Receipt # 137584

Receipt #

# Temporary

Address PO box 9000  Change in POD PA  Date Filed 2 28 2000  Initial notice date 38 2000	Name of Stream Well Trib. of Use Washington	durg nixt	County		FEES PAID Amount #1/343.76	Rec
DPD issued date	Name of ditch App# 10473 App# 6 10473 App# App# App# App#	Per # 69003 Per # 61003 Per # Per # Per # Per #	Cert # 55131 Cert # 83999 Cert #	The second secon		Rece
CWRE	Sneyingog					
CC's list COYIC COYIC  - Oversized map - Location						



Water Resources Department

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

June 7, 2024

Roger and Leon Kuenzi PO Box 9026 Salem, OR 97305

#### ORDER ON WITHDRAWN APPLICATION

Reference: Transfer Application T-13935

The above referenced transfer application was withdrawn from the record of the Water Resources Department on June 7, 2024, by Special Order Volume 131, Page 263 (copy enclosed).

The transfer application is no further force or effect.

If you have any questions related to the withdrawal of this transfer, you may contact your caseworker, Arla Davis, by telephone at (503) 979-3129 or by e-mail at Arla.l.davis@water.oregon.gov.

Sincerely,

Elyse D. Richman

Water Right Services Support

Elype Richman

Transfers and Conservation Section

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email)

William E. McGill, Agent

Marion County Planning Department, Local Government

Enclosure

# OF THE STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER WITHDRAWING
T-13935, Marion County, Oregon	)	AN APPLICATION FOR TEMPORARY
	)	CHANGES IN PLACES OF USE

#### 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.

#### **Applicants**

ROGER KUENZI PO BOX 9026 SALEM, OR 97305 LEON KUENZI PO BOX 9026 SALEM, OR 97305

#### **Findings of Fact**

- On February 28, 2022, applicants ROGER KUENZI and LEON KUENZI, submitted Temporary Transfer Application T-13935.
- On May 1, 2024, the agent for the applicants, submitted a written request that Temporary Transfer Application T-13935 be withdrawn.

#### Now, therefore, it is ORDERED:

Temporary Transfer Application T-13935, in the name of ROGER KUENZI and LEON KUENZI, is withdrawn and of no further force or effect.

Dated in Salem, Oregon on JUN - 7 2024

Lisa J. Jaram (Ilo, Transfer and Conservation Section Manager, for

DOUGLAS E. WOODCOCK, ACTING DIRECTOR

**Oregon Water Resources Department** 

Mailing date: JUN 1 0 2024

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

#### DAVIS Arla L \* WRD

From:

Grant McGill < grantmcgill.wr@gmail.com>

Sent:

Wednesday, May 1, 2024 8:57 AM

To:

DAVIS Arla L \* WRD

Subject:

Re: T-13935 Temporary Transfer

Hi Arla,

We talked with the applicant and they would like to just withdraw T-13935 reverting the water rights back to their original POU. Thanks for your work on it up to this point. Go ahead and copy me on the withdrawal letter.

Grant McGill 503-931-0210 15333 Pletzer Rd. SE, Turner, OR 97392 www.mcgillwaterrights.com



On Mon, Apr 29, 2024 at 8:46 AM DAVIS Arla L \* WRD < Arla.L.DAVIS@water.oregon.gov> wrote:

Hi Grant,

Thank you for your email. yes if they would like to withdraw this transfer, please let me know. Thank you!

#### Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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

Work Schedule: Mon-Th - 6:00 a.m. to 4:30 p.m.

NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day.

Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members. Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

From: Grant McGill <grantmcgill.wr@gmail.com>

Sent: Thursday, April 25, 2024 1:20 PM

To: DAVIS Arla L \* WRD < Arla.L.DAVIS@water.oregon.gov>

Subject: T-13935 Temporary Transfer

Hi Arla,

Got a call from the applicant on this one. To refresh your memory, we submitted before the 2022 season. It didn't get processed before the 2022 season was over, so you had us amend it and roll it into a temporary transfer for 2023 under the same number. Looks like it still hasn't been processed and they do not need irrigation on that field anymore. Would it be helpful to just withdraw this application? They would rather have the water rights reverted back to the original POU at this point which should happen at the end of the 2023 season anyway if this transfer gets retroactively approved.

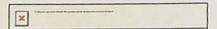
Let me know what you think and we can send a request if that sounds good.

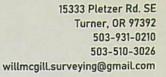
Grant McGill

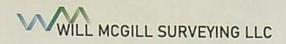
503-931-0210

15333 Pletzer Rd. SE, Turner, OR 97392

www.mcgillwaterrights.com







Attn: Arla Davis

Received by OWRD

MAR 01 2023

Salem, OR

Oregon Water Resources Department

Grant a. M'Sill

725 Summer St. NE, Suite A

Salem, OR 97301

As discussed in the 2/10/2023 meeting with Lisa Jaramillo and Arla Davis, the enclosed temporary transfer application is an amended version of previously submitted T-13935. These forms should replace what was submitted in February 2022 and the fees paid will be applied to the review of this application.

Grant A. McGill

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



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

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

Received by OWRD

		FOR ALL TEMPORARY TRANSFER APPLICATIONS	
Che	ck all iten	ns included with this application. (N/A = Not Applicable)	MAR 01 2023
$\boxtimes$		Part 1 – Completed Minimum Requirements Checklist.	
		Part 2 – Completed Temporary Transfer Application Map Checklist.	Salem, OR
		Part 3 – Application Fee, payable by check to the Oregon Water Resource completed Fee Worksheet, page 3. Try the online fee calculator at: <a href="http://apps.wrd.state.or.us/apps/misc/wrd">http://apps.wrd.state.or.us/apps/misc/wrd</a> fee calculator.	es Department, an
$\boxtimes$		Part 4 – Completed Applicant Information and Signature.	
		Part 5 – Information about Transferred Water Rights: How many water transferred? 3 List them here: Cert. 30631, 34625, 40110	rights are to be
		Please include a separate Part 5 for each water right. (See instructions of	n page 6)
$\boxtimes$	□ N/A	For standard Temporary Transfer (one to five years) Begin Year: 2023	End Year: 2023.
	⊠ N/A	Temporary Drought Transfer (Only in counties where the Governor has o	declared drought)
Atta	chments		
$\boxtimes$		Completed Temporary Transfer Application Map.	
$\boxtimes$		Completed Evidence of Use Affidavit and supporting documentation.	
		Current recorded deed for the land from which the authorized place of ubeing moved.	ise is temporarily
	□ N/A	Affidavit(s) of Consent from Landowner(s) (if the applicant does not own which the water right is located.)	the land upon
	⊠ N/A	Supplemental Form D – For water rights served by or issued in the name Complete when the temporary transfer applicant is not the district.	of a district.
	⊠ N/A	Oregon Water Resources Department's Land Use Information Form with signature from each local land use authority in which water is to be diver and/or used. Not required if water is to be diverted, conveyed, and/or used lands or if all of the following apply: a) a change in place of use only, b) no changes, c) the use of water is for irrigation only, and d) the use is locate irrigation district or an exclusive farm use zone.	ted, conveyed, sed only on federal o structural
	⊠ N/A	Water Well Report/Well Log for changes in point(s) of appropriation (we point(s) of appropriation (if necessary to convey water to the proposed point(s) of appropriation (if necessary to convey water to the proposed point(s) of appropriation (if necessary to convey water to the proposed point(s) of appropriation (if necessary to convey water to the proposed point(s) of appropriation (we	
	WE ARI  Ap  Lai  Ad  Other/E	aff Use Only)  E RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):  Oplication fee not enclosed/insufficient Map not included or incomplete  Indicational signature(s) required Part is incomplete  Explanation Phone: Date: /_	

# Part 2 of 5 — Temporary Transfer Application Map Checklist

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

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

Ш	₩ N/A	if more than three water rights are involved, separate maps are needed	for each water right.
		Permanent quality printed with dark ink on good quality paper.	Received by OWRD
		The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inchinches. For 30 x 30 inch maps, one extra copy is required.	es, of MARt 0 302020
$\boxtimes$		A north arrow, a legend, and scale.	Salem, OR
		The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet; the Proof/Claim of Beneficial Use Map (the map used when the permit was scale of the county assessor map if the scale is not smaller than 1 inchescale that has been pre-approved by the Department.	s certificated); the
$\boxtimes$		Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recog survey lines.	nized public land
$\boxtimes$		Tax lot boundaries (property lines) are required. Tax lot numbers are r	ecommended.
$\boxtimes$		Major physical features including rivers and creeks showing direction or reservoirs, roads, and railroads.	of flow, lakes and
$\boxtimes$		Major water delivery system features from the point(s) of diversion/apmain pipelines, canals, and ditches.	propriation such as
		Existing place of use that includes separate hachuring for each water ri and use including number of acres in each quarter-quarter section, government lots, done each quarter-quarter section as projected within government lots, done other recognized public land survey subdivisions. If less than the entire is being changed, a separate hachuring is needed for lands left unchanged.	vernment lot, or in ation land claims, or ety of the water right
	□ N/A	Proposed temporary place of use that includes separate hachuring for priority date, and use including number of acres in each quarter-quarter government lot, or in each quarter-quarter section as projected within donation land claims, or other recognized public land survey subdivision	er section, government lots,
$\boxtimes$		Existing point(s) of diversion or well(s) with distance and bearing or coorecognized survey corner. This information can be found in your water permit.	
	⊠ N/A	If you are proposing a change in point(s) of diversion or well(s) to convetemporary place of use, show the proposed location and label it clearly bearing or coordinates. If GPS coordinates are used, latitude-longitude expressed as either degrees-minutes-seconds with at least one digit af (example – 42°32′15.5″) or degrees-decimal with five or more digits af (example – 42.53764°).	with distance and coordinates may be ter the decimal

#### Part 3 of 5 - Fee Worksheet

	13 Of 5 — Fee Worksheet	000	0
200020	FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS 01	ZUZ	3
1	Salem.	O/R	\$950.00
	Number of water rights included in transfer: 3 (2a)		
	Subtract 1 from the number in 3a above: 2 (2b) If only one water right this will be 0		
2	Multiply line 2b by \$310.00 and enter » » » » » » » » » » » »	2	620
	Do you propose to change the place of use for a non-irrigation use?		
	No: enter 0 on line 3 » » » » » » » » » » » » » » » » » »		
	Yes: enter the cfs for the portions of the rights to be transferred: (3a)		
	Subtract 1.0 from the number in 3a above:(3b)		
	If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » »		
	If 3b is greater than 0, round up to the nearest whole number:(3c) and		
3	multiply 4c by \$210.00, then enter on line 3	3	
	Do you propose to change the place of use for an irrigation use?		
	No: enter 0 on line 4 » » » » » » » » » » » » » » » » »		
	Yes: enter the number of acres in the footprint of the place of use for the		
	portions of the rights to be transferred: 35.0 (4a)		
4	Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	94.50
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	5	1,664.50
	Is this transfer:		
	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 5 by 0.5 and enter on line 6 »		
6	If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » »	6	0
7	Subtract line 6 from line 5 » » » » » » » » » » » » Transfer Fee:	7	\$1,664.50

	FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS		
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
	Enter the cfs for the portions of the rights to be transferred (see example below*):		
	(2a)		
	Subtract 1.0 from the number in 2a above: (2b)		
	If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » »		
	If 2b is greater than 0, round up to the nearest whole number: (2c) and		
2	multiply 2c by \$50, then enter on line 2 » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » » » » Transfer Fee:	3	

<sup>\*</sup>Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

<sup>1.</sup> Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs  $\div$ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac= 0.56 cfs).

<sup>2.</sup> If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)

<sup>3.</sup> Add cfs for the portions of water rights on all the land included in the transfer; however do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

### Part 4 of 5 - Applicant Information and Signature

#### **Applicant Information**

APPLICANT/BUSINESS NAME Roger & Leon Kuenzi			PHONE NO. (503) 991-6764	ADDITIONAL CONTACT NO		
ADDRESS PO Box 9026			1,000,000	FAX NO.		
CITY Brooks	STATE OR	ZIP 97305	E-MAIL randlkuenzi@gmail	.com		

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

AGENT/BUSINESS NAME Will McGill Surveying, LI	LC		PHONE NO. (503) 931-0210	ADDITIONAL CONTACT NO. (503) 510-3026				
ADDRESS 15333 Pletzer Rd. SE				FAX NO.				
CITY Turner	STATE OR	ZIP 97392	E-MAIL willmcgill.surveying	g@gmail.com				
	L ADDRESS, CONSE	NT IS GIVEN TO RE	CEIVE ALL CORRESPONDENCE					

Explain in your own words what you propose to accomplish with this transfer application and why: It is proposed to transfer the place of use of portions of Certificates 30631, 34625, and 40110 to the West side of tax lot 800 to establish crops.

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

Applicant signature

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

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

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Salem, OR

by an irrigation or other water dis		are or will be located within or ser
Supplemental Form D.)		
DISTRICT NAME	ADDRESS	
СПУ	STATE	ZIP
Check here if water for any of t contract for stored water with		
ENTITY NAME	ADDRESS	
СПУ	STATE	ZIP
city, municipal corporation, or trib conveyed and/or used.	al government) within whose	t all local governments (each count jurisdiction water will be diverted,
Marion County	5155 Silverton Rd. N	
Salem	STATE OR	2IP 97305
ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Salem, OR

# Part 5 of 5 - Water Right Information

			Wa	ter R	light	Certi	ficate	# 300	631		Received by OWRD
Descripti	on of Water De	elivery Syst	em								
System c	apacity: <u>1.45</u>	cubic feet p	er s	econ	d (cf:	s) OR					MAR 01 2023
		_gallons pe	er m	inute	(gpr	m)					Salem, OR
five year and appl	s. Include infor	mation on t he authori	he p	oump	s, ca	nals,	pipeli	ines, a	and s	prinklers	some time within the last sused to divert, convey, delivers water through 5"
											r Appropriation (POA) ne or number here.)
POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L)		wp		lng	Sec	1/4		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD A			6	s	2	w	23	sw	SE	300	SW ¼ SE ¼, as projected within Woodward DLC 96
	□ Authorized										
	□ Proposed										
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										
Check all		porary cha	nge	(s) pr	opo	sed b	elow	(chan	ge "(	CODES"	are provided in
	Place of Use (P	OU)					] A	pprop	riatio	on/Well	(POA)
	Point of Divers	ion (POD)					] A	dditio	nal P	oint of A	appropriation (APOA)
	Additional Poir	nt of Divers	ion	APO	D)						
	type(s) of tem	The state of the s	nge	(s) du	ie to	drou	ght p	ropos	ed b	elow (ch	ange "CODES" are
	Place of Use (P	OU)					] Po	oint of	f App	ropriatio	on/Well (POA)
	Character of Us	se (USE)					] A	dditio	nal P	oint of A	appropriation (APOA)
	Point of Divers	ion (POD)									Diversion (APOD)
Will all o	f the proposed	changes at	fect	the	entir	e wa	ter ric	ht?			
☐ Yes	Complete	only the P	rope	osed	("to"	' land	s) sec	tion o			the next page. Use the
⊠ No		listed abov all of Table									ht to be changed.

## Table 2. Description of Temporary Changes to Water Right Certificate # 30631

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.								GES	Proposed Changes (see	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										S						
Tw	P	Rr	ng	Sec	3/4	×	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	"CODES" from previous page)	Tw	/p	Rr	ng	Sec	74	74	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
6	S	2	w	23	SE	sw	300	96	4.9	Irrigation	POD A	1960	POU	6	S	2	w	26	NW	NW	800	96	13.8	Irrigation	POD A	1960
6	s	2	w	23	sw	SE	300	96	6.6	Irrigation	POD A	1960	POU	6	s	2	w	26	sw	NW	800	96	11.2	Irrigation	PODA	1960
6	S	2	w	26	NE	NW	300	96	5.5	Irrigation	POD A	1960														
6	S	2	w	26	NW	NE	300	96	8.0	Irrigation	POD A	1960														
	+	-																								
	1														1											
															-											
						ТО	TAL AC	RES	25.0											TO	TAL AC	CRES	25.0			

Additional remarks:\_\_\_\_

Received by OWRD

MAR 01 2023

Salem, OR

Received by OWRD

MAR OT

Sale

Temporary Transfer Application - Page 7 of 14

Revised 7/1/2021

TACS

#### For Place of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? 

✓ Yes 

✓ No If YES, list the certificate, water use permit, or ground water registration numbers: Cert. 40110 Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610. If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide: Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well\_log/Default.aspx) AND/OR Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a proposed well(s) not yet constructed or built,

#### 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 aguifer 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.

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.

