Part 3 of 4 – Drought Temporary Transfer Application
Applicant Information and Signature**

Applicant Information

APPLICANT/BUSINESS NAME Delbert Stephens	PHONE NO(S). 541-910-1001	E-MAIL farmerdel@gmail.com	
ADDRESS 46226 Rock Creek Town Rd	CITY Haines	STATE OR	ZIP 97833

DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE.

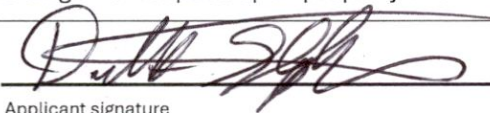
IMPORTANT NOTE - Electronic forms of documents: Beginning April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system (wrd_automated_email@water.oregon.gov).

Consider adding this email address to your safe sender list.

- ☒ The applicant is the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located. **NOTE: If the applicant is not the sole owner, include signatures of all deeded landowners (and mailing and e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/ entities to which the water right(s) were conveyed.**
- ☐ The person signing this application is doing so on behalf of a public agency, corporation or business, trust, or other organization and must provide evidence of signatory authority or a signed statement that such authority exists must be attached to this application.

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

I (we) also affirm that I (we) understand that approval of the change(s) proposed in this application does not constitute a right to trespass upon property or ditches not owned or controlled by the applicant.

 Delbert Stephens 6-30-26
Applicant signature Print Name (and Title if applicable) Date

Applicant signature

Print Name (and Title if applicable)

Date

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

AGENT/BUSINESS NAME	PHONE NO(S)	EMAIL ADDRESS	
ADDRESS	CITY	STATE	ZIP

DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE. HOWEVER, ANY PROPOSED FINAL ORDER WILL BE SENT BY CERTIFIED MAIL.

IMPORTANT NOTE - Electronic forms of documents: Beginning on April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system (wrd_automated_email@water.oregon.gov). **Consider adding this email address to your safe sender list.**

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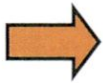
14894 -

- ☒ 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: Complete Supplemental Form D.**

IRRIGATION DISTRICT NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL
Powder Valley Water Control District	690 E. St., North Powder Or, 97867	N/A

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

ENTITY NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL



To meet state land use compatibility requirements, you must list the names and mailing addresses of all affected local governments, including but not limited to county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL
Baker County	1995 3rd St, Baker City Or, 97814	N/A

ENTITY NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL

PROPOSED CHANGES

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

Change to Surface Water Point(s) of Diversion:

- ☐ Point(s) of Diversion (POD) – the proposed POD(s) will replace the existing authorized POD(s)
- ☐ Additional Point(s) of Diversion (APOD) – the proposed POD(s) will be in addition to the existing authorized POD(s)

Change to Point(s) of Groundwater Appropriation:

- ☐ Point(s) of Appropriation (POA) – the proposed POA(s) will replace the authorized POA(s)
- ☐ Additional Point(s) of Appropriation (APOA) – the proposed POA(s) will be in addition to the authorized POA(s)

Changes in Place of Use and Character of Use:

- ☒ Place of Use (POU) - the proposed changes to the place of use will replace the authorized place of use
- ☐ Character of Use (USE) - the proposed changes to the character of use of the water right will modify the authorized character of use

Explain in your own words what you propose to accomplish with this transfer application, and why:

I would like to exchange my 1991 water for 1871 water, I would like the 1871 water on ground that I have planted potatoes for later season water.

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

Part 4 of 4 – Drought Temporary Transfer Application
Authorized POD/POA

WATER RIGHT CERTIFICATE# 72286

Please use a separate Part 4 for each water right being changed.

System capacity: 50 ☒ Cubic Feet per Second (CFS) ☐ Gallons Per Minute (GPM) ☐ Acre-Feet (AF)

Source (live flow, stored water, etc.): Live flow

Describe the current water delivery system. Include information on the capacity of pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Please provide as much detail as possible:

Currently the Hutchinson Hillside Ditch is an open ditch that carries water down to my place of use. From there I put the water into my pipeline which goes into a pivot or wheel lines for irrigation.

Amount proposed for transfer: 0.24 ☐ CFS ☐ GPM ☐ AF

Please check the appropriate box below and provide the requested information:

☒ If the water right was certificated under a decree, please indicate:

- Name of Decree: Powder River

☐ If the water right was certificated through the permit process, please indicate:

- Permit # _____ and the name(s) appearing on the permit: _____

☐ If Proof of Appropriation under the water right has been determined by the Department, please indicate:

Special Order Volume # _____, Page # _____

and the name(s) appearing on the Proof of Appropriation Special Order: _____

Table 1A – For Both SW and GW Rights - Location of Existing SW POD(s) or GW POA(s)

NOTE: If the POD/POA name is not specified on the Certificate, assign it a name or number below

Authorized POA/POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Hutchinson Hillside	7	S	38	E	5	NW	NE	Tax Lot 1200
Measured Distances (from a recognized survey corner)								
140' and 2380' W from NE corner of section 5								
If authorized point is groundwater:								
☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR								
☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								☐ CFS ☐ GPM

