

**Application for Water Right  
Temporary or Drought Temporary Transfer  
Part 1 of 5 – Minimum Requirements Checklist**



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

**This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

**FOR ALL TEMPORARY TRANSFER APPLICATIONS**

RECEIVED  
MAR 17 2023  
OWRD

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: Cert. 22344**  
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2024 End Year: 2028.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

**Attachments:**

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

**(For Staff Use Only)**

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

___ Application fee not enclosed/insufficient	___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete	___ Additional signature(s) required
___ Other/Explanation _____	___ Part _____ is incomplete

Staff: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

## Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

RECEIVED

MAR 17 2023

OWRD



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

**Applicant Information**

APPLICANT/BUSINESS NAME <b>MK Farms Inc.</b>		PHONE NO. <b>(503) 932-6191</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>7991 Stratford Dr. NE</b>			FAX NO.
CITY <b>Salem</b>	STATE <b>OR</b>	ZIP <b>97305</b>	E-MAIL <b>kevin.b.wiesner@gmail.com</b>
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>			

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

AGENT/BUSINESS NAME <b>Will McGill Surveying, LLC</b>		PHONE NO. <b>(503) 931-0210</b>	ADDITIONAL CONTACT NO. <b>(503) 510-3026</b>
ADDRESS <b>15333 Pletzer Rd. SE</b>			FAX NO.
CITY <b>Turner</b>	STATE <b>OR</b>	ZIP <b>97392</b>	E-MAIL <b>willmcgill.surveying@gmail.com</b>
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>			

Explain in your own words what you propose to accomplish with this transfer application and why:  
*It is proposed to move a 10.5-acre portion of Cert. 22344 to tax lot 300 to establish a crop and irrigate from a pump site at that property.*

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

*Mark Wiesner*  
 Applicant signature

*Mark Wiesner*  
 Print Name (and Title if applicable)

*3/16/23*  
 Date

\_\_\_\_\_  
 Applicant signature

\_\_\_\_\_  
 Print Name (and Title if applicable)

\_\_\_\_\_  
 Date

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

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

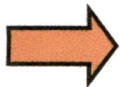
RECEIVED  
 MAR 17 2023  
 OWRD

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

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME <b>Marion County</b>	ADDRESS <b>5155 Silverton Rd. NE</b>	
CITY <b>Salem</b>	STATE <b>OR</b>	ZIP <b>97305</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED  
MAR 17 2023  
OWRD

**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 rows to tables within the form.

**Water Right Certificate # 22344**

**Description of Water Delivery System**

System capacity: 0.84 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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. **15 HP centrifugal pump delivers water through buried 5" PVC mainline to handlines and a big gun.**

**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)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		6 S	1 W	8	NE	SW	1000	in NESW, as projected within Johnson DLC #56*
POD 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		6 S	1 W	8	NE	SE	700	in Lot 8 (NESE), Sec. 8*
POD 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		6 S	1 W	8	SE	SW	300	1930' E and 150' N from SW corner, Sec. 8

\*No defined distances from a survey corner in the certificate.

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

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

RECEIVED  
 MAR 17 20  
 OWRD

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

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

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

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

**Table 2. Description of Temporary Changes to Water Right Certificate # 22344**

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) 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				
6	S	1	W	8	SW	NE	1000	56	4.9	Irrigation	POD 1, 2	1951	POU/POD	6	S	1	W	8	SW	SW	300	56	5.2	Irrigation	POD 3	1951
6	S	1	W	8	SE	NW	1000	56	5.6	Irrigation	POD 1, 2	1951	POU/POD	6	S	1	W	8	SE	SW	300	56	5.3	Irrigation	POD 3	1951
TOTAL ACRES							10.5	TOTAL ACRES							10.5											

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

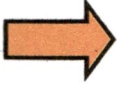
RECEIVED  
MAR 17 2023  
OWRD

14188

**For Place of Use Changes**

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

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



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

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

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

**AND/OR**

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

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

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

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

RECEIVED  
MAR 17 2023  
OWRD



# Business Registry Business Name Search

03-07-2023  
09:18

[New Search](#)

## Business Entity Data

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1239210-90	DLLC	ACT	OREGON	08-08-2016	08-08-2023	
<b>Entity Name</b>	MK FARMS, LLC					
<b>Foreign Name</b>						

[New Search](#)

## Associated Names

Type	PPB PRINCIPAL PLACE OF BUSINESS					
<b>Addr 1</b>	7991 STRATFORD DR NE					
<b>Addr 2</b>						
<b>CSZ</b>	SALEM	OR	97305	<b>Country</b>	UNITED STATES OF AMERICA	

Please click [here](#) for general information about registered agents and service of process.