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

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Salem, OR

			Wa	ter R	ight	Cert	ificat	te# 34	1625		
Descripti	on of Water De	elivery Syst	em								
System ca	apacity: 1.39	cubic feet p	er se	econ	d (cf	s) OR	1				
		_gallons pe	er mi	nute	(gpr	n)					
five years and apple 5" above	s. Include inform y the water at t ground alumi	mation on t the authori num mainl	the p zed p ine.	olace	of u	nals, se. <u>3</u>	pipe 0 HP	elines, subm	and s ersib	prinkler le pump	t some time within the last s used to divert, convey, delivers water through
											r Appropriation (POA) ne or number here.)
POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L)		wp		Rng	Sec		у,	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 3	□ Authorized     □ Proposed	MARI 4399	6	s	2	w	23	sw	sw	400	590' S and 2110' W from the NE corner, DLC 96
	□ Authorized										
	Proposed				-		,	-			
	☐ Authorized ☐ Proposed										
	Authorized				-						
	☐ Proposed										
Check all parenthe			inge	(s) pr	opo	sed b				codes"	are provided in (POA)
	Point of Divers	ion (POD)					] ,	Additio	onal P	oint of A	Appropriation (APOA)
	Additional Poir	nt of Divers	ion (	APOI	D)						
	type(s) of tem in parenthese		nge(	s) du	ie to	drou	ight	propo	sed b	elow (cl	nange "CODES" are
	Place of Use (P	OU)						Point o	of App	propriati	on/Well (POA)
	Character of U	se (USE)						Additio	onal P	oint of	Appropriation (APOA)
	Point of Divers	ion (POD)						Additio	onal F	oint of I	Diversion (APOD)
Will all o	f the proposed	changes a	ffect	the	entii	re wa	ter r	ight?			
☐ Yes	The second second								of Tal	ble 2 on	the next page. Use the
		listed abov	The state of the s				Property of the Party				me new haller ose me

MAR 01 2023

Salem, OR

Complete all of Table 2 to describe the portion of the water right to be changed.

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⊠ No

## Table 2. Description of Temporary Changes to Water Right Certificate # 34625

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

	Th	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.							GES	Proposed Changes (see	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Т	wp	R	ng	Sec	34	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	"CODES" from previous page)	Twp	0	Rng		Sec	74	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
6	S	2	W	23	SE	sw	400	96	4.8	Irrigation	Well 3	1962	POU	6	s	2 1	w	27	NE	NE	800	96	6.0	Irrigation	Well 3	1962
6	S	2	w	26	NE	NW	400	96	5.2	Irrigation	Well 3	1962	POU	6	s	2 1	W	27	SE	NE	800	96	4.0	Irrigation	Well 3	1962
						TO	TAL AC	RES	10.0											TO	TAL AC	RES	10.0			

Additional remarks:\_\_\_\_

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#### For Place of Use Changes

	there other water right certificates, water use permits or ground water registrations ciated with the "from" or the "to" lands?   Yes   No
If YE	S, list the certificate, water use permit, or ground water registration numbers:
or re	uant to ORS 540.525, any "layered" water use such as an irrigation right that is plemental to a primary right proposed for temporary transfer can be included in the transfer emain unused on the authorized place of use. If the primary water right does not revert soor ugh to allow use of the supplemental right within five years, the supplemental right shall ome subject to cancellation for nonuse under ORS 540.610.
	ange in point(s) of appropriation (well(s)) or additional point(s) of appropriation is sary to convey the water to the new temporary place of use you must provide:
	Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: <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	o/or
	Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a proposed well(s) not yet constructed or built, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

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

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

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

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#### Water Right Certificate # 40110

Descript	on of Water De	elivery Syst		itei i	ugiic	Certi	iicace	- # <del>-10</del> .	110		
	apacity: 1.39			econ	d (cf	s) OR					
		gallons pe									
five year and appl 5" above Table 1.	s. Include inform y the water at the ground aluminus Location of Au	ter deliver mation on the authori num mainl	y systhe particle property systems of the particle property system	tem oump place	or thos, ca	ne systemals, se. 30	pipel O HP s (s) of	ines, a subme	and sp ersible sion (	prinklers pump POD) o	some time within the last s used to divert, convey, delivers water through r Appropriation (POA)
POD/POA Name or Number	is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L)		wp		Rng	Sec		ssign	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 3	<ul><li>☑ Authorized</li><li>☐ Proposed</li></ul>	MARI 4399	6	s	2	w	23	sw	sw	400	590' S and 2110' W from the NE corner, DLC 96
	Authorized										
	☐ Proposed ☐ Authorized			-	-						
	Proposed										
	☐ Authorized ☐ Proposed										
Check al		porary cha	nge	(s) pı	ropo	sed b	elow	(chan	ge "C	ODES"	are provided in
	Place of Use (P	OU)				Г	7 A	pprop	riatio	n/Well	(POA)
	Point of Divers					Г					Appropriation (APOA)
	Additional Poir		ion	(APO	D)						
	I type(s) of tem I in parenthese		nge	(s) dı	ue to	drou	ight p	ropos	sed be	elow (cl	nange "CODES" are
	Place of Use (P	OU)					] P	oint o	f App	ropriati	on/Well (POA)
	Character of U	se (USE)					] A	dditio	nal Po	oint of	Appropriation (APOA)
	Point of Divers	ion (POD)					) A	dditio	nal Po	oint of I	Diversion (APOD)
Will all o	of the proposed	changes a	ffec	t the	enti	re wa	ter ri	ght?			
✓ Yes		e only the F			To told						the next page. Use the
□ No	Complete	all of Tabl	e 2 t	to de	scrib	e the	porti	on of	the w		ght to be changed.

MAR 01 2023

# Table 2. Description of Temporary Changes to Water Right Certificate # 40110

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

	AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.							GES	Proposed Changes (see													;				
Tw	р	Ri	ng	Sec	34	14	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	"CODES" from previous page)	Twp		Rng	Se	c	34 1	%	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
6	S	2	W	23	SE	sw	300	96	4.9	Irrigation	Well 3	1968	POU	6	s	2 V	V 2	5 N	w	NW	800	96	13.8	Irrigation	Well 3	1968
6	S	2	w	23	sw	SE	300	96	6.6	Irrigation	Well 3	1968	POU	6	s	2 V	/ 2	S	w	NW	800	96	11.2	Irrigation	Well 3	1968
6	S	2	w	26	NE	NW	300	96	5.5	Irrigation	Well 3	1968														
6	S	2	w	26	NW	NE	300	96	8.0	Irrigation	Well 3	1968														
	-														1											
															-			-								
															1		-	-								
	1								05.0									1								
						ТО	TAL AC	RES	25.0											TOT	TAL AC	CRES	25.0			

Additional remarks:\_\_\_\_

Received by OWRD

MAR 01 2023

Salem, OR TACS

#### For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: Cert. 30631



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

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

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

#### AND/OR

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

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

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

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



# Application for Water Right Transfer



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

# **Consent by Deeded Landowner**

State of Oregon	
County of <u>Marion</u>	)ss )
I <u>Curtis Stark</u> in my/our capacity as <u>Own</u>	er,
mailing address <u>8182 Labish Center Rd. I</u>	NE, Silverton, OR 97381,
telephone number (503) 873-5904	duly sworn depose and say that I/We
consent to the proposed change(s) to W	ater Right Certificate Number 30631 and 40110
described in a Water Right Transfer Appl submitted by <u>Roger and Leon Kuenzi</u>	ication (T), (transfer number, if known)
on the property in tax lot number(s) 300	
Section 23/26 Township 6 South	Range <u>2</u> West, W.M.,
located at 8182 Labish Center Rd. NE (site address)	
Cust Sten	2-22-23
Signature of Affiant	Date
Signature of Affiant	Date
Signature of Affiant	Date
Subscribed and Sworn to	before me this 22 day of February 2023.
OFFICIAL STAMP GRANT MCGILL NOTARY PUBLIC - OREGON COMMISSION NO. 993314	Notary Public for Oregon  My commission expires 11-13-23
MY COMMISSION EXPIRES NOVEMBER 13, 2023	

	Reel Page 2538 250
Grantor:	After Recording, Return to:
Kathryn Marie Stark, Personal Representative 8182 Labish Center Road Silverton, Oregon 97381	Sarah K. Rinehart, Attorney at Law 117 Commercial Street NE, Suite 300 Salem, Oregon 97301
Grantee:	Until otherwise requested, send all tax statements to:
	Kathryn Marie Stark 8182 Labish Center Road Silverton, Oregon 97381
PERSONAL REPRESE	NTATIVE'S DEED
THIS INDENTURE dated September	operty described on Exhibit "A" which is attached hereto ty, Oregon, RESERVING unto Kathryn Marie Stark a life
The true and actual consideration paid for this transfer, consists of or includes other property or value given or promise	stated in terms of dollars, is \$Nil, the actual consideration d which is the whole consideration.
IN WITNESS WHEREOF, the first party has executed	this instrument.
Dated this 9 day of September, 2005.	
THIS INSTRUMENT WILL NOT ALLOW USE OF THE VIOLATION OF APPLICABLE LAND USE LAWS AND IT THIS INSTRUMENT, THE PERSON ACQUIRING FEE TIT APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT OF LAWSUITS AGAINST FAIR 30.930.	REGULATIONS. BEFORE SIGNING OR ACCEPTING LE TO THE PROPERTY SHOULD CHECK WITH THE RTMENT TO VERIFY APPROVED USES AND TO
	200 1926
	Kathryn Marie Stark, Personal Representative
STATE OF OREGON ) )ss.	
County of Marion )	
This instrument was acknowledged before me on 9	September, 2005 by Kathryn Marie Stark as Personal
Representative of the Estate of Gary L. Stark.	
OFFICIAL SEAL ELIZABETH BURT NOTARY PUBLIC - OREGON COMMISSION NO. 392715 MY COMMISSION EXPIRES JUNE 4, 2009	Notary Rublic for Oregon My Commission Expires:

Beginning at the N.E. corner of the Donation Land Claim of Elijah Woodward and wife in T. 6 S. R. 2 W. of the Willamette Meridian, Marion County, Oregon; thence West 16.155 chains along the north line of the Elijah Woodward Claim; Thence South 21.67 chains parallel to the east line of the Elijah Woodward Claim, to the south line of Frederick Beer's land as shown of record in Vol. 44 on page 337 of the records in the County Recorder's Office for Marion County, Oregon; thence East 16.155 chains, along the south line of said land to the S.E. corner of the same; thence North 21.67 chains, along the east line of the Elijah Woodward Claim, to the place of beginning and containing 35.00 acres of land.

Exhibit A
Page of 5

#### LAST WILL AND TESTAMENT OF GARY LEWIS STARK DOB 092241

I, Gary Lewis Stark, leave the property located at 8182 Labish Center Road, Silverton, Oregon, to my son, Curtis Raymond Stark, and my daughter, Cheryl Elizabeth Stark Robbins, to be used or divided as they see fit.

Furthermore, Kathryn (Kay) Marie Stark DOB 081744 (aka Halvorson, Crockett) or any other surname she may be using at the time of my death, shall have rights of tenancy and right of way on any roads; and shall pay no rent or any other monitories for the remainder of her life on the property located at 8182 Labish Center Road, Silverton, Oregon. Kay will also have all possession rights to her own personal property and my personal property and shall be able to remove any of these items to any location she may desire.

Kay will also receive any money I have in any of my bank accounts or stock market or any funds in any type of facility. She will also receive any social security benefits which she may be entitled to and any of my State of Oregon PERS retirement accounts.

Upon Kay's death, any money remaining in any of our personal or joint accounts shall be divided equally among our mutual grandchildren.

Any income produced by this property will first be used to pay property taxes and then placed in a fund/account for the maintenance/repair of buildings and/or property.

Kay will have possession and ownership of any of my vehicles and our personal 28 foot "camp" trailer stored in the shed/lean-to attached to the west side of the old barn; she shall have all rights and accessibility to her personal boat (the 21 foot Monaro) and can use the boat storage garage attached to the shop at any time she wants and can remove and return this boat and camp trailer to these storage facilities at any time. Kay will be able to store her pick-up and camper in the storage shed/lean-to attached to the north side of the old barn and store/park any of her vehicles in the old barn or any other building or parking area agreed to by Kay Stark and Curtis Stark. She can use and remove and return these vehicles, or any other vehicles she may acquire, at her convenience and may return and store/park them at her convenience without any interference.

Kay Stark shall have the rights to use the water from the well and no one can shut this water supply off without her express permission and she will pay no money for the use of this water. If it is necessary to drill a new well, she will also have water rights to use this new well and plumb the water supply into her residence without paying any money. She will also have the rights to electricity provided by the current or future utility company servicing this area. No one may stop these services during her lifetime without her express permission.

Exhibit_		A	
Page	2	_of	3

Kay Stark will also have the right to obtain services from any vendor or provider she may need in order to repair, fix, alter or otherwise fix anything considered either my or her personal property. These service vehicles shall have complete right of way and will be allowed to drive/walk or otherwise obtain entrance without interference.

Kay Stark will also have all rights and accessibility to all the outbuildings except the Main Farmhouse where Curtis Stark resides unless she has obtained permission from Curtis Stark, or his agent. Curtis Stark will have all rights and accessibility to all the outbuildings except Kay Stark's residence unless he has obtained permission from Kay Stark, or her agent.

Any costs incurred by changes or repairs made to Kay's residence shall be paid by Kay Stark. Any costs incurred by changes or repairs to the Main Farmhouse shall be paid by Curtis Stark.

Kay Stark shall have unlimited access to any of the outbuildings, except the Main Farmhouse, to store any of her possessions and may remove and return them at her convenience.

Curtis Stark and Cheryl Stark Robbins may have access and the rights to use the shop and any of the other outbuildings, except Kay's residence, as long as it does not interfere with any of Kay's personal or private belongings or create any type of nuisance.

Kay Stark will be able to come and go as she pleases at any time of day or night without any type of restriction. There will be no gate or any other type of device installed or used to restrict her right of way on any road or through any field.

Kay Stark will be able to make any reasonable changes to the property, including but not limited to, any trees, shrubs, flowers, etc., located on the property, except in the vicinity of the Main Farmhouse where Curtis Stark lives. Any changes will be made by mutual consent of both parties with the exception of the immediate vicinity of Kay's residence. No one will damage or destroy or move any of these items without her express permission. No one will make any changes to any trees, shrubs, flowers, etc., located in the immediate vicinity of Kay's residence without her permission.

Kay Stark will have the right to build any buildings she may deem necessary for her use, storage or livability.

Kay Stark's heirs will also have a reasonable amount of time upon her death, which is not less than one year or more than five years, to remove any of her personal possessions, vehicles, boats, trailers, no matter where they are located on the property. No one shall restrict or interfere with the removal process.

Exhibit		A	
Page_	3	of	3

**REEL:2538** 

**PAGE: 250** 

September 16, 2005, 04:23 pm.

CONTROL #: 150408

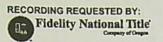
State of Oregon County of Marion

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

FEE: \$ 41.00

BILL BURGESS COUNTY CLERK

THIS IS NOT AN INVOICE.



500 Liberty St. SE, Ste 200 Salem, OR 97301

GRANTOR'S NAME: Bruce L. Dickman Living Trust

GRANTEE'S NAME: Leon D. Kuenzi and Roger E. Kuenzi

AFTER RECORDING RETURN TO: Leon D. Kuenzi and Roger E. Kuenzi PO Box 9026 Brooks, OR 97305

SEND TAX STATEMENTS TO: Leon D. Kuenzi and Roger E. Kuenzi PO Box 9026 Brooks, OR 97305

7964 Labish Center Road NE, Salem, OR 97305

REEL 3940 PAGE 277
MARION COUNTY
BILL BURGESS, COUNTY CLERK
04-28-2017 03:26 pm.
Control Number 456939 \$ 51.00
Instrument 2017 00021844

SPACE ABOVE THIS LINE FOR RECORDER'S USE

#### BARGAIN AND SALE DEED - STATUTORY FORM

(INDIVIDUAL or CORPORATION)

Donald Rodney Bennion, Trustee of the Bruce L. Dickman Living Trust dated April 28, 2010, Grantor, conveys to Leon D. Kuenzi and Roger E. Kuenzi, as tenants in common, Grantee, the following described real property, situated in the County of Marion, State of Oregon,

Beginning on the North line, 16.155 chains West from the Northeast corner of the Donation Land Claim of Elijah Woodward and wife in Township 6 South, Range 2 West of the Willamette Meridian, Marion County, Oregon, thence West 17.535 chains along the North line of the Elijah Woodward Claim to the Northeast corner of a 7.00 acre tract; thence South 21.67 chains, to the Southeast corner of the said 7.00 acre tract, and being on the South line of the Frederick Beer's land as shown in Volume 44, Page 337 of deed in the Recorder's Office for Marion County, Oregon; thence East 17.535 chains along the South line of said Frederick Beer's land, to the Southwest corner of a 35.00 acre tract of land; thence North 21.67 chains to the point of beginning.

The true consideration for this conveyance Seven Hundred Thousand And No/100 Dollars (\$700,000.00), which is being paid by a Qualified Intermediary as part of an IRC 1031 Tax Deferred Exchange. (See ORS 93.030).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17. CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

#### BARGAIN AND SALE DEED - STATUTORY FORM

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: April 28, 2017

Bruce L. Dickman Living Trust dated April 28, 2010

BY: Donald Rodney Bennie Tru; tee Donald Rodney Bennien, Trustee

State of OREGON County of MARION

This instrument was acknowledged before me on April 28, 2017, by Donald Rodney Bennion, Trustee of the Bruce L. Dickman Living Trust dated April 28, 2010.

Notary Public / State of Oregon My Commission Expires: 4/22/2019 OFFICIAL STAMP
DEONE R WILSON
NOTARY PUBLIC - OREGON
COMMISSION NO. 938372
MY COMMISSION EXPIRES APRIL 22, 2019

REEL: 3940 PAGE: 277

April 28, 2017, 03:26 pm.

CONTROL #: 456939

State of Oregon County of Marion

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

FEE: \$ 51.00

BILL BURGESS COUNTY CLERK

THIS IS NOT AN INVOICE.

