Regular



T-14049

				•				
Name_ Bruce Ernst	DESCRIPTION.	OPILLE	ID DIGITM()				FEES PAID	
Address PO BOX 460	DESCRIPTION	OF WATE	ER RIGHT(s)			Dete	Amount	Receipt #
St. Paul OR 97137	N	110101				Date 07/15/22	3,750,00	Receipt # 138674
	Name of Stream A	MAII				1115/22	\$ 125.00	138672
acc @ ernstnursery.com	T. 1 C -	HO 0:	un Pasia			8 31 22	\$2023.42	139044
Change in POU, APOA	Trib. of Willame	LIT KI	NEA DUZIA			5/22/23	#71.40	140774
Date Filed 7-15-2022	Use Irrigation			County Mario	n	- 71-10		
Initial notice date 8-2-2022	Quantity of water (CFS							
DPD issued date	Name of ditch							
PD issued date 5/80/7003	App# (3-2842	Per#	B-21049	Cert # 34191	PR Date 4 30	19104		
PD notice date 5 6 6 6 7023	App#			Cert #_			FEES REFUN	IDED
Date of FO 7 31 2023 Vol 128 Page 820-24	App#			Cert #			Amount	Receipt #
	App#							The state of the s
	App#							
C-Date 101 2024								
COBU due date 10/1/2025								
COBU Received date								
Certificate issued 98014 issued 9.27.2024								
Certificate issued_1001 \135000 -101								
Assignments:								
rigation District								
Day 11 11 Day 1 Day	2000							
gent Doann Hamilton - Phydmh Car	JOII - LOLL							
3								
WRE								
C's list Marion County								
Oversized map – Location								

RA Mailing List for Certificate

Scheduled Mailing Date:

Application: T-14049

Certificate: 98014 (cf-34191)

Water Right Holder:

Copies Mailed

BRUCE ERNST PO BOX 460 SAINT PAUL OR 97137

Copies of Final Certificate to be sent to:

- 1. Watermaster District 16 (include copy of map)
- 2. Water Availability
- 3. Vault
- 4. File

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records?

YES - Map Taxlot 042W0400001100 owned by Bruce Ernst per MARION County Assessor

Other persons to receive copies: (include map):

Doann Hamilton, CWRE, Pacific Hydro-Geology Inc., 18487 S Valley Vista Rd, Mulino OR 97042

Record Marking(s):

- 1. Original Application# G-2842
- 2. Old Certificate# 34191



Water Resources Department

North Mall Office Building 725 Summer St NE, Suite A Salem, OR 97301 Phone 503 986-0900 Fax 503 986-0904 www.oregon.gov/owrd

Date Mailed: SEP 2 7 2024

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that confirms the water rights established under the terms of a transfer order issued by this Department.

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

This statement of judicial review rights is required under ORS 536.075 it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions, please contact Kerry Kavanagh at 503-979-3208.

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BRUCE ERNST PO BOX 460 SAINT PAUL OR 97137

confirms the right to the use of water perfected under the terms of Permit G-2649. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: THREE WELLS TRIBUTARY OF WILLAMETTE RIVER (COLUMBIA RIVER)

PURPOSE OR USE: IRRIGATION OF 68.3 ACRES

MAXIMUM RATE: 0.42 CUBIC FOOT PER SECOND (CFS), FURTHER LIMITED TO 0.095 CFS FROM WELL 1 FOR IRRIGATION OF 7.6 ACRES AND NO MORE THAN 0.42 CFS FROM WELL 2 AND WELL 3 FOR IRRIGATION OF 60.7 ACRES, NOT TO EXCEED 0.42

CFS FROM THE WELLS IN ANY COMBINATION

DATE OF PRIORITY: APRIL 30, 1964

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	4	SW SE	70	WELL 1 (ORIGINAL) - 720 FEET SOUTH AND 1000 FEET EAST FROM NW CORNER, DLC 70
4 S	2 W	WM	4	SW SE	70	WELL 2 (ADDITIONAL) - 635 FEET SOUTH AND 1000 FEET EAST FROM NW CORNER, DLC 70
45	2 W	WM	4	SW SE	70	WELL 3 (ADDITIONAL) - 1200 FEET SOUTH AND 1905 FEET EAST FROM NW CORNER, DLC 70

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Well
45	2 W	WM	4	NE SW	70	3.6	Well 2 and Well 3
45	2 W	WM	4	SE SW	70	4.6	Well 1
45	2 W	WM	4	SE SW	70	10.9	Well 2 and Well 3
45	2 W	WM	4	NE SE	70	2.0	Well 2 and Well 3
45	2 W	WM	4	NW SE	70	7.4	Well 2 and Well 3

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Well
45	2 W	WM	4	SW SE	70	3.0	Well 1
45	2 W	WM	4	SW SE	70	28.4	Well 2 and Well 3
45	2 W	WM	4	SE SE	70	5.4	Well 2 and Well 3
4 S	2 W	WM	9	NW NE	70	1.8	Well 2 and Well 3
45	2 W	WM	9	NENW	70	1.2	Well 2 and Well 3

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director in good working order at each point of appropriation (new and existing).
- B. 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.

The quantity of water diverted at the additional points of appropriation (Well 2 and Well 3), together with that diverted at the original point of appropriation (Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

The right to the use of the water for the above purposes aforesaid is restricted to the lands or the place of use herein described.

This certificate is issued to confirm a change in ADDITIONAL POINTS OF APPROPRIATION and PLACE OF USE approved by an order of the Water Resources Director entered JULY 31, 2023, at Special Order Volume 128, Page 820, approving Transfer Application T-14049, supersedes Certificate 34191, State Record of Water Right Certificates.

Issued

SEP Z / ZUZ

Dwight French

Water Right Services Division Administrator, for

Ivan Gall, Director

Oregon Water Resources Department

	DATE FROM TRANSFER	*THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	July 31, 2023	
COMPLETENESS DATE FROM ORDER (C)	October 1, 2024	December 2023

^{*} MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)?

NO

If "NO", you may delete the following table.

- 3. Measurement Conditions:
- a. Does the transfer final order, or any extension final order require the installation YES of a meter or other approved measuring device?

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of appropriation.

b. Has a meter been installed?

c. Meter Information

POA Name or #	MANUFACTURER	SERIAL#	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well 1	McCrometer	17-13883-03	Working	9,947,790 gallons (January 13, 2022)	2017
Well 2	McCrometer	21-06556-08	Working	178.083 AF (November 14, 2023)	Replacement June 2023
Well 3	Seametrics	103977-04	Working	0 AF – just installed	December 2023

If a meter has been installed, items d through f relating to this section may be deleted.

Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

Other conditions required by the transfer final order or extension final order:

a. Were there special well construction standards?

b. Was submittal of a ground water monitoring plan required?

c. Other conditions?

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

Received

SEP 16 2024

OWRD

c) Condition:

Water shall be acquired from the same aquifer (water source) as the original point of

18487 S. Valley Vista Rd. Mulino, Oregon 97042 (503) 632-5016 Phone (503) 632-5983 Fax

Pacific Hydro-Geology Inc.

Memo

Received SEP 16 2024

OWRD

To: Oregon Water Resources Department / Kerry Kavanagh

From: Doann Hamilton, CWRE

CC:

Date: September 12, 2024

Re: T-14049 COBU

Kerry Kavanagh called about the claim of beneficial use submitted for our client Ernst Nursery T-14049 submitted April 12, 2024. According to the final order for T-14049 issued July 31, 2023, a meter is required for new and existing wells. Attached is the revised page of the claim of beneficial use showing the meter information for Well 1 (MARI 1065).



Checklist for Claims of Beneficial Use Received at CSG Counter

Application #: WRD Re			WRD Revie	riewer: Nick Reece		
Transfer	#:T-1	4049				
Date Re	eceive	ed: 4/11/2024				
		: Doann Hamilton				
Priority 1	Date	(s):4/30/1964				
Fees Requ	ired:					
□ YES NO		A fee of \$230 must accompany to 1987, or later.	nis form for <u>perm</u>	nits with pr	iority dates of	July 9,
□ YES NO	OØ	A fee of \$230 must accompany to with a priority date of July 9, 198 Example – A transfer involves has a priority date of July 9, 198	7, or later. 5 rights and one	of the righ	ts	Fill in App or Transfer
Map Revie	ew:					Number
✓ Application ✓ Disclaimer (✓ North arrow ✓ CWRE stam ✓ Appropriate of th	& perm (OAR 69) (OAR 6) (OAR 6) (op and size scale (1) (de county)	m (OAR 690-014-0170(1) & 310-0050(it #; or transfer # (OAR 690-014-0100(1 00-014-0170(5)) 590-310-0050(2)(c)) gnature (OAR 690-014 & 310-0050) " = 1320', 1" = 400', or the original full- v assessor map) (014 & 310) ction, and tax lot numbers (OAR 690-31	size scale	DATE: RECENSE FROM CASH CHECK # (INS. TREASURT OUT COPES OTHER OUT TREASURT MISCELLANGUA MIS	3 4611	ICO II
Report Re	eview:			8391 SURFACE WATER 8393 GROUND WATER 8393 TRANSFER	650	
✓ Application ✓ Ownership i ✓ Date of surv ✓ Person inter ✓ County (OA	& perminformativey (OAI viewed (AR 690-0	(OAR 690-014)))	WELL CONTINUE OF THE PROPERTY	ETHLETON ETHLESPEN ETHLESP	1277.00
Signature(s)	of <u>all</u> po	ermittee of transfer holder (OAR 690-01	4-0100)	RETU	RN TO APPLICANT – LETTER ATTA	CHED
Croundwa	ater H	ile Review:				

- □ Pump Test not required (Priority Date prior to December 20, 1988) *If no, include pump test flyer w/acknowledgment letter □ Pump Test required (Priority Date on or after December 20, 1988) □ Pump Test submitted
- Pump Test not submitted

CLAIM OF BENEFICIAL USE for Transfer with Multiple **Changes - Groundwater**



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

A fee of \$230 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

> Example - A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

SECTION 1

	GENERAL INFO	RMATIO	N	
	Type of Authori	zed Change	2	
This Claim is being submitted for a t	transfer involving i	multiple ch	anges.	YES
Mark all that apply:				
 Change in POA(s) or Add Change in Character of I 		2.	Change in I	Place of Use
A separate section will be comple	ted for each type o	of change a	uthorized in t	he transfer final order.
1. File Information				
APPLICATION #				
T-14049				
2. Property Owner (current owner				
APPLICANT/BUSINESS NAME		PHONE NO.		ADDITIONAL CONTACT NO.
Bruce Ernst Trust, Bruce Ernst Trus	tee			
ADDRESS				
4406 NE Birdhaven Lp				
CITY	STATE 2	ZIP	E-MAIL	
Newberg	OR 9	97128		
If the current property owner is not assignment be filed with the Depart				
3. Transfer holder of record (this n	nay, or may not, b	e the curre	nt property o	wner)
TRANSFER HOLDER OF RECORD				
Bruce Ernst				
ADDRESS				
PO Box 460				
Сіту	STATE	ZIP		
Saint Paul	OR	97132		

4.	Date	of S	ite	Inspection:
Nove	mber	14,	202	23

Received

APR 1 1 2024

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Bruce Ernst	November 14, 2023 February 2, 2024	Owner / Operator

6. County

Marion	County	

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

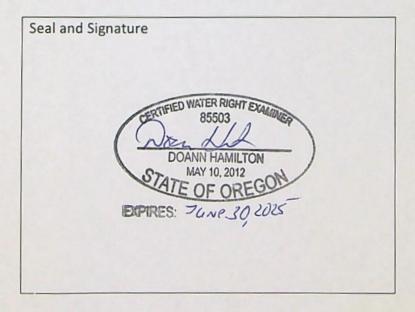
OWNER OF RECORD NA			
ADDRESS			
Сіту	STATE	ZIP	

Add additional tables for owners of record as needed

SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



Received

APR 1 1 2024

WRE NAME Doann Hamilton				
Address 18487 S. Valley Vista I	Road			
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phgdmh	@gmail.com

Transfer Holder of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

Signature	PRINT OR TYPE NAME	TITLE	DATE
Busa w Einst	Bruce w Ernst	dwner	2-22-24

SECTION 3

Changes Made

Note: The Claim only needs to describe the changes that were authorized in the transfer final order.

Change #1

Change in POA(s) or Additional POA(s)

Did the transfer order authorize a change in the points of appropriation or additional points of appropriation?

YES

If "NO", this Section can be deleted.

Received

APR 1 1 2024

OWRD

1. New or additional point of appropriation name or number:

POINT OF APPROPRIATION	WELL LOG ID # FOR ALL	WELL TAG#	Source
(POA) NAME OR NUMBER (CORRESPOND TO MAP)	WORK PERFORMED ON THE WELL (IF APPLICABLE)	(IF APPLICABLE)	(IF LISTED IN TRANSFER FINAL ORDER)
Well 2	MARI 51725	L-02416	A well a tributary of Willamette River (Columbia River)
Well 3	MARI 68592	L-132853	A well a tributary of Willamette River (Columbia River)

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

If well logs are available, items A and B below can be deleted

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, or extension final? YES

If yes, describe below.

(e.g. "The order allowed three new/additional points of appropriation. The water user only developed one of the points.")

1. The authorized Well 4 (MARI 1132) was not performing well and has not been used; therefore, Well 4 is not included in this Claim of Beneficial Use.

3. Claim Summary:

New or Additional POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
Well 2		1.50 cfs	Not measured
Well 3		0.47 cfs	Not measured
Total:	0.42 cfs		

System Description - 1 of 2

Are there multiple new or additional Points of Appropriation (POA)?

YES

If "YES" you will need to copy and complete either Section A or B in this Section for each POA.

POA Name or Number this section describes (only needed if there is more than one):

Well 2				
VVEII				

A. POA System Information

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

Received

APR 1 1 2024

1. Pump Information

Manufacturer	Model	SERIAL NUMBER	Type (centrifugal, turbine or submersible)	INTAKE SIZE	DISCHARGE SIZE
Gould	MG3541	Unknown	Submersible	8 inch	8 inch

2. Motor Information

MANUFACTURER	Horsepower
Hitachi	75 Hp

3. Theoretical Pump Capacity

Horsepower	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
75 Hp	60 psi	200.0 feet (from pump test recorded on well log)	0 feet	1.50 cfs

4. Provide pump calculations:

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	Duration of Time Observed	TOTAL PUMP OUTPUT (IN CFS)
Not running during sit	e visit		

Reminder: For pump calculations use the reference information at the end of this document.

Additional notes or comments related to the system:

Well 2 also supplies Certificate 96789

B. Groundwater Source Information (Well and Sump)

1. Is the appropriation from a dug well (sump)?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

System Description - 2 of 2

Are there multiple new or additional Points of Appropriation (POA)?

YES

If "YES" you will need to copy and complete either Section A or B in this Section for each POA.

POA Name or Number this section describes (only needed if there is more than one):

Well 3

Received

APR 1 1 2024

A. POA System Information

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

1. Pump Information

Manufacturer	Model	SERIAL NUMBER	Type (centrifugal, turbine or submersible)	ÎNTAKE SIZE	DISCHARGE SIZE
Wolf Pump	6LHV	Unknown	Submersible	4 inch	4 inch

2. Motor Information

MANUFACTURER	Horsepower
Hitachi	15 Hp

3. Theoretical Pump Capacity

Horsepower	OPERATING PSI	*IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
15 Hp	70 psi	69.5 feet (from pump test recorded on well log)	0 feet	0.43 cfs

4. Provide pump calculations:

Q Pump =
$$(15 \text{ Hp}) \times (7.04 \text{ ft}^4/\text{sec Hp})$$
 = 0.43 cfs (69.5 ft lift + 177.8 ft pressure head)

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Not running during sit	e visit		

Reminder: For pump calculations use the reference information at the end of this document.

6. Additional notes or comments related to the system:

None		

B. Groundwater Source Information (Well and Sump)

1. Is the appropriation from a dug well (sump)?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

Received

APR 1 1 2024

OWRD

Change #2

Change in Place of Use

Did the transfer order authorize a change in the place of use?

YES

If "NO", this Section can be deleted.

1. Claim Summary - Authorized Use:

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED	WELL
7.6	7.6	Well 1 (re-described)
60.7	60.7	Wells 2 and 3

If the new use(s) was not irrigation or nursery:

New Use(s)	WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT	
	AUTHORIZED UNDER THE ORDER?	
	(INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE	
	CLAIM MAP)	
	NA	
	NA	

2. Variations:

Was the use developed differently from what was authorized by the transfer final order?NO If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

N	-	-

Change #3

Change in Character of Use

Did the transfer order authorize a change in character of use?

NO

If "NO", this Section can be deleted.

SECTION 4

CONDITIONS

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Revised 7/1/2021

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

Received

Transfer GW Multiple - Page 7 of 10

APR 1 1 2024

WR

	Date from Transfer	*This Date Must Fall Between The "Issuance Date" And The "Completeness Date"
ISSUANCE DATE	July 31, 2023	
COMPLETENESS DATE FROM ORDER (C)	October 1, 2024	December 2023

^{*} MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)?

NO

If "NO", you may delete the following table.

- 3. Measurement Conditions:
- a. Does the transfer final order, or any extension final order require the installation YES of a meter or other approved measuring device?

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of appropriation.

b. Has a meter been installed?

YES

c. Meter Information

POA	MANUFACTURER	SERIAL#	CONDITION	CURRENT METER READING	DATE INSTALLED
NAME OR #			(WORKING OR		
			NOT)		
Well 2	McCrometer	21-06556-08	Working	178.083 AF	Replacement
				(November 14, 2023)	June 2023
Well 3	Seametrics	103977-04	Working	0 AF – just installed	December
					2023

If a meter has been installed, items d through f relating to this section may be deleted.

