

**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.

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FOR ALL TEMPORARY TRANSFER APPLICATIONS

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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. If you have questions, call Customer Service at (503) 986-0801.
- 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: Certificate 95358 and 95541**
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: 2021 End Year: 2026.**
- 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 (or signed land use form receipt stub) 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/or is insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	

Other/Explanation _____

Staff: _____ 503-986-0_____ Date: ____/____/____

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Part 2 of 5 – Temporary Transfer Application Map Checklist

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°).

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00
2	Number of water rights included in transfer: <u>2 (2a)</u> Subtract 1 from the number in 3a above: <u>1 (2b)</u> <i>If only one water right this will be 0</i> Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » » » » »	2	\$260
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: <u>NA (3a)</u> Subtract 1.0 from the number in 3a above: <u>NA(3b)</u> If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: <u>NA (3c)</u> and multiply 4c by \$200.00, then enter on line 3	3	\$0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: <u>15.3 (4a)</u> Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »	4	\$35.19
5	Add entries on lines 1 through 4 above » » » » » » » » » » » Subtotal:	5	\$1,105.19
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »	6	\$0
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » » » Transfer Fee:	7	\$1,105.19

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FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): <u> (2a)</u> Subtract 1.0 from the number in 2a above: <u> (2b)</u> If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: <u> (2c)</u> and multiply 2c by \$50, then enter on line 2 » » » » » » » » » » » » » » » »	2	NA
3	Add entries on lines 1 through 2 above » » » » » » » » » » » Transfer Fee:	3	NA

*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:
 1. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac = 0.56 cfs).
 2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)
 3. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

Part 4 of 5 – Applicant Information and Signature

Applicant Information

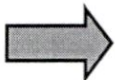
APPLICANT/BUSINESS NAME Nelson Kuenzi		PHONE NO. (503) 932-3486	ADDITIONAL CONTACT NO.
ADDRESS 10155 Sunnyview Rd NE			FAX NO.
CITY Salem	STATE OR	ZIP 97317	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

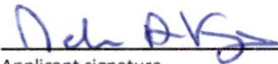
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME Doann Hamilton / Pacific Hydro-Geology, Inc.		PHONE NO. (503) 632-5016	ADDITIONAL CONTACT NO. (503) 349-6946 (cell)
ADDRESS 18487 S. Valley Vista Road			FAX NO. (503) 632-5983
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phgdmh@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application and why:
We applied for a new groundwater application October 5, 2020 (Application G-19305) to cover the "TO" lands designated in this application. While we wait for that application to be processed, we need to temporarily transfer water to this site from authorized Well 2 (Certificate 95358) so I can start planting berries. There is an underlying water right Certificate 23156 we wish to suspend during this time.
 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

Nelson Kuenzi owner
 Print Name (and Title if applicable)

3-16-21
 Date

 Applicant signature

 Print Name (and Title if applicable)

 Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

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

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

DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME NA	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 Marion County Planning Division	ADDRESS 5155 Silverton Road NE	
CITY Salem	STATE Oregon	ZIP 97305

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5a of 5b – 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 # 95358

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Description of Water Delivery System

System capacity: 0.34 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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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. Water is pumped from Well 2 (MARI 66629) through 6-inch PVC buried mainline with 4-inch hydrants. From the hydrants, a hard hose traveler or impact sprinklers can irrigate the grass seed area, or a flex hose can be connected to one drip line per row of blackberries.

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 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 66629	7	S	1	W	19	NW	NE	TL 300	1,065 feet south and 1,795 feet west from the NE corner, Section 19
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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):

- 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.

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 # 95358

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)										PROPOSED (the "to" or "on" lands)																
The listing that appears on the Certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES																
List only that part or portion of the water right that will be changed.										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	Proposed Changes (see "CODES" from previous page)	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						
7	S	1	W	18	SE	SE	300	NA	0.6	IR	Well 2 (MARI 66629)	2-6-2015	POU	7	S	1	W	18	SE	SE	300	NA	7.4	IR	Well 2 (MARI 66629)	2-6-2015
7	S	1	W	19	NE	NE	300	NA	6.8	IR	Well 2 (MARI 66629)	2-6-2015	POU													
TOTAL ACRES										TOTAL ACRES																
7.4										7.4																

Additional remarks: None

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For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: NA

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right	
Well 2	Yes	MARI 66629	See Well Log MARI 66629								0.34 cfs

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Part 5b of 5b – 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.