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Part 4 of 4 continued – Drought Temporary Transfer Application
Authorized POD/POA - Table 1A Continued

WATER RIGHT CERTIFICATE # 72286

Authorized POA/POD Name or Number		Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Hutchinson Hillside		7	S	38	E	5	NW	NE	Tax Lot 1200
Measured Distances (from a recognized survey corner)									
140' and 2380' W from NE corner of section 5									
If authorized point is groundwater:									
☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.									
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right	
L-								☐ CFS ☐ GPM	
Authorized POA/POD Name or Number		Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Measured Distances (from a recognized survey corner)									
If authorized point is groundwater:									
☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.									
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right	
L-								☐ CFS ☐ GPM	
Authorized POA/POD Name or Number		Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Measured Distances (from a recognized survey corner)									
If authorized point is groundwater:									
☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.									
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right	
L-								☐ CFS ☐ GPM	

**Part 4 of 4 continued – Drought Temporary Transfer Application
Proposed POD/APOD Information – Surface Water Right(s) ONLY**

WATER RIGHT CERTIFICATE # 72286

Table 1B - SW - Location of Proposed Surface Water POD/APOD(s)

Proposed POD/APOD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Hutchinson Hillside	7	S	38	E	5	NW	NE	Tax Lot 1200

Type of Change (from Page 4): ☐ POD or ☐ APOD From Authorized POD: ☐ UPSTREAM or ☐ DOWNSTREAM

Measured Distances (from a recognized survey corner)

140' and 2380' W from NE corner of section 5

Fish Screen Information:

☐ Yes ☐ No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532

If Yes, please, submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter.

Additional Information/Remarks:

Proposed POD/APOD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot

Type of Change (from Page 4): ☐ POD or ☐ APOD From Authorized POD: ☐ UPSTREAM or ☐ DOWNSTREAM

Measured Distances (from a recognized survey corner)

Fish Screen Information:

☐ Yes ☐ No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532

If Yes, please, submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter.

Additional Information/Remarks:

Proposed POD/APOD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot

Type of Change (from Page 4): ☐ POD or ☐ APOD From Authorized POD: ☐ UPSTREAM or ☐ DOWNSTREAM

Measured Distances (from a recognized survey corner)

Fish Screen Information:

☐ Yes ☐ No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532

If Yes, please, submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter.

Additional Information/Remarks:

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**Part 4 of 4 continued –Temporary Transfer Application
Proposed POA/APOA Information – Groundwater Right(s) ONLY**

WATER RIGHT CERTIFICATE # 72286

Table 1B-GW - Location of Proposed Groundwater POA/APOA(s)

Proposed POA/APOA Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot		
Measured Distances (from a recognized survey corner)			Type of Change (from Page 4): ☐ POA or ☐ APOA					
☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								☐ CFS ☐ GPM
Measured Distances (from a recognized survey corner)			Type of Change (from Page 4): ☐ POA or ☐ APOA					
☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								☐ CFS ☐ GPM
Measured Distances (from a recognized survey corner)			Type of Change (from Page 4): ☐ POA or ☐ APOA					
☐ Well log attached and associated with the well described above and on the accompanying application map, AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								☐ CFS ☐ GPM
Measured Distances (from a recognized survey corner)			Type of Change (from Page 4): ☐ POA or ☐ APOA					

WATER RIGHT CERTIFICATE# 72286

☐ Yes - Complete **only** Table 2B on page 10. ☒ No - Complete **both** Table 2A below **and** Table 2B on page 10.

NOTE: List only that part or portion of the Water Right Certificate that will be changed.

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☐ Yes ☐ No



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Part 4 of 4 continued – Permanent Water Right Transfer Application
Proposed POU “TO” LANDS

WATER RIGHT CERTIFICATE# 72286

Table 2B - Description of the PROPOSED (the “to” or “on” lands) Place of Use, Character of Use and POD/APOD(s) or POA/APOA(s) to the Water Right Certificate AFTER PROPOSED CHANGES are made.

NOTE: If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/APOD/POA/APOA involved in the proposed changes, specify the acreage associated with each POD/ APOD/ POA/APOA.

Proposed POD/APOD(s) or POA/APOA(s) Name(s) from Table 1B (SW or GW)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot	Acres	Proposed Use	Priority Date
Hutchinson Hillside	6	S	38	E	33	SW	SE	600	9.5	Irrigation	1991
TOTAL ACRES									9.5		

Additional remarks:

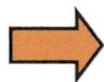
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- ☒ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. **NOTE: Complete Supplemental Form D.**

IRRIGATION DISTRICT NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL
Powder Valley Water Control District	690 E. St., North Powder Or, 97867	N/A

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

ENTITY NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL



To meet state land use compatibility requirements, you must list the names and mailing addresses of all affected local governments, including but not limited to county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL
Baker County	1995 3rd St, Baker City Or, 97814	N/A

