T-13783

T-13783

Name Kvenzi Turf and nirsoni Address turb State Spreet Salem areago 9730 Change in for APCA Date Filed 30 2021	Name of Stream A Trib. of Little Pi Use NUYSERY 1	odding River Ises	County	RA	9-2-2021 10-6-2021 9-29-2021	FEES PAID Amount # 1,570.00 \$1,00.13 \$1,100.13 \$1,500.00 \$1,133.22	Receipt # 13602, 136328 136553 136554 136504 137882
Initial notice date DPD issued date	Quantity of water (CFS) Name of ditch	)	No.	of Acres			
PD issued date PD notice date Date of FO_5/2/2024 Vol 131 Page 16-18 C-Date COBU due date COBU Received date	Арр# Арр# Арр# Арр# Арр#	Per # Per #	Cert # Cert # Cert #	PR Date 0 27 200 PR Date PR Date PR Date PR Date PR Date PR Date	Date		Receipt #
Certificate issued Assignments:							
rrigation District							
Igent Dann Hamilton							
CWRE C's list_ <u>manan</u> Canty Panning							
- Oversized map - Location							

Permit amendment





# Water Resources Department

North Mall Office Building 725 Summer St NE, Suite A Salem, OR 97301 Phone 503 986-0900 Fax 503 986-0904

May 2, 2024

Kuenzi Turf and Nursery Attn: Tyler Kuenzi 6500 State St. Salem, OR 97301

**REFERENCE:** Permit Amendment Application T-13783

Enclosed is a copy of the order approving your Permit Amendment application.

Also enclosed is a superseding permit that incorporates the amendments approved by the final order contained herein. Please read this document and abide by the requirements.

If you have any questions related to the approval of this permit amendment, you may contact your caseworker, Scott Grew, by telephone at (503) 986-0890 or by e-mail at <u>Scott.a.grew@water.oregon.gov</u>.

Sincerely,

Elype Richman

Elyse D. Richman Water Rights Services Support Transfers and Conservation Section

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email) Doann Hamilton, Agent Marion County Planning Department, Local Government Enclosure

# BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Permit Amendment T-13783, Marion County FINAL ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION AND ADDITIONAL POINTS OF APPROPRIATION

## Authority

Oregon Revised Statute (ORS) 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

)

)

#### Applicant

KUENZI TURF AND NURSERY C/O TYLER KUENZI 6475 STATE ST. SALEM, OR 97301

#### Findings of Fact

- On July 30, 2021, KUENZI TURF AND NURSERY, C/O TYLER KUENZI filed an application to change the point of appropriation and for additional points of appropriation under Permit G-15191. The Department assigned the application number T-13783.
- On July 21, 2021, the Department approved an extension of time for complete application of water to October 1, 2026.
- Notice of the application for the permit amendment was published in the Department's weekly notice on September 7, 2021, and in the Statesman Journal newspaper on March 21 and 28, 2024, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
- 4. On March 28, 2022, the Department sent a deficiency letter stating there were some issues identified by the groundwater review that needed to be addressed to be able to move forward with the application.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-0005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

5 . 1

- 5. On April 4, 2022, the agent for the applicant revised the application to the Department to address the deficiencies.
- On May 4, 2023, an assignment to change the name on the Permit G-15191 from Myron Kuenzi to Kuenzi Turf and Nursery was approved.
- Permit Amendment Application T-13783 proposes to move the authorized point of appropriation of Well 2 as follows:

Тwp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the Authorized POA in Miles (mi.)
75	2 W	WM	27	SE SW	WELL 2 (MARI 17377) – 725 FEET NORTH AND 1880 FEET EAST FROM THE SW CORNER OF SECTION 27	0.47 mi.

 Permit Amendment Application T-13783 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Lot	Measured Distances	Approximate Distance from Authorized POAs in Miles (mi.)
7 S	2 W	WM	27	SE SW		2	WELL 6 - 830 FEET NORTH AND 2640 FEET WEST FROM THE NE CORNER OF SECTION 34	0.29 mi. to 0.79 mi.
7 S	2 W	WM	28	SW SE	81		WELL 9 - 625 FEET NORTH AND 1910 FEET WEST FROM THE SE CORNER OF SECTION 28	0.13 mi. to 1.0 mi.

## Permit Amendment Review Criteria

- 9. The changes would not result in injury to other water rights.
- 10. The proposed place of use is owned and/or controlled by the permit holder.
- 11. The changes do not enlarge the permit.
- 12. The changes do not alter any other terms of the permit.

## **Conclusions of Law**

The change in point of appropriation and additional points of appropriation proposed by Permit Amendment Application T-13783 are consistent with the requirements of ORS 537.211. The changes could cause injury to other groundwater rights.

## Now, therefore, it is ORDERED:

- 1. The change in point of appropriation and additional points of appropriation proposed by Permit Amendment Application T-13783 are approved.
- Approval of this permit amendment application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation.
- Permit G-18904, in the name of KUENZI TURF AND NURSERY C/O TYLER KUENZI, is issued to replace Permit G-15191, and incorporates the amendments approved by this order, the extension of time, and an assignment. Permit G-15191, in the name of MYRON KUENZI, is no longer of any force or effect.
- 4. The quantity of water diverted at the new point of appropriation (Well 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2).
- The combined quantity of water diverted at the new additional points of appropriation (Wells 6 and 9), together with that diverted at the original points of appropriation (Wells 1, 2, 3, 4 and 5), shall not exceed the quantity of water lawfully available at the original points of appropriation (Wells 1, 2, 3, 4 and 5).
- 6. Water shall be acquired from the same aquifer as the original points of appropriation.
- 7. All other terms and conditions of Permit G-18904 remain the same.

Dated in Salem, Oregon on MAY 2 - 2024 Lisa HJaramille, Transfer and Conservation Section Manager, for

DOUGLAS E. WQODCOCK, ACTING DIRECTOR Oregon Water Resources Department

Mailing Date: MAY 3 - 2024

## STATE OF OREGON

#### COUNTY OF MARION

## PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KUENZI TURF AND NURSERY 6500 STATE STREET SALEM, OREGON 97301

This superseding permit is issued to describe an amendment for additional points of appropriation and a change in point of appropriation proposed under Permit Amendment Application T-13783 and approved by Special Order Vol. 131, Page 16, entered MAY 2 - 2024 and to describe an extension of time for complete application of water approved July 1, 2021 and an assignment approved on May 4, 2023. This permit supersedes Permit G-15191.

The specific limits and conditions of the use are listed below.

**APPLICATION FILE NUMBER: G-15547** 

SOURCE OF WATER: SEVEN WELLS IN LITTLE PUDDING RIVER BASIN

PURPOSE OR USE: NURSERY USE ON 260.8 ACRES

MAXIMUM RATE: 2.57 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JUNE 27, 2001

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	GLot	Measured Distances
7 S	2 W	WM	27	NE NW			WELL 4 - 725 FEET SOUTH AND 1350 FEET EAST FROM THE NW CORNER OF SECTION 27
7 S	2 W	WM	27	NW SW			WELL 1 - 2250 FEET NORTH AND 750 FEET EAST FROM THE SW CORNER OF SECTION 27
7 S	2 W	WM	27	SE SW		2	WELL 2 (MARI 17377) – 725 FEET NORTH AND 1880 FEET EAST FROM THE SW CORNER OF SECTION 27
7 S	2 W	WM	27	SE SW		2	WELL 3 - 787 FEET NORTH AND 1360 FEET EAST FROM THE SW CORNER OF SECTION 27
7 S	2 W	WM	27	SE SW		2	WELL 6 - 830 FEET NORTH AND 2640 FEET WEST FROM THE NE CORNER OF SECTION 34
7 S	2 W	WM	28	SW SE	81		WELL 9 - 625 FEET NORTH AND 1910 FEET WEST FROM THE SE CORNER OF SECTION 28
7 S	2 W	WM	28	SE SE			WELL 5 - 367 FEET NORTH AND 166 FEET WEST FROM THE SW CORNER OF SECTION 27

Application G 15547/T-13783.sg Basin 2 Water Resources Department Volume 13A LT PUDDING R PERMIT G-18904 District 16 The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime, during the period of allowed use specified above, that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year.

Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	2 W	WM	27	NE NW	6.4
7 S	2 W	WM	27	NW NW	7.6
75	2W	WM	27	SW NW	26.0
7 S	2 W	WM	27	SE NW	23.0
7 S	2 W	WM	27	NE SW	33.0
7 S	2 W	WM	27	NW SW	36.1
7 S	2 W	WM	27	SW SW	25.0
7 S	2 W	WM	27	SE SW	35.0
7 S	2 W	WM	28	NE SE	14.6
7 S	2 W	WM	28	NW SE	9.9
7 S	2 W	WM	28	SW SE	13.4
7 S	2 W	WM	28	SE SE	30.8
				Total	260.8

#### Authorized Place of Use:

# Permit Amendment T-13783 Conditions

The quantity of water diverted at the new point of appropriation (Well 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2).

The combined quantity of water diverted at the new additional points of appropriation (Wells 6 and 9), together with that diverted at the original points of appropriation (Wells 1, 2, 3, 4 and 5), shall not exceed the quantity of water lawfully available at the original points of appropriation (Wells 1, 2, 3, 4 and 5) and 5)

Water shall be acquired from the same aquifer as the original points of appropriation.

# **Extension of Time Conditions**

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2024.

Water Resources Department Volume 13A LT PUDDING R Page 2

PERMIT G-18904 District 16

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device 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 permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee 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.

# For Well 1 (MARI 20055) only:

(1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:

- An average water level decline of three or more feet per year for five consecutive years; or
- (b) A total water level decline of fifteen or more feet; or
- (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.

Application G 15547/T-13783.sg	Water Resources Department	PERMIT G-18904
Basin 2	Volume 13A LT PUDDING R	District 16

- (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
  - (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
  - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
  - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.
  - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
  - (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

# For Wells 2 - 5:

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires 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.

Measurements must be made according to the following schedule:

# Before Use of Water Takes Place

# Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

## After Use of Water has Begun

#### Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional 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 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 permittee'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 permit. 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.

# STANDARD CONDITIONS

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, 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 constructed 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 water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit. This permit 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 Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2006. By Extension of Time Order dated July 1, 2021, the deadline for complete application of water to the use was extended to October 1, 2026. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Dated in Salem, Oregon on MAY 2 - 2024

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for DOUGLAS E. WOODCOCK, ACTING DIRECTOR Oregon Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 23.

Application G 15547/T-13783.sg Basin 2 Water Resources Department Volume 13A LT PUDDING R PERMIT G-18904 District 16

Permit Amendment Checklist Transfer: T- 13783 Transfer Specialist: Transfer Type: Permit Amendment Rec Landowner Name/Address: Applicant Name/Address/email: Agent Name/Address/email: TYLER KUENZI DOANN HAMILTON 6475 STATE ST 18487 S VALLEY VISTA RD SALEM, OR 97301 MULINO, OR 97042-8741 CWRE Name/Number: Irr. District Name/Address: Affected Gov'ts Name/Address: Marion County Current Landowner Name/Address Commentor(s): Name/Address: (if different than applicant):

### Permit(s) Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Superseding Permit No.
		G-15547	G-15191	6-18746

#### Key Dates & Initial Actions

	Rec'd: July 30, 2021	Proposed Action(s): POA, APOA	
	Fees Pd: 1570.00	WM District:16	ODFW District:
	Initial Notice: September 7, 2021	WM Review sent: Done: J 626 (8)	ODFW Review Sent: Done:
	Acknowledgement Letter Sent: 🛛 Date	:	GW Review sent: Done: 2/2 Deny-injung
AUT -	rocessing Dates & Actions Deficiency Contact(s): DATA 3/18/24 A CLEARED 3/20/24 Draft Mailed:	Agent uguets hore a providence Date quote re Request for r	
	If yes, date rec'd okay from agent/applica		,7-79-71
	ODFW contact sheet sent; need? Yes WM measurement sheet sent; need?	or No Request to p	ublish sent to newspaper $\frac{1}{2}/18/24$
	Yes or No		lication: 3/21/24 \$ 3/28/24
Fi	nal Order * Defining 14 31	bitsd Bright 30	DAYS -> APRIL 27, 2024
	Draft Order & Superseding Permit F VA 31-11W Reviewer: <u>Jow</u> Date: <u>3</u>   <u>3</u>  2022 Coordinator: <u>PK</u> Date: <u>3</u>   <u>2</u> 22	PICS Coo	A Superseding Permit Review (Salem) viewer: <u>Joan</u> te: <u>2 - 1 - 24</u> ordinator:
	Signature Bin Date:	- Sund to what sig	nature Bin Date: $\frac{5/2}{2}$
	Comments/Special Issues: 3-1 Ngust emid mythe	thing the to address gu	over, I envid defensy Itr.
pro 2		the inless GW Calls out the	towerd rights ( wanditions
Sp	ecial Order Volume: Vol: 3 Pages	16-18 Final Order Signat	ture Date: 5/2/2024
No	H-4 RWIGD Photo	5 and corresponding may	NEED AFFIDAVIT
		. )	TATICK AYKIL 27, 1029

1-13/03	
Application	
PR CW	
The type of change is clearly indicated.	
The application is appropriately signed.	
Appropriate fees were paid. N/A If overpayment, Refund Request submitted	
Land use form matches affected tax lots and is signed by proper official. (from ALL affected Govt's)	
Ditch company, district, and/or BOR, sent a copy of the application and map, if appropriate.	
All required attachments received.	
Check application file and WRIS for assignment(s) and/or extension(s). $\times 1$ Cdutt 2026	
Application Map	
<u>PR</u> <u>CW</u>	
The map size and scale are accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).	
All authorized and proposed POD's/POA's and POU are properly described on the map.	
The POD/POA location description(s) on the map match the PA application and permit descriptions.	
Map acres (to, from and rr, if applicable) match Table 2 on the PA application and as applicable, on the permit	
Have permit map(s).	
Determining the "From" and "To" Lands (make working copy of application and permit(s))	
PR CW	
Only the authorized POD's/POA's and/or POU's to be transferred are listed (Tables 1 & 2).	
PA application and permit tabulations (acreage) match. (Mark on appl. and permit copies and note corrections needed	1)
ALL Mark on permit the acreage and amount of water being transferred.	
Permit Ownership	
The applicant(s) is/are the holder(s) of the permit.	
All holders of the permit have signed the application or	
If necessary, there is a notarized, signed statement of consent from permit holders other than applicant.	
N/A) If necessary, the permit has been assigned to permit amendment applicant.	
Evaluation Materials	
Application complete	
Amendment Map	6h
Reviews/comments/conditions received?	0
N/A Headgate When in the judgment Prior to diverting Existing and maintain	d
N/A Measuring Devices When in the judgment Prior to diverting Existing and maintain	2
Type of device, if applicable: totalizing flow meter: at new at existing and new	mí
Injury: Yes No	ipm
Enlargement: Yes No	
Conditions to avoid enlargement/injury –	
ODFW conditions:	
GW Conditions:	
Gw Conditions:	

RECEIPT #	WATER RE 142487	STATE OF OR SOURCES 5 Summer St. N SALEM, OR 9730 86-0900 / (503) S	DEPARTN E. Ste. A 01-4172	IENT INVOICE # .	
RECEIVED FRO	M: KIRAZITUr	-f /1C		APPLICATION	
BY:				PERMIT	
				TRANSFER	T- 13783
CASH: C	HECK:# OTHER: (II	DENTIFY)		TOTAL REC'D	\$ 561.89
1083	TREASURY 4170	WRD MISC	CASH AC	СТ	
0407	COPIES 46118	and the second second beauty			S
0207		News	aperli	stice.	\$ 561.89
0243 1/5 L	ease 0244 Muni Wat	and the factor shirt and			
		WRD OPE	RATING AC	CI	
	MISCELLANEOUS				s
0407	COPY & TAPE FEES				s
0410	RESEARCH FEES				5
0408	MISC REVENUE: (IDENTIF	Y) —			s
TC162	DEPOSIT LIAB. (IDENTIFY	) —			S
0240	EXTENSION OF TIME				3
	WATER RIGHTS:		EXAM FEE		RECORD FEE
0201	SURFACE WATER	S	S TRANSIS	0202	S
0203	GROUND WATER	S		0204	S
0205	TRANSFER	S			
	WELL CONSTRUCTION		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTO	R S		0219	S
	LANDOWNER'S PERMIT			0220	S
	OTHER (IDENT	IFY)			
0536	TREASURY 0437	WELL CO	ST. START	FEE	
0211	WELL CONST START FEE	\$		CARD#	
0210	MONITORING WELLS	\$		CARD#	
	OTHER (IDENT	IFY)			
0607	TREASURY 0467	HYDRO A	CTIVITY	LIC NUMBER	
0233	POWER LICENSE FEE (FW/	WRD)			S
0231	HYDRO LICENSE FEE (FW/	WRD)			S
	HYDRO APPLICATION				s
		OTHED / D	DV		
	TREASURY	OTHER / F	IDX		
FUND	TITLE				
OBJ. COD		DR #			
DESCRIP					S
RECEIPT: 1	42487 DA	тер: <u>2 - 29</u>	24 ву:	mm	rill

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Received

APR 0 3 2024

OWRD

\*LocaliQ

Oregon GANNETT

# PROOF OF PUBLICATION

ElyseD Richmond TACS-PN Oregon Depart. of Water Resources 725 Summer ST NE # A Salem OR 97301-1266

#### STATE OF WISCONSIN, COUNTY OF BROWN

The Statesman Journal, of general circulation as defined by Sections 193.010 to 193.110, Oregon revised Statutes; printed and Published in Salem in Marion County, Oregon; and that this Govt Public Notices is printed copy of which is hereby annexed was Published in said newspapers in the issue:

03/21/2024, 03/28/2024

and that the fees charged are legal. Sworn to and subscribed before on 03/28/2024

	AD			
Legal Clerk	Jenn			
Notary, State of WI	5.19	5.07		
My commission exp	pires			
Publication Cost:	\$468.24			
Order No:	9973778	# of Copies:		
Customer No:	816170	1		

THIS IS NOT AN INVOICE!

T-13783

Please do not use this form for payment remittance.

PO Box 631824 Cincinnati, OH 45263-1824

# PUBLIC NOTICE Notice of Permit Amendment T-13783

T-13783 filed by Kuenzi Turf and Nursery, c/o Tyler Kuenzi, 6475 State St., Salem, OR 97301, proposes additional points of appropriation and a change point of appropriation in under permit G-15191. The permit allows the use of 2.57 cubic feet per second from five wells in Sects. 27 and 28, T7S, R2W, WM for nursery use in Sects. 27, T7S, R2W, WM. The applicant proposes additional points of appropriation and to move a point of appropriation and in Sects. 27 and 28, T7S, R2W, WM. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is 03/28/2024.

Statesman Journal March 21, 28, 2024

NANCY HEYRMAN Notary Public State of Wisconsin

PO #:

From:BUCHHOLZ Sheila L \* WRDSent:Wednesday, March 20, 2024 8:35 AMTo:GREW Scott A \* WRD; WRD\_DL\_is\_data\_techsSubject:RE: RA Permit Amendment Final Order Review T-13783Attachments:T-13783-superseding permit-G-15547-G-18904.docm; T-13783-ord-permit<br/>amendment.docm

Hello Scott,

This Permit Amendment RA has been completed. There is a small typo on page 6, paragraph 5 of the new permit, otherwise great:

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit. This permit is for the beneficial use of water without waste. The water user is vised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

Data time taken was 2 Hours 15 minutes.

Have a happy day!

Sheila

From: GREW Scott A \* WRD <Scott.A.GREW@water.oregon.gov> Sent: Monday, March 18, 2024 4:45 PM To: WRD\_DL\_is\_data\_techs <WRD\_DL\_is\_data\_techs@water.oregon.gov> Cc: GREW Scott A \* WRD <Scott.A.GREW@water.oregon.gov> Subject: RA Permit Amendment Final Order Review T-13783

Hello Data Friends,

Please review this Reimbursement Authority Permit Amendment Final Order and Superseding Permit.

Thank you, Scott

Scott Grew Transfer Specialist Oregon Water Resources Department 503-986-0890

From: Sent: To: Cc: Subject: Attachments: GREW Scott A \* WRD Monday, March 18, 2024 4:45 PM WRD\_DL\_is\_data\_techs GREW Scott A \* WRD RA Permit Amendment Final Order Review T-13783 T-13783-ord-permit amendment.docm; T-13783-superseding permit-G-15547-G-18904.docm

Hello Data Friends,

Please review this Reimbursement Authority Permit Amendment Final Order and Superseding Permit.

1

1

Thank you, Scott

Scott Grew Transfer Specialist Oregon Water Resources Department 503-986-0890

From: Sent: To: Subject: RICHMAN Elyse D \* WRD Monday, March 18, 2024 1:00 PM GREW Scott A \* WRD; STARNES Patrick K \* WRD RE: Newspaper Estimate for Permit Amendment T-13783

Hi Scott,

The publication dates for this legal notice are 3/21 and 3/28.

Cheers,

# <u>Elyse D. Richman</u>

Restoration Program Technician 725 Summer Street NE, Suite A, Salem, OR 97301 Office: 503-986-0898 | Work Cell: 971-701-5485



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: GREW Scott A \* WRD <Scott.A.GREW@water.oregon.gov> Sent: Monday, March 18, 2024 9:51 AM To: RICHMAN Elyse D \* WRD <Elyse.D.RICHMAN@water.oregon.gov>; STARNES Patrick K \* WRD <Patrick.K.STARNES@water.oregon.gov> Cc: GREW Scott A \* WRD <Scott.A.GREW@water.oregon.gov> Subject: RE: Newspaper Estimate for Permit Amendment T-13783

Sounds great, thank you!

Scott Grew Transfer Specialist Oregon Water Resources Department 503-986-0890

From: RICHMAN Elyse D \* WRD <<u>Elyse.D.RICHMAN@water.oregon.gov</u>> Sent: Monday, March 18, 2024 9:37 AM To: GREW Scott A \* WRD <<u>Scott.A.GREW@water.oregon.gov</u>>; STARNES Patrick K \* WRD <<u>Patrick.K.STARNES@water.oregon.gov</u>> Subject: RE: Newspaper Estimate for Permit Amendment T-13783

You got it, Scott. I'll send the request to publish out today and will get back to you with the publication dates.

Cheers,

<u>Elyse D. Richman</u> Restoration Program Technician 725 Summer Street NE, Suite A, Salem, OR 97301 Office: 503-986-0898 | Work Cell: 971-701-5485



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: GREW Scott A \* WRD <<u>Scott.A.GREW@water.oregon.gov</u>> Sent: Monday, March 18, 2024 9:35 AM To: RICHMAN Elyse D \* WRD <<u>Elyse.D.RICHMAN@water.oregon.gov</u>>; STARNES Patrick K \* WRD <<u>Patrick.K.STARNES@water.oregon.gov</u>> Cc: GREW Scott A \* WRD <<u>Scott.A.GREW@water.oregon.gov</u>> Subject: RE: Newspaper Estimate for Permit Amendment T-13783

Elyse,

We received the fees for this notice. Please engage the running of it. Since this is a Permit Amendment it needs to run before the Permit Amendment Final Order is issued. The Permit Amendment process goes direct to Final Order so there is not PD.

Thank you so much! Scott

Scott Grew Transfer Specialist Oregon Water Resources Department 503-986-0890

From: RICHMAN Elyse D \* WRD <<u>Elyse.D.RICHMAN@water.oregon.gov</u>> Sent: Friday, February 23, 2024 1:22 PM To: GREW Scott A \* WRD <<u>Scott.A.GREW@water.oregon.gov</u>>; STARNES Patrick K \* WRD <<u>Patrick.K.STARNES@water.oregon.gov</u>> Subject: RE: Newspaper Estimate for Permit Amendment T-13783

Hi Scott,

The Statesman Journal cost quote came back. The total amount needed from the applicant is \$561.89.

