

Application for Permanent Water Right Transfer

OREGON



WATER RESOURCES DEPARTMENT

Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, Oregon 97301-1266

(503) 986-0900

www.oregon.gov/OWRD

Part 1 of 5 – Minimum Requirements Checklist

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.

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.
 - 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: Certificate: 34191**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.
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- 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- _____ 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/. 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°).

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>2 (2a)</u> Subtract 1 from the number in line 2a = <u>1 (2b)</u> <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$1090 and enter »	2	\$1,090
	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$610 and enter »	3	\$0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed <u>\$480 (4a)</u> Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>\$820 (4b)</u> Add line 4a to line 4b and enter »		
4		4	\$1,300
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see below*): <u>0.42 (5a)</u> Subtract 1.0 from the number in 5a above: <u>-0.58 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>0 (5c)</u> and multiply 5c by \$410, then enter on line 5 »		
5		5	\$0
6	Add entries on lines 1 through 5 above » Subtotal:	6	\$3,750
	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 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 »	7	\$0
8	Subtract line 7 from line 6 » Transfer Fee:	8	\$3,750

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*Example for Line 5a 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. For irrigation calculate cfs for each water right involved as follows:
 - a. 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*).
 - b. 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*)
- 2. 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 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0*).

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$990.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$480 and enter »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	NA

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Bruce Ernst		PHONE NO. (503) 633-8366	ADDITIONAL CONTACT NO. OWPD
ADDRESS PO Box 460			FAX NO.
CITY Saint Paul	STATE OR	ZIP 97137	E-MAIL acc@ernstnursery.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.			

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:
The authorized Well 1 (MARI 1065) has not been able to produce enough water to cover all of our area. We wish to add Well 2 (MARI 51725), Well 3 (MARI 68592) and Well 4 (MARI 1132) along with re-configuring the authorized place of use to reflect improved mapping and to correspond with the re-alignment of McKay Rd and Hwy 219.

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

Check One Box

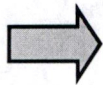
- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **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.

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).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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



Bruce W Ernst
Applicant Signature

Bruce W Ernst
Print Name and title if applicable

6-16-22 OWRD
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 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.

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

RECEIVING LANDOWNER NAME NA			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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 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 county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

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

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 # 34191

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Description of Water Delivery System

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System capacity: **0.44 cfs** 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. **Authorized Well 1 (MARI 1065) is pumped with a 10 Hp submersible pump through the existing mainlines to supply drip irrigation to can yards and impact sprinklers to in-ground stock.**

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 1065	4	S	2	W	4	SW	SE	DLC 70	610 feet south and 960 feet east from the NW corner, DLC 70
Re-described Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 1065	4	S	2	W	4	SW	SE	DLC 70	720 feet south and 1,000 feet east from the NW corner, DLC 70
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	MARI 51725	4	S	2	W	4	SW	SE	DLC 70	635 feet south and 1,000 feet east from the NW corner, DLC 70.
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	MARI 68592	4	S	2	W	4	SW	SE	DLC 70	1,200 feet south and 1,905 feet east from the NW corner, DLC 70.
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	MARI 1132	4	S	2	W	9	NE	NE	DLC 70	2,330 feet south and 1,090 feet west from the NE corner, DLC 70.

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

Place of Use (POU)

Supplemental Use to Primary Use (S to P)

- | | |
|---|--|
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" 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 # 34191

List the change proposed for the acreage in each ¼ ¼. 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) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date					
4	S	2	W	4	NE	SW	1100	DLC 70	4.2	IR	Well 1	4-30-1964	POU, APOA	4	S	2	W	4	NE	SW	1100	DLC 70	3.6	IR	Wells 2, 3 and 4	4-30-1964	
4	S	2	W	4	SE	SW	1100	DLC 70	15.4	IR	Well 1	4-30-1964	POU, APOA	4	S	2	W	4	SE	SW	1100	DLC 70	10.9	IR	Wells 2, 3 and 4	4-30-1964	
4	S	2	W	4	NE	SE	1100	DLC 70	2.1	IR	Well 1	4-30-1964	POU, APOA	4	S	2	W	4	SE	SW	1100	DLC 70	4.6	IR	Re-described Well 1	4-30-1964	
4	S	2	W	4	NW	SE	1100	DLC 70	8.6	IR	Well 1	4-30-1964	POU, APOA	4	S	2	W	4	NE	SE	1100	DLC 70	2.0	IR	Wells 2, 3 and 4	4-30-1964	
4	S	2	W	4	SW	SE	1100	DLC 70	29.8	IR	Well 1	4-30-1964	POU, APOA	4	S	2	W	4	NW	SE	1100	DLC 70	7.4	IR	Wells 2, 3 and 4	4-30-1964	
4	S	2	W	4	SE	SE	1100	DLC 70	5.1	IR	Well 1	4-30-1964	POU, APOA	4	S	2	W	4	SW	SE	1100	DLC 70	28.4	IR	Wells 2, 3 and 4	4-30-1964	
4	S	2	W	9	NE	NE	1100	DLC 70	0.2	IR	Well 1	4-30-1964	POU, APOA	4	S	2	W	4	SW	SE	1100	DLC 70	3.0	IR	Re-described Well 1	4-30-1964	
4	S	2	W	9	NW	NE	1100	DLC 70	2.9	IR	Well 1	4-30-1964	POU, APOA	4	S	2	W	4	SE	SE	1100	DLC 70	5.4	IR	Wells 2, 3 and 4	4-30-1964	
TOTAL ACRES:								68.3						TOTAL ACRES:								68.3					