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ENTITY NAME	ADDRESS (CITY, STATE, ZIP)	EMAIL
		OWRD

PROPOSED CHANGES

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

Change to Surface Water Point(s) of Diversion:

- ☐ Point(s) of Diversion (POD) – the proposed POD(s) will replace the existing authorized POD(s)
- ☐ Additional Point(s) of Diversion (APOD) – the proposed POD(s) will be in addition to the existing authorized POD(s)

Change to Point(s) of Groundwater Appropriation:

- ☐ Point(s) of Appropriation (POA) – the proposed POA(s) will replace the authorized POA(s)
- ☐ Additional Point(s) of Appropriation (APOA) – the proposed POA(s) will be in addition to the authorized POA(s)

Changes in Place of Use and Character of Use:

- ☒ Place of Use (POU) - the proposed changes to the place of use will replace the authorized place of use
- ☐ Character of Use (USE) - the proposed changes to the character of use of the water right will modify the authorized character of use

Explain in your own words what you propose to accomplish with this transfer application, and why:

I would like to exchange my 1991 water for 1871 water, I would like the 1871 water on ground that I have planted potatoes for later season water.

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

Part 4 of 4 – Drought Temporary Transfer Application
Authorized POD/POA

WATER RIGHT CERTIFICATE# 90060

Please use a separate Part 4 for each water right being changed.

System capacity: 50 ☒ Cubic Feet per Second (CFS) ☐ Gallons Per Minute (GPM) ☐ Acre-Feet (AF)

Source (live flow, stored water, etc.): Live flow

Describe the current water delivery system. Include information on the capacity of pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Please provide as much detail as possible:

Currently the Hutchinson Hillside Ditch is an open ditch that carries water down to my place of use. From there I put the water into my pipeline which goes into a pivot or wheel lines for irrigation.

Amount proposed for transfer: 0.24 ☐ CFS ☐ GPM ☐ AF

Please check the appropriate box below and provide the requested information:

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☐ If the water right was certificated under a decree, please indicate:

- Name of Decree: _____

☒ If the water right was certificated through the permit process, please indicate:

- Permit # S-52094 and the name(s) appearing on the permit: _____

☐ If Proof of Appropriation under the water right has been determined by the Department, please indicate:

Special Order Volume # _____, Page # _____

and the name(s) appearing on the Proof of Appropriation Special Order: _____

Table 1A – For Both SW and GW Rights - Location of Existing SW POD(s) or GW POA(s)

NOTE: If the POD/POA name is not specified on the Certificate, assign it a name or number below

Authorized POA/POD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Hutchinson Hillside	7	S	38	E	5	NW	NE	Tax Lot 1200

Measured Distances (from a recognized survey corner)

140' and 2380' W from NE corner of section 5

If authorized point is groundwater:

☐ Well log attached and associated with the well described above **and** on the accompanying application map.

AND/OR

☐ No well log is available - construction of the authorized well is provided in table below.

OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								☐ CFS ☐ GPM

Part 4 of 4 continued – Drought Temporary Transfer Application
Authorized POD/POA - Table 1A Continued

WATER RIGHT CERTIFICATE # 90060

Authorized POA/POD Name or Number		Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Hutchinson Hillside		7	S	38	E	5	NW	NE	Tax Lot 1200
Measured Distances (from a recognized survey corner)									
140' and 2380' W from NE corner of section 5									
If authorized point is groundwater:									
☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.									
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right	
L-								☐ CFS ☐ GPM	
Authorized POA/POD Name or Number		Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Measured Distances (from a recognized survey corner)									
If authorized point is groundwater:									
☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.									
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right	
L-								☐ CFS ☐ GPM	
Authorized POA/POD Name or Number		Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Measured Distances (from a recognized survey corner)									
If authorized point is groundwater:									
☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.									
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right	
L-								☐ CFS ☐ GPM	

**Part 4 of 4 continued – Drought Temporary Transfer Application
Proposed POD/APOD Information – Surface Water Right(s) ONLY**

WATER RIGHT CERTIFICATE # 90060

Table 1B - SW - Location of Proposed Surface Water POD/APOD(s)

Proposed POD/APOD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Hutchinson Hillside	7	S	38	E	5	NW	NE	Tax Lot 1200
Type of Change (from Page 4): ☐ POD or ☐ APOD					From Authorized POD: ☐ UPSTREAM or ☐ DOWNSTREAM			
Measured Distances (from a recognized survey corner)								
140' and 2380' W from NE corner of section 5								
Fish Screen Information:								
☐ Yes ☐ No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532 If Yes , please, submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter. Additional Information/Remarks:								
Proposed POD/APOD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Type of Change (from Page 4): ☐ POD or ☐ APOD					From Authorized POD: ☐ UPSTREAM or ☐ DOWNSTREAM			
Measured Distances (from a recognized survey corner)								
Fish Screen Information:								
☐ Yes ☐ No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532 If Yes , please, submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter. Additional Information/Remarks:								
Proposed POD/APOD Name or Number	Twp		Rng		Sec	¼	¼	Tax Lot, DLC, or Gov-Lot
Type of Change (from Page 4): ☐ POD or ☐ APOD					From Authorized POD: ☐ UPSTREAM or ☐ DOWNSTREAM			
Measured Distances (from a recognized survey corner)								
Fish Screen Information:								
☐ Yes ☐ No The proposed POD/APOD has an existing approved fish screen pursuant to ORS 540.525 or 540.532 If Yes , please, submit documentation of the approved fish screen with your application, such as any Oregon Department of Fish and Wildlife (ODFW) fish screening certification letter and/or passage approval letter. Additional Information/Remarks:								