Cheers,

# Elyse D. Richman

Restoration Program Technician 725 Summer Street NE, Suite A, Salem, OR 97301 Office: 503-986-0898 | Work Cell: 971-701-5485



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: GREW Scott A \* WRD <<u>Scott.A.GREW@water.oregon.gov</u>> Sent: Friday, February 23, 2024 10:10 AM

From: Sent: To: Subject: Doann Hamilton <phgdmh@gmail.com> Friday, February 23, 2024 3:18 PM GREW Scott A \* WRD; Tyler Kuenzi; Greg Kupillas T-13783 draft FO errors

**HI Scott** 

After reviewing the draft FO and new permit for our client Kuenzi Turf and Nursery

I see several errors on the draft permit

On page 1 Well 2 and 3 are both in Lot 2

On Page 2 Section 28 was left out of the place of use description

NE	1/4	SE	1/4	14.6	5.	ACRES
NW	1/4	SE	1/4	9.9	9.	ACRES
SW	1/4	SE	1/4	13.4	4	ACRES
SE	1/4	SE	1/4	30.8	8.	ACRES
		SEC	CTI	ON 2	28	

Please revise in the final order

Thank you Doann

Pacific Hydro-Geology, Inc. 18487 S. Valley Vista Rd. Mulino, OR 97042 (503) 349-6946 Fax: (503) 632-5983 email: phgdmh@gmail.com

From: Sent: To: Subject: RICHMAN Elyse D \* WRD Friday, February 23, 2024 1:22 PM GREW Scott A \* WRD; STARNES Patrick K \* WRD RE: Newspaper Estimate for Permit Amendment T-13783

Hi Scott,

The Statesman Journal cost quote came back. The total amount needed from the applicant is \$561.89.

Cheers,

# Elyse D. Richman

Restoration Program Technician 725 Summer Street NE, Suite A, Salem, OR 97301 Office: 503-986-0898 | Work Cell: 971-701-5485



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: GREW Scott A \* WRD <Scott.A.GREW@water.oregon.gov> Sent: Friday, February 23, 2024 10:10 AM To: RICHMAN Elyse D \* WRD <Elyse.D.RICHMAN@water.oregon.gov>; STARNES Patrick K \* WRD <Patrick.K.STARNES@water.oregon.gov> Cc: GREW Scott A \* WRD <Scott.A.GREW@water.oregon.gov> Subject: RE: Newspaper Estimate for Permit Amendment T-13783

Elyse,

Thanks for letting me know that the Stayton Mail is no longer a thing.

Doann has requested the Statesman Journal.

Thank you so much!

Scott Grew Transfer Specialist Oregon Water Resources Department 503-986-0890

From: RICHMAN Elyse D \* WRD <<u>Elyse.D.RICHMAN@water.oregon.gov</u>> Sent: Thursday, February 22, 2024 4:48 PM To: GREW Scott A \* WRD <<u>Scott.A.GREW@water.oregon.gov</u>>; STARNES Patrick K \* WRD <<u>Patrick.K.STARNES@water.oregon.gov</u>> Subject: RE: Newspaper Estimate for Permit Amendment T-13783

From: Sent: To: Cc: Subject: GREW Scott A \* WRD Thursday, February 22, 2024 4:32 PM Doann Hamilton GREW Scott A \* WRD T-13783 - Newspaper Quote

Doann,

In the application you identified the <u>Silverton Appeal Tribune</u> for the newspaper notice. It appears that they are no longer in business and I need another newspaper for the notice.

Here are some options for a newspaper with general circulation in the area:

- Woodburn Independent
- Stayton Mail
- Molalla Pioneer

Can you let me know which one the applicant would like to use?

Thank you,

Scott Grew Transfer Specialist Oregon Water Resources Department 503-986-0890

By my signature below, I confirm that I understand:

Prior to Department approval of the permit amendment, 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 permit 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: <u>Silverton Appeal Tribune</u>.

13783

From:GREW Scott A \* WRDSent:Tuesday, February 20, 2024 3:25 PMTo:STARNES Patrick K \* WRDCc:GREW Scott A \* WRDSubject:T-13783 Permit Amendment newspaper fee requestAttachments:T-13783-permit amendment-newspaper notice-Final.docx

Kelly,

I hereby request a quote for a Permit Amendment newspaper fee for Permit Amendment T-13783.

Thank you!

Scott

Scott Grew Transfer Specialist Oregon Water Resources Department 503-986-0890

## Notice of Permit Amendment T-13783

T-13783 filed by Kuenzi Turf and Nursery, c/o Tyler Kuenzi, 6475 State St., Salem, OR 97301, proposes additional points of appropriation and a change in point of appropriation under permit G-15191. The permit allows the use of 2.57 cubic feet per second from five wells in Sects. 27 and 28, T7S, R2W, WM for nursery use in Sects. 27, T7S, R2W, WM. The applicant proposes additional points of appropriation and to move a point of appropriation and in Sects. 27 and 28, T7S, R2W, WM. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is MM/DD/YEAR.

# BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Permit Amendment T-13783, Marion County

# DRAFT

FINAL ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION AND ADDITIONAL POINTS OF APPROPRIATION

# Authority

Oregon Revised Statute (ORS) 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

)

# Applicant

KUENZI TURF AND NURSERY C/O TYLER KUENZI 6475 STATE ST. SALEM, OR 97301

## Findings of Fact

- On July 30, 2021, KUENZI TURF AND NURSERY, C/O TYLER KUENZI filed an application to change the point of appropriation and for additional points of appropriation under Permit G-15191. The Department assigned the application number T-13783.
- 2. On July 21, 2021, the Department approved an extension of time for complete application of water to October 1, 2026.
- Notice of the application for the permit amendment was published in the Department's weekly notice on September 7, 2021, and in the Silverton Appeal Tribune newspaper on \_\_\_\_\_\_, 2022, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
- 4. On March 28, 2022, the Department sent a deficiency letter stating there were some issues identified by the groundwater review that needed to be addressed to be able to move forward with the application.
- On April 4, 2022, the agent for the applicant revised the application to the Department to address the deficiencies.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-0005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

- 6. On May 4, 2023, an assignment to change the name on the Permit G-15191 from Myron Kuenzi to Kuenzi Turf and Nursery was approved.
- Permit Amendment Application T-13783 proposes to move the authorized point of appropriation of Well 2 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the Authorized POA in Miles (mi.)
7 S	2 W	WM	27	SE SW	WELL 2 (MARI 17377) – 725 FEET NORTH AND 1880 FEET EAST FROM THE SW CORNER OF SECTION 27	0.47 mi.

 Permit Amendment Application T-13783 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Lot	Measured Distances	Approximate Distance from Authorized POAs in Miles (mi.)
7 S	2 W	WM	27	SE SW		2	WELL 6 - 830 FEET NORTH AND 2640 FEET WEST FROM THE NE CORNER OF SECTION 34	0.29 mi. to 0.79 mi.
7 S	2 W	WM	28	SW SE	81		WELL 9 - 625 FEET NORTH AND 1910 FEET WEST FROM THE SE CORNER OF SECTION 28	0.13 mi. to 1.0 mi.

# Permit Amendment Review Criteria

- 9. The changes would not result in injury to other water rights.
- 10. The proposed place of use is owned and/or controlled by the permit holder.
- 11. The changes do not enlarge the permit.
- 12. The changes do not alter any other terms of the permit.

## Conclusions of Law

The change in point of appropriation and additional points of appropriation proposed by Permit Amendment Application T-13783 are consistent with the requirements of ORS 537.211. The changes could cause injury to other groundwater rights.

## Now, therefore, it is ORDERED:

- 1. The change in point of appropriation and additional points of appropriation proposed by Permit Amendment Application T-13783 are approved.
- Approval of this permit amendment application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation.
- Permit G-XXXXX, in the name of KUENZI TURF AND NURSERY C/O TYLER KUENZI, is issued to replace Permit G-15191, and incorporates the amendments approved by this order, the extension of time, and an assignment. Permit G-15191, in the name of MYRON KUENZI, is no longer of any force or effect.
- The quantity of water diverted at the new point of appropriation (Well 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2).
- The combined quantity of water diverted at the new additional points of appropriation (Wells 6 and 9), together with that diverted at the original points of appropriation (Wells 1, 2, 3, 4 and 5), shall not exceed the quantity of water lawfully available at the original points of appropriation (Wells 1, 2, 3, 4 and 5).
- 6. Water shall be acquired from the same aquifer as the original points of appropriation.
- 7. All other terms and conditions of Permit G-XXXXX remain the same.

Dated in Salem, Oregon on \_\_\_\_\_

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for DOUGLAS E. WOODCOCK, ACTING DIRECTOR Oregon Water Resources Department

Mailing Date:

# STATE OF OREGON

## COUNTY OF MARION

## PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KUENZI TURF AND NURSERY 6500 STATE STREET SALEM, OREGON 97301

This superseding permit is issued to describe an amendment for additional points of appropriation and a change in point of appropriation proposed under Permit Amendment Application T-13783 and approved by Special Order Vol. 129, Page \_\_\_\_\_, entered \_\_\_\_\_\_, and to describe an extension of time for complete application of water approved July 1, 2021 and an assignment approved on May 4, 2023. This permit supersedes Permit G-15191.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15547

SOURCE OF WATER: SEVEN WELLS IN LITTLE PUDDING RIVER BASIN

PURPOSE OR USE: NURSERY USE ON 260.8 ACRES

MAXIMUM RATE: 2.57 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JUNE 27, 2001

## Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	GLot	Measured Distances
7 S	2 W	WM	27	NENW			WELL 4 - 725 FEET SOUTH AND 1350 FEET EAST FROM THE NW CORNER OF SECTION 27
7 S	2 W	WM	27	NW SW			WELL 1 - 2250 FEET NORTH AND 750 FEET EAST FROM THE SW CORNER OF SECTION 27
7 S	2 W	WM	27	SE SW			WELL 2 (MARI 17377) – 725 FEET NORTH AND 1880 FEET EAST FROM THE SW CORNER OF SECTION 27
7 S	2 W	WM	27	SE SW			WELL 3 - 787 FEET NORTH AND 1360 FEET EAST FROM THE SW CORNER OF SECTION 27
7 S	2 W	WM	27	SE SW		2	WELL 6 - 830 FEET NORTH AND 2640 FEET WEST FROM THE NE CORNER OF SECTION 34
7 S	2 W	WM	28	SW SE	81		WELL 9 - 625 FEET NORTH AND 1910 FEET WEST FROM THE SE CORNER OF SECTION 28

Application G 15547/T-13783.sg Basin 2 Water Resources Department Volume 13A LT PUDDING R PERMIT G-XXXXX District 16

Page 2

Twp	Rng	Mer	Sec	Q-Q	DLC	GLot	Measured Distances
75	2 W	WM	28	SE SE			WELL 5 - 367 FEET NORTH AND 166 FEET WEST FROM THE SW CORNER OF SECTION 27

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime, during the period of allowed use specified above, that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year.

Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	2 W	WM	27	NE NW	6.4
7 S	2 W	WM	27	NW NW	7.6
7 S	2 W	WM	27	SW NW	26.0
75	2 W	WM	27	SE NW	23.0
7 S	2 W	WM	27	NE SW	33.0
7 S	2 W	WM	27	NW SW	36.1
7 S	2 W	WM	27	SW SW	25.0
7 S	2 W	WM	27	SE SW	35.0
		1		Total	260.8

# Authorized Place of Use:

# Permit Amendment T-13783 Conditions

The quantity of water diverted at the new point of appropriation (Well 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2).

The combined quantity of water diverted at the new additional points of appropriation (Wells 6 and 9), together with that diverted at the original points of appropriation (Wells 1, 2, 3, 4 and 5), shall not exceed the quantity of water lawfully available at the original points of appropriation (Wells 1, 2, 3, 4 and 5) and 5)

Water shall be acquired from the same aquifer as the original points of appropriation.

## Extension of Time Conditions

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2024.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device 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 permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee 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.

# For Well 1 (MARI 20055) only:

(1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:

- An average water level decline of three or more feet per year for five consecutive years; or
- (b) A total water level decline of fifteen or more feet; or
- (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.

- (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
  - (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
  - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
  - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.
  - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
  - (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

## For Wells 2 - 5:

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires 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.

Measurements must be made according to the following schedule:

## Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

Water Resources Department Volume 13A LT PUDDING R PERMIT G-XXXXX District 16

# After Use of Water has Begun

## Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional 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 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 permittee'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 permit. 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.

# STANDARD CONDITIONS

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, 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 constructed 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 water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit. This permit is for the beneficial use of water without waste. The water user is vised 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 Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2006. By Extension of Time Order dated July 1, 2021, the deadline for complete application of water to the use was extended to October 1, 2026. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Dated in Salem, Oregon on \_\_\_\_\_

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for DOUGLAS E. WOODCOCK, ACTING DIRECTOR Oregon Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 23

Watermaster Review Form

#### **Transfer Application**

# Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13783

Review Due Date: 10/01/2021

Applicant Name: Kuenzi Turf and Nursery, Tyler Kuenzi

Proposed Changes: POU POD POD VPOA USE OTHER

Reviewer(s): G. Wacker

Date of Review: 09/16/2021

- Do you have <u>evidence</u> that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? Yes V No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
- 2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? Yes V No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
- Have headgate notices been issued for the source that serves the transferred right(s)?
   Yes V No Records not available.
- 4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? Yes Yes No If "Yes", explain:
- 5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? Yes V No If "Yes", describe how the rights would be affected and list the rights most affected:
6. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:



7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:



- 8. For instream transfers that propose protection of a reach beyond the mouth of the source stream: N/A Would the quantity be measureable into the receiving stream consistent with No OAR 690-077-0015(8)? Yes
- 9. For POU changes: ✓ N/A Is it likely the original place of use would continue to receive water No If "Yes", explain: from the same source? Yes
- 10. For POU or USE changes: V/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? No If "Yes", explain:
  - Yes

11. For POU changes that involve micro-irrigation: V/A

a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?



No If "Yes", explain:

b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?	
Yes No If "Yes", answer the following:	
i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? Yes No If "Yes", explain	n:
ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? Yes No If "No", explain:	
iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? Yes No If "No", explain:	
iv. Do you have any other observations regarding the temporary transfer?	
<ul> <li>v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? Yes No If "No", explain:</li> </ul>	
c. To the best of your knowledge, if this transfer is approved, does it appear that:	
i. "Injury" will occur to other water rights that share the same source? Yes No If "Yes", explain:	
ii. "Enlargement" of the water right being transferred will occur?	

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

	Yes	V	No	If "Yes", explain:
--	-----	---	----	--------------------

- 13. What alternatives may be available for addressing any issues identified above:
- 14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? V No Yes, as checked and provided below:
  - For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

A Headgate should be required prior to diverting water.

Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install a <u>totalizing flow meter</u>\*, or, with prior approval of the Director, another suitable measuring device, at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation

with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.

b. The water user shall maintain the meters or measuring devices in good working order.

**c.** The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install <u>staff gages</u>\*, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.

**b.** Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

\* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

Submerged Orifice

Flow Restrictor

Weir

Parshall Flume

Other:

# **Oregon Water Resources Department**

# Measurement Condition Information for the Applicant

(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-

In order to avoid enlargement of the right or injury to other rights, a

will

be required to be installed prior to diversion of water, as a condition of this transfer:

at each point of diversion/appropriation (new and existing) OR

at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name:

District:

Address:

City/State/Zip:

Phone:

Email:

**Note:** If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device T-

(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable alternate measurement device:

Watermaster signature

District

Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1266

# **Groundwater Transfer Review Summary Form**

Transfer/PA # T- 13783 (RA) (re-review)

GW Reviewer Travis Brown

Supersedes Review of: 2/15/2022

Summary of Same Source Review:

The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Injury Review:

The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

#### Summary of GW-SW Transfer Similarity Review:

The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.

O R E G O N WATER RESOURCES DE PARTMENT	Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1271 (503) 986-0900 www.wrd.state.or.us		Ground Water Review Form: <ul> <li>Water Right Transfer</li> <li>Permit Amendment</li> <li>GR Modification</li> <li>Other</li> </ul>	
Application: T-1	3783		Applicant Name: Kuenzi Turf and Nursery	
Proposed Chang	es: 🛛 POA	APOA	$\Box$ SW $\rightarrow$ GW $\boxtimes$ RA	
	🗆 USE	D POU	□ OTHER	
Reviewer(s): T	ravis Brown		Date of Re-Review: <u>9/19/2022</u>	
			Supersedes Review of: 2/15/2022	
		Date Reviewed	by GW Mgr. and Returned to WRSD: _JTI 12/2/2	22
The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:				

The water well reports provided with the application do not correspond to the water rights affected by the transfer.

The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.

- Other \_\_\_\_\_
- .....
- Basic description of the changes proposed in this transfer: <u>The applicant proposes to correct</u> the location of one authorized POA and to add 4-2 APOA to Permit G-15191, which currently allows for Nursery Use on 260.8 acres (maximum annual volume of 652 af inground) at a maximum rate of up to 2.57 cfs year-round from 5 authorized POA combined.

Authorized From-POA Name	LogID	Source Aquifer
Authorized Well 2	N/A (not constructed)	N/A
Proposed To-POA Name	LogID	Source Aquifer
Proposed Well 2	MARI 17377	Alluvium
Authorized POA Name	LogID	Source Aquifer
Well 1	MARI 20055	Columbia River Basalt
Well 3	MARI 17185	Alluvium
Well 4	MARI 7773	Alluvium

Transfer Application: T-13783 (RA)

Well 5	MARI 9244	Marine Sedimentary Bedrock
Proposed APOA Name	LogID	Source Aquifer
Well 6	MARI 62761	Alluvium
Well 7	MARI 7764	Columbia River Basalt
Well 8	MARI 7781	Alluvium
Well 9	N/A (not constructed)	Alluvium/regolith Columbia River Basalt <sup>a</sup>

<sup>a</sup> The application notes the intended source aquifer as "Material above hard basalt." which the review assumed to mean the combined alluvial sediments and the weathered top (regolith) of the Columbia River Basalt. However, the cited "Total well depth" of 350 ft bls would very likely penetrate the Columbia River Basalt aquifer, in which case tThe proposed seal depth of 30 ft bls would be is inadequate to comply with current Well Construction Standards (OAR 690-210). The well must be continuously cased and sealed at least 5 ft into solid unfractured basalt overlying the water-bearing zone. Nearby well logs (MARI 7085, MARI 19261) suggest that the top of the basalt is at least 160 ft bls.

The proposed To-POA ("Proposed Well 2" / MARI 17377) and proposed APOA ("Well 6" / MARI 62761, "Well 7" / MARI 7764, and "Well 8" / MARI 7781) have overlapping rights for which they are already authorized POA:

Proposed POA Name	LogID	Overlapping Right	Rate [cfs]	Annual Volume [af]
Proposed Well 2	MARI 17377	Cert 84648	0.6	225 (irrigation)
Well 6	MARI 62761	Claim GR-990 Permit G-17778	0.245 0.420	67.5 (irrigation) 101.5 (irrigation)
Well-7	MARI 7764	Cert 67650	0.45	115.25 (irrigation)
Well 8	MARI 7781	Claim GR 2042	0.5124	75 (irrigation)

Projected impacts due to pumping under the proposed change will be assessed using the full rate and duty for each POA under all applicable rights.

- a) Is there more than one source developed under the right (e.g., basalt and alluvium)?

   ✓ Yes □ No Comments: See comments in Item 2, above.

### Transfer Application: T-13783 (RA)

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): <u>Permit G-15191 does not stipulate well-specific rates nor does it assign specific acreage to specific wells. However, the original Application G-15547 for a new groundwater right did list the rate of water requested from each POA:</u>

A L' C DOAN	Rate Requested			
Application POA Name	[gpm]	[cfs]		
Well 1	400	0.891		
Well 2	300	0.668		
Well 3	125	0.279		
Well 4	300	0.668		
Well 5	30	0.067		
Total	1,155	2.57		

Based on these requested rates, the total requested from the Columbia River Basalt aquifer (Well 1) was 400 gpm (~0.891 cfs), the total requested from the alluvial aquifer system (Wells 2, 3, and 4) was 725 gpm (~1.615 cfs), and the total requested from the marine sedimentary aquifer was 30 gpm (~0.067 cfs). Therefore, the total diversions from all POA (authorized and proposed) with a common source aquifer should be limited to the amount originally requested from that aquifer to prevent injury to senior users or enlargement of the right:

Aquifer	POA (authorized and <i>proposed</i> )	Total Rate [cfs]	
Alluvium	Proposed Well 2, Well 3, Well 4, Well 6 <del>,</del> Well 8, Well 9	1.615	
Columbia River Basalt	Well 1, <i>Well 7<u>9</u></i>	0.891	
Marine Sedimentary Bedrock Well 5			
Total from All Wells and Sources			

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?

Yes No Comments: <u>Proposed alluvial POA Well 9 would be closer to</u> <u>neighboring alluvial well MARI 7834 than the authorized alluvial POA under Permit G</u> <u>15191. The reduced intervening distance will likely increase interference with MARI 7834.</u>

Proposed alluvial POA Proposed Well 2 (MARI 17377), and Well 6 (MARI 62761), and Well 8 (MARI 7781) are all-both closer to neighboring alluvial well MARI 7778 than the authorized POA under Permit G-15191. The reduced intervening distance will likely increase interference with MARI 7778.

Proposed basalt POA Well 7 9 would be closer to neighboring well MARI 19261 than the authorized basalt POA for Permit G-15191. The reduced intervening distance will likely increase interference with MARI 19261.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

Yes Yes No If yes, explain: To assess the potential for the proposed POA to cause injury to neighboring wells, the potential drawdown around each well was quantitatively estimated using the Theis (1935) equation for drawdown in a confined aquifer (see attached Theis Drawdown Analysis). The total rate and volume assessed for each proposed POA are listed below:

Proposed POA Name	LogID	Total Max Rate [cfs]	Total Average Rate* [cfs]	Total Annual Volume [af]
Proposed Well 2	MARI 17377	2.215 Mar 1 – Oct 31 1.615 Nov 1 – Feb 28	1.366 Mar 1 – Oct 31 0.902 Nov 1 – Feb 28	877
Well 6	MARI 62761	2.28 Mar 1 – Oct 31 1.615 Nov 1 – Feb 28	1.250 Mar 1 – Oct 31 0.902 Nov 1 – Feb 28	821
Well-7	MARI 7764	1.341 Mar 1 Oct 31 0.891 Nov 1 Feb 28	1.14 Mar 1 Oct 31 0.902 Nov 1 Oct 31	767.25
Well-8	MARI 7781	2.127 Mar 1 Oct 31 1.615 Nov 1 Feb 28	1.057 Mar 1 Oct 31 0.902 Nov 1 Feb 28	727
Well 9	N/A	1.6150.891 Year-round	0.902 Year-round	652

\*Average rate = total annual volume (by use) / days in season of use / 1.98 af/day/cfs

Where the "Total Average Rate" exceeded the "Total Max Rate", the analysis used the "Total Max Rate" for the full period of use. Results of the analysis indicate the proposed use is unlikely to cause injury to neighboring wells.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

Yes No Comments: <u>The proposed POA Well 9 will be closer to Fruitland Creek</u> <u>than any of the authorized alluvial POA. Likewise. the The proposed POA Proposed Well 2,</u> Well 6, and Well 8 will be closer to an unnamed tributary of the Little Pudding River than any of the authorized alluvial POA. The reduced intervening distances between the proposed POA and these streams will likely result in an increase in interference with surface water.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Fruitland Creek

Minimal Significant

Stream: Unnamed tributary to Little Pudding River Minimal Significant

Provide context for minimal/significant impact: <u>The proposed change is unlikely to cause a</u> significant change in interference with nearby surface water sources because of the thick sequence of fine-grained sediments underlying local streams which will diffuse impacts to surface water over a larger area and longer period of time.

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

Yes No Comments: N/A

- What conditions or other changes in the application are necessary to address any potential issues identified above: \_\_\_\_\_
- 8. Any additional comments: Well 7 (MARI 7764) does not meet current well construction standards (OAR 690-210) for a well completed in a basalt aquifer; the well is sealed only to 18 ft bls, while the top of hard dense basalt is noted at ~135 ft bls. Furthermore, the casing is perforated from 105-120 ft bls, within the weathered top (regolith) of the Columbia River Basalt (CRB), which is typically included in the alluvial aquifer system the well, therefore, commingles the alluvial and CRB aquifer systems. Well 7 (MARI 7764) should not be authorized as an APOA under Permit G-15191 unless and until it meets current well construction standards and prevents commingling of aquifers.

The Well Record for Well 8 (MARI 7781) does not include any information regarding a surface seal. Well 8 (MARI 7781) should not be authorized as an APOA under Permit G-15191 unless and until it can be demonstrated to meet current well construction standards (OAR 690-210).