Type	AGT REGISTERED AGENT			Start Date	08-08-2016	Resign Date
<b>Name</b>	MARK		WIESNER			
<b>Addr 1</b>	7991 STRATFORD DR NE					
<b>Addr 2</b>						
<b>CSZ</b>	SALEM	OR	97305	<b>Country</b>	UNITED STATES OF AMERICA	

Type	MAL MAILING ADDRESS					
<b>Addr 1</b>	7991 STRATFORD DR NE					
<b>Addr 2</b>						
<b>CSZ</b>	SALEM	OR	97305	<b>Country</b>	UNITED STATES OF AMERICA	

Type	MEM MEMBER				Resign Date
<b>Name</b>	MARK		WIESNER		
<b>Addr 1</b>	7991 STRATFORD DR NE				
<b>Addr 2</b>					
<b>CSZ</b>	SALEM	OR	97305	<b>Country</b>	UNITED STATES OF AMERICA

Type	MEM MEMBER				Resign Date
<b>Name</b>	KEVIN		WIESNER		
<b>Addr 1</b>	7991 STRATFORD DR NE				
<b>Addr 2</b>					
<b>CSZ</b>	SALEM	OR	97305	<b>Country</b>	UNITED STATES OF AMERICA

RECEIVED  
MAR 17 2023  
OWRD

[New Search](#)

## Name History

14188

**RECORDING COVER SHEET**

**ALL TRANSACTIONS, PER ORS 205.234**

*THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.*

*This Space For County Recording Use Only*

**AFTER RECORDING RETURN TO:**

Daniel A. Ritter, P.C.  
530 Center Street NE, Suite 700  
Salem, OR 97301-3740

REEL 4684 PAGE 336  
MARION COUNTY  
BILL BURGESS, COUNTY CLERK  
01-23-2023 11:46 am.  
Control Number 729237 \$ 106.00  
Instrument 2023 00001751

**1. NAME(S) OF THE TRANSACTION(S)**

Personal Representative Deed

**2. DIRECT PARTY, name(s) of the person(s) described in ORS 205.125(1)(b) or GRANTOR, as described in ORS 205.160.**

Personal Representative of the Estate of George W. Wiesner, Deceased

**3. INDIRECT PARTY, name(s) of the person(s) described In ORS 205.125(1)(a) or GRANTEE, as described in ORS 205.160.**

Mark T. Wiesner, Trustee for George Robert Wiesner

**4. TRUE AND ACTUAL CONSIDERATION PAID for instruments conveying or contracting to convey fee title to any real estate and all memoranda of such instruments, reference ORS 93.030.**

None

**5. UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS for instruments conveying or contracting to convey fee title to any real estate, reference ORS 93.260.**

Mark T. Wiesner, Trustee  
7991 Stratford Drive NE  
Brooks, OR 97305

**6. RERECORDED AT THE REQUEST OF TICOR TITLE CO. TO CORRECT THE LEGAL DESCRIPTION, PREVIOUSLY RECORDED AS RECORDING NUMBER**

Reel: 1864 Page: 5 Control #: 46023

RECEIVED

MAR 17 2023

OWRD

14188

PERSONAL REPRESENTATIVE DEED

THIS INDENTURE, made this 16 day of November, 2001, by and between GEORGE ROBERT WIESNER, PHILIP L. WIESNER, and NORMAN P. WIESNER, the duly appointed, qualified, and acting PERSONAL REPRESENTATIVE OF THE ESTATE OF GEORGE W. WIESNER, DECEASED, hereinafter called the "Grantor," and MARK T. WIESNER, TRUSTEE FOR GEORGE ROBERT WIESNER, hereinafter called the "Grantee."

This deed is executed by Grantor to Grantee as part of Grantee's distributive share of estate assets, and the true and actual consideration stated in terms of dollars is NONE.

The Grantor does hereby grant, bargain, sell, and convey unto the Grantee and Grantee's successors-in-interest and assigns, all the estate, right, and interest of the said deceased at the time of the decedent's death, and all the right, title, and interest that the said estate of the said deceased by operation of law or otherwise may have thereafter acquired in that certain real property situate in the county of Marion, and state of Oregon, described as follows, to wit:

Beginning at a point in the middle line of Pudding River 23.00 chains North and 2.22 chains West of the inward corner of the ell of the Donation Land Claim of R. D. Johnson in Section 8, Township 6 South, Range 1 West, Willamette Meridian, Marion County, Oregon, and running thence East 2.22 chains; thence South 20.00 chains; thence East 1.01 chains; thence North 45° East along the middle of the County Road 7.12 chains; thence North 88° East 4.55 chains; thence North 9.65 chains to the middle of Pudding River; thence down the middle line of said stream to the place of beginning and containing 26.03 acres, more or less.