**Part 4 of 4 continued –Temporary Transfer Application
Proposed POA/APOA Information – Groundwater Right(s) ONLY**

WATER RIGHT CERTIFICATE # 90060

Table 1B-GW - Location of Proposed Groundwater POA/APOA(s)

Proposed POA/APOA Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot		
Measured Distances (from a recognized survey corner)			Type of Change (from Page 4): ☐ POA or ☐ APOA					
☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								☐ CFS ☐ GPM

Proposed POA/APOA Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot		
Measured Distances (from a recognized survey corner)			Type of Change (from Page 4): ☐ POA or ☐ APOA					
☐ Well log attached and associated with the well described above and on the accompanying application map. AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								☐ CFS ☐ GPM

Proposed POA/APOA Name or Number	Twp	Rng	Sec	¼	¼	Tax Lot, DLC, or Gov-Lot		
Measured Distances (from a recognized survey corner)			Type of Change (from Page 4): ☐ POA or ☐ APOA					
☐ Well log attached and associated with the well described above and on the accompanying application map, AND/OR ☐ No well log is available - construction of the authorized well is provided in table below.								
OWRD Well ID Tag No.	Total well depth	Casing Diameter	Casing Intervals (in 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 if less than full rate of water right
L-								☐ CFS ☐ GPM

WATER RIGHT CERTIFICATE# 90060

☐ Yes - Complete **only** Table 2B on page 10. ☒ No - Complete **both** Table 2A below **and** Table 2B on page 10.

NOTE: List only that part or portion of the Water Right Certificate that will be changed.

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☐ Yes ☐ No



14894 -

WATER RIGHT CERTIFICATE# 72286

Table 2B - Description of the PROPOSED (the “to” or “on” lands) Place of Use, Character of Use and POD/APOD(s) or POA/APOA(s) to the Water Right Certificate AFTER PROPOSED CHANGES are made.

NOTE: If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/APOD/POA/APOA involved in the proposed changes, specify the acreage associated with each POD/ APOD/ POA/APOA.

[illegible]

Additional remarks:

Supplemental Form D

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

[For transfers submitted under OAR Chapter 690 Division 380]



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

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

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

1. APPLICANT INFORMATION

NAME Delbert Stephens			PHONE (HM) Received	
PHONE (WK)		CELL 541-910-1001	FAX N/A JUL 06 2026	
ADDRESS 46226 Rock Creek Town Rd OWRD				
CITY Haines	STATE OR	ZIP 97833	E-MAIL** farmerdel@gmail.com	
DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE. HOWEVER, ANY PROPOSED FINAL ORDER WILL BE SENT BY CERTIFIED MAIL AND ANY CERTIFICATE BY STANDARD MAIL.				

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME Powder Valley Water Control District			PHONE (HM) N/A	
PHONE (WK) N/A		CELL N/A	FAX N/A	
ADDRESS 690 E. St.				
CITY North Powder	STATE OR	ZIP 97867	E-MAIL** N/A	
DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE. HOWEVER, ANY PROPOSED FINAL ORDER WILL BE SENT BY CERTIFIED MAIL AND ANY CERTIFICATE BY STANDARD MAIL.				

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

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

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.	North Powder River	-	72286	YES ☐
2.	North Powder River	S-52094	90060	YES ☐
3.		-		YES ☐

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

- b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA), and/or if your use is or will be for irrigation determine the same for your place of use (POU). [You may need to consult with your district/water supplier.]

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

- ☐ Yes ☒ No One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.
- ☐ Yes ☒ No All or a portion of the current POU as proposed in this transfer is for irrigation and receives water for either primary or supplemental irrigation from the district/water supplier; i.e., your right is for irrigation and is currently layered with district or BOR water supplied irrigation right(s).

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

- ☐ Yes ☒ No One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved or rely on BOR water.
- ☐ Yes ☒ No All or a portion of the proposed POU involved in this proposed transfer is for irrigation and currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., your proposed POU will become layered with a district/water supplier or BOR water supplied irrigation right(s).

COMMENTS OR ADDITIONAL INFORMATION

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4. APPLICANT'S SIGNATURE

- (1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]: ☐ email, ☒ phone, ☐ regular mail, ☐ in person, or ☐ other (specify) _____
- (2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.