<u>Permit G-15191 includes conditions which limit the acceptable decline in water level</u> for each well. The following permit reference levels are recommended for the proposed To-POA and APOA:

Proposed To-POA / APOA Name	LogID	Reference Level [ft bls]	Reference Level Source
Proposed Well 2	MARI 17377	47.5	Permit Condition Measurement, 3/25/2003
Well 6	MARI 62761	48	Reference Level MARI 17185 (alluvial well)
Well 7	MARI 7764	47	Reference Level MARI 20055 (basalt well)
Well-8	MARI 7781	50	Reference Level MARI 17185 (alluvial well)
Well 9	N/A (not constructed)	<del>52<u>49</u></del>	Reference Level MARI <u>17185-20055</u> (alluvial <u>basalt</u> well)

<u>Multiple sources (alluvium, Columbia River Basalt, and marine sediments) have been</u> <u>developed under Permit G-15191. In order to prevent enlargement of the right, total</u> <u>diversions from all POA (authorized and proposed) with a common source aquifer</u>

should be limited to the amount originally requested from that aquifer (see Item 3, above, for more information and estimated maximum rates from each source aquifer).

#### References Used:

.

Application File: T-13783, G-15547

Pumping Test Reports: Alluvial – MARI 7461, 7530, 7581, 7582, 7631, 7641, 7872, 8111, 17377; Basalt – MARI 7729, 7750, 9193, 9729, 9736, 9943, 11337, 15392, 51649, 51838, 54600, 63686

Water Well Report: MARI 7764, MARI 7781, MARI 19261

- Conlon, T.D., Wozniak, K.C., Woodcock, D., Herrera, N.B., Fisher, B.J., Morgan, D.S., Lee, K.K., and Hinkle, S.R., 2005, Ground-water hydrology of the Willamette Basin, Oregon, Scientific Investigations Report 2005-5168: U. S. Geological Survey, Reston, VA.
- Gannett, M.W. and Caldwell, R., 1998, Geologic framework of the Willamette Lowland aquifer system, Oregon and Washington, Professional Paper 1424-A, 32 p: U. S. Geological Survey, Reston, VA.
- Woodward, D.G., Gannett, M.W., and Vaccaro, J.J., 1998, Hydrogeologic framework of the Willamette Lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-B, 82 p.

### Well Location Map



T-13783 Kuenzi

Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, Increment P Corp., GEBCO, USOS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan; METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

#### Well Location Map

T-13783 Kuenzi re-review #2



Service Layer Credits: Sources: Esn, HERE, Garmin, Intermap, Incenners P. Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeaBase, IGN, Kadaster NL, Ordnance Survey, Esn Japan, METI, Esn Onica (Hung Korg), (c) OpenStreatMap contributors, and the GIS User Community Copyright:O 2013 National Geographic Society, I cubed

Version: 20210204

Theis Drawdown Analysis - Proposed Well 2 (MARI 17377) Interference with MARI 7778



Theis Drawdown and Recovery at r = 880 ft From Pumping Well

Elapsed Time Since Pumping Started, days

Pumping Rate = 1.366 cfs [total average rate for POA during irrigation season] Transmissivity: T1=290 ft<sup>2</sup>/day; T2=1300 ft<sup>2</sup>/day; T3=2700 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

Transfer Application: T-13783 (RA)

Well Location Map

.

T-13783 Kuenzi re-review #2



Service Layer Credits: Sources: Esri, HERE, Garmin, Internap, incernent P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METL Esri Onica (Hong Korg), (c) OpenStreetMap contributors, and the GIS User Community Copyright 0 2013 National Geographic Society, i clubed

Theis Drawdown Analysis - Well 6 (MARI 62761) Interference with MARI 7778



Theis Drawdown and Recovery at r = 1230 ft From Pumping Well

Elapsed Time Since Pumping Started, days

Pumping Rate = 1.25 cfs [total average rate for POA during irrigation season] Transmissivity: T1=290 ft<sup>2</sup>/day; T2=1300 ft<sup>2</sup>/day; T3=2700 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

# Theis Drawdown Analysis Well 7 (MARI 7764) Interference with MARI 19261



Theis Drawdown and Recovery at r = 2070 ft From Pumping Well

Pumping Rate = 1.14 cfs [total average rate for POA during irrigation season] Transmissivity: T1=360 ft<sup>2</sup>/day; T2=1400 ft<sup>2</sup>/day; T3=8800 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

# Theis Drawdown Analysis Well 8 (MARI 7781) Interference with MARI 7778 Theis Drawdown and Recovery at r = 520 ft From Pumping Well



Elapsed Time Since Pumping Started, days

Pumping Rate = 1.057 cfs [total average rate for POA during irrigation season]

\*Maximum drawdown at r=1 ft from pumping well for T2S1 exceeds estimated available head in MARI 7781 (~ 82 ft)

Transmissivity: T1-290 ft<sup>2</sup>/day; T2-1300 ft<sup>2</sup>/day; T3-2700 ft<sup>2</sup>/day [Pumping Test Reports]

Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

# Theis Drawdown Analysis Well 9 Interference with MARI 16525



Pumping Rate = 0.902 cfs [total average rate for POA during season of use (year-round)] Transmissivity: T1=290 ft<sup>2</sup>/day; T2=1300 ft<sup>2</sup>/day; T3=2700 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

#### Page 13 of 14

### Theis Drawdown Analysis - Well 9 Interference with MARI 19261





Pumping Rate = 0.891 cfs [total max rate for POA (less than total average rate)] Transmissivity: T1=360 ft<sup>2</sup>/day; T2=1400 ft<sup>2</sup>/day; T3=8800 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

# **Groundwater Transfer Review Summary Form**

Transfer/PA # T- 13783 (RA)

1

3

GW Reviewer Travis Brown Date Review Completed: 1/7/2022

#### Summary of Same Source Review:

The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

#### Summary of Injury Review:

The proposed transfer will result in <u>another, existing water right not receiving previously available</u> <u>water to which it is legally entitled</u> or result in significant interference with a surface water source as per 690-380-0100(3).

#### Summary of GW-SW Transfer Similarity Review:

The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.

OREGON WATER RESOURCES DEPARTMENT	725 Sale (503	gon Water Resor Summer Street N m, Oregon 97301 ) 986-0900 v.wrd.state.or.us		Ground Wate Water Righ Permit Am GR Modifie Other	endment
Application: T- <u>13783</u>				Applicant Name:	Kuenzi Turf and Nursery
Proposed Chang	es:	⊠ POA □ USE	APOA POU	$\Box SW \rightarrow GW$ $\Box OTHER$	🖾 RA
Reviewer(s): <u>T</u>	ravis	Brown		1	Date of Review: <u>1/7/2022</u>
			Date Reviewed	by GW Mgr. and R	eturned to WRSD: _JTI 2/2/22
The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:					
The water well reports provided with the application do not correspond to the water rights affected by the transfer.					

The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.

Other \_\_\_\_

.....

 Basic description of the changes proposed in this transfer: <u>The applicant proposes to correct</u> the location of one authorized POA and to add 4 APOA to Permit G-15191, which currently allows for Nursery Use on 260.8 acres (maximum annual volume of 652 af inground) at a maximum rate of up to 2.57 cfs year-round from 5 authorized POA combined.

Authorized From-POA Name	LogID	Source Aquifer
Authorized Well 2	N/A (not constructed)	N/A
Proposed To-POA Name	LogID	Source Aquifer
Proposed Well 2	MARI 17377	Alluvium
Authorized POA Name	LogID	Source Aquifer
Well 1	MARI 20055	Columbia River Basalt
Well 3	MARI 17185	Alluvium
Well 4	MARI 7773	Alluvium
Well 5	MARI 9244	Marine Sedimentary Bedrock

1 7

1

Transfer Application: T-13783 (RA)

Proposed APOA Name	LogID	Source Aquifer
Well 6	MARI 62761	Alluvium
Well 7	MARI 7764	Columbia River Basalt
Well 8	MARI 7781	Alluvium
Well 9	N/A (not constructed)	Alluvium/regolith <sup>a</sup>

<sup>a</sup> The application notes the intended source aquifer as "Material above hard basalt," which the review assumed to mean the combined alluvial sediments and the weathered top (regolith) of the Columbia River Basalt. However, the cited "Total well depth" of 350 ft bls would very likely penetrate the Columbia River Basalt aquifer, in which case the proposed seal depth of 30 ft bls would be inadequate to comply with current Well Construction Standards (OAR 690-210).

The proposed To-POA ("Proposed Well 2" / MARI 17377) and proposed APOA ("Well 6" / MARI 62761, "Well 7" / MARI 7764, and "Well 8" / MARI 7781) have overlapping rights for which they are already authorized POA:

Proposed POA Name	LogID	Overlapping Right	Rate [cfs]	Annual Volume [af]
Proposed Well 2	MARI 17377	Cert 84648	0.6	225 (irrigation)
Well 6	MARI 62761	Claim GR-990 Permit G-17778	0.245 0.420	67.5 (irrigation) 101.5 (irrigation)
Well 7	MARI 7764	Cert 67650	0.45	115.25 (irrigation)
Well 8	MARI 7781	Claim GR-2042	0.5124	75 (irrigation)

Projected impacts due to pumping under the proposed change will be assessed using the full rate and duty for each POA under all applicable rights.

- 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
  Xes No Comments: <u>The authorized POA develop multiple sources including the shallow alluvial aquifer of the Willamette lowland, the Columbia River Basalt aquifer, and the deep marine sedimentary aquifer. The proposed APOA will develop the alluvial aquifer and the Columbia River Basalt aquifer.</u>
- a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
   X Yes □ No Comments: See comments in Item 2, above.

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): <u>Permit G-15191 does not stipulate well-specific rates nor does it assign specific acreage to specific wells. However, the original Application G-15547 for a new groundwater right did list the rate of water requested from each POA:</u>

A L' C DOAN	Rate Requested									
Application POA Name	[gpm]	[cfs]								
Well 1	400	0.891								
Well 2	300	0.668								
Well 3	125	0.279								
Well 4	300	0.668								
Well 5	30	0.067								
Total	1,155	2.57								

Based on these requested rates, the total requested from the Columbia River Basalt aquifer (Well 1) was 400 gpm (~0.891 cfs), the total requested from the alluvial aquifer system (Wells 2, 3, and 4) was 725 gpm (~1.615 cfs), and the total requested from the marine sedimentary aquifer was 30 gpm (~0.067 cfs). Therefore, the total diversions from all POA (authorized and proposed) with a common source aquifer should be limited to the amount originally requested from that aquifer to prevent injury to senior users or enlargement of the right:

Aquifer	POA (authorized and <i>proposed</i> )	Total Rate [cfs]						
Alluvium	Proposed Well 2, Well 3, Well 4, Well 6, Well 8, Well 9	1.615						
Columbia River Basalt	Well 1, Well 7	0.891						
Marine Sedimentary Bedrock	Well 5	0.067						
Total from	Total from All Wells and Sources							

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with another ground water right?

Yes No Comments: <u>Proposed alluvial POA Well 9 would be closer to</u> <u>neighboring alluvial well MARI 7834 than the authorized alluvial POA under Permit G-</u> 15191. The reduced intervening distance will likely increase interference with MARI 7834.

Proposed alluvial POA Proposed Well 2 (MARI 17377), Well 6 (MARI 62761), and Well 8 (MARI 7781) are all closer to neighboring alluvial well MARI 7778 than the authorized POA under Permit G-15191. The reduced intervening distance will likely increase interference with MARI 7778.

Proposed basalt POA Well 7 would be closer to neighboring well MARI 55650 than the authorized basalt POA for Permit G-15191. The reduced intervening distance will likely increase interference with MARI 55650.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

Yes No If yes, explain: <u>Permit G-15191 includes conditions on the permissible</u> acute hydraulic interference with neighboring wells with senior priority. For the alluvial and marine sedimentary wells, the permissible hydraulic interference is less than 25 ft; for the basalt wells, it is less than 15 ft. To assess the potential for the proposed POA to cause

## Transfer Application: T-13783 (RA)

excessive hydraulic interference with neighboring wells, the potential drawdown around each well was quantitatively estimated using the Theis (1935) equation for drawdown in a confined aquifer (see attached Theis Drawdown Analysis). The total rate and volume assessed for each proposed POA are listed below:

Proposed POA Name	LogID	Total Max Rate [cfs]	Total Average Rate* [cfs]	Total Annual Volume [af]
Proposed Well 2	MARI 17377	2.215 Mar 1 – Oct 31 1.615 Nov 1 – Feb 28	1.366 Mar 1 – Oct 31 0.902 Nov 1 – Feb 28	877
Well 6	MARI 62761	2.28 Mar 1 – Oct 31 1.615 Nov 1 – Feb 28	1.250 Mar 1 – Oct 31 0.902 Nov 1 – Feb 28	821
Well 7	MARI 7764	1.341 Mar 1 – Oct 31 0.891 Nov 1 – Feb 28	1.14 Mar 1 – Oct 31 0.902 Nov 1 – Oct 31	767.25
Well 8	MARI 7781	2.127 Mar 1 – Oct 31 1.615 Nov 1 – Feb 28	1.057 Mar 1 – Oct 31 0.902 Nov 1 – Feb 28	727
Well 9	N/A	1.615 Year-round	0.902 Year-round	652

\*Average rate = total annual volume (by use) / days in season of use / 1.98 af/day/cfs

Based on the results of the analysis using the highest seasonal average rates, the estimated radius around each proposed POA which would likely experience hydraulic interference in excess of the applicable permit condition limit (25 ft for alluvial POA; 15 ft for basalt POA) is indicated on the attached Well Location Map.

As can be seen on the Well Location Map, the projected radii of excessive interference encompass numerous neighboring wells. It is important to note that these radii were estimated assuming that each POA would pump constantly at its highest seasonal average rate (equal to the annual duty times the irrigated acreage of all applicable water rights for the POA divided by the days in the season of use) over the entire season of use (the 245-day irrigation season for Wells 2-8, and year-round for Well 9). While it may be unlikely that any of these wells individually would be operated in this manner, it would be permissible under the proposed change. Furthermore, in the more likely scenario where the total rate is distributed amongst multiple wells in the well field, the simultaneous pumping of multiple wells will cause multiple cones of depression to overlap with an additive effect on interference with neighboring wells, in which case the interference with neighboring wells may still exceed the permit condition limits. Because the proposed change is likely to cause interference in excess of the permit condition limits for Permit G-15191, neighboring groundwater users are likely to be deprived of water to which they are legally entitled.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

Yes No Comments: <u>The proposed POA Well 9 will be closer to Fruitland Creek</u> than any of the authorized alluvial POA. Likewise, the proposed POA Proposed Well 2, Well 6, and Well 8 will be closer to an unnamed tributary of the Little Pudding River than

Transfer Application: T-13783 (RA)

any of the authorized alluvial POA. The reduced intervening distances between the proposed POA and these streams will likely result in an increase in interference with surface water.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Fruitland Creek

🛛 Minimal 🛛	Significant
-------------	-------------

Stream: Unnamed tributary to Little Pudding River Minimal Significant Provide context for minimal/significant impact: The proposed change is unlikely to cause a significant change in interference with nearby surface water sources because of the thick sequence of fine-grained sediments underlying local streams which will diffuse impacts to surface water over a larger area and longer period of time.

- 6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
  - Yes No Comments: <u>N/A</u>
- What conditions or other changes in the application are necessary to address any potential issues identified above: \_\_\_\_\_
- 8. Any additional comments: Well 7 (MARI 7764) does not meet current well construction standards (OAR 690-210) for a well completed in a basalt aquifer; the well is sealed only to 18 ft bls, while the top of hard dense basalt is noted at ~135 ft bls. Furthermore, the casing is perforated from 105-120 ft bls, within the weathered top (regolith) of the Columbia River Basalt (CRB), which is typically included in the alluvial aquifer system the well, therefore, commingles the alluvial and CRB aquifer systems. Well 7 (MARI 7764) should not be authorized as an APOA under Permit G-15191 unless and until it meets current well construction standards and prevents commingling of aquifers.

The Well Record for Well 8 (MARI 7781) does not include any information regarding a surface seal. Well 8 (MARI 7781) should not be authorized as an APOA under Permit G-15191 unless and until it can be demonstrated to meet current well construction standards (OAR 690-210).

# **References Used:**

Application File: T-13783, G-15547

- Pumping Test Reports: Alluvial MARI 7461, 7530, 7581, 7582, 7631, 7641, 7872, 8111, 17377; Basalt – MARI 7729, 7750, 9193, 9729, 9736, 9943, 11337, 15392, 51649, 51838, 54600, 63686
- Water Well Report: MARI 7764, MARI 7781
- Conlon, T.D., Wozniak, K.C., Woodcock, D., Herrera, N.B., Fisher, B.J., Morgan, D.S., Lee, K.K., and Hinkle, S.R., 2005, Ground-water hydrology of the Willamette Basin, Oregon, Scientific Investigations Report 2005-5168; U. S. Geological Survey, Reston, VA.
- Gannett, M.W. and Caldwell, R., 1998, Geologic framework of the Willamette Lowland aquifer system, Oregon and Washington, Professional Paper 1424-A, 32 p: U. S. Geological Survey, Reston, VA.

Woodward, D.G., Gannett, M.W., and Vaccaro, J.J., 1998, Hydrogeologic framework of the Willamette Lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-B, 82 p.

Transfer Application: T-13783 (RA)

Ground Water Review Form

### Well Location Map



Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Theis Drawdown Analysis - Proposed Well 2 (MARI 17377)



Theis Drawdown and Recovery at r = 4500 ft From Pumping Well

Elapsed Time Since Pumping Started, days

Pumping Rate = 1.366 cfs [total average rate for POA during irrigation season] Transmissivity: T1=290 ft<sup>2</sup>/day; T2=1300 ft<sup>2</sup>/day; T3=2700 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

# Theis Drawdown Analysis – Well 6 (MARI 62761)





Elapsed Time Since Pumping Started, days

Pumping Rate = 1.25 cfs [total average rate for POA during irrigation season] Transmissivity: T1=290 ft<sup>2</sup>/day; T2=1300 ft<sup>2</sup>/day; T3=2700 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

Theis Drawdown Analysis - Well 7 (MARI 7764)



Theis Drawdown and Recovery at r = 7000 ft From Pumping Well

Elapsed Time Since Pumping Started, days

Pumping Rate = 1.14 cfs [total average rate for POA during irrigation season] Transmissivity: T1=360 ft<sup>2</sup>/day; T2=1400 ft<sup>2</sup>/day; T3=8800 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

Theis Drawdown Analysis - Well 8 (MARI 7781)



Pumping Rate = 1.057 cfs [total average rate for POA during irrigation season]

\*Maximum drawdown at r=1 ft from pumping well for T2S1 exceeds estimated available head in MARI 7781 (~82 ft)

Transmissivity: T1=290 ft<sup>2</sup>/day; T2=1300 ft<sup>2</sup>/day; T3=2700 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]



Pumping Rate = 0.76 cfs [available-head limited rate to keep maximum drawdown <82 ft at r=1 ft under scenario T2S1]

Transmissivity: T1=290 ft<sup>2</sup>/day; T2=1300 ft<sup>2</sup>/day; T3=2700 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

Theis Drawdown Analysis - Well 9

Theis Drawdown and Recovery at r = 2300 ft From Pumping Well





# Part 5 of 5 - Water Use Permit Information

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

# PERMIT # G-15195

Revised 4/4/2022 GEU

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA) (Note: If the POD/POA name is not specified in the permit, assign it a name or number here.)

POD/PO A Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L)	т	wp	R	ing	Sec	1/4	1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	Authorized Proposed	MARI 20055	7	s	2	w	27	NW	sw	TL 101	2,250 feet north and 750 feet east from the SW corner, Section 27.
Well 2	Authorized Proposed	NA	7	s	2	w	28	SE	SE	Lot 6	500 feet north and 600 feet west from the SW corner, Section 27.
Well 2	Authorized Proposed	MARI 17377	7	s	2	w	27	SE	sw	Lot 2	725 feet north and 1,880 feet east from the SW corner, section 27.
Well 3	Authorized Proposed	MARI 17185, 17201, 50696	7	s	2	w	27	SE	sw	Lot 2	787 feet north and 1,360 feet east from the SW corner, Section 27.
Well 4	Authorized Proposed	MARI 7773	7	s	2	w	27	NE	NW	TL 1400	725 feet south and 1,350 feet east from the NW corner, Section 27.
Well 5	Authorized Proposed	MARI 9244	7	s	2	w	28	SE	SE	Lot 6	367 feet north and 166 feet west from the SW corner, Section 27.
Well 6	Authorized Proposed	MARI 62761	7	s	2	w	27	SE	sw	Lot 2	830 feet north and 2,640 feet west from the NE corner, section 34.
Well 9	Authorized Proposed	NA	7	s	2	w	28	sw	SE	DLC 81	625 feet north and 1,910 feet west from the SE corner, section 28.

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

Place of Use (POU)

- Point of Appropriation/Well (POA)
- Point of Diversion (POD)
- Additional Point of Diversion (APOD)
- Additional Point of Appropriation (APOA)
- Surface water POD to Ground Water POA (SW/GW)

# Will all of the proposed changes affect the entire water use permit?

- 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 permit to be changed.

# For a change in place of use: NA

Does the permit holder of record own or control the land TO which the place of use is being moved?

Revised 2/11/2019

Permit Amendment Application - Page 6 of 11

SUPERSEDING

If NO, the landowner of the land TO which the place of use is being **moved must be assigned to the permit** as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

# Is the proposed place of use contiguous to the authorized place of use? 🗌 Yes 🗌 No

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

# SUPERSEDING

Revised 2/11/2019

Permit Amendment Application - Page 7 of 11

TACS

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 Use Permit # G-15191

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

	AUTHORIZED (the "from" or "off" lands) 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			1	The	listir			ld appear			ands) OSED CHANGI	ES					
Twp	Rng.	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	"CODES" from previous page)	Tv	wр	R	лg	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date
										APOA, POA	7	s	2	w	27	NE	NW	1400	NA	6.4	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
										APOA, POA	7	s	2	w	27	NW	NW	1600	NA	/.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
										APOA, POA	7	s	2	w	27	sw	NW	2000	NA	76.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
										APOA, POA	7	s	2	w	27	SE	NW	1000, 2000	NA	23.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
										APOA, POA	7	s	2	w	27	NE	sw	101, 500, 600, 900, 1000		33.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
										APOA, POA	7	s	2	w	27	NW	sw	101, 300, 500, 1000		36.1	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001

Revised 2/11/2019

TACS

SUPERSEDING+ /+/ w22 GEL

	APOA, POA	7	s	2	w	27	sw	sw	100, 300, 500, 1000	Lot 1	25.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	APOA, POA	7	s	2	w	27	SE	sw	500, 600, 900	Lot 2	35.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	APOA, POA	7	s	2	w	28	NE	SE	700, 800, 900, 1000	NA	14.6	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	APOA, POA	7	s	2	w	28	NW	SE	700, 800	Lot 4	9.9	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	APOA, POA	7	s	2	w	28	sw	SE	700	Lot 5	5.5	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	APOA, POA	7	s	2	w	28	sw	SE	700	DLC 81	7.9	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	APOA, POA	7	s	2	w	28	SE	SE	900, 1000	Lot 6	30.8	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
TOTAL ACRES								TC	TAL ACR	ES	260.8		

Additional remarks: The new proposed Well 2 (MARI 17377) is a change in location only (POA). The permittee has recorded the water levels and water use for MARI 17377. This permit amendment corrects the location and adds the additional wells (APOA), Wells 6 and 9.