# **Application for Water Right**

# **Transfer**

## **Evidence of Use Affidavit**



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State o	f Oregon			)							
County	of MARION)			)	SS						
I, ROGE	R KUENZI, in my	capaci	ty as O	WNER, I	RRIGAT	OR OF PR	OPERTY,				
mailing	address PO Bo	ox 9026	5, BROO	KS, OR	97305						
telepho	one number (50	03)991	-6764,	being	first du	ıly swor	n depose	e and say:			
1.	My knowledge of the exercise or status of the water right is based on (check one):  Personal observation  Professional expertise										
2.	Certif	ficate #	30631	, 3462	5, 4011	<u>10</u> ; <b>O</b> R			place of use f	or hin the last five years	
	Certificate #		nship	Rar		Mer	Sec	% %	Gov't Lot or DLC	Acres (if applicable)	
OR											
	Confirming Co	ertifica	te#	ha	s been	issued	within th	ne past five ye	ears; OR		
	Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR										
	The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.							-use			
	Water has bee								priation for i	nore than	

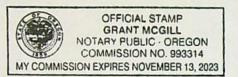
(continues on reverse side)

- 3. The water right was used for: (e.g., crops, pasture, etc.): CROPS
- 4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

_Co.	an	Kuns	
Signat	ure o	of Affiant	

2-14-2023 Date

Signed and sworn to (or affirmed) before me this 14 day of Feb., 2023.



Great M'Sin Notary Public for Oregon

My Commission Expires: 11/13/23

Supporting Documents	Examples
Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul> <li>Power usage records for pumps associated with irrigation use</li> <li>Fertilizer or seed bills related to irrigated crops</li> <li>Farmers Co-op sales receipt</li> </ul>
Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul> <li>District assessment records for water delivered</li> <li>Crop reports submitted under a federal loan agreement</li> <li>Beneficial use reports from district</li> <li>IRS Farm Usage Deduction Report</li> <li>Agricultural Stabilization Plan</li> <li>CREP Report</li> </ul>
Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right.  If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.  Sources for aerial photos: OSU –www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number





# 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-13935

Review Due Date: 04/07/2022

Applica	ant Name: Roger Kuenzi, Leon Kuenzi
Propos	sed Changes: POU POD POA USE OTHER
Reviev	ver(s): G. Wacker Date of Review: 03/15/2022
1.	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 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:
3.	Have headgate notices been issued for the source that serves the transferred right(s)?  Yes 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  No  If "Yes", explain:
5.	In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? Yes Vo 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:
	✓ N/A
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.	N/A  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 OAR 690-077-0015(8)? Yes No
9.	For POU changes: N/A Is it likely the original place of use would continue to receive water from the same source? Yes No If "Yes", explain:
10	• For POU or USE changes: N/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?  Yes ✓ No If "Yes", explain:
11	<ul> <li>For POU changes that involve micro-irrigation:</li></ul>

Watermaster Review Form Transfer Application

b.		porary transfer of this nature been previously filed and approved on the same lands as 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:
		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?  Yes No If "Yes", describe:
		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:
	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?  Yes No If "Yes", explain:

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 ✓ 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? 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 totalizing flow meter*, 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 staff gages*, 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:
Weir Submerged Orifice
Parshall Flume Flow Restrictor
Other:

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Watermaster Review Form

TACS

Transfer Application

Last revised May 2019

## **Oregon Water Resources Department**

## Measurement Condition Information for the Applicant

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

Transfer #: T- 13935

Salem, OR 97301-1266

In order to avoid enlargement of the right or injury to other rights, a totalizing flow meter will				
be required to be installed <u>prior to diversion of water</u> , 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: Greg Wacker				
District: 16				
Address: 725 Summer St NE Ste A				
City/State/Zip: Salem, OR 97301-1266				
Phone: 971-719-6262				
Email:				
<b>Note:</b> 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				

Page 5 of 5 Last revised May 2019 TACS

## **Oregon Water Resources Department**

## Measurement Condition Information for the Applicant

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

Transfer #: T- 13935

Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1266

In order to avoid enlargement of the right or injury to other rights, a totalizing flow meter will
be required to be installed <u>prior to diversion of water</u> , 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: Greg Wacker
District: 16
Address: 725 Summer St NE Ste A
City/State/Zip: Salem, OR 97301-1266
Phone: 971-719-6262
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:

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#### Water Resources Department

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

March 8, 2022

ROGER & LEON KUENZI PO BOX 9026 SALEM, OR 97305

Reference: Application T-13935

On February 28, 2022, OWRD received your water right Temporary Transfer Application. The application was accompanied by \$1343.70. Our receipt number 137584 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.

Except as provided under ORS 540.510(3) for municipalities, you may not *temporarily* use water at the new place of use or from the new point of appropriation until a final order approving the temporary transfer application has been issued by the Department. Additionally, pursuant to OAR 690-380-8010, the lands <u>from</u> which an irrigation water right is to be temporarily transferred and the land <u>to</u> which the right is to be temporarily transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

If the land is sold before the temporary transfer is approved, the buyer's consent to the temporary transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

If you have any questions, please contact the Transfer Section at (503) 979-9931.

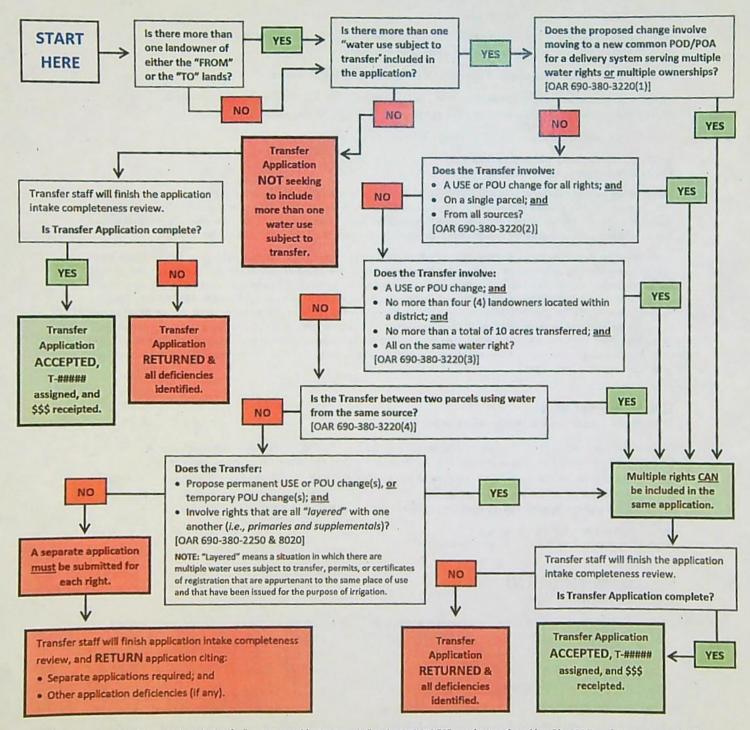
Cc: Watermaster Dist. #16, Gregory J. Wacker (via email)
Marion County Planning Department
William E. McGill, Agent

Enclosure

#### Decision Tree: Can Multiple Water Rights be included in a Single Transfer Application?

OAR 690-380-3220 - General Criteria / OAR 690-380-2250 - Suppl Water Right or Permit / OAR 690-380-8020 - Temp Transfer Suppl WR

FOR DIV. 380 TRANSFERS: The following series of questions outlined in the flow chart below can be used to determine if separate applications are required for each "water use subject to transfer" (as defined in ORS 540.505 & OAR 690-380-0100) that is proposed for transfer. To qualify for including multiple water rights in a single application, a proposed transfer application must meet at least one of the exceptions outlined in OAR 690-380-3220(1)-(4).



- NOTE: Only water rights that meet the criteria of a "water use subject to transfer" under ORS 540.505 may be transferred in a Div. 380 Transfer, except as otherwise noted in OAR 540.510, OAR 690-380-2240, & OAR 690-380-2250. Permit Amendments & GR Modifications are administered under ORS 537.211(4) & OAR 690-382, respectively.
- . "More than one landowner" does NOT mean two individuals who are married & are both a deeded owner of the parcel(s), nor a single Trust citing more than one name.
- Other considerations: The claim of beneficial use for all the water rights involved in a transfer will be evaluated at one time. The Department does not allow sequential or
  partial perfection of the rights changed through a water right transfer. As a result, the ability of a water right holder to obtain a certificate and/or apply for a subsequent
  transfer, including a temporary transfer, will be limited if the first transfer includes rights held by other parties who have not completed the authorized changes.

# 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-13935

Review Due Date: 04/07/2022

Applica	ant Name: Roger Kuenzi, Leon Kuenzi				
Propos	ed Changes: POU POD POA USE OTHER				
Review	ver(s): G. Wacker Date of Review: 03/15/2022				
1.	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 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 No Generally characterize the frequency of any regulation or explain why regulation has not occurred:				
3.	Have headgate notices been issued for the source that serves the transferred right(s)?  Yes 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  No  If "Yes", explain:				
	In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? Yes 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:
	✓ N/A
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  OAR 690-077-0015(8)?  Yes  No
9.	For POU changes: N/A Is it likely the original place of use would continue to receive water from the same source? No If "Yes", explain:
10	For POU or USE changes: N/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?  Yes No If "Yes", explain:
11	<ul> <li>For POU changes that involve micro-irrigation: N/A</li> <li>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?</li> <li>Yes No If "Yes", explain:</li> </ul>

		porary transfer of this nature been previously filed and approved on the same lands as 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:
		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?  Yes No If "Yes", describe:
		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:
(	To the	e 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?  Yes No If "Yes", explain:

determining whether the change "can be effected without injury to other rights"?
Yes 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? No Ves, 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 totalizing flow meter*,
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 staff gages*,
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:
Weir Submerged Orifice
Parshall Flume Flow Restrictor
Other:

## **Oregon Water Resources Department**

## Measurement Condition Information for the Applicant

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

Transfer #: T- 13935

Salem, OR 97301-1266

In order to avoid enlargement of the r	right or injury to of	ther rights, a totalizing flow meter will
be required to be installed prior to div	version of water, as	s a condition of this transfer:
at each point of diversion/app		nd existing) OR
at each new point of diversion	/appropriation.	
For additional information, or to obtain approve should contact the area Watermaster:	al of a different typ	oe of measurement device, the applicant
Watermaster name: Greg Wacker		
District: 16		
Address: 725 Summer St NE Ste A		
City/State/Zip: Salem, OR 97301-1266		
Phone: 971-719-6262		
Email:		
Note: If a device other than the one specified i by the Watermaster, fill out and mail the fo		
*********	******	********
Approval of an Alterna (to be filled out after consult		
On behalf of the Director, I authorize use of the	e following suitable	alternate measurement device:
Watermaster signature	District	Date
If this form is used for approval of an alternative measur	ement device, it must	be mailed to:
Oregon Water Resources Department		
725 Summer Street NF Suite A		

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Watermaster Review Form Transfer Application

## **Oregon Water Resources Department**

## Measurement Condition Information for the Applicant

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

Transfer #: T- 13935

Salem, OR 97301-1266

be required to be installed <u>prior to diversion</u> at each point of diversion/appropri	
at each new point of diversion/app	
For additional information, or to obtain approval of should contact the area Watermaster:	a different type of measurement device, the applicant
Watermaster name: Greg Wacker	
District: 16	
Address: 725 Summer St NE Ste A	
City/State/Zip: Salem, OR 97301-1266	
Phone: 971-719-6262	
Email:	
Note: If a device other than the one specified in the by the Watermaster, fill out and mail the form by	Preliminary Determination or Final Order is approved below to the Salem office.
*************	*********
Approval of an Alternate N	Measurement Device T-
Approval of an Alternate N	Measurement Device T- with the applicant, or after a site visit)
Approval of an Alternate N (to be filled out after consultation	Measurement Device T- with the applicant, or after a site visit)
Approval of an Alternate N (to be filled out after consultation On behalf of the Director, I authorize use of the follo	Measurement Device T- with the applicant, or after a site visit)
Approval of an Alternate N (to be filled out after consultation On behalf of the Director, I authorize use of the follo	Measurement Device T- with the applicant, or after a site visit)  wwing suitable alternate measurement device:  District Date
Approval of an Alternate N (to be filled out after consultation) On behalf of the Director, I authorize use of the follow  Watermaster signature	Measurement Device T- with the applicant, or after a site visit)  wwing suitable alternate measurement device:  District Date

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## **How to Read Totalizing Flow Meters**

Reading a water meter is similar to reading the odometer in your car. Reading your meter can help you identify leaks, track pumping costs, and discover ways to conserve water. To determine water use for a period of time between two meter readings, subtract the earlier reading from the later reading. (Example: July 31 reading minus June 30 reading = amount of water used in July.) Below are examples of two common types of meters.

If your meter does not look like these examples, contact the manufacturer or the meter installer for information.

#### Example 1: Meter Face Shows Only Cumulative Volume—

Totalizer Reading:

Unit of measurement = Acre Feet (AF)

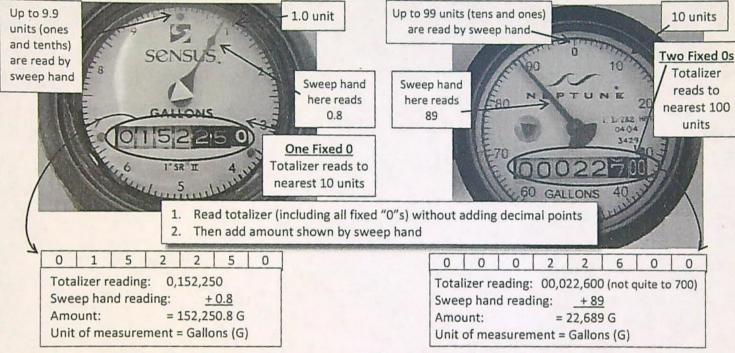
Multiplier:

Amount:

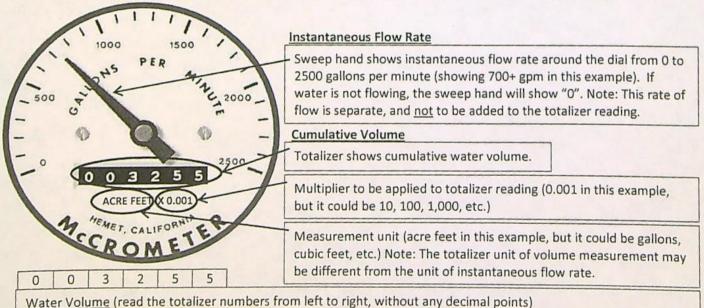
003255

X 0.001 = 3.255 AF

Totalizer Has 1 or 2 Fixed 0s as Place-holders + Sweep Hand Shows Amounts Represented by Zero Place-holders



<u>Example 2: Meter Face Shows Both Instantaneous Flow Rate and Cumulative Volume—</u>
Sweep Hand Shows Instantaneous Rate, and "Odometer-like" Totalizer Shows Cumulative Volume





# How to Select and Install a Suitable Flow Measuring Device

Note: Installation of a measuring device is subject to inspection and approval by the Watermaster.

#### For Piped Diversions

#### Diversions of less than or equal to 0.01 cfs (about 4.5 gpm):

Install a flow regulator or control valve (commonly called a dole valve) to allow water to flow at a pre-determined
rate, or a flow meter, or other device approved by local Watermaster.

#### Flow Meter Specifications for total diversions of greater than 0.01 cfs:

- Meter type may be magnetic head, ultrasonic, vortex cone, velocity-propeller, shunt line or venturi.
- The meter must have an accuracy rating within plus or minus 2% of actual flow rate for the full range of flow rates allowed.
- The register face must show a cumulative "totalizer", and have a protective plate or cover.
- The meter must measure the instantaneous rate of flow, either displayed directly with a readout or a dial, or by
  calculating using the totalizer. To calculate the flow: 1) Record a totalizer reading; 2) Run the system for a set number
  of minutes; and 3) Record another totalizer reading.

<u>Calculation</u>: (end reading minus beginning reading) divided by # of minutes = x measurement units/minute flow rate.

- The units of measure may be in acre-feet, cubic feet or gallons. Any multiplication factor must be clearly indicated on the face of the register.
- Totalizer must have sufficient capacity to record the maximum quantity of water authorized to be pumped over a
  period of 2 years without "rolling over" to show 0000000.
- Meter may be protected with a locked shelter, provided the Watermaster has access.

#### Flow Meter Installation:

- Match the meter to pipe size according to manufacturer's specifications.
- There must not be any turnouts or diversions between the source of water and the meter.
- Install the meter according to manufacturer's directions, which is typically in-line with a straight, horizontal length of pipe at least 5 pipe diameters upstream and downstream from any valve, elbow or other obstruction.
- Position the meter so that the pipe will be full at all times when water is being measured.
- Note the use of variable speed pump drives, which can pump a wide range of rates, may require a valve installed
  after the flow meter to obtain a full pipe of water.

#### For Ditch or Open Channel Diversions

- To measure only instantaneous flow: Use weirs, submerged orifice devices, Parshall flumes, long-throated or ramp flumes.
- To measure instantaneous flow and volume: Use a method for measurement of diversion discharge. Establish or maintain a rating curve with values for the full range from low to high discharge, conforming to U.S. Geological Survey methods for velocity-area measurements.

#### For Reservoirs

Install a staff gage to measure the full range of storage volume. Establish a rating elevation-capacity table to relate
water surface elevation to storage volume. In areas where the reservoir typically ices over during the winter,
significant protection of the staff plate is required.