TOGETHER WITH the following described real property lying west of the following described line: Beginning at a point in the center-line of Market Road No. 49, Marion County, Oregon, said point being North 45° East 563.10 feet and North 87°55' East 303.46 feet from the re-entrant corner on the West line of R. D. Johnson Donation Land Claim, also described as the inward corner of the ell of said Donation Land Claim in Section 8, Township 6 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence North 01°55' East 23.60 feet to a fence post; thence North 01°55' East along an old fence line and extension thereof, 646.40 feet, more or less, to the center of Pudding River and terminus.  
(Home Place) (Marion County Tax Account No. R15721)

To Have and To Hold the same unto the said Grantee, and Grantee's successors-in-interest and assigns forever.

The following is the notice as required by Oregon law: "THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930."

MAIL TAX STATEMENTS TO:

Mark T. Wiesner, Trustee  
7991 Stratford Drive NE  
Brooks, OR 97305

AFTER RECORDING RETURN TO:

✓ Daniel A. Ritter, P.C.  
530 Center Street NE, Suite 700  
Salem, OR 97301-3740

RECEIVED  
MAR 17 2023  
OWRD

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, Grantor has hereunto caused this deed to be executed the day and year first hereinabove written.

George Robert Wiesner  
George Robert Wiesner

Philip L. Wiesner  
Philip L. Wiesner

Norman P. Wiesner  
Norman P. Wiesner  
Personal Representatives of the Estate of  
George W. Wiesner, Deceased

STATE OF OREGON            )  
                                          ) ss.  
County of Marion            )

On this 16 day of November, 2001, before me personally appeared the above named GEORGE ROBERT WIESNER, PHILIP L. WIESNER, and NORMAN P. WIESNER, PERSONAL REPRESENTATIVES OF THE ESTATE OF GEORGE W. WIESNER, DECEASED, and acknowledged the foregoing instrument to be their voluntary act and deed.



Judy K Snider  
Notary Public for Oregon  
My Commission Expires: June 15, 2003

RECEIVED  
MAR 17 2023  
OWRD

REEL:1864

PAGE: 5

November 16, 2001, 04:02 pm.

CONTROL #: 46023

State of Oregon  
County of Marion

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

FEE: \$ 31.00

ALAN H DAVIDSON  
COUNTY CLERK

THIS IS NOT AN INVOICE.



I hereby certify this copy consisting of 3 pages is to be a true and correct copy of the document now on record in my office.  
BILL BURGESS, MARION COUNTY CLERK  
By: Donna Sabell  
Deputy Clerk  
Date: 1/18/23

RECEIVED  
MAR 17 2023  
OWRD

14188

## CORRECTED LEGAL DESCRIPTION

Order No.: 471822122676

Beginning at a point in the middle line of Pudding River, 23.00 chains North and 2.22 chains West of the inward corner of the ell of the Donation Land Claim of R.D. Johnson in Section 8, Township 6 South, Range 1 West, Willamette Meridian, Marion County, Oregon; and running thence East 2.22 chains; thence South 20.00 chains; thence East 1.01 chains; thence North 45° East, along the middle of the county Road, 7.12 chains; thence North 88° East 4.55 chains; thence North 9.65 chains to the middle of Pudding River; thence, down the middle of said stream, to the place of beginning.

TOGETHER WITH the following described real property lying West of the following described line:

Beginning at a point in the centerline of Market Road No. 49, Marion County, Oregon, said point being North 45° East 563.10 feet and North 87°55' East 303.46 feet from the re-entrant corner on the West line of R.D. Johnson Donation Land Claim, also described as the inward corner of the ell of said Donation land Claim in Section 8, Township 6 South, Range 1 West of the Willamette Meridian, in Marion County, Oregon; thence North 01°55' East 23.60 feet to a fence post; thence North 01°55' East, along an old fence line and extension thereof, 646.40 feet, more or less, to the center of the Pudding River and terminus.

The "following described property" being as follows: Beginning at a point in the middle line of Pudding River, 17.73 chains North and 7.76 chains East of the inward corner of the ell of the Donation Land Claim of R.D. Johnson in Section 8 in Township 6 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; and running thence South 9.65 chains to the middle of the County Road; thence, along the middle line of said road, North 88° East 5.95 chains; thence North 58° East 2.70 chains to Jennie Van Trump's land; thence North 5.00 chains; thence North 47° East 13.96 chains; thence North 19.40 chains to the middle line of Pudding River; thence, down the middle line of said stream, to the place of beginning.