Applicant signature

Delbert Stephens 6-30-26
Print Name (and Title if applicable) Date

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

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

The district/water supplier certifies the following:

- (1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and
- (2) The district/water supplier consents to the proposed water right transfer application.
- ☐ Yes ☐ No After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.
- ☐ Yes ☐ No The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

District Manager/ Water Supplier Signature

Print Name (and Title if applicable)

Date

**Application for Water Right Transfer
Evidence of Use Affidavit**

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

Use a separate affidavit for each water right included in the transfer application.

NOTE: Supporting documentation must be attached.

State of Oregon)
County of Baker) ss
)

I, Delbert Stephens, in my capacity as Owner/Operator,
mailing address 46226 Rock Creek Town Rd, Haines Or 97833,
telephone no.(s) 541-910-1001, e-mail address farmerdel@gmail.com,

being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on:

Check only the box that applies:

☒ Personal observation. Explain the specific grounds for your knowledge:
I Irrigate this property everyday

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JUL 06 2026

☐ Professional expertise. Explain the specific grounds for your knowledge:

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2. I attest that I have read and understand the terms and conditions of water use under Certificate # 90060, and that I have attached copies of documents demonstrating beneficial water use consistent with those terms and conditions (i.e., documentation showing compliance with the terms and conditions of the right).

Examples of documentation demonstrating compliance with the terms and conditions include, but are not limited to:

- Information showing that a required water meter was installed
- Copies of submitted static water level measurement reports (for groundwater sources)
- Copies of submitted annual water use reports
- Written confirmation from Oregon Department of Fish & Wildlife (ODFW) documenting installation of required fish screen(s)

3. I attest that water was beneficially used under Certificate # 90060 for the following purpose (e.g., crops, pasture, commercial, industrial, etc.): Crops

4. I attest that water from the authorized source was diverted/appropriated, conveyed, and applied to the authorized place of use under Certificate # 90060 through the current water delivery system used to apply water or the system that was in place at some point within the five years prior to submittal of this Transfer Application.

5. I attest that the following is a description of the water delivery system attested to in Item #4 above. Please check all applicable boxes below and include information that describes the type, model, dimensions (size/diameter, length, etc.) and delivery capacity, in cubic feet per second (cfs) or gallons per minute (gpm):

- ☐ Pump(s) in stream:
- ☐ Pump(s) in reservoir/pond:
- ☐ Pump(s) in well(s):
- ☒ Headgate in stream/canal: 140' and 2380' West from NE corner of section 5 of 07S38E NWNE TL1200
- ☐ Headgate in reservoir pond:
- ☐ Other (describe also include its general location in the description):
- ☒ Gravity Ditch: Hutchinson Hillside is an open ditch
- ☐ Pipeline: water from the ditch if put into my pipeline
- ☐ Sprinklers:
- ☒ Other (also include its general location in the description):
Flood Irrigate the ground in the North 1/2 of SWSE section of 33

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6. Can you attest to beneficial water use under Certificate # 90060 consistent with the terms and conditions of the water right, during the past five years on the **entire** place of use or a **portion** of the place of use?

- ☐ No [skip to Question 7]
- ☒ Yes, my knowledge is specific to only the **portion** of the place use described below: [complete **Table 1** below, then go to Question 8]
- ☐ Yes, water was used on the **entire** place of use [skip to Question 8]

Table 1. Description of Water Use

Certificate #	Township		Range		Mer	Sec	¼	¼	Gov't Lot or DLC	Acres (if applicable)
90060	6	S	38	E	WM	33	SW	SE	600	9.5
					WM					
					WM					
					WM					
					WM					
					WM					

7. I attest, as indicated under either **Item a.** or **Item b.** below, that:

a. Beneficial water use is evidenced by one of the following:

- ☐ Certificate # _____ confirming beneficial water use to perfect Permit # _____ was issued within the past five years.

NOTE: This cannot be a remaining right certificate.

- ☐ Certificate # _____ confirming completion of a change in place of use, point(s) of diversion/ appropriation, or character of use authorized under Transfer Application #T-_____ was issued within the past five years.

- ☐ Part or all of the water right was leased instream at some point within the last five years. The instream lease number is: _____

NOTE: If the entire right proposed for transfer was not leased, then additional evidence of use is needed for the portion not leased instream.

- ☐ Water has been diverted at the actual current point of diversion for more than 10 years for beneficial use under Certificate # _____ (For Historic POD Transfers).