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Water Right Certificate # 95541

Description of Water Delivery System

System capacity: 0.73 cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at sometime 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. **Water is pumped from the authorized wells through 5-inch buried PVC mainline with 4-inch hydrants. From the hydrants, a flex hose can be connected to one drip line per row of berries.**

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	MARI 6315	7	S	1	W	17	SW	SE	TL 1800	420 feet north and 694 feet east from the S 1/4 corner, Section 17
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 54653	7	S	1	W	17	SW	SE	TL 1800	432 feet north and 702 feet east from the S 1/4 corner, Section 17
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	MARI 66629	7	S	1	W	19	NW	NE	TL 300	1,065 feet south and 1,795 feet west from the NE corner, Section 19

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

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

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

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

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

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

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No

Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 95541

List only the part of the right that will be changed. For the acreage in each 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)											
The listing that appears on the Certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES											
List only that part or portion of the water right that will be changed.										are made.											
Twp	Rng	Sec	1/4	Gvt Lot or DLC	Tax Lot	1/4	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
7	S	1	SE	1800	1800	SW	IR	Well 1 & 2	2-15-1995	POU, POA	7	S	1	SE	300	NA	7.9	IR	Well 2 (MARI 66629)	2-15-1995	
7	S	1	SW	1800	1800	SE	IR	Well 1 & 2	2-15-1995	POU, POA											
7	S	1	NE	1800	1800	NW	IR	Well 1 & 2	2-15-1995	POU, POA											
TOTAL ACRES										TOTAL ACRES											
7.9										7.9											

Additional remarks: None

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For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: NA

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 1	Yes	MARI 6315	See Well Log MARI 6315						0.13 cfs	
Well 2	Yes	MARI 54653	See Well Log MARI 54653						0.60 cfs	

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Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of MARION)

I, NELSON KUENZI, in my capacity as OPERATOR,

mailing address 10155 SUNNYVIEW RD NE, SALEM, OR 97317

telephone number (503)932-3486, being first duly sworn depose and say:

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

- Personal observation Professional expertise

2. I attest that:

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

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

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

- Confirming Certificate # 95358 AND 95541 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)

13687 -

3. The water right was used for: (e.g., crops, pasture, etc.): GRASS SEED AND VEGETABLE ROW CROPS
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

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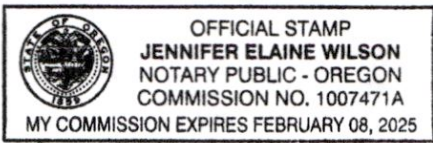
[Handwritten Signature]

3-16-21

Signature of Affiant

Date

Signed and sworn to (or affirmed) before me this 16th day of March, 2021.



[Handwritten Signature: Jennifer Elaine Wilson]
Notary Public for Oregon

My Commission Expires: 2-08-25

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NELSON H. KUENZI
10155 SUNNYVIEW RD NE
SALEM OR 97317

NORTHWEST FARM CREDIT SERVICES, FLCA
650 HAWTHORNE AVENUE SE, SUITE 210
SALEM OR 97301

confirms the right to the use of water perfected under the terms of Permit G-17503. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-17993

SOURCE OF WATER: WELL 2 IN PUDDING RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 27.4 ACRES

MAXIMUM RATE: 0.34 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 6, 2015

WELL LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	19	NW NE	WELL 2 - 1065 FEET SOUTH AND 1795 FEET WEST FROM NE CORNER, SECTION 19

The amount of water used for irrigation under this right, 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 and 2.5 acre-feet acre for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
7 S	1 W	WM	18	SE SE		9.4
7 S	1 W	WM	19	NE NE		12.6
7 S	1 W	WM	19	NW NE		5.3
7 S	1 W	WM	19	SW NE	3	0.1

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement devices, and recording/reporting of annual water use conditions:

- A. The water user shall maintain the totalizing flow meter at each point of appropriation in good working order.
- B. The water user shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The water user shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes water-use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

A dedicated water-level measuring tube shall be maintained in each well. The measuring tube shall meet the standards described in OAR 215-0060. When requested, access to the well shall be provided to Department staff in order to make water-level measurements.