Contact your local Watermaster for more information, and to obtain approval of your measuring device. If you have any concerns, please contact the Watermaster prior to purchasing and installing your measurement device.

Last revised: 12/1/2016

# BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING TEMPORARY
T-13935, Marion County	)	CHANGES IN PLACES OF USE AND POINTS
	)	OF APPROPRIATION

#### Authority

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

#### **Applicant**

ROGER AND LEON KUENZI PO BOX 9026 BROÒKS, OR 97305

#### Findings of Fact

- On February 28, 2022, ROGER AND LEON KUENXI filed an application to temporarily change the places of use and change the points of appropriation to serve the proposed places of use under Certificate 55131 and 83999 for a period of 1 year. The Department assigned the application number T-13935.
- 2. Notice of the application for transfer was published on March 8, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 3. The portion of the first right to be transferred is as follows:

Certificate: 55131 in the name of MAX M. BIBBY (perfected under Permit G-9603)

Use: IRRIGATION of 18.5 ACRES

Priority Date: JULY 6, 1981

Rate: 0.008 CUBIC FOOT PER SECOND

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

Limit/Duty:

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source:

A WELL, a tributary of LITTLE PUDDING RIVER

#### Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	2 W	WM	22	SE SW	370 FEET NORTH AND 2400 FEET EAST FROM THE SW CORNER OF SECTION 22

#### Authorized Place of Use:

Twp Rng Mer Sec Q-Q							
65	2 W	WM	22	SE SW	17.5		
65	2 W	WM	22	SW SE	1.0		

 Temporary Transfer Application T-13935 proposes to temporarily change the place of use of the right to:

		IRRIGAT	TION			
Twp Rng Mer Sec Q-Q						
65	2 W	WM	26	NE NW	8.3	
6 S	2 W	WM	26	NW NW	1.7	
6 S	2 W	WM	26	SW NW	1.5	
65	2 W	WM	26	SE NW	7.0	
				Total	18.5	

 A change in point of appropriation is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-13935 proposes to move the authorized point of appropriation approximately 0.85 mile east to:

Twp	Rng Mer Sec		Sec	Q-Q	Measured Distances
65	2 W	2 W   WM   23   SW SW		SW SW	WELL 3 – 590 FEET SOUTH AND 2110 FEET WEST FROM THE NE CORNER OF DLC 96

6. The portion of the second right to be transferred is as follows:

Certificate: 83999 in the name of DALE AND SANDRA KUENZI (perfected under Permit

G-11493)

Use: IRRIGATION of 12.5 ACRES

Priority Date: JULY 3, 1989

Rate: 0.155 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured

under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation

season of each year.

Source: ONE WELL in the LITTLE PUDDING RIVER BASIN

### Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
65	2 W	WM	22	SW SE	170 FEET SOUTH AND 1350 FEET WEST FROM THE NW CORNER OF DLC 96

#### Authorized Place of Use:

		IRRIGAT	TION		
Twp	Rng	Mer	Sec	Q-Q	Acres
65	2 W	WM	22	SW SE	11.1
6 S	2 W	WM	22	SE SE	1.4
				Total	12.5

7. Temporary Transfer Application T-13935 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
65	2 W	WM	26	NW NE	0.4
6 S	2 W	WM	26	NE NW	7.0
65	2 W	WM	26	SE NW	5.1
				Total	12.5

8. A change in point of appropriation is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-13935 proposes to move the authorized point of appropriation approximately 0.6 mile east to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6.5	2 W	WM	23	SW SW	WELL 3 – 590 FEET SOUTH AND 2110 FEET WEST FROM THE NE CORNER OF DLC 96

#### Temporary Transfer Review Criteria

- Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
- The proposed changes would not prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred rights, as required by ORS 540.523(7).
- 12. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

#### Conclusions of Law

The temporary changes in places of use and points of appropriation to serve the temporary places of use proposed in Temporary Transfer Application T-13935 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

#### Now, therefore, it is ORDERED:

- The temporary change in places of use and change in points of appropriation to serve the temporary place of use proposed in Temporary Transfer Application T-13935 are approved.
- The former place of use shall not be irrigated as part of these water rights during the 2022 irrigation season.
- The use shall revert to the authorized place of use at the end of the 2022 irrigation season.
   The authorization to use the temporary points of appropriation shall be terminated concurrently.
- 4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
- The quantity of water diverted at the proposed temporary points of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.
- 6. A subsequent application for permanent transfer of Certificates 55131 and 83999 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.

- 7. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 55131 and 83999.
- 8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
- 9. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).
  - 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.

10. The use of the remaining water rights described by Certificates 55131 and 83999 shall continue to be in accordance with the terms and conditions of Certificates 55131 and 83999.

MAY 1 1 2022

Dated in Salem, Oregon on

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for

MAY 1 2 2022

THOMAS M BYLER, DIRECTOR

Oregon Water Resources Department

Mailing Date:

#### STATE OF OREGON

#### WATER RESOURCES DEPARTMENT

RECEIPT # 137584

725 Summer St. N.E. Ste. A SALEM, OR 97301-4172

INVOICE #

			(503) 986	6-0900 / (50	3) 986-0904 (fax	()			
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BY:		-4C				PE	RMIT		
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		4-161	Ш			TOTAL	REC'D	\$1,393.1	10
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	0410	RESEARCH FEES						\$	
	0408	MISC REVENUE:	(IDENTIFY	)				\$	
	TC162	DEPOSIT LIAB. (						\$	
	0240	EXTENSION OF T						\$	
		WATER RIGHTS:			EXAM FEE			RECORD FE	E
	0201	SURFACE WATER	3		\$	-	02	\$	
	0203	GROUND WATER			\$	02	04	\$	
	0205	TRANSFER			\$1,343.7	70			
		WELL CONSTRUC	CTION		EXAM FEE			LICENSE FE	E
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	0210	MONITORING WE	LLS		\$		CARD#		
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RECEIPT: 137584

DATED: 18.2027 1902

## **Application for Water Right**

## Temporary or Drought Temporary Transfer

Part 1 of 5 – Minimum Requirements Checklist



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

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

RECEIVED

		For questions, please call (503) 986-0900, and ask for Transfer Section.	INLULIVE
		FOR ALL TEMPORARY TRANSFER APPLICATIONS	FEB 2.8 202
Che	k all item	ns included with this application. (N/A = Not Applicable)	, 25 - 200
$\boxtimes$		Part 1 – Completed Minimum Requirements Chermist.	OWRD
$\boxtimes$		Part 2 – Completed Temporary Transfer Applica on Map Checklist.	
$\boxtimes$		Part 3 – Application Fee, payable by check to the Oregon Water Resources completed Fee Worksheet, page 3. Try the online fee calculator at: <a href="http://apps.wrd.state.or.us/apps/misc/wrd">http://apps.wrd.state.or.us/apps/misc/wrd</a> fee calculator.	Department, and
$\boxtimes$		Part 4 – Completed Applicant Information and Signature.	
$\boxtimes$		Part 5 – Information about Transferred Water Rights: How many water rig transferred? 2 List them here: Cert. 55131 & 83999	hts are to be
		Please include a separate Part 5 for each water right. (See instructions on p	age 6)
$\boxtimes$	□ N/A	For standard Temporary Transfer (one to five years) Begin Year: 2022 En	d Year: <u>2022</u> .
	⊠ N/A	Temporary Drought Transfer (Only in counties where the Governor has dec	lared drought)
Atta	chments		
$\boxtimes$		Completed Temporary Transfer Application Map.	
$\boxtimes$		Completed Evidence of Use Affidavit and supporting documentation.	
		Current recorded deed for the land <b>from</b> which the authorized place of use being moved.	is temporarily
	□ N/A	Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the which the water right is located.)	e land upon
	⊠ N/A	Supplemental Form D – For water rights served by or issued in the name of Complete when the temporary transfer applicant is not the district.	a district.
	□ N/A	Oregon Water Resources Department's Land Use Information Form with a signature from each local land use authority in which water is to be diverted and/or used. Not required if water is to be diverted, conveyed, and/or used lands or if <u>all</u> of the following apply: a) a change in place of use only, b) no changes, c) the use of water is for irrigation only, and d) the use is located irrigation district or an exclusive farm use zone.	d, conveyed, d only on federal structural
	□ N/A	Water Well Report/Well Log for changes in point(s) of appropriation (well(spoint(s) of appropriation (if necessary to convey water to the proposed plants)	
	WE AR  Ap  La  Ac  Other/	aff Use Only)  E RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):  Oplication fee not enclosed/insufficient Map not included or incomplete and Use Form not enclosed or incomplete dditional signature(s) required Part is incomplete Explanation Phone: Date: /	

FEB 2 8 202

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

OWRD

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

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

#### Part 3 of 5 - Fee Worksheet

Base Fee (includes temporary change to one water right for up to 1 cfs)  Number of water rights included in transfer: 2 (2a) Subtract 1 from the number in 3a above: 1 (2b) If only one water right this will be 0  Multiply line 2b by \$310.00 and enter " " " " " " " " " " " " " " " " " " "
Number of water rights included in transfer: 2 (2a) Subtract 1 from the number in 3a above: 1 (2b) if only one water right this will be 0 Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » 2  Do you propose to change the place of use for a non-irrigation use?  No: enter 0 on line 3 » » » » » » » » » » » » » » » » » »
Subtract 1 from the number in 3a above: 1 (2b) If only one water right this will be 0  Multiply line 2b by \$310.00 and enter " " " " " " " " " " " " " " " " " " "
Do you propose to change the place of use for a non-irrigation use?  No: enter 0 on line 3 » » » » » » » » » » » » » » » » » »
Do you propose to change the place of use for a non-irrigation use?  No: enter 0 on line 3 » » » » » » » » » » » » » » » » » »
No: enter 0 on line 3 » » » » » » » » » » » » » » » » » »
Subtract 1.0 from the number in 3a above:(3b)  If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » » »
Subtract 1.0 from the number in 3a above:(3b)  If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » » »
If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » » »
If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » » »
3 multiply 4c by \$210.00, then enter on line 3  Do you propose to change the place of use for an irrigation use?  No: enter 0 on line 4 » » » » » » » » » » » » » » » » » »
Do you propose to change the place of use for an irrigation use?  No: enter 0 on line 4 » » » » » » » » » » » » » » » » » »
<ul> <li>No: enter 0 on line 4 » » » » » » » » » » » » » » » » » »</li></ul>
Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: 31.0 (4a)  Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » » 4 83.70  Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal: 5 1,343.70
portions of the rights to be transferred: 31.0 (4a)  4 Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » » 4 83.70  5 Add entries on lines 1 through 4 above » » » » » » » » » Subtotal: 5 1,343.70
4 Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » » 4 83.70  5 Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal: 5 1,343.70
5 Add entries on lines 1 through 4 above » » » » » » » » » Subtotal: 5 1,343.70
The character of the control of the
Is this transfer:
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 5 by 0.5 and enter on line 6 »
6 If no box is applicable, enter 0 on line 7» » » » » » » » » » » » 6 0
7 Subtract line 6 from line 5 » » » » » » » » » » » » Transfer Fee: 7 \$1,343.7

	FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS		
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
	Enter the cfs for the portions of the rights to be transferred (see example below*):		
	(2a)		
	Subtract 1.0 from the number in 2a above: (2b)		
	If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » »		
	If 2b is greater than 0, round up to the nearest whole number: (2c) and		
2	multiply 2c by \$50, then enter on line 2 » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » » » » Transfer Fee:	3	

<sup>\*</sup>Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

13935

<sup>1.</sup> Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs  $\div$ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac= 0.56 cfs).

<sup>2.</sup> If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)

<sup>3.</sup> Add cfs for the portions of water rights on all the land included in the transfer; however do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

## Part 4 of 5 - Applicant Information and Signature

## **Applicant Information**

OWRD

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Roger & Leon Kuenzi			(503) 991-6764	
ADDRESS PO Box 9026				FAX NO.
CITY Brooks	STATE	ZIP 97305	E-MAIL randlkuenzi@gmail	

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

AGENT/BUSINESS NAME Will McGill Surveying LI	.c		PHONE NO. (503) 931-0210	ADDITIONAL CONTACT NO. (503) 510-3026
ADDRESS 15333 Pletzer Rd. SE				FAX NO.
CITY Turner	STATE OR	ZIP 97392	E-MAIL willmcgill.surveying	g@gmail.com
	IL ADDRESS, CONSEI	NT IS GIVEN TO RE	CEIVE ALL CORRESPONDENCE	

Explain in your own words what you propose to accomplish with this transfer application and why: It is proposed to use portions of Certificates 55131 and 83999 to establish a hazelnut crop in tax lot 800 with irrigation from Well 3. Certificate 35589 will be diminished to supplemental and remain unused in its place of use until the overlayed primary Cert. 83999 reverts within 5 years.

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

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

Applicant signature

Roger Kuenzi Owner 2-2-2022

Print Name (and Title if applicable)

Date

Date

Print Name (and Title if applicable)

Date

Applicant signature Print Name (and Title if applicable) Date

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

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

		RE	CEIVE
DISTRICT NAME	ADDRESS	FEE	2 8 20
CITY	STATE	ZIP	
contract for stored water v	of the rights supplied under a wa with a federal agency or other enti		
ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	
city, municipal corporation, or conveyed and/or used.	stency Requirements, you must lis tribal government) within whose		
city, municipal corporation, or		jurisdiction water will be diverte	
city, municipal corporation, or conveyed and/or used.	tribal government) within whose	jurisdiction water will be diverte	
city, municipal corporation, or conveyed and/or used.  ENTITY NAME  Marion County  CITY	ADDRESS 5155 Silverton Rd. N	iurisdiction water will be diverte	

#### Part 5 of 5 - Water Right Information

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Water Right Certificate # 55131

OWRD

Description of Water Delivery System System capacity: 0.75 cubic feet per second (cfs) OR

gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. 15 HP submersible pump delivers water through 4" buried PVC mainline and is applied by 40' aluminum pipe with impact sprinklers.

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L)	Т	wp	F	Rng	Sec	1/4	% %		Measured Distances (from a recognized survey corner)
Well 1		MARI 4345	6	s	2	w	22	SE	sw	601	370' N and 2400' E from SW corner, section 22
Well 3	☐ Authorized ☑ Proposed	MARI 4399	6	5	2	w	23	sw	sw	400	590' S and 2110' W from the NE corner, DLC 96
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

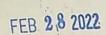
Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses): Appropriation/Well (POA) Additional Point of Appropriation (APOA) Point of Diversion (POD) Additional Point of Diversion (APOD) Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses): Point of Appropriation/Well (POA) Place of Use (POU) Additional Point of Appropriation (APOA) Character of Use (USE) Additional Point of Diversion (APOD) Point of Diversion (POD) Will all of the proposed changes affect the entire water right? Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the Yes

13935

Complete all of Table 2 to describe the portion of the water right to be changed.

"CODES" listed above to describe the proposed changes.

⊠ No



## **OWRD**

## Table 2. Description of Temporary Changes to Water Right Certificate # 55131

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

	_	_											creage asso	-												63
					AU	THOP	RIZED (	the "f	rom" o	r "off" lands	)								PF	OPOS	SED (t	he "to	" or "o	n" lands)		0
T	he	lis	ting	g tha	t app	ears	on the	Certi	ficate B	EFORE PRO	POSED CHAN	GES	Danner			T	he	listir	ng as	it wou	ıld ap	pear A	FTER P	ROPOSED	CHANGES	60
		Li	st c	nly t	hat pa	art or	portion	of the	e water i	right that will	be changed.		Proposed Changes (see									re ma				-
Twp		Rn		Sec		14	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	"CODES" from previous page)	Tw	'p	Rn	g	Sec	3/4	%	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priorit Date
6 5	5	2	w	22	SE	sw	100, 601, 701, 801, 901, 1200		17.5	Irrigation	Well 1	1981	POU/POA	6	s	2	w	26	NE	NW	800	96	8.3	Irrigation	Well 1, 3	1981
6 5	5	2	w	22	sw	SE	100		1.0	Irrigation	Well 1	1981	POU/POA	6	s	2	w	26	NW	NW	800	96	1.7	Irrigation	Well 1, 3	1981
													POU/POA	6	s	2	w	26	sw	NW	800	96	1.5	Irrigation	Well 1, 3	1981
	1												POU/POA	6	s	2	w	26	SE	NW	800	96	7.0	Irrigation	Well 1, 3	1981
						TC	TAL AC	RES	18.5											ТО	TAL A	CRES	18.5			

Additional remarks:\_\_\_\_

•	or Place of Use Changes	11202112
	Are there other water right certificates, water use permits or ground water registratio associated with the "from" or the "to" lands?   Yes   No	nEEB 2,8 2022
	If YES, list the certificate, water use permit, or ground water registration numbers:	OWRD
	Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the or remain unused on the authorized place of use. If the primary water right does not reenough to allow use of the supplemental right within five years, the supplemental right become subject to cancellation for nonuse under ORS 540.610.	evert soon
	If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation necessary to convey the water to the new temporary place of use you must provide:	is
	Well log(s) for each authorized and proposed well(s) that are clearly labeled and 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 paghttp://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)	
	AND/OR	
	Describe the construction of the authorized and proposed well(s) in Table 3 below well that does not have a well log. For a proposed well(s) not yet constructed or b provide "a best estimate" for each requested information element in the table. To Department recommends you consult a licensed well driller, geologist, or certified right examiner to assist with assembling the information necessary to complete To	<i>uilt,</i> he d water

#### 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

13935

### Water Right Certificate # 83999

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#### Description of Water Delivery System

System capacity: 1.30 cubic feet per second (cfs) OR

gallons per minute (gpm)

OWRD

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. 20 HP submersible pump delivers water through 4" buried PVC mainline and is applied by 40' aluminum pipe with impact sprinklers.

