

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.

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 97087:**
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.
- 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.

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(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: ____/____/____

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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°).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Wagenbach PNW LLC / Stor-Moore LLC			PHONE NO. 541-993-0522	ADDITIONAL CONTACT NO.
ADDRESS 9292 Howell Prairie Rd NE				FAX NO.
CITY Salem	STATE OR	ZIP 97305	E-MAIL bigtalltimber@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.				

Applicant Information

APPLICANT/BUSINESS NAME Joseph Cox			PHONE NO. 503-851-4294	ADDITIONAL CONTACT NO.
ADDRESS 9581 Howell Prairie Rd NE				FAX NO.
CITY Salem	STATE OR	ZIP 97305	E-MAIL jrpxox@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.				

Applicant Information

APPLICANT/BUSINESS NAME Hilary Rich			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 9721 Howell Prairie Rd NE				FAX NO.
CITY Salem	STATE OR	ZIP 97305	E-MAIL hilaryjrich@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.				

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 primary source of water for Certificate 23267 is the Little Pudding River and a side tributary. The quality of this water is not adequate for application on berries. We wish to change the supplemental groundwater right, Certificate 97087, which covers Certificate 23267, to primary so we can use well water as the primary source.

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:

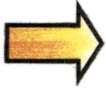
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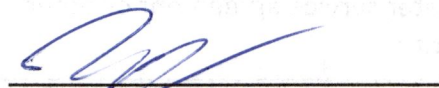
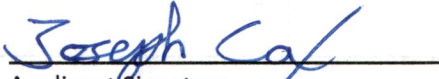
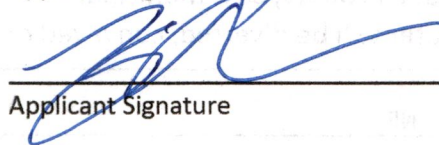
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- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Statesman Journal.
- 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.



 Applicant Signature	<u>H. JOE MOORE</u> Print Name and title if applicable	<u>7-20-23</u> Date
 Applicant Signature	<u>Joseph Cox</u> Print Name and title if applicable	<u>7-17-23</u> Date
 Applicant Signature	<u>Hilary Rich</u> Print Name and title if applicable	<u>7/12/23</u> 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

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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 # 97087

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Description of Water Delivery System

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System capacity: 2.2 cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at sometime within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is pumped from Well 1 (MARI 3959, 58332) using a 40 Hp pump to convey the water through 6-inch above-ground galvanized pipe through the meter. After the meter, the above-ground 6-inch black poly pipe continues northeast approximately 5 feet and connects to above-ground, portable, 6-inch aluminum mainline.

When water is combined with Well 2, the portable 6-inch aluminum mainline can be extended northwest approximately where it then turns northeast along the crops edge. The 6-inch portable aluminum mainline can connect to a hydrant attached to the buried 8-inch PVC mainline. The buried 8-inch mainline continues northeast where it connects to Well 2 and goes through 10-inch black poly pipe through the filter station.

Row crops are irrigated using portable 6-inch aluminum mainlines either connected directly from Well 1 or to hydrants that connect to Well 2. From these portable 6-inch aluminum mainlines, 3-inch portable aluminum laterals with 11/64 –inch impact sprinklers every 40 feet.

Water is pumped from Well 2 (MARI 69450) using a 40 Hp pump to convey the water through 6-inch above-ground steel pipe through the meter. After the meter, the above-ground 6-inch black poly pipe continues southwest going underground and connecting to below-ground 8-inch PVC (tied to Well 1). The below ground PVC runs to the east connecting back with 8-inch black poly above-ground pipe through 7 large filter stations with an injection system for solutions. A 10-inch black poly pipe takes two lines out from the filter station to the southeast before both lines go back underground and connect to two 10-inch PVC below-ground pipe (one line for the overhead sprinkler system, and the other for the drip system).

The berry fields:

The mainline extends north-northwest and south-southeast and stops halfway at the edge of each different block of berries. At this point, two sets of laterals extend from the mainline in the same directions. One set of lines supplies the overhead sprinkler system and the other line supplies the drip system.

The drip system is two lines per row of 5/8 –inch poly tubing with emitters every 12 inches. The overhead sprinkler system includes laterals of 1-inch black poly pipe every third row. The overhead sprinklers are spaced every 30 feet along the row connected by 1/2-inch flexible poly tubing wrapped around a pole and connected to 2-foot-long, 3/4-inch schedule 80 PVC with the sprinkler head on top equaling a height of 6 feet.

Note:

Wagenbach:

Wagenbach has an NRCS contract OMB No. 0578-0013 to allow 50 acres to be irrigated for hay within the wildlife boundary. The hay can only be cut after July 15th and the contract expires October 31, 2031. A hard hose traveler is used to irrigate this area.