Additional remarks: **With improved mapping methods, including the use of orthographically corrected aerial photos, the relationship of the place of use relative to the section and sixteenth lines differs from the original final proof survey map. We also want to note the alignment of the existing roads has changed since the Certificate was finalized. This transfer is to change the place of use to conform with the new placement**

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of the road, correct the location of Well 1, add Wells 2, 3 and 4, voluntarily cancel some acres covered by buildings and not used for can yard storage before shipping, and re-describe the place of use according to the current mapped locations of the section and sixteenth lines.

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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: Permit G-18143.

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 # NA;

Surface water primary Certificate # NA.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

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

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.

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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
Authorized Well 1	Yes	MARI 1065	See Well Log MARI 1065						Not less than full rate of water right	
Proposed Well 2	Yes	MARI 51725	See Well Log MARI 51725							
Proposed Well 3	Yes	MARI 68592	See Well Log MARI 68592							
Proposed Well 4	Yes	MARI 1132	See Well Log MARI 1132							

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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, BRUCE ERNST, in my capacity as OWNER / OPERATOR,

mailing address PO BOX 460, ST. PAUL, OR 97137

telephone number (503) 633-8366, 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 # _____ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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

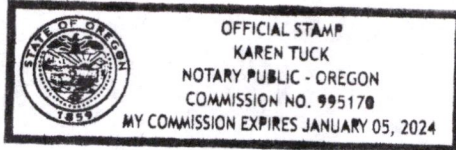
Bruce Ernst

Signature of Affiant

6-16-22

Date

Signed and sworn to (or affirmed) before me this 16 day of June, 2022.



Karen Tuck

Notary Public for Oregon

My Commission Expires: January 5, 2024

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of 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 checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph <p style="text-align: center; color: blue; font-weight: bold;">RECEIVED JUL 15 2022 OWRD</p>	<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.terraserver.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING
T-12435, Marion County)	A TEMPORARY CHANGE
)	IN PLACE OF USE

Authority

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

Applicant

BRUCE W. ERNST LIVING TRUST
BRUCE W. ERNST TRUSTEE
4406 NE BIRDAVEN LOOP
NEWBERG, OR 97128

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Findings of Fact

1. On July 20, 2016, BRUCE W. ERNST LIVING TRUST, BRUCE W. ERNST TRUSTEE filed an application to temporarily change the place of use under Certificate 34191 for a period of 5 years. The Department assigned the application number T-12435.
2. Notice of the application for transfer was published on July 26, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The portion of the right to be transferred is as follows:

Certificate: 34191 in the name of MICHAEL E. HOPFER (perfected under Permit G-2649)
Use: IRRIGATION of 62.9 ACRES
Priority Date: APRIL 30, 1964
Rate: 0.39 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5

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

acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL within the WILLAMETTE RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	2 W	WM	4	SW SE	610 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF DLC 70

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	4	NE SW	70	0.90
4 S	2 W	WM	4	SE SW	70	10.10
4 S	2 W	WM	4	NE SE	70	2.10
4 S	2 W	WM	4	NW SE	70	8.60
4 S	2 W	WM	4	SW SE	70	32.10
4 S	2 W	WM	4	SE SE	70	6.00
4 S	2 W	WM	9	NE NE	70	0.20
4 S	2 W	WM	9	NW NE	70	2.90
Total:						62.90