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L)	Т	wp	F	Rng	Sec	у,	Х	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)		
Well 2	☑ Authorized ☐ Proposed	MARI 4327	6	S	2	w	22	sw	SE	1000	170' S and 1350' W from NW corner, DLC 96		
Well 3	☐ Authorized ☑ Proposed	MARI 4399	6	s	2	w	23	sw	sw	400	590' S and 2110' W from the NE corner, DLC 96		
	Authorized												
	☐ Proposed												
	□ Authorized												
	☐ Proposed												

Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses):  $\boxtimes$ Appropriation/Well (POA) □ Place of Use (POU) Point of Diversion (POD) Additional Point of Appropriation (APOA) Additional Point of Diversion (APOD) Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses): Point of Appropriation/Well (POA) ☐ Place of Use (POU) Character of Use (USE) Additional Point of Appropriation (APOA) Additional Point of Diversion (APOD) Point of Diversion (POD) Will all of the proposed changes affect the entire water right? Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the Yes "CODES" listed above to describe the proposed changes. Complete all of Table 2 to describe the portion of the water right to be changed. ⊠ No

13935

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## OWRD

Table 2. Description of Temporary Changes to Water Right Certificate # 83999

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

	The	AUTHORIZED (the "from" or "off" lands) he listing that appears on the Certificate BEFORE PROPOSED CHANGE List only that part or portion of the water right that will be changed.							GES	Proposed Changes (see											CHANGES	130			
Tw	p	Rr		Sec		1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Date	"CODES" from previous page)	Twp	R	ng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
6	s	2	w	22	sw	SE	800, 1000, 1300		11.1	Irrigation	Well 2	1989	POU/POA	6 S	2	w	26	NW	NE	800	96	0.4	Irrigation	Well 2, 3	1989
6	S	2	w	22	SE	SE	800		1.4	Irrigation	Well 2	1989	POU/POA	6 S	2	w	26	NE	NW	800	96	7.0	Irrigation	Well 2, 3	1989
													POU/POA	6 S	2	w	26	SE	NW	800	96	0.9	Irrigation	Well 2, 3	1989
	-																								
						TC	TAL AC	RES	12.5						_	-			то	TAL AC	RES	12.5			

Additional remarks:\_

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## OWRD

Water Right Certificate # 83999

#### For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: Cert. 35589



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

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

Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: <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 below for any well that does not have a well log. For a proposed well(s) not yet constructed or built, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

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

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

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

NOTICE TO WATER WELL CONTRACTOR WATER WELL REPOET CEIVED Well ! The original and first copy of this report STATE OF OREGON MAY 24 1977 State Well No. 65/2W-22
(Please type or print) are to be filed with the WATER RESOURCES DEPARTMENT. SALEM, OREGON 97310 (Do not write above WATER RESOURCES DEPT. Permit No. 6.9603 within 30 days from the date of well completion. SALEM. OREGON (1) OWNER: (10) LOCATION OF WELL: Name Max M. Bibby County Marion Driller's well number 2040 Address 6826 Labish Cepter Rd. NE 97303 14 14 Section X 22 T. 6S R. 2W W.M. Salem, Oregon 97303 Bearing and distance from section or subdivision corner (2) TYPE OF WORK (check): Deepening [ Reconditioning [ Abandon [ If abandonment, describe material and procedure in Item 12. (11) WATER LEVEL: Completed well. (3) TYPE OF WELL: (4) PROPOSED USE (check): Depth at which water was first found 63 Rotary Driven | Domestic | Industrial | Municipal | Static level 39 ft. below land surface. Date 5/17/77 Cable Jetted [ Dug Bored [ Irrigation X Test Well Other Artesian pressure lbs, per square inch. Date CASING INSTALLED: Threaded | Welded | (12) WELL LOG: Diameter of well below casing ... TO K " Diam. from top ft. to 140 ft. Gage .250 Depth drilled 140 ft. Depth of completed well 140 ..." Diam, from \_\_\_\_\_ ft. to \_\_\_\_ ft. Gage \_\_\_\_ Formation: Describe color, texture, grain size and structure of materials; \_\_\_\_ " Diam. from \_\_\_\_ ft. to ..... ft. Gage .. and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in PERFORATIONS: position of Static Water Level and indicate principal water-bearing strata. Perforated? X Yes No. Type of perforator used Mills Knife MATERIAL Size of perforations 3/8 in. by 2 3/4 in. Topsoil 100 perforations from 87 ft. to XX 3 63 Brown Clay 310 perforations from 115 Brown Sand and Clay 63 76 .... perforations from ...... ft. to ..... Brown Sandy Gravel 76 84 Cemented Brown Sand and Gravel 84 96 (7) SCREENS: Well screen installed? | Yes | No Brown Clay 96 112 Black Sand and Gravel Manufacturer's Name ...... 112 Diam. Slot size ...... Set from ...... ft. to ...... Black Sand and Gravel, Cemented Diam. ..... Slot size ..... Set from ..... 140 138 Drawdown is amount water level is lowered below static level RECEIVED (8) WELL TESTS: Was a pump test made? K Yes | No If yes, by whom? driller FFB 2.8 2022 gal./min. with 11 ft. drawdown after 1 hrs. 150 42 " gal./min. with ft. drawdown after Bailer test Artesian flow g.p.m. perature of water Depth artesian flow encountered ...... Work started 5/14/77 19 Completed 5/17/77 5/18/77 Date well drilling machine moved off of well (9) CONSTRUCTION: Well seal-Material used Portland Cement Drilling Machine Operator's Certification: This well was constructed under my direct supervision. Well sealed from land surface to \_\_\_\_\_\_19 Materials used and information reported above are true to my Diameter of well bore to bottom of seal \_\_\_\_\_\_\_\_in. best knowledge and belief. [Signed] Date 5/18/7719 Date 5/18/7719 Number of sacks of cement used in well seal .... Drilling Machine Operator's License No. 75.2 How was cement grout placed? Poured in from the top Water Well Contractor's Certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. Was a drive shoe used? X Yes - No Plugs ...... Size: location ...... ft. Did any strata contain unusable water? 

Yes X No

Name Willamette Drilling Co. (Type or print) Address 1450 Barnick Rd. NE Salem, Oregon 97303 L Deux (Water Well Contractor)

Contractor's License No. 5 6 4 0 0 5/18/77 19 19

depth of strata

Was well gravel packed? Yes No Size of gravel: ....

Gravel placed from \_\_\_\_\_ft. to \_\_\_\_\_ft.

Type of water?

Method of sealing strata off

#### RECEIVERE STATE OF OREGON SEP - 1 1989 JUL - 2 1995 WATER WELL REPORT (as recorred by ORS 537.765) Dale A.& Sandra M. Ruenzen OREGON SALEM OREGON Latitude Longitude (1) NOWNER: Name HEM. OREGON Address 7094 Labish Center Rd. City State Oregon Zip 97305 Salem. (2) TYPE OF WORK: K New Well ☐ Deepen Recondition Abandon (3) DRILL METHOD Rotary Air Rotary Mud Cable Other (4) PROPOSED USE: ☐ Domestic ☐ Community ☐ Industrial Irrigation ☐ Thermal ☐ Injection Other . (5) BORE HOLE CONSTRUCTION: Special Construction approval Yes No Depth of Completed Well 120 Explosives used Туре Amount HOLE SEAL Amount Diameter From Material To sacks or pounds From 12" x sk. Bent .slurry 12" Dry-Gran-Beht.O 19 28 sks. Other Gravity pressure Backfill placed from 1202 ft. to 129 ft. Gravel placed from 1202 ft. to 129 ft. Material Size of gravel 3/8" (6) CASING/LINER: From To Gauge Steel Plastic Welded Threaded ... Liner: Final location of shoe(s) 119'-9" (7) PERFORATIONS/SCREENS: Method Mills Knife X Perforations Material Screens Slot Tele/pipe Casing Liner 1110 XXXXXXXX 113 | 1143 X (8) WELL TESTS: Minimum testing time is 1 hour ☐ Flowing Artesian ☐ Air E Bailer ☐ Pump Yield gal/min Drawdown Drill stem at Time 21 74.08 1 hr.

Longitude \_ Township 6 S. Nor S, Range N.W. 4 S.W. 4 \_\_ Block \_ \_\_\_Subdivision Street Address of Well (or nearest address) \_ (10) STATIC WATER LEVEL: 7 ft. below land surface. (11) WATER BEARING ZONES: Depth at which water was first found \_\_\_ To Estimated Flow Rate From 20' N.A. N.A. N.A. 37' 73=1 30' N.A. 28' 761 1091 N.A. 111' N.A. 28' (12) WELL LOG: approx. 150 ft. Ground elevation Material From SWL 0 Top soil- brn.-1 Fine sandy clay- brn .-1 Sandy clay- brn.-Med.-conglom.-hd.-brn. 30' (W.b. .-med. hd.-brn.(Wb.) 30' 63 64 hd.-brn.(Wb.) 73 30' Soft-streak- sandy- brn.-73 Med.conglom.-med. hd.-brn.-(Wb 28' 76 Med.conglom.med.hd.-grayishbrn.-less clay in it- (W.B.) 76 109 28' Soft streak-sandy-clay-gray-109 111 Med.conglom.grayish-brn. (Wb.) 122 28' Date started May 13,1989 Completed May 31,1989

(START CARD)

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed\_

WWC Number 65 Date \_6 - 30

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and WWC Number 29

Did any strata contain water not suitable for intended use? 

Too little □ Salty ₺ Muddy □ Odor □ Colored ₺ Other to shallow

Yes By whom

Depth Artesian Flow Found .

Temperature of water 54

Was a water analysis done?

Depth of strata: 20 & 37 to 73

# RECEIVED

SEP - 1 1989

#### STATE OF OREGON WATER RESOURCES DEPARTMENT

Before approval can be considered the following questions must be answered.

WATER RESOURCES DEPT.

REQUEST FOR WRITTEN APPROVAL TO USE CONSTRUCTION METHODS NOFALEM, OREGON INCLUDED IN THE RULES AND REGULATIONS PRESCRIBING GENERAL STANDARDS FOR THE CONSTRUCTION AND MAINTENANCE OF WELLS IN OREGON

Date	(8/22/89) e: approx. 5/25/89 is the date I called in & talked to Mr.King on this. REC
	Constructor: Paul R. Stadeli FEB
	11364 Evergreen Rd.N.E., Silverton, Oregon 97381
(1)	Location of Well: N.W. 1/4 S.W. 1/4 of Section 2 2 ,
	Township 6 S. , Range 2 W. , Marion County.
	Address at well site or nearest known address: 7094 Labish Center Rd.N.E.
	Salem, Oregon 97305
(2)	Name and address of Landowner: Dale A. & Sandra M. Kuenzi
	7094 Labish Center Rd. N.E.
	Salem, Oregon 97305
(3)	Salem, Oregon 97305  The distance to the nearest well and septic drainfield: approx.1000ft.
	The distance to the nearest well and septic drainfield: approx.1000ft.
	The distance to the nearest well and septic drainfield: approx.1000ft.  The unusual conditions existing at the well site: The reason for special
(4)	The distance to the nearest well and septic drainfield: approx.1000ft.  The unusual conditions existing at the well site: The reason for special standards is -we had some water to pumps out of the annular space & needed
(4)	The distance to the nearest well and septic drainfield: approx.1000ft.  The unusual conditions existing at the well site: The reason for special standards is -we had some water to pumps out of the annular space & needed a Bentonite slurry first. We put that in first & then the granular bentonite.  The proposed construction methods that the well constructor or landowner
(3) (4) (5)	The unusual conditions existing at the well site: The reason for special standards is -we had some water to pumps out of the annular space & needed a Bentonite slurry first. We put that in first & then the granular bentonite. The proposed construction methods that the well constructor or landowner constructing the well believes will be adequate for his particular well:
(4)	The unusual conditions existing at the well site: The reason for spectal standards is -we had some water to pumps out of the annular space & needed a Bentonite slurry first. We put that in first & then the granular bentonite. The proposed construction methods that the well constructor or landowner constructing the well believes will be adequate for his particular well:  We mixed up ½ sk. of super gel X with approx. 35 gals. of water & put that

# OCT 19 1961

MARI 4399

State Well No. 6/2w-23 P (1)

File Original and First Copy with the STATE ENGINEER, SALEM, OREGON

STATE L. GINEENWATER WELL REPORT SALEM, ONEGON

STATE OF OREGON G-4511

TO LONG TO LON	-	State Permit No.		
(1) OWNER:		(11) WELL TESTS: Drawdown is amount	water level	l is
Name BRUSE L. DICKMAN		Was a pump test made? KYes No If yes, by whom	ne DRT	T.T.ER
Address RT. 2 BOX 45				nrs.
SILVERTON . OREGON		Yield: 500 gel./min. with 64 ft. drawdow	All afrer	0 "
(0) 705		<u>" 370 " 52 "</u>		-
(2) LOCATION OF WELL:		Baller test gal./min. with ft. drawdow	m often	hrs.
County MARION Owner's number, if any-			n atter	111.8.
14 Section 23 T. 6 R.	2 W W.M.		-d-0 D V	- CINO
Bearing and distance from section or subdivision corner		Temperature of water Was a chemical analysis ma	ader LI 1	S LINO
		(12) WELL LOG: Diameter of well	IO	inches.
		Depth drilled I75 ft. Depth of completed w	ell I7	5 ft.
		Formation: Describe by color, character, size of materic show thickness of aquifers and the kind and nature of stratum penetrated, with at least one entry for each c	al and structhe material	cture, and al in each ormation.
		MATERIAL	FROM	TO
(3) TYPE OF WORK (check):		TOP SOIL	0	3
New Well Deepening Reconditioning	Abandon [	BROWN SILT	3	50
bandonment, describe material and procedure in Item 11	No. of the Control of	GREEN SITT	50	55
		GRAY CLAY & WOOD &SMALL GRAV		76
(4) PROPOSED USE (check): (5) TYPE	OF WELL:	GRAY CLAY	76	85
Domestic   Industrial   Municipal   Rotary	Driven 🛘	BLACK SILT & PEA GRAVEL	85	90
Irrigation CK Test Well Cother Dug		CEMENT GRAVEL	90	I06
		SAND & GRAVEL	I06	I37
(6) CASING INSTALLED: Threaded □ W	elded 🔯	BLACK SAND	I37	I43
	age	BLACK SAND & GRAVEL	143	I49.
"Diam. fromft. toft. G	age	BROWN SAND & GRAVEL	I49	I62
	age	BLACK SAND & GRAVEL	162	I70
		BLACK SAND &GRAVEL & WATER	170	I75
(7) PERFORATIONS: Perforated? A :	Yes   No	DIRIOT DIVID GGIRATID G WILDIT		
SIZE of perforations in. by	in.			
276 perforations from TOO ft to	I36 #			
periorations from		RECEIVED		
perforations from ft. to				
perforations from ft. to		FEB. 2,8 2022		
perforations from ft. to	ft.			
(8) SCREENS: Well screen installed	Yes A No			_
Manufacturer's Name	- L	OWRD		
Model No				
Slot size Set from ft. to				
Diam. Slot size Set from ft. to		Work started AUG. 29 19 6.T Completed S	EPT 2	5 19 6T
		Work statted Floors 25 15 O. Completed D	TILL C	O 19 PT
(9) CONSTRUCTION:		(13) PUMP:		
Was well gravel packed? Yes KNo Size of gravel:		Manufacturer's Name		
Gravel placed fromft tof	t.	Туре:	н.р.	
Was a surface seal provided? X Yes   No To what depth	17 20 st			
Material used in seal— PUDDLE CLAY		Well Driller's Statement:		
Did any strata contain unusable water?   Yes   No		This well was drilled under my jurisdiction	and this	report is
Type of water? Depth of strata		true to the best of my knowledge and belief.		
Method of sealing strata off		NAME WILLAMETTE DRILLING CO.		
WATER TEVELS.		(Person, firm, or corporation) (T	ype or prin	7.0
(10) WATER LEVELS:		Address RT. 2 BOX 276 SALEM, C	REGON	
Static level OV	A STATE OF THE PARTY OF THE PAR			December 200
Artesian pressure lbs. per square inch Date		Driller's well number .686		
Log Accepted by:		[Signed] Lale Berthold		
R 10:1 - a + 1	2 .11	(Well Driller)	***************************************	
[Signed] Brun L Durbon Date Out /	19.9/	License No. 348 Date SEPT	25	10 6T
		1000		-, 19

After Recording Return To: 1 Michael E. Knapp, P.C. 2355 State Street Salem, OR 97301

Until a change is requested, All tax statements should be sent to:

Unchanged

**REEL 3528 PAGE 447** MARION COUNTY BILL BURGESS, COUNTY CLERK 07-26-2013 01:07 pm. Control Number 343950 \$ 81.00 Instrument 2013 00034684

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OWRD

#### RE-RECORDING CERTIFICATE FOR STATUTORY WARRANTY DEED

The undersigned ("Grantor") hereby certifies that pursuant to ORS 205.244, the attached Statutory Warranty Deed is being re-recorded at the request of Grantor to correct the legal description. The correct legal description is attached to the Statutory Warranty Deed being re-recorded and attached hereto. The Statutory Warranty Deed was previously recorded in Reel 3459, Page 6 of the records of Marion County.