The water user shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

Static Water Level Conditions

Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:

- A. An average water-level decline of three or more feet per year for five consecutive years; or
- B. A total water-level decline of fifteen or more feet; or
- C. A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.

The water user shall be responsible for complying with each of the following requirements for measuring water levels in the well.

- A. A water level measurement shall be made each year during the period March 1 through March 31.
- B. All water-level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the water user.
- C. Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment is available from the Department.
- D. The water user/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited above are evidenced by the well measurement required in this section.

Each basalt well shall be continually cased and continuously sealed from land surface to a depth of at least 50 feet to preclude hydraulic connection to nearby streams.

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Each basalt well shall be open to a single aquifer of the Columbia River Basalt Group and shall meet applicable well-construction standards (OAR 690-200 and OAR 690-210). In addition, the open interval in each well shall be no greater than 100 feet. Any discernable movement of water within the well bore when the well is not being pumped shall be assumed as evidence of the presence of multiple aquifers in the open interval.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

If substantial interference with surface water or a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The well(s) shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level-elevation in the well at all times.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

The Director may require water-level or pump-test results every ten years.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

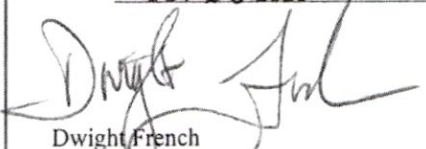
The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued OCT 23 2020.

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Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

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STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KUENZI BROTHERS FARMS LLC
2103 HIBBARD RD NE
SILVERTON, OR 97381

NORTHWEST FARM CREDIT SERVICES, FCLA
P.O. BOX 13309
SALEM, OR 97309

confirms the right to the use of water perfected under the terms of Permit G-12918. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-13982

SOURCE OF WATER: TWO WELLS IN BEAVER CREEK BASIN

PURPOSE or USE: IRRIGATION OF 82.0 ACRES

MAXIMUM RATE: 0.73 CUBIC FEET PER SECOND, BEING 0.13 CFS FROM WELL #1
AND 0.60 CFS FROM WELL #2

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 15, 1995

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
7 S	1 W	WM	17	SW SE	7	WELL #1 - 420 FEET NORTH AND 694 FEET EAST FROM S1/4 CORNER, SECTION 17
7 S	1 W	WM	17	SW SE	7	WELL #2 - 432 FEET NORTH AND 702 FEET EAST FROM S1/4 CORNER, SECTION 17

The amount of water used for irrigation under this right, 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) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
7 S	1 W	WM	17	NE SW		7.0
7 S	1 W	WM	17	SE SW		36.8
7 S	1 W	WM	17	SW SE	7	20.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
7 S	1 W	WM	20	NE NW		18.2

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall maintain a meter or other suitable measuring device as approved by the Director, and shall submit an annual report of water used to the Department by December 1 of each year.
- (3) The water user shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) A water level measurement shall be made each year during the period March 1 through March 31.
 - (b) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the water user.
 - (c) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - (d) The water user shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

This certificate is issued to correctly describe the rate of water authorized under the right as identified by an order of the Water Resources Director entered March 5th, 2021, at Special Order Volume 118, Page 573, and supersedes Certificate 95373.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued MAR 05 2021



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

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REEL: 4353

PAGE: 272

June 30, 2020, 02:55 pm.