- 4. Recording and reporting conditions
- a. Is the water user required to report the water use to the Department?
- 5. Other conditions required by the transfer final order or extension final order:
 - a. Were there special well construction standards?
 - b. Was submittal of a ground water monitoring plan required?
 - c. Other conditions?

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

c) Condition:

Revised 7/1/2021

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

Received

Compliance:

Well 1 (MARI 1065) develops water from the alluvial aquifer within the screened depth intervals of 47 to 65.5 feet, 85.25 to 104.75 feet, 123.67 to 143.75 feet, and 163.25 to 177 feet in layers of clay and sand.

Well 2 (MARI 51725) develops water from the alluvial aquifer within the depth interval of 299 to 347 feet in layers consisting primarily of sand and gravel.

Well 3 (MARI 68592) develops water from the alluvial aquifer within the screened depth interval of 69.75 to 90 feet in layers consisting primarily of sand.

It appears these wells obtain water from the alluvial aquifer; therefore, this condition has been met.

SECTION 5

ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION	
Claim of Beneficial Use Map	Claim of Beneficial Use Map	
State Water Well Report – MARI 51275	Well log and driller's notes for MARI 51725 - Well 2	
State Water Well Report – MARI 68592	Well log and driller's notes for MARI 68592 – Well 3	
BLM Cadastral Map	BLM Cadastral Map T. 4S. R. 2W. showing DLC and	
	Government Lot locations	

SECTION 6

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

The changes that were authorized under the transfer final order must be mapped based on the developed locations; new or additional points of appropriation and place of use.

In cases where the order involved additional points of appropriation, the additional points should be mapped based on their developed locations. The original points of appropriation should be mapped based on the original right of record at the time the transfer final order was issued.

Received

In cases where the order involved changing the place of use for a portion of a water right, the portion of the place of use being changed should be mapped based on the developed location. If the transfer also included portions of the place of use that were not being modified, but were receiving a new or additional point of appropriation, the place of use for those lands should be mapped based on the original right of record at the time the transfer final order was issued.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The COBU map was prepared using tax assessor's map 04 2W 04, overlain by a 2014 aerial photo titled USDA-FSA-APFO NAIP County Mosaic and obtained on line from the Natural Resources Conservation Service, Image Metadata:

http://datagateway.nrcs.usda.gov/Catalog/ProductDescription/NAIPM.html

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

Source illustrated if surface water

Application and permit number or transfer number

ownership lines")

CWRE stamp and signature

North arrow

Legend

Map Checklist

\boxtimes	Map on polyester film
	Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
\boxtimes	Township, Range, Section, Donation Land Claims, and Government Lots
	If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
	Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
	Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
\boxtimes	Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
\boxtimes	Point(s) of diversion or appropriation (illustrated and coordinates)
	Tax lot boundaries and numbers

Received

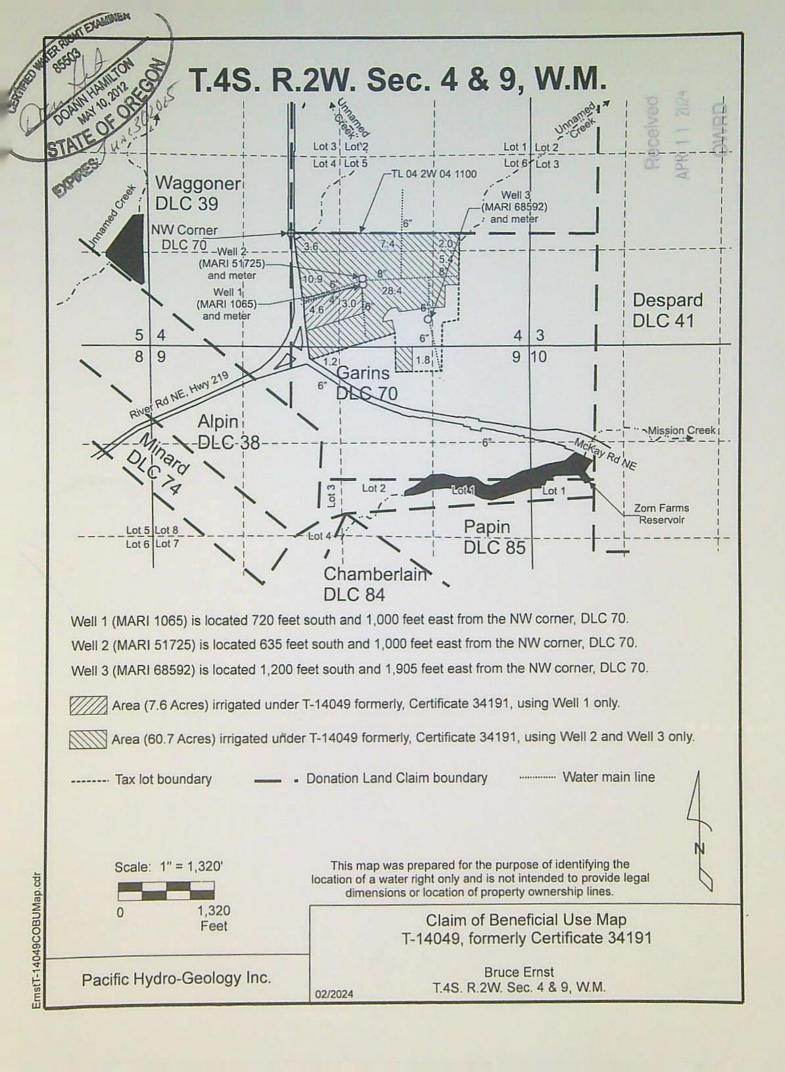
APR 1 1 2024

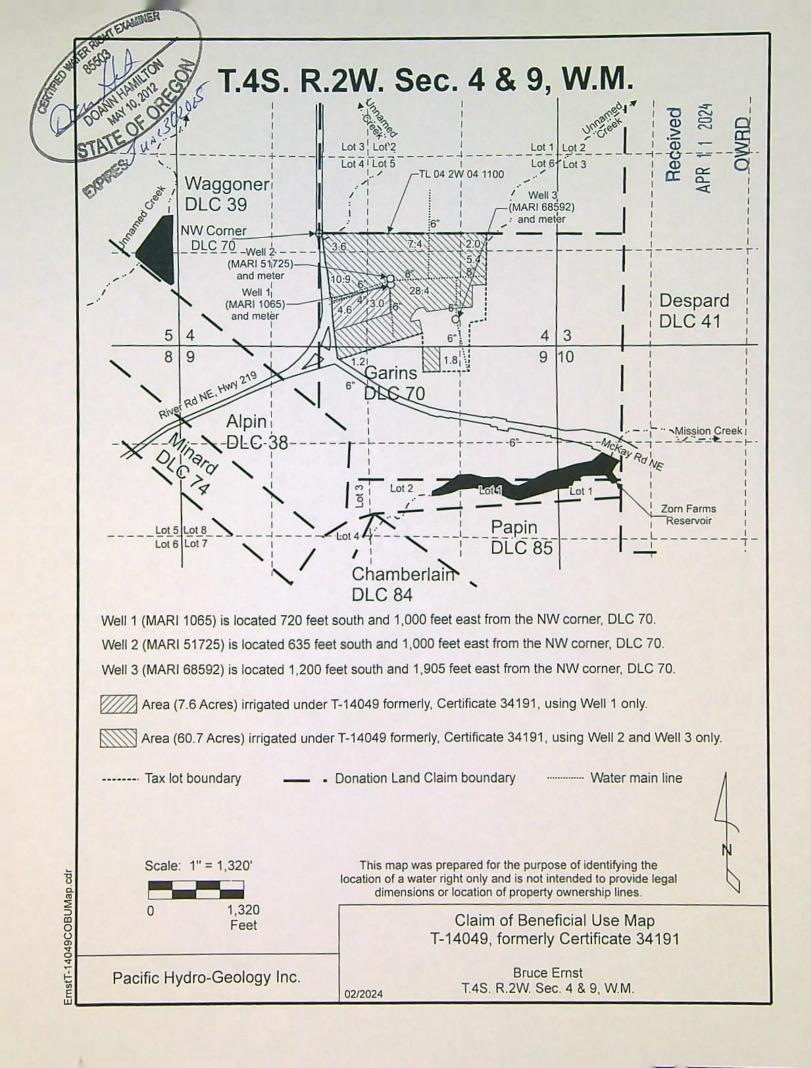
Disclaimer ("This map is not intended to provide legal dimensions or locations of property

X

X

X





STATE OF OREGON APR 2 5 1997
WATER SUPPLY WELL REPORT
(as required by ORS 537.765) WATER RESOURCES DEPT.
Instructions for completing this report are on the last page At this OTREGON

(START CARD) # 78623

- OALEM, ORE	76714				
(1) OWNER: Well Number	(9) LOCATION OF	WELL by legal desc			
Name Ernst Nursery & Farms	County Marion	Latitude	Lo	ngitude	
Address 20863 Riverside Dr. NE	Township 4 S	N or S Range	2W	E or	W. WM.
City St. Paul State OR Zip 97137	Section 4	SW 1/4_	NE	1/4	
(2) TYPE OF WORK	Tex Lot 0110	Lot Block	S	ubdivision	
	Street Address of We	ell (or nearest address)	6177 Ge	arin Ro	d.
New Well Deepering Alteration (repair/recondition) Abandonment	St.Paul,	OR 97137			
(3) DRILL METHOD:	(10) STATIC WATE				-
Rotary Air Rotary Mud Cable Auger		low land surface.		Date 4/	17/97
Other					
(4) PROPOSED USE:		lb. per squa	ire inch.	Date	
Domestic Community Industrial Alrrigation	(11) WATER BEAR	ING ZONES:			
Thermal Injection Livestock Other		001			
(5) BORE HOLE CONSTRUCTION:	Depth at which water wa	as first found 20.			
Special Construction approval Yes No Depth of Completed Well 347 ft					-
Explosives used Yes No Type Amount	From	To		d Flow Rate	
HOLE SEAL	20	32	20qpm		8'
Diameter From To Material From To Sacks or pounds	2971	341'	800 g	pm	621
20" 0 40' holeplug 0 40 40 sacks					
bentonite					
16" 40 347					
10 30 317	(12) WELL LOG:				
How was seal placed: Method A B C D E		nd Elevation			
K Other OAR 690-210-340	· Groun	IN LICENTUM			-00
8 Other OAR 090-210-340	Mater	ial	From	To	SWL
Backfill placed from ft. to ft. Material	Topsoil	141	0	1	
Gravel placed from ft. to ft. Size of gravel	Clay brown		1	36	
(6) CASING/LINER:	07	cown	36	46	
Diameter From To Gauge Steel Plastic Welded Threaded	Clay silty		46	75	
Casing: 16" +2: 298 .375 &			75	87	
	Sand-silt		87	115	
	Clay gray		115	_	
	Sand & clay	gray		126	
Liner:	Clay gray		126	144	-
		and & gravel	144	175	-
Final location of shoe(s) 298 '	Clay gray		175	212	-
(7) PERFORATIONS/SCREENS:	Clay w/sand		212	224	
Perforations Method	Clay gray, po		224	276	
X Screens Type Material stainless	Clay w/sand	gravel gray	276	281	
Slot Tele/pipe	Clay sandy,	brown-gray	281	292	
From To size Number Diameter size Casing Lines 12" pipe NX	Clay silty	brown	292	297	
299 319 .070 12" screen	Sand brown		297	304	621
319 339 .080 12" screen	Sand black		304	315	62'
339 347 12" pipe &	Gravel & sa	nd,black	315	341	62:
347 Bottom plate & lift bail	Clay gray		341	347	
347 Botton place & life will					
	Date started 12/24	/96 Com	pleted 4/1	7/97	
(8) WELL TESTS: Minimum testing time is 1 hour	The state of the s	Il Cunstructor Certifica		-1/51	_
Flowing	The statement of the second st				
□ Pump □ Bailer □ Air □ Artesian	of this well is in compli	k I performed on the con ance with Oregon water	supply well o	construction	standards.
Yield gal/min Drawdown Drill stem at Time	Materials used and info	mation reported above a			
The barrier of the same of the	and belief.				207
800 138 6x hr. S	1 1	1 00 1	WWC N	umber 13	
100	V	TA SIVI		Date 4/	23/97
100	Signed Kerm	atmonth	1	Date 1/	00 111
800 138 . 6xhr. s		Constructor Certification	on:	Date 1	00/11
800 1.38 . 6x hr. s Temperature of water 54 Depth Artesian Flow Found	(bonded) Water Well (ty for the construction, a	lteration, or a	bandonmen	ı work
Temperature of water 54 Depth Artesian Flow Found Was a water analysis done? Yes By whom	(bonded) Water Well (I accept responsibility	ty for the construction, a	lteration, or a	bandonmen above. All	t work
Temperature of water 54 Depth Artesian Flow Found Was a water analysis done? Yes By whom Did any strata contain water not suitable for intended use? Too little	(bonded) Water Well (I accept responsibili performed on this well performed during this t	ty for the construction, a during the construction of ime is in compliance wit	lteration, or a dates reported h Oregon wat	bandonmen above. All er supply w	t work work
Temperature of water 54 Depth Artesian Flow Found Was a water analysis done? Yes By whom Did any strata contain water not suitable for intended use? Too little Salty Muddy Odor Colored Other	(bonded) Water Well (I accept responsibili performed on this well performed during this t	ty for the construction, a	lteration, or a lates reported h Oregon wat best of my k	bandonmen above. All er supply w	t work work rell and belief.
Temperature of water 54 Depth Artesian Flow Found Was a water analysis done? Yes By whom Did any strata contain water not suitable for intended use? Too little	(bonded) Water Well (I accept responsibili performed on this well performed during this t	ty for the construction, a during the construction of time is in compliance with This report is true to the	lteration, or a lates reported h Oregon wat best of my k	bandonmen above. All er supply w	t work work ell and belief.

Received

MARI 68592 WELL I.D. LABEL# L 132853 STATE OF OREGON START CARD# 215109 WATER SUPPLY WELL REPORT (as required by ORS 537.765 & OAR 690-205-0210) ORIGINAL LOG# (1) LAND OWNER Owner Well I.D.

rust Name Etilst	(9) LOCATION OF WELL (legal description)	
Company Ernst Nursery & Farms	County MARION Twp 4 S N/S Range 2 W	/ E/W WM
Address PO Box 460	Sec 4 SW 1/4 of the SE 1/4 Tax Lot 1100)
City St. Paul State OR Zip 97137	Toy Man Number	
2) TYPE OF WORK New Well Deepening Conversion	Tax Map Number Lot Lat	DMS or DD
Alteration (complete 2a & 10) Abandonment(complete 5a)		The state of the s
2a) PRE-ALTERATION	Long or or Nearest address	DIVID OF DD
Casing: Dia + From To Gauge Stl Plstc Wld Thrd	(Street address of well (Neatest address	
	6180 Gearin Road NE, St. Paul, OR 97137	
Material From To Amt sacks/lbs		
Scal:	(10) STATIC WATER I EVEL	
3) DRILL METHOD	(10) STATIC WATER LEVEL Date SWL(psi) +	SWL(ft)
Rotary Air Rotary Mud X Cable Auger Cable Mud	Existing Well / Pre-Alteration	O D(III)
Reverse Rotary Other	Completed Well 03-21-2019	
4) PROPOSED USE Domestic XIrrigation Community	Flowing Artesian? Dry Hole?	
Industrial/ Commercial Livestock Dewatering	76	5
Thermal Injection Other	SWL Date From To Est Flow SWL(psi) +	SWL(II)
5) BORE HOLE CONSTRUCTION Special Standard (Attach copy	09-28-2018 76 90	21
Depth of Completed Well 95 ft.		
BORE HOLE SEAL sacks/		
Dia From To Material From To Amt lbs		
16 0 34 Bentonite Chips 0 34 34 S		
12 34 95 Calculated 26		
	(11) WELL LOG Ground Flevetion	
Calculated	Ground Dievaden	
How was seal placed: Method A B C D E	Material From	To
X Other 690-210-0340	Clay, brown 0	5
Backfill placed from ft. to ft. Material		19
Filter pack from ft. to ft. Material Size	Silt, greenish gray 19 Clay, greenish gray, sand 32	38
Explosives used: Yes Type Amount	Clay, greenish gray 38	42
	Clay, gray 42	52
5a) ABANDONMENT USING UNHYDRATED BENTONITE Proposed Amount Pounds Actual Amount Pounds	Sand, black, silt, dark gray 52	76
Proposed Amount Pounds Actual Amount Pounds	Sand, black, silt, layers, dark gray 76	90
6) CASING/LINER Casing Liner Dia + From To Gauge Stl Plste Wld Thrd	Clay, dark greenish gray 90	93
	Clay, blueish gray. 93	95
● 12 X 1.5 58.14 .25 ● ○ X ■ 10 X 2.96 95 .25 ● ○ X	RECEIVED	
0 10 X 2.96 95 .25 0 X		eceived
	HIM 0 6 2010	CEIVOG
	JUN 2 6 2019	200
	APR	1 1 202
Shoe Inside X Outside Other Location of shoe(s) 58.14	CALLETTS .	
Temp casing Yes Dia From To	OWRD	CIMPA
PERFORATIONS/SCREENS		OWRD
Perforations Method		
Screens Type V-wire Material stainless steel	Date Started 09-28-2018 Completed 03-19-2019	
Perf/S Casing/ Screen Scrn/slot Slot # of Tele/		
creen Liner Dia From To width length slots pipe size	(unbonded) Water Well Constructor Certification	
Screen 10 69.75 90 .08 10	I certify that the work I performed on the construction, deepening	
	abandonment of this well is in compliance with Oregon water construction standards. Materials used and information reported ab	er supply we
	the best of my knowledge and belief.	Are me une t
	License Number 1704 Date 04-12-2019	
WELL TESTS: Minimum testing time is 1 hour	Signed	
Pump Bailer Air Flowing Artesian		
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)	(bonded) Water Well Constructor Certification	
200 48.5 4	I accept responsibility for the construction, deepening, alteration,	or abandonme
	work performed on this well during the construction dates reported	above. All wo
	performed during this time is in compliance with Oregon water	er supply w
Temperature 53 °F Lab analysis Yes By	construction standards. This report is true to the best of my knowled	lge and belief.
Water quality concerns? Yes (describe below) TDS amount 87	License Number 783 Date 04-12-2019	
From To Description Amount Units	11 91	
	Constall	

