

# Application for Permanent Water Right 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 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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**Check all items included with this application. (N/A = Not Applicable)**

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](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 Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 51040**  
Please include a separate Part 5 for each water right. (See instructions on page 6)

**Attachments:**

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

**(For Staff Use Only)**

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

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

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503-986-0\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



## Part 2 of 5 – Transfer Application Map

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

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

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

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

**Applicant Information**

APPLICANT/BUSINESS NAME <b>Mark A. McKay</b>		PHONE NO. <b>503.580.7266</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>5097 BROOKLAKE ROAD NE</b>		FAX NO.	
CITY <b>SALEM</b>	STATE <b>OREGON</b>	ZIP <b>97305</b>	E-MAIL <b>markmckay66@gmail.com</b>
<p><b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b></p>			

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

AGENT/BUSINESS NAME <b>JEANNE BOATWRIGHT</b>		PHONE NO. <b>503.363.9225</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>BOATWRIGHT ENGINEERING, INV. 2613 12<sup>TH</sup> STREET SE</b>		FAX NO.	
CITY <b>SALEM</b>	STATE <b>OREGON</b>	ZIP <b>97302</b>	E-MAIL <b>jeanne@boatwrightengr.com</b>
<p><b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b></p>			

Explain in your own words what you propose to accomplish with this transfer application, and why:  
**I have purchased a property with water rights on a portion of it, but the well and the remainder of the right is on the neighbor's land. I want to transfer the point of appropriation for the portion of the right on my ownership to a well on another property that I own.**

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

**Check One Box**

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

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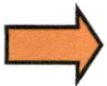
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**By my signature below, I confirm that I understand:**

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: **Woodburn Independent.**
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).

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



*Mark A. McKay*  
Applicant signature

**Mark A. McKay**  
Print Name (and Title if applicable)

June 7<sup>th</sup>, 2021  
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 deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

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Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold?  Yes  No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

[https://www.oregon.gov/owrd/WRDFormsPDF/Transfer\\_Property\\_Transactions.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf)

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

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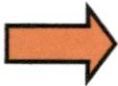
Describe any special ownership circumstances here: **None**

- Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME	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	ADDRESS		
CITY	STATE	ZIP	



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

ENTITY NAME	ADDRESS		
<b>MARION COUNTY</b>	<b>555 COURT STREET NE</b>		
CITY	STATE	ZIP	
<b>SALEM</b>	<b>OREGON</b>	<b>97301</b>	

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	



• **Part 5 of 5 – Water Right Information**

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

**CERTIFICATE # 51040**

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**Description of Water Delivery System**

System capacity: **0.93** 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 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. **30 hp pump, 8" & 6" pipelines, center pivot.**

**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	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 2800	5	S	2	W	33	NW	SW	8	1090' S & 1040' W of SW COR LARKIN DLC 84
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	MARI 2799	5	S	2	W	32	SE	SE	1	15' S & 60' W of NW COR Dougherty DLC 101
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

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

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

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

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

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

**Table 2. Description of Changes to Water Right Certificate # 51040**

List the change proposed for the acreage in each 1/4. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)										
The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec	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	
<b>EXAMPLE</b>																				
2	S	9	E	15	NW	100				2	S	9	E	1	NW	500	1	10.0	POD #5	1901
						15.0	Irrigation	POD #1 POD #2	1901											
5	S	2	W	33	NW	1200	8	14.0	1976	5	S	2	W	33	NW	8	14.0	WELL 3	1976	
							IR	WELL												
5	S	2	W	33	NW	1200	9	4.5	1976	5	S	2	W	33	NW	9	4.5	WELL 3	1976	
							IR	WELL												
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TOTAL ACRES: 18.5										TOTAL ACRES: 18.5										

Additional remarks: \_\_\_\_\_



**For Place of Use or Character of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: **GR-1872**



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

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;  
Surface water primary Certificate # \_\_\_\_\_.