Joseph Cox:

The place of use on Joseph Cox's property is under primary irrigation from a hydrant on the southeastern edge of one of the berry zones. A portable 6-inch aluminum mainline is attached to this hydrant and extended southwest toward the common access road for all property owners per land deed. The portable 6-inch mainline then runs southwest along the road toward and through Joseph's property. Every 60 feet, portable 3-inch aluminum handlines are attached with impact sprinklers every 40 feet. 60 sprinklers can be run at one time.

Hilary Rich:

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The primary surface water is conveyed from the POD (Certificate 23267) onsite through a portable 6-inch aluminum mainline through a filter then into the manifold. When the primary surface water is not available, and/or the primary / supplemental ground water area is irrigated, the portable 6-inch aluminum mainline supplying Joseph Cox's place of use is extended northeast and attaches to the filter system, then connecting to the manifold.

A portable 3-inch layflat vinyl hose is attached to the manifold heading southwest to the property's east boundary. The line then extends northeast along the property boundary. From this layflat hose on the eastern section, two 2-inch above-ground Oval polyethylene hoses are attached running northwest. A third 2 inch Oval line runs northwest directly off the manifold creating three irrigation zones. Drip lines are attached to the Oval line running northeast to southwest. There is one line per row with emitters every 12 inches. One zone can be irrigated at one time.

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 3959, 58332	6	S	2	W	13	NE	NW	Lot 2	115 feet south and 2,925 feet west from the NE corner Section 13
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 69450	6	S	2	W	12	SE	NE	Lot 6	800 feet south and 1,690 feet west from the SW corner, DLC 49
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- | | |
|--|--|
| <input type="checkbox"/> Place of Use (POU) | <input checked="" type="checkbox"/> 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 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 # 97087

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	Acre	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	Acre	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date		
6	S	1	W 7	NE NW	2400	DLC 49	0.5	IR	Well 1 & 2	2-21-2002		6	S	1	W 7	NE NW	2400	DLC 49	0.5	IR	Well 1 & 2	2-21-2002
6	S	1	W 7	NE NW	2400	Historical Labish Lake	1.6	IR	Well 1 & 2	2-21-2002		6	S	1	W 7	NE NW	2400	Historical Labish Lake	1.6	IR	Well 1 & 2	2-21-2002
6	S	1	W 7	SW NW	2400	DLC 49	0.3	IR	Well 1 & 2	2-21-2002		6	S	1	W 7	SW NW	2400	DLC 49	0.3	IR	Well 1 & 2	2-21-2002
6	S	1	W 7	SW NW	1400, 2400	Lot 2	16.2	IS	Well 1 & 2	2-21-2002	STOP	6	S	1	W 7	SW NW	1400, 2400	Lot 2	16.2	IR	Well 1 & 2	2-21-2002
6	S	1	W 7	SW NW	1400, 2400	Historic Lake Labish	16.7	IR	Well 1 & 2	2-21-2002		6	S	1	W 7	SW NW	1400, 2400	Historic Lake Labish	16.7	IR	Well 1 & 2	2-21-2002
6	S	1	W 7	SE NW	2400	DLC 49	5.6	IR	Well 1 & 2	2-21-2002		6	S	1	W 7	SE NW	2400	DLC 49	5.6	IR	Well 1 & 2	2-21-2002
6	S	1	W 7	SE NW	2400, 1600	Lot 2	5.0	IR	Well 1 & 2	2-21-2002		6	S	1	W 7	SE NW	2400, 1600	Lot 2	5.0	IR	Well 1 & 2	2-21-2002
6	S	1	W 7	SE NW	2400	Historic Lake Labish	4.2	IR	Well 1 & 2	2-21-2002		6	S	1	W 7	SE NW	2400	Historic Lake Labish	4.2	IR	Well 1 & 2	2-21-2002
6	S	1	W 7	NE SW	1600	NA	6.5	IS	Well 1 & 2	2-21-2002	STOP	6	S	1	W 7	NE SW	1600	NA	6.5	IR	Well 1 & 2	2-21-2002
6	S	1	W 7	NW SW	1400, 2400, 1600	NA	27.0	IS	Well 1 & 2	2-21-2002	STOP	6	S	1	W 7	NW SW	1400, 2400, 1600	NA	27.0	IR	Well 1 & 2	2-21-2002