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CONTROL #: 606883

State of Oregon
County of Marion

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 126.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

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REEL 4353 PAGE 272
MARION COUNTY
BILL BURGESS, COUNTY CLERK
06-30-2020 02:55 pm.
Control Number 606883 \$ 126.00
Instrument 2020 00034654

After recording, return to:
Nelson H. Kuenzi
10155 Sunnyview Rd NE
Salem, OR 97317

Send tax statements to:
Nelson H. Kuenzi
10155 Sunnyview Rd NE
Salem, OR 97317

Consideration = \$ 210,000.00

Amertitle 37549 Ave

Property Line Adjustment Deed

Mary D. Mautz, hereinafter called Grantor, 2205 105th Ave NE, Salem, OR 97317, is the owner of real property located in Marion County, Oregon, referred to herein as Property A, and more particularly described on Exhibit A, which is attached hereto and by this reference incorporated herein. Nelson H. Kuenzi, hereinafter called Grantee, 10155 Sunnyview Rd NE, Salem, OR 97317, is the owner of real property located in Marion County, Oregon, referred to herein as Property B, more particularly described on Exhibit B, which is attached hereto and by this reference incorporated herein.

The purpose of this Property Line Adjustment Deed (Deed) is to effect a property line adjustment between Property A and Property B such that Property A will be reduced in size by approximately 15.17 acres and will hereafter consist of only the land described on Exhibit C, which is attached hereto and incorporated herein by this reference, and Property B will be increased in size by approximately 15.17 acres and will hereafter consist of the land more particularly described on Exhibit D, which is attached hereto and incorporated herein by this reference.

NOW THEREFORE, in order to effect the property line adjustment and to create the reconfigured lots as described on Exhibits C and D, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in Marion County, Oregon, described on Exhibit E, which is attached hereto and by this reference incorporated herein.

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“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, 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 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.”

The true and actual consideration for this transfer, stated in terms of dollars is N/A; however, the actual consideration consists of other property or values which is the whole consideration. The purpose of this Deed is to effect a property line adjustment, and the two parcels are to remain separate and distinct.

This property line adjustment deed is executed this 23 day of June, 2020.

GRANTOR

Mary D. Mautz by Jeffrey D. Mautz Attorney in fact
Mary D. Mautz

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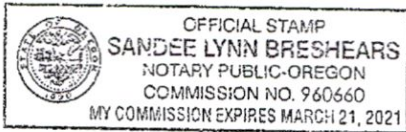
APR 26 2021

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State of OREGON)
) ss.
County of MARION)

This instrument was acknowledged before me on June 23, 2020, 2020,
by Mary D. Mautz Jeffrey D. Mautz attorney in fact for Mary D. Mautz
Before me:

Sandee Breshears
Notary Public for Oregon



My Commission Expires: 3/21/21

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GRANTEE

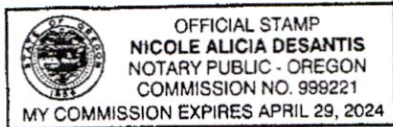
Nelson H. Kuenzi

Nelson H. Kuenzi

State of OREGON)
) ss.
County of MARION)

This instrument was acknowledged before me on June 26, 2020,
by Nelson H. Kuenzi.

Before me:



Nicole Desantis
Notary Public for Oregon

My Commission Expires: 4/29/2024

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EXHIBIT "A"

Legal Description For:
Original Property "A"

Beginning at a point 10.00 chains north of the southeast corner of Section 18 in Township 7 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; and running thence north 10.00 chains; thence west 20.00 chains; thence south 10.00 chains; thence east 20.00 chains to the place of beginning.

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EXHIBIT "B"

OWRD

Legal Description For:
Original Property "B"

A tract of real property described in that certain deed from Myrtle Meyer Vanwoert, et al to Elmer E. and Edna Christina Hansen, recorded February 11, 1949 in Volume 400, Page 471, Deed Records, Marion County, Oregon, and more particularly described as follows:

Beginning at the Northeast corner of the sixty acre tract of land sold by John Kissling and wife to Samuel Beutler recorded in Volume 23, Page 521, Record of Deeds for Marion County, Oregon; thence South 39°15' West 8.55 chains; thence North 32°10' East 8.68 chains; thence East 1.37 chains to the place of beginning.