Revived 4/4/2022 GER

SUPERSEDING

Revised 2/11/2019

TACS
#### Permit # G-15191

#### Are there other water rights certificates, water use permits or ground water registrations associated with the "from" or "to" lands? Tyes No X NA

If YES, list the other certificate, permit, or ground water registration numbers:

If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

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

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and X 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.

epth(s) or screened of (sand,	ing Seal rvals depth(s) et) (intervals)	l	Casing Diameter	Total well depth	If an existing well, OWRD Well ID Tag No. L	Is well already built? (Yes or No)	Proposed or Authorized POA Name or Number				
See Well Log MARI 20055					MARI 20055	Yes	Well 1				
WILL NOT BE DRILLED See Well Log MARI 17377 See Well Log MARI 17185, 17201, 50696 See Well Log MARI 7773					NA	No	Authorized Well 2				
					MARI 17377	Yes	Proposed Well 2				
				See Well Log MARI 17185, 17201, 50696				See Well Log MARI 17185, 17201, 50696			Well 3
					MARI 7773	Yes	Well 4				
See Well Log MARI 9244					MARI 9244	Yes	Well 5				

Revised 2/11/2019

Permit Amendment Application - Page 10 of 11



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)	Scal 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
Well 6	Yes	MARI 62761		See Well Log MARI 62761						TOTAL COMBINED RATE FROM ALL WELLS
Well 9	No	NA	350 feet	10 inch	0 to 200	0 to 30 feet	TBD	NA	Basalt	NOT LESS THAN FULL RATE OF PERMIT

Revised 4/4/2022 ORK

# SUPERSEDING

Permit Amendment Application - Page 11 of 11

TACS



SUPERSEDING





Water Resources Department

725 Summer St NE, Suite A Salem, OR 97301 (503) 986-0900 Fax (503) 986-0904

MARCH 28, 2022

KUENZI TURF AND NURSERY C/O TYLER KUENZI 6475 STATE ST. SALEM, OR 97301

REFERENCE: Permit Amendment T-13783

The Department groundwater review identifies some problems with some of the proposed wells: Well 7 (MARI 7764) does not meet current well construction standards (OAR 690-210) for a well complete in a basalt aquifer; the well is sealed only to 18 ft. bls, while the top of hard dense basalt is noted at approx. 135 ft bls. The casing is perforated from 105-120 ft bls, within the weathered top (regolith) of the Columbia River Basalt (CRB), which is typically included in the alluvial aquifer system – the well, therefore, commingles the alluvial and CRB aquifer systems. Well 7 should not be authorized as an additional point of appropriation under permit G-15191 unless and until it meets current well construction standards and prevents commingling of aquifers.

The Well Record for Well 8 (MARI 7781) does not include any information regarding a surface seal. Well 8 should not be authorized as an additional point of appropriation under Permit G-15191 unless and until it can be demonstrated to meet current well construction standards (OAR 690-210).

The issues that we have identified could be resolved by one of the following alternatives:

- Provide a well report that details how Well 8 (MARI 7781) was originally constructed and shows that the construction meets current minimum construction standards, OR:
- Remove Well 8 from the transfer application, AND:
- Bring Well 7 up to current well construction standards, or remove Well 7 from the transfer application, OR:
- Withdraw the application.

If the Department does not receive application revisions or a request to withdraw by April 27, 2022, the Department will issue an Order to Deny Permit Amendment T-13783.

Please submit the requested information to me via email. If you have any questions, please email me at tamera.l.smith@water.oregon.gov or phone at 503-979-9607.

Kindest regards,

Tamera Smith Transfer Caseworker

cc: Greg Wacker, Watermaster, District 16 via email Doann Hamilton, agent via email

enclosures

#### **GREW Scott A \* WRD**

From:	Greg Kupillas <phggek@bctonline.com></phggek@bctonline.com>
Sent:	Friday, April 8, 2022 9:37 AM
To:	SMITH Tamera L * WRD
Subject:	RE: Permit Amendment T-13783
Attachments:	T-13783_Additional_Revisions_2022_04_04.pdf
Follow Up Flag:	Follow up

Follow Up Flag: Flag Status: Follow up Flagged

Tamera,

I had made those changes to the application and intended to include them with my previous submittal, but just left them out by mistake. But, I'm attaching the revised Table 3 now. The well specifications for Proposed Well 9 have not changed - we just corrected the aquifer designation.

Please let me know if you need anything else.

Regards,

Greg Kupillas Pacific Hydro-Geology Inc. 503.939.3167

From: SMITH Tamera L \* WRD [mailto:Tamera.L.SMITH@water.oregon.gov] Sent: Friday, April 08, 2022 8:14 AM To: Greg Kupillas Cc: Doann Hamilton; 'Tyler Kuenzi' Subject: RE: Permit Amendment T-13783

Good morning Greg,

Thank you for the revisions.

Travis Brown in our groundwater section has requested a revised version of Table 3 Construction of Point(s) of Appropriation to reflect the removal of Wells 7 and 8 and the different proposed construction for Well 9.

If Kuenzi Turf and Nursery decides to stay in the RA program, Travis will need the revised Table 3 once the agreement and fees are received at the Department.

Kindest regards, Tamera

From: Greg Kupillas <phggek@bctonline.com> Sent: Monday, April 4, 2022 5:18 PM To: SMITH Tamera L \* WRD <Tamera.L.SMITH@water.oregon.gov> Cc: Doann Hamilton <phgdmh@gmail.com>; 'Tyler Kuenzi' <tyler@kuenziturfnursery.com> Subject: Permit Amendment T-13783

#### Tamera,

In response to the deficiency letter for permit amendment application T-13783, dated March 28, 2022, I am providing amendments to the application (attached) which remove Wells 7 and 8 from the application and change Well 9 from an alluvial well to a basalt well.

Please let me know if you need anything else.

Regards,

Greg Kupillas Pacific Hydro-Geology Inc. 503.939.3167

## **GREW Scott A \* WRD**

From:	Greg Kupillas <phggek@bctonline.com></phggek@bctonline.com>
Sent:	Monday, March 28, 2022 8:03 PM
To:	SMITH Tamera L * WRD; 'Doann Hamilton'; 'Tyler Kuenzi'
Cc:	WACKER Gregory J * WRD
Subject:	RE: PA T-13783 Kuenzi Turf and Nursery deficiency letter

Thank you, Tamera.

Greg

From: SMITH Tamera L \* WRD [mailto:Tamera.L.SMITH@water.oregon.gov] Sent: Monday, March 28, 2022 2:58 PM To: 'Doann Hamilton'; Tyler Kuenzi Cc: Greg Kupillas; WACKER Gregory J \* WRD Subject: RE: PA T-13783 Kuenzi Turf and Nursery deficiency letter

Good afternoon Doann,

I appreciate your patience as the Department worked out the details on this deficiency letter. Unfortunately, permit amendments cannot reduce proposed well rates the way that regular transfers can, so I apologize for thinking that could be a possible resolution.

For the possible resolutions for this permit amendment, please see the attached updated deficiency letter for T-13783 Kuenzi Turf and Nursery.

Kindest regards, Tamera

From: Greg Kupillas <phggek@bctonline.com> Sent: Tuesday, March 1, 2022 1:39 PM To: SMITH Tamera L \* WRD <Tamera.L.SMITH@water.oregon.gov> Cc: Doann Hamilton <phgdmh@gmail.com> Subject: RE: PA T-13783 deficiency letter and groundwater review

Tamera,

We would like to work with the Groundwater Section to consider reduced rates for the proposed wells. I am curious, though, how that might look in the end. If we could reach agreement on reduced rates for the proposed wells, would those rates then be specified in the new, amended permit?

Regards,

Greg

From: SMITH Tamera L \* WRD [mailto:Tamera.L.SMITH@water.oregon.gov] Sent: Tuesday, March 01, 2022 11:37 AM To: Doann Hamilton; Tyler Kuenzi; Greg Kupillas

#### Cc: WACKER Gregory J \* WRD Subject: RE: PA T-13783 deficiency letter and groundwater review

Good morning Doann,

Thank you for your inquiry.

Please see attached letter and accompanying groundwater review. If there is an option I missed to correct the issues brought up in the groundwater review, please let me know.

Kindest regards, Tamera

From: Doann Hamilton <<u>phgdmh@gmail.com</u>> Sent: Tuesday, March 1, 2022 11:28 AM To: SMITH Tamera L \* WRD <<u>Tamera.L.SMITH@water.oregon.gov</u>>; Tyler Kuenzi <<u>tyler@kuenziturfnursery.com</u>>; Greg Kupillas <<u>phggek@bctonline.com</u>> Subject: PA T-13783 GW report

Hi Tamera

I am emailing on behalf of our client Kuenzi Turf and Nursery PA T-13783

We see the groundwater review was completed January 7, 2022 We also understand PA do not issue a draft determination

We would like to request some time to respond to the groundwater review before you issue a final order

We would also request a draft determination be issued prior to any final orders.

We also understand there is no administrative holds for PA but would hope you consider some extended time to be allowed for us to respond to this groundwater report

Thank you Doann Hamilton

---

Pacific Hydro-Geology, Inc. 18487 S. Valley Vista Rd. Mulino, OR 97042 (503) 349-6946 Fax: (503) 632-5983 email: <u>phgdmh@gmail.com</u>

# **Groundwater Transfer Review Summary Form**

Transfer/PA # T- 13783 (RA) (re-review)

GW Reviewer Travis Brown Date Re-Review Completed: 9/19/2022

Supersedes Review of: 2/15/2022

Summary of Same Source Review:

The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

#### Summary of Injury Review:

The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

#### Summary of GW-SW Transfer Similarity Review:

The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.

OREGON	0.0111	Vater Review Form:
Oregon Water Resources 725 Summer Street NE, Su	ite A	Right Transfer
Salem, Oregon 97301-1271 DEPARTMENT (503) 986-0900		t Amendment odification
www.wrd.state.or.us	□ GR M	Juncation
Application: T- <u>13783</u>		ame: <u>Kuenzi Turf and Nursery</u>
Proposed Changes: 🛛 POA	APOA □ SW→GV	W 🖾 RA
	POU OTHER	
Reviewer(s): <u>Travis Brown</u>		Date of Re-Review: <u>9/19/2022</u>
	Su	persedes Review of: 2/15/2022
Dat	e Reviewed by GW Mgr. a	and Returned to WRSD: JTI 12/2/2
affected by the transfer. The application does not include v details sufficient to establish the g		-
Other		
<ol> <li>Basic description of the changes p the location of one authorized PO currently allows for Nursery Use ground) at a maximum rate of up</li> </ol>	proposed in this transfer: <u>The A and to add 4-2 APOA to and 260.8 acres (maximum 1000)</u>	ne applicant proposes to correct Permit G-15191, which annual volume of 652 af in-
Authorized From-POA Name	LogID	Source Aquifer
Authorized Well 2	N/A (not constructed)	N/A
Proposed To-POA Name	LogID	Source Aquifer
Proposed Well 2	MARI 17377	Alluvium

LogID

MARI 20055

MARI 17185

**MARI 7773** 

Authorized POA Name

Well 1

Well 3

Well 4

Source Aquifer

Columbia River Basalt

Alluvium

Alluvium

e i . .

Transfer Application: T-13783 (RA)

Ground Water Review Form

5 .

Well 5	MARI 9244	Marine Sedimentary Bedrock
Proposed APOA Name	LogID	Source Aquifer
Well 6	MARI 62761	Alluvium
Well 7	MARI 7764	Columbia River Basalt
Well 8	MARI 7781	Alluvium
Well 9	N/A (not constructed)	Alluvium/regolith <u>Columbia</u> <u>River Basalt</u> <sup>a</sup>

<sup>a</sup> The application notes the intended source aquifer as "Material above hard basalt," which the review assumed to mean the combined alluvial sediments and the weathered top (regolith) of the Columbia River Basalt. However, the cited "Total well depth" of 350 ft bls would very likely penetrate the Columbia River Basalt aquifer, in which case tThe proposed seal depth of 30 ft bls would be is inadequate to comply with current Well Construction Standards (OAR 690-210). The well must be continuously cased and sealed at least 5 ft into solid unfractured basalt overlying the water-bearing zone. Nearby well logs (MARI 7085, MARI 19261) suggest that the top of the basalt is at least 160 ft bls.

The proposed To-POA ("Proposed Well 2" / MARI 17377) and proposed APOA ("Well 6" / MARI 62761, "Well 7" / MARI 7764, and "Well 8" / MARI 7781) have overlapping rights for which they are already authorized POA:

Proposed POA Name	LogID	Overlapping Right	Rate [cfs]	Annual Volume [af]
Proposed Well 2	MARI 17377	Cert 84648	0.6	225 (irrigation)
Well 6	MARI 62761	Claim GR-990 Permit G-17778	0.245 0.420	67.5 (irrigation) 101.5 (irrigation)
Well-7	MARI 7764	Cert 67650	0.45	115.25 (irrigation)
Well 8	MARI 7781	Claim GR-2042	0.5124	75 (irrigation)

Projected impacts due to pumping under the proposed change will be assessed using the full rate and duty for each POA under all applicable rights.

- 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA? Xes No Comments: <u>The authorized POA develop multiple sources including the shallow alluvial aquifer of the Willamette lowland, the Columbia River Basalt aquifer, and the deep marine sedimentary aquifer. The proposed APOA will develop the alluvial aquifer and the Columbia River Basalt aquifer.</u>

## Transfer Application: T-13783 (RA)

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): <u>Permit G-15191 does not stipulate well-specific rates nor does it assign specific acreage to specific wells. However, the original Application G-15547 for a new groundwater right did list the rate of water requested from each POA:</u>

	Rate Requested			
Application POA Name	[gpm]	[cfs]		
Well 1	400	0.891		
Well 2	300	0.668		
Well 3	125	0.279		
Well 4	300	0.668		
Well 5	30	0.067		
Total	1,155	2.57		

Based on these requested rates, the total requested from the Columbia River Basalt aquifer (Well 1) was 400 gpm (~0.891 cfs), the total requested from the alluvial aquifer system (Wells 2, 3, and 4) was 725 gpm (~1.615 cfs), and the total requested from the marine sedimentary aquifer was 30 gpm (~0.067 cfs). Therefore, the total diversions from all POA (authorized and proposed) with a common source aquifer should be limited to the amount originally requested from that aquifer to prevent injury to senior users or enlargement of the right:

Aquifer	POA (authorized and <i>proposed</i> )	Total Rate [cfs]
Alluvium	Proposed Well 2, Well 3, Well 4, Well 6, Well 8, Well 9	1.615
Columbia River Basalt	Well 1, <i>Well</i> 7 <u>9</u>	0.891
Marine Sedimentary Bedrock	Well 5	0.067
Total from	All Wells and Sources	2.57

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with another ground water right?

Yes No Comments: <u>Proposed alluvial POA Well 9 would be closer to</u> <u>neighboring alluvial well MARI 7834 than the authorized alluvial POA under Permit G</u> <u>15191. The reduced intervening distance will likely increase interference with MARI 7834.</u>

Proposed alluvial POA Proposed Well 2 (MARI 17377), and Well 6 (MARI 62761), and Well 8 (MARI 7781) are all-both closer to neighboring alluvial well MARI 7778 than the authorized POA under **Permit G-15191**. The reduced intervening distance will likely increase interference with MARI 7778.

Proposed basalt POA Well 7 9 would be closer to neighboring well MARI 19261 than the authorized basalt POA for Permit G-15191. The reduced intervening distance will likely increase interference with MARI 19261.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

Yes Yes No If yes, explain: To assess the potential for the proposed POA to cause injury to neighboring wells, the potential drawdown around each well was quantitatively estimated using the Theis (1935) equation for drawdown in a confined aquifer (see attached Theis Drawdown Analysis). The total rate and volume assessed for each proposed POA are listed below:

Proposed POA Name	LogID	Total Max Rate [cfs]	Total Average Rate* [cfs]	Total Annual Volume [af]
Proposed Well 2	MARI 17377	2.215 Mar 1 – Oct 31 1.615 Nov 1 – Feb 28	1.366 Mar 1 – Oct 31 0.902 Nov 1 – Feb 28	877
Well 6	MARI 62761	2.28 Mar 1 – Oct 31 1.615 Nov 1 – Feb 28	1.250 Mar 1 – Oct 31 0.902 Nov 1 – Feb 28	821
Well 7	MARI 7764	1.341 Mar 1 Oet 31 0.891 Nov 1 Feb 28	1.14 Mar 1 Oct 31 0.902 Nov 1 Oct 31	767.25
Well-8	MARI 7781	2.127 Mar 1 Oct 31 1.615 Nov 1 Feb 28	1.057 Mar 1 Oct 31 0.902 Nov 1 Feb 28	727
Well 9	N/A	1.6150.891 Year-round	0.902 Year-round	652

\*Average rate = total annual volume (by use) / days in season of use / 1.98 af/day/cfs

Where the "Total Average Rate" exceeded the "Total Max Rate", the analysis used the "Total Max Rate" for the full period of use. Results of the analysis indicate the proposed use is unlikely to cause injury to neighboring wells.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

Yes No Comments: <u>The proposed POA Well 9 will be closer to Fruitland Creek</u> than any of the authorized alluvial POA. Likewise, the The proposed POA Proposed Well 2, Well 6, and Well 8 will be closer to an unnamed tributary of the Little Pudding River than any of the authorized alluvial POA. The reduced intervening distances between the proposed POA and these streams will likely result in an increase in interference with surface water.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Fruitland Creek

$\boxtimes$	Mini	imal		Sig	nificant
-	10 000 1	1 14	_	Section 1	and the second s

Stream: Unnamed tributary to Little Pudding River 🖾 Minimai 🗆 Significant
Provide context for minimal/significant impact: The proposed change is unlikely to cause a
significant change in interference with nearby surface water sources because of the thick
sequence of fine-grained sediments underlying local streams which will diffuse impacts to
surface water over a larger area and longer period of time.

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

Yes No Comments: N/A

- What conditions or other changes in the application are necessary to address any potential issues identified above: \_\_\_\_\_
- 8. Any additional comments: Well 7 (MARI 7764) does not meet current well construction standards (OAR 690 210) for a well completed in a basalt aquifer: the well is sealed only to 18 ft bls, while the top of hard dense basalt is noted at ~135 ft bls. Furthermore, the casing is perforated from 105-120 ft bls, within the weathered top (regolith) of the Columbia River Basalt (CRB), which is typically included in the alluvial aquifer system the well, therefore, commingles the alluvial and CRB aquifer systems. Well 7 (MARI 7764) should not be authorized as an APOA under Permit G-15191 unless and until it meets current well construction standards and prevents commingling of aquifers.

The Well Record for Well 8 (MARI 7781) does not include any information regarding a surface seal. Well 8 (MARI 7781) should not be authorized as an APOA under Permit G-15191 unless and until it can be demonstrated to meet current well construction standards (OAR 690-210).

<u>Permit G-15191 includes conditions which limit the acceptable decline in water level</u> for each well. The following permit reference levels are recommended for the proposed To-POA and APOA:

Proposed To-POA / APOA Name	LogID	Reference Level [ft bls]	Reference Level Source
Proposed Well 2	MARI 17377	47.5	Permit Condition Measurement, 3/25/2003
Well 6	MARI 62761	48	Reference Level MARI 17185 (alluvial well)
Well 7	MARI 7764	47	Reference Level MARI 20055 (basalt well)
Well 8	MARI 7781	<del>50</del>	Reference Level MARI 17185 (alluvial well)
Well 9	N/A (not constructed)	<u>52 49</u>	Reference Level MARI <del>17185-20055</del> ( <del>alluvial <u>basalt</u> well</del> )

Multiple sources (alluvium, Columbia River Basalt, and marine sediments) have been developed under Permit G-15191. In order to prevent enlargement of the right, total diversions from all POA (authorized and proposed) with a common source aquifer

should be limited to the amount originally requested from that aquifer (see Item 3, above, for more information and estimated maximum rates from each source aquifer).

#### References Used:

.

Application File: T-13783, G-15547

Pumping Test Reports: Alluvial – MARI 7461, 7530, 7581, 7582, 7631, 7641, 7872, 8111, 17377; Basalt – MARI 7729, 7750, 9193, 9729, 9736, 9943, 11337, 15392, 51649, 51838, 54600, 63686

Water Well Report: MARI 7764, MARI 7781, MARI 19261

Conlon, T.D., Wozniak, K.C., Woodcock, D., Herrera, N.B., Fisher, B.J., Morgan, D.S., Lee, K.K., and Hinkle, S.R., 2005, Ground-water hydrology of the Willamette Basin, Oregon, Scientific Investigations Report 2005-5168: U. S. Geological Survey, Reston, VA.

Gannett, M.W. and Caldwell, R., 1998, Geologic framework of the Willamette Lowland aquifer system, Oregon and Washington, Professional Paper 1424-A, 32 p: U. S. Geological Survey, Reston, VA.

Woodward, D.G., Gannett, M.W., and Vaccaro, J.J., 1998, Hydrogeologic framework of the Willamette Lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-B, 82 p.

. . .

#### Ground Water Review Form

#### Well Location Map



T-13783 Kuenzi

Service Layer Credits: Sources: Esri, HERE, Garmin, Internap, Inte

Transfer Application: T-13783 (RA)

Ground Water Review Form

. . . .





Service Layer Credits: Sources: Ean, HERE, Garmin, Intermap, Increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Ean Japan, METH, East Ostina (Hong Kong), (c) OpenStreetMap constitutions, and the GIS User Community CopyrightED 2013 National Geographic Society, icubed

## Transfer Application: T-13783 (RA)

10

Theis Drawdown Analysis - Proposed Well 2 (MARI 17377) Interference with MARI 7778



Theis Drawdown and Recovery at r = 880 ft From Pumping Well

Elapsed Time Since Pumping Started, days

Pumping Rate = 1.366 cfs [total average rate for POA during irrigation season] Transmissivity: T1=290 ft<sup>2</sup>/day; T2=1300 ft<sup>2</sup>/day; T3=2700 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

Theis Drawdown Analysis - Well 6 (MARI 62761) Interference with MARI 7778



Theis Drawdown and Recovery at r = 1230 ft From Pumping Well

Pumping Rate = 1.25 cfs [total average rate for POA during irrigation season] Transmissivity: T1=290 ft<sup>2</sup>/day; T2=1300 ft<sup>2</sup>/day; T3=2700 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

### Theis Drawdown Analysis Well 7 (MARI 7764) Interference with MARI 19261



Theis Drawdown and Recovery at r = 2070 ft From Pumping Well

Pumping Rate = 1.14 cfs [total average rate for POA during irrigation season] Transmissivity: T1=360 ft<sup>2</sup>/day; T2=1400 ft<sup>2</sup>/day; T3=8800 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005] . . .

Theis Drawdown Analysis Well 8 (MARI 7781) Interference with MARI 7778



Pumping Rate = 1.057 cfs [total average rate for POA during irrigation season]

\*Maximum drawdown at r=1 ft from pumping well for T2S1 exceeds estimated available head in MARI 7781 (- 82 ft)

Transmissivity: T1=290 ft<sup>2</sup>/day; T2=1300 ft<sup>2</sup>/day; T3=2700 ft<sup>2</sup>/day [Pumping Test Reports]

Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

;

Theis Drawdown Analysis Well 9 Interference with MARI 16525



250 300 100 150 200

Elapsed Time Since Pumping Started, days

Pumping Rate = 0.902 cfs [total average rate for POA during season of use (year-round)] Transmissivity: T1=290 ft<sup>2</sup>/day; T2=1300 ft<sup>2</sup>/day; T3=2700 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

## Transfer Application: T-13783 (RA)

#### Ground Water Review Form

· ,\*

## Theis Drawdown Analysis - Well 9 Interference with MARI 19261



Pumping Rate = 0.891 cfs [total max rate for POA (less than total average rate)] Transmissivity: T1=360 ft<sup>2</sup>/day; T2=1400 ft<sup>2</sup>/day: T3=8800 ft<sup>2</sup>/day [Pumping Test Reports] Storativity: S1=0.001; S2=0.0001 [Conlon et al., 2005]

#### Page 14 of 14

# SMITH Tamera L \* WRD

From:	Greg Kupillas <phggek@bctonline.com></phggek@bctonline.com>
Sent:	Monday, April 4, 2022 5:18 PM
To:	SMITH Tamera L * WRD
Cc:	Doann Hamilton; 'Tyler Kuenzi'
Subject:	Permit Amendment T-13783
Attachments:	T-13783_Revisions_2022_04_04.pdf

Follow Up Flag: Follow up Flag Status: Flagged

#### Tamera,

In response to the deficiency letter for permit amendment application T-13783, dated March 28, 2022, I am providing amendments to the application (attached) which remove Wells 7 and 8 from the application and change Well 9 from an alluvial well to a basalt well.

Please let me know if you need anything else.

Regards,

Greg Kupillas Pacific Hydro-Geology Inc. 503.939.3167



APR 4 2022

Salem, OR

## Part 5 of 5 - Water Use Permit Information

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

#### PERMIT # G-15195

Revised 4/4/2022 GELL

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA) (Note: If the POD/POA name is not specified in the permit, assign it a name or number here.)