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**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

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

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

**Tip:** You may search for well logs on the Department's web page at:  
[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](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 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

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

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

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

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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** )

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I, **Mark A. McKay**, in my capacity as, **Owner**  
 mailing address **5057 Brooklake Road NE, Salem OR 97305**  
 telephone number **503.580.7266**, 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)
51040	5	S	2	W	WM	33	NW	SW	8	14.0
51040	5	S	2	W	WM	33	SW	SW	9	4.5
									<b>TOTAL</b>	<b>18.5</b>

**OR**

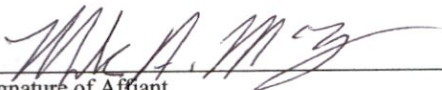
- Confirming Certificate # \_\_\_\_ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence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

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(continues on reverse side)

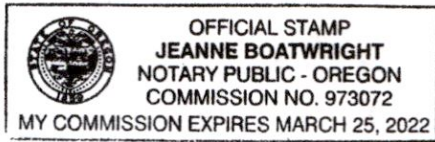


3. The water right was used for: (e.g., crops, pasture, etc.): **Filberts**
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

  
 \_\_\_\_\_  
 Signature of Affiant

**June - 2 - , 2021**  
 Date

Signed and sworn to (or affirmed) before me this - 2nd - day of **June, 2021**.



  
 \_\_\_\_\_  
 Notary Public for Oregon

My Commission Expires: March 25, 2022

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>● Power usage records for pumps associated with irrigation use</li> <li>● Fertilizer or seed bills related to irrigated crops</li> <li>● Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>● District assessment records for water delivered</li> <li>● Crop reports submitted under a federal loan agreement</li> <li>● Beneficial use reports from district</li> <li>● IRS Farm Usage Deduction Report</li> <li>● Agricultural Stabilization Plan</li> <li>● CREP Report</li> </ul>
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right.          If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos:          OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a>          OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a>          Google Earth – <a href="http://earth.google.com">earth.google.com</a>          TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a></p> <p style="text-align: right;"><b>RECEIVED</b>  <b>JUN 28 2021</b></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number <span style="float: right;"><b>OWRD</b></span>

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Concomly

Concomly Rd NE

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BING Map - Unlisted Date  
Derived Date = Summer 2016, or later

Well

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Concomly Rd NE

Concomly Rd NE

Concomly Rd NE

250 Feet 50 mi

BING 1A

© 2021 Mapbox © 2021 TomTom

Pacific Highway 1 N

Pacific Highway 1 S

Pacific Highway 1 N

Pacific Highway 1 S



BING Map - Unlisted Date  
Derived Date = Summer 2016, or later

Well

IRRIGATION

137 52

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BING - 1B

50 feet

20 m

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JUN 2, 8 2021



BING MAP - Unlisted Date  
Derived Date = Summer 2016, or later

Concomly Rd NE

1 BACKYARD TREE

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BING - 2

50 feet 20 m

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BING MAP - Unlisted Date  
Derived Date = Summer 2016, or later

Solar Panels

Conco

Concomly Rd NE

BING - 3

100 feet 25 m

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7-23-2016

See maps GOOGLE 3A & 3B

See maps GOOGLE 2A & 2B

Concomly Rd NE

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GWRD



GOOGLE - 1

900 ft

Google Earth



4-17-2015



TREE

TREE

2 BACKYARD TREES

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GOOGLE - 2A

90 ft

Google Earth



7-23-2016

13752

Google Earth

TREE

1 BACKYARD TREE

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90 ft

GOOGLE - 2B





4-17-2015

NO SOLAR PANELS

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RECEIVED

GOOGLE - 3A



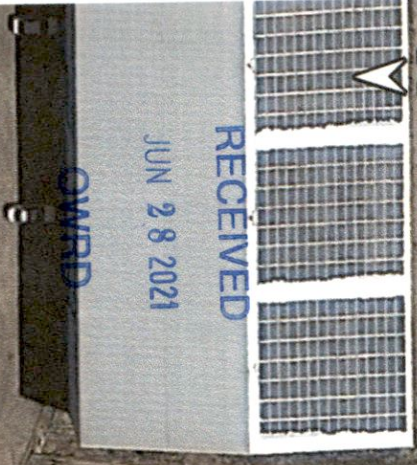
200 ft



7-23-2016

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SOLAR PANELS



Google Earth

GOOGLE - 3B

200 ft



**NOTICE TO WATER WELL CONTRACTOR**

The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

**WATER WELL REPORT**

STATE OF OREGON (Please type or print) (Do not write above this line)

G-7392

Authorized Well

State Well No. 5/2w-33

State Permit No.