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4. Temporary Transfer Application T-12435 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	4	SE SE	70	6.40
4 S	2 W	WM	9	NE NE	70	23.40
4 S	2 W	WM	9	NW NE	70	24.00
4 S	2 W	WM	9	SW NE	70	3.30
4 S	2 W	WM	9	SW NE	70	0.03
4 S	2 W	WM	9	SE NE	70	3.50
4 S	2 W	WM	9	NE NW	70	1.20
4 S	2 W	WM	10	NW NW	70	1.00
4 S	2 W	WM	10	SW NW	70	0.07
Total:						62.90

Temporary Transfer Review Criteria

5. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
6. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
7. The proposed change would not result in enlargement of the right.
8. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

JUL 15 2022

Conclusions of Law

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The temporary change in place of use proposed in Temporary Transfer Application T-12435 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in Temporary Transfer Application T-12435 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2016, 2017, 2018, 2019 and 2020, irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2020, irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. Water use measurement conditions:
 - a. **Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
 - b. The water user shall maintain the meter or measuring device in good working order.
 - c. 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.
6. A subsequent application for permanent transfer of Certificate 34191 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
7. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 34191.
8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
9. The use of the remaining water right described by Certificate 34191 shall continue to be in accordance with the terms and conditions of Certificate 34191.

Dated at Salem, Oregon this 23 day of August 2016.



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

Mailing Date: AUG 31 2016

Land Use Information Form

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

Applicant(s): Bruce Ernst

Mailing Address: PO Box 460

City: St. Paul

State: OR

Zip Code: 97137

Daytime Phone: (503) 633-8366

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>4S</u>	<u>2W</u>	<u>4</u>	_____	<u>1100</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>4S</u>	<u>2W</u>	<u>4</u>	_____	<u>1700</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>IR</u>
<u>4S</u>	<u>2W</u>	<u>9</u>	_____	<u>100</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>IR</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Marion County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.42 cubic feet per second gallons per minute acre-feet

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

Briefly describe:

This Land Use Information Form is to accompany a water right transfer application that proposes to change the place of use, change the point of appropriation (well), and add three wells for an existing water right (Certificate 34191).



Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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JUL 15 2022

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCC Ch. 17.136.020(A)
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Jared Bradford Title: Associate Planner

Signature: [Signature] Phone: 503-566-4173 Date: 7-12-2022

Government Entity: Marion County Planning Division

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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MAR 10 65

4/2W 4 91

STATE ENGINEER, SALEM 10, OREGON

WATER WELL REPORT

State Well No. 42842 State Permit No.

(1) OWNER:

Name Michael Hopfer Address Rt. 1 Aurora, Oregon

(2) LOCATION OF WELL:

County Marion Driller's well number T. 4S R. 2 W.M. Bearing and distance from section or subdivision corner 937' N and 265' E of the SW Corner of S.E. corner of section 4

(3) TYPE OF WORK (check):

New Well [x] Deepening [] Reconditioning [] Abandon []

(4) PROPOSED USE (check):

Domestic [] Industrial [] Municipal [] Irrigation [x] Test Well [] Other []

(5) TYPE OF WELL:

Rotary [x] Driven [] Cable [] Jetted [] Dug [] Bored []

(6) CASING INSTALLED:

16" Diam. from 0 ft. to 19 ft. Gage .250 10" Diam. from 0 ft. to 182 ft. Gage .250

(7) PERFORATIONS:

Type of perforator used torch Size of perforations 5/16 in. by 8 in. 185 perforations from 47 ft. to 65 ft. 190 perforations from 85-3" ft. to 104'-9" ft. 180 perforations from 123'-8" ft. to 143'-9" ft. 0 perforations from 163'3" ft. to 177' ft.

(8) SCREENS:

Well screen installed [] Yes [] No Manufacturer's Name Model No. Slot size Set from ft. to ft. Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Well seal-Material used in seal concrete Depth of seal 19 ft. Was a packer used? Diameter of well bore to bottom of seal 24 in. Were any loose strata cemented off? [x] Yes [] No Depth Was a drive shoe used? [] Yes [x] No Was well gravel packed? [x] Yes [] No Size of gravel: 3/8" - 3/4" Gravel placed from 19 ft. to 182 ft. Did any strata contain unusable water? [] Yes [x] No Type of water? Depth of strata Method of sealing strata off

(10) WATER LEVELS:

Static level 25 ft. below land surface Date 1-4-64 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 [x] No If yes, by whom? Yield: 600 gal./min. with 30 ft. drawdown after 2 hrs. 600 " " 51 " " 4 " " 600 " " 51 " " 6 " " Baller test gal./min. with ft. drawdown after 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 20" Depth drilled 205 ft. Depth of completed well 178 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.