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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 7 SW SW	1600, 2300, 1300	NA	23.2	IS	Well 1 & 2	2-21-2002	STOP	6	S	1	W 7 SW SW	1600, 2300, 1300	NA	23.2	IR	Well 1 & 2	2-21-2002		
6	S	1	W 12 SE NE	2400, 1400	Lot 6	2.4	IS	Well 1 & 2	2-21-2002	STOP	6	S	1	W 12 SE NE	2400, 1400	Lot 6	2.4	IR	Well 1 & 2	2-21-2002		
6	S	1	W 12 SE NE	2400, 1400	Historic Lake Labish	6.8	IR	Well 1 & 2	2-21-2002		6	S	1	W 12 SE NE	2400, 1400	Historic Lake Labish	6.8	IR	Well 1 & 2	2-21-2002		
6	S	1	W 12 SE SW	1100, 1300	Lot 5	5.3	IS	Well 1 & 2	2-21-2002	STOP	6	S	1	W 12 SE SW	1100, 1300	Lot 5	5.3	IR	Well 1 & 2	2-21-2002		
6	S	1	W 12 SE SW	1100, 1300	Historic Lake Labish	3.4	IR	Well 1 & 2	2-21-2002		6	S	1	W 12 SE SW	1100, 1300	Historic Lake Labish	3.4	IR	Well 1 & 2	2-21-2002		
6	S	1	W 12 NE SE	2400, 1400	Lot 6	35.9	IS	Well 1 & 2	2-21-2002	STOP	6	S	1	W 12 NE SE	2400, 1400	Lot 6	35.9	IR	Well 1 & 2	2-21-2002		
6	S	1	W 12 NE SE	2400, 1400	Historic Lake Labish	3.0	IR	Well 1 & 2	2-21-2002		6	S	1	W 12 NE SE	2400, 1400	Historic Lake Labish	3.0	IR	Well 1 & 2	2-21-2002		
6	S	1	W 12 NW SE	1400	Lot 5	9.5	IS	Well 1 & 2	2-21-2002	STOP	6	S	1	W 12 NW SE	1400	Lot 5	9.5	IR	Well 1 & 2	2-21-2002		
6	S	1	W 12 NW SE	1400	Historic Lake Labish	3.0	IR	Well 1 & 2	2-21-2002		6	S	1	W 12 NW SE	1400	Historic Lake Labish	3.0	IR	Well 1 & 2	2-21-2002		
6	S	1	W 12 SW SE	1300, 1400	Lot 5	37.0	IS	Well 1 & 2	2-21-2002	STOP	6	S	1	W 12 SW SE	1300, 1400	Lot 5	37.0	IR	Well 1 & 2	2-21-2002		

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	12	SW	SE	1300, 1400	Historic Lake Labish	1.5	IR	Well 1 & 2	2-21-2002		6	S	1	W	12	SW	SE	1300, 1400	Historic Lake Labish	1.5	IR	Well 1 & 2	2-21-2002
6	S	1	W	12	SE	SE	1300, 1400	NA	25.9	IS	Well 1 & 2	2-21-2002	STOP	6	S	1	W	12	SE	SE	1300, 1400	NA	25.9	IR	Well 1 & 2	2-21-2002
6	S	1	W	13	NW	NE	1100, 1300	NA	24.0	IS	Well 1 & 2	2-21-2002	STOP	6	S	1	W	13	NW	NE	1100, 1300	NA	24.0	IR	Well 1 & 2	2-21-2002
6	S	1	W	13	NE	NW	1100	Historic Lake Labish	4.8	IR	Well 1 & 2	2-21-2002		6	S	1	W	13	NE	NW	1100	Historic Lake Labish	4.8	IR	Well 1 & 2	2-21-2002
6	S	1	W	13	NE	NW	1100	Lot 2	32.2	IS	Well 1 & 2	2-21-2002	STOP	6	S	1	W	13	NE	NW	1100	Lot 2	32.2	IR	Well 1 & 2	2-21-2002
6	S	1	W	13	NW	NW	1100	Historic Lake Labish	3.8	IR	Well 1 & 2	2-21-2002		6	S	1	W	13	NW	NW	1100	Historic Lake Labish	3.8	IR	Well 1 & 2	2-21-2002
6	S	1	W	13	SW	NW	1100	Historic Lake Labish	0.8	IR	Well 1 & 2	2-21-2002		6	S	1	W	13	SW	NW	1100	Historic Lake Labish	0.8	IR	Well 1 & 2	2-21-2002
TOTAL ACRES:							306.1						TOTAL ACRES:							306.1						

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Additional remarks: Although the change from Supplemental to Primary does not affect the entire right under Certificate 97087, we have included the entire right in this application with the intent of having one single water right for primary use of groundwater over the entire place of use currently covered by both primary and supplemental groundwater rights.

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For Place of Use or Character of Use Changes - NA

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 # _____;
Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # 23267

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

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.

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
NA										

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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, JOE MOORE, in my capacity as OWNER/OPERATOR,
mailing address 9292 HOWELL PRAIRIE RD NE, SALEM, OR 97305
telephone number (541) 993-0522, 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 # _____; **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 # 97087 has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

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3. The water right was used for: (e.g., crops, pasture, etc.): BERRIES, ONIONS, WHEAT, CORN, HAZELNUTS, AND HEMP

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.