**(1) OWNER:**

Name RICHARD SCHWAINFURTH  
Address GERVAIS ORG.

**(2) TYPE OF WORK (check):**

New Well  Deepening  Reconditioning  Abandon

If abandonment, describe material and procedure in Item 12.

**(3) TYPE OF WELL:**

Rotary  Driven   
Cable  Jetted   
Dug  Bored

**(4) PROPOSED USE (check):**

Domestic  Industrial  Municipal   
Irrigation  Test Well  Other

**CASING INSTALLED:**

Threaded  Welded   
12" Diam. from 21 ft. to 159 ft. Gage 250  
" Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_  
" Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_

**(5) PERFORATIONS:**

Perforated?  Yes  No.  
Type of perforator used Mills  
Size of perforations 5 in. by 2 in.  
\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
684 perforations from 118 ft. to 146 ft.  
\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**(7) SCREENS:**

Well screen installed?  Yes  No  
Manufacturer's Name \_\_\_\_\_  
Type \_\_\_\_\_ Model No. \_\_\_\_\_  
Diam. \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
Diam. \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**(8) WATER LEVEL: Completed well.**

Static level 15 ft. below land surface Date 6-3-68  
\_\_\_\_\_ in pressure \_\_\_\_\_ lbs. per square inch Date \_\_\_\_\_

**(9) WELL TESTS:**

Drawdown is amount water level is lowered below static level  
Was a pump test made?  Yes  No If yes, by whom Mills  
! 550 gal./min. with 64 ft. drawdown after 8 1/2 hrs.  
450 " 57 " 9 1/2 "  
" " " " " " "  
Ballot test gal./min. with ft. drawdown after hrs.  
Artesian flow g.p.m. Date \_\_\_\_\_  
Temperature of water \_\_\_\_\_ Was a chemical analysis made?  Yes  No

**(10) CONSTRUCTION:**

Well seal—Material used BENTONITE  
Depth of seal 40 ft.  
Diameter of well bore to bottom of seal 76 in.  
Were any loose strata cemented off?  Yes  No Depth \_\_\_\_\_  
Was a drive shoe used?  Yes  No  
Did any strata contain unusable water?  Yes  No  
Type of water? \_\_\_\_\_ depth of strata \_\_\_\_\_  
Method of sealing strata off \_\_\_\_\_  
Was well gravel packed?  Yes  No Size of gravel: \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**(11) LOCATION OF WELL:**

County MARION Driller's well number \_\_\_\_\_  
1/4 Section 33 T. 9. S. R. 2. W. 1 W.M.  
Bearing and distance from section or subdivision corner \_\_\_\_\_

**(12) WELL LOG:**

Diameter of well below casing 12  
Depth drilled 160 ft. Depth of completed well 160 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
SOIL	0	2	
BROWN - CLAY	2	20	
BLUE - " SANDY	20	63	
BLACK - SAND	63	101	
GRAY - CLAY	101	112	
SAND + GRAVEL - SMALL TO MED.	112	134	
BROWN - CEMENTED GRAVEL	134	145	
GRAVEL - SMALL + MED.	145	149	
GRAY - CLAY	149	160	

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Work started 5-24 1968 Completed 6-3 - 1968  
Date well drilling machine moved off of well 6-3 1968

**Drilling Machine Operator's Certification:**

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Harold R. Millar Date 6-4, 1968  
(Drilling Machine Operator)

Drilling Machine Operator's License No. 455

**Water Well Contractor's Certification:**

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Miller-Robinson & West  
(Person, firm or corporation) (Type or print)

Address 5545 Joseph St. SE, Salem

[Signed] Harold R. Millar  
(Water Well Contractor)

Contractor's License No. 37 Date 6-5, 1968



1950

1951

1952

1953



NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON within 30 days from the date of well completion.