POD/PO A Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L)	T	wp	F	ung	Sec	1/4	. 1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	Authorized Proposed	MARI 20055	7	s	2	w	27	NW	sw	TL 101	2,250 feet north and 750 feet east from the SW corner, Section 27.
Well 2	Authorized Proposed	NA	7	s	2	w	28	SE	SE	Lot 6	500 feet north and 600 feet west from the SW corner, Section 27.
Well 2	Authorized Proposed	MARI 17377	7	s	2	w	27	SE	sw	Lot 2	725 feet north and 1,880 feet east from the SW corner, section 27.
Well 3	Authorized Proposed	MARI 17185, 17201, 50696	7	s	2	w	27	SE	sw	Lot 2	787 feet north and 1,360 feet east from the SW corner, Section 27.
Well 4	Authorized Proposed	MARI 7773	7	s	2	w	27	NE	NW	TL 1400	725 feet south and 1,350 feet east from the NW corner, Section 27.
Well 5	Authorized Proposed	MARI 9244	7	s	2	w	28	SE	SE	Lot 6	367 feet north and 166 feet west from the SW corner, Section 27.
Well 6	Authorized Proposed	MARI 62761	7	s	2	w	27	SE	sw	Lot 2	830 feet north and 2,640 feet west from the NE corner, section 34.
Well 9	Authorized Proposed	NA	7	s	2	w	28	sw	SE	DLC 81	625 feet north and 1,910 feet west from the SE corner, section 28.

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

Place of Use (POU) 

Point of Appropriation/Well (POA)

- Point of Diversion (POD)

- Additional Point of Diversion (APOD)
- Additional Point of Appropriation (APOA)  $\boxtimes$ 
  - Surface water POD to Ground Water POA (SW/GW)

#### Will all of the proposed changes affect the entire water use permit?

Complete only the proposed ("to" lands) section of Table 2 on the next page. Use the X Yes "CODES" listed above to describe the proposed changes.

Complete all of Table 2 to describe the portion of the permit to be changed. No No

#### For a change in place of use: NA

Rovod

Does the permit holder of record own or control the land TO which the place of uspic devedword way

#### Yes No Revised 2/11/2019

Permit Amendment Application - Page 6 of 11

APR 4 2022

Salem, OR

If NO, the landowner of the land TO which the place of use is being **moved must be assigned to the permit** as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

#### Is the proposed place of use contiguous to the authorized place of use? 🗌 Yes 🗌 No

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

APR 4 2022 Salem, OR

Revised 2/11/2019

TACS

If NO, the landowner of the land TO which the place of use is being **moved must be assigned to the permit** as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

#### Is the proposed place of use contiguous to the authorized place of use? 🗌 Yes 🗌 No

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

Read Received by OWRD

APR 4 2022

Salem, OR

TACS

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 Use Permit # G-15191

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

	listing	g that	appear	rs on	the co	ertific NGES		lands) RE PROPO will be char		Proposed Changes (see			J	The l	istir			ld appear			ands) OSED CHANGI	ES
Twp	Rng	Sec	14	14	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	"CODES" from previous page)	Tv	Ŷр	R	ng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date
										APOA, POA	7	s	2	w	27	NE	NW	1400	NA	6.4	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
										APOA, POA	7	s	2	w	27	NW	NW	1600	NA	7.6	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
										APOA, POA	7	S	2	w	27	sw	NW	2000	NA	26.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
										APOA, POA	7	s	2	w	27	SE	NW	1000, 2000	NA	23.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
										АРОА, РОА	7	s	2	w	27	NE	sw	101, 500, 600, 900, 1000	NA	33.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
										APOA, POA	7	s	2	w	27	NW	sw Re	101, 300, 500, 1000 ceiyed	NA by C	36.1 WRD	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
Revised	2/11/201	9				Permi	t Amendment	Application -	Page 8 of 1	1						T/	ACS	leo APR		X	Allowing the second second second	1 ed -/ 2022
																		Saler	2 0	D		GEK

Salem, OR

	АРОА, РОА	7	s	2	w	27	sw	sw	100, 300, 500, 1000	Lot 1	25.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	APOA, POA	7	s	2	w	27	SE	sw	500, 600, 900	Lot 2	35.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	АРОА, РОА	7	s	2	w	28	NE	SE	700, 800, 900, 1000	NA	14.6	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	АРОА, РОА	7	s	2	w	28	NW	SE	700, 800	Lot 4	9.9	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	АРОА, РОА	7	s	2	w	28	sw	SE	700	Lot 5	5.5	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	АРОА, РОА	7	s	2	w	28	sw	SE	700	DLC 81	7.9	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	APOA, POA	7	s	2	w	28	SE	SE	900, 1000	Lot 6	30.8	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
TOTAL ACRES								TC	TAL ACF	ES	260.8		

Additional remarks: The new proposed Well 2 (MARI 17377) is a change in location only (POA). The permittee has recorded the water levels and water use for MARI 17377. This permit amendment corrects the location and adds the additional wells (APOA), Wells 6 and 9.

Received by OWRD

Revised 4/4/2022 GER

APR 4 2022

TACSalem, OR

Revised 2/11/2019

Permit Amendment Application - Page 9 of 11

	APOA, POA	7	s	2	w	27	sw	sw	100, 300, 500, 1000	Lot 1	25.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	АРОА, РОА	7	s	2	w	27	SE	sw	500, 600, 900	Lot 2	35.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	APOA, POA	7	s	ż	w	28	NE	SE	700, 800, 900, 1000	NA	14.6	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	APOA, POA	7	s	2	w	28	NW	SE	700, 800	Lot 4	9.9	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	APOA, POA	7	s	2	w	28	sw	SE	700	Lot 5	5.5	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	APOA, POA-	7	S	2	w.	28	sw	SE	700	DLC 81	7.9	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
	APOA, POA	7	s	2	w	28	SE	SE	900, 1000	Lot 6	30.8	Authorized Wells 1,3,4,5 and proposed Wells 2,6,9	June 27, 2001
TOTAL ACRES		All Access						TO	TAL ACF	ES	260.8		

Additional remarks: The new proposed Well 2 (MARI 17377) is a change in location only (POA). The permittee has recorded the water levels and water use for MARI 17377. This permit amendment corrects the location and adds the additional wells (APOA), Wells 6 and 9.

Received by OWRD

Revised 4/4/2022

GER

APR 4 2022

Revised 2/11/2019

Permit Amendment Application - Page 9 of 11

TACSalem, OR

## SMITH Tamera L \* WRD

From:	Greg Kupillas <phggek@bctonline.com></phggek@bctonline.com>
Sent:	Friday, April 8, 2022 9:37 AM
To:	SMITH Tamera L * WRD
Subject:	RE: Permit Amendment T-13783
Attachments:	T-13783_Additional_Revisions_2022_04_04.pdf
Follow Up Flag:	Follow up
Flag Status:	Flagged

#### Tamera,

I had made those changes to the application and intended to include them with my previous submittal, but just left them out by mistake. But, I'm attaching the revised Table 3 now. The well specifications for Proposed Well 9 have not changed - we just corrected the aquifer designation.

Please let me know if you need anything else.

Regards,

**Greg Kupillas** Pacific Hydro-Geology Inc. 503.939.3167

From: SMITH Tamera L \* WRD [mailto:Tamera.L.SMITH@water.oregon.gov] Sent: Friday, April 08, 2022 8:14 AM To: Greg Kupillas Cc: Doann Hamilton; 'Tyler Kuenzi' Subject: RE: Permit Amendment T-13783

Good morning Greg,

Thank you for the revisions.

Travis Brown in our groundwater section has requested a revised version of Table 3 Construction of Point(s) of Appropriation to reflect the removal of Wells 7 and 8 and the different proposed construction for Well 9.

If Kuenzi Turf and Nursery decides to stay in the RA program, Travis will need the revised Table 3 once the agreement and fees are received at the Department.

Kindest regards, Tamera

From: Greg Kupillas <phggek@bctonline.com> Sent: Monday, April 4, 2022 5:18 PM To: SMITH Tamera L \* WRD <Tamera.L.SMITH@water.oregon.gov> Cc: Doann Hamilton <phgdmh@gmail.com>; 'Tyler Kuenzi' <tyler@kuenziturfnursery.com> Subject: Permit Amendment T-13783

#### Permit # G-15191

#### Are there other water rights certificates, water use permits or ground water registrations associated with the "from" or "to" lands? I Yes I No X NA

If YES, list the other certificate, permit, or ground water registration numbers:

If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

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

 $\boxtimes$ 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

APR - 8 2022

OWRD

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
Well 1	Yes	MARI 20055			See	Well Log M.	ARI 20055			
Authorized Well 2	No	NA			WII	L NOT BE	DRILLED	4		TOTAL
Proposed Well 2	Yes	MARI 17377			See	Well Log M.	ARI 17377			COMBINED RATE FROM ALL WELLS
Well 3	Yes	MARI 17185, 17201, 50696		1	See Well L	og MARI 17	185, 17201, 50	0696		NOT LESS THAN FULL RATE OF PERMIT
Well 4	Yes	MARI 7773	1. S. J.		See	Well Log M	ARI 7773			
Well 5	Yes	MARI 9244			See	Well Log M	ARI 9244			
Re	viscd 2/11	RECEIVE	D	Permit Amendr	nent Applicati	on – Page 10 of	11		Revi 4/4 TACS	12012 6EK

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
Well 6	Yes	MARI 62761			See	Well Log M	ARI 62761			TOTAL COMBINED RATE FROM ALL WELLS
Well 9	No	NA	350 feet	10 inch	0 to 200	0 to 30 feet	TBD	NA	Basalt	NOT LESS THAN FULL RATE OF PERMIT

Revised 4/4/2022 ORC



OWRD

4 .

Revised 2/11/2019 APR 8 2022 Permit Amendment Application - Page 11 of 11

TACS

STATE OF OREGON           WATER RESOURCES DEPARTMENT           725 Summer St. N.E. Ste. A           SALEM, OR 97301-4172           INVOICE #           (503) 986-0900 / (503) 986-0904 (fax)	* MAIN C
RECEIVED FROM: <u>AUDIZITUATION</u> APPLICATION BY: <u>PERMIT</u>	MAIN CHECKING #38
CASH: CHECK:# OTHER: (IDENTIFY) TOTAL REC'D \$/,133.22	NG #38
1083         TREASURY         4170         WRD MISC CASH ACCT           0407         COPIES         47124         R         11324 - 23         \$           0412         OTHER:         (IDENTIFY)         Transfer         \$         1.133.22           0243 I/S Lease         0244 Muni Water Mgmt. Plan         0245 Cons. Water         0245 Cons. Water	T-13783
4270 WRD OPERATING ACCT	
MISCELLANEOUS         0407       COPY & TAPE FEES       \$         0410       RESEARCH FEES       \$         0408       MISC REVENUE: (IDENTIFY)       \$         TC162       DEPOSIT LIAB. (IDENTIFY)       \$         0240       EXTENSION OF TIME       \$         WATER RIGHTS:       EXAM FEE       \$         0201       SURFACE WATER       \$       0202         0203       GROUND WATER       \$       0204         0205       TRANSFER       \$       0204         0205       TRANSFER       \$       0204         0218       WELL CONSTRUCTOR       \$       0219         0218       WELL DRILL CONSTRUCTOR       \$       0219         0218       WELL DRILL CONSTRUCTOR       \$       0219         0218       WELL DRILL CONSTRUCTOR       \$       0220         0218       WELL DRILL CONSTRUCTOR       \$       0220	
0536 TREASURY 0437 WELL CONST. START FEE	
0211     WELL CONST START FEE     \$     CARD#       0210     MONITORING WELLS     \$     CARD#       OTHER     (IDENTIFY)	APR
0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER	N N
0233     POWER LICENSE FEE (FW/WRD)     \$       0231     HYDRO LICENSE FEE (FW/WRD)     \$       HYDRO APPLICATION     \$	1 2022 RD
TREASURY OTHER / RDX	
FUND         TITLE           OBJ. CODE         VENDOR #           DESCRIPTION         \$	1,133.22
RECEIPT: 137882 DATED	

56709 22

1,133.22

4/7/2022

Reimbursement Authority Applicant Agreement for Transfer / T-13783, Contract #: R11-324-23

RECEIVED

KUENZI TURE LLC OREGON WATER RESOURCES DEPT

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

# Received by OWRD

APR 11 2022

#### REIMBURSEMENT AUTHORITY APPLICANT'S AGREEMENT Contract Number: R11-324-23

Salem, OR

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Kuenzi Turf and Nursery, hereafter Applicant, hereafter known together as the parties.

OWRD	Information	Applica	nt's Information	Applicant's Representative		
Contact:	Kelly Starnes	Name:	Kuenzi Turf and Nursery	Name:	Pacific Hydro-Geology, Inc.	
Title:	Transfer Advisor	Contact:	Tyler Kuenzi	Contact:	Doann Hamilton	
Address:	725 Summer Street, NE, Suite A	Address:	6475 State St.	Address:	18487 S. Valley Vista Rd.	
	Salem, OR 97301-1266		Salem, OR 97301		Mulino, OR 97042	
Phone:	503 986-0886	Phone:	(503) 585-8337	Phone:	(503) 349-6946	
Fax:	503 986-0901	Fax:		Fax:	(503) 632-5983	
Email:	patrick.k.starnes@oregon.gov	Email:	tyler@kuenziturfnursery.com	Email:	phgdmh@gmail.com	

Purpose The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-13783)

- Authority. The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any
  applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In
  making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions. Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration. Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
- 4. Consideration.
  - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is \$1,100.13 \$2,233.35. Applicant agrees to pay the full amount of \$1,100.13 \$2,233.35 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
  - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality. Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- 6. Indemnity. Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.




- 7. Termination. Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
- Funds Authorized and Available. By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
- 9. Duration of Estimate. The Estimate of Time to completion is approximately 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
- 10. Completion Date. OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. IMPORTANT: Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
- Captions. The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
- 12. Amendment and Merger. The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
- 13. Signatures. All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant:

For OWRD:

Mail signed Agreement to:

Stacy Phillips Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1266

Administrator

RECEIPT # 136021 T25 Summer St. N.E. Ste. A SALEM, OR 97301-4172 INVOICE #	STATE OF OREGON           WATER RESOURCES DEPARTMENT           725 Summer St. N.E. Ste. A           SALEM, OR 97301-4172           (503) 986-0900 / (503) 986-0904 (fax)
RECEIVED FROM: <u>Julnzi lurf Inc.</u> BY: CASH: CHECK;# OTHER: (IDENTIFY) D 55087 TOTAL REC'D \$/,570.00	RECEIVED FROM: KUEDZI TUCE INC. APPLICATION BY: CASH: CHECK:# OTHER: (IDENTIFY) CASH: CHECK:# OTHER: (IDENTIFY) TOTAL REC'D \$ 1,500.00
1083         TREASURY         4170         WRD MISC CASH ACCT           0407         COPIES         \$           OTHER:         (IDENTIFY)         \$           0243         I/S Lease         0244 Muni Water Mgmt. Plan         0245 Cons. Water	1083         TREASURY         4170         WRD MISC CASH ACCT           0407         COPIES         \$         \$           OTHER:         (IDENTIFY)         \$         \$
OLEMENT VIEWENT vie	0244 Muni Water Mgmt. Plan0245 Cons. Water         4270 WRD OPERATING ACCT         MISCELLANEOUS         0407 COPY & TAPE FEES         0407       COPY & TAPE FEES         0408       MISC REVENUE: (IDENTIFY)         TC162       DEPOSIT LIAB. (IDENTIFY)         0240       EXTENSION OF TIME         WATER RIGHTS:       EXAM FEE         0201       SURFACE WATER         0203       GROUND WATER         0205       TRANSFER         WELL CONSTRUCTION       EXAM FEE         0218       WELL DRILL CONSTRUCTOR         0218       WELL DRILL CONSTRUCTOR         0218       WELL DRILL CONSTRUCTOR         0218       WELL DRITFY)
0536       TREASURY       0437       WELL CONST. START FEE         0211       WELL CONST START FEE       \$       CARD#         0210       MONITORING WELLS       \$       CARD#         010       OTHER       (IDENTIFY)       CARD#         0607       TREASURY       0467       HYDRO ACTIVITY       LIC NUMBER	0536     TREASURY     0437     WELL CONST. START FEE       0211     WELL CONST START FEE     \$     CARD#       0210     MONITORING WELLS     \$     CARD#       OTHER     (IDENTIFY)
0607     TREASURY     0467     HYDRO ACTIVITY     LIC NUMBER       0233     POWER LICENSE FEE (FW/WRD)     \$     \$       0231     HYDRO LICENSE FEE (FW/WRD)     \$     \$       HYDRO APPLICATION     \$     \$	0607     TREASURY     0467     HYDRO ACTIVITY     LIC NUMBER       0233     POWER LICENSE FEE (FW/WRD)     \$     \$       0231     HYDRO LICENSE FEE (FW/WRD)     \$     \$
FUND       TITLE         OBJ. CODE       VENDOR #         DESCRIPTION       \$         Image: Stription       \$         Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal	FUND



State of Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1266 (503) 986-0900

## Application for Permit Amendment

Part 1 of 5 - Minimum Requirements Checklist

				7
		This permit amendment 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.	REC	EIVED
Chee	ck all it	ems included with this application. (N/A = Not Applicable)	Ш	3 0 2021
$\boxtimes$		Part 1 – Completed Minimum Requirements Checklist.	JUL	0 0 1011
		Part 2 – Completed Application Map Checklist.	0	NRD
		Part 3 – Application Fee, payable by check to the Oregon Water Resources Depart completed Fee Worksheet, page 3. Try the new online fee calculator at: <u>http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator</u> . If you have questions, co Service at (503) 986-0801.		
$\boxtimes$		Part 4 – Completed Applicant Information and Signature.		
		Part 5 – Information about Permits to be Amended: Number of permits to be am List the Permits here: <u>Permit G-15191</u> Please include a separate Part 5 for each permit. (See instructions on page 6)	iended	: <u>1</u>
$\boxtimes$		Completed Permit Amendment Application Map (Does not have to be prepared by Water Right Examiner).	y a Cer	tified
		Request for Assignment Form and statutory fee. The request for assignment form completed if the applicant is <b>not</b> the permit holder of record and needs to be assig permit; <b>or</b> the landowner of the proposed place of use is <b>not</b> the permit holder of needs to be assigned to the permit (the Request for Assignment Form is available <u>https://www.oregon.gov/OWRD/Forms/Pages/default.aspx</u> ). Assignment is not ne applicant is the permit holder of record.	ned to t record a online a reded if	the and at f the
	N/A	Affidavit(s) of Consent are required from all permit holder(s) of record if the permit to the applicant or other permit holders of record that are not listed as applicants.	nit is no	ot assigned
	□ N/A	Oregon Water Resources Department's Land Use Information Form with approva (or signed land use form receipt stub) from each local land use authority in which diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, only on federal lands or if all of the following apply: a) a change in place of use of structural changes, c) the use of water is for irrigation only, and d) the use is locate irrigation district or an exclusive farm use zone.	water i , and/or nly, b)	s to be r used no
		Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or point(s) of appropriation.		
	⊠ N/A	Geologist Report for a change from a surface water point of diversion to a ground appropriation (well), if the proposed well is more than 500 feet from the surface w more than 1000 feet upstream or downstream from the point of diversion. (ORS 5	vater so	ource and
	1	(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 Part is incomplete Other/Explanation Staff:503-986-0 Date:/_/		

Permit Amendment Application - 1, 3 7118 3

TACS

----

Your permit amendment application <u>will be returned</u> if any of the map requirements listed below are not met.

	Please require	e be sure that the map you submit includes all the items listed below and meets th ements of OAR 690-380-3100, however, the map does <u>not</u> have to be prepared by Certified Water Right Examiner. Check all boxes that apply.	e RECEIVE
	🛛 N/A	If more than three permits are involved, separate maps for each permit.	UL 30 202
$\boxtimes$		Permanent quality printed with dark ink on good quality paper.	OWRD
		The size of the map can be $8\frac{1}{2} \times 11$ inches, $8\frac{1}{2} \times 14$ inches, $11 \times 17$ inches, or up to 2 inches. For 30 x 30 inch maps, one extra copy is required.	30 x 30
$\boxtimes$		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 assessor map if the scale is not smaller than 1 inch = $1,320$ feet, or a scale that has be approved by the Department.	county en pre-
		Township, Range, Section, 1/4 1/4, DLC, Government Lot, and other recognized public survey lines.	land
$\boxtimes$		Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.	
		Major physical features including rivers and creeks showing direction of flow, lakes reservoirs, roads, and railroads.	and
		Major water delivery system features from the point(s) of diversion/appropriation such main pipelines, canals, and ditches.	ch as
		Existing place of use that includes separate hachuring for each water use permit, priod date, and use including number of acres in each quarter-quarter section, government in each quarter-quarter section as projected within government lots, donation land clar other recognized public land survey subdivisions. If less than the entirety of the permit being changed, a separate hachuring is needed for the portion of the permit left unchar	lot, or nims, or nit is
	N/A N/A	If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, priority date, and use inc 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 recognize public land survey subdivisions.	uarter
		Existing point(s) of diversion or well(s) with distance and bearing or coordinates from recognized survey corner. This information can be found in your water use permit.	n a
	□ 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 coordin are used, latitude-longitude coordinates may be expressed as either degrees-minutes-with at least one digit after the decimal (example $-42^{\circ}32'15.5''$ ) or degrees-decimal five or more digits after the decimal (example $-42.53764^{\circ}$ ).	seconds

- -

#### Part 3 of 5 - Fee Worksheet

-	FEE WORKSHEET for PERMIT AMENDMENT		ALT TO THE
1	Base Fee (includes one type of change to one permit for up to 1 cfs)	1	\$1,160
-		ECE	IVED
	Number of above boxes checked = $1(2a)$	UL 3(	0 2021
2	Subtract 1 from the number in line 2a = 0 (2b) If only one change, this will be 0 Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » » » »	<b>OWI</b> 2	RD \$0
3	Number of permits included in Permit Amendment <u>1 (3a)</u> Subtract 1 from the number in 3a: <u>0 (3b)</u> <i>If only one permit this will be 0</i> Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	\$0
	Do you propose to add or change a well, or change from a surface water POD to a well? No: enter 0 »» » » » » » » » » » » » » » » » » »		\$410
4	<ul> <li>✓ Yes: enter \$410 » » » » » » » » » » » » » » » » » » »</li></ul>	4	\$410
5	If 5b is 0, enter 0 on line 5 » » » » » » » » » » » » » » » » » »	5	\$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$1,570
	Is this permit amendment: necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » » » » »	7	NA \$1,570
ð	Subtract file / from the o n n n n n n n n n n n retained Anertainent Fee.	0	01,010

\*Example for Line 5a calculation to transfer 45.0 acres of Primary Permit S-12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Permit S-87654 (1/80 cfs per acre) on the same land:

- 1. For irrigation calculate cfs for each permit involved as follows:
  - a. Divide total authorized cfs by total acres in the permit (for S-12345, 1.25 cfs  $\div$ 100 ac); then multiply by the number of acres to be changed to get the application cfs (x 45 ac = 0.56 cfs).
  - b. If the water right permit does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For S-87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)
- 2. Add cfs for the portions of permits on all the land included in the application; however **do not count** cfs for supplemental permits on acreage for which you have already calculated the cfs fee for the primary permit on the same land. The fee should be assessed only once for each "on the ground" acre included in the application. (In this example, blank 5a would be only 0.56 cfs, since both permits serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

#### **Applicant Information**

APPLICANT/BUSINESS NAME Kuenzi Turf and Nursery c/o Tyler Kuenzi								
ADDRESS 6475 State St.	rsery do Tyler Ruen			FAX NO.	JUL 3 0 2021			
CITY Salem	STATE OR	E-MAIL (tyler@kuenziturfi		OWRD				
BY PROVIDING AN DEPARTMENT ELI	E-MAIL ADDRESS,	CONSENT IS G	IVEN TO RECEIVE ALL C	ORRESPONDENCE	E FROM THE E MAILED.			

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

AGENT/BUSINESS NAME Doann Hamilton			PHONE NO. (503) 632-5016	ADDITIONAL CONTACT NO. (503) 632-5983 (Cell)
ADDRESS 18487 S. Valley Vista R	oad			FAX NO. (503) 632-5983
CITY Mulino	STATE	ZIP 97042	E-MAIL phgdmh@gmail.co	m
BY PROVIDING AN E-	MAIL ADDRESS,	CONSENT IS G	IVEN TO RECEIVE ALL C	ORRESPONDENCE FROM THE NTS WILL ALSO BE MAILED.

Explain in your own words what you propose to accomplish with this permit amendment; and why: We need to correct the location of Well 2 (MARI 17377) and add additional wells to achieve our allowed rate.

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

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

#### Is the applicant the permit holder of record? Xes No

If NO, include either:

A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), **OR** 

An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.