[Handwritten Signature]

Signature of Affiant

7-22-23

Date

Signed and sworn to (or affirmed) before me this 22 day of July, 2023.



[Handwritten Signature: Susie Renee Kahler]

Notary Public for Oregon

My Commission Expires: 05-19-2025

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

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STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH COX
9581 HOWELL PRAIRIE RD NE
SALEM OR 97305

WAGENBACH PNW LLC
STOR-MOORE LLC
9292 HOWELL PRAIRIE RD NE
SALEM OR 97305

HILARY RICH
9721 HOWELL PRAIRIE RD NE
SALEM OR 97305

confirms the right to the use of water perfected under the terms of Permit G-15990. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15722

SOURCE OF WATER: TWO WELLS IN LITTLE PUDDING BASIN

PURPOSE OR USE: IRRIGATION OF 122.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 183.6 ACRES

MAXIMUM RATE: 2.2 CUBIC FEET PER SECOND (CFS), BEING 1.1 CFS FROM EACH WELL

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 21, 2002

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
6 S	2 W	WM	13	NE NW	2	WELL 1 - 115 FEET SOUTH AND 2925 FEET WEST FROM NE CORNER, SECTION 13
6 S	2 W	WM	12	SE NE	6	WELL 2 - 800 FEET SOUTH AND 1690 FEET WEST FROM SW CORNER, WILLIAM PARKER DLC 49

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC Acres
6S	1W	WM	7	NE NW		1.6
6S	1W	WM	7	NE NW		0.5
6S	1W	WM	7	SW NW		16.7
6S	1W	WM	7	SW NW	2	3.3
6S	1W	WM	7	SW NW		49
6S	1W	WM	7	SE NW		4.2
6S	1W	WM	7	SE NW		5.6
6S	1W	WM	7	SE NW	2	5.0
6S	1W	WM	7	NE SW		3.2
6S	1W	WM	7	NW SW		1.0
6S	1W	WM	7	SW SW		21.7
6S	2W	WM	12	SE NE		6.8
6S	2W	WM	12	SE NE	6	0.4
6S	2W	WM	12	NE SE		3.0
6S	2W	WM	12	NW SE		3.0
6S	2W	WM	12	SW SE		1.5
6S	2W	WM	12	SE SE		0.8
6S	2W	WM	13	NW NE		2.4
6S	2W	WM	13	NE NW	2	28.7
6S	2W	WM	13	NE NW		4.8
6S	2W	WM	13	NW NW		3.8
6S	2W	WM	13	SW NW		0.8

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC Acres
6S	1W	WM	7	SW NW	2	12.9
6S	1W	WM	7	NE SW		3.3
6S	1W	WM	7	NW SW		26.0
6S	1W	WM	7	SW SW		1.5
6S	2W	WM	12	SE NE	6	2.0
6S	2W	WM	12	SE SW	5	5.3
6S	2W	WM	12	NE SE	6	35.9
6S	2W	WM	12	NW SE	5	9.5
6S	2W	WM	12	SW SE	5	37.0
6S	2W	WM	12	SE SE		25.1
6S	2W	WM	13	NW NE		21.6
6S	2W	WM	13	NE NW	2	3.5

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.

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- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

To monitor the effect of water use from the well(s) authorized under this right, the Director may require the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement. The measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The reference levels against which any future measurements will be compared is 6.50 feet below land surface for Well 1 and - 1.66 feet below land surface for Well 2.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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

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

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

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

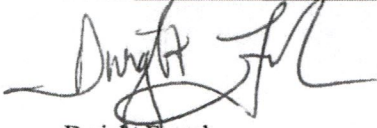
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

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

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

Issued APR 28 2023



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

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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

Applicant(s): Wagenbach PNW LLC / Stor-Moore LLC

Mailing Address: 9292 Howell Prairie Rd NE

City: Salem State: OR Zip Code: 97305 Daytime Phone: (541) 993-0522

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>7</u>	_____	<u>1600</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>6S</u>	<u>1W</u>	<u>7</u>	_____	<u>2300</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>6S</u>	<u>1W</u>	<u>7</u>	_____	<u>2400</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>6S</u>	<u>2W</u>	<u>12</u>	_____	<u>1300</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>6S</u>	<u>2W</u>	<u>12</u>	_____	<u>1400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>6S</u>	<u>2W</u>	<u>13</u>	_____	<u>1100</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" 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: 2.2 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 a portion of an existing water right (Certificate 97087) from supplemental use to primary use.

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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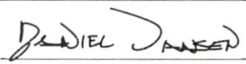
The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval 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): Farm use is outright permitted in EFU per MCC 17.136.020.
- 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:  Phone: (503) 588 5038 Date: 8/3/2023
 Government Entity: Marion County

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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