-OR-

b. Water was not used in the past 5 years, but the water right is not subject to forfeiture and documentation is attached to support the assertion that the presumption of forfeiture for nonuse would be rebutted under ORS 540.610(2) due to the following:

- ☐ Consistent with ORS 540.610(2)(e), the period of nonuse occurred during a period of time within which land was withdrawn from use in accordance with the Federal Conservation Reserve Program.
- ☐ Consistent with ORS 540.610(2)(h), the nonuse occurred during a period of time when I/we was/were using reclaimed water in lieu of using water under the water right.
- ☐ Consistent with ORS 540.610(2)(j), I/we was/were unable to make full beneficial use of the water because water was not available. During this time I/we had a facility capable of handling the full allowed rate and duty, and I/we was/were otherwise ready, willing and able to beneficially use the entire amount of water allowed under the water right.
- ☐ Consistent with ORS 540.610(2)(L), the nonuse occurred during a period of time within which the exercise of the water right was not necessary due to climatic conditions. During this time I/we had a facility capable of handling the full allowed rate and duty, and I/we was/were otherwise ready, willing and able to beneficially use the entire amount of water allowed under the water right.
- ☐ Consistent with ORS 540.610(2)(n), the nonuse of the supplemental water right occurred during a period of time when the primary water right used in conjunction with the supplemental water right was leased as an in-stream water right pursuant to ORS 537.348.
- ☐ Other (please explain and cite the statutory reference under ORS 540.610(2) that applies):

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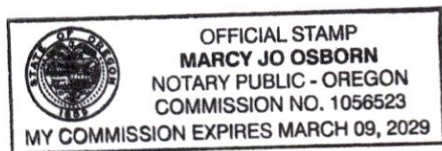
OWRD

8. I understand that if I do not attach one or more of the documents shown in **Table 2** to support the above statements, my application will be considered incomplete.

NOTE: Table 2 is located on Page 5

Delbert Stephens Delbert Stephens 6-30-26
Affiant Signature Printed Name Date

Signed and sworn to (or affirmed) before me this 30 day of JUNE, 2026



Marcy Jo Osborn
Notary Public for Oregon
My Commission Expires: 3/9/2029

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JUL 06 2026
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Table 2. Supporting Documentation

Supporting Documents	Examples
☐ A confirming water right certificate that was issued within the last five years. (NOT a remaining right certificate.)	• Copy of a water right certificate confirming the beneficial use of water under a Water Use Permit that shows date of issuance • Copy of a water right certificate confirming completion of a change in place of use, point of diversion/appropriation, or character of use authorized by an approved Water Right Transfer showing issuance date
☐ Records such as Farm Service Agency (FSA) crop reports, irrigation district records, Natural Resources Conservation Service (NRCS) farm management plan, or records of other water suppliers	• District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • Conservation Reserve Enhancement Program (CREP) Report
☒ Dated satellite imagery, aerial photos or other photographs containing sufficient detail to establish location and date of photograph (i.e., dated aerial photographs)	• Multiple photos can be submitted to show different areas of a water right • If photograph does not print with a "date stamp" or without the source identified, the date of the photograph and source should be added Sources for dated aerial photos: OSU – https://www.oregonexplorer.info OWRD – https://www.oregon.gov/owrd Google Earth – https://earth.google.com/
☐ Approved instream lease establishing beneficial use for instream purposes within the last 5 years	Copy of final order approving an instream lease that shows instream lease number and date of issuance
☐ If water has not been beneficially used in the past 5 years, documentation showing the right is not subject to forfeiture under ORS 540.610. (NOTE: Refer to ORS 540.610(2) for rebuttals to the presumption of forfeiture.)	• Copy of an agreement or contract for the use of reclaimed municipal water • Contract showing the authorized place of use enrolled in the Conservation Reserve Enhancement Program (CREP). • Copy of the Governor's executive order declaring a drought in the county within which the water right is located
☐ Any other documentation with sufficient detail to support the affidavit attesting to beneficial use during the past 5 years	

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**Application for Water Right Transfer
Evidence of Use Affidavit**

Use a separate affidavit for each water right included in the transfer application.

NOTE: Supporting documentation must be attached.

State of Oregon)
County of Baker) SS
)

I, Delbert Stephens, in my capacity as Owner/Operator,
mailing address 46226 Rock Creek Town Rd, Haines Or 97833,
telephone no.(s) 541-910-1001, e-mail address farmerdel@gmail.com,

being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on:

Check only the box that applies:

☒ Personal observation. Explain the specific grounds for your knowledge:
I Irrigate this property everyday

☐ Professional expertise. Explain the specific grounds for your knowledge:

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2. I attest that I have read and understand the terms and conditions of water use under Certificate # 72286, and that I have attached copies of documents demonstrating beneficial water use consistent with those terms and conditions (i.e., documentation showing compliance with the terms and conditions of the right).

Examples of documentation demonstrating compliance with the terms and conditions include, but are not limited to:

- Information showing that a required water meter was installed
- Copies of submitted static water level measurement reports (for groundwater sources)
- Copies of submitted annual water use reports
- Written confirmation from Oregon Department of Fish & Wildlife (ODFW) documenting installation of required fish screen(s)

3. I attest that water was beneficially used under Certificate # 72286 for the following purpose (e.g., crops, pasture, commercial, industrial, etc.): Crops

4. I attest that water from the authorized source was diverted/appropriated, conveyed, and applied to the authorized place of use under Certificate # 72286 through the current water delivery system used to apply water or the system that was in place at some point within the five years prior to submittal of this Transfer Application.