ALSO the following described premises to wit: Being a portion of the Southwest quarter of the Donation Land Claim of C. W. Scriber and wife in Township No. 7 South, Range 1 West of the Willamette Meridian, Marion County, Oregon and bounded as follows, to wit: Beginning at a point 40.00 chains North and 33.53 chains East of the Southwest corner of said Donation Land Claim and running thence South 39 1/4° West 34.22 chains to the center of the County Road; thence South 70 1/4° east 1.75 chains along said road to a point; thence South 45 3/4° East 5.20 chains to a point; thence North 42 1/2° East 32.73 chains to the East line of said 1/4 section; thence North 7.25 chains to a point; thence West 6.47 chains to the place of beginning.

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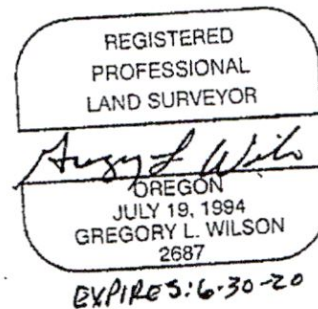
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EXHIBIT "C"

Legal Description For:
Adjusted Property "A"

A tract of land situated in the southeast one-quarter of Section 18, Township 7 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, being a portion of that property described in Reel 7, Page 1014, Marion County Deed Records, said tract being more particularly described as follows:

Beginning at the southeast corner of the said property, said point being North 635.25 feet from the southeast corner of said Section 18; and running thence:
South 89°23'53" West 330.00 feet along the south line of said property to a 5/8-inch iron rod with yellow plastic cap stamped "Wilson PLS 2687";
thence leaving said south line, North 660.15 feet to a like iron rod on the north line of said property;
thence North 89°24'19" East 330.00 feet along said north line to the Northeast corner of said property, said point being on the east line of said Section 18;
thence South 660.11 feet along the east line of said property and the east line of said Section 18 to the Point of Beginning, containing 5.00 acres of land, more or less.



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EXHIBIT "D"

Legal Description For:
Adjusted Property "B"

A tract of land situated in the southeast one-quarter of Section 18 and the northeast one-quarter of Section 19, Township 7 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, being a portion of that property described in Reel 7, Page 1014, and all of that property described as Parcel II in Reel 3918, Page 261, Marion County Deed Records, said tract being more particularly described as follows:

Beginning at the most easterly southeast corner of said property described as Parcel II in Reel 3918, Page 261, said point being North 156.75 feet from the Southeast corner of said Section 18; and running thence along the boundary of said property the following five courses:

- South 43°49'00" West 2179.32 feet;
- thence North 45°26'00" West 343.20;
- thence North 60°07'00" West 118.22 feet;
- thence North 39°17'00" East 1630.11 feet;
- thence North 32°19'37" East 572.88 feet to a point on the south line of the aforementioned property described in Reel 7, Page 1014;
- thence South 89°23'53" West 814.70 feet along said south line to the southwest corner thereof;
- thence North 0°11'41" East 660.30 feet along the west line of said property to the northwest corner thereof;
- thence North 89°24'19" East 999.90 feet along the north line of said property to a 5/8-inch iron rod with yellow plastic cap marked "WILSON PLS 2687";
- thence leaving said north line, South 660.15 feet to a like iron rod on the south line of said property;
- thence North 89°23'53" East 330.00 feet along said south line to the southeast corner of said property, said point being on the east line of said Section 18;
- thence South 478.50 feet along said east line to the Point of Beginning, containing 45.69 acres of land, more or less.

071W18
00300

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Gregory L. Wilson

OREGON
JULY 19, 1994
GREGORY L. WILSON
2687

EXPIRES: 6-30-20

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EXHIBIT "E"

Legal Description For:
Transferred Property (Property "A" to Property "B")

A tract of land situated in the southeast one-quarter of Section 18, Township 7 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, being a portion of that property described in Reel 7, Page 1014, Marion County Deed Records, said tract being more particularly described as follows:

Beginning at a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687" on the south line of said property, said point being North 635.25 feet and South 89°24'19" West 330.00 feet from the southeast corner of said Section 18; and running thence:
South 89°23'53" West 1002.14 feet along said south line to the southwest corner of said property;
thence North 0°11'41" East 660.30 feet along the west line of said property to the northwest corner thereof;
thence North 89°24'19" East 999.90 feet along the north line of said property to a like iron rod;
thence leaving said north line, South 660.15 feet to the Point of Beginning, containing 15.17 acres of land, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Gregory L. Wilson
OREGON
JULY 19, 1994
GREGORY L. WILSON
2687
EXPIRES: 6-30-20

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APR 26 2021
OWRD

REEL:3061

PAGE: 467

May 12, 2009, 11:43 am.