By: Donna F. Rennick

Page 1

Re-recording Certificate TaryRamich-Kunng/Sala RERECORD. Dend051713.dec



After recording return to: Leon Kuenzi PO Box 9026 Brooks, OR 97305

Until a change is requested all tax statements shall be sent to the following address: Leon Kuenzi PO Box 9026 Brooks, OR 97305

File No.: 7081-2009071 (ALS) Date: December 11, 2012 REEL 3459 PAGE 6
MARION COUNTY
BILL BURGESS, COUNTY CLERK
12-31-2012 11:13 am.
Control Number 330271 \$ 76.00
Instrument 2012 34048487

RECEIVED
FEB 2,8 2022
OWRD

### STATUTORY WARRANTY DEED

Terry L. Rennick and Donna F. Rennick, as tenants by the entirety as to Parcel I to IX and Terry L. Rennick as to Parcel X, Grantor, conveys and warrants to Leon Kuenzi and Roger Kuenzi, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

The legal description is described in Exhibit A attached hereto.

### Subject to:

 Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is \$707,000.00. (Here comply with requirements of ORS 93,030)

Page 1 of 9

FEB 2 8 2022

APN: R18925

Statutory Warranty Deed - continued

File No.: 7081-2009071 (ALS)

OWRD

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 28TH day of DECEMBER, 2012.

Dolly of Council Dona J. Rennick

Dona F. Rennick

STATE OF Oregon

) )ss.

County of Marion

This instrument was acknowledged before me on this day of by Terry L. Rennick and Donna F. Rennick.

OFFICIAL SEAL
ANITA L STROMME
NOTARY PUBLIC - OREGON
COMMISSION NO. 451555

MY COMMISSION EXPIRES SEPTEMBER 16, 2014

Notary Public for Oregon My commission expires:

Page 2 of 9

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### EXHIBIT "A"

**OWRD** 

Real property in the City of Salem, County of Marion, State of Oregon, described as follows:

### PARCEL T :

Beginning at the Northeast corner of that certain land described in the deed executed by Ben P. Taylor and Martha M. Taylor his wife, to W. F. Klampe dated in the month of October, 1926, and recorded in Deed Volume 189 on Page 177 of the Records of Deeds for Marion County, Oregon, being located in Section 22, Township 6 South, Range 2 West of the Williamette Meridian; said true point of beginning being on the South right of way line of County Road No. 37; and also being South 89° 45' East 330.40 feet and North 1319.34 feet from the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 22; thence South, 659.34 feet; thence North 89° 38' West 142.86 feet along the North property line of the B & K Prepack; thence North 459.23 feet; thence South 89° 42' East 66.58 feet along the South property line of the Jones'; thence North 0° 55' East 199.95 feet along the East property line of the Jones'; thence along the South right of way line of the County road, South 89° 42' East 73.08, feet to the true point of beginning.

SAVE AND EXCEPT all that portion of the above described property included in the following:

Beginning on the South right of way line of Market Road No. 37 (Labish Center Road) at a point which is 1568.25 feet South 89° 42' East and 25.00 feet South 0° 16' 24" West from the Northwest corner of the Southwest quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Williamette Meridian Marion County, Oregon; thence South 89° 42' East, along said right of way line, 428.22 feet; thence South 22° 49' 26" West 432.18 feet; thence North 89° 41' 55" West 175.17 feet; thence North 0° 16' 27" East 203.09 feet; thence North 89° 41' 49" West 87.32 feet to an Iron rod marking the Southeast corner of a tract of land described in Reel 506, Page 460, Marion County Records; thence North 0° 16' 24" East, along the East line of said tract, 196.12 feet to the point of beginning.

### PARCEL II:

Beginning at the Southwest corner of the Southeast quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Williamette Merklian in Marion County, Oregon; thence South 89° 45' East 25.15 feet to the true point of beginning; thence North 360.00 feet; thence South 89° 38' East 305.25 feet; thence South 360.00 feet; thence North 89° 45' West 305.25 feet to the true point of beginning.

### SAVE AND EXCEPT

Beginning at a 5/8" Iron rod on the east line of a 25 foot strip of land described in Volume 445 Page 300, Deed Records for Marion County and being 25.00 feet, South 89°52'05" East and 360.00 feet North 00°25'26" West from the Southwest comer of the Southeast quarter of the Southwest quarter of sald Section 22 and running; thence South 69°42'00" East, 305.25 feet to a 5/8" Iron rod; thence South 47°36'54" West, 56.37 feet to a 5/8" Iron rod; thence South 55°36'01" West, 44.92 feet to a 5/8" Iron rod; thence South 64°08'40" West, 51.71 feet to a 5/8" Iron rod; thence North 82°35'35" West, 39.57 feet to a 5/8" Iron rod; thence North 85°35'15" West, 82.72 feet to the east line of the aforesald 25 foot strip of land; thence North 0°25'26" West, along said 25 foot strip, 73.72 feet to the point of beginning.

RECEIVEL FEB 2/8 2022

......

### PARCELIII:

Beginning at the Northwest comer of the East one-half of the West one-half of the Southeast quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; and running thence East 120.00 feet; thence South 350.00 feet; thence West 120.00 feet; thence North 350.00 feet to the place of beginning.

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ALSO Beginning at a point on the West line of the East one-half of the West one-half of the Southeast quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Willemette Meridian, Marion County, Oregon, which point is 350.00 feet South of the Northwest corner thereof; which point is also the Southwest corner of that tract of land conveyed to Max M. Bibby and wife, by deed recorded in Volume 397, Page 159, Deed Records for Marion County, Oregon; running thence East along the South line of said Bibby tract 120.00 feet to the Southeast corner thereof; thence South, parallel with said West line 150.00 feet; thence West, parallel with the South line of said Bibby tract 120.00 feet to said West line; thence North 150.00 feet to the place of beginning.

SAVE AND EXCEPT all that portion of the above described property included in the following:

Beginning on the South right of way line of Market Road No. 37 (Labish Center Road) at a point which is 1568.25 feet South 69° 42! East and 25.00 feet South 0° 16' 24" West from the Northwest corner of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Williamette Maridian Marion County, Oregon; thence South 89° 42! East, along said right of way line, 428.22 feet; thence South 22° 49' 26" West 432.18 feet; thence North 89° 41' 55" West 175.17 feet; thence North 0° 16' 27" East 203.09 feet; thence North 89° 41' 49" West 87.32 feet to an Iron rod marking the Southeast corner of a tract of land described in Reel 506, Page 460, Marion County Records; thence North 0° 16' 24" East, along the East line of said tract, 196.12 feet to the point of beginning.

### PARCEL IV :

The East one-half of the West one-half of the Southeast quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Willamette Meridian in Marion County, Oregon.

### SAVE AND EXCEPT

Beginning at the Northwest comer of the East one-half of the West one-half of the Southeast quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Williamette Meridian in Marion County, Oregon; and running thence East 120.00 feet; thence South 350.00 feet; thence West 120.00 feet; thence North 350.00 feet to the place of beginning.

### ALSO SAVE AND EXCEPT

Beginning at a point on the West line of the East one-half of the West one-half of the Southeast quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Williamette Maridian, Marion County, Oregon, which point is 350.00 feet South of the Northwest corner thereof; which point is also the Southwest corner of that tract of land Conveyed to Max M. Bibby and wife, by deed recorded in Volume 397, Page 159, Deed Records for Marion County, Oregon; running thence East along the South line of said Bibby tract 120,00 feet to the Southeast corner thereof; thence South, parallel with said West line 150.00 feet; thence West, parallel with the South line of said Bibby tract 120.00 feet to said West line; thence North 150.00 feet to the place of beginning.

SAVE AND EXCEPT all that portion of the above described property included in the following:

· "4.27 1 ·

Beginning on the South right of way line of Market Road No. 37 (Labish Center Road) at a point Which is 1568.25 feet South 89° 42' East and 25.00 feet South 0° 16' 24" West from the Northwest corner of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Southwest quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Williamette Meridian Marion County, Oregon; thence South 89° 42' East, along sald right of way line, 428.22 feet; thence South 22° 49' 26" West 432.18 feet; thence North 89° 41' 55" West 175.17 feet; thence North 0° 16' 27" East 203.09 feet; thence North 89° 41' 49" West 87.32 feet to an Iron rod marking the Southeast corner of a tract of land described in Reel 506, Page 460, Marion County Records; thence North 0° 16' 24" East, along the East line of said tract, 196.12 feet to the point of beginning.

### PARCEL V:

The Northeast quarter of the Northwest quarter of Section 27, Township 6 South, Range 2 West of the Williamette Meridian, in Marion County, Oregon, also beginning at a point in the South line of the Brooks-Silverton Road, said point being at the Northeast corner of a tract of land owned by Arthur Landers and purchased by him from J. Wilson by deed dated July 6, 1912, and recorded in Book 122, Page 216, Deed Records for Marion County, Oregon; and running thence Easterly along said road to the Northwest corner of a tract of land owned by Andrew Doran and held under deed dated June 17, 1911 and recorded in Book 118, Page 174, Deed Records for Marion County, Oregon; thence Southerly along the West line of said Doran tract to the Southwest corner thereof and to the section line between Sections 22 and 27 in Township 6 South, Range 2 West of the Willametta Meridian; thence Westerly along said Section line to the Southeast corner of said Arthur Landers tract; thence Northerly along the East line of said Landers tract to the place of beginning.

### SAVE AND EXCEPT

Beginning at a point which is 8.91 chains South and 25 feet South 89° 50' East from the Northwest corner of the Northeast quarter of the Northwest quarter of Section 27 in Township 6 South, Range 2 West of the Willamette Merkilain in Marion County, Oregon; running thence South 89° 50' East, parallel with the South boundary line of the Northeast quarter of the Northwest quarter of said Section, 16.87 chains to an Iron bar set in the ground; thence South 3.55 chains to the middle of Pudding River; thence Southwesterly following the meandering of Pudding River upstream 10.50 chains to the South boundary of said section; thence North 89° 50' West, along the South boundary line of the Northeast quarter of the Northwest quarter of said Section 9.10 chains to a point which is 3.34 chains South 89° 50' East from the Southwest corner of the Northeast quarter of the Northwest quarter of said Section; thence North 89° 50' West, parallel with the South boundary line of the Northeast quarter of said Section 2.85 chains to a point which is 25 feet East of the West boundary line of the Northeast quarter of the Northwest quarter of said Section; thence North 9.19 chains to the place of beginning.

### ALSO SAVE AND EXCEPT

Beginning in the center of the County Road at a point which is 2445.30 feet South 89° 42' East from the Southwest comer of the Northwest quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Williamette Meridian, Marion County, Oregon; thence South 400.00 feet; thence West 200.00 feet; thence North 400.00 feet; thence East 200.00 feet to the place of beginning.

### ALSO SAVE AND EXCEPT

Beginning at the Southwest corner of the Northeast quarter of the Northwest quarter of Section 27 in Township 6 South, Range 2 West of the Williametta Meridian, and from thence running South 89°30' East along the South boundary of the line of the Northeast quarter of the Northwest quarter of sald Section 3.34 chains; thence North 3°20' West 1.915 chains; thence North 89°50' West 2.85 chains to a point 25 feet East of the West boundary line of the Northeast quarter of the Northwest quarter of sald Section; thence North parallel with the West boundary line of the Northeast quarter of the Northwest quarter of sald Section 18.10 chains to the North boundary line of said Section; thence West 25 feet to the Northwest corner of the Northeast quarter of the Northwest corner of the Northeast quarter of the Northwest corner of the South 20.00 chains to the place of beginning.

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### WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13935						Transfer Specialist:					
Transfer	Type: Temporary Tra	nsfer								(	Jula
Applicant	<u>t</u> :				Age	nt: N/A					
ROGER KUENZI						LIAM E. MO	GILL				
PO BOX	9026				153	33 PLETZER	RD S	E			
SALEM,	OR 97305				TUI	RNER, OR 97	392				
Email: Phone:				Ema					Phone	:	
Irrigation District: N/A				CW	RE: N/A						
Email:					Ema	ail:					
Affected	Local Gov'ts: N/A				Affe	cted Tribal Go	v't:	] N/A	1		
Marion	Countyplanning Dep	t			UN	AVAILABLE					
Email:					Ema	ail:					
Current I	Landowner if other than	Applicant:	N/A	A	Rec	eiving Landow	ner:	N/A	1		
Email:					Ema	ail:					
Water	Rights Affected										
File					T		T				
Marked	App. File # or De	cree Name		Permit		Certificate		RR/CR	Veeded	P	RR/CR Nos.
	G10423			G9603		55131		Yes	No		
	G11943			G11493		83999		Yes	No No		
								Yes	☐ No		
Key Da	tes & Initial Actions:										
Rec'd:	February 28, 2022		Prop	oosed Action(s)	): PC	INT OF APP	ROPE	RIATIO	N; PLAC	E OF US	SE
Fees Pd:	: 1343.70		WM	District: 16	:: 16 ODFW District:						
Initial Pu	ublic Notice: March 8, 2	2022	WM	Review sent:	t: ODFW Review sent:						
Acknowl	ledgement Letter Sent 🔀			GW Review sent: N				□ N/A			
	sent cc: of Ack Letter	]	BOR notified (date):								
Newspa	per quote requested:		Request for news \$ sent:				News	\$ receive	d:		
Request	to publish sent:		Affic	davit of publica	lication received: Last day of publication:						
									1 -		
Docun	nent Drafted	Peer Revie	w	Changes Made	0	coordinator		nanges Made		nature Bin	Signature Date
	Date:	Date:	1	Date:	Da	te:	Date:	-	CW	Sent:	N/A
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( PD	Date:	Date	1	Date:	1	te:	Date:		Date		Date:
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Special Order Volume: Vol. 175 Pages 87-91					-	( 3		5	ic I	sate	
-	Special Order Volume: Vol. 175 Pages 87-91  Drafted PR Coord Srg Bin Sig Date  FO 6/9/23										
+0	6/9/23										
Transfer C	Cover Sheet ALD									Last	Revised 10-29-18
	Pransfer Cover Sheet  PR Revd 6/14/23										

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ALSO SAVE AND EXCEPT all of the above described property lying Southerly and Easterly of the Little Pudding River.

SAVE AND EXCEPT all that portion of the above described property included in the following:

Beginning on the South right of way line of Market Road No. 37 (Labish Center Road) at a point which is 1568.25 feet South 89° 42' East and 25.00 feet South 0° 16' 24" West from the Northwest corner of the Southwest quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Willamette Meridian Marion County, Oregon; thence South 69° 42' East, along said tight of way line, 428.22 feet; thence South 22° 49' 25" West 432.18 feet; thence North 89° 41' 55" West 175.17 feet; thence North 60° 16' 27" East 203.09 feet; thence North 89° 41' 49" West 87.32 feet to an Iron rod marking the Southeast corner of a tract of land described in Reel 506, Page 460, Marion County Records; thence North 0° 16' 24" East, along the East line of said tract, 196.12 feet to the point of beginning.

### PARCEL VI:

Beginning in the center of the County Road at a point which is 2445.30 feet South 89° 42' East from the Southwest corner of the Northwest quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Willamette Meridian, in Marion County, Oregon; thence South 89° 42' East along the center of said County Road 330.00 feet; thence South 463.00 feet to an Iron pipe; thence North 89° 42' West 330,00 feet to an Iron pipe; thence North 463,00 feet to the point of beginning.

### PARCEL VIT :

Beginning on the South line of Section 22, Township 6 South, Range 2 West of the Willamette Meridian In-Marion County, Oregon, at an iron pipe which is 2775,30 feet South 89° 42' East and 1317.79 feet South from the Southwest corner of the Northwest quarter of the Southwest quarter of Section 22; thence North 550.00 feet to an iron pipe; thence North 89° 45' West parallel with the South line of said Section 330.00 feet to an Iron pipe; thence South 550.00 feet to an Iron pipe on the South line of said Section; thence South 89° 45' East 330.00 feet to the point of beginning.

SAVE AND EXCEPT all of the above described property lying Southerly and Easterly of the Little Pudding

Together with an easement for Ingress and egress over the Easterly 20 feet of the following: Beginning in the center of the County Road at a point which is 2445.30 feet South 89° 42' East from the Southwest corner of the Northwest quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Williamette Meridian, Marion County, Oregon; thence South 400.00 feet; thence West 200.00 feet; thence North 400.00 feet; thence East 200.00 feet to the place of beginning.

Beginning at the South boundary of and 25 feet South 89°45' East from the Southwest corner of the Southeast quarter of the Southwest quarter of Section 22 in Township 6 South, Range 2 West of the Willamette Meridian, Marion County, Oregon; and running themes North parallel with the West boundary line of the Southeast quarter of the Southwest quarter of said Section 20 chains to the North boundary line of the Southeast quarter of the Southwest quarter of said Section; thence South 89°38' East 4.625 chains; thence South parallel with the West boundary line of the Southeast quarter of the Southwest quarter of said Section 19,99 chains to the South boundary of said Section 22; thence North 89° 45' West 4.625 chains to the place of beginning.