RECEIVED MARI. 27 1999  
 RECEIVED JUN 7 1966  
 MAY 25 1966 WATER WELL REPORT  
 STATE ENGINEER SALEM OREGON (Please type or print) G-3813

Well #3

Proposed Well 3

5/2w-32R

(1) OWNER:

Name Oak Crest Farm  
 Address 2270 Wallace Rd  
Salem, Ore.

(2) LOCATION OF WELL:

County Marion Driller's well number 5/2W-32R  
 1/4 Section T. R. W.M.  
 Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

Wells  Deepening  Reconditioning  Abandon   
 If abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic  Industrial  Municipal  Irrigation  Test Well  Other   
 Rotary  Driven  Cable  Jetted  Dug  Bored

(5) TYPE OF WELL:

(6) CASING INSTALLED: Threaded  Welded   
1 23/4 Diam. from 140 ft. to 151 ft. Gage 250  
 " Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_  
 " Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_

(7) PERFORATIONS:

Perforated?  Yes  No  
 Type of perforator used Mills  
 Size of perforations 3/8 in. by 2 1/2 in.  
732 perforations from 117 ft. to 147 ft.  
 \_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 \_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 \_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 \_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

(8) SCREENS:

Well screen installed?  Yes  No  
 Manufacturer's Name \_\_\_\_\_ Model No. \_\_\_\_\_  
 Diam. \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 Diam. \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

(9) CONSTRUCTION:

Well seal—Material used in seal Bentonite  
 Depth of seal 18 ft. Was a packer used? \_\_\_\_\_  
 Diameter of well bore to bottom of seal 16 in.  
 Were any loose strata cemented off?  Yes  No Depth \_\_\_\_\_  
 Was a drive shoe used?  Yes  No  
 Was well gravel packed?  Yes  No Size of gravel: \_\_\_\_\_  
 Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 Did any strata contain unusable water?  Yes  No  
 Type of water? \_\_\_\_\_ depth of strata \_\_\_\_\_  
 Method of sealing strata off \_\_\_\_\_

(10) WATER LEVELS:

Static level 15 ft. below land surface Date 5/14/66  
 Artesian pressure \_\_\_\_\_ lbs. per square inch Date \_\_\_\_\_

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made?  Yes  No If yes, by whom?  
 Yield: \_\_\_\_\_ gal./min. with \_\_\_\_\_ ft. drawdown after \_\_\_\_\_ hrs.  
 " " " " "  
 " " " " "  
 Baller test 20 gal./min. with 2 ft. drawdown after 42 hrs.  
 Artesian flow \_\_\_\_\_ g.p.m. Date \_\_\_\_\_  
 Temperature of water \_\_\_\_\_ Was a chemical analysis made?  Yes  No

(12) WELL LOG:

Diameter of well below casing 12

Depth drilled 151 ft. Depth of completed well 151 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.

MATERIAL	FROM	TO
Top soil	0	1
Clay yellow	1	15
Silt "	15	30
Silt blue	30	70
Clay blue	70	79
Sand blk	79	95
Sand & gravel	95	103
Clay sandy	103	106
Sand coarse blk with pumice pebbles	106	109
Sand & gravel brwn	109	149

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Work started 5/5/66 19 Completed 5/14/66 19  
 Date well drilling machine moved off of well 5/16/66 19

(13) PUMP:

Manufacturer's Name \_\_\_\_\_  
 Type: \_\_\_\_\_ H.P. \_\_\_\_\_

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Harry A. Robinson  
 (Person, firm or corporation) (Type or print)  
 Address 2214 Front St NE Salem, Ore.

Drilling Machine Operator's License No. 63

[Signed] Harry A. Robinson  
 (Water Well Contractor)

Contractor's License No. 22 Date 5/23/66, 19\_\_\_\_



TICOR TITLE  
200609979

MAIL TAX STATEMENTS TO:  
Mark A. McKay  
19393 French Prairie Road NE  
St. Paul, OR 97137

AFTER RECORDING RETURN TO:  
Douglas C. Alexander, II  
c/o Saalfeld Griggs PC  
P.O. Box 470  
Salem, OR 97308

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STATUTORY WARRANTY DEED

McKay Land Co., LLC, an Oregon limited liability company, "Grantor," conveys and warrants to Mark A. McKay, "Grantee," the following described real property located in Marion County, Oregon, free of encumbrances, except as specifically set forth herein:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Subject to and Excepting:

See Exhibit "B" attached hereto and by this reference made a part hereof.

