

**AFFIDAVIT OF JOHN STAHL DESCRIBING DIVERSION AND USE OF WATER
AND CONSERVATION MEASURES**

STATE OF OREGON)
County of Umatilla) ss.

I, John Stahl, of the address of 36345 Despain Gulch Road, Stanfield, Oregon, 97875, do hereby state:

1. On September 30, 2004, the State of Oregon issued Certificate of Water Right No. 80912 (“Certificate No. 80912”) to Stanfield Hutterian Farm. Under this Certificate No. 80912, Stanfield Hutterian Farm is authorized to use the waters of the Columbia River, a tributary of the Pacific Ocean, for the purpose of irrigation of 3730.2 acres. The date of priority is October 3, 1973 for 68.79 cubic feet per second (“cfs”) and December 11, 1973 for 18.42 cfs (for a total of 87.21 cfs), with the amount of water to which the right is entitled limited to an amount actually beneficially used. 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-fortieth of one cfs, and is further limited to a diversion of not to exceed 4½ acre-feet per acre for each acre irrigated during the irrigation season of each year. A copy of Certificate No. 80912 is attached as Exhibit 1.

2. I am the President of the Stahl Hutterian Brethren, a Washington nonprofit corporation. I oversee all of the operations at the Stanfield Hutterian Farm.

3. I am familiar with Certificate No. 80912, because I have personally reviewed Certificate No. 80912 and various written materials and records related to the diversion and delivery of water and water use related to Certificate No. 80912, and because I have personally observed the operation of the pumping station withdrawing water from the authorized point of diversion for Certificate No. 80912, the delivery of water from the pumping station to the farm, and the use of water as authorized under said Certificate.

4. Stanfield Hutterian Farm has diverted water pursuant to Certificate No. 80912 from the Columbia River, a tributary of the Pacific Ocean, continuously during the past five (5) years from the existing diversion point, as authorized under Certificate No. 80912. During that time, the water diverted from the Columbia River has been used in accordance with the terms and conditions of the water right certificate, and water has been used specifically for irrigation on the lands authorized in Certificate No. 80912. Water continues to be used for these purposes at the present time, and water is used throughout the irrigation season. The water diversion and delivery system has had the capacity and the ability to divert and deliver up to the authorized rate of 87.21 cfs and the authorized duty of 4½ acre-feet per acre within the past five (5) years. Even with the completion of the implementation of the conservation measures described below, Stanfield Hutterian Farm to this day remains ready, willing, and able to divert the full authorized rate of 87.21 cfs and the authorized duty of 4½ acre-feet per acre from the Columbia River, as the pumping capacity of the pumping station on the Columbia River pumping has not been diminished as a result of the completion of the implementation of the conservation measures described below.

5. As further background regarding the diversion, delivery, and water use under Certificate No. 80912, water is pumped from the Columbia River at an approximately 11,500 horsepower (hp) pumping station to the farm, located approximately 4.5 miles south of the River. A 4,800 hp main booster pumping station (Booster Pumping Station # 1) further boosts the water once it reaches the farm. Water is distributed through a buried piping network. The main distribution pipelines range in size from 48 to 12 inches in diameter. The distribution system delivers water to cluster points (points in the system where several circular irrigation machines are served from a common point). Five to 12-inch diameter supply pipes extend from the cluster points to the pivots of the circular irrigation machines. Field irrigation systems include circular irrigation machines. There are three field booster pumping stations (Boosters # 2 (1,400 hp), # 3 (350 hp), and # 4 (80 hp)) that pressurize the water to the extreme distal and high points on the farm.

6. Before the conservation measures were implemented, the center pivots were nozzled at 10.5 gallons per minute (gpm) per acre, certain pumps were not variable speed, and the main delivery line was not concrete-lined.

7. The Stanfield Hutterian Farm has now completed the implementation of conservation measures that result in the conservation of water. The overall changes to the physical system, operations, and application methods that have resulted in the conservation of water include the renozzling of center pivots to apply 7.5 gpm per acre instead of 10.5 gpm per acre, the installation of variable pumps, and the concrete-lining of the main delivery line. This on-farm efficiency project was completed and fully implemented earlier this year, in 2008.

Under penalty of perjury, I swear or affirm that the foregoing is a true statement of the facts as I know them to be from my personal knowledge.

John Stahl (President)

SUBSCRIBED AND SWORN to before me this 3rd day of July, 2008.



Cara Hosley
Notary Public for Oregon
My Commission Expires: May 14, 2010