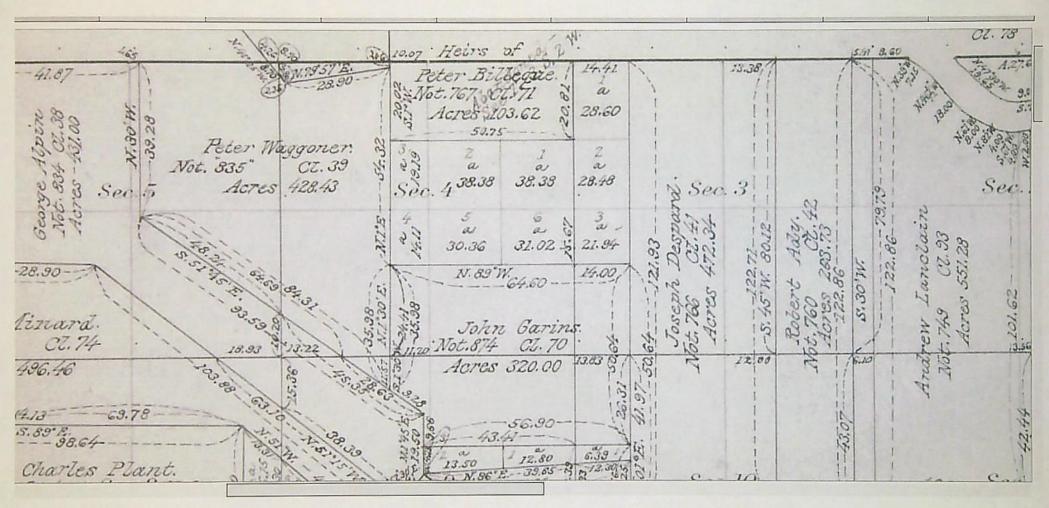
Signed (notional) ORIGINAL - WATER RESOURCES DEPARTMENT
THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version: 0.95

MARI 68592

WATER SUPPLY WELL REPORT - continuation page

WELL I.D. LABEL# L	132853	
START CARD #	215109	
ORIGINAL LOG#		

2a) PRE-ALTERATION	Water Quality Concerns
Dia + From To Gauge Stl Plstc Wld Thrd	From To Description Amount Units
	To Boompan
Material From To Amt sacks/lbs	
	MAN OF A PROPERTY OF THE PARTY.
) BORE HOLE CONSTRUCTION	(10) STATIC WATER LEVEL SWL Date From To Est Flow SWL(psi) + SWL(ft)
BORE HOLE SEAL sacks/	SWL Date From To Est Flow SWL(psi) + SWL(ft
Dia From To Material From To Amt lbs	
Calculated	
Calculated	
Calculated	
Calculated	
FILTER PACK	(11) WELL LOG
From To Material Size	Material From To
	Material
CACING INED	
O CASING/LINER	
Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd	
	Received
Q Q H H Q Q H H	Heceived
RAI H RAIL H	APR 1 1 2024
	OWRD
RAI HRAHH	044110
	DEOCN/ED
	RECEIVED
) PERFORATIONS/SCREENS	JUN 2 6 2019
Perf/S Casing/Screen Scrn/slot Slot # of Tele/ creen Liner Dia From To width length slots pipe size	
creen Liner Dia From To width length slots pipe size	
	OWRD
	G 4/9 1
	Comments/Remarks
8) WELL TESTS: Minimum testing time is 1 hour	Bottom plate at 95 feet
	Lifting bale 93.5 feet
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)	



APR 1 1 2024 OWRD



Water Resources Department

725 Summer St NE, Suite A Salem, OR 97301 (503) 986-0900 www.oregon.gov/owrd

4/12/2024

Bruce Ernst 4406 NE Birdhaven Lp Newberg, OR 97128

On April 11th, 2024, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

Transfer T-14049

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/default.aspx

Customer Service phone: (503) 986-0900

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file T-14049

REIMBURSEMENT AUTHORITY TRANSFER

T-14049

CERTIFICATE 98014 (cf-34191) issued 9-27-2024

BRUKE EXENST

WE GRNST Completion Charlist for	PROPUERT 100
Completion Checklist for C	Claims of Beneficial Use for -fewer weeks
	V (/
Application #	WRD Reviewer Ferry Ramage
Transfer # 7 - 140 + 9	Claim Logged 945
Date Received 4-11-2024	Oversized Map # 19A
CWRE Name Doann Hamilha	- 12 (O t 1) 12074
Map on polyester film (OAR 690-014-0170(1) & 310-0 Application & permit #; or transfer # (OAR 690-014-01 Disclaimer (OAR 690-014-0170(5)) North arrow (OAR 690-310-0050(2)(c)) CWRE stamp and signature (OAR 690-014 & 310-0050 Appropriate scale (I" = 1320', 1" = 400', or the original Township, range, section, and tax lot numbers (OAR 690-014-0170) Point(s) of diversion or appropriation (illustrated) (OAF Point(s) of diversion or appropriation (coordinates) (OA Conveyance structures illustrated (pump, pipelines, dite Description of the location, in relation to the point of di and measuring devices required (OAR 690-014-0170) Place of we (1/4 1/4 or projected 1/4 1/4 lines within E	full-size scale of the county assess of map (014 & 310) 00-310-0050(4)) (3)) 0 690-014(4) & 690-310-0050) R 690-014(4) & 690-310-0050) hes, etc.) (OAR 690-310-0050) version or appropriation, of any fish screens, by-pass devices,
On form or format provided by the Department (OAR 6	(MANI 68597)-add 1
Application & permit #; or transfer # (OAR 690-014) Ownership information (OAR 690-014) Date of survey (OAR 690-014) Person interviewed (OAR 690-014) County (OAR 690-014) Description of conveyances system (from POD to POU) Source(s) of water (OAR 690-014-0100) Place of use location (OAR 690-014-0100) Extent of use (OAR 690-014-0100) Extent of use (OAR 690-014-0100) Diversion rate for each use (OAR 690-014-0100) Diversion works description (pump make, serial model, System capacity (OAR 690-014-0100) Calculated capacity of system (required) Measured amount of use (optional) Permit/Transfer Final Order Conditions (OAR 690-014- Time limits Initial water level measurements Annual static water level measurements Measurement, recording, and reporting Measurement, recording, and reporting Fish screening and/or by-pass Pump test (ground water) Other Combined Water) Other Combined Water	capacity, and description) (OAR 690-014-0100)
Conditions from Extension Final Order and/or Water M.	anagement Conservation Plan
CWRE stamp and signature (OAR 690-014-0100) Signature(s) of permittee of transfer holder (OAR 690-0 DEF = deficient	14-0100)
N/A = Not Applicable	

Apr T-14049) Certificate Issuance Processing Checklist Map and COBU reviewed Conflict check Any Conflicts? Check for ownership Check Area of Interest YES NO Identified Party Staff Recommendations: Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order. Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows:

Well + MAN 1132 NOT claimed

Proof to the Satisfaction has not been established for the following reasons: Proposed Actions: Send letter requesting the following items/information: Send letter recommending extension to cure deficiencies: Can certificate be processed further? Yes If "Yes": Proposed Certificate # Mailing list: - 7.6 sc from well I Corg)

60.7ac Proposed: Well 1 - 7.6ac @1/80 c/sper al - 77.6acx1/80 c/s/ae=0.095 Well 3 - 60. 7a@/80cfsperace -> 60. Frex/80cffre 675

orts

but carrot exceed 0.42cfs authorized

Pump Causing Depart				App T-14049 2 add'l wells
asing Depart	ment desig	nea torrna	iid.	Z add i Wells
(hp)(efficienc	y) / (lift + p	si head) =	capacity in	cfs
Efficiency:				
Centrifugal =				
Turbine = 7.	04			
Data Entry	(fill in unde	erlined b	lanks)	
HP =		-	Well 2 (M	ARI 51725)
Efficiency = Lift =		CONTRACTOR OF STREET, SAN THE REAL PROPERTY.	-	
PSI =			-	
P31-	60,			
Results Cal	culated			
(hp)(efficience		528	-	-
Head based		152.4		
Total dynam	AND RESIDENCE OF THE PARTY OF T	352.4	-	
(head + lift)			-	
Contract of the Contract of th	-		-	1
Pump Cap	acity =	1.5	0 feet per	second
Pump Cap	acity =	1.5	0 feet per	second
Pump Car	oacity Ca	lculatio	n Sheet	App T-14049
Pump Car	oacity Ca	lculatio	n Sheet	
Pump Capusing Depart	pacity Ca	Iculatio	n Sheet	App T-14049 2 add'l wells
Pump Capusing Departump)(efficiency:	pacity Ca	Iculatio	n Sheet	App T-14049 2 add'l wells
Pump Capusing Departments hp)(efficiency:	pacity Ca ment design y) / (lift + ps	Iculatio	n Sheet	App T-14049 2 add'l wells
Pump Capusing Departure hp)(efficiency: Efficiency:	pacity Ca ment design y) / (lift + ps	Iculatio	n Sheet	App T-14049 2 add'l wells
Pump Capusing Departments hp)(efficiency:	pacity Ca ment design y) / (lift + ps	Iculatio	n Sheet	App T-14049 2 add'l wells
Pump Capusing Departure hp)(efficiency: Efficiency:	pacity Ca ment design y) / (lift + ps 6.61	Iculation and formula i head) =	n Sheet a: capacity in	App T-14049 2 add'l wells
Pump Capusing Departs hp)(efficiency: Efficiency: Centrifugal = Turbine = 7.0	pacity Ca ment design y) / (lift + ps 6.61 4	Iculation and formula i head) =	n Sheet a: capacity in	App T-14049 2 add'l wells cfs
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Pump Capusing Departs hp)(efficiency: Efficiency: Centrifugal = Furbine = 7.0 Data Entry (fine) HP = Efficiency =	pacity Cament design y) / (lift + ps 6.61 4 fill in under	Iculation and formula i head) =	n Sheet a: capacity in	App T-14049 2 add'l wells cfs
Pump Capusing Departs hp)(efficiency: Efficiency: Centrifugal = Furbine = 7.0 Data Entry (fine the control of t	pacity Ca ment design y) / (lift + ps 6.61 4 fill in under 15 7.04 69.5	Iculation and formula i head) =	n Sheet a: capacity in	App T-14049 2 add'l wells cfs
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Pump Capusing Departs hp)(efficiency: Efficiency: Centrifugal = Furbine = 7.0 Data Entry (fine the control of t	oacity Cament design y) / (lift + ps 6.61 4 fill in under 15 7.04 69.5 70	Iculation and formula i head) =	n Sheet a: capacity in	App T-14049 2 add'l wells cfs
Pump Capusing Departs hp)(efficiency: Efficiency: Centrifugal = Furbine = 7.0 Data Entry (fine) HP = Efficiency = Lift = PSI =	oacity Cament design y) / (lift + ps 6.61 4 fill in under 15 7.04 69.5 70 ulated	Iculationed formula in head) =	n Sheet a: capacity in	App T-14049 2 add'l wells cfs
Pump Capusing Departs hp)(efficiency: Efficiency: Centrifugal = Furbine = 7.0 Data Entry (fine) HP = Efficiency = Lift = PSI = Results Calc hp)(efficiency)	oacity Cament design y) / (lift + ps 6.61 4 fill in under 15 7.04 69.5 70 ulated	Iculationed formula i head) =	n Sheet a: capacity in	App T-14049 2 add'l wells cfs
Pump Capusing Department of the pump Capusing Department of th	pacity Cament design (1) / (lift + ps 6.61 4 fill in under 7.04 69.5 70 ulated () = on psi =	Iculationed formula i head) =	n Sheet a: capacity in	App T-14049 2 add'l wells cfs
Pump Capusing Department of the property of th	pacity Cament design (1) / (lift + ps 6.61 4 fill in under 7.04 69.5 70 ulated () = on psi =	Iculationed formula i head) =	n Sheet a: capacity in	App T-14049 2 add'l wells cfs
Pump Capusing Department of the pump Capusing Department of th	pacity Cament design (1) / (lift + ps 6.61 4 fill in under 7.04 69.5 70 ulated () = on psi =	Iculationed formula i head) =	n Sheet a: capacity in	App T-14049 2 add'l wells cfs
Pump Capusing Department of the property of th	pacity Cament design (1) / (lift + ps 6.61 4 fill in under 7.04 69.5 70 ulated () = on psi =	Iculationed formula i head) =	n Sheet a: capacity in	App T-14049 2 add'l wells cfs

Transfer # T-

Application #

Permit #

14049

NA# NIJUJO-

Bruce Ernst

25

Reimbursement Authority Process Itemized FINAL Sheet

for Certificates

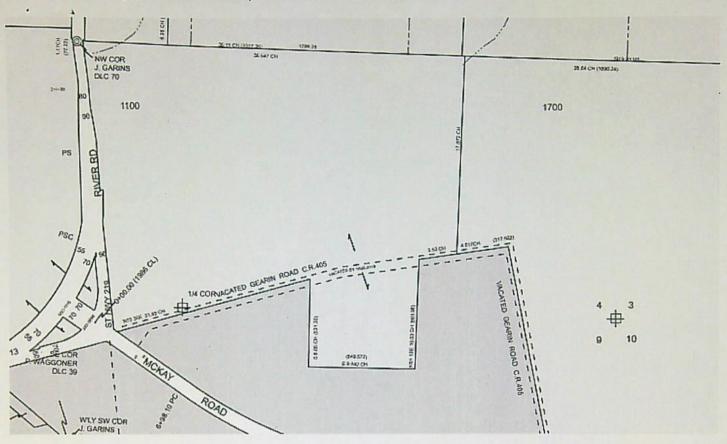
New Est. Multiplie Total Est Hourly New Est. Individual Rate Cost Date/Act. Time Time (hr) Hours 2.95 Kerry \$78.56 \$ 231.56 1. Review Claim of Beneficial Use report & map 2.25 31% \$78.56 \$ 51.46 2. Conflict Check 0.50 31% 0.66 Kerry 0.00 31% 0.00 Kerry \$78.56 \$ 3. Prep of def. letter - contigency time 4. Enter pump test data -0.00 31% 0.00 Kerry \$78.56 \$ 6.22 Kerry 5. Prep 1 certs - add'l 3 POA's and change in POU 4.75 31% \$78.56 \$ 488.84 0.00 0.00 Gerry \$74.84 \$ 6a. Peer review - consultation 0.30 0.30 Dwight \$111.91 \$ 33.57 6b. Peer review \$74.84 \$ 56.58 0.60 26% 0.76 Gerry 6d. Peer review 31% 6.88 Kerry \$78.56 \$ 540.30 5.25 7. Project Management -Support-0.98 Tonya 0.75 31% \$41.54 \$ 40.81 8a. Water right data record update Data Tech-0.75 Colten 8b. Water right data record update 0.75 \$42.09 \$ 31.57 Boschman 0.00 \$81.34 \$ 9. Pump test - N/A 0.00 n Sub Total \$1,475 19.49 Total

10% Overhead \$147.47 TOTAL \$1,622

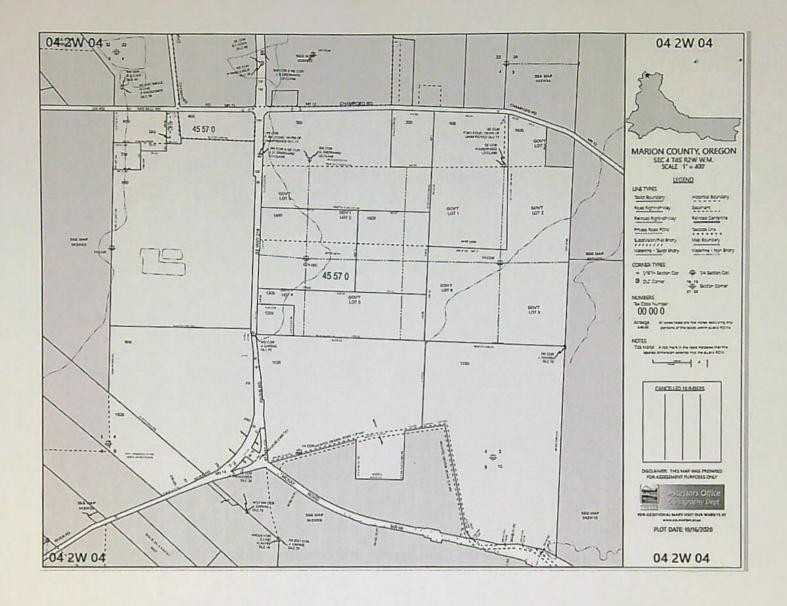
\$6 over (estimated cost = \$1616)

TFO issued 7-31-2023. C Date = 10-1-2024. add'l POA's, change in POU portion Cert 34191 - 0.42 cfs from a well for IR of 68.3 ac

T-14049 - Ownership per MARION County Assessor: 042W04 01100:







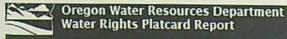
T-14049 number of acres irrigated

wp .	Rng	Mer	Sec	Q-Q	DLC	Acres	Well
4 S	2 W	WM	4	NE SW	70	3.6	Well 2 and Well 3
45	2 W	WM	4	SE SW	70	4.6	Well 1
45	2 W	WM	4	SE SW	70	10.9	Well 2 and Well 3
4 S	2 W	WM	4	NE SE	70	2	Well 2 and Well 3
45	2 W	WM	4	NW SE	70	7.4	Well 2 and Well 3
4 \$	2 W	WM	4	SW SE	70	3	Well 1
4 \$	2 W	WM	4	SW SE	70	28.4	Well 2 and Well 3
45	2 W	WM ,	4	SE SE	70	5.4	Well 2 and Well 3
45	2 W	WM	9	NW NE	70	1.8	Well 2 and Well 3
4 S	2 W	WM	9	NE NW	70	1.2	Well 2 and Well 3

68.3

Well 1 - 7.6 ac

Wells 2 & 3 - 60.7 ac



Search Criteria Platcards Maps! Meridian: Willamette Township: 4 South v Range: 2 West v Section: 4 v Records per Page: 6 Search Learn about * View Map Use DLC Govt oqt40): NE NW SW SE SE SE SE GQ Changing Water Right Priority. Select Permit: G 15359 * 12/6/2001 DAIRY BARN Additional Info: USES NORTHWEST FARM CREDIT SERVICES App: G15663 Permit: G15359 5 9.3 34.3 21.3 Select Permit: G 11689 * 7/17/1990 IRRIGATION Additional Info: THE DAIRY FARM LP App: G12180 Permit: G11689 1.5 0.5 26 20 18 24 Select Claim: GR 2216 * 6/30/1950 IRRIGATION Additional Info: W W DREHER Claim: GR2216 Select Claim:GR 3669 * 5/31/1952 IRRIGATION 6 8 12 Additional Info: ALBERT SURAN Claim: GR3669 Select Cert:13515 OR * 8/2/1938 IRRIGATION 39 1.8 Additional Info: WALTER J GEARIN App: S17471 Permit: S13182 Cert: 13515 3 Select Cert:19955 OR * 5/24/1939 IRRIGATION 8 Additional Info: WALTER GEARIN App: S18115 Permit: S13768 Cert: 19955 12345678

Platcards Maps! Meridian: Willamette v Township: 4 South v Range: 2 West v Section: 4 v Records per Page: 6 Search Learn about * View Map NW SW SE NE NW SW SE NE NW SW SE NE NW SW SE Unknown DLC Govt QQ(40): NE NE Changing Water Right Priority Use Xfers Status NE NE NE NW NW NW NW SW SW SW SW SE SE SE SE QQ Select Cert:19955 OR * 9 5/24/1939 IRRIGATION 3 Additional Info: WALTER GEARIN App: S18115 Permit: S13768 Cert: 19955 Select Cert:19958 OR * T7674. 2/11/1941 IRRIGATION 9 0.6 T7468 Additional Info: WALTER GEARIN App: S19158 Permit: S14750 Cert: 19958 Select Cert:19961 OR * 6/13/1944 IRRIGATION 11.8 Additional Info: WALTER GEARIN App: S20279 Permit: S15927 Cert: 19961 37.2 Select Cert:21479 OR CN 10/30/1950 IRRIGATION CN Additional Info: GEORGE K AUSTIN App: S25404 Permit: S19999 Cert: 21479 Select Cert:21479 OR CN 10/30/1950 IRRIGATION CN 3.6-Additional Info: GEORGE K AUSTIN App: S25404 Permit: S19999 Cert: 21479 12 1.7 10/30/1950 IRRIGATION CN Select Cert:21479 OR CN Additional Info: GEORGE K AUSTIN

App: S25404 Permit: S19999 Cert: 21479

Search Criteria

Meridian: Willamette V Township: 4 South V Range: 2 West V Section: 4 V Records per Page: 6 Search Platcards Maps!

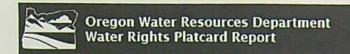
Learn about View Map

	Water Right	Changing Xfers	Priority	Use	<u>Use</u> Status	DLC	Govit Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NE	NW NM	SW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select	Cert:23850 OR *		5/11/1951	IRRIGATION		39								3.2								MA			
	Additional Info: REINHOLD WAHL App: S25926 Permit: S20542 Cert: 23850																								
Select	Cert:23850 OR *		5/11/1951	IRRIGATION		40								6											
	Additional Info: REINHOLD WAHL App: S25926 Permit: S20542 Cert: 23850																								
Select	Cert:34191 OR CN	T12435, T14049	4/30/1964	IRRIGATION	CN	70											4.2			-15.4-	2.1	-8.6-	32.1	-6-	
	Additional Info: MICHAEL E HOPFER App: G2842 Permit: G2649 Cert: 34191																								
Select	Cert:38363 OR *	T14061	5/9/1966	IRRIGATION		70															3			13.9	
	Additional Info: AMIEL DESMET App: G3485 Permit: G3285 Cert: 38363																								
Select	Cert:68076 (RR) *		10/30/1950	IRRIGATION			7		22.2																
	Additional Info; GEORGE K AUSTIN App: S25404 Permit: S19999 Cert: 68076																								
Select	Cert:68076 (RR) *		10/30/1950	IRRIGATION			8			3.6															
	Additional Info: GEORGE K AUSTIN App: S25404 Permit: S19999 Cert: 68076																								
			THE STATE OF	TO THE REAL PROPERTY.	THE T	X DE		123	456	78								38/		133	TELS.	THE RES		9707	

App: G14437 Permit: G13343 Cert: 89298

Platcards Maps! Meridian: Willamette Range: 2 Section: 4 ~ Records per Page: 6 Search Township: 4 South ~ West ~ Learn about * View Map Changing Water Right Priority 12 Select Cert:68076 (RR) * 10/30/1950 IRRIGATION Additional Info: GEORGE K AUSTIN App: S25404 Permit: S19999 Cert: 68076 Select Permit: G 15359 * 12/6/2001 IRRIGATION 4.1 3.1 19.6 12.3 11 23.7 Additional Info: NORTHWEST FARM CREDIT SERVICES App: G15663 Permit: G15359 Select Cert:87934 OR * 4/16/1991 IRRIGATION 29.5 Additional Info: BENJAMIN COLEMAN App: G12487 Permit: G11589 Cert: 87934 25 6 Select Cert:87934 OR * 4/16/1991 IRRIGATION Additional Info: BENJAMIN COLEMAN App: G12487 Permit: G11589 Cert: 87934 4/16/1991 IRRIGATION 15 Select Cert:87934 OR * Additional Info: BENJAMIN COLEMAN App: G12487 Permit: G11589 Cert: 87934 T13201 1/13/1997 IRRIGATION CN 38 7.8 Select Cert:89298 OR CN Additional Info: HAZENBURG DAIRY

12345678



Meridian: Willamette V Township: 4 South V Range: 2 West V Section: 4 V Records per Page: 6 Search Platcards Maps!

Learn about View Map

Water Right	Changing Xfers	Priority	<u>Use</u>	Use Status	DLC 9	Govit Lot	QQ(40): Q(160):	NE I	NE NE	SW NE	SE NE	NW NE	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Inchoate: T 13201 CF (REG) *		1/13/1997	IRRIGATION			38												(7.8)						
Additional Info: HAZENBURG DAIRY App: G14437 Permit: G13343																								
Select App: G 18849 * Additional Info: JEANNE BOATWRIGHT App: G18849		8/1/2019	IRRIGATION																0.1			2.6	5.7	
Select Inchoate: T 14049 CF (REG) * Additional Info: BRUCE ERNST App: G2842 Permit: G2649		4/30/1964	IRRIGATION		70											(3.6)			(15.5)	(2)	(7.4)	(31.4)	(5.4)	
Select Permit: G 15572 * Additional Info: BENJAMIN COLEMAN App: G15587 Permit: G15572			NURSERY USES							13.7	4				6									
Select Permit: G 15861 CN Additional Info: BRUCE ERNST App: G16246 Permit: G15861	T12782		NURSERY USES	CN		4										5								
Select Permit: G 15861 CN Additional Info: BRUCE ERNST App: G16246 Permit: G15861	T12782		NURSERY USES	CN		5															-20-			

Meridian: Willamette V Township: 4 South V Range: 2 West V Section: 4 V Records per Page: 6 Search Platcards Maps!

Learn about * View Map

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	Water Right	Changing Xfers	Priority	<u>Use</u>	Use Status	DLC	Govt Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NE	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	SE SE	NW SE	SW SE	SE SE	Unknown QQ
Select	Permit: G 15861 CN Additional Info: BRUCE ERNST App: G16246 Permit: G15861	T12782	5/12/2004	NURSERY USES	CN		6														4.5				
Select	Permit: G 15861 CN Additional Info: BRUCE ERNST App: G16246 Permit: G15861	T12782	5/12/2004	NURSERY USES	CN	70											4.2			-15.4-	2.1	-8.6-	32.1	-6-	
Select	Cert:96789 OR * Additional Info: BRUCE ERNST App: G16246 Permit: G18143 Cert: 96789	T14189	5/12/2004	NURSERY USES			4										1.5								
Select	Cert:96789 OR * Additional Info; BRUCE ERNST App: G16246 Permit: G18143 Cert: 96789	T14189	5/12/2004	NURSERY USES			5															18.7			
Select	Additional Info: BRUCE ERNST App: G16246 Permit: G18143 Cert: 96789	T14189	5/12/2004	NURSERY USES			6														5				
Select	Cert:96789 OR * Additional Info: BRUCE ERNST App: G16246 Permit: G18143 Cert: 96789	T14189	5/12/2004	NURSERY USES		70											3.6			15.5	2	7.4	31.8	6.1	
NEW YORK		S. BOT						12	34	567	8														E SPECIE

Main

@ Return

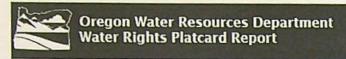
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Search Criteria

Meridian: Willamette V Township: 4 South V Range: 2 West V Section: 4 V Records per Page: 6 Search Platcards Maps!

Learn about View Map

Water Right	Changing Priority Use Statu	DLC Go/1 QQ(40)	JE NW SW S	E NE	NW N	N SE	NE SW	NW SW	SE SW	NE N SE S	W SW E SE	SE Unknov
Select Cert:23849 OR * Additional Info: REINHOLD WAHL App. R25925 Permit: R1214 Cert: 23849	5/11/1951 STORAGE	39			•							
Select Permit: R 13483 CN Additional Info: GERALD OWEN App: R84841 Permit: R13483	8/15/2001 STORAGE CN					-						
Select Permit: R 14009 CN Additional Info: SAR-BEN FARMS; THE DAIRY FARM LIMITED PARTNERS App. R84984 Permit: R14009	12/6/2001 STORAGE CN				-			•				
Select Permit: S 53953 CN Additional Info: SAR-BEN FARMS; THE DAIRY FARM LIMITED PARTNERS App: S84983 Permit: S53953	12/6/2001 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)			4.1	3.1 -19	.6 -12.3	-16-	-3334.	21.3			
Select App: G 16536 WD Additional Info: MARLIN RASMUSSEN App: G16536	9/15/2005 SUPPLEMENTAL WD IRRIGATION (Suppl'mtl)	39		4.1	3.1 -19	6- 12.3	-16-	33 34.	18.9			
Select App: G 16536 WD Additional Info: MARLIN RASMUSSEN App: G16536	9/15/2005 SUPPLEMENTAL WD IRRIGATION (Suppl'mtl)	70							24			



Acreage Legend: 12.25 Regular

acreage

12.25 Acreage is on a

canceled right

Search Criteria Platcards Maps! Meridian: Willamette Records per Page: 6 Township: 4 Range: 2 Section: 4 v Search South ~ West v Learn about * View Map Use Status DLC Govt O(160): NE NW SW SE NE NW SW SE NE NW SW SE NE NW SW SW SW SE NE NW NW NW NW SW SW SW SE NE NW NW NW NW NW SW SW SW SE NE NE NE NE NW NW NW NW SW SW SW SE NE NW NW NW NW SW SW SW SE NE NW NW NW NW SW SW SW SE NE NW NW NW NW NW SW SW SW SE NE NW NW NW NW NW SW SW</ Changing Water Right Priority Use Xfers 8/19/2014 SUPPLEMENTAL 7.8 Select Permit: S 54906 * 38 IRRIGATION Additional Info: (Suppl'mtl) HAZENBURG DAIRY App: S88004 Permit: S54906 8/19/2014 SUPPLEMENTAL 0.9 Select Permit: S 54906 * 40 IRRIGATION (Suppl'mtl) Additional Info: HAZENBURG DAIRY App: S88004 Permit: S54906 2 5/7/2018 SUPPLEMENTAL WD 4.3 1.5 5.7 Select App: G 18672 WD IRRIGATION Additional Info: (Suppl'mtl) CHAMPOEG FARMS INC App: G18672 12345678

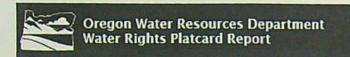
up on yet (inchoate)

(12.25) Acreage is part of a transfer and has not been proven [12.25] Acreage has been

* Acreage is not

specified

suspended



Meridian: Willamette V Township:	4 South V Range:	2 West v Section: 9 v	Records per Page: 6 Search	Platcards Maps! Learn about * View Map
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Water Right	Changing Xfers	Priority	Use	Use Status DLC	Govit Lot	QQ(40): Q(160):	NE NE	NE NM	SW NE	SE NE	NW NE	NW NW	SW NW	SE	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select App: P 82755 * Additional Info:		1/17/1997	FISH AND WILDLIFE																				
FRANK BUCK App: P82755																							
Select Permit: G 8688 CN Additional Info: CLIFFORD P ANDERSON App: G9266 Permit: G8688		6/5/1979	IRRIGATION	CN							_12.8_	-3.5		-2.6-									
Additional Info: THE DAIRY FARM LP App: G12180 Permit: G11689		7/17/1990	IRRIGATION								6.2	1.9											
Select Claim:GR 1810 * Additional Info: DONALD BUYSERIE Claim: GR1810	•	1/12/1952	IRRIGATION														20	8					
Additional Info: LEO BLANCHETTE App: S23766 Permit: S18755 Cert: 21084		5/3/1949	IRRIGATION		4										6.4								
Additional Info: LEO BLANCHETTE - App: S23766 Permit: S18755 Cert: 21084		5/3/1949	IRRIGATION		5													5.6					

Platcards Maps! Meridian: Willamette v Township: 4 West V Section: 9 V Records per Page: 6 South v Range: 2 Search Learn about * View Map NW SW SE SE SE SE Unknown Changing Water Right Priority Use QQ Xfers Select Cert:21084 OR * 5/3/1949 IRRIGATION 6 Additional Info: LEO BLANCHETTE App: S23766 Permit: S18755 Cert: 21084 7 7.1 Select Cert:21084 OR * 5/3/1949 IRRIGATION Additional Info: LEO BLANCHETTE App: S23766 Permit: S18755 Cert: 21084 Select Cert:34191 OR CN T12435, 4/30/1964 IRRIGATION CN 70 0.2 29 T14049 Additional Info: MICHAEL E HOPFER App: G2842 Permit: G2649 Cert: 34191 1.8 5.2 10/3/1961 IRRIGATION 4 Select Cert:34631 OR * Additional Info: VERNE V BROWN App: S37116 Permit: S27623 Cert: 34631 T13031 3/3/1966 IRRIGATION CN 1 3 7 20.2 -6-35.5 Select Cert:35498 OR CN Additional Info: DONS INC. App: G3406 Permit: G3195 Cert: 35498 4.8 1.7 22.8 5.4 Select Cert:35498 OR CN T13031 3/3/1966 IRRIGATION CN 0.5 Additional Info: DONS INC. App: G3406 Permit: G3195 Cert: 35498 12345678

Meridian: Willamette V

Township: 4

South ~

Range: 2 West >

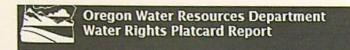
Section: 9 v

Records per Page: 6

Search

Platcards Maps! Learn about * View Map

Select Cert:38363 OR * Additional Info; AMIEL DESMET	water right	Changing Xfers T14061	Priority	Use	Status	DIC SUY	r cod(en):													-		
Additional Info; AMIEL DESMET		T14061			Status	Lot	Q(160):	NE I	VE N	IE NE	ИW	NW	NW	NW	SW	SW	SW	SW	SE .	SE	SE S	E Unkr
App: G3485 Permit: G3285 Cert: 38363		114001	5/9/1966	IRRIGATION		70		3.7														
Additional Info; PETER J NIK App: G4623 Permit: G4348 Cert: 40448			10/3/1968	IRRIGATION		4									0.9							
Additional Info; PETER J NIK App: G4623 Permit: G4348 Cert: 40448			10/3/1968	IRRIGATION		7										12.2						
Select Cert:40448 OR Additional Info: PETER J NIK App: G4623 Permit: G4348 Cert: 40448			10/3/1968	IRRIGATION		8							8									
Additional Info: PETER J NIK App: G4623 Permit: G4348 Cert: 40448			10/3/1968	IRRIGATION		74						1.4	20.6	4	4.2	0.6						
Select Cert:40692 OR	K DAM AND RESERVOIR CO.		8/7/1968	IRRIGATION		100										0.4	17.9					



Meridian: Willamette V Township: 4 South V Range: 2 West V Section: 9 V Records per Page: 6 Search Platcards Maps!

Learn about * View Map*

	Water Right	Changing Xfers	Priority	<u>Use</u>	Use Status	DLC S	Govt QQ(40): Lot Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW SW SW	SE SW	NE SE	NW SE	SW SE	SE U	lnknown QQ
Select	Cert:89298 OR CN Additional Info: HAZENBURG DAIRY App: G14437 Permit: G13343	T13201	1/13/1997	IRRIGATION	CN	3	38						-17.8										
Select	Cert: 89298 Cert:91304 OR *		7/5/1995	IRRIGATION		84												6.6			14.6		
	Additional Info: DAN KEELEY App: G14125 Permit: G13074 Cert: 91304																						
Select	App: G 18339 DN Additional Info: LORI MAE ANDERSON App: G18339		7/11/2016	IRRIGATION	DN							_12.8	-14.7	9.6	-22.2								
Select	Inchoate: T 13201 CF (REG) * Additional Info: HAZENBURG DAIRY App: G14437 Permit: G13343		1/13/1997	IRRIGATION		3	38						(17.8)										
Select	App: G 18849 * Additional Info: JEANNE BOATWRIGHT App: G18849		8/1/2019	IRRIGATION				26.3	34.1	6.4	6.1	17.8			4								
Select	Inchoate: T 14049 CF (REG) * Additional Info: BRUCE ERNST App: G2842 Permit: G2649		4/30/1964	IRRIGATION		70			(1.8)			(1.2)											
							1234	678						AL C					1	No.			