Table with columns MATERIAL, FROM, TO. Rows include Top Soil, Light Brown Clay, Brown Clay Hard, Dark Brown Clay, Fine Black Sand, Brown Clay with Layers of Sand, Hard Brown Clay, Blue Clay, Brown Clay, Blue Clay, Black Sand, Wood, Brown Clay, Hard Brown Clay turning to, Blue at, To Green at, To Blue at, Black Sand, Chalk White Clay, Light Brown Clay.

We installed a concrete plug at 178'

Work started 12-14 19 63 Completed 1-6 19 64 Date well drilling machine moved off of well 1-6 19 64

(13) PUMP:

Manufacturer's Name Type: H.R. JUL 15 2022

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 Milo Schneider Equipment Co. (Person, firm or corporation) (Type or print) Address Star Rt., Box 97, St. Paul, Oregon

Drilling Machine Operator's License No. 212 [Signed] Milo Schneider (Water Well Contractor) Contractor's License No. 387 Date 1-25 19 64

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

APR 25 1997
WATER RESOURCES DEPT.
SALEM, OREGON

WELL I.D.# _____ LO2416

(START CARD) # 78623

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

(1) OWNER: Well Number _____

Name Ernst Nursery & Farms
Address 20863 Riverside Dr. NE
City St. Paul State OR Zip 97137

(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 347 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds	
Diameter	From	To	Material	From	To		
20"	0	40'	holeplug	0	40	40 sacks	
			bentonite				
16"	40	347					

How was seal placed: Method A B C D E
 Other OAR 690-210-340
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: 16"	+2'	298	.375	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 298'

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material stainless

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner	
+3	299'			12"	pipe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
299	319	.070		12"	screen	<input type="checkbox"/>	<input type="checkbox"/>	
319	339	.080		12"	screen	<input type="checkbox"/>	<input type="checkbox"/>	
339	347'			12"	pipe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
347	Bottom plate & lift bail							<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Time
800	138		6x hr. S

Temperature of water 54 Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Marion Latitude _____ Longitude _____
Township 4 S N or S Range 2W E or W. WM. _____
Section 4 SW 1/4 NE 1/4
Tax Lot 0110 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 6177 Gearin Rd.
St. Paul, OR 97137

(10) STATIC WATER LEVEL:
62' ft. below land surface. Date 4/17/97
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 20'

From	To	Estimated Flow Rate	SWL
20	32	20gpm	8'
297'	341'	800 gpm	62'

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
Topsoil	0	1	
Clay brown	1	36	
Clay gray brown	36	46	
Clay silty gray	46	75	
Sand-silt	75	87	
Clay gray	87	115	
Sand & clay gray	115	126	
Clay gray	126	144	
Clay with sand & gravel	144	175	
Clay gray	175	212	
Clay w/sand	212	224	
Clay gray, part sticky	224	276	
Clay w/sand, gravel gray	276	281	
Clay sandy, brown-gray	281	292	
Clay silty brown	292	297	
Sand brown	297	304	62'
Sand black	304	315	62'
Gravel & sand, black	315	341	62'
Clay gray	341	347	

Date started 12/24/96 Completed 4/17/97

(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.

Signed Kermit Martin WWC Number 1391
Date 4/23/97

(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.

Signed Ivan Gossen WWC Number 783
Date 4/21/97

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STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

WELL I.D. LABEL# L 132853
START CARD # 215109
ORIGINAL LOG #

(1) LAND OWNER
Owner Well I.D.
First Name Bruce Last Name Ernst
Company Ernst Nursery & Farms
Address PO Box 460
City St. Paul State OR Zip 97137

(2) TYPE OF WORK
[X] New Well [] Deepening [] Conversion
[] Alteration (complete 2a & 10) [] Abandonment (complete 5a)

(2a) PRE-ALTERATION
Dia + From To Gauge Stl Plstc Wld Thrd
Casing: [] [] [] [] [] [] [] []
Material From To Amt sacks/lbs
Seal: [] [] [] [] [] [] [] []

(3) DRILL METHOD
[] Rotary Air [] Rotary Mud [X] Cable [] Auger [] Cable Mud
[] Reverse Rotary [] Other

(4) PROPOSED USE
[] Domestic [X] Irrigation [] Community
[] Industrial/ Commercial [] Livestock [] Dewatering
[] Thermal [] Injection [] Other

(5) BORE HOLE CONSTRUCTION
Special Standard [] (Attach copy)
Depth of Completed Well 95 ft.