#### Has the Completion ("C") Date of the permit(s) in this application expired? Yes No

If YES, this application will not be accepted by the Department.

If NO, what are the completion dates of the permit(s)? October 1, 2026

- If the permit completion date expires while the Permit Amendment Application is pending, the Department will not approve the Permit Amendment Application until an Extension of Time Application is approved for the permit.
- You may consider using the Reimbursement Authority process to expedite the processing of this Permit Amendment Application if the completion date of the permit expires within 6 months of the date of filing this application.

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

Prior to Department approval of the permit amendment, 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 permit 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: <u>Silverton Appeal Tribune</u>



N	I (we) affirm that the informatio	n contained in this application is true and	d accurate.	
	Tyle huenze	THER KNENZI, GM	07-12-202	.1
*	Applicant Signature	Print Name and title if applicable	Date	
				RECEIVED
	Applicant Signature	Print Name and title if applicable	Date	

#### Check one of the following:

The applicant is responsible for completion of change(s). Notices and correspondence should WRD continue to be sent to the applicant.

The permit holder(s) of record will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to the permit holder(s) of record.

#### Check the appropriate box, if applicable:

Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME NA	ADDRESS	
СІТУ	STATE	ZIP

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

ENTITY NAME NA	ADDRESS				
СІТҮ	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 or used.

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

ENTITY NAME	ADDRESS				
СІТҮ	STATE	ZIP			

13783

JUL 3 0 2021

#### Part 5 of 5 - Water Use Permit Information

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

JUL 3 0 2021

OWRD

#### PERMIT # G-15195

#### Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA) (Note: If the POD/POA name is not specified in the permit, assign it a name or number here.)

POD/PO A Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L)	Т	wp	F	Rng	Sec	1/4	· 1⁄4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	Authorized	MARI 20055	7	s	2	w	27	NW	sw	TL 101	2,250 feet north and 750 feet east from the SW corner, Section 27.
Well 2	Authorized Proposed	NA	7	s	2	w	28	SE	SE	Lot 6	500 feet north and 600 feet west from the SW corner, Section 27.
Well 2	Authorized Proposed	MARI 17377	7	S	2	w	27	SE	sw	Lot 2	725 feet north and 1,880 feet east from the SW corner, section 27.
Well 3	Authorized Proposed	MARI 17185, 17201, 50696	7	s	2	w	27	SE	sw	Lot 2	787 feet north and 1,360 feet east from the SW corner, Section 27.
Well 4	Authorized Proposed	MARI 7773	7	S	2	w	27	NE	NW	TL 1400	725 feet south and 1,350 feet east from the NW corner, Section 27.
Well 5	Authorized Proposed	MARI 9244	7	s	2	w	28	SE	SE	Lot 6	367 feet north and 166 feet west from the SW corner, Section 27.
Well 6	Authorized Proposed	MARI 62761	7	S	2	w	27	SE	sw	Lot 2	830 feet north and 2,640 feet west from the NE corner, section 34.
Well 7	Authorized Proposed	MARI 7764, 7758	7	s	2	w	27	NW	sw	TL 1000	1,380 feet north and 2,100 feet east from the NW corner, DLC 44.
Well 8	Authorized Proposed	MARI 7781	7	s	2	w	27	SE	sw	Lot 2	400 feet north and 1700 feet east from the SW corner, section 27.
Well 9	Authorized Proposed	NA	7	S	2	w	28	sw	SE	DLC 81	625 feet north and 1,910 feet west from the SE corner, section 28.

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

- Place of Use (POU)

 $\boxtimes$ 

- Point of Diversion (POD)

Point of Appropriation/Well (POA)

- Additional Point of Diversion (APOD)
- X Additional Point of Appropriation (APOA)
  - Surface water POD to Ground Water POA (SW/GW)

### Will all of the proposed changes affect the entire water use permits 7 8 3

Complete only the proposed ("to" lands) section of Table 2 on the next page. Use the X Yes "CODES" listed above to describe the proposed changes.

No Complete all of Table 2 to describe the portion of the permit to be changed.

#### For a change in place of use: NA

Does the permit holder of record own or control the land TO which the place of use is being moved?

If NO, the landowner of the land TO which the place of use is being **moved must be assigned to the permit** as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

#### Is the proposed place of use contiguous to the authorized place of use? 🗌 Yes 🗌 No

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

RECEIVED

JUL 30 2021

OWRD

#### 13783 -=

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 Use Permit # G-15191

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

	listing	g that a	appears o	n the c CHA	ertific NGES		lands) RE PROPC will be chan		Proposed Changes (see			]	The	listir			ld appear			ands) OSED CHANGE	S
Twp	Rng	Sec	V4 V4	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	"CODES" from previous page)	Tv	vp	R	ng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date
									АРОА, РОА	7	s	2	w	27	NE	NW	1400	NA	6.4	Authorized Wells 1,3,4,5 and proposed Wells 2,6,7,8,9	June 27, 2001
									APOA, POA	7	s	2	w	27	NW	NW	1600	NA	7.6	Authorized Wells 1,3,4,5 and proposed Wells 2,6,7,8,9	June 27, 2001
									APOA, POA	7	s	2	w	27	sw	NW	2000	NA	26.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,7,8,9	June 27, 2001
310	TE .								APOA, POA	7	s	2	w	27	SE	NW	1000, 2000	NA	23.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,7,8,9	June 27 2001
-0	9								APOA, POA	7	s	2	w	27	NE	sw	101, 500, 600, 900, 1000		33.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,7,8,9	June 27 2001
	1								APOA, POA	7	s	2	w	27	NW	sw	101, 300 500, 1000	NA	36.1	Authorized Wells 1,3,4,5 and proposed Wells 2,6,7,8,9	June 27 2001

RECEIVED

Revised 2/11/2019

OWRD

	APOA, POA	7	s	2	w	27	sw	sw	100, 300, 500, 1000	Lot 1	25.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,7,8,9	June 27, 2001
	APOA, POA	7	s	2	w	27	SE	sw	500, 600, 900	Lot 2	35.0	Authorized Wells 1,3,4,5 and proposed Wells 2,6,7,8,9	June 27, 2001
	APOA, POA	7	s	2	w	28	NE	SE	700, 800, 900, 1000	NA	14.6	Authorized Wells 1,3,4,5 and proposed Wells 2,6,7,8,9	June 27, 2001
	APOA, POA	7	s	2	w	28	NW	SE	700, 800	Lot 4	9.9	Authorized Wells 1,3,4,5 and proposed Wells 2,6,7,8,9	June 27, 2001
	APOA, POA	7	s	2	w	28	sw	SE	700	Lot 5	5.5	Authorized Wells 1,3,4,5 and proposed Wells 2,6,7,8,9	June 27, 2001
	APOA, POA	7	s	2	w	28	sw	SE	700	DLC 81	7.9	Authorized Wells 1,3,4,5and proposed Wells 2,6,7,8,9	June 27, 2001
	APOA, POA	7	s	2	w	28	SE	SE	900, 1000	Lot 6	30.8	Authorized Wells 1,3,4,5 and proposed Wells 2,6,7,8,9	June 27, 2001
TOTAL ACRES					1			TC	TAL ACE	RES	260.8		

Additional remarks: The new proposed Well 2 (MARI 17377) is a change in location only (POA). The permittee has recorded the water levels and water use for MARI 17377. This permit amendment corrects the location and adds the additional wells (APOA), Wells 6, 7, 8 and 9.

378

co

JUL 3 0 2021

OWRD

#### Permit # G-15191

RECEIVED

## Are there other water rights certificates, water use permits or ground water registrations associated with the "from" or "to" lands? $\Box$ Yes $\Box$ No $\boxtimes$ NA

If YES, list the other certificate, permit, or ground water registration numbers:

If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

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

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and JUL 30 2021 associated with the corresponding well(s) in Table 1 above and on the accompanying application
 Tip: You may search for well logs on the Department's web page at: <a href="http://apps.wrd.state.or.us/apps/gw/well\_log/Default.aspx">http://apps.wrd.state.or.us/apps/gw/well\_log/Default.aspx</a>)

#### 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
Well 1	Yes	MARI 20055			See	Well Log M	ARI 20055			
Authorized Well 2	No	NA			WII	LL NOT BE	DRILLED			TOTAL
Proposed Well 2	Yes	MARI 17377			See	Well Log M	ARI 17377			COMBINED RATE FROM ALL WELLS
Well 3	Yes	MARI 17185, 17201, 50696			See Well L	og MARI 17	185, 17201, 5	0696		NOT LESS THAN FULL RATE OF PERMIT
Well 4	Yes	MARI 7773			See	Well Log M	IARI 7773			
Well 5	Yes	MARI 9244			See	Well Log M	IARI 9244			

13783 TACS

Well 8 Well 9	Yes	MARI 7781 NA	350 feet	10 inch	0 to 200	Well Log M 0 to 30 feet	TBD	NA	Material above hard basalt	THAN FULL RATE OF PERMIT
Well 7	Yes	7764, 7758					1 7764, 7758			RATE FROM ALL WELLS NOT LESS
Well 6	Yes	MARI 62761 MARI				Well Log M				TOTAL COMBINED
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

RECEIVED JUL 3 0 2021 OWRD

## 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

JUL 30 2021

OWRD

Applicant(s): Kuenzi Turf and Nursery c/o Tyler Kuenzi

Mailing Address: 6475 State St.

City: Salem

State: OR

Zip Code: 97301

Daytime Phone: (503) 585-8337

#### 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	1/4 1/4	Tax Lot #	Plan Designation (c.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
<u>7S</u>	<u>2W</u>	27		900	EFU	Diverted	Conveyed	🖾 Used	Nursery
<u>75</u>	<u>2W</u>	27		1000	EFU	Diverted	Conveyed	🛛 Used	Nursery
<u>75</u>	<u>2W</u>	<u>27B</u>		1400	EFU	Diverted	Conveyed	🛛 Used	Nursery
<u>75</u>	<u>2W</u>	<u>27B</u>		1600	EFU	Diverted	Conveyed	🖾 Used	Nursery
<u>75</u>	<u>2W</u>	<u>27B</u>		2000	EFU	Diverted	Conveyed	🖾 Used	Nursery
<u>7S</u>	<u>2W</u>	<u>27C</u>	1	100	EFU	Diverted	Conveyed	🖾 Used	Nursery
<u>75</u>	<u>2W</u>	<u>27C</u>		101	EFU	Diverted	Conveyed	🖾 Used	Nursery
<u>75</u>	<u>2W</u>	<u>27C</u>		300	EFU	Diverted	Conveyed	🛛 Used	Nursery
<u>75</u>	<u>2W</u>	<u>27C</u>		500	EFU	Diverted	Conveyed	🛛 Used	Nursery
<u>7S</u>	<u>2W</u>	<u>27C</u>		600	EFU	Diverted	Conveyed	🖾 Used	Nursery
<u>75</u>	<u>2W</u>	<u>28D</u>		700	EFU	Diverted	Conveyed	🛛 Used	Nursery
<u>7S</u>	<u>2W</u>	<u>28D</u>		800	EFU	Diverted	Conveyed	🛛 Used	Nursery
<u>75</u>	<u>2W</u>	<u>28D</u>		900	EFU	Diverted	Conveyed	🖾 Used	Nursery
<u>75</u>	<u>2W</u>	<u>28D</u>		1000	EFU	Diverted	Conveyed	🖾 Used	Nursery

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 Permit to Use or Stor Limited Water Use L	e Water	the Water Resources Depar Water Right Transfer Allocation of Conserved W	Perm	nit Amendment or C nange of Water	Fround Water Registration Mod	fication
Source of water: Res	ervoir/Pond	Ground Water	Surface Water	(name)		
Estimated quantity of wa	ater needed:	<u>2.57</u> ⊠ cubic fee	t per second [	gallons per minu	ite acre-feet	
Intended and or	Irrigation		Industrial	Domestic	c for household(s)	
Revised 2/8/2010		Land Use Inform	nation Form - Page 2	of 4		WR / FS

Briefly describe:

This Land Use Information Form is to accompany a permit amendment application that proposes to Change the location of a point of appropriation (well) and to add additional points of appropriations (wells) for an existing water right Permit G-15191.

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.  $\rightarrow$ 

JUL 3 0 2021

Po

OWRD

#### RECEIVED

JUL 30 2021

#### For Local Government Use Only

#### OWRD

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): Chapter 17.136
- 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:
permisi		Obtained Denied	Being Pursued Not Being Pursued
		Obtained     Denied	Being Pursued Not Being Pursued
		Obtained     Denied	Being Pursued     Not Being Pursued
		Obtained Denied	Being Pursued Not Being Pursued
		Denied	Being Pursued     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: Lindsey King, CFM

Title: Associate Planner

Signature: Lindsey King	Phone: 503-566-4162	Date: 07/22/2021
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: Pag: 7 8 3

A maliaant name



STATE ENGINEER 778 Well Record	STATE WELL NO. 7/2W - COUNTY MARION APPLICATION-NO. GR-20
	R. R. 5 Box 755
OWNER: Elmer E. Bolz ADDRESS: CITY AND	
LOCATION OF WELL: Owner's No#1	
SE 1/4 SW 1/4 Sec. 27 T. 7 S. R. 2 W., W.M.	
Bearing and distance from section or subdivision	
corner1700' E. and 400' N.	
·	
Altitude at well	
TYPE OF WELL: Drilled Date Constructed 1952	
Depth drilled Depth cased	Section
CASING RECORD:	
	RECEIVED
8-inch	
	JUL 30 2021
FINISH:	OWRD
	Othe
A OTTUBED S.	
AQUIFERS:	
WATER LEVEL: 20-feet	
PUMPING EQUIPMENT: Type Jacuzzi Turbine Capacity 130 G.P.M.	H.P. 10
WELL TESTS: Drawdown ft. after hours	ping 130 at 100feet
Drawdown	
Diawuown	and the second
	°F, 1
USE OF WATER Irrigation Temp.	
USE OF WATER Irrigation Temp. SOURCE OF INFORMATION CR-1968 DRILLER or DIGGER R. Stadeli & Sons, Rt. 3, <sup>B</sup> ox 3	177-A, Silverton, Oregon

	STATE OF OREGON OVER THE COUNTER	PHI PA				
	BECEIVED.SU	VFRMAR	1 main	1-1-	DR	-
.1	STATE OF OREGON OVER THE COUNTER	2mm	075/0	LW A	TOC	•
16	WATER SUPPLY WELL REPORT	1995 acos	5	133	00	1
	(as required by ORS 537.765) "VATER RES(	ILIPORD DO	(START CARD) #_	###		page
	Instructions for completing this report are on the last page of this form-	UNCES DEL				
	(1) OWNER: Well Number	(9) LOCATION OF	WELL by legal descr	iption:		
	Name Kyenzi Turf + Nursery	County Marior	Latitude	Lo	ngitude	
	Address 6500 State St.	Township 7-S	N or S Range Z	-w	E or	W. WM.
	City Salem State OR Zip 9730.		Su 1/4			
	(2) TYPE OF WORK	Tax Lovolou L	otBlock	the second se	ubdivision	
	New Well Deepening Alteration (repair/recondition) Abandonment	Street Address of Well	(or nearest address) 6	525	State	e of
	(3) DRILL METHOD:	Salem C	DR			
	Rotary Air Rotary Mud Cable Auger	(10) STATIC WATER			~	17 0 12
	Other		w land surface.		· · · · · · · · · · · · · · · · · · ·	12-95
	(4) PROPOSED USE:	Artesian pressure	lb. per square	inch. I	<b>MECI</b>	EIVED
	Domestic Community Industrial XIrrigation	(11) WATER BEARD	NG ZONES:			
	Themal Injection Livestock Other	Depth at which water was	······································		JUL 3	0 2021
0	(5) BORE HOLE CONSTRUCTION: Special Construction approval ☐ Yes ⊠No Depth of Completed Well 415 ft.	Depth at which water was	first found 19			
	Explosives used Yes XNo Type Amount	From	To	Estimated	I Flow Rau	SWL
	HOLE SEAL	46	the second se	ased a		mu
	Diameter From To Material From To Sacks or pounds	64	114	50+	And thinks on the second second	45
	14in 0 29 cement 0 29 35 + bentonit	t				
-	10in 29 172	183	415	350	+	72
	8in 172 415					
×	149 172 cement 149 172 9 Sacks	(12) WELL LOG:	•			
	How was seal placed: Method A B C D E	Ground	Elevation			
	Other			-		C NI
	Backfill placed fromft. toft. Material Gravel placed fromft. toft. Size of gravel	Top Soil		From	To J	SWL
	Gravel placed fromft. toft. Size of gravel(6) CASING/LINER:	Brown Silt		03	16	
	Diameter From To Gauge Steel Plastic Welded Threaded	Brown Stick		16	43	
	Casing: 10in +1 162 250 1	Brown Sandy		43	64	3
			gravel	64	87	45
	8 in 147 172.250 R C R	Tight . Sand		87	114	45
		Red Lubite				
	Liner: 7in 00164 415 181 18 0 0	Small grave	el ·	114	151	
		Broken Sand	stone + clay	151	1.0-	
0	Final location of shoe(s) <u>162</u> (7) PERFORATIONS/SCREENS:	layers with	Small gravel		157	
		Broken Sand	Listone	157	162	
	Perforations Method Torch	Broken aray	basalt	162	183	72
	Slot Tele/plpe	Hand aray b	a salt with	res		14
	From To Isize Number Diameter size Casing Liner 195 200 9×8 12 7in 00	Small Seams	of sandstine	194	217	
0	217 238 1/4×8 15 7in 00 0 K	Broken brou	in + black busu	4217	238	72
	250 345 14×8 180 7in 00	Hard gray	basalt	238	267	
	374 385 1428 27 7in.00 . R.	Braken gray x	brown basalt	267	345	72
3	393 410 14×8 12 7in OD.	Hand gray b	usatt	345	374	
	(a) TURN I INCOMO, Minimum Anatime Almente 1 hours	Deep	age #2	.a	2 4/	
	(8) WELL TESTS: Minimum testing time is 1 hour	(unbonded) Water Well C	Complete Constructor Cortification	The second second	L-15	·····
	Flowing Pump Bailer Air Artesian		performed on the constru		tion or sha	indonment
	Yield gal/min Drawdown Drill stem at Time	of this well is in compliance	e with Oregon water sup	ply well con	struction st	landards.
	350 90 ft. Efter.	Materials used and informa and belief.	uon reported above are t	rue to the be	est of my kr	lowledge
		New	DVIII	WWC Num	iber 17	5
		Signed 11C	Smith		Date	
	Temperature of water 55 Depth Artesian Flow Found	(bonded) Water Well Cor	structor Certification:		-	
	Was a water analysis done? Yes By whom	I accept responsibility f	or the construction, altern	tion, or aba	ndonment v	work
	Did any strata contain water not suitable for intended use?  Too little	performed on this well dur performed during this time	is in compliance with O	magon water	ennaly wel	1
	Salty Muddy Odor Colored Other	construction standards. Th	is report is true to the be	st of my kno	wledge and	d belief.
	Depth of strata: 13 10	2 PA 11	20~	WWC Nun	aber 127	13
		Signed Floyd	Supp		Date 9-1	2-95
	ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SEC	COND COPY-CONSTRU	JCTOR / THIRD CO	PY-CUST	OMER	

- RECEIVED	RECEIVED
STATE OF OREGON OVER THE COUNTER	OCT 1 ? 1995 OCT 1 ? 1995 MATER RESOURCES DEP MATER RESOURCES DEP MATER RESOURCES DEP
WATER SUPPLY WELL REPORT	OCT 1 1995
(as required by ORS 537.765)	UUT 1 (JOTSTART CARD) # Dege
Instructions for completing this report are on the last page of this form.	MATER RESOURCES DE
(I) OWNER: Well Number	(9) EFAINI WITTELED OF TEBET GEOCTIPTION
Name Kuenzi Turf + Nursery	County Marien Latitude Longitude
Address 6500 State St.	Township 7-5 N or S Range 2-W E or W. W. Section 27 SW 1/4 NW 1/4
City Salem State OR Zip 97301 (2) TYPE OF WORK	Tax Low 0/00 Lot Block Subdivision
New Well Deepening Alteration (repair/recondition) Abandonment	Street Address of Well (or nearest address) 6525 State St.
(3) DRILL METHOD:	Solem. OK.
Rotary Air Rotary Mud Cable Auger	(10) STATIC WATER LEVEL:
Other	72 ft. below land surface Date
(4) PROPOSED USE:	Artesian pressure Ib. per square inch. Date
Domestic Community Industrial Irrigation	(11) WATER BEARING ZONES:
Thermal Injection Livestock Other     (5) BORE HOLE CONSTRUCTION:	Depth at which water was first found
Special Construction approval Yes No Depth of Completed Wellft.	weben er seuten auch alls frid south
Explosives used Yes No Type Amount	From To Estimated Flow Rate S
HOLE SEAL	RECEIVED
Diameter From To Material From To Sacks or pounds	
	JUL 30 2021
	(12) WELL LOG:
How was seal placed: Method A B C D E	(12) WELL LOG: Ground Elevation OWRD
Other	
Backfill placed fromft. toft. Material	Material From To SWI Broken gray baselt 374 376 72
Gravel placed from ft. Size of gravel (6) CASING/LINER:	Broken gray basalt 374 376 72 Hard anay basalt 376 383
Diameter From To Gauge Steel Plastic Welded Threaded	Broken basalt black 383 385 73
Casing:	Hard black basalt 385 393
	Broken black basalt 393 395 72
	Hard black busalt 395407
Liner:	Broken black basalt 40741173 Hard Gray basalt 411415
	Hard Gray baseld 411 415
Final location of shoe(s)	
(7) PERFORATIONS/SCREENS:	
Perforations Method	
Screens Type Material	
From To size Number Diameter size Casing Liner	
	7.000
	Date started 7-25-95 Completed 9-12-95
Plowing	(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonm
Pump Bailer Air Artesian Yield gal/min Drawdown Drill stem at Time	of this well is in compliance with Oregon water supply well construction standard
Ticla garmin Drawdown Drimoten at Time	Materials used and information reported above are true to the best of my knowledg and belief.
	Aline WWC Number 175
	Signed MMy Omuto Date
	(bonded) Water Well Constructor Cogification:
Was a water analysis done? Yes By whom	I auccorreston this well-during the construction dates reported above. All work
Did any state contain which hot authore for intended user	performed during this time is in compliance with Oregon water supply well
Salty Muddy Odor Colored Other	construction standards. This report is true to the best of my knowledge and belief.
Death of stratat	40 1010 WWC Number 275
Depth of strata:	Signed Flogen I. Seppe. Date 9-12-

