

# Application for Permanent Water Right Transfer



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.

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

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- 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: **\$3,070**
- 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: 36320 (Attachment A)**  
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.**

**Attachments:**

- Completed Transfer Application Map. **(Attachment B)**
- Completed Evidence of Use Affidavit and supporting documentation. **(Attachment C)**
- 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. **(Attachment D)**
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. **(Attachment E)**
- 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.

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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°).



# Part 4 of 5 – Applicant Information and Signature

## Applicant Information

APPLICANT/BUSINESS NAME <b>Weisz Family, LLC Attn: Greg Weisz</b>		PHONE NO. <b>503.951.1215</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>14905 Butteville Rd NE</b>		FAX NO.	
CITY <b>Gervais</b>	STATE <b>OR</b>	ZIP <b>97026</b>	E-MAIL <b>senecal6@icloud.com</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.			

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

AGENT/BUSINESS NAME <b>Pacific Hydro-Geology Inc., ATTN: Gregory E. Kupillas</b>		PHONE NO. <b>503.939.3167</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>18487 S Valley Vista Rd</b>		FAX NO.	
CITY <b>Mulino</b>	STATE <b>OR</b>	ZIP <b>97042</b>	E-MAIL <b>phggek@bctonline.com</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.			

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Explain in your own words what you propose to accomplish with this transfer application, and why:  
**The Applicant is proposing to change the point of appropriation of Certificate 36320.**

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

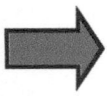
### Check One Box

- 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.

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



*Greg Weisz*  
 Applicant signature

**Greg Weisz, Member, Weisz Family LLC**  
 Print Name (and Title if applicable)

*9/21/2022*  
 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](https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf)

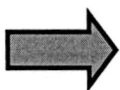
RECEIVING LANDOWNER NAME <b>Specht Development, Inc ATTN: Peter Skei</b>		PHONE NO. <b>503-320-9201</b>	ADDITIONAL CONTACT <b>RECEIVED</b>
ADDRESS <b>10260 SW Greenburg Road, Suite 170</b>		FAX NO. <b>OCT 03 2022</b>	
CITY <b>Portland</b>	STATE <b>OR</b>	ZIP <b>97223</b>	E-MAIL <b>pskei@spechtprop.com</b> <b>OWRD</b>
Describe any special ownership circumstances: <b>Only a portion of the place of use is being sold and the new points of appropriation being applied for will remain with the applicant.</b>			
The confirming Certificate shall be issued in the name of: <input checked="" 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 <b>N/A</b>	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 <b>N/A</b>	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 <b>Marion County</b>	ADDRESS <b>5155 Silvertown Rd. NE</b>	
CITY <b>Salem</b>	STATE <b>OR</b>	ZIP <b>97305</b>

## 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 # 36320**

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### Description of Water Delivery System

System capacity: **1.05** cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is discharged from the well using a 40 Hp pump, conveyed to the place of use through above-ground mainlines and laterals, and applied using handlines equipped with high pressure impact sprinklers or a hard hose traveling sprinkler.**

**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)
Authorized Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 2461	5	S	2	W	14	NE	SE	DLC 61	1070 feet north and 1130 feet west from SE Corner of DLC 61
New Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	-	5	S	2	W	14	NE	SE	DLC 61	1025 feet north and 1130 feet west from the SE Corner of Lore DLC 61
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	-	5	S	2	W	14	NE	SE	DLC 82	310 feet north and 320 feet west from the SE Corner of DLC 82
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	MARI 2629	5	S	2	W	14	SE	SE	DLC 104	420 feet south and 1400 feet east from the SW Corner of DLC 82
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	MARI 2464	5	S	2	W	23	NE	NE	DLC 104	2,080 feet south and 1,680 feet east from the SW Corner of DLC 82

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 # 36320**

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	POA(s) to be used (from Table 1)	Priority Date	
5	S	2	W 13 NW SW	900	DLC 61	23.5	IR	Well 1	4/21/1967	POA	5	S	2	W 13 NW SW	900	DLC 61	23.5	IR	New Well 1, and Wells 2, 3, and 4	4/21/1967	
5	S	2	W 14 NE SE	900	DLC 61	9.2	IR	Well 1	4/21/1967	POA	5	S	2	W 13 NE SE	900	DLC 61	9.2	IR	New Well 1, and Wells 2, 3, and 4	4/21/1967	
5	S	2	W 14 NE SE	900	DLC 82	9.0	IR	Well 1	4/21/1967	POA	5	S	2	W 14 NE SE	900	DLC 82	9.0	IR	New Well 1, and Wells 2, 3, and 4	4/21/1967	
TOTAL ACRES:						41.7					TOTAL ACRES:						41.7				

Additional remarks: The authorized well is in a proposed roadway and will be decommissioned. Water can be conveyed north under Parr Road from Wells 2 and 3 through an existing buried mainline.