Meridian: Willamette V Township: 4

South V Range: 2

| West v | Section: 9 v | Records per Page: 6

Search

Platcards Maps! Learn about * View Map

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	Water Right	Changing Xfers	Priority	<u>Use</u>	Use Status	DLC G	ovi QQ(40): ot Q(160):	NE NE	NW NW	SW	SE IE	巡	NW NW	SW NW	SE	SW SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	<u>Unknown</u> <u>QQ</u>
Select	Cert:97225 CF *		3/3/1966	IRRIGATION		84			100							1			3		20.2		35.5	
	Additional Info: THE BUCK FAMILY TRUST App: G3406 Permit: G3195 Cert: 97225																							
Select	Cert:97225 CF *		3/3/1966	IRRIGATION		85				4.8	1.7									22.8	5.4		0.5	
	Additional Info: THE BUCK FAMILY TRUST App: G3406 Permit: G3195 Cert: 97225																							
Select	Cert:35384 OR *		11/27/1963	LIVESTOCK		38																		
	Additional Info: MILDRED MAE ANDERSON App: S38907 Permit: S29087 Cert: 35384																							
Select	Permit: G 15861 CN Additional Info: BRUCE ERNST App: G16246 Permit: G15861	T12782	5/12/2004	NURSERY USES	CN	70		0.2	2.9															
Select	Cert:90946 OR * Additional Info: BLUE SKY FARMS App: G14884 Permit: G13763 Cert: 90946	T13769	12/17/1998	NURSERY USES		84										1			3	8	21	6	35.7	
Select	Cert:90946 OR * Additional Info: BLUE SKY FARMS App: G14884 Permit: G13763 Cert: 90946	T13769	12/17/1998	NURSERY USES		85				4.8	1.7									21.8	4.6		0.3	
							12345	678																

Meridian: Willamette ~

Township: 4

South ~

Range: 2 West v

Section: 9 V

Records per Page: 6

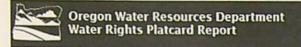
Search

Platcards Mapsl
Learn about * View Map

		Changing	1		Use	404	GoVt ocum	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	sw	SE	NE N	W S	W SE	Unkno
	Water Right	Xfers	Priority	Use	Status	DLC	GoVt QQ(40): Lat Q(160)	NE	NE	NE	NE	NW	NW	ИW	ЙW	SW	SW	SW	<u>sw</u>	SE S	E S	E SE	QQ
Additional Info: BRUCE ERNST App: G16246 Permit: G18143		T14189	5/12/2004	NURSERY USES		70		1.1	4			1.2											
Cert: 96789 Select Cert:67536 OR * Additional Info: COUNTY OF MARI App: S69448 Permit: S50239 Cert: 67536	ON; DEPARTMENT OF PUBLIC WORKS		11/3/1987	POND MAINTENANCE			1				•												
Select Cert:67536 OR * Additional Info:	ON; DEPARTMENT OF PUBLIC WORKS		11/3/1987	POND MAINTENANCE			2																
Additional Info; COUNTY OF MARI App: S69448 Permit: S50239 Cert: 67536	ON; DEPARTMENT OF PUBLIC WORKS		11/3/1987	POND MAINTENANCE		70				•	•												
Additional Info; PETER J NIK App: G4623 Permit: G4348 Cert: 40448			10/3/1968	SUPPLEMENTAL IRRIGATION (Suppl'mtl)			4									1							
Additional Info: PETER J NIK App: G4623 Permit: G4348 Cert: 40448			10/3/1968	SUPPLEMENTAL IRRIGATION (Suppl'mtl)			6											0.9					

Platcards Maps! Learn about * View Map Meridian: Willamette V Search Township: 4 South v Range: 2 West v Section: 9 v Records per Page: 6

Water Right C	nanging Priority	Use U	se DLC Govi oc	(40): NE 160): NE	NW S	W SE	NE	NW NW	SW NW	SE MW S	W SW	SW	SE SW	NE ! SE	IW S	W SE	Unkno QQ
Additional Info: PETER J NIK App: G4623 Permit: G4348 Cert: 40448		SUPPLEMENTAL IRRIGATION (Suppl'mtl)	7								5.1						
Additional Info: CLARA BUYSERIE App: \$47861 Permit: \$35330 Cert: 50723		SUPPLEMENTAL IRRIGATION (Suppl'mtl)	100									13.5	3.9				
Additional Info: SAR-BEN FARMS; THE DAIRY FARM LIMITED PARTNERSHIP App: S84983 Permit: S53953		SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)					-6.2	-1.9-									
Additional Info: MARLIN RASMUSSEN App: G16536	351705555	SUPPLEMENTAL WE IRRIGATION (Suppl'mtl)	39				-5.6-	-1.9-									
Additional Info: MARLIN RASMUSSEN App: G16536		SUPPLEMENTAL WI IRRIGATION (Suppl'mtl)	70				-0.6-										
Additional Info: HAZENBURG DAIRY App: S88004 Permit: S54906		SUPPLEMENTAL IRRIGATION (Suppl'mtl)	38					17.8									



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Search Criteria

Platcards Maps! Learn about * View Map Search Meridian: Willamette v Township: 4 Range: 2 Section: 9 V Records per Page: 6 South ~ West v

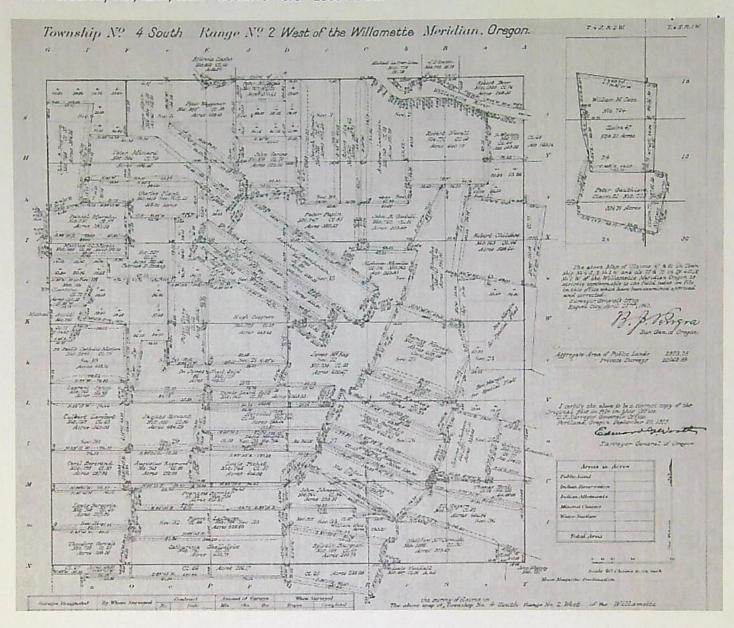
Water Right	Changing Priority	<u>Use</u>	Use DLC Govt Lot	QQ(40): NE	NW NE	SW NE	SE L	W NW	SW !	SE NE	NW SW	SW SW	SE SW	NE L	IW S	W SE E SE	Unknow QQ
Select App: G 18593 WD Additional Info; CLARA M BUYSERIE FAMILY TRUST App: G18593		SUPPLEMENTAL IRRIGATION (Suppl'mtl)										-14.8-					
Additional Info: BRENTANO AG ENTERPRISES LLC App: S80299 Permit: S51967 Cert: 97210		SUPPLEMENTAL IRRIGATION (Suppl'mtl)	100									1.33	3.67				
Select Cert:67535 OR * Additional Info: COUNTY OF MARION; DEPARTMENT OF PUBLIC WORKS App: R69447 Permit: R10903 Cert: 67535	11/3/1987	WILDLIFE	1														
Additional Info: COUNTY OF MARION; DEPARTMENT OF PUBLIC WORKS App: R69447 Permit: R10903 Cert: 67535	11/3/1987	WILDLIFE	2														
Select Cert:67535 OR * Additional Info: COUNTY OF MARION; DEPARTMENT OF PUBLIC WORKS App: R69447 Permit: R10903 Cert: 67535	11/3/1987	WILDLIFE	70			•	•										

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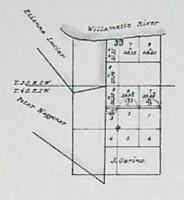
Portion cadastral survey T4S, R2W, W.M – Sections 4 & 9 - 1860-12-20:

E. (F. 10.2)	Teg 10.07	Heirs	of of ?	
235) 28,90	20.02 50.02 50.02	eter Bil 5t.76716 Acres St	73.62 % 53.62 %	28.60
r Waggoner. The CZ.39 CTes 428.43	5. 22 22	2 a . 4 ^{38.38}	38.38	2 28.48
	-N.1.2.	5 au 30.36	31.02 3	
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35.25.36 Ne. 36.13	18. 18. 18. 18. 18. 18. 18. 18. 18. 18.	Acres	320.00	1.26.31 -Sa
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Cadastral survey T4S, R2W, W.M – Section 4 -1871-01-21:

Township Nº 3 and 4S., Range Nº 2 West of the Willamette Meridian, Oregon.

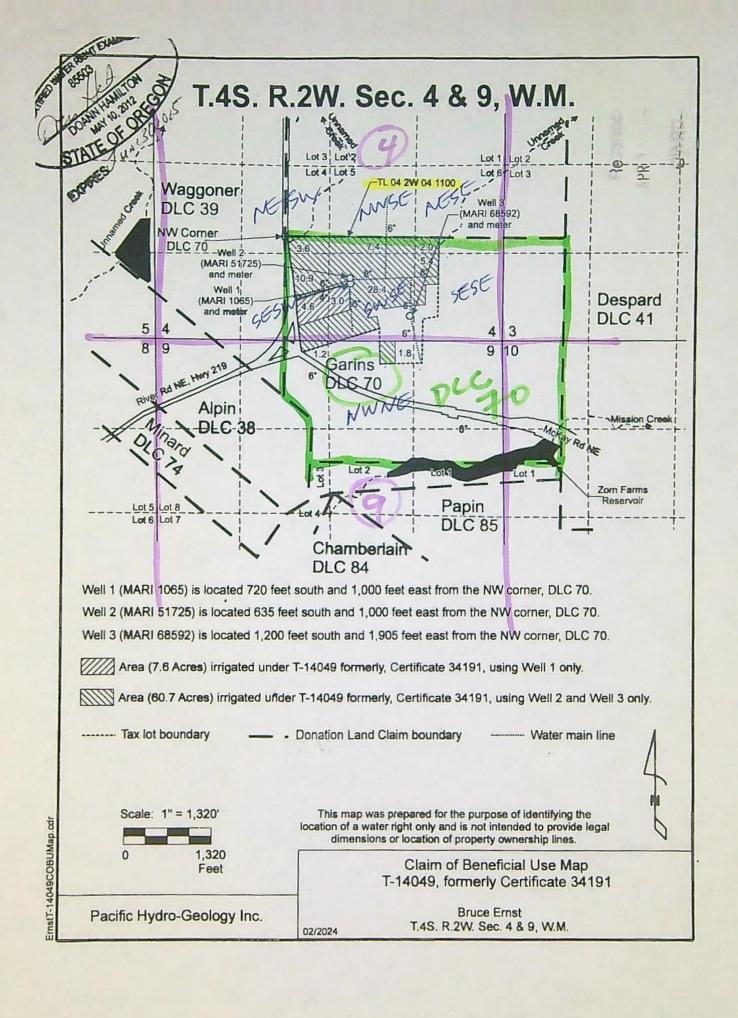


T-14049:



T-14049:





STATE OF OREGON

COUNTY OF

MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

MICHAEL E. HOPFER

of Route 1, Box 109, Aurora , State of Gregon , has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

atributary of Willamette River (Columbia River) irrigation of 71.5 acres

for the purpose of

under Permit No. Q-2649 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 30, 1964

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.44 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW\(\frac{1}{2}\) SE\(\frac{1}{2}\), as projected within Garins DLC 70, Section 4, T. 4 S., R. 2 W., W. M. Well located 610 feet South and 960 feet East from the NW Corner, DLC 70.

The amount of water used for irrigation, together with the amount secured under any other interest of the stream of the secured under any other.

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 2½ acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date: July 31, 1967

CHRIS L. WHEELER
State Engineer

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING ADDITIONAL
T-14049, Marion County)	POINTS OF APPROPRIATION, A CHANGE
)	IN PLACE OF USE, AND PARTIAL
)	CANCELLATION OF A WATER RIGHT

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

BRUCE ERNST PO BOX 460 SAINT PAUL, OR 97137

Findings of Fact

- On July 15, 2022, BRUCE ERNST filed an application for additional points of appropriation, to change the place of use, and to cancel a portion of the place of use under Certificate 34191. The Department assigned the application number T-14049.
- Notice of the application for transfer was published on August 2, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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.

- 3. On March 8, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14049 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 7, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
- 4. On May 30, 2023, the Department issued a Preliminary Determination proposing to approve Transfer T-14049 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on June 6, 2023, and in the Woodburn Independent newspaper on June 7 and 14, 2023 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
- The portion of the right to be transferred is as follows:

Certificate: 34191 in the name of MICHAEL E. HOPFER (perfected under Permit G-2649)

Use: IRRIGATION of 68.3 ACRES

Priority Date: APRIL 30, 1964

Rate: 0.42 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, 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 WILLAMETTE RIVER (COLUMBIA RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
45	2 W	WM	4	SW SE	70	WELL 1 - 610 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF DLC 70

Authorized Place of Use:

		IRR	IGATIO	N		Marine In Co.
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
45	2 W	WM	4	NE SW	70	4.2
45	2 W	WM	4	SE SW	70	15.4
45	2 W	WM	4	NE SE	70	2.1
45	2 W	WM	4	NW SE	70	8.6
45	2 W	WM	4	SW SE	70	29.8
45	2 W	WM	4	SE SE	70	5.1
45	2 W	WM	9	NE NE	70	0.2
45	2 W	WM	9	NW NE	70	2.9
					Total	68.3

6. Certificate 34191 describes the point of appropriation; however, the applicant provided a more accurate description of the point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	4	SW SE	70	WELL 1 - 720 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF DLC 70

7. Transfer Application T-14049 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate distance from original point of appropriation in feet (ft.)
4 S	2 W	WM	4	SW SE	70	WELL 2 - 635 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF DLC 70	50 ft.
4 5	2 W	WM	4	SW SE	70	WELL 3 - 1200 FEET SOUTH AND 1905 FEET EAST FROM THE NW CORNER OF DLC 70	1100 ft.
45	2 W	WM	9	NE NE	70	WELL 4 – 2330 FEET SOUTH AND 1090 FEET WEST FROM THE NE CORNER OF DLC 70	2900 ft.

8. Transfer Application T-14049 also proposes to change the place of use of the right to:

				IRRIC	SATION		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed POA
45	2 W	WM	4	NE SW	70	3.6	Wells 2, 3, and 4
45	2 W	WM	4	SE SW	70	10.9	Wells 2, 3, and 4
45	2 W	WM	4	SE SW	70	4.6	Re-described Well 1
45	2 W	WM	4	NE SE	70	2.0	Wells 2, 3, and 4
45	2 W	WM	4	NW SE	70	7.4	Wells 2, 3, and 4
45	2 W	WM	4	SW SE	70	28.4	Wells 2, 3, and 4
45	2 W	WM	4	SW SE	70	3.0	Re-described Well 1
45	2 W	WM	4	SE SE	70	5.4	Wells 2, 3, and 4
45	2 W	WM	9	NW NE	70	1.8	Wells 2, 3, and 4
45	2 W	WM	9	NE NW	70	1.2	Wells 2, 3, and 4
			Marie		Total	68.3	

Transfer Review Criteria (OAR 690-380-4010)

- Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-14049.
- 11. The proposed changes would not result in enlargement of the right.

- 12. The proposed change would not result in injury to other water rights.
- 13. All other application requirements are met.

Partial Cancellation of a Water Right

14. On July 15, 2022, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from Bruce Ernst. The right to be cancelled is as follows:

Certificate:

34191 in the name of MICHAEL E. HOPFER (perfected under

Permit G-2649)

Use:

IRRIGATION of 3.2 ACRES

Priority Date:

APRIL 30, 1964

Rate:

0.02 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, 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 WILLAMETTE RIVER (COLUMBIA RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
45	2 W	WM	4	SW SE	70	610 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF DLC 70

Authorized Place of Use:

		IRR	IGATIO	N		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
45	2 W	WM	4	SW SE	70	2.3
45	2 W	WM	4	SE SE	70	0.9
					Total	3.2

Conclusions of Law

The additional points of appropriation and change in place of use proposed in Transfer Application T-14049 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned right will be cancelled.

Now, therefore, it is ORDERED:

 The additional points of appropriation and change in place of use proposed in Transfer Application T-14049 are approved. The portion of the right that has been abandoned is cancelled.