			RECEN	/ED ···			
	Celline				- (- 1-		n. ·
STATE OF OREGON	MARPHE	ELIVE	D JUL 30	2021 7	Slaula	1CC	<u></u>
WATER WELL REP (as required by ORS 537.3	ORT ST			START CARD) #	7631	5357	
Warner and a second and a second and a second		JUL 3 0 1991	L'ON LOCHE	OF WELL by l	egal descrip	tion:	
(1) OWNER: Name Clarence	Gie tamazon	mber:	(9) LUCATION	A Latitude	Longitu	de	
Address. 6845 St	rate St. SA	LEM ORFAC	DEPTity Mario	Nor S, Range_2	W	_E or W	. WM. ,
City Salem	State OR	1 2109 7307	Section _21	SW 1	500 %		
(2) TYPE OF WORK:	No. of the second se		Tax Lot	Lot Bloc	same Sub	division_	2/
X New Well Deepen	Recondition	Abandon	Street Address of W	Fell (or nearest address) _	Jaine	14.5	_
(3) DRILL METHOD			(10) STATIC V	VATER LEVEL		THE REAL	•
Rotary Air Rotary M     Other		-		below land surface.	Date	7-2	8-91
(4) PROPOSED USE	:			lb. per squ			-
Domestic Community	y 🔲 Industrial 🛛 🕅 Irrig	ation		EARING ZONE			
Thermal Injection			Depth at which water wa		1		
(5) BORE HOLE CON	NSTRUCTION:	lated Wall 230	From	То	Estimated Flo	w Rate	SWL
Special Construction approval Yo Yes No		içieu nen <b>sa c</b> in	15		Cased	,ff	12
Explosives used 🗆 🔀 Ty	Amount		58	160	200 1		51
HOLE Diameter From To M	SEAL faterial From To	Amount sacks or pounds					
12 0 35 Cer			(12) WELL LO	G:		•	
8 35 230				Giodidelevati	From	To	SWL
0 00 000			Soil	Material	0	3	SHE
How was seal placed: Method		E ·	Brown C	lav	3	12	
0ther	26 41		Sandy hon		12	15	12'
Backfill placed from <u>35</u> ft. to Gravel placed fromft. to				lay	15	21	
(6) CASING/LINER:			Tan clay	+ gravel		58	
Diameter From 7	To Gauge   Steel Plastic	Welded Threaded	loose grac	rel with cla	y 58	70	51
Casing: 8 + 1.5 19		× C	Sand eg	ravel - clea		82	51
			Brown San		82	132	51
		<u> </u>	Broken Sand	Eavavel with		160	51
Liner:			Gray Clay	Egravel	160	165	
	96.5		Gray Clay	1 + 1 +	165	170	
Final location of shoets)	and the second se		Ling	basalts wit	And and a support of the support of	198	
Perforations Met	thed Mills Knif	e	Weathered	vock	198	204	
Screens Typ			M.M. Market and the second states in the later of the lat	nocle + clay	204	210	
Slot From To Spizet Nu	Tele/pipe mber, Diameter , size	Casing Liner	weathered v gravel	ock - claye	210	230	-
130 160 84 2 4	172 size		gradel		2.0	230	
				**		-	
			Date started 5-28	8-91 Com	pleted 7-2	8-9	1
				Well Constructor Ce		-	
(8) WELL TESTS: M	inimum testing time is	1 hour Flowing	I certify that th	e work I performed o	n the construct		
Pump 🕅 Bailer	Air	Artesian		well is in compliance used and information r			
Yield gal/min Drawdow	n Drill stem at	Time	knowledge and belief.				
60 3 f	<i>t</i> .	1 hr.	Signed	13783	WWC Nu	imber	
				Il Constructor Ocort			
F1	D d d a i D	P	I accept respons	ll Constructor Certi ibility for the constru	ction, alteration	, or aban	Idonment
Temperature of water _37	Depth Artesian Flow Yes By whom	wround	work performed on th	is well during the con ring this time is in	struction dates	reported	above. all
Did any strata contain water not su		'oo little	construction standard	ls. This report is true	to the best of n	ny knowl	edge and
Salty Muddy Odor	Colored Other	* ** *** 5	belief.	1910:0	WWC N		
Depth of strata:			Signed Floga	sippe	Date Z		and the second second
ORIGINAL & FIRST COPY - WA	TER RESOURCES DEPARTS	MENT SECO	ND COPY - CONSTRUCT	OR THIRD CO	PY - CUSTOMEN	r	9809C 3/88

	F	RECEIVED
Alle		NUL 30 2021 75/20127 CC
	(as required by ORS 537.765)	(START CARD) 1 17624
	(1) OWNER:	(9) LOCATION OF WELL by legal description:
	Address 6845 State St.	County Marion Latitude Longitude Longitude Eor W. WM.
	City Salem State OR Zip 973.01	Section 27 SW 4 SW 4
	(2) TYPE OF WORK:	Tax Lot Block Subdivision Street Address of Well (or nearest address) 6845 State St,
	New Well Deepen Recondition Abandon     (3) DRILL METHOD	Salen Oregon
	Rotary Air Rotary Mud 🔀 Cable	(10) STATIC WATER LEVEL:
	(4) PROPOSED USE:	Arresian tiressure  b, per square inch, Date
	Domestic Community Industrial X Irrigation	Artesian pressure lb. per square inch. Date (11) WATER BEARING ZONES:
	Thermal Injection Other	Depth at which water was first found
0	(5) BORE HOLE CONSTRUCTION: Special Construction approval Yes No Depth of Completed Well 199 ft.	
-	Yes No Z X	45 137 Cased off 42
	HOLE SEAL Amount	
	Diameter From To Material From To sacks or pounds 12 036 Cement 036 21+ bento	n te
-	8 36 179	(12) WELL LOG: Ground elevation
*	10 179 1885 Cement 179 1885 7 Sacks 8 1885 194	Material From To SWL Soil 0 2
	How was seal placed: Method A B B C D E	Brown Clay 26
×	Backfill placed from ft. to ft. Material	Silty brown clay 6 10
	Gravel placed from ft. to ft. Size of gravel	Sticky brown clay 10 23 Tan clay & some gravel 23 40
	(6) CASING/LINER:	Sandy brown days grave 40 55 42
·	Casing 81 +1 1885 250 2 D &	Gravel with clay Binder 55 76 43 Small gravel with clay 76 79
		large grave lots of clay 79 85
		Sand & gravel with clay 85 95 42 loose sand & gravel 95 97 42
	Liner	Tight grave & clay 97 120
-	Final location of short(s)	Lasse grave 1/20 123 45 Clay & grave w/10058 Sears 123 137 42
	(7) PERFORATIONS/SCREENS:	Weathered rock 137 143
-	Perforations Method	Decomposed weathered rock 143 183
-	Slot	Hard black basalt 183 194
	From To size Num Protect V Chir Liner	Well was under-reamed & casing
		driven into hard rock . Well to
	MAR 09 ESI 0	be deepened at a later date,
	WATER RESOURCES DEPT	Date started 12-18-90 Completed 2-5-91
		(unbonded) Water Well Constructor Certification:
	(8) WELL TESTS: Minimum testing time is 1 hour Pump Bailer Air Plowing Artesian	I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction
	Yield gal/min Drawdown Drill stem at Time	standards. Materials used and information reported above are true to my best knowledge and belief.
-	No Test well will the	WWC Number
-	be deepened with Rotary	Signed Date
-	emperature of water Depth Artesian Flow Found	(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment
1	Vas a water analysis done? Yes By whom	work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well
E	Jid any strata contain water not suitable for intended use?     Too little       Salty     Muddy     Odor     Colored     Other	construction standards. This report is true to the best of my knowledge and belief. $P_{1}$ WWC Number $1273$
	Salty Muddy Odor Coored Other	Signed Floyd & Spice Date 2-7-91
		D COPY - CONSTRUCTOR THIRD COPY - CUSTOMER 9809C 3/88

						A PROPERTY OF	1000		
*IU	and the second s		T		-	5/2	al	27	cc.
-	STATE OF OREGON	(MAT)	0Y				-		<u>.</u>
	WATER WELL REPOR (as required by ORS 537.765)				(START CARD) #	23	993.	**	
	(1) OWNER:	Well No	umber:		ON OF WELL by le	gal des	scrip	tion:	
	Name CLARENCE Address 6845 Sta	and the second se		County Mari	On Latitude	Last	ongitud	ie	
		State Orego	n Zip 97301	Township / 27	South Nor S. Range 2 M	SW		_E or V	/, WM.
	(2) TYPE OF WORK:	01000			Lot Block			livision_	
		Recondition	Abandon		Well (or nearest address)				
	(3) DRILL METHOD						oreg	on	
	KRotary Air Rotary Mud	Cable	· · · · ·		WATER LEVEL:			2-15	-91
	(4) PROPOSED USE:				ft. below land surface. e lb. per squa	re inch.	Date		
		Industrial . XX Irr	igation	And and a second s	BEARING ZONE				
	Thermal Injection				was first found		Fee	t	
	(5) BORE HOLE CONS' Special Construction approval Yes	No Depth of Com	leted Well 373 n		To	Estimat	ted Flow	Rate	SWL
V	Yes No Explosives used		- ·	202 Ft	352 Ft	15	GPM		49'
		SEAL Amount							
-		and a second	Amount sacks or pounds						
	Well Deepened Surfac	ce Seal Not Di	sturbed.	(12) WELL L	OG: Ground elevatio	m	-		
	•				Material		From	То	SWL
	How was seal placed: Method A			Black Basa	lt athered Basalt	1	.94	202	
	Backfill placed from ft. to	ft. Material		Broken	atmered babart	2	202	221	
	Gravel placed fromfl. to	ft. Size of gravel			hered Vescular	•			
	(6) CASING/LINER: Diameter From To	Gaura Steel Plastic	Welded Threaded		th <u>Multi-Colore</u> aystones, With	d			
	Casing:				d Layers Of Gra	v			
				& Brown So:			21	352	
				Gray Sandy	Claystones	3	52	373.	49'
	Liner:						-		
	Pirell and a fabricat			RECEN		V			
C. ALA	Final location of shoets1	REENS		RECEN	MAD	1.44			
-	Perforations Method			JUL 30	2021 1148 1 8	\$ 1991			
		Materi	al	001 00	ATER RESOL	RCHS	DE		
	From To Slot	Tele/pipe	Casing Liner	OWE	SALEM, O	REGD	N		
				Date started	2-14-91 Comp	leted	2-15	-91	
:	(O) WELL TEETE, Minin				Well Constructor Cer				
	(8) WELL TESTS: Minin	XXIX <sub>Air</sub>	Flowing	abandonment of th	he work I performed on is well is in compliance	with Ore	egon v	vell con	struction
	Pump Bailer	Drill stem at	Artesian Time	standards. Materials knowledge and belief	used and information re	ported ab	ove ar	e true to	my best
	Yield gal/min Drawdown	370 Ft	1 hr.	into incogo and outer		o ww	/C Nu	mber	1
	1.5.	JIUIL		Signed	1378	J Date	e	-	
				(bonded) Water W	ell Constructor Certifi	cation:			
	Temperature of water	Depth Artesian Flow	w Found	work performed on t	sibility for the construct his well during the const	ruction d	ates re	ported	above all
	And the Article of th	By whom	ha Katla	work performed di	uring this time is in rds. This report is true t	complian	ice wi	th Ore	gon well
I	Did any strata contain water not suitable Salty Muddy Odor Co	lored Other	oo nittie	belief. MONDERS	DRILLING, INC.			nber 13	
	Depth of strata:			Signed <u>J</u> .D	Moncless			0-91	
	PIGINAL & FIRST COPY - WATER	RESOURCES DEPART	MENT SECON	D COPY - CONSTRUCT	TOR THIRD COR	N CHICK	a a series of	-	A DESCRIPTION OF THE OWNER OF THE

		MARLE	0696	L028	56	
V	STATE OF OREGON WATER SUPPLY WELL REPORT (as required by OR\$ 537.765)	MATIC 5069	16	(START CARD) #		
	(1) OWNER: Name Kuenzi Turf		(9) LOCATION OF	VELL by legal desc		
	Address 6500 State St City Salem State OR	Zip 9730	Township 7 - 5 Section 27	N or S Range	2-W E or 1 SW 1/4	V. WM.
	(2) TYPE OF WORK New Well Deepening Alteration (repair/recondition) (3) DRILL METHOD:	Abandonment			Subdivision 6845 State	· st.
	Rotary Air Rotary Mud Cable Auger     Other     (4) PROPOSED USE:		(10) STATIC WATER <u>49</u> fl. belo Artesian pressure	w land surface.	Date <u>7</u> -	A CONTRACTOR OF
	Domestic Community Industrial Irriga Thermal Injection Livestock Othe (5) BORE HOLE CONSTRUCTION:		(11) WATER BEARIN Depth at which water was	NG ZONES:		
)	Special Construction approval X Yes No Depth of Comple Explosives used Yes No Type Amou			To	Estimated Flow Rate	SWL 49
	Diameter From To Material From To S	acks or pounds		79-51	1001	
	Seal was not Distu	Y629	(12) WELL LOG:			
	How was scal placed: Method A B C Other Backfill placed from ft. to ft. Material	DE	Material	Elevation	From To	SWL
	Gravel placed from ft. to ft. Size of gra (6) CASING/LINER: Diameter From To Gauge Steel Plastic W		Bottom o off. Ceme from 315		pumped i	ted n
			the cemer bottom o After see	f the 8	inch tas	ing.
	well Log 0 0		Casing wi		ated an	e d
)	Final location of shoe(s) 7) PERFORATIONS/SCREENS: [Reforations Method Mills Knife		The Specific	al Stand	ands to	
	Screens Type Material From To 3size Number Diameter 95 1/44 8x2 784	Casing Liner	by Rob Ca	ussed & Ap	proved	
)			JUL 30	IVED 101 2021 101 2	6 1996	
				2021 JUL 4		
	(8) WELL TESTS: Minimum testing time is 1 hour	Flowing Artesian	Date started 6-25 (unbonded) Water Well Co I certify that the work I p	erformed on the constru	n: action, alteration, or aband	lonment
	Yield gal/min Drawdown Drill stem at	Time 1 hr.	of this well is in compliance Materials used and informati and belief.	with Oregon water sup ion reported above are t	ply well construction stan true to the best of my know WWC Number	dards. wledge
			Signed		Date	
	Temperature of water       53       Depth Artesian Flow Found         Was a water analysis done?       Yes By whom         Did any strata contain water not suitable for intended use?	Too little	(bonded) Water Well Cons I accept responsibility for performed on this well durin performed during this time i construction standards. This	the construction, alter g the construction date	nion, or abandonment wo s reported above. All wor	k
	Depth of strata:		Signed floyd	1.Sipp	WWC Number <u>127</u> Date <u>7-2</u>	3

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SECOND COPY-CONSTRUCTOR / THIRD COPY-CUSTOMER

	7778		
TO FILE FR	MARI		
The original and first copy of this report are to be	TIL REPORT 7/		27B
The original and first copy of this report are to be filed with the STATE PROUPER CALL OF AWATER WE	F OREGON	ζω	KID.
STATE ENGINEER, SALEM, OREGON \$7310 within 30 days from the date STATE ENGINEERS by of well completion.	pe or print) G-3804 State Permit No.		
(1) OWNER: SALEM URLOS	(11) WELL TESTS: Drawdown is amount lowered below static le	water leve	TTLER
Name EARL. S. DOUGLAS	Was a pump test made? X Yes I No If yes, by whor		IPPLY
Address 6724 FRUITLAND RD. N.F.	<u>Yield: /70 gal./min. with /0 ft. drawdow</u> " 230 " 19 "	m after	/ hrs.
SALEM ORE	" 300 " 19 "		7
(2) LOCATION OF WELL:		wn_after	hrs.
County MARION Driller's well number 14 14 Section 27 T. 75 R. 200 W.M.	Artesian flow g.p.m. Date		
<u>14</u> <u>14</u> Section <u>27</u> T. <u>75</u> R. <u>200</u> W.M. Bearing and distance from section or subdivision corner	Temperature of water 46 Was a chemical analysis		O"
ביישואל שות מואמורכי איטון פריומו אי שואמי איטון ביישואל	(12) WELL LOG: Diameter of well below ca	10	
	Depth drilled / 8/ ft. Depth of completed we		ft.
<u>×</u>	Formation: Describe by color, character, size of materia show thickness of aguifers and the kind and nature of stratum penetrated, with at least one entry for each c	he materi	al in each
	MATERIAL	FROM	TO
(3) TYPE OF WORK (check):	TOPSOIL	O	1
Well & Deepening  Reconditioning Abandon	CLAY BRAY COLOR	1	36
Ir abandonment, describe material and procedure in Item 12.	CLAY BROWN COLOR	36	42
(4) PROPOSED USE (check): (5) TYPE OF WELL:	SAMD- FINE- BROWN-HUDDY CONGLOMERATE - 4'-	451	45
Domestic Industrial Municipal Cable Z Jetted	GRAVEL + CCARSE SHND	49	50
Irrigation Test Well Other Dug Bored	CONGLOMERATE	50	131
(6) CASING INSTALLED: Threaded Welded	CLRY YPLLOW COLOR	131	138
Diam. from it. to ft. Gage	CLAY YELLOW COLOR	138	148
" Diam, from	BRAUEL TSAHD- 12"-	154	156
" Diam. fromft. toft. Gage	CLAY BLUE -	15%	167
(7) PERFORATIONS: Perforated? Yes No	BRSALT WEATHEROD.	167	172
Size of perforations 3 in. by 3 in.	DADALI WEATHERD.	11-	101 .
1050 perforations from 50' ft to 13/ ft.			
130 perforations from 138 ft. to 148 ft. 70 perforations from 153 ft. to 157 ft.	RECEIVED		
perforations from ft. to ft.			•
perforations from ft. to ft.	JUL 30 ZUZI		
(8) SCREENS: Well screen installed?  Yes X No			
Manufacturer's Name	OWRD		
Model No			
Diam.         Slot size         Set from         ft. to         ft.           Diam.         Slot size         Set from         ft. to         ft.	Work started 10-18- 1966 Completed /	1-1-	1966
	Date well drilling machine moved off of well	-1.	1966
(9) CONSTRUCTION:	(13) PUMP:		
ell seal-Material used in seal BENTOHITE	Manufacturer's Name		······ ···
pth of seal tt. Was a packer used? YCS meter of well bore to bottom of seal in.	Type:	I.P	
any loose strata cemented off? I Yes XNo Depth	Water Well Contractor's Certification 378	0	
a drive shoe used? XYes DNo	This well was drilled under my jurisdiction true to the best of my knowledge and belief.	and this	report is
ell gravel packed? Ves X No Size of gravel:	T R. SALOON & Sale		
placed from	NAME J. H. SNEED & SONS (Person, firm or corporation) (Ty Address 3910 SILVERICH R	pe or print	······
water? depth of strata	Address 3910 SILVERTON R	2 SH	LENI OR
't sealing strata off	Drilling Machine Operator's License No.	= 7.	
ATER LEVELS:	D?	••••••	
29' ft. below land surface Date /1-1-66	[Signed]		
sure lbs. per square inch Date	Contractor's License No Date	2.	10.66
(USE ADDITIONAL SI	LEETS IF NECESSARY)		

STATE OF OREGON	RECE	VFD	MRRI	7slaw	28	dd
WATER WELL REPORT (as required by ORS 537.765)	H i fan W fan I	W Rate Bet	(START GAND) #_	17639		
(1) OWNER:	Well Number:	(9) LOCATI	ON OF WELL by I	legal descrip	tion:	
Name Myron Kuenzi Address 6500 State St.	WATER RESOU	HCES ment	S Nor S, Range 2	Longitu	E or W	WM.
	OR SALEM, OF	Section _2.8	SE 4	<u>55 14</u>		
(2) TYPE OF WORK:		Tax Lot	Lot Bloc	sub	division_	CI NI
K New Well Deepen Recondition	Abandon	Street Address of Salem	of Well (or nearest address)	6475 51	are	ST. N
(3) DRILL METHOD						
K Rotary Air Rotary Mud X Cable		110	WATER LEVEL		8-1	6-90
(4) PROPOSED USE:		and the second se	ft. below land surface. e lb. per squ	and the second second	Steers - State	0 10
Domestic <sup>L</sup> Community Industrial	X Irrigation		BEARING ZONE			
Thermal Injection Other				35.		
(5) BORE HOLE CONSTRUCTION	V: Fac	Depth at which water		Estimated Flo	- Data	SWL
Special Construction approval Yes No Depth Yes No 🗆 🔯	of Completed Well 52.5 ft.	From 219	To 525	40 apr		48
	Amount	AL1_	323	To apr	0 p.	10
HOLE SEAL	Amount				5.48.29	
Diameter From To Material From 12 0 30 Cement 0	To sacks or pounds					
		(12) WELL L	OG: Ground elevat	ion		
8 35 220			Material	From	To	SWL
61/2 229525		Soil		0	2.5	
How was seal placed: Method A B M C			ilty clay	2.5	19	
Backfill placed from ft. to ft. Mate	rial	Green C	1 and account	23	28	
	of gravel		ilty clay	28	32	
(6) CASING/LINER:		Green	clay	32	40	
Casing 8 + 219 .250			rown clay	40	45	
			ay w/ sand's	Eans 45	56	291
			mented grav		0.	AT I
		with lo	258 seams	65	80	29'
Liner:		Brown c	lay & grave	1 80	85	
Final location of shoe(s) 219 ft.		Fight - la Gravel +	hraun cla		92	30'
(7) PERFORATIONS/SCREENS:		Decompose	the second se		105	
Perforations Method None		clay		105	120	
Screens Type	Material	Slightly	weathered	Contraction of the second seco	127	
	le/pipe size Casing Liner	Decom pose	d poselt + de	Charles and a second se	120	
From To size Number Diameter		Blue clay	ay sticky	127	138	
		Dark brow	n clay with le	ayers	120	
	0	of red +		1 156	178	
	*		1 1			
		Date started 6 - 3	10- 40 Com	pleted 8-16	- 91	0
(8) WELL TESTS: Minimum testing t		(unbonded) Water	Well Constructor Cen	rtification:		
	Flowing	abandonment of th	the work I performed on is well is in compliance	n the constructi	on, alter	ation, or
	Artesian	standards. Materials knowledge and belie	s used and information r	eported above an	e true to	my best
Yield gal/min Drawdown Drill stem		knowledge and belie	RECEIVE	WWCNu	mher	
40gpm 6/5	1 hr.	Signed	13.8	3_ Date		
Air tests may fluctua	te	(bonded) Water W	ell Constructor Certif	fication:		
	sian Flow Found	I accept respon	sibility for the construct	ction, alteration.	or aban	donment
Was a water analysis done?  Yes By whom		work performed d	this well during this time is in	compliance w	ith Ore	ron well
Did any strata contain water not suitable for intended use?		construction standa	rds. This report is true	to the best of m	y knowl	edge and
Salty Muddy Odor Colored Other		belief. Lo	190.)	WWC Nu	mber LZ	173
Depth of strata:		Signed Floye	sppe	Date _&	-25-	90
ORIGINAL & FIRST COPY - WATER RESOURCES D	EPARTMENT SECON	D COPY - CONSTRUC	TOR THIRD CON	PY - CUSTOMER	1	88/6 De08e

	EPORT			TR 0 E 4000		17179		
(as required by ORS 53	7.765)				START CARD) #	and the second se		
(1) OWNER:		Well Nur	aber	ESOURCES	OF WELL by l	egal descrip	otion:	
Name Myron K Address 6500 Sto			SAL	EM OPE	Latitude	Longitu	de	
City Salem	ate st.	te OR	Zip	EM, OHE Township	N or S, Range		E or W	, WM
(2) TYPE OF WOR		-01			¼		division	
New Well Deepen			Abandon		Vell (or nearest address) _		division_	
(3) DRILL METHO	the second s	011 0 1	TOEIIdon					
Rotary Air Rotary	Carls and a second second	le		(10) STATIC V	VATER LEVEL	:		
Other					below land surface.			
(4) PROPOSED US	E:			Artesian pressure _	lb. per squ	are inch. Date		_
	nity 🗌 Industrial	Irrig	ation	(11) WATER B	BEARING ZONE	S:		
Thermal Injection	A COMPANY OF THE OWNER OF			Depth at which water wa	a first found			
(5) BORE HOLE CO Special Construction approval			eted Well ft.	From	То	Estimated Flo	w Rate	SV
Yes No								
Explosives used	Туре	Amount						
HOLE Diameter From To	SEAL Material Fr	om To	Amount sacks or pounds					-
Diamotor From 10	Material Fi	10	stoks or pounds					-
				(12) WELL LO	G: Ground elevati	on		
					Material	From	To	SV
How was seal placed: Method					ticky clay	178	198	
How was seal placed: Method				Clay stone			232	
Backfill placed from ft	L to ft. ]	Material			y clay ston loved Seam		315	
Gravel placed fromft		Size of gravel			- Sandy	315		
(6) CASING/LINE	R:			Gray Sand	store - Har			
Diameter From		-		+ Soft lay	ers with			
Casing:		Taxa and the second		Interbedded	layers a	396	510	
				Lime Sten		>1+	510	
		and the second se		Gray Sana	Istone	510	525	
Liner:							100	
Final location of shoe(s)								
(7) PERFORATION	And the state of the second second second							
	Method				RECEIVED			
Screens 7 Slot	Гуре							-
	Number, Diameter	Tele/pipe sizo	Casing Liner		JUL 30 2021			
					OWRD			
					COULD			-
				Date started	0	oleted		-
	Minimum testi	ng time is	1 hour		Vell Constructor Cer work I performed on		m alter	
(8) WELL TESTS: 1		and the second se	Flowing Artesian	abandonment of this	well is in compliance	with Oregon y	vell cons	truct
			Time	standards. Materials u knowledge and belief.	sed and information re	eported above ar	e true to	my h
Pump D Bail			* 1110		1080-	WWC Nu	mber	
		tem at	1 hr		19/00		and the second se	
Pump D Bail			1 hr.	Signed	13783	Date		
Pump D Bail			1 hr.			and a second second second		
Pump Bail Yield gal/min Drawdo	own Drills		1 hr.	(bonded) Water Wel I accept responsi	Constructor Certif	ication: tion, alteration	or abanc	lonm
Pump Bail Yield gal/min Drawdo	own Drills	Artesian Flow	Found	(bonded) Water Wel I accept responsi work performed on thi work performed duri	l Constructor Certif bility for the construct is well during the const ing this time is in	ication: tion, alteration, truction dates re	or abanc ported a	bove.
Pump Bail Yield gal/min Drawdo	own Drills	Artesian Flow	Found	(bonded) Water Wel I accept responsi	l Constructor Certif bility for the construct is well during the const ing this time is in	ication: tion, alteration, truction dates re	or abanc ported a	bove.