RECEIVED

MAR 17 2023

OWRD

14188

**REEL: 4684**

**PAGE: 336**

**January 23, 2023, 11:46 am.**

**CONTROL #: 729237**

State of Oregon  
County of Marion

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

FEE: \$ 106.00

BILL BURGESS  
COUNTY CLERK

THIS IS NOT AN INVOICE.

RECEIVED

MAR 17 2023

OWRD

14188

# Land Use Information Form



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

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**This form is NOT required if:**

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

RECEIVED

MAR 17 2023

OWRD

14188



# Land Use Information Form

Applicant(s): MK Farms Inc.

Mailing Address: 7991 Stratford Dr. NE

City: Salem

State: OR

Zip Code: 97305

Daytime Phone: (503) 932-6191

## 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>6S</u>	<u>1W</u>	<u>8</u>	<u>SESW</u>	<u>300</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>farming</u>
<u>6S</u>	<u>1W</u>	<u>8</u>	<u>SWSW</u>	<u>300</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>farming</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<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

## 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) Pudding River

Estimated quantity of water needed: 26.25    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:

It is proposed to temporarily transfer a 10.5-acre portion of Cert. 22344 to irrigate crops on tax lot 300.



**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. →

RECEIVED  
 MAR 17 2023  
 OWRD  
 14188

# 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 17.136.020 (A) Farm Use
- 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.

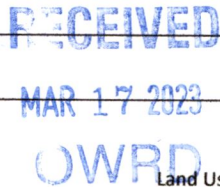
Name: Daniel Jansen Title: Assistant Planner  
 Signature: [Signature] Phone: (503) 588-5038 Date: 3/15/23  
 Government Entity: Marion County Planning

**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: \_\_\_\_\_



# 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, MARK WIESNER, in my capacity as OWNER,  
 mailing address 7991 STRATFORD DR. NE, SALEM, OR 97305  
 telephone number (\_\_\_\_)\_\_\_\_\_, being first duly sworn depose and say:

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 # 22344; **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)

14188

RECEIVED  
 MAR 17 2023  
 OWRD

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

Mark Wiess  
Signature of Affiant

3/16/23  
Date

Signed and sworn to (or affirmed) before me this 16 day of March, 2023.



Grant McGill  
Notary Public for Oregon

My Commission Expires: 11/13/23

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

RECEIVED  
MAR 17 2023  
OWRD  
TACS



RECEIVED

MAR 17 2023

OWRD

14188

Checked by Aela

Date 3/17/23

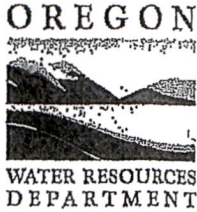
**A temporary transfer must be for a change in place of use. A temporary change in POD/POA or APOD/APOA cannot be accepted as a stand-alone change.**

A change in POD/POA can accompany the temporary change in place of use, only if the proposed temporary POD/POA is supplying water to the proposed temporary place of use.

OK, check box to left; if not, fill in the blank)

- 1. Page 1 of application: Are all attachments that have been checked actually included?  
If not, what is missing? \_\_\_\_\_
- 2. Are fees included and correct?  
If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_
- 3. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?  
If not, whose signature is missing? \_\_\_\_\_
- 4. Are all listed certificates shown by WRIS as non-cancelled?  
If not, which are cancelled? \_\_\_\_\_  
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number \_\_\_\_\_ and check the #4 box at left on this checklist.
- 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?  
 N/A     Form D needed from \_\_\_\_\_ (district)
- 6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.



RECEIVED  
MAR 17 2023  
OWRD

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: MK Farms Inc  
7991 Stratford Dr NE Salem OR 97305

Transaction Type: Temporary Transfer

Fees Received: \$ 978<sup>35</sup>

Cash     Check;    Check No. 2115

Name(s) on Check: Will McMill Surveying LLC

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,  
OWRD Customer Service Staff

Submission received by: Nick Reece  
(Name of OWRD staff)

**Instructions for OWRD staff:**

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet. **14188**
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

OREGON



WATER RESOURCES  
DEPARTMENT

RECEIVED

MAR 17 2023

OWRD

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: MK Farms Inc  
7991 Stratford Dr NE Salem OR 97305

Transaction Type: Temporary Transfer

Fees Received: \$ 978<sup>35</sup>

Cash

Check:

Check No. 2115

Name(s) on Check: Will McFill Surveying LLC

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Nick Reece  
(Name of OWRD staff)

### Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet. **14188**
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.