Table with columns: Dia, From, To, Material, From, To, Amt, lbs. Row 1: 16, 0, 34, Bentonite Chips, 0, 34, 34, S. Row 2: 12, 34, 95, Calculated, 26.

How was seal placed: Method [] A [] B [] C [] D [] E
[X] Other 690-210-0340

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: [] Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
Proposed Amount Pounds Actual Amount Pounds

(6) CASING/LINER
Table with columns: Casing, Liner, Dia, +, From, To, Gauge, Stl, Plstc, Wld, Thrd. Includes graphical representation of casing and liner sections.

Shoe [] Inside [X] Outside [] Other Location of shoe(s) 58.14

Temp casing [] Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS
Perforations Method _____

Screens Type V-wire Material stainless steel

Table with columns: Perf/S, Casing/Screen, Dia, From, To, Sern/slot width, Slot length, # of slots, Tele/pipe size. Row 1: Screen, 10, 69.75, 90, .08, 10.

(8) WELL TESTS: Minimum testing time is 1 hour

[X] Pump [] Bailer [] Air [] Flowing Artesian

Table with columns: Yield gal/min, Drawdown, Drill stem/Pump depth, Duration (hr). Row 1: 200, 48.5, 4.

Temperature 53 °F Lab analysis [] Yes By _____

Water quality concerns? [] Yes (describe below) TDS amount 87

Table with columns: From, To, Description, Amount, Units.

(9) LOCATION OF WELL (legal description)

County MARION Twp 4 S N/S Range 2 W E/W WM
Sec 4 SW 1/4 of the SE 1/4 Tax Lot 1100

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

[X] Street address of well [] Nearest address

6180 Gearin Road NE, St. Paul, OR 97137

(10) STATIC WATER LEVEL

Table with columns: Date, SWL(psi), +, SWL(ft). Row 1: Existing Well / Pre-Alteration, 03-21-2019.

Flowing Artesian? [] Dry Hole? []

WATER BEARING ZONES Depth water was first found 76

Table with columns: SWL Date, From, To, Est Flow, SWL(psi), +, SWL(ft). Row 1: 09-28-2018, 76, 90, 21.

(11) WELL LOG

Ground Elevation _____

Table with columns: Material, From, To. Rows include Clay, brown; Silt, brown; Silt, greenish gray; Clay, greenish gray, sand; Clay, greenish gray; Clay, gray; Sand, black, silt, dark gray; Sand, black, silt, layers, dark gray; Clay, dark greenish gray; Clay, blueish gray.

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Date Started 09-28-2018 Completed 03-19-2019

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, 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.

License Number 1704 Date 04-12-2019

Signed _____

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, 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.

License Number 783 Date 04-12-2019

Signed [Signature]

Contact info (optional) _____

MARI 68592

WATER SUPPLY WELL REPORT - continuation page

WELL I.D. LABEL# L	132853
START CARD #	215109
ORIGINAL LOG #	

(2a) PRE-ALTERATION

Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Material	From	To	Amt	sacks/lbs

(5) BORE HOLE CONSTRUCTION

BORE HOLE			SEAL			sacks/ lbs
Dia	From	To	Material	From	To	Amt
						Calculated
						Calculated
						Calculated
						Calculated

FILTER PACK

From	To	Material	Size

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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(7) PERFORATIONS/SCREENS

Perf/S creen	Casing/ Liner	Screen Dia	From	To	Scrn/slot width	Slot length	# of slots	Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)

Water Quality Concerns

From	To	Description	Amount	Units

(10) STATIC WATER LEVEL

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)

(11) WELL LOG

Material	From	To

Comments/Remarks

Bottom plate at 95 feet
Lifting bale 93.5 feet

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.