5. I attest that the following is a description of the water delivery system attested to in Item #4 above. Please check all applicable boxes below and include information that describes the type, model, dimensions (size/diameter, length, etc.) and delivery capacity, in cubic feet per second (cfs) or gallons per minute (gpm):

- ☐ Pump(s) in stream:
- ☐ Pump(s) in reservoir/pond:
- ☐ Pump(s) in well(s):
- ☒ Headgate in stream/canal: 140' and 2380' West from NE corner of section 5 of 07S38E NWNE TL1200
- ☐ Headgate in reservoir pond:
- ☐ Other (describe also include its general location in the description):
- ☒ Gravity Ditch: Hutchinson Hillside is an open ditch
- ☒ Pipeline: water from the ditch if put into my pipeline
- ☒ Sprinklers: Pivot
- ☐ Other (also include its general location in the description):

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6. Can you attest to beneficial water use under Certificate # 72286 consistent with the terms and conditions of the water right, during the past five years on the **entire** place of use or a **portion** of the place of use?

- ☐ No [skip to Question 7]
- ☒ Yes, my knowledge is specific to only the **portion** of the place use described below: [complete **Table 1** below, then go to Question 8]
- ☐ Yes, water was used on the **entire** place of use [skip to Question 8]

Table 1. Description of Water Use

Certificate #	Township		Range		Mer	Sec	¼	¼	Gov't Lot or DLC	Acres (if applicable)
72286	6	S	38	E	WM	33	NE	SE	600	9.5
					WM					
					WM					
					WM					
					WM					
					WM					

7. I attest, as indicated under either **Item a.** or **Item b.** below, that:

a. Beneficial water use is evidenced by one of the following:

- ☐ Certificate # _____ confirming beneficial water use to perfect Permit # _____ was issued within the past five years.

NOTE: This cannot be a remaining right certificate.

- ☐ Certificate # _____ confirming completion of a change in place of use, point(s) of diversion/ appropriation, or character of use authorized under Transfer Application #T-_____ was issued within the past five years.

- ☐ Part or all of the water right was leased instream at some point within the last five years. The instream lease number is: _____

NOTE: If the entire right proposed for transfer was not leased, then additional evidence of use is needed for the portion not leased instream.

- ☐ Water has been diverted at the actual current point of diversion for more than 10 years for beneficial use under Certificate # _____ (For Historic POD Transfers).

-OR-

b. Water was not used in the past 5 years, but the water right is not subject to forfeiture and documentation is attached to support the assertion that the presumption of forfeiture for nonuse would be rebutted under ORS 540.610(2) due to the following:

- ☐ Consistent with ORS 540.610(2)(e), the period of nonuse occurred during a period of time within which land was withdrawn from use in accordance with the Federal Conservation Reserve Program.
- ☐ Consistent with ORS 540.610(2)(h), the nonuse occurred during a period of time when I/we was/were using reclaimed water in lieu of using water under the water right.
- ☐ Consistent with ORS 540.610(2)(j), I/we was/were unable to make full beneficial use of the water because water was not available. During this time I/we had a facility capable of handling the full allowed rate and duty, and I/we was/were otherwise ready, willing and able to beneficially use the entire amount of water allowed under the water right.
- ☐ Consistent with ORS 540.610(2)(L), the nonuse occurred during a period of time within which the exercise of the water right was not necessary due to climatic conditions. During this time I/we had a facility capable of handling the full allowed rate and duty, and I/we was/were otherwise ready, willing and able to beneficially use the entire amount of water allowed under the water right.
- ☐ Consistent with ORS 540.610(2)(n), the nonuse of the supplemental water right occurred during a period of time when the primary water right used in conjunction with the supplemental water right was leased as an in-stream water right pursuant to ORS 537.348.
- ☐ Other (please explain and cite the statutory reference under ORS 540.610(2) that applies)

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8. I understand that if I do not attach one or more of the documents shown in **Table 2** to support the above statements, my application will be considered incomplete.

NOTE: Table 2 is located on Page 5

Delbert Stephens Delbert Stephens 6-30-26
Affiant Signature Printed Name Date

Signed and sworn to (or affirmed) before me this 30 day of JUNE, 2026



Marcy Jo Osborn
Notary Public for Oregon
My Commission Expires: 3/9/2029

Received
JUL 06 2026
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Table 2. Supporting Documentation