CONTROL #: 248058

State of Oregon
County of Marion

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 31.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

13687 -

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RECORDING REQUESTED BY:
GRANTOR'S NAME:
James G. Kuenzi Trust

GRANTEE'S NAME:
Kuenzi Brothers Farms, LLC

SEND TAX STATEMENTS TO:
Kuenzi Brothers Farms, LLC
2103 Hibbard RD NE
Silverton, OR 97381

AFTER RECORDING RETURN TO:
Kuenzi Brothers Farms, LLC
2103 Hibbard RD NE
Silverton, OR 97381

Escrow No: 471809001062-TTMIDWIL20

TICOR TITLE

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY SPECIAL WARRANTY DEED IN FULFILLMENT OF CONTRACT

471809-1062

James G. Kuenzi, Trustee of the James G. Kuenzi Trust, under agreement dated July 1, 1993 as amended, Grantor, conveys and specially warrants to

Kuenzi Brothers Farms, LLC, Grantee, the following described real property, free of encumbrances created or suffered by the Grantor except as specifically set forth below, situated in the County of Marion, State of Oregon:

See Exhibit 'One' attached hereto and made a part hereof

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. 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 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.

THE TRUE CONSIDERATION FOR THIS CONVEYANCE IS FULFILLMENT OF THAT CERTAIN CONTRACT, MEMORANDUM OF WHICH WAS RECORDED DECEMBER 28, 2006 AS REEL 2754, PAGE 10, MARION COUNTY, OREGON. (See ORS 93.030)

DATED: 4/3/09

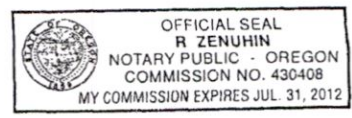
JAMES G. KUENZI TRUST
James G. Kuenzi
James G. Kuenzi, Trustee

State of Oregon, County of Marion)ss.

This instrument was acknowledged before me on April 3, 2009 by James G. Kuenzi, as trustee, of the James G. Kuenzi Trust.

[Signature]
Notary Public My commission expires: 7/31/12

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EXHIBIT 'ONE'
Legal Description

Parcel I:

Beginning at the quarter section corner between Sections 17 and 20 in Township 7 South, Range 1 West of the Willamette Meridian, in Marion County, State of Oregon; running thence East along the North line of said Section 20 a distance of 16 rods and 8 1/2 feet; thence South parallel with the West line of the premises in that certain Deed of Conveyance from Julia A. Hibbard, a widow, to Helen Hibbard Paget, recorded August 2, 1915, in Volume 136, Page 611, Deed Records for Marion County, Oregon, a distance of 12.25 chains to the South line of said tract described in said Deed; thence running West along the South line of the premises described in said Deed a distance of 96 rods and 8 1/2 feet to the Southwest corner of said premises described in said Deed; thence North along the West line of the premises described in said Deed a distance of 12.25 chains to the Northwest corner thereof; thence running Easterly along the North line of said Section 20 a distance of 80 rods to the place of beginning.

Sec 20, Lot 700

Parcel II:

Beginning at the Quarter Section corner on the South line of Section 17 in Township 7 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; thence South 89°15' West 20.00 chains, along the South line of Section 17; thence North 25.00 chains; thence North 89°50' East 20.00 chains parallel to the South line of Section 17; thence North 0°18' East 15.00 chains to the center of Section 17; thence East 50 links; thence South 0°18' West 23.52 chains; thence North 89°15' East 17.14 chains, to the middle of the County Road; thence South 5°16' West 17.09 chains, along the middle of the County Road to the South line of Section 17; thence South 89°15' West 16.25 chains, to the place of beginning.