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**For Place of Use or Character of Use Changes – Not Applicable**

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: \_\_\_\_\_.



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 # N/A;  
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 # N/A

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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: (See Attachment E)

**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	
<b>Authorized Well 1</b>	<b>Yes</b>	<b>MARI 2461</b>	<b>See MARI 2461</b>								<b>Not less than full rate of water right</b>
<b>New Well 1</b>	<b>No</b>	-	<b>320 ft (est.)</b>	<b>12 in (est.)</b>	<b>0-260 ft (est.)</b>	<b>40 ft (est.)</b>	<b>260-315 ft (est.)</b>	<b>45 ft (est.)</b>	<b>Alluvial</b>		
<b>Well 2</b>	<b>Yes</b>	<b>MARI 2629</b>	<b>See MARI 2629</b>								
<b>Well 3</b>	<b>Yes</b>	<b>MARI 2464</b>	<b>See MARI 2464</b>								
<b>Well 4</b>	<b>No</b>	-	<b>320 ft (est.)</b>	<b>12 in (est.)</b>	<b>0-260 ft (est.)</b>	<b>40 ft (est.)</b>	<b>260-315 ft (est.)</b>	<b>45 ft (est.)</b>	<b>Alluvial</b>		

# 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, GREG WEISZ, in my capacity as PROPERTY OWNER,  
 mailing address 14905 BUTTEVILLE RD NE, GERVAIS, OR 97026  
 telephone number (503)951-1215, 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 # 36320; 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)

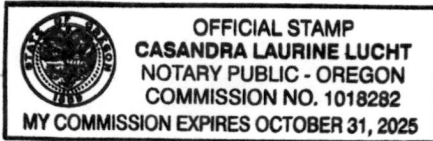
3. The water right was used for: (e.g., crops, pasture, etc.): ROW CROPS, WHEAT, GRASS SEED, OTHER SEED CROPS.

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Greg Wang  
Signature of Affiant

9/21/2022  
Date

Signed and sworn to (or affirmed) before me this 21<sup>st</sup> day of September, 2022.



Casandra Lucht  
Notary Public for Oregon

My Commission Expires: 10/31/2025

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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>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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## Evidence of Use Affidavit

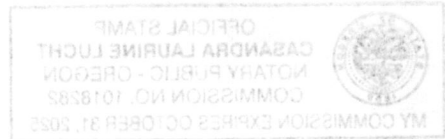


Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

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, GREG WEISZ, in my capacity as PROPERTY OWNER,  
 mailing address 14905 BUTTEVILLE RD NE, GERVAIS, OR 97026  
 telephone number (503)951-1215, 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 # 36320; 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)



# Land Use Information Form



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

RECEIVED

OCT 03 2022

OWRD

Applicant(s): Weisz Family, LLC Attn: Greg Weisz

Mailing Address: 14905 Butteville Rd NE

City: Gervais

State: OR

Zip Code: 97026

Daytime Phone: 503.951.1215

## 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>5S</u>	<u>2W</u>	<u>14</u>	_____	<u>900</u>	<u>EFU, UT-20</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>5S</u>	<u>2W</u>	<u>14</u>	_____	<u>1000</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Irrigation</u>
<u>5S</u>	<u>2W</u>	<u>14</u>	_____	<u>1500</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Irrigation</u>
<u>5S</u>	<u>2W</u>	<u>23</u>	_____	<u>100</u>	<u>UT-20</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Irrigation</u>

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: 0.52   
 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 point of appropriation (well) from a single well to two new wells and two existing wells for existing water right Certificate 36320.

**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. →

## 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 16.13.010 (A) + MCC 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
	<b>RECEIVED</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>OCT 03 2022</b>	<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
	<b>OWRD</b>	<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: 9/29/2022  
 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: \_\_\_\_\_

JOHN HOOPER PROPERTY.

MARI... 2467

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.

RECEIVED WATER WELL REPORT APR 7 1966 STATE OF OREGON (Please type or print) G-3901 STATE ENGINEER SALEM OREGON

State Well No. 5/26-13M

State Permit No.

(1) OWNER:

Name PAUL WILLARD Address RT. 1 BOX 76 GERVAIS ORE.

(2) LOCATION OF WELL:

County MARION Driller's well number 1/4 Section 13 T. 55 R. 2W. W.M. Bearing and distance from section or subdivision corner

(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 Driven Cable Jettied Dug Bored

(6) CASING INSTALLED:

12" Diam. from 0 ft. to 173 ft. Gage 4"

(7) PERFORATIONS:

Type of perforator used MILL Size of perforations 3/8 in. by 2 1/2 in. 340 perforations from 134 ft. to 142 ft.