Supporting Documents	Examples
☐ A confirming water right certificate that was issued within the last five years. (NOT a remaining right certificate.)	• Copy of a water right certificate confirming the beneficial use of water under a Water Use Permit that shows date of issuance • Copy of a water right certificate confirming completion of a change in place of use, point of diversion/appropriation, or character of use authorized by an approved Water Right Transfer showing issuance date
☐ Records such as Farm Service Agency (FSA) crop reports, irrigation district records, Natural Resources Conservation Service (NRCS) farm management plan, or records of other water suppliers	• District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • Conservation Reserve Enhancement Program (CREP) Report
☒ Dated satellite imagery, aerial photos or other photographs containing sufficient detail to establish location and date of photograph (i.e., dated aerial photographs)	• Multiple photos can be submitted to show different areas of a water right • If photograph does not print with a "date stamp" or without the source identified, the date of the photograph and source should be added Sources for dated aerial photos: OSU – https://www.oregonexplorer.info OWRD – https://www.oregon.gov/owrd Google Earth – https://earth.google.com/
☐ Approved instream lease establishing beneficial use for instream purposes within the last 5 years	Copy of final order approving an instream lease that shows instream lease number and date of issuance
☐ If water has not been beneficially used in the past 5 years, documentation showing the right is not subject to forfeiture under ORS 540.610. (NOTE: Refer to ORS 540.610(2) for rebuttals to the presumption of forfeiture.)	• Copy of an agreement or contract for the use of reclaimed municipal water • Contract showing the authorized place of use enrolled in the Conservation Reserve Enhancement Program (CREP). • Copy of the Governor's executive order declaring a drought in the county within which the water right is located
☐ Any other documentation with sufficient detail to support the affidavit attesting to beneficial use during the past 5 years	

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Map to Accompany Temporary Transfer
For
Delbert Stephens



Scale 1" = 660'

T. 6S, R.38E, Sect.33



"From" Acres C-72286
1871- 9.5 ac



"To" Acres C- 90060
1991 9.5 ac



"From" Acres C- 90060
1991- 9.5 ac



"To" Acres C-72286
1871 9.5 ac

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Google Satellite Imagery

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Code Area	Township	Range	Section	1/4	1/16	Parcel Number	Type	Number	* Formerly part of _____
25-3	6	38	33			600			
Map Number						Special Interest		History of Parcel	
Tax Lot Number								Exceptions/Additions	
History of Parcel Prior to Re-mapping <i>Ref 10441</i>								Date of Entry/ Acquisition	
Previous Account Number						Previous Tax Lot Number		Deed Record	
6 33 2200								Volume Page Acres Remaining	

5 38		2200		25-3 33-6 3-5		OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTY BAKER COUNTY ASSESSOR'S OFFICE	
TAXP. & SEC. E. SEC. 1/4		TAX LOT		TAX LOT		CITY	
ACCOUNT NUMBER		TAX LOT		TAX LOT		CITY	
10441		10441		10441		10441	
Sec. 33 32		T6S R38E04		160 92		160.00	
Exempt:		State Hwy		2.17		170 117	
Co. Rd.		1.99				156.24	
Also:		State Hwy		2.17		158.41	
Exempt:		TL 2201		0.98		872 11/18/68 68-43-052 157.45	
State Hwy		2.15				155.28	
1. Kirkland, Ernest & Grace 1 1/2 ea		19131 11/25/74		74-45-086		error	
Exempt:		Relocated Co. Rd.		0.22		19294 12/23/74 74-50-018 155.06	

Exc: Co Rd 1144	1.81	1190	74-45-086	160.00
Anthony Baker				
Exc: Hanna Hwy	2.15	1190		
Exc: Parcel 600	0.98	1190	68-43-052	155.00
1. Kirkland, Ernest L		11-25-89		
		JV48278	89-50-021 DC	
% Stephens, Richard Delbert				
Nina Ann CP*		12-27-89		
		JV 48320	89-51-075 M/S	
2. Kirkland, Ernest L, heirs		JV 71922		
of				
% Stephens, Richard Delbert &				
Nina Ann CP*		12-12-01	01-50-0274 DC	

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"TO" "FROM"
LANDS

INSTRUMENT NO.

74 45 086

RECORDING DATE

WARRANTY DEED

ERNEST L. KIRKLAND and GRACE I. KIRKLAND, husband and wife,
called grantor(s) herein, hereby convey(s) to ERNEST KIRKLAND and GRACE I. KIRKLAND,

whose address is North Powder, Oregon
an undivided one-half interest each as tenants in common, in and to
the following described real property:

Land in Baker County, Oregon:

The Southeast Quarter of Section 33, Twp. 6
South, Range 38, E., W.M.,

6538
2200
2201
225.6

Sold to Vanderwall

and covenant(s) that grantor(s) is/are the owner(s) of the above described property free of all en-
cumbrances (except)

and will warrant and defend title same against all persons who may lawfully claim the same, except
as shown above.

The consideration for this transfer is: Exchange; the purpose of this conveyance is
to terminate the tenancy by the entireties and for grantees to
obtain and hold title as tenants in common

Dated: November 8th 1974.

Until requested otherwise send
tax statements to Ernest
Kirkland, North Powder, Ore.

Ernest L. Kirkland
Grace I. Kirkland

STATE OF OREGON, County of Baker
November 8th, 1974

Personally appeared the above named
Ernest L. Kirkland and Grace I.
Kirkland

I, [Signature], Notary Public for Oregon,
do hereby certify that the foregoing instrument to be
voluntarily Act, before me:

Notary Public for Oregon,
My Commission expires 2/19/78

PREPARED BY

BANTA, SILVEN, YOUNG & RLETTE

(FOR RECORDERS USE)

RETURN TO

BANTA, SILVEN, YOUNG & RLETTE

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