Sec 17, Lot 1800

13687 -

Application for Water Right
Transfer
Consent by Deeded Landowner



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

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State of Oregon)
)ss
County of Marion)

I Sean Kolb in my/our capacity as representative of Northwest Farm Credit Services,

mailing address 650 Hawthorne Ave SE, Suite 210, Salem, OR 97301,

telephone number (503) 373-3073, duly sworn depose and say that I

consent to the proposed change(s) to Water Right Certificate Number 95541

described in a Transfer Application (T-NA) submitted by Nelson Kuenzi,
(transfer number, if known)

on the property in tax lot number(s) 1800, Section 17, Township 7S, Range 1W, W.M., located
at 2103 Hibbard Rd NE, Silverton, OR 97381.
(site address)

And on the property in tax lot number(s) 700, Section 20, Township 7S, Range 1W, W.M.,
located at 2103 Hibbard Rd NE, Silverton, OR 97381.
(site address)

Signature of Affiant

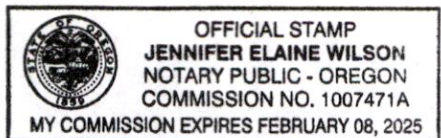
4-7-21

Date

Signature of Affiant

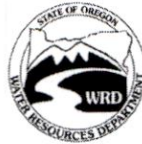
Date

Subscribed and Sworn to before me this 7th day of April, 2021.


Notary Public for Oregon

My commission expires 2-8-25
13687

**Application for Water Right
Transfer
Consent by Deeded Landowner**



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

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OWRD

State of Oregon)
)ss
County of Marion)

I Nelson Kuenzi in my/our capacity as owner of Kuenzi Brothers Farms LLC,

mailing address 10155 Sunnyview Rd NE, Salem, OR 97317,

telephone number (503) 932-3486, duly sworn depose and say that I

consent to the proposed change(s) to Water Right Certificate Number 95541

described in a Transfer Application (T-NA) submitted by Nelson Kuenzi,
(transfer number, if known)

on the property in tax lot number(s) 1800, Section 17, Township 7S, Range 1W, W.M., located
at 2103 Hibbard Rd NE, Silverton, OR 97381.
(site address)

And on the property in tax lot number(s) 700, Section 20, Township 7S, Range 1W, W.M.,
located at 2103 Hibbard Rd NE, Silverton, OR 97381.
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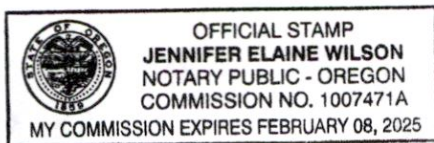
Nelson Kuenzi
Signature of Affiant

3-16-21
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 16th day of March, 20 21.



Jennifer Elaine Wilson
Notary Public for Oregon

My commission expires 2-08-25
13687

ORIGINAL
File Original, and
Duplicate with the
STATE ENGINEER,
SALEM, OREGON

WATER WELL DRILLERS REPORT
STATE OF OREGON

Do Not State Well No. 7/12-17-R/2
Fill In State Permit No. _____

JAN 30 1956

(1) OWNER: SALEM, OREGON
Name Harvey Kuenz (6315) (MARI...)
Address Silverts Ore.
R3 BOX 154

(2) LOCATION OF WELL:
County Marian Owner's number, if any—
R. F. D. or Street No. R3
Bearing and distance from section or subdivision corner
50 rds. West of S.E. corner of Sec. 17
T. 7 R. 1 West

(3) TYPE OF WORK (check):
Well Deepening Reconditioning Abandon
Abandonment, describe material and procedure in Item 11.

PROPOSED USE (check):
Domestic Industrial Municipal
Irrigation Test Well Other

(5) EQUIPMENT:
Rotary
Cable
Dug Well

(6) CASING INSTALLED:
Lead Welded
Gage or Wall
FROM 0 ft. to 23 ft 5" Diam. stand
Type and size of shoe or well ring
Describe joint

If gravel packed
Diameter of Bore from ft. to ft.
Size of gravel:

(7) PERFORATIONS:
Type of perforator used
No. of perforations in., length, by in.
ft. to ft. perf per foot No. of rows

SCREENS:
Give Manufacturer's Name, Model No. and Size

CONSTRUCTION:
Was a surface sanitary seal provided? Yes No To what depth 23 ft.
Were any strata sealed against pollution? Yes No
If yes, note depth of strata
FROM 0 23 ft. to ft.