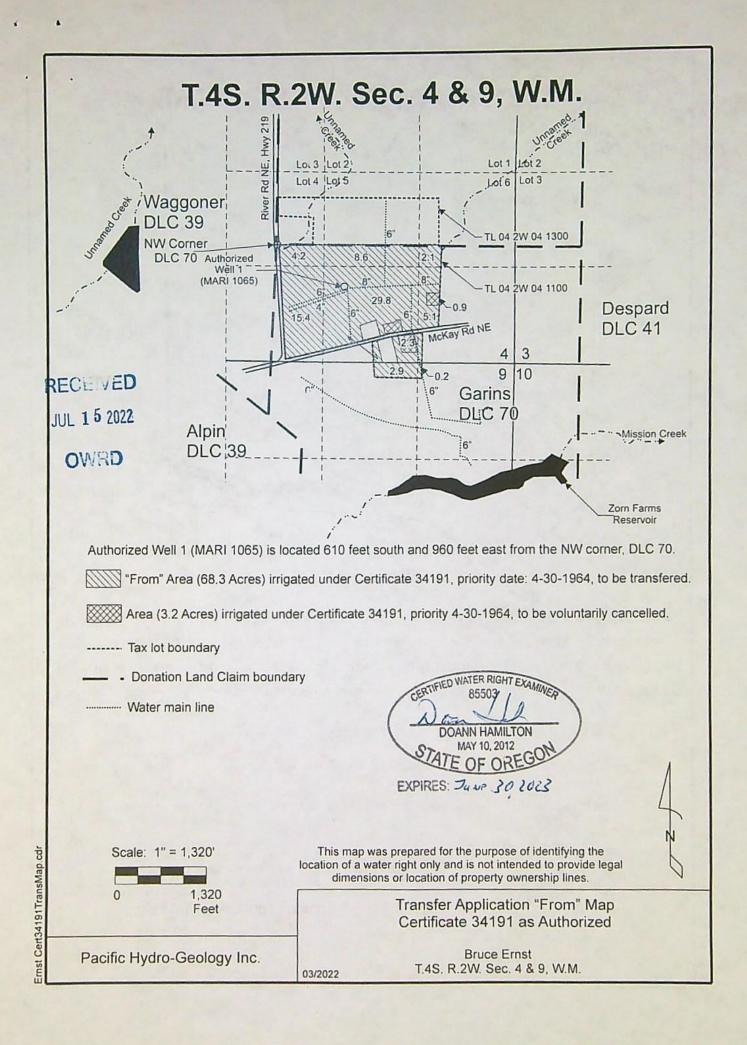
- The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 34191 and any related decree.
- 3. Water right Certificate 34191 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer and cancellation.
- 4. The quantity of water diverted at the additional points of appropriation (Wells 2, 3, & 4), together with that diverted at the original point of appropriation (Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).
- 5. 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.
- Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
- 7. The former place of use of the transferred right shall no longer receive water under the right.
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2024. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
- After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

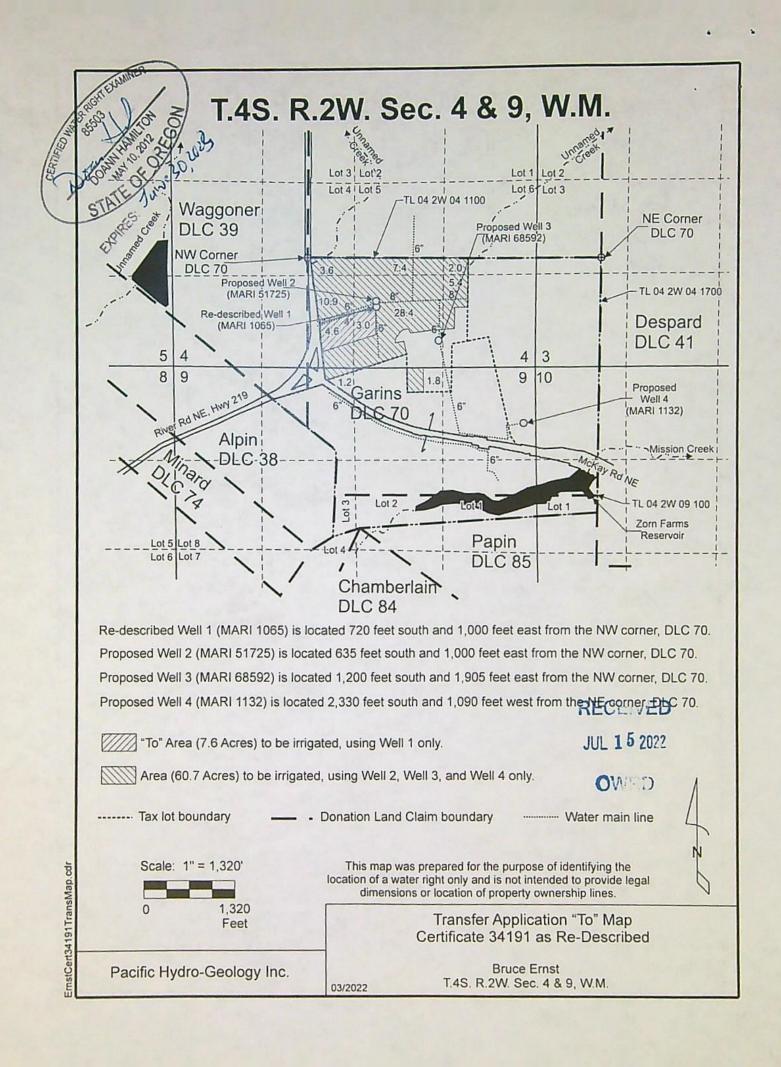
Dated in Salem, Oregon on

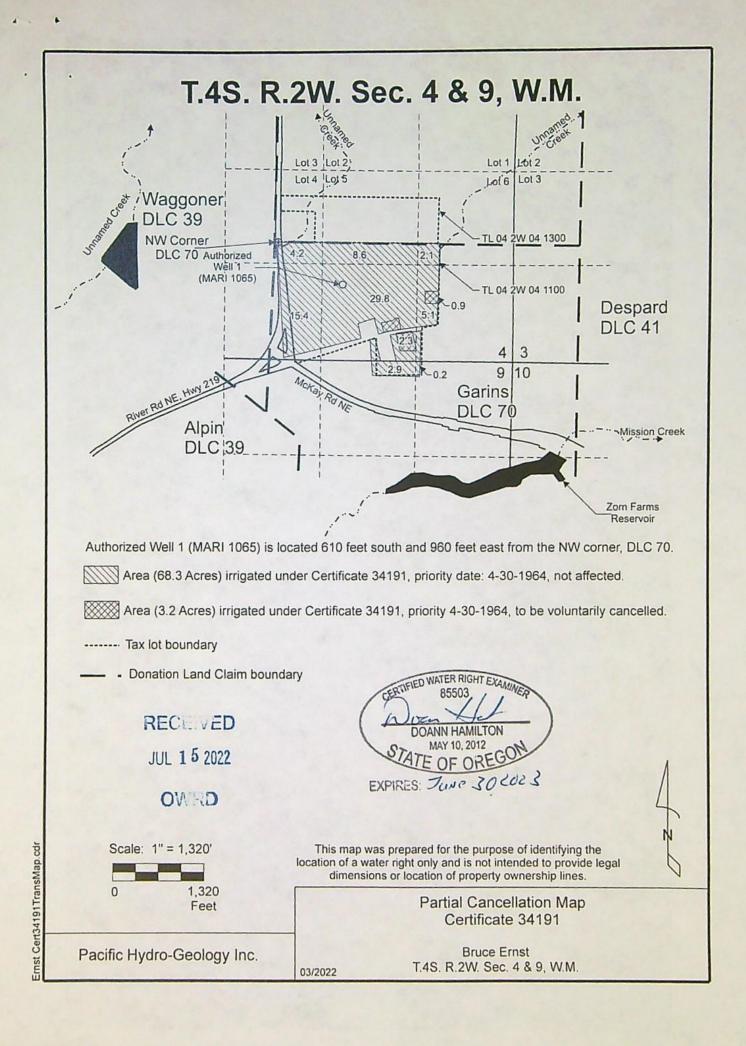
Lisa J. Jaramillo Fransfer and Conservation Section Manager, for DOUGLAS E. WOODCOCK, ACTING DIRECTOR

Oregon Water Resources Department

AUG 0 1 2023

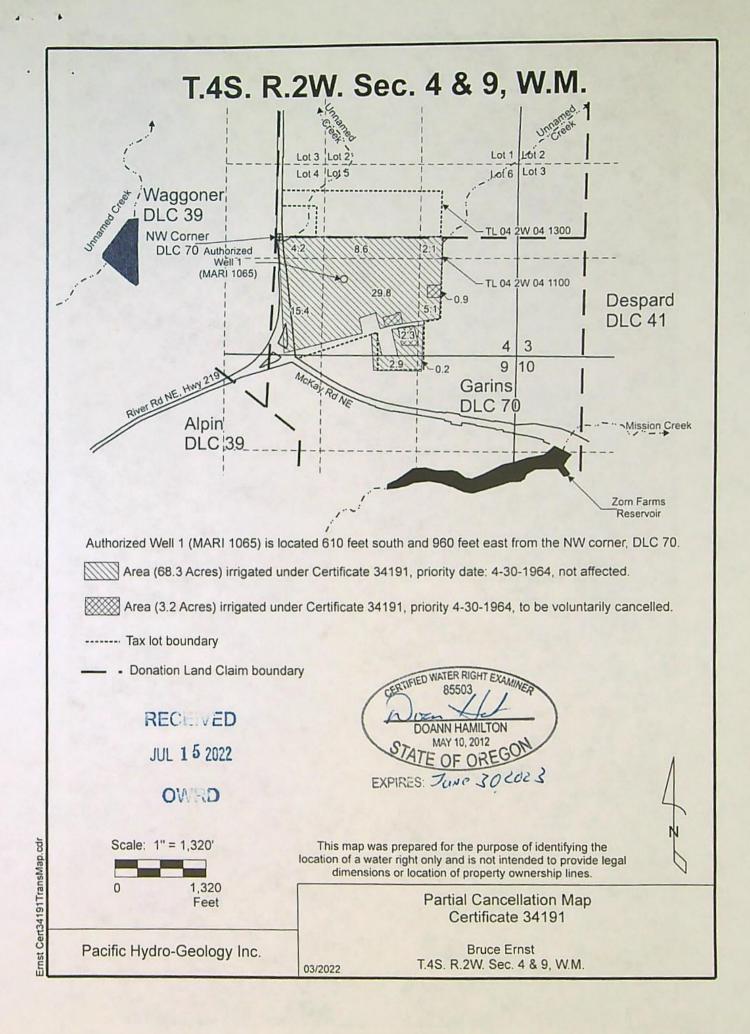






RECL VED





STATE OF OREGON	STATE OF OREGON
WATER ESOURCES DEPARTMENT	WATER ESOURCES DEPARTMENT
	5 Summer St. N.F. Ste. A
SALEM, OR 97301-4172 INVOICE #	RECEIPT # 142853 SALEM, OR 97301-4172 INVOICE #
(503) 986-0900 / (503) 986-0904 (fax)	(503) 986-0900 / (503) 986-0904 (fax)
RECEIVED FROM: LYNST NUSERIN FARMS HE APPLICATION	RECEIVED FROM: EVNST NUISITUN FARMS HE APPLICATION
	DEDMIT
BY: PERMIT	BY:
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THE WILD IMPOORAGIT ACCT	1083 TREASURY 4170 WRD MISC CASH ACCT
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4270 WRD OPERATING ACCT	4270 WRD OPERATING ACCT
MISCELLANEOUS	MISCELLANEOUS
0407 COPY & TAPE FEES \$	0407 COPY & TAPE FEES \$
	S
	0410 RESEARCH FEES
0408 MISC REVENUE: (IDENTIFY) \$	0408 MISC REVENUE: (IDENTIFY)
TC162 DEPOSIT LIAB. (IDENTIFY)\$	TC162 DEPOSIT LIAB. (IDENTIFY)
0240 EXTENSION OF TIME	0240 EXTENSION OF TIME
WATER RIGHTS: EXAM FEE RECORD FEE	WATER RIGHTS: EXAM FEE RECORD FEE
0201 SURFACE WATER \$ 0202 \$	0201 SURFACE WATER \$ 0202 \$
0205 TRANSFER \$	0205 TRANSFER \$
WELL CONSTRUCTION EXAM FEE LICENSE FEE	WELL CONSTRUCTION EXAM FEE LICENSE FEE
0218 WELL DRILL CONSTRUCTOR \$ 0219	0218 WELL DRILL CONSTRUCTOR \$ 0219 \$
LANDOWNER'S PERMIT 0220 \$	LANDOWNER'S PERMIT 0220 \$
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0210 MONITORING WELLS \$ CARD#	0210 MONITORING WELLS \$ CARD#
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0233 POWER LICENSE FEE (FW/WRD) \$ 0231 HYDRO LICENSE FEE (FW/WRD) \$	0233 POWER LICENSE FEE (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD)	0231 HYDRO LICENSE FEE (FW/WRD)
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TREASURY OTHER / RDX	TREASURY OTHER / RDX
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Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal	Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal
ERNST NURSERY & FARMS, LLC	30430
O. W.L. B	
Oregon Water Resources Department	9/2024
Date Type Reference Original Ar	mt. Balance Due Discount Payment
4/26/2024 Bill T-14049-COBU 1,616.	.00 1,616.00 1,616.00
	Check Amount 1,616.00
	Received
	MAY 0 6 2024

OWRD



OREGON WATER RESOURCES DEPARTMENT

CERTIFICATE REIMBURSEMENT AUTHORITY APPLICANT'S AGREEMENT

Contract Number: R13038-25

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Bruce Ernst, hereafter Applicant, hereafter known together as the parties.

OWRD Information

Project Contact: Kerry Kavanagh

Reimbursement Authority

Oregon Water Resources Department

725 Summer Street NE Salem OR 97301-1271 Phone: 503-979-3208

Email: Kerry.L.Kavanagh@oregon.gov

Applicant's Information

Name: Bruce Ernst

Address: PO Box 460 Saint Paul OR 97137

Phone: 503-633-8366

Email*: bruce@ernstnursery.com

Applicant's Representative

Name: Doann Hamilton Title: Representative

Company: Pacific Hyrdo-Geology, Inc. Address: 18487 S Valley Vista Rd

Mulino OR 97042

Phone: 503-349-6946

Email*: phgdmh@gmail.com *By providing an Email address, consent is given to receive all correspondence electronically. (Paper copies of the

certificate and final order documents will also be mailed.)

- 1. Purpose. The purpose of this Agreement is to expedite the processing of the Claim of Beneficial Use. (Transfer Application Number: T-14049)
- 2. Authority. ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- 3. Restrictions. Bruce Ernst and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- 4. Effective Date and Duration. Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- 5. Consideration. Bruce Ernst shall pay OWRD in advance for actual costs incurred by OWRD. Bruce Ernst agrees to pay the full amount of \$1616 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less OWRD will refund the unspent balance. If the actual cost of processing excee Applicant can either elect to terminate this Agreement or amend the Agreement in cost. The costs stated in this Agreement do not include the statutory appli-
- 6. Confidentiality. Bruce Ernst agrees that any information provided to or ac this Agreement will be subject to the Oregon Public Records Law and shall records.

7. Indemnity. Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources

PCA 47123

R13038-25

Department cannot and does not guarantee a favorable review under the subject regulatory process.

filing fees.

- 8. Termination. Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
- Funds Authorized and Available. By its execution of this Agreement, Applicants certifies that
 sufficient funds are authorized and available to cover the expenditures contemplated by this
 Agreement.
- 10. Duration of Estimate. The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
- 11. Completion Date. OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
- 12. Captions. The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
- 13. Amendment and Merger. The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
- 14. Signatures. All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant:	DI	T all	mot
Name: Bruc	e Erns	26	[2024
		11	10
For OWRD		K	Karnod

Name: Kerry Kavanagh

Water Right Services Division 9 - 2024

Mail signed Agreement to:

Kerry Kavanagh Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1271

PCA 47123

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD

Sent: Monday, April 22, 2024 3:15 PM

To: bruce@ernstnursery.com; Doann Hamilton

Cc: KAVANAGH Kerry L * WRD

Subject: Certificate RA Estimate R13038-25 for Bruce Ernst involving Application T-14049

Attachments: RA contract_T-14049.pdf; estimate request_T-14049.pdf; estimate receipt_T-14049.pdf

Hello,

Please find the attached estimate and agreement to review the claim of beneficial use (Claim). If the proposed agreement is acceptable to you, please return a signed copy to our office along with the payment of the estimated cost to review the claim of beneficial use.

If you have any questions, please send me an email at kerry.l.kavanagh@water.oregon.gov.