The following is the notice as required by Oregon law: "BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352."

The true and actual consideration paid for this conveyance is Zero Dollars (\$0). However, the actual consideration consists of or includes other property or value given or promised, which is the whole of the consideration. The purpose of this transfer is to effect a tax-free distribution by Grantor to Grantee pursuant to IRC Section 731.

Dated this 10 day of July, 2006.

13752







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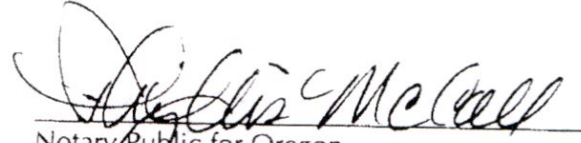
JUN 28 2021

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State of Oregon )  
 ) ss.  
County of Marion )

On this 10<sup>th</sup> day of July, 2006, personally appeared Mark A. McKay, a member on behalf of McKay Land Co., LLC, an Oregon limited liability company, who being duly sworn, did acknowledge the foregoing instrument to be its voluntary act and deed.

Before me:

  
Notary Public for Oregon  
My Commission Expires: 7-19-2007



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**EXHIBIT A**  
Legal Description

Beginning at an iron rod on the East line of the Robert L. Ogle Donation Land Claim No. 53, South 4080.32 feet from the Northeast corner of said Donation Land Claim; thence East 2282.02 feet to an iron pipe; thence South 00°36' West 1152.23 feet to an iron rod in the center line of a County Road; thence North 88°13' West 2271.08 feet along said center line to an iron rod at an angle point in said County Road; thence North along the center line of said County 1081.54 feet to the place of beginning, all lying in and being a part of the West half of Section 33, in Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its State Highway Commission by deed recorded November 13, 1953 in Volume 457, Page 89, and by deed recorded August 29, 1972 in Volume 733, Page 716, Deed Records for Marion County, Oregon.

ALSO EXCEPTING THEREFROM that portion conveyed by deed recorded July 11, 1973 in Book 756, Page 179, Deed Records for Marion County, Oregon.

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EXHIBIT B  
Exceptions

The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets and highways.

Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission, which provides that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,

Recorded: November 13, 1953  
Book: 457 Page: 89  
in Marion County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,  
In favor of: United States of America, Department of Interior, acting by  
and through the Bonneville Power Administration Roadway  
Dated: October 7, 1974  
Recorded: November 4, 1974  
Reel: 3 Page: 815  
in Marion County, Oregon.

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An Easement created by instrument, including the terms and provisions thereof,  
In favor of: United States of America, Department of Interior, acting by  
and through the Bonneville Power Administration  
For: Access roadway  
Dated: August 24, 1972  
Recorded: August 29, 1972  
Book: 733 Page: 717  
in Marion County, Oregon.

Oil and Gas Lease, including the terms and provisions thereof, a memorandum of which was,

Lessor: Lyle G. Banning and Inez Banning  
Lessee: Reichhold Energy Corporation  
Dated: August 2, 1984  
Recorded: August 6, 1984  
Reel: 352 Page: 1511  
in Marion County, Oregon.

The lessee interest in said Lease was assigned by instrument,

To: Atlantic Richfield Company  
Recorded: November 4, 1985  
Reel: 425 Page: 94  
in Marion County, Oregon.

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EXHIBIT B – CONTINUED

The lessee interest in said Lease was assigned by instrument,  
To: Wesley G. Bruer and Odetha P. Bruer  
Recorded: October 31, 1986  
Reel: 499 Page: 304  
in Marion County, Oregon.

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**REEL:2680**

**PAGE: 164**

**July 21, 2006, 03:39 pm.**

CONTROL #: 172684

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: \$ 51.00

BILL BURGESS  
COUNTY CLERK

THIS IS NOT AN INVOICE.

13752