SAVE AND EXCEPT: Beginning at the Northeast corner of that certain land described in Deed executed by Ben P. Taylor and Martha M. Taylor, his wife, to W.F. Klampe, recorded in Volume 189, Page 177, Deed Records for Marion County, Oregon, being located in Section 22, Township 6 South, Range 2 West of the Williamette Meridian in Marion County, Oregon; thence running along the South side of the County Road North 89°42' West, 73,08 feet to the true point of beginning; thence South 0°55' West, a distance of 199.95 feet; thence North 89°42 West a distance of 116.58 feet; thence North 0°55' East 199.95 feet to the South side of the County Road; thence South 89°42' East, a distance of 116.58 feet along the South side of the County Road; thence South 69°42' East, a distance of 116.58 feet along the South side of the County Road; thence South 69°42' East, a distance of 116.58 feet along the South side of the County Road to the true point of beginning.

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ALSO SAVE AND EXCEPT: Beginning at the Northeast corner of that certain tract of land described in Deed executed by Ben P. Taylor and Martha M. Taylor, his wife, to W. F. Klampe, recorded in Volume 189, Page 177, Deed Records for Marion County, Oregon, being located in Section 22, Township 6 South, Range 2 West of the Williamette Meridian; thence running along the South side of the County Road North 89°42' West, 189.66 feet to the true point of beginning; thence South 0° 55' West, 199.95 feet along the West side of that property transferred from Shella Anne Klampe to William C. Jones, Sr. and Rheta F. Jones, recorded in Volume 781, Page 448; thence North 89°42' West, 13.00 feet to the East side of the reserved one-acre tract referred to in the Agreement made the 12th day of February, 1952, between Jennie Klampe, a widow, and Leslie F. Klampe and Shella Klampe, recorded in Volume 445, Page 300; thence Southerly 234.56 feet along the East side of the same tract to the South side of the tract; thence Northerly, 434.51 feet along the West side of the same tract to the West side of the tract; thence Northerly, 434.51 feet along the West side of the same tract to the South is also along the East side of a 25 foot roadway as described in Volume 172, Page 500, to the South side of the County Road; thence South 89°42' East, 115.59 feet along the South side of the County Road to the true point of beginning.

ALSO SAVE AND EXCEPT: Beginning at a point that is 240 feet North and 25 feet South, 89°45' East from the Southwest corner of the Southeast quarter of the Southwest quarter of Section 22 In Township 6 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; and running thence North parallel with the West boundary line of the Southeast quarter of the Southwest quarter of sald Section 300 feet; thence South 89°38' East, 305.25 feet; thence South parallel with the West boundary line of the Southwest quarter of tha Southwest quarter of sald Section 300 feet; thence North 89°38' West 305.25 feet to the point of beginning.

ALSO SAVE AND EXCEPT: Beginning at a point that is 540 feet North and 25 feet South, 89°45' East from the Southwest corner of the Southeast quarter of the Southwest quarter of Section 22 in Township 6 South, Renge 2 West of the Williamette Meridian in Marion County, Oregon; and running thence North parallel with the West boundary line of the Southeast quarter of the Southwest quarter of said Section 120 feet; thence South 89°38' East, 305.25 feet; thence South parallel with the West boundary line of the Southeast quarter of the Southwest quarter of said Section 120 feet; thence North 89°38' West 305.25 feet to the point of beginning.

ALSO SAVE AND EXCEPT: PARCEL I: Beginning at the Northeast corner of that certain land described in the Deed executed by Ben P. Taylor and Martha M. Taylor lifs wife, to W. F. Klampa dated in the month of October, 1926, and recorded in Deed Volume 189 on Page 177 of the Record of Deeds for Marion County, Oregon, being located in Section 22, Township 6 South, Range 2 West of the Williamette Meridian; said true point of beginning being on the South right-of-way line of County Road No. 37; and also being South 89° 45' East 330.40 feet and North 1319.34 feet from the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 22; thence South, 659.34 feet; thence North 89° 38' west 142.86 feet along the North property line of 8 & K Prepack; thence North 459.23 feet; thence South 89° 42' East 66.58 feet along the South property line of the Jones'; thence North 0°55' East 199.95 feet along the East property line of the Jones'; thence along the South right-of-way line of the County Road, South 89° 42' East 73,08 feet to the true point of beginning.

ALSO SAVE AND EXCEPT: PARCEL II: Beginning at the Southwest corner of the Southeast quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Williamette Meridian in Marion County, Oregon; thence South 89°45' East 25.15 feet to the true point of beginning; thence North 360.00 feet; thence South 89°36' East 305.25 feet; thence South 89°45' West 305.25 feet to the true point of beginning.

ALSO SAVE AND EXCEPT: Beginning at a point that is 660 feet North and 25 feet South 89°45′, East from the Southwest corner of the Southeast quarter of the Southwest quarter of Section 22 in Township 6 South, Range 2 West of the Williamethe Meridian in Marion County, Oregon; said point being on the East side of a 25 foot roadway; and running thence North, 224 feet, along the East side of the 25 foot roadway, parallel with the West boundary line of the Southeast quarter of the Southwest quarter of said Section; thence South 89°42′ East, 162.39 feet along the South line of Grace Klampe and Valmer Klampe property; thence South, 224 feet along the West line of Max Bibby property; parallel with the West boundary line of the Southeast quarter of the Southwest quarter of said Section; thence North 89°38′ West, 162.39 feet along the North line of B & K Prepack property, the point of beginning.

NOTE: This Legal Description was created prior to January 01, 2008.

APN: R18925 and R18915 and R18938 and R18913 and R19102 and R18928 and R18912 and R18930

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**REEL: 3528** 

PAGE: 447

OWRD

July 26, 2013, 01:07 pm.

CONTROL #: 343950

State of Oregon County of Marion

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

FEE:\$ 81.00

BILL BURGESS COUNTY CLERK

THIS IS NOT AN INVOICE.

7094 Labish Center Rd NE Salem OR 97305

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

RECEIVED

FEB 2 8 2022

DWRD

Dale A. and Sandra M. Kuenzi, JRT 7254 Labish Center Rd NE Salem, OR 97305 Roger E. Kuenzi 7094 Labish Center Rd NE Salem, OR 97305 Mer recording, return to (Name and Address): Roger E. Kuenzi 7094 Labish Center Rd NE. Salem OR 97305 Until requested otherwi-Roger E. Kuenzi

**REEL 4422 PAGE 494** MARION COUNTY BILL BURGESS, COUNTY CLERK 12-14-2020 04:35 pm. Control Number 631053 \$ 86.00 Instrument 2020 00069376

BARGAIN AND SALE DEED KNOW ALL BY THESE PRESENTS that Dale A. and Sandra M. Kuenzi, JRT

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto . Roger E. Kuenzi

hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Marlon State of Oregon, described as follows (legal description of property):

Property Located at 7094 Labish Center Rd NE, Salem Oregon 97305

Beginning at a point in the center line of a 40 foot County Road 42,05 chains east of the southwest corner of the northwest quarter of the southwest quarter of Section 22, in Township 6 South, Range 2 West of the Willamette Merdian in Marion County, Oregon; thence east 5 chains along the center of said road; thence south 20 chains; thence west 5 chains; thence north 20 chains to the place of beginning.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 300,000 D However, the consideration consists of or includes other property or value given or promised which is 🖂 part of the 🕞 the whole (indicate which) consideration. (The sentence between the symbols o, if not applicable, should be deleted. See ORS 93.030.)

In construing this instrument, where the context so requires, the singular includes the plural, and all grammatical changes

shall be made so that this instrument shall apply equally to businesses, other entities and to individuals. IN WITNESS WHEREOF, grantor has executed this instrument on Allem 104m

signature on behalf of a business or other entity is made with the authority of that entity. SIGNATURE ON BEHALF OF A BUSINESS OF OTHER CHILTY IS MADE WITH THE AUTHORITY

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD

MOURE ABOUT THE PERSONS RIGHTS, IF ANY, UNDER ORS 195,300, 195,301 AND 195,305 TO 195,336 AND

SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON

LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW

USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAWD USE LAWS

AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE

TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO

TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO

TO THE PROPERTY SHOULD CHECK WITH THE APPROPED USES OF THE LOT OR PARCEL, TO

DEFINED IN ORS 92,010 OR 215,010, TO VERIEY THE APPROVED USES OF THE LOT OR PARCEL, TO DETER
MINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30,300, AND

TO INQUIRE ABOUT THE RIGHTS OF REGIONORING PROPERTY OWNERS, IF ANY, UNDER ORS 195,300,

195,301 AND 195,305 TO 195,336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2

TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2001.

STATE OF OREGON, County of \_\_\_\_\_MUYICY This instrument was acknowledged before me on December 104 2000 Attrustee This instrument was acknowledged before me on \_

by as of

OFFICIAL STAMP TROY LAWRENCE GUZHAN NOTARY PUBLIC - OREGON COMMISSION NO. 1003923

MY COMMISSION EXPIRES SEPTEMBER 23, 2024

My commission expires September 28, 2021

PUBLISHER'S NOTE; If using this form to corvey real property subject to ORS \$2,027, include the required reference

REEL: 4422

**PAGE: 494** 

OWRD

December 14, 2020, 04:35 pm.

CONTROL #: 631053

State of Oregon County of Marion

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

FEE: \$ 86.00

BILL BURGESS COUNTY CLERK

THIS IS NOT AN INVOICE.

REEL 3642 PAGE 102
MARION COUNTY
BILL BURGESS, COUNTY CLERK
10-09-2014 11:45 am.
Control Number 370328 \$ 56.00
Instrument 2014 00034596

After Recording Return To: Ritter Hobson LLC 1020 Liberty Street SE Salem, OR 97302

Until a change is requested All tax statements shall be sent to: Dale A. Kuenzi and Sandra M. Kuenzi, Trustee Dale A. Kuenzi and Sandra M. Kuenzi Joint Revocable Trust 7094 Labish Center Road NE Salem, OR 97305 RECEIVED
FEB 2.8 2022

OWRD

### WARRANTY DEED

SANDRA M. KUENZI, Grantor, whose current mailing address is 7094 Labish Center Road NE, Salem, Oregon 97305, conveys and warrants to DALE A. KUENZI AND SANDRA M. KUENZI, TRUSTEE OF THE DALE A. KUENZI AND SANDRA M. KUENZI JOINT REVOCABLE TRUST, Grantee, whose current mailing address is 7094 Labish Center Road NE, Salem, Oregon 97305, the following described real property situated in the County of Marion, State of Oregon (the "Property"), free of encumbrances except as specifically set forth herein.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$0. The actual consideration consists of other property or value given or promised which is the whole consideration.

Grantor makes this conveyance in order to transfer the Property to Grantor's revocable living trust.

The real property is situated in the county of Marion, state of Oregon, and is described as follows, to wit:

(Marion County Account Number R18909, Map Tax Lot 062W22D 01000; and Marion County Account Number R18908, Map Tax Lot 062W22D 00800)

Please see attached Exhibit "A."

The Property is free of encumbrances except as described in that certain Warranty Deed that Grantor receive when Grantor purchased the property, dated April 12, 1994, and recorded April 13, 1994 in the Marion County Deed Records in Reel 1158 at Page 515, and except for (1) easements, rights of way, restrictions and encumbrances of record recorded after the recording of such Warranty Deed, and (2) the lien of real property taxes and assessments not yet due and payable.

1 - WARRANTY DEED

The liability and obligations of Grantor to Grantee and Grantee's successors and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantor under a standard policy of title insurance on the Property, including the standard or printed exceptions generally included therein, purchased at the time Grantor purchased the Property. The limitations contained in this paragraph expressly do not relieve Grantor of any liability or obligations under this instrument, but merely define the scope, nature and amount of such liability or obligations.

"BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OF COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

IN WITNESS WHEREOF, the Grantor has executed this instrument this 3 day of October, 2014.

Sandra M. Kuenzi

STATE OF OREGON

) ) ss.

County of Marion

On this 3rd day of Actober, 2014, before me personally appeared the above named SANDRA M. KUENZI, and acknowledged the foregoing instrument to be her voluntary act and deed.

OFFICIAL SEAL
MICHELE MC GEE PLOESER
NOTARY PUBLIC - OREGON
COMMISSION NO. 464326
MY COMMISSION EXPIRES JANUARY 28, 2016

Notary Public for Oregon
My Commission Expires: 

On 28, 2016

2 - WARRANTY DEED

RECEIVED

FEB 2,8 2022

OWRD

# Exhibit "A"

Beginning at a point 3762.00 feet East of the Southwest corner of the Northwest quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of Willamette Meridian; thence South 1320.00 feet to the South line of said Section 22; thence East along said section line 168.30 feet to the West line of Lot 4; thence North 405.90 feet to the center line of the Pudding River; thence Northeasterly down the Pudding River to a point 132.00 feet West of the Northwest corner of the Woodward Donation Land Claim No. 96; thence East 132.00 feet to said Northwest corner; thence North 41°13' West 414.48 feet along the center of the county road; thence North 59°31' West 622.38 feet along said road; thence West 128.04 feet to the place of beginning, and containing 12.32 acres more or less.

### PARCEL 11

Beginning at a point 3416.16 feet East of the Southwest corner of the Northwest quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Willamette Meridian; thence East 345.84 feet; thence South 1320.00 feet to the South line of said Section 22; thence West 345.84 feet along said section line; thence North 1320.00 feet to the place of beginning, and containing 10.48 acres, more or less.

SAVE AND EXCEPT: Beginning at a point 3762.00 feet East of the Southwest corner, of the Northwest quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Willamette Meridian; thence West 198.00 feet; thence South 330.00 feet; thence East 178.00 feet; thence North 330.00 feet to the place of beginning, and containing one and one-half acres, more or less.

### PARCEL 111

Beginning at a point 3105.30 feet East of the Southwest corner of the Northwest quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of Willamette Meridian, and thence East 310.86 feet; thence South 1320.00 feet to the South line of said Section 22; thence West 310.86 feet along said section line; thence North 1320.00 feet to the place of beginning, and containing 9.42 acres more or less.

SAVE AND EXCEPT: Beginning at a point which is 3105.30 feet East from the Southwest corner of the Northwest quarter of the Southwest quarter of Section 22, Township 6 South, Range 2 West of the Willamette Meridian; thence South 418.00 feet; thence East 172.00 feet; thence North 238.00 feet; thence East 88.00 feet; thence North 180.00 feet; thence West 260.00 feet to the place of beginning.

All the above being located in Marion County, Oregon.

3 - WARRANTY DEED

RECEIVED

FEB 2 8 2022

OWRD

FEB 2.8 2022

**OWRD** 

REEL: 3642 PAGE: 102

October 09, 2014, 11:45 am.

CONTROL #: 370328

State of Oregon County of Marion

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

FEE: \$ 56.00

BILL BURGESS COUNTY CLERK

THIS IS NOT AN INVOICE.

# **Application for Water Right**

# **Transfer**

# **Evidence of Use Affidavit**



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State o	of Oregon			)							RE	CEIVE
Count	of Marion)			j	SS						FFF	2 8 202
												DIO LOL
I, ROGE	R KUENZI, in my	capaci	ity as C	)WNER,	OPERAT	OR,						WRD
mailin	g address PO Bo	ox 902	6, BROO	KS, OF	97305							
teleph	one number ( <u>5</u>	03)991	L-6764	being	first d	uly swor	n depos	e and s	ay:			
1.	My knowledg	ge of th	ne exer	cise or	status	of the w	vater rig	ht is ba	sed on	(check one):		
	□ Person						Profess					
2	l attest that:											
2.		AF WAS	used d	uring t	ho pro	rious five	o voors	on the	ontiro :	place of use f		
		ficate #			ne pre	vious rivi	e years	on the	entire	olace of use i	or	
	⊠ My k	nowled	dge is s	pecific	to the	use of v	water at	the fol	lowing	locations wit	hin the last five ye	arc.
										Gov't Lot	Acres	a13.
	Certificate #	Town	nship	Ra	inge	Mer	Sec	1/4	<i>Y</i> <sub>4</sub>	or DLC	(if applicable)	
	55131	6	S	2	W	WM	22	SE	SW		17.5	
	55131	6	S	2	W	WM	22	SW	SE		1.0	
	83999	6	S	2	W	WM	22	SW	SE		11.1	
	83999	6	S	2	W	WM	22	SE	SE		1.4	
OR												_
	Confirming Co	ertifica	te#	h	as beer	issued	within t	he past	five ye	ars; OR		
	Part or all of t										years. The	
	instream leas											
	Transcendence of the second										eased instream.); (	
	would be rebi							ntation	tnat a	presumption	of forfeiture for n	on-use
	Water has bee									priation for r	nore than	
	20 ,0010 101 0										13935	

(continues on reverse side)

0 9

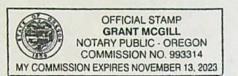
- 3. The water right was used for: (e.g., crops, pasture, etc.): CROPS
- 4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

V	V:
- Jogh	heres
Signature of	Affian

2-2-2012 Date FEB 2 8 2022

RECEIVED

Signed and sworn to (or affirmed) before me this \_2 day of \_Feb.\_\_, 20 2WRD



Dent M'S-Notary Public for Oregon

My Commission Expires: 11/13/23

Supporting Documents	Examples				
Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date				
Copies of receipts from sales of irrigated crops or for expenditures related to use of water	Power usage records for pumps associated with irrigation use     Fertilizer or seed bills related to irrigated crops     Farmers Co-op sales receipt				
Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	District assessment records for water delivered     Crop reports submitted under a federal loan agreement     Beneficial use reports from district     IRS Farm Usage Deduction Report     Agricultural Stabilization Plan     CREP Report				
Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right.  If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.  Sources for aerial photos: OSU –www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com				
Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number				



# Application for Water Right Transfer



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

### Consent by Deeded Landowner

State of Oregon
)
State of Oregon
)
State of Oregon
)
OWRD

We Dale A. & Sandra M. Kuenzi in our capacity as owners/trustees, mailing address 7254 Labish Center Rd. NE, Salem, OR 97305, telephone number 503-480-4159, duly sworn depose and say that I/We consent to the proposed change(s) to Water Right Certificate Number 55131 & 83999 described in a Water Right Transfer Application (T-\_\_\_\_), (transfer number, if known) submitted by Roger & Leon Kuenzi on the property in tax lot number(s) 800 & 1000, Section 22 Township 6 South Range 2 West, W.M., located at 7254 Labish Center Rd. NE, Salem, OR 97305 (site address) Signature of Affiant Subscribed and Sworn to before me this 2 day of Feb. 2022.