Thanks, Kerry

Kerry Kavanagh

Certificate Reimbursement Authority Program Coordinator
Certificate Section, Water Rights Services Division
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208
kerry.l.kavanagh@water.oregon.gov | https://www.oregon.gov/OWRD



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

STATE OF OREGON WATER **ESOURCES DEPARTMENT**

RECEIPT #142720

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

INVOICE #



(503) 986-0900 / (503) 986-0904 (fax) Nurserytarms APPLICATION PERMIT BY: TRANSFER CASH: CHECK:# OTHER: (IDENTIFY) X 29976 TOTAL REC'D 1083 TREASURY 4170 WRD MISC CASH ACCT COPIES 47123 R 13038-25 0407 0413 OTHER: (IDENTIFY) Certificate RA \$ 125.00 0243 I/S Lease 0244 Muni Water Mgmt, Plan _____ 0245 Cons. Water 4270 WRD OPERATING ACCT MISCELLANEOUS 0407 COPY & TAPE FEES 0410 RESEARCH FEES 0408 MISC REVENUE: (IDENTIFY) TC162 DEPOSIT LIAB. (IDENTIFY) 0240 **EXTENSION OF TIME** RECORD FEE WATER RIGHTS: EXAM FEE 0201 SURFACE WATER 0202 0203 0204 **GROUND WATER** 0205 TRANSFER WELL CONSTRUCTION EXAM FEE LICENSE FEE 0219 0218 WELL DRILL CONSTRUCTOR 0220 LANDOWNER'S PERMIT OTHER (IDENTIFY) TREASURY 0437 WELL CONST. START FEE 0536 0211 WELL CONST START FEE CARD# CARD# MONITORING WELLS 0210 OTHER (IDENTIFY) _ 0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER 0233 POWER LICENSE FEE (FW/WRD) \$ HYDRO LICENSE FEE (FW/WRD) 0231 HYDRO APPLICATION TREASURY OTHER / RDX FUND ______ TITLE __ OBJ. CODE _____ VENDOR # ___ DESCRIPTION ___

	STATE OF OREGON
WATER	RESOURCES DEPARTMENT
200000000000000000000000000000000000000	E Summer St N E Ste A

RECEIPT #1 12720 SALEM, OR 97301-4172

INVOICE #

(503) 986-0900 / (503) 986-0904 (fax)									
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	COPIES 471			2 1	\$ /25.00				
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		4270 WRD	OPERATING A	CCT					
	MISCELLANEOUS								
0407	COPY & TAPE FEE	s			\$				
0410	RESEARCH FEES				S				
0408	MISC REVENUE:	(IDENTIFY)			\$				
TC162	DEPOSIT LIAB. (I	DENTIFY)			\$				
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0203	GROUND WATER		\$	0204	\$				
0205	TRANSFER		S						
	WELL CONSTRUC	TION	EXAM FEE		LICENSE FEE				
0218	WELL DRILL CONS	STRUCTOR	S	0219	\$				
	LANDOWNER'S P	ERMIT		0220	S				
	OTHER	(IDENTIFY)							
0500	TDEACHDY	0427 WELL	CONST. STAF	OT FEE					
0536	TREASURY								
0211	WELL CONST STA		S	CARD#					
0210	MONITORING WE	LLS	\$	CARD#					
	OTHER	(IDENTIFY)							
0607	TREASURY	0467 HYDR	O ACTIVITY	LIC NUMBER					
0233	POWER LICENSE	FEE (FW/WRD)			S				
0231	HYDRO LICENSE	FEE (FW/WRD)			S				
	HYDRO APPLICAT	ION			\$				
	TREASURY	OTHE	R / RDX						
	2.40								
OBJ. COD	DE	_ VENDOR #							
DESCRIP	TION				\$				

DATED: 4-11-24 BY: M MILE

RECEIPT: 142720

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

DATED: 4-11-24 BY: M MILES

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



OREGON WATER RESOURCES DEPARTMENT CERTIFICATE REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION

Received APR 1 1 2024

OWRD

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

The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.

REQUEST	TYPE	FILE NUMBER	
X	Certificate Request	Application Number	NA
		Permit Number	NA
		Transfer Number/Permit Amendment (if applicable)	T-14049

	Applicant Information	Applicant's Representative/Contact
Name:	Bruce Ernst	Pacific Hydro-Geology, Inc. c/o Doann Hamilton
Address:	PO Box 460	18487 S. Valley Vista Road
	Saint Paul, OR 97137	Mulino, OR 97042
Phone:	503-633-8366	(503) 349-6946 cell
Fax:		(503) 632-5983
E-Mail Address:	bruce@ernstnursery.com	phgdmh@gmail.com

I certify that I (check one):

have previously filed a Claim of Beneficial Use

am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

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

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

I certify that I am the (check one):

Applicant Applicant's Representative Other (Please specify)

Name: Bruce W Ernst

Signature: BWO W WWX

OWRD USE ONLY: Reimbursement Authority Number: R13038-25



Water Resources Department

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

July 31, 2023

BRUCE ERNST PO BOX 460 SAINT PAUL, OR 97137

REFERENCE: Transfer Application T-14049

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed <u>only</u> upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Corey Courchane by telephone at (503) 979-3917 or by e-mail at Corey.A.Courchane@oregon.gov.

Sincerely,

Tulie C. Baustian

Water Rights Services Support

Transfers and Conservation Section

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

Marion County Planning Department

Doann Hamilton, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING ADDITIONAL
T-14049, Marion County)	POINTS OF APPROPRIATION, A CHANGI
) .	IN PLACE OF USE, AND PARTIAL
	7)	CANCELLATION OF A WATER RIGHT

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

BRUCE ERNST PO BOX 460 SAINT PAUL, OR 97137

Findings of Fact

- On July 15, 2022, BRUCE ERNST filed an application for additional points of appropriation, to change the place of use, and to cancel a portion of the place of use under Certificate 34191. The Department assigned the application number T-14049.
- 2. Notice of the application for transfer was published on August 2, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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.

- 3. On March 8, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14049 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 7, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
- 4. On May 30, 2023, the Department issued a Preliminary Determination proposing to approve Transfer T-14049 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on June 6, 2023, and in the Woodburn Independent newspaper on June 7 and 14, 2023 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
- 5. The portion of the right to be transferred is as follows:

Certificate: 34191 in the name of MICHAEL E. HOPFER (perfected under Permit G-2649)

Use: IRRIGATION of 68.3 ACRES

Priority Date: APRIL 30, 1964

Rate: 0.42 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, 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 WILLAMETTE RIVER (COLUMBIA RIVER)

Authorized Point of Appropriation:

Twp	Twp Rng		Sec	Q-Q	DLC	' Measured Distances
45	2 W	WM	4	SW SE	70	WELL 1 - 610 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF DLC 70

Authorized Place of Use:

		IRR	IGATIO	N		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
45	2 W	WM	4	NE SW	70	4.2
45	2 W	WM	4	SE SW	70	15.4
4 S	2 W	WM	4	NE SE	70	2.1
45	2 W .	WM	4	NW SE ,	70	8.6
45	2 W	WM	4	SW SE	70 .	29.8
· 4 S	2 W	WM	4	SE SE	70	5.1
45	2 W	WM	9	NE NE	70	0.2
45	2 W	WM	9	NW NE	70	2.9
					Total	68.3

6. Certificate 34191 describes the point of appropriation; however, the applicant provided a more accurate description of the point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	4	SW SE	70	WELL 1 - 720 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF DLC 70

7. Transfer Application T-14049 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate distance from original point of appropriation in feet (ft.)
45	2 W	WM	4	SW SE	70	WELL 2 - 635 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF DLC 70	50 ft.
45	2 W	WM	4	SW SE	70	WELL 3 - 1200 FEET SOUTH AND 1905 FEET EAST FROM THE NW CORNER OF DLC 70	1100 ft.
45	2 W	WM	9	NE NE	70	WELL 4 – 2330 FEET SOUTH AND 1090 FEET WEST FROM THE NE CORNER OF DLC 70	2900 ft.

8. Transfer Application T-14049 also proposes to change the place of use of the right to:

				IRRIC	NOITA		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed POA
45	2 W	WM	4	NE SW	70	3.6	Wells 2, 3, and 4
45	.2 W	WM	4	SE S.W	70	10.9	Wells 2, 3, and 4
45	2 W	WM	4	SE SW	70	4.6	Re-described Well 1
45	2 W	WM	4	NE SE	70	2.0	Wells 2, 3, and 4
45	2 W	WM	4	NW SE	70	7.4	Wells 2, 3, and 4
45	2W WM	4	SW SE	70	28.4	Wells 2, 3, and 4	
45	2 W	WM.	4	SW SE	70	3.0	Re-described Well 1
45	2 W	WM	4	SE SE	70	5.4	Wells 2, 3, and 4
45	2 W	WM	9	NW NE	70	1.8	Wells 2, 3, and 4
45	2 W	WM	9	NENW	70	1.2	Wells 2, 3, and 4
					Total	68.3	

Transfer Review Criteria (OAR 690-380-4010)

- Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-14049.
- 11. The proposed changes would not result in enlargement of the right.

- 12. The proposed change would not result in injury to other water rights.
- 13. All other application requirements are met.

Partial Cancellation of a Water Right

14. On July 15, 2022, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from Bruce Ernst. The right to be cancelled is as follows:

Certificate: 34191 in the name of MICHAEL E. HOPFER (perfected under

Permit G-2649)

Use: IRRIGATION of 3.2 ACRES

Priority Date: APRIL 30, 1964

Rate: 0.02 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, 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 WILLAMETTE RIVER (COLUMBIA RIVER)

Authorized Point of Appropriation:

Twp	Twp Rng		Sec	Q-Q	DLC	- Measured Distances
4 S	2 W	WM	4	SW SE	70	610 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF DLC 70

Authorized Place of Use:

		IRR	IGATIO	N		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
45	2 W	WM	4	SW SE	70	2.3
45	2 W	WM	4	SE SE	70	0.9
			*		Total	3.2

Conclusions of Law

The additional points of appropriation and change in place of use proposed in Transfer Application T-14049 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned right will be cancelled.

Now, therefore, it is ORDERED:

 The additional points of appropriation and change in place of use proposed in Transfer Application T-14049 are approved. The portion of the right that has been abandoned is cancelled.

- The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 34191 and any related decree.
- Water right Certificate 34191 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer and cancellation.
- 4. The quantity of water diverted at the additional points of appropriation (Wells 2, 3, & 4), together with that diverted at the original point of appropriation (Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).
- 5. 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.
- Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
- The former place of use of the transferred right shall no longer receive water under the right.
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2024. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
- After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

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

AUG 0 1 2023

Mailing date:

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14049



Transfer Specialist:

	gular Transfe	-1								
Applicant:					Agent: N/A	A				
BRUCE ERNST	*				DOANN HAM	ILTON				
PO BOX 460					18487 S VALL	EY VIST	A RD			
SAINT PAUL, OF	R 97137				MULINO, OR	97042-8	3741			
Email:		Pho	ne:						hone:	
rrigation District:	N/A				CWRE: N/A	A				
Email:					Email:					
Affected Local Go	v'ts: N/A				Affected Tribal	Gov't:	N/A			
Marion County				- 3	UNAVAILABLI					
Email:					Email:					
Current Landown	er if other than	Applicant:] N/A	A	Receiving Lando	owner:	N/A			
Email:					Email:					
					Linaii.					
Vater Rights Af	tected									
File	No. 512 # 22 0	agrae Name		December	ContRe	to.	DO/CD N	anded	pp/cp	Nos
Marked A	App. File # or De	ecree Name		Permit G-2649	Certifica 3419	-	RR/CR No	No	9709	
G-204	-2			G-2043	3413.		Yes	No	7-101	0
						- -	Yes	No		
							1 1 65			
ey Dates & Init	tial Actions:									
Rec'd: July 15,	2022		Prop	osed Action(s	s): ADDITIONA	L POINT	OF API	PROPRIA	TION; PLA	CE OF
			USE							
		WM District: 16 ODFW District:								
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Fees Pd: 3750.0		2022		District: 16 Review sent:		,	5.012/0660	District: Review se	ent:	
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COURCHANE Corey A * WRD

From:

BUCHHOLZ Sheila L * WRD

Sent:

Thursday, April 27, 2023 10:54 AM

To:

COURCHANE Corey A * WRD

Cc:

MARTIN Duff A * WRD

Subject:

RE: PD RA T-14049 (snap 221317)

Attachments:

RA PD T-14049.pdf

Hi Corey,

I understand when you're not feeling well!

This PD RA is complete without issue (after you delete the RR). Data time taken was 1 hour.

Thanks,

Sheila Buchholz

Data Technician 1
725 Summer St. NE, Suite A | Salem, Oregon 97301

Email: Sheila.L.Buchholz@water.oregon.gov



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

From: COURCHANE Corey A * WRD < Corey.A.COURCHANE@water.oregon.gov>

Sent: Thursday, April 27, 2023 7:06 AM

To: BUCHHOLZ Sheila L * WRD < Sheila.L.BUCHHOLZ@water.oregon.gov>

Subject: RE: PD RA T-14049

Good morning Sheila,

Sincere apologies for the late reply. I've been sick and ended up the rest of the day at 1 yesterday (E) This is why you should never work when you're sick. I was preparing the PD yesterday and didn't even notice the 3.2 acres being cancelled, and thought why I didn't create a RR certificate. So please disregard the RR cert, I will delete that and proceed once you're good with the PD.

Thank you,

Corey

From: BUCHHOLZ Sheila L * WRD < Sheila.L.BUCHHOLZ@water.oregon.gov>

Sent: Wednesday, April 26, 2023 1:04 PM

To: COURCHANE Corey A * WRD < Corey.A.COURCHANE@water.oregon.gov > Subject: PD RA T-14049

Hi Corey,

I'm looking at the PD RA Order on T-14049... I'm a little confused. It looks like the 3.2 acres is canceled, but then also has a remaining right for the 3.2..??

Sheila Buchholz

Data Technician 1 725 Summer St. NE, Suite A | Salem, Oregon 97301 Email: Sheila.L.Buchholz@water.oregon.gov



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

Application for Permanent Water Right Transfer



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

Part 1 of 5 - Minimum Requirements Checklist

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

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

Chec	k all it	ems included with this application. (N/A = Not Applicable)
\boxtimes		Part 1 – Completed Minimum Requirements Checklist.
\boxtimes		Part 2 – Completed Transfer Application Map Checklist.
\boxtimes		Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd fee calculator.
\boxtimes		Part 4 – Completed Applicant Information and Signature.
		Part 5 – Information about Water Rights to be Transferred: How many water rights are to be transferred? List them here: Certificate: 34191 Please include a separate Part 5 for each water right. (See instructions on page 6) NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.
		Attachments: JUL 1 5 2022
		Completed Transfer Application Map.
\boxtimes		Completed Evidence of Use Affidavit and supporting documentation.
	⊠ N/	A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
	⊠ N/	A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
	□ N/	Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
	□ N/	A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
	⊠ N/	A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.
		(For Staff Use Only)
		WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): Application fee not enclosed/insufficient Map not included or incomplete Evidence of Use Form not enclosed or incomplete Additional signature(s) required Part is incomplete Other/Explanation
		Staff: 503- Date: / /

Part 2 of 5 - Transfer Application Map

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

	sure that the transfer application map you submit includes all the required items and ne existing water right map. Check all boxes that apply.
N/A □ N/A	Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre-license-view/ . CWRE stamp and signature are not required for substitutions.
□ ⊠ N/A	If more than three water rights are involved, separate maps are needed for each water right
\boxtimes	Permanent quality printed with dark ink on good quality paper.
	The size of the map can be $8\% \times 11$ inches, $8\% \times 14$ inches, 11×17 inches, or up to 30×30 inches. For 30×30 inch maps, one extra copy is required.
	A north arrow, a legend, and scale.
	The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
	Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
	Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
	Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
	Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
	Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
⊠ □ N/A	Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
	Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
⊠ □ N/A	If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32′15.5″) or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

	FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)	7.7	-
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: Place of Use Character of Use Point of Diversion/Appropriation Number of above boxes checked = 2 (2a) Subtract 1 from the number in line 2a = 1 (2b) If only one change, this will be 0		40
2	Multiply line 2b by \$1090 and enter » » » » » » » » » » » » » » » » » » »	2	\$1,090
3	Number of water rights included in transfer 1 (3a) Subtract 1 from the number in 3a above: 0 (3b) If only one water right this will be 0 Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » » » » » »	3	\$0
	Do you propose to add or change a well, or change from a surface water POD to a well? No: enter 0 Yes: enter \$480 for the 1 st well to be added or changed \$480 (4a)		
4	Do you propose to add or change additional wells? No: enter 0 Yes: multiply the number of additional wells by \$410 \$820 (4b) Add line 4a to line 4b and enter » » » » » » » » » » » » » » » » »	4	\$1,300
	Do you propose to change the place of use or character of use? No: enter 0 on line 5 Yes: enter the cfs for the portions of the rights to be transferred (see below*):0.42 (5a) Subtract 1.0 from the number in 5a above: -0.58 (5b)		RECEIVE JUL 15 202
5	If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » » »	5	
6	Add entries on lines 1 through 5 above » » » » » » » » » » » Subtotal: 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?	6	\$3,750
7	If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » » » »	7	\$0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » » »	-	\$3,750

*Example for Line 5a 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:

1. For irrigation calculate cfs for each water right involved as follows:

a. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac= 0.56 cfs).

b. 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)

2. 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 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

Baldh	FEE WORKSHEET for SUBSTITUTION					
1	Base Fee (includes change to one well) 1 \$990.00					
2	Number of wells included in substitution(2a) Subtract 1 from the number in 2a above:(2b) If only one well this will be 0 Multiply line 2b by \$480 and enter » » » » » » » » » » » » » » »	2				
3	Add entries on lines 1 through 2 above » » » » Fee for Substitution:	3	NA			

Part 4 of 5 - Applicant Information and Signature

Applicant Information

(503) 633-8366	ADDITIONAL CONTACTION			
	FAX NO.			
E-MAIL acc@ernstnursery.co	m			

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

AGENT/BUSINESS NAME Doann Hamilton / Pacifi	c Hydro-Geology,	Inc.	PHONE NO. (503) 632-5016	(503) 349-6946 (cell)
ADDRESS 18487 S. Valley Vista Ro	ad	CWC accellators to refer the 2400 miles		FAX NO. (503) 632-5983
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phgdmh@gmail.com	m

Explain in your own words what you propose to accomplish with this transfer application, and why:

The authorized Well 1 (MARI 1065) has not been able to produce enough water to cover all of our area.

We wish to add Well 2 (MARI 51725), Well 3 (MARI 68592) and Well 4 (MARI 1132) along with reconfiguring the authorized place of use to reflect improved mapping and to correspond with the realignment of McKay Rd and Hwy 219.

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

Check One Box

\boxtimes	By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to
	Department approval of the transfer, I will be required to provide landownership information and evidence that I are
	authorized to pursue the transfer as identified in OAR 690-380-4010(5); OR
	I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the
	municipality or a predecessor; OR
	I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the
	property to which the water right proposed for transfer is appurtenant and have supporting documentation.