METHOD OF SEALING

(9) WATER LEVELS:
Depth at which water was first found 14 ft.
Standing level before perforating ft.
Standing level after perforating 280 ft.

Log Accepted by:
[Signed] H. Kuenz Dated Jan 10, 1956
Owner

(10) WELL TESTS:
Was a pump test made? Yes No If yes, by whom?
Yield: gal./min. with ft. draw down after hrs.
" " " " " "
" " " " " "
Artesian flow g.p.m.
Shut-in pressure lbs. per square inch
Bailer test 10 g.p.m. with none ft. drawdown
Temperature of water Was a chemical analysis made? Yes No
Was electric log made of well? Yes No

(11) WELL LOG:
Diameter of well, 6 inches.
Total depth 243 ft. Depth of completed well 243 ft.
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.
0 ft. to 8 ft. red soil, boulders
8 " 56 " very hard basalt
56 " 118 " softer blue rock
118 " 206 " very hard grey rock
206 " 243 " honeycombed hard rock
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Ground elevation at well site unknown feet above mean sea level.
Work started Nov 11 1953 Completed Jan 6 1956

Well Driller's Statement:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME _____ (Person, firm, or corporation) (Typed or printed)
Address _____
Driller's well number _____
[Signed] _____ (Well Driller)
License No. _____ Dated _____, 19_____

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MAR 15 2000

MAR 15 2000
54653

APR 26 2021

STATE OF OREGON
WATER SUPPLY WELL REPORT WATER RESOURCES DEPT.
(as required by ORS 537.765) SALEM, OREGON

WELL I.D. # L 37326
START CARD # 128917 OWRD

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number 3462
Name James Kuengi
Address 2103 Hibbard Rd NE
City Silverton State OR Zip 97381

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 275 ft.
Explosives used Yes No Type Amount

HOLE		SEAL		Sacks or pounds	
Diameter	From To	Material	From To		
12"	0 18'	Cement	0 18'	19	Cement
10"	18 19'	5% Bent	18 20'	2	Bent
8"	19 275'	Open Hole			

How was seal placed: Method A B C D E
 Other
Backfill placed from ft. to ft. Material
Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8"	+1	19	0.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: 6"	0+1	275'	0.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 8" 19 ft 6" Index 5 1/2" 10 275 ft

(7) PERFORATIONS/SCREENS:

Perforations Method Torch
 Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
235	274	4x8	160			<input type="checkbox"/>	<input checked="" type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
Yield gal/min 75+ Drawdown 2.60 Drill stem at 1 hr.
Temperature of water 53 Depth Artesian Flow Found
Was a water analysis done? No Yes By whom
Did any strata contain water not suitable for intended use? No Too little
 Salty Muddy Odor Colored Other
Depth of strata:

(9) LOCATION OF WELL by legal description:
County Marion Latitude Longitude
Township 7S N or S Range 1W E or W. WM.
Section 17 SW 1/4 SE 1/4
Tax Lot 01800 Lot Block Subdivision
Street Address of Well (or nearest address)
Same as #1

(10) STATIC WATER LEVEL:
203 ft. below land surface. Date 3/8/00
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:
Depth at which water was first found Surface 8 ft
235

From	To	Estimated Flow Rate	SWL
235	273	200+	203

(12) WELL LOG: APR 25 2000
Ground Elevation

Material	From	To	SWL
Top Soil	0	2	
Broken Weathered Basalt	2	8	2 ft
Hard Black Basalt	8	73	
Hard Grey Basalt	73	137	
Hard Grey Basalt with white stripes	137	152	
Broken Grey Basalt	152	178	
Soft Grey Basalt	178	215	
Broken Grey Basalt	215	235	
Hard Grey Basalt with white stripes (water)	235	243	
Broken Black Basalt	243	256	
Block fractured Vesicular Basalt	256	273	
Blue Clay	273	275	

Date started 2/29/00 Completed 3/8/00
(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Troy Seier
By DJB WWC Number 1733
Signed Date

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 561
Signed Dallas J. Davis Date 3/8/00