(8) SCREENS:

Well screen installed? Yes X 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 23' ft. Was a packer used? YES Diameter of well bore to bottom of seal 15" in. Were any loose strata cemented off? No Depth Was a drive shoe used? Yes X No Was well gravel packed? No X Size of gravel: Gravel placed from ft. to ft. Did any strata contain unusable water? No X Size of gravel: Type of water? SANDY depth of strata 78' to 120 Method of sealing strata off CASE

(10) WATER LEVELS:

Static level 10' ft. below land surface Date 4-4-66 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 X No If yes, by whom? STETTLER SUPPLY Yield: 510 gal./min. with 160 ft. drawdown after 2 hrs.

(12) WELL LOG:

Diameter of well below casing 15" Depth drilled 173 ft. Depth of completed well 173 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. Entries include TOPSOIL, CLAY YELLOW COLOR, CLAY BLUE - SILTY, SAND BLACK FINE GRAIN, GRAVEL + SAND 1/2 - 90% SAND, SAND - FINE TO MEDIUM, GRAVEL + SAND - BROWN, CLAY BLUE - STICKY, CLAY - SANDY GRAY COLOR, CLAY BLUE COLOR.

6" CONDUCTOR HOLE DRILLED BESIDE 12" PIPE TO 133' - 3" CRUSHED GRAVEL PLACED ABOVE RED GRAVEL - TO STOP FILTRATION OF FINE SAND ABOVE 6" CASING THEN REMOVED.

Work started 3-23-1966 Completed 4-4-1966 Date well drilling machine moved off of well 4-4-1966

(13) PUMP:

Manufacturer's Name Type: H.P. RECEIVED OCT 08 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. OWRD

NAME J.A. SHEED + SONS. (Person, firm or corporation) (Type or print) Address 3910 SILVERTON RD. N.E. SALEM ORE.

Drilling Machine Operator's License No. 187 [Signed] B.J. Sheed (Water Well Contractor)

Contractor's License No. 6 Date 4-5-1966





**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

MARI. 2964

**RECEIVED WATER WELL REPORT**  
**RECEIVED**  
 STATE OF OREGON  
 OCT 14 1968  
 (Please type or print)  
 (Do not write above this line)  
**STATE ENGINEER**  
**SALEM OREGON**

State Well No. 5/2w-14  
 State Permit No. \_\_\_\_\_

**(1) OWNER:**

Name E. W. Cain  
 Address Rt 1 - Box 744 Brooks

**(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   
10" Diam. from 1 ft. to 179 ft. Gage .250  
 " Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_  
 " Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_

**PERFORATIONS:**

Perforated?  Yes  No.

Type of perforator used  Mills  
 Size of perforations  1/2 in. by  2 in.  
 \_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
156 perforations from 130 ft. to 139 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 \_\_\_\_\_ Model No. \_\_\_\_\_  
 Type \_\_\_\_\_  
 Diam. \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 Diam. \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

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

Static level 50 ft. below land surface Date 7-31-68  
 Man 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  Miller & West  
 1: 400 gal./min. with 23 ft. drawdown after 1 hrs.  
500 " 27 " " 1 "

Baller test \_\_\_\_\_ gal./min. with \_\_\_\_\_ ft. drawdown after \_\_\_\_\_ hrs.

Artesian flow \_\_\_\_\_ g.p.m.

Temperature of water \_\_\_\_\_ Was a chemical analysis made?  Yes  No

**(10) CONSTRUCTION:**

Well seal—Material used  Bentonite

Depth of seal 30 ft.

Diameter of well bore to bottom of seal 15 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? \_\_\_\_\_ dep. 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  14 T.  5, S. R.  2, W. W.M.  
 Bearing and distance from section or subdivision corner \_\_\_\_\_

**(12) WELL LOG:**

Diameter of well below casing  10

Depth drilled  178 ft. Depth of completed well  178 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	19	
BLUE - " (SAND)	19	83	
BROWN - CEMENTED SAND	83	85	
BLACK - SAND	85	95	
BLUE - CLAY WITH SOME SMALL GRAVEL	95	100	
BLUE - CLAY WITH PROTEIN WOOD	100	115	
GRAY - CLAY	115	130	
GRAVEL SMALL & MED GRAVEL	130	139	
BROWN - CEMENTED SAND	139	162	
BLACK - SAND	162	170	
BLUE - CLAY	170	178	

Work started 7-26 - 1968 Completed 7-31 1968

Date well drilling machine moved off of well 7-31 - 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]  Norman Thrall Date 8-2, 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.

[Signed]  Miller - Robert S. & West  
 (Person, firm or corporation) (Type or print)

Address  5945 N. Street St. S.E. Salem

[Signed]  Norman R. Miller  
 (Water Well Contractor)

Contractor's License No. 57 Date 8-2, 1968

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