MAREE	<b>E76</b> 2D	
STATE OF OREGON JUL 3 WATER SUPPLY WELL REPORT (as required by ORS 537.765 & OAR 690-205-0210)	<b>WELL LABEL # L</b> 100524 START CARD # 204894	
	VRD START CARD # 204634	
(1) LAND OWNER Owner Well LD.	(9) LOCATION OF WELL (legal description	
First Name Myron Last Name Kuenzi	County MARION Imp	ange 2 W E/W WM Tax Lot 900
Company Address 6500 State Street	Dec 21 02	Lot
City Salem State OR Zip 97301	Lat " or	DMS or DD DMS or DD
(2) TYPE OF WORK New Well Deepening Conversion	Long or or or (  Street address of well C Nearest address of well C Near	
(3) DRILL METHOD Rotary Air Rotary Mud Cable Auger Cable Mud	6955 State Street Salem OR (10) STATIC WATER LEVEL Date SW	/L(psi) + SWL(ft)
Reverse Rotary Other	Existing Well / Predeepening	/L(psi) / SwL(it)
(4) PROPOSED USE Domestic Industrial/ Community	Completed Well 11-05-2009 Flowing Artesian?	/ Hole?
(5) BORE HOLE CONSTRUCTION Special Standard Attach copy	the second se	SWL(psi) + SWL(ft)
Depth of Completed Well 220 ft.	10-27-2009 19 26	7
BORE HOLE SEAL sacks/ Dia From To Material From To Amt lbs	11-05-2009 54 218 300	
Dia         From         To         Material         From         10         Annt         Ips           14         0         22         Cement         0         38         24         S		
12         22         38           9.62         38         201		
6.5 201 220	(11) WELL LOG Ground Elevation	
How was seal placed: Method A B C D E	Material Top soil	From To
Other Backfill placed from 38 ft. to 54 ft. Material Cement 3 Sacks	Silty brown clay	3 14
Backfill placed from         38         ft. to         54         ft. Material         Cement 3 Sacks           Filter pack from         ft. to         ft. Material         Size	Brown clay	14 19 19 25
Explosives used: Yes Type Amount	Tan clay and medium to large gravel Sand with tan and brown clay and gravel	25 26
(6) CASING/LINER	Brown and tan clay firm	26 54
Casing Liner Dia + From To Gauge Sti Piste Wid Ihrd	Tight brown and gray sandy gravel Sandy brown clay and large gravel	54 115 115 124
	Black sand and gravel ( ash ) muddy water	124 143
	Sandy brown clay and gravel muddy water Loose brown and gray sand and gravel	143 157 157 162
	Tight brown and gray gravel	162 166
	Porous basalt chips with soft sandy clay seams	<u>166 172</u> 172 186
Shoe Inside Outside Other Location of shoe(s) 201	Gray and brown clay very sandy with large gravel Dark brown basalt with blue gray clay some gravel	172 186 · 186 200
Temp casing Yes Dia From To	Very weathered brown basalt	200 218
(7) PERFORATIONS/SCREENS Perforations Method Holte	Dark gray basalt	218 220
Screens Type Material		
Perf/S Casing/ Screen Scm/slot Slot # of Tele/ creen Liner Dia From To width length slots pipe size		11-05-2009
Perf         Casing         8         150         170         .2         1         1,000           Perf         Casing         8         180         190         .2         1         400	(unbonded) Water Well Constructor Certification I certify that the work I performed on the construct	
Perf Casing 8 180 190 .2 1 400	abandonment of this well is in compliance with	Oregon water supply well
	construction standards. Materials used and informat the best of my knowledge and belief.	ion reported above are true to
TO NUCL TROTE Minimum testing time is 1 hour		1-09-2009
(8) WELL TESTS: Minimum testing time is 1 hour	Password : (if filing Decironically)	
Pump         Bailer         Air         Flowing Artesian           Yield gal/min         Drawdown         Drill stem/Pump depth         Duration (hr)	Signed	
300 200 6	(bonded) Water Well Constructor Certification	
	I accept responsibility for the construction, deepen	
Temperature 54 +/- °F Lab analysis Yes By	work performed on this well during the construction performed during this time is in compliance wit	h Oregon water supply we
Water quality concerns? Yes (describe below)	construction standards. This report is trie to the Zes	fing knowledge and belief.
From To Description Amount Units	License Number 273 Date 11	-09-2009
	Password : (if flight electronically)	· · · · · · · · · · · · · · · · · · ·
RECEIVED	Contact Into (optional)	
ORIGINAL - WATER RESOURCES	DEPARTMENT	

THIS REPORT MUST BE SUBMITTED TO IN TO US RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version: 0.95

NOTICE TO WATER WELL CONTRACTOR The original and first copy of this report	L REPORT EIVED	1-	1-	
water resources department,	OREGON State Well No.		fac	Naby
SALEM, OREGON 97310 ACTI (Please type		ro. <u>G-</u>	1566	
of well completion. ARI 57.50 Do not write an	BALEIN CLEON			
(1) OWNER:	(10) LOCATION OF WELL:			
Name Mike Gene, and	County Marion Driller's well m	umber	1.	
Address 16335 toulland 15 The	14 14 Section 27 T. 7.8	R. 2	w	<u>W.M.</u>
(2) TYPE OF WORK (check):	Bearing and distance from section or subdivisi	on corne	r	
New Well Deepening Reconditioning Abandon				
If abandonment, describe material and procedure in Item 12.	(11) WATER LEVEL: Completed w	ell.		
(3) TYPE OF WELL: (4) PROPOSED USE (check):	Depth at which water was first found			1t
Rotary Driven Domestic Industrial Municipal	Static level 39 ft. below land :	urface.	Date 4	-8-77
Cable Jetted Dug Bored . Irrigation Test Well Other	Artesian pressure lbs. per squar	e inch.	Date	
CASING INSTALLED: Threaded Welded	(12) WELL LOG: Diameter of well 1		1	
". Diam. from ft. to ft. Gage	(12) WELL LOG: Diameter of well 1 Depth drilled F60 ft. Depth of compl			
	Formation: Describe color, texture, grain size	a service and the service of the		the second s
"Diam. from ft. to ft. Gage	and show thickness and nature of each stratu with at least one entry for each change of forma	m and ad	quifer pe	netrated,
PERFORATIONS: Perforated? Ves No.	position of Static Water Level and indicate prin	cipal wat	er-bearin	g strata.
Type of perforator used	MATERIAL	From	To	SWL
Size of perforations in. by in.	Stoken Baselt	240	275	
perforations from ft. to ft.	Ba PA	775	290	· ·
perforations fromft. toft.	1940-021			
(E) CODENING	Basalt Wilk Layes	290	360	
(7) SCREENS: Well screen installed?  Yes No	Al B. h. aller The	0		
Manufacturer's Name	- There + greather	-		
Diam				
Diam				
(8) WELL TESTS: Drawdown is amount water level is lowered below static level	RECEIVED			
Was a pump test made? FYes D No If yes, by whom?	<u>JUI 8.0.2021</u>	-		
Yat: 200 gal/min. with JO/ ft. drawdown after 33 hrs.				
	OWDD			
	CAAND			
Bailer test gal./min. with ft. drawdown after hrs.				
Artesian flow g.p.m. 	Work started 3 - 2-8 19 77 Complete	- 4 -	8	19 77
	Date well drilling machine moved off of well	4-	8	19 77
(9) CONSTRUCTION:	Drilling Machine Operator's Certification:		-	
Well sealed from land surface to ft.	This well was constructed under my			
Diameter of well bore to bottom of seal in.	Materials used and information reported best knowledge and belief.	above a	re true	to my
Diameter of well bore below seal in.		Date 2	-8	, 1977
Number of sacks of cement used in well seal sacks	(Drilling Machine Operator) Drilling Machine Operator's License No.	4	55.	
How was cement grout placed?				
	Water Well Contractor's Certification:			
	This well was drilled under my jurisdi true to the best of my knowledge and bel		d this r	eport is
Was a drive shoe used? Ves No Plugs Size: location ft,	Name EOLA WELL DEPLING	3		
Did any strata contain unusable water?  Ves  No	(Person 4970 Praceras AD) N.W.	(Ty	pe or prir	nt)
Type of water? depth of strata	Address SALEM OR 97304	•••••	, ,	
Method of sealing strata off	[Signed] ACTUT by Ba	met.	H	-
Was well gravel packed? Ves No Size of gravel:	(Water Well Contr			
Gravel placed from ft. to	Contractor's License No. 4.1.9. Date			., 19.
(USE ADDITIONAL SU	LEETS IF NECESSARY)		SF	**45858-119

NOTICE TO WATER WELL CONTRACTOR The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion. WATER WELL STATE OF (Please type Do not write all	OREGON E C E I V E state Well No.	75/ No. G	/2W	127cb
(1) OWNER: Name Mike Herica Address (23 35 Enwithout Pat. NE	(10), IOCATION OF WELL: County ALC DESCES DEPEr's well n 34 Section N2 7 T. 25	The second s	EBEC	
Salim	Bearing and distance from section or subdivis		er	3.0.2021
(2) TYPE OF WORK (check):			JUL	002021
New Well Deepening Reconditioning Abandon I If abandonment, describe material and procedure in Item 12.			0	MDD
(3) TYPE OF WELL: (4) PROPOSED USE (check):	(11) WATER LEVEL: Completed v	vell.	0	WRD
Rotary Driven D Domestic Industrial Municipal D	Depth at which water was first found Static level 60 ft. below land	nur lana	Data 1/	-12-76
Cable Jetted Jetted Industrial Multicipal I.	Static level 60 ft. below land Artesian pressure lbs. per squa			
CACINIC DIGENALATE				
CASING INSTALLED: Threaded Welded 10 " Diam. from +/ ft. to 120 ft. Gage 250	(12) WELL LOG: Diameter of well			0
" Diam. from	Depth drilled 240 ft. Depth of comp			<u>o</u> ft.
" Diam. from ft. to ft. Gage	Formation: Describe color, texture, grain size and show thickness and nature of each stratu	m and a	quifer pe	netrated,
PERFORATIONS: Perforated? Pres D No.	with at least one entry for each change of forma position of Static Water Level and indicate prin			
Type of perforator used	MATERIAL	From	To	SWL
Size of perforations 3/8 in. by 22 in.	Burn Clay	0	32	
220 perforations from 105 ft. to 120 ft.	P. F.Y AD	40	10	
perforations fromft, toft, toft,	Fight tan clay	32	TA	
	Sanda Clay	42	65	
(7) SCREENS: Well screen installed?  Yes No	- all a H a	10	c./	
Manufacturer's Name Model No	Small Brange Grand	65	84	
Diam, Slot size Set from ft. to ft.	Clays Grand	84	105	
Diam Slot size Set from ft. to ft.	Rule a Tuli-Al	INT	110	
(8) WELL TESTS: Drawdown is amount water level is lowered below static level	Basalt.	105	112	
Was a pump test made? I Yes I No If yes, by whom?	Brugh Brown Clay	112	120	
eld: gal./min. with ft. drawdown after hrs.	B. Bud Ju Thurst	120	135	
"No Reading taken " "	Baselt	100	123	
"Will to be " leepin Salere "	Besalt - Wilk Payers of	135	230	
Bailer test gal./min. with ft. drawdown after hrs.	dired an alte	270	2110	
nperature of water Depth artesian flow encountered	Work started 10 -27 1976 Complete	11	n	1926
(A) CONSTRUCTION.	Date well drilling machine moved off of well	11-1	2	1976
(9) CONSTRUCTION: Well seal-Material used Sentonile	Drilling Machine Operator's Certification:	11 11		
Well scaled from land surface to ft.	This well was constructed under my Materials used and information reported	direct	super	vision.
Diameter of well bore to bottom of seal	best knowledge and belief.		1.1	to my
Diameter of well bore below seal	(Drilling Machine Operator)	Date //	1 miles	, 19/6
Number of sacks of cement used in well seal sacks	Drilling Machine Operator's License No.	45	5	
Brand name of bentonite	Water Well Contractor's Certification:			
Number of pounds of bentonite per 100 gallons	This well was drilled under my jurisd	iction ar	nd this r	eport is
of water lbs./100 gals. Was a drive shoe used? Yes D No Plugs Size: location ft.	true to the best of my knowledge and bel	ief.		
Did any strata contain unusable water?  Yes Yo	Name AOPIASOA BOLS (Person, firm or corporation)	(T)	To or pris	ŋt)
Type of water? depth of strata	Address 4510 Dallas	Sale	u th	wy .
Method of sealing strata off	[Signed] Henge H. Rohn	in		/
Was well gravel packed? Ves No Size of gravel:	[Digited]	actor)		
Gravel placed from ft. to ft.	Contractor's License No. 29 7 Data	11-1	16	, 1976
(USE ADDITIONAL SH	EETS IF NECESSARY)		01	

-

1 = 1



Water Resources Department 725 Summer St NE, Suite A Salem, OR 97301 (503) 986-0900

Fax (503) 986-0904

September 15, 2021

KUENZI TURF AND NURSERY TYLER KUENZI 6475 STATE ST SALEM, OR 97301

Reference: Application T-13783

On July 30, 2021, OWRD received your water right Permit Amendment Application. The application was accompanied by \$1570.00. Our receipt number 136021 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

This application <u>may</u> require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water from the new point of appropriation until a final order approving the application has been issued by the Department.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 986-0815.

Cc: Watermaster Dist. #16, Gregory J. Wacker (via email) Doann Hamilton, Agent Marion County

Enclosure

#### **Permit Amendment Process**

ORS 537.211 Changes: POD/POA, Place of Use



۰ . «		TER RESOU	OF OREGON	RTMENT	
ECEIPT # _	136553		, OR 97301-4172 0 / (503) 986-0904 (1	INVOICE	#
CEIVED FR	M. Kunz	Turt	Inc	APPLICATIO	4
:	- partie			PERMIT	
			The second second	TRANSFER	1-13783
ASH: (	CHECK:#	OTHER: (IDENTIF	FY)		1
	4 23352			TOTAL REC'D	\$1,100.13
1083	TREASURY	4170 WR	D MISC CASH	ACCT	
0407	11-	124	111	324.23	S
0412	,	(IDENTIFY) Re	indursimen	+ Authenty	s 1,100.13
		1		- <u> </u>	01.0015
0243 1/5 1	.ease 024		nt. Plan (		
		and the second se	D OPERATING	ACCT	
0.407	MISCELLANEOU				
0407	COPY & TAPE FE				\$
0410	RESEARCH FEES				\$
0408	MISC REVENUE:				S
TC162	DEPOSIT LIAB.				S
0240	EXTENSION OF T	IME			
	WATER RIGHTS:		EXAM FE	E	RECORD FEE
0201	SURFACE WATER		\$	0202	\$
0203	GROUND WATER		\$	0204	\$
0205	TRANSFER		\$		
	WELL CONSTRUC		EXAM FE		LICENSE FEE
0218	WELL DRILL CON		\$	0219	S
	LANDOWNER'S P	ERMII		0220	9
	OTHER	(IDENTIFY)			
0536	TREASURY	0437 WEI	L CONST. STA	ART FEE	
0211	WELL CONST STA	ART FEE	S	CARD	
0210	MONITORING WE	LLS	s	CARD	
	OTHER	(IDENTIFY)			
0007			DO AOTIVITI		
0607	TREASURY	and the second	RO ACTIVITY	LIC NUMBER	
0233	POWER LICENSE	and the second second			\$
0231	HYDRO LICENSE				
	HYDRO APPLICAT				\$
	TREASURY	OTH	ER / RDX		
FUND		TITLE			
	E				
DESCRIPT					\$
DESCRIPT				10	
40	DOFED	1	D-6-2026	the	
EIPT:	36553	DATED:	BY	:	

MAIN CHECKING #38 Contract #R11-324-23

OCT 0 6 2021 RECEIVED

OWRD

KUENZI TURE & NURSERY OREGON WATER RESOURCES DEPT

10/1/2021

55552

7

1,100.13

.

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

#### RECEIVED

OCT 06 2021

#### REIMBURSEMENT AUTHORITY APPLICANT'S AGREEMENT Contract Number: R11-324-23

OWRD

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Kuenzi Turf and Nursery, hereafter Applicant, hereafter known together as the parties.

OWRD	Information	Applica	nt's Information	Applicant	s Representative
Contact:	Kelly Starnes	Name:	Kuenzi Turf and Nursery	Name:	Pacific Hydro-Geology, Inc.
Title:	Transfer Advisor	Contact:	Tyler Kuenzi	Contact:	Doann Hamilton
Address:	725 Summer Street, NE, Suite A	Address:	6475 State St.	Address:	18487 S. Valley Vista Rd.
	Salem, OR 97301-1266		Salem, OR 97301		Mulino, OR 97042
Phone:	503 986-0886	Phone:	(503) 585-8337	Phone:	(503) 349-6946
Fax:	503 986-0901	Fax:		Fax:	(503) 632-5983
Email:	patrick.k.starnes@oregon.gov	Email:	tyler@kuenziturfnursery.com	Email:	phgdmh@gmail.com

Purpose The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-13783)

- Authority. The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any
  applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In
  making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions. Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration. Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
- 4. Consideration.
  - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is \$1,100.13. Applicant agrees to pay the full amount of \$1,100.13 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
  - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality. Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- 6. Indemnity. Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

- Termination. Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
- 8. Funds Authorized and Available. By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
- 9. Duration of Estimate. The Estimate of Time to completion is approximately 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
- 10. Completion Date. OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. IMPORTANT: Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
- Captions. The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
- 12. Amendment and Merger. The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
- 13. Signatures. All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree/to be bound by its terms and conditions.

THER KVENZI For Applicant: For OWRD:

Dwight French - Administrator

10/01/21 Date

10-8-2021

Mail signed Agreement to:

Stacy Phillips Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1266



Page 2 of 2

Revised September 24, 2020.ts

CEIPT # _	.36328			7301-4172 3) 986-0904 (		INVOICE #		-
CEIVED FRO	M: Kuenzi	Turf 1	nc		AF	PLICATION	1	
:						PERMIT	A DO MARK	
					T	RANSFER	1-13783	
SH: CH	HECK:# 57255	OTHER: (IDEN	TIFY)				10 175 D	2
	14 20200					TAL REC'D	\$ 125.00	2
1083	TREASURY	4170 W	RD M	ISC CASH	ACCT			
0407	COPIES 4718	74	F	311324-	23		\$	
0412		IDENTIFY)	irons	fer Re	imbu	rsemer	ts 125.00	
			Auth	ority				_
0243 I/S Le	ease 024	4 Muni Water N		1	0245 Cor	here a construction	-	-
	- Contraction of the Contraction	4270 W	/RD O	PERATINO	G ACCT			
	MISCELLANEOU						\$	7
0407	COPY & TAPE FE						S	-
0410	RESEARCH FEES						s	-
0408	MISC REVENUE:	A Discourse and					s	-
TC162	DEPOSIT LIAB.	and the second second		-			\$	
0240	EXTENSION OF 1	IME					RECORD FEE	ī
0004	WATER RIGHTS:			EXAM F	EE	0000	\$	-
0201	SURFACE WATER			\$		0202	s	-
0203	GROUND WATER			\$ \$		0204	+	_
0205	TRANSFER	OTION		5 EXAM F	FF		LICENSE FEE	
0010	WELL CONSTRU			S		0219	S	-
0218	LANDOWNER'S F			Ψ		0220	\$	-
								_
	OTHER	(IDENTIFY)			1			-
0536	TREASURY	0437 W	ELL C	CONST. ST	ART FI	EE	and the second second	
0211	WELL CONST ST	ART FEE		\$		CARD	)#	7
0210	MONITORING WE	LLS		\$		CARD	)#	
	OTHER	(IDENTIFY)	1					
0007		and the second second	VDDO	ACTIVITY	/ 110	NUMBER		-
0607	TREASURY			ACTIVIT		NOMIDER	\$	-
0233	POWER LICENSE						\$	-
0231	HYDRO LICENSE		,,				\$	4
	HYDRO APPLICA	TION		1			\$	
	TREASURY	0	THER	/ RDX		14 - A. A. A.		
EUND		TITLE						
	E				-			
		_ *LINDON #					\$	٦
DESCRIPT					_		<u></u>	

ż

2

## SEP 0 2 2021 OWRD

55355

125.00

**KUENZI TURF & NURSERY** OREGON WATER RESOURCES DEPT ort 8/30/2021 transfer #T-13783 for Reimbursement Authority Program



#### OREGON WATER RESOURCES DEPARTMENT TRANSFER REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION



ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate From Transfer fees.

The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.

REQUEST	TYPE	FILE NUMBER			
X	Transfer Application	Transfer Number	<u>T-13783</u>		

	Applicant Information	Applicant's Representative/Contact
Name:	Kuenzi Turf and Nursery c/o Tyler Kuenzi	Pacific Hydro-Geology, Inc. c/o Doann Hamilton
Address:	6475 State St.	18487 S. Valley Vista Road
	Salem, OR 97301	Mulino, OR 97042
Phone:	(503) 585-8337	(503) 349-6946 cell
Fax:		(503) 632-5983
E-Mail Address:	tyler@Kuenziturnursery.com	phgdmh@gmail.com

I understand the following:

- That upon receipt of my non-refundable application fee of \$ 125.00, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- · That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment.to:

**Oregon Water Resources Department** Transfer Reimbursement Authority Program 725 Summer St. NE, Suite A Salem, OR 97301-1271

Applicant C Applicant's Representative C Other (Please specify)

SEP 0 2 2021

RECEIVED

OWRD

Name:

Signature:

OWRD USE ONLY: Reimbursement Authority Number: R11- 304 -23

Transfer Reimbursement Authority Estimate Application Form

I certify that I am the (check one):

	Oregon Water Resources Department Fee Calculation for Permit Amendment	# 0	Main Return	0	Help Conta	act Us
Wednesd	ay, August 4, 2021					Fee Calculation
Base Fee	(includes one type of change to one permit for up to 1 cfs)					\$1,160.00
Fill in infor	mation below- Check each box that applies.					
Plac	Change Proposed: e of Use t of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA;	and	/or SW POE	) to G	W POD	\$0.00
Enter tota	I number of permits included in application.					\$0.00
	this box if you propose to add or change a well, or change from a surfact this box if you propose to change the place of use for a NON-irrigation p			a we	Ι.	\$410.00
Check	this box if you propose to change the place of use for an irrigation permi	it.				
Total Tran	sfer CFS(rounded up to the next whole cfs):					
Subtotal:						\$1,570.00
Check ea	ch box that applies.					
	ansfer is necessary to complete a project funded by the Oregon Watersh inder ORS 541.932.	ned E	Enhanceme	nt Boa	ard	
The tr habitat.	ansfer is endorsed in writing by ODFW as a change that will result in a ne	et be	enefit to fish	and v	vildlife	
Discoun						

Permit Amendme	nt Fee:	\$1,570.00
Return to Edit	Clear	

Permit Amendment Applicati	on Checklist	
Checked by	Date <u>8/5/2/</u>	App # 6-15
- Our		D D F

# Permit Amendments are authorized for changes in POD/POA, APOD/APOA, or POU.

Permit #

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

1. Is the name of the Permit Amendment applicant the same as the Water Right Permit holder(s) of record?

If not, one of the following must be included with the application:

- a) An affidavit of consent from all Permit holder(s) or the other Permit holders that have not signed the Permit Amendment application form, consenting to the proposed Permit Amendment application; OR,
- b) A completed Request for Assignment form (and statutory fee) to move all (or portion) of the permit into the Permit Amendment applicant's name.

If not, what is missing?

2. Page 1 of application: Are all attachments that have been checked actually included? If not, what is missing?

- **3.** Are fees included and correct? Fee Paid: <u>1570</u> If not, the correct fee would be: , so the amount missing is:
  - 4. 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?
    - 5. Are the Permit completion date(s) current? If the Permit completion date has expired, we **CANNOT** accept the application.
    - 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.

- 15+85

Revised 3/14/19.pks