OFFICIAL STAMP
GRANT MCGILL
NOTARY PUBLIC - OREGON
COMMISSION NO 993314
MY COMMISSION EXPIRES NOVEMBER 13, 2023

MY COMMISSION EXPIRES NOVEMBER 13, 2023

### AFFIDAVIT FOR THE VOLUNTARY DIMINUTION OF AN ENTIRE WATER RIGHT CERTIFICATE

DECEIVED

				RECEIVE			
State	of Oregon	) ) ss		FEB 2 8 2022			
Coun	ty of <u>Marion</u> )	7 33		OWRD			
		E. Kuenzi, residing at 7094 Labish st duly sworn depose and say:	Center Rd. NE, Salem, OR 973	05, telephone			
1.	SW¼SE¼, Section 22, Towns	of the property described as tax I ship <u>6</u> S, Range <u>2</u> W, of the Willame map and described in the attached	tte Meridian, in Marion Count				
2.	Water right certificate number 35589 issued in the name of Forrest and Evelyn Rhodes, with a date of priority of January 15, 1963 for use of 0.10 cubic foot per second of water from Little Pudding River (source) for the purpose of Irrigation (use) is appurtenant to my/our property;						
3.	<ol> <li>I/We have obtained a <u>better</u>(e.g., better, more economical) source of water for the primary irrigation of these lands, and request the entire water right described be diminished from a right for primary irrigation to a right for supplemental irrigation of the same lands;</li> </ol>						
4.		nt is/is not located within the boun ntrol district, or federal reclamatio it here:	1 C   C   C   C   C   C   C   C   C   C				
5.	Little Pudding River(source I/We also agree that so long	ge is approved, it is permanent an ) cannot be changed back to the p g as there is sufficient water availa er from <u>Little Pudding River (</u> sourc	rimary source unless otherwise able from the new primary sou	e provided by law. rce, I am/we are			
Signa	ture of legal owner as listed	on deed, or authorized agent	2-2-2022 Date				
Signa	ture of legal co-owner as list (if applicable)	ed on deed	Date				
	Subscribed a	nd Sworn to Before Me this 2	_day of February	7022			
(	OFFICIAL STAMP GRANT MCGILL NOTARY PUBLIC - OFFICE COMMISSION - OFFICE COMMISSION - OFFICE OFFICIAL STAMP	GON	Drant N'S Notary Public fo	Sin or Oregon			

PLEASE ATTACH A LEGIBLE COPY OF: 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE WATER RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).

13935

OFFICIAL STAMP GRANT MCGILL NOTARY PUBLIC - OREGON COMMISSION NO. 993314

MY COMMISSION EXPIRES NOVEMBER 13, 2023



NO PART OF ANY STEVENS-NESS FO	PRIM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.
Dale A. and Sandra M. Kuenzi, JRT	
7254 Labish Center Rd NE	RECEIVED
Salem, OR 97305  Grantor's Name and Address	REEL 4422 PAGE 494
Roger E. Kuenzi	MARION COLINTY
7094 Labish Center Rd NE Salem, OR 97305	BILL BURGESS, COUNTY CLERK FEB 2 8 2022
Grantes's Name and Address	Control Number 631053 \$ 86.00
offer recording, return to (Name and Address): Roger E. Kuenzi	Instrument 2020 00069376
7094 Labish Center Rd NE.	OWRD
Salem OR 97305	
Until requested otherwise, send all lax statements to (Name and Address):	
Roger E, Kuenzi	
7094 Labish Center Rd NE Salem OR 97305	
KNOW ALL BY THESE PRESENTS that Dale A. a	N AND SALE DEED nd Sandra M. Kuenzi, JRT
hereinafter called grantor, for the consideration hereinafter sta Roger E. Kuenzi	ited, does hereby grant, bargain, sell and convey unto
hereinaster called grantee, and unto grantee's heirs, successor itaments and appurtenances thereunto belonging or in any w	
State of Oregon, described as follows (legal description of p	
Property Located at 7094 Labish Center Rd NE, Salem Oreg	jon 97305
To Have and to Hold the same unto grantee and gran The true and actual consideration paid for this transfe actual consideration consists of or includes other property or which) consideration. (The sentence between the symbols *0, if not a	r, stated in terms of dollars, is \$\frac{300,000}{200,000} \to \textsup \te
SEGNET ON DEFINIT ON ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195. SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 400, OREGON LAWS 2009, AND SECTIONS 2 TO 7 CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT USES OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABE AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON A TO THE PROPERTY SHOULD CHECK WITH THE APPROPHIATE CITY OR COUNTY PLANNIN VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED IN DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR MINE ANY UNITS ON LAWSUITS AGAINST FRAMING OR FOREST PRACTICES, AS DEFINED TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UT 195.301 AND 195.305 TO 195.308 AND SECTIONS 2 TO 7, CHAPTER 45, OREGON LAWS 2009, AND 5ECTIONS 2 TO 7, CHAPTER 8.5, OREGON LAWS 2009, AND 5ECTIONS 2 TO 7, CHAPTER 8.5, OREGON LAWS 2009, AND 5ECTIONS 2 TO 7, CHAPTER 8.5	FEE TITLE SHOULD 305 TO 196 338 AND PIFER 855, OREGON TODES NOT ALLOW LE LAND USE LAWS COULINING FEE TITLE NG DEPARTMENT TO LOT OR PARCEL, AS PARCEL, TO DETER- NO ORS 30.930, AND SEE ORS 195.300, SO 2007, SECTIONS 2 REGON LAWS 2010.
This instrument was acknown	25 2 22 22 22 22 22 22 22 22 22 22 22 22
This instrumed was acknown	ence Content of the Kuener Blancher fuere
by	
a5	



Notate Public for Oregon

My commission expires September 28, 2074

13, 935

FEB 2 8 2022

REEL: 4422

PAGE: 494

**OWRD** 

December 14, 2020, 04:35 pm.

CONTROL #: 631053

State of Oregon County of Marion

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

FEE: \$ 86.00

BILL BURGESS COUNTY CLERK

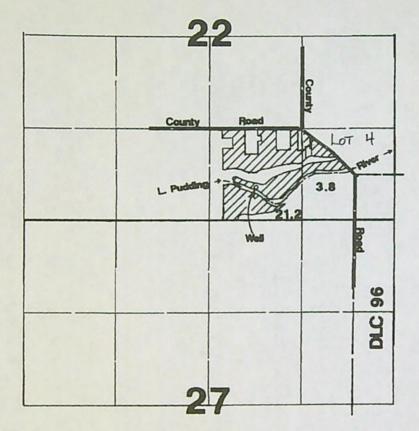
THIS IS NOT AN INVOICE.

RECEIVED

FEB 2,8 2022

OWRD

T.6S., R.2W., W.M.





Area Irrigated



Well located 170'S & 1350'W from NW corner DLC 96.



# Final Proof Survey

Application #: G-11943

Permit #: G-11493

In Name Of

# Dale & Sandra Kuenzi

Surveyed on February 1, 1993 by JM Schuette

# Land Use Information Form



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

RECEIVED

FEB 2,8 2022

### NOTE TO APPLICANTS

**OWRD** 

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

### This form is NOT required if:

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

## NOTE TO LOCAL GOVERNMENTS

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

13935

# Land Use **Information Form**



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

RECEIVED

FEB 2 8 2022

Applicant(s): Roger & Leon Kuenzi

Mailing Address: PO Box 9026

City: Brooks

State: OR

Zip Code: 97305

Daytime Phone: (503) 991-6764 OWRD

### 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	14 14	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
<u>6S</u>	<u>2W</u>	23	<u>SWSW</u>	400	<u>EFU</u>	□ Diverted	☐ Conveyed	Used	farming
<u>6S</u>	<u>2W</u>	26	NWNW	400	<u>EFU</u>	☐ Diverted	○ Conveyed	Used	farming
<u>6S</u>	<u>2W</u>	<u>26</u>	NWNE NENW NWNW SWNW SENW	800	EFU	Diverted	Conveyed	⊠ Used	farming
						Diverted	Conveyed	Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed: Marion County B. Description of Proposed Use Type of application to be filed with the Water Resources Department: Permit to Use or Store Water Water Right Transfer Permit Amendment or Ground Water Registration Modification Limited Water Use License Allocation of Conserved Water Exchange of Water Source of water: Reservoir/Pond Ground Water Surface Water (name) \_\_\_\_ Estimated quantity of water needed: 77.5 gallons per minute ⊠ acre-feet cubic feet per second Intended use of water: X Irrigation Commercial Industrial Domestic for household(s) Municipal Quasi-Municipal Instream Other Briefly describe: It is proposed to move portions of two water right certificates to tax lot 800 to establish a hazlenut crop using water from Well 3.

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

See bottom of Page 3. ->

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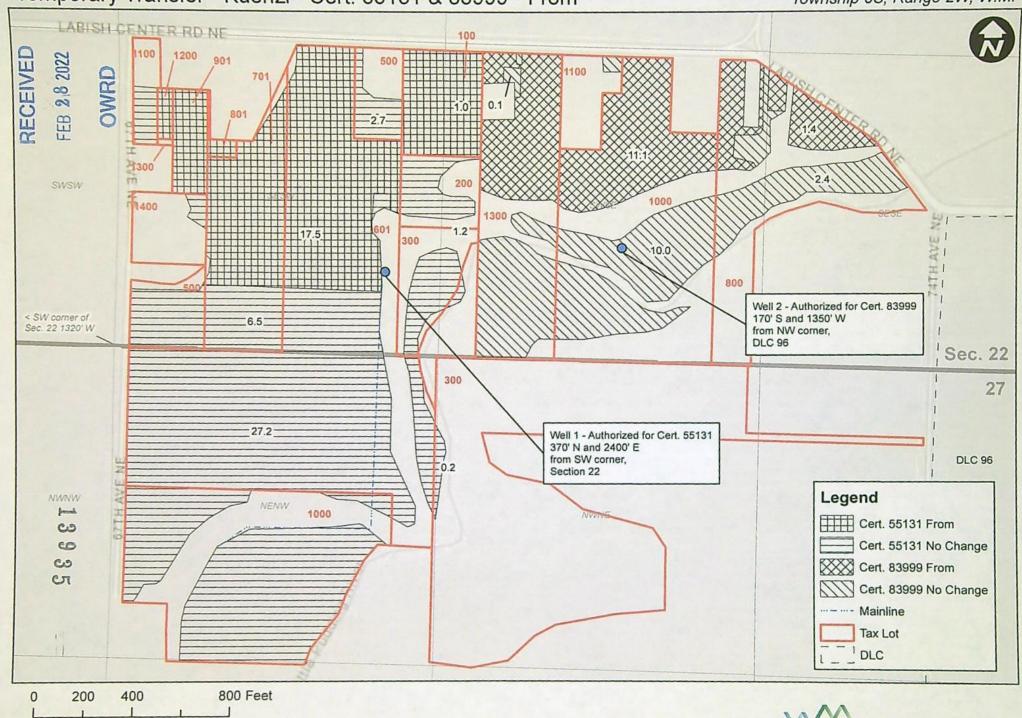
# For Local Government Use Only

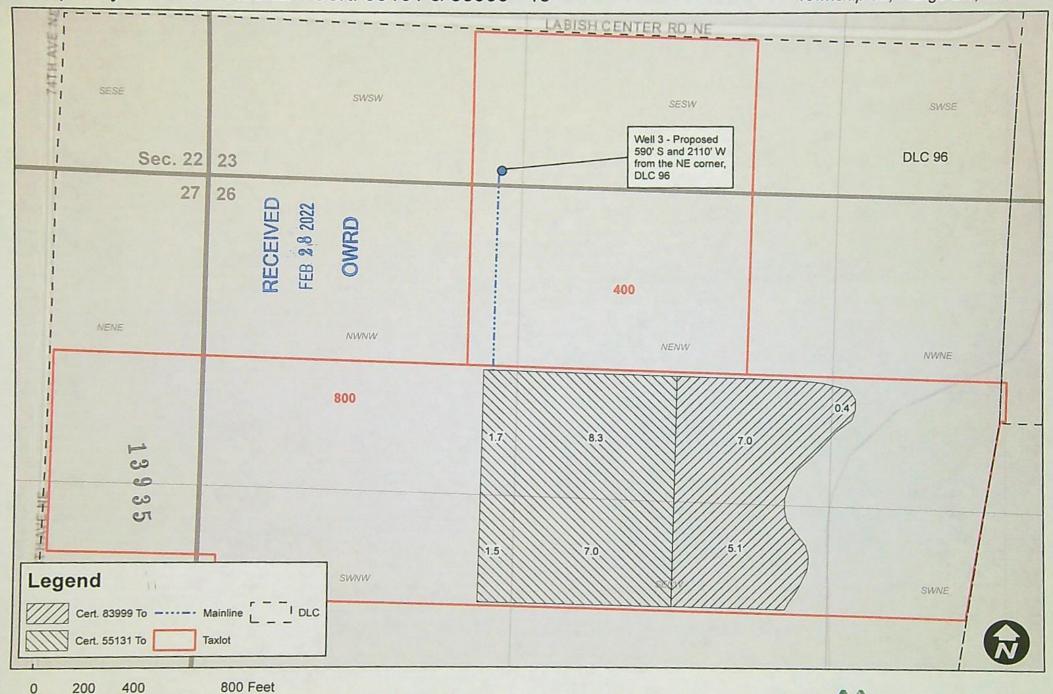
FEB 2 8 2022

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 an	d provide the requested information			
Land uses to be served by the proposed water	r uses (including proposed construction) are	e allowed outri	ght or are not regulated	
by your comprehensive plan. Cite applicable	ordinance section(s): MCC 17.134	6.020 (A		
Land uses to be served by the proposed water as listed in the table below. (Please attach do Record of Action/land-use decision and accomperiods have not ended, check "Being pursu	cumentation of applicable land-use approvementation of applicable land-use approvement.) If approve	als which have	already been obtained.	
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:		
permis, etc.)		☐ 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	
		Obtained Denied	☐ Being Pursued ☐ Not Being Pursued	
Farm use is allowed out in MCL 17.136.020 (A)		pusuan	e Planue	
Signature:	Title:	-50 38 Date: _	2/2/22	
Note to local government representative: Pleasing the receipt, you will have 30 days from the land the receipt of the land the land the receipt of the land	Water Resources Department's notice date	to return the co	impleted Land Use	
comprehensive plans.			1	
Receipt	for Request for Land Use Information	<u>on</u>		
Applicant name:				
City or County:	Staff contact:			
Signature:	Phone: Date	139	3 5	

WILL MCGILL SURVEYING LLC

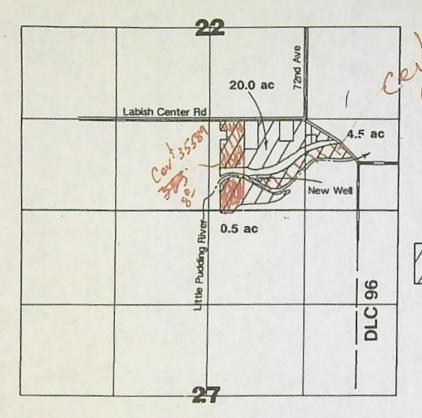




T.6S., R.2W., W.M.

RECEIVED

WATER RESOURCES DEPT



RECEIVED

FEB 2,8 2022

OWRD

1"= 1320"

Area to be irrigated

New well located 240'S & 1400'W from NW cor. DLC 96.

# Dale Kuenzi Application Map



Application No. 6 11943

Permit No. 611493

NOTE: Map is for purpose of identifying location of water right and has no intent to dimension or locate property ownership lines.

13935

uckman	rempurary	<b>AN STEL</b>	mynt	ı ranster	Application	Checklist
	Checked	by		. D	ate	

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

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

IF OK	che, che	eck box to left; if not, fill in the blank)
B		Page 1 of application: Are all attachments that have been checked actually included?  If not, what is missing?
4	2. 1	Are fees included and correct? 1343  If not, the correct fee would be:, so the amount missing is:
D	/	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?
		Are all listed certificates shown by WRIS as non-cancelled?  If not, which are cancelled?  For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number and check the #4 box at left on this checklist.
19	5.	If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?  N/A Form D needed from(district)
	6.	If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.
		If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.