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STATE ENGINEER

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JAN 3 1966
STATE ENGINEER

G 3485
MARI 1132
4/2w-9A
State Well No. _____
State Permit No. _____

(1) OWNER: SALEM OREGON
Name Amiel Desmet
Address Rt. 1, Box 110
Aurora, Oregon

(2) LOCATION OF WELL:
County Marion Driller's well number
1/4 Section 9 T. 4S R. 2W W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):
Well Deepening Reconditioning Abandon
Indonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):
Domestic Industrial Municipal Irrigation Test Well Other
(5) TYPE OF WELL:
Rotary Driven Cable Jetted Dug Bored

(6) CASING INSTALLED: Threaded Welded
18" Diam. from 0 ft. to 39 ft. Gage 250
12" Diam. from 0 ft. to 113 ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS: Perforated? Yes No
Type of perforator used torch
Size of perforations 3/8 in. by 8 in.
360 perforations from 82 ft. to 112 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. _____
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 39' ft. Was a packer used? yes
Diameter of well bore to bottom of seal 24 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: 3/8 - 3/4
Gravel placed from 0 ft. to 112 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 9 ft. below land surface Date _____
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: 500 gal./min. with 38 ft. drawdown after 6 hrs.
" with air lift " "
" " " "
Baller test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m. Date _____
Temperature of water 54 Was a chemical analysis made? Yes No

(12) WELL LOG: Diameter of well below casing 0
Depth drilled 113 ft. Depth of completed well 113 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
Blue clay	5	39 1/2
Blue sand	39 1/2	65
Blue clay	65	74
Blue sand small layer clay	74	112
Clay	112	113

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Work started 5-17-65 19 Completed 6-25 1965
Date well drilling machine moved off of well 19

(13) PUMP:
Manufacturer's Name none
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 Milo Schneider (Person, firm or corporation) (Type or print)
Address Star Rt., Box 97, St. Paul, Oregon
Drilling Machine Operator's License No. 212
[Signed] Milo Schneider (Water Well Contractor)
Contractor's License No. 387 Date 12-15-65, 19____

**AFFIDAVIT FOR THE VOLUNTARY CANCELLATION OF A PORTION
OF A WATER RIGHT CERTIFICATE (ORS 540.621)**

State of Oregon)
) ss
County of Marion County)

I/We (or authorized agent), Bruce Ernst, residing at PO Box 460, St. Paul, OR 97137, telephone number (503) 633-8366, being first duly sworn depose and say:

1. I/We are the legal and deeded owner(s) of the property described as tax lot number 1100, within the _____ ¼, Section 4 and 9, Township 4S (N/S), Range 2W (E/W), of the Willamette Meridian, in Marion County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit.
2. I/We wish to cancel the following portion(s) of the water right certificate number 34191 issued to Michael E. Hopper with a date of priority of April 30, 1964.

A place of use, or use.

- For the use of (specify irrigation, domestic, etc.) Irrigation

FOR IRRIGATION OR NURSERY USE:

- Total number of acres to be cancelled 3.2
- Location of acres to be cancelled must be clearly identified on a copy of the final proof map.
- In the amount of 0.0197 cubic foot per second
- From the water source (s) A Well

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AND/OR (less common)

One or more of the authorized points of diversion (surface water) or points of appropriation (groundwater) authorized under the certificate.

- For the use of (specify irrigation, domestic, etc.) _____
- From the water source (s) _____
- Located within the _____ ¼, Section _____, Township _____ (N/S), Range _____ (E/W)

Location Description (if given on the certificate) _____

3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here: NA)
4. The portion of the water right being cancelled is served by an irrigation district. The signature of the district manager on the line below indicates the concurrence of the district to the cancellation of the portion of the water right served by the district.

NA

Signature of district manager

Printed Name

Date

5. If the water right is issued in the name of an irrigation district then the affiant must have the concurrence of the district to the cancellation of the portion of the water right. (Signature of district manager on the line below documents consent of the district.)

NA

Signature of district manager

Printed Name

Date

6. I/We have abandoned any and all interest in the portion of the water right described in Item 2, above, and request that portion of the right be canceled.

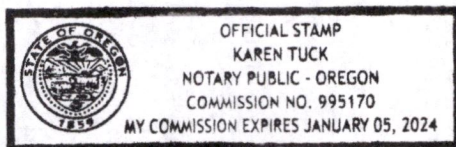
Bruce W Ernst
Signature of legal owner as listed on deed, or authorized agent

6-16-22
Date

Signature of legal co-owner as listed on deed
(If applicable)

Date

Subscribed and Sworn to Before Me this 16 day of June, 2022.



Karen Tuck
Notary Public for Oregon

My Commission Expires January 5, 2024

PLEASE ATTACH A LEGIBLE COPY OF:

- 1) A deed which lists landowners and includes a legal description of affected lands, and
- 2) A copy of a water right final proof map, or a tax lot map, or an adjudication map with the abandoned portion of the right clearly drawn and identified.
- 3) IF ACTING AS AN AUTHORIZED AGENT, include a copy of Power of Attorney or other documents granting authority to act on behalf of the legal owner(s).

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