By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department
 for publication of a notice in a newspaper with general circulation in the area where the water right is located,
 once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing
 the notice in the following newspaper
- Amendments to the application may only be made in response to the Department's Draft Preliminary
 Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any
 issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be
 subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a
 refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error
 of the Department.



Bruse w Emit	1	Du	use n	Ernst	7	6-16-22 ON				
Applicant Signature		Print Nam	ne and title	if applicable		Date				
Applicant Signature		Print Nam	ne and title	if applicable	-	Date				
Is the applicant the sole owner located? Yes No*	r of the land	d on which	the water	ight, or portion t	hereof,	proposed fo	or tran	sfer is		
*If NO, include signatures of all of a stack affidavits of consent (and water right(s) were conveyed.	deeded land I mailing and	lowners (an d/or e-mail	d mailing a addresses)	nd/or e-mail addro from all landowne	esses if o	different thai dividuals/ent	n the a _l	pplicant's which th		
Check the following boxes that	t apply:									
The applicant is responsent to the applicant.	nsible for co	ompletion	of change(). Notices and co	rrespor	ndence shou	ld con	tinue to b		
The receiving landowr issued. Copies of notice							ne final	order is		
Both the receiving lan and correspondence s						of change(s)	. Copie	es of noti		
At this time, are the lands in th	nis transfer	application	in the pro	cess of being sold	1? 🗌 Y	es 🛛 No				
If YES, and you know who below. If you do not know at a later date.	who the ne	ew landow	ner will be,	then a request fo	or assign	nment will h				
below. If you do not know at a later date. If a property sells, the cert unless a sale agreement o https://www.oregon.gov/	who the ne tificated wa r other docu	ter right(s) ument stat	located on es otherwi	then a request for the land belong se. For more info	to the r	nment will h new owner, n see:	ave to	be filed		
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To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

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

Part 5 of 5 - Water Right Information

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

Description of Water Delivery System

System capacity: 0.44 cfs cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Authorized Well 1 (MARI 1065) is pumped with a 10 Hp submersible pump through the existing mainlines to supply drip irrigation to can yards and impact sprinklers to in-ground stock.

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	lng	Sec	Х	Х	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
	Well 1	Authorized Proposed	MARI 1065	4	s	2	w	4	sw	SE	DLC 70	610 feet south and 960 feet east from the NW corner, DLC 70
	Re- described Well 1	Authorized Proposed	MARI 1065	4	s	2	w	4	sw	SE	DLC 70	720 feet south and 1,000 feet east from the NW corner, DLC 70
764	Well 2	☐ Authorized ☑ Proposed	MARI 51725	4	s	2	w	4	sw	SE	DLC 70	635 feet south and 1,000 feet east from the NW corner, DLC 70.
140	Well 3	☐ Authorized ☑ Proposed	MARI 68592	4	s	2	w	4	sw	SE	DLC 70	1,200 feet south and 1,905 feet east from the NW corner, DLC 70.
89	Well 4	☐ Authorized ☑ Proposed	MARI 1132	4	s	2	w	9	NE	NE	DLC 70	2,330 feet south and 1,090 feet west from the NE corner, DLC 70.

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

Place of Use (POU)	Supplemental Use to Primary Use (S to P
--------------------	---

	Character of Use (USE)		Point of Appropriation/Well (POA)
	Point of Diversion (POD)		Additional Point of Appropriation (APOA)
	Additional Point of Diversion (APOD)		Substitution (SUB)
	Surface Water POD to Ground Water POA (SW/GW)		Government Action POD (GOV)
Will all	of the proposed changes affect the entire	water	right?
Yes	Complete only the Proposed ("to" or "on" "CODES" listed above to describe the pro		s) section of Table 2 on the next page. Use the changes.
⊠ No	Complete all of Table 2 to describe the po	ortion	of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed. See page 6 for instructions.

Do you have questions about how to fill-out the tables? Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

	AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see			1	The	listin			uld app				ds) SED CHANGES	S		
Tw	rp q	Rn	g	Sec	×	×	Tax Lo	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)	Tv	р	Rn	ng .	Sec	ж	×	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
4	5	2	w	4	NE	sw	1100	DLC 70	4.2	IR	Well 1	4-30-1964	POU, APOA	4	s	2	w	4	NE	sw	1100	DLC 70	3.6	IR	Wells 2, 3 and 4	4-30-1964
4	s	2	w	4	SE	sw	1100	DLC 70	15.4	IR	Well 1	4-30-1964	POU, APOA	4	s	2	w	4	SE	sw	1100	DLC 70	10.9	IR	Wells 2, 3 and 4	4-30-1964
4	s	2	w	4	NE	SE	1100	DLC 70	2.1	IR	Well 1	4-30-1964	POU, APOA	4	s	2	w	4	SE	sw	1100	DLC 70	4.6	IR	Re-described Well 1	4-30-1964
4	5	2	w	4	NW	SE	1100	DLC 70	8.6	IR	Well 1	4-30-1964	POU, APOA	4	5	2	w	4	NE	SE	1100	DLC 70	2.0	IR	Wells 2, 3 and 4	4-30-1964
4	s	2	w	4	sw	SE	1100	DLC 70	29.8	IR	Well 1	4-30-1964	POU, APOA	4	s	2	w	4	NW	SE	1100	DLC 70	7.4	IR	Wells 2, 3 and 4	4-30-1964
4	s	2	w	4	SE	SE	1100	DLC 70	5.1	IR	Well 1	4-30-1964	POU, APOA	4	s	2	w	4	sw	SE	1100	DLC 70	28.4	IR	Wells 2, 3 and 4	4-30-1964
4	s	2	w	9	NE	NE	1100	DLC 70	0.2	IR	Well 1	4-30-1964	POU, APOA	4	5	2	w	4	sw	SE	1100	DLC 70	3.0	IR	Re-described Well 1	4-30-1964
4	s	2	w	9	NW	NE	1100	DLC 70	2.9	IR	Well 1	4-30-1964	POU, APOA	4	s	2	w	4	SE	SE	1100	DLC 70	5.4	IR	Wells 2, 3 and 4	4-30-1964
														4	s	2	w	9	NW	NE	1100	DLC 70	1.8	IR	Wells 2, 3 and 4	4-30-1964
														4	s	2	w	9	NE	NW	1100	DLC 70	7.2	IR /	Wells 2, 3 and 4	4-30-1964
						то	TAL AC	RES:	68.3											TO	TAL AC	RES:	68.3	Y		

Additional remarks: With improved mapping methods, including the use of orthographically corrected aerial photos, the relationship of the place of use relative to the section and sixteenth lines differs from the original final proof survey map. We also want to note the alignment of the existing roads has changed since the Certificate was finalized. This transfer is to change the place of use to conform with the new placement RECL. VED

Revised 7/1/2021

Permanent Transfer Application Form - Page 8 of 11

TACS

JUL 1 5 2022

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STATE OF OREGON

COUNTY OF

MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

MICHAEL E. HOPFER

of Route 1, Box 109, Aurora , State of Oregon , has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

a tributary of Willamette River (Columbia River) irrigation of 71.5 acres

for the purpose of

under Permit No. G-2649 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 30, 1964

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed O.ll cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW1 SE1, as projected within Garins DIC 70, Section 1, T. 1 S., R. 2 W., W. M. Well located 610 feet South and 960 feet East from the NW Corner, DIC 70.

The amount of water used for irrigation, together with the amount secured under any other

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 2½ acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall

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

A description of the place of use under the right hereby confirmed, and to which such right is

appurtenant, is as follows:

16.0008:

4.2 h.2 acres NE1 SW1
15.7 15.h acres SE2 SW1
2.1 2.1 acres NE2 SE3
8.6 8.6 acres NW1 SE3
24.8 32.1 acres S.13 SE4
24.8 32.1 acres S.13 SE4
35.1 6.0 acres SE4 SE4 0.9
all as projected within Garins DIC 70
Section 4

both as projected within Garins DLC 70
Section 9
T. 4 S., R. 2 W., W. M.

0.02

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

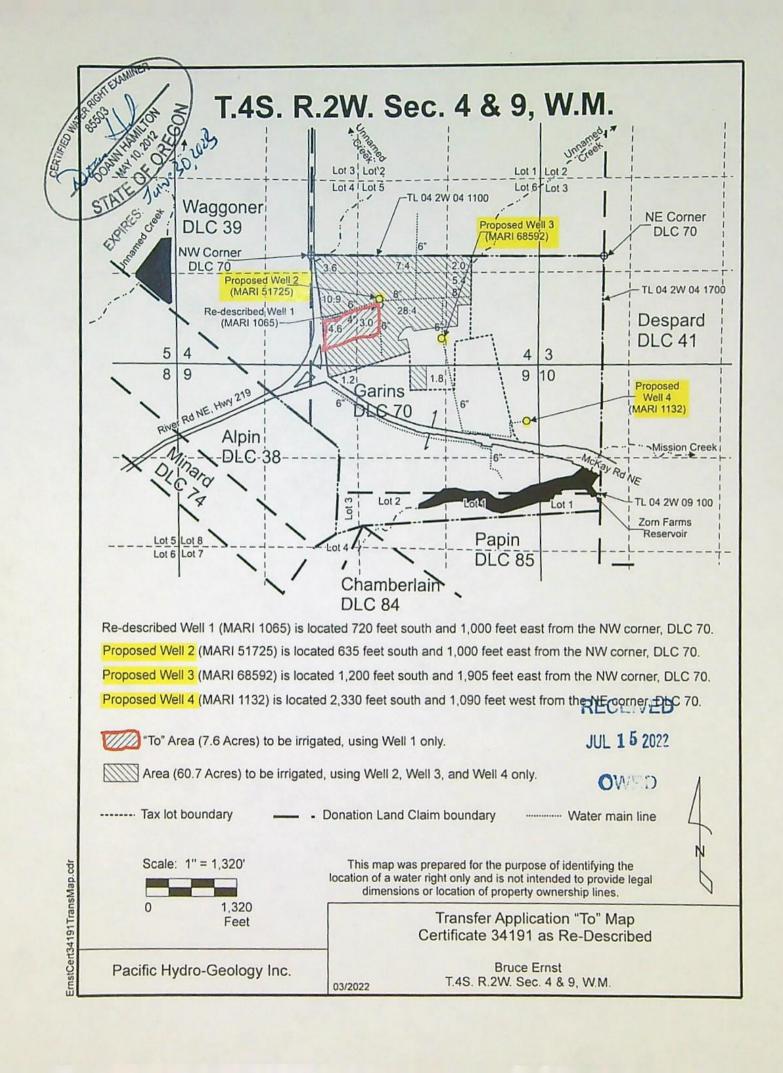
WITNESS the signature of the State Engineer, affixed

this date: July 31, 1967

.....CHRIS.L. WHEELER...

State Engineer

Recorded in State Record of Water Right Certificates, Volume 26 , page 31191



BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application T-14049, Marion County	DRAFT PRELIMINARY WEXT
	DETERMINATION PROPOSING APPROVAL down
9	APPROPRIATION, A CHANGE IN PLACE OF
	USE, AND PARTIAL CANCELLATION OF A
) WATER RIGHT

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

BRUCE ERNST PO BOX 460 SAINT PAUL, OR 97137

Findings of Fact

- On July 15, 2022, BRUCE ERNST filed an application for additional points of appropriation, to change the place of use, and to cancel a portion of the place of use under Certificate 34191. The Department assigned the application number T-14049.
- 2. Notice of the application for transfer was published on August 2, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- The portion of the right to be transferred is as follows:

Certificate:

34191 in the name of MICHAEL E. HOPFER (perfected under Permit G-2649)

Use:

IRRIGATION of 68.3 ACRES

Priority Date: APRIL 30, 1964

Rate:

(0.42 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, 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 WILLAMETTE RIVER (COLUMBIA RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	
45	2 W	WM	4-	SW SE	70/	WELL 1 - 610 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF DLC 70	7

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
45	2 W	WM	4	NE SW	70	4.2
45	2 W	WM	4	SE SW	70	15.4
45	2 W	WM	4	NE SE	70	2.1
45	2 W	WM	4	NW SE	70	8.6
45	2 W	WM	4	SW SE	70	29.8
45	2 W	WM	4	SE SE	70	5.1
45	2 W	WM	9	NE NE	70	0.2
4 S	2 W	WM	9	NW NE	70	2.9
					Total	68.3

 Certificate 34191 describes the point of appropriation; however, the applicant provided a more accurate description of the point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
45	2 W	WM	4	SW SE	70	WELL 1 - 720 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF DLC 70

5. Transfer Application T-14049 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate distance from original point of appropriation in feet (ft.)
45	2 W	WM	4	SW SE	70	WELL 2 - 635 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF DLC 70	50 ptft. /
45	2 W	WM	4	SW SE	70	WELL 3 - 1200 FEET SOUTH AND 1905 FEET EAST FROM THE NW CORNER OF DLC 70	1100 1114ft.
45	2 W	WM	9	NE NE	70	WELL 4 – 2330 FEET SOUTH AND 1090 FEET WEST FROM THE NE CORNER OF DLC 70	2900 2897 ft.

6. Transfer Application T-14049 also proposes to change the place of use of the right to:

				IRRIG	ATION		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed POA
45	2 W	WM	4	NE SW	70	3.6	Wells 2, 3, and 4
45	2 W	WM	4	SE SW /	70	10.9	Wells 2, 3, and 4
45	2 W	WM	4	SE SW /	70	4.6	Re-described Well 1
45	2 W	WM	4	NE SE	70	2.0	Wells 2, 3, and 4
45	2 W	WM	4	NW SE -	70	7.4	Wells 2, 3, and 4
45	2 W	WM	4	SW SE /	70	28.4	Wells 2, 3, and 4
45	2 W	WM	4	SW SE'	70	3.0	Re-described Well 1
45	2 W	WM	4	SE SE (70	5.4	Wells 2, 3, and 4
45	2 W	WM	9	NW NE .	70	1.8	Wells 2, 3, and 4
45	2 W	WM	9	NE NW	70	1.2	Wells 2, 3, and 4
					Total	68.3	

Transfer Review Criteria (OAR 690-380-4010)

- Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-14049.
- The proposed changes would not result in enlargement of the right.
- 10. The proposed change would not result in injury to other water rights.
- 11. All other application requirements are met.

Partial Cancellation of a Water Right

12. On July 15, 2022, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from Bruce Ernst. The right to be cancelled is as follows:

Certificate: 34191 in the name of MICHAEL E. HOPFER (perfected under

Permit G-2649)

Use: IRRIGATION of 3.2 ACRES

Priority Date: APRIL 30, 1964

Rate: 0.02 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, 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 WILLAMETTE RIVER (COLUMBIA RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
45	2 W	WM	4	SW SE	70	610 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF DLC 70

Authorized Place of Use:

		IRR	IGATIO	N		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
45	2 W	WM	4	SW SE	70	2.3
45	2 W	WM	4	SE SE	70	0.9
20					Total	3.2

Determination and Proposed Action

The additional points of appropriation and change in place of use proposed in Transfer Application T-14049 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned right will be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned right will be cancelled

If Transfer Application T-14049 is approved, the final order will include the following:

- The additional points of appropriation and change in place of use proposed in Transfer Application T-14049 are approved. The portion of the right that has been abandoned is cancelled.
- The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 34191 and any related decree.
- Water right Certificate 34191 is cancelled. A new certificate will be issued describing that
 portion of the right not affected by this transfer and cancellation.
- 4. The quantity of water diverted at the additional points of appropriation (Wells 2, 3, & 4), together with that diverted at the original point of appropriation (Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).

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.
- Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
- 7. The former place of use of the transferred right shall no longer receive water under the right.
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2024. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
- After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

DRAFT

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

This draft Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-979-3917 or corey.a.courchane@water.oregon.gov



Water Resources Department

North Mall Office Building 725 Summer St NE, Suite A Salem, OR 97301 Phone 503 986-0900 Fax 503 986-0904 www.oregon.gov/owrd

March , 2023

VIA E-MAIL

Applicant

BRUCE ERNST PO BOX 460 SAINT PAUL, OR 97137

Reference: Water Right Transfer Application T-14049

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-14049. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by April , 2023.

Required items needing your immediate attention:

- 1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
- Respond in writing by APRIL, 2023, with acknowledgement that you agree to the proposed action and conditions.
- 3. If you find any errors, please let me know.
- 4. REQUIRED: You must submit a Report of Ownership for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - Prepared within 3 months of the Draft Preliminary Determination showing current ownership; OR
 - ii. Prepared within 3 months of recording of a water right conveyance agreement; OR
 - iii. Have a prepared date showing ownership at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; AND
- Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
- 5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is <u>not</u> already included in the transfer application. The Department's statement of consent form (Consent By Deeded Landowner) is available at: https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf
- 6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions of your water right...

The Watermaster has required a water measurement devices at the new and existing diversion points prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) devices.

Please note the proposed date by which all conditions must be met: October 1, 2024. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. Please let me know by the comment deadline if you will need more time and explain the reasons why.

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice. As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.

Issuance of the Preliminary Determination will occur shortly after we receive:

- Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
- 2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by April , 2023, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me, at <u>corey.a.courchane@water.oregon.gov</u> or (503) 979-3917, if I may be of assistance.

Sincerely,

Corey Courchane

Allocation of Conserved Water Transfer and Conservation Section

cc: Transfer Application file T-14049

Gregory J. Wacker, District 16 Watermaster (via e-mail)
Doann Hamilton, Agent for the applicant (via e-mail)

encs

Notice of Preliminary Determination for Water Right Transfer T-14049

T-14049 filed by Bruce Ernst, PO Box 460, Saint Paul, OR 97137, proposes additional points of appropriation and a change in place of use under Certificate 34191. The right allows the use of 0.42 cubic foot per second from a well in Sec. 4, T4S, R2W, WM for irrigation in Sects. 4 and 9, T4S, R2W, WM. The applicant proposes additional points of appropriation in Sects. 4 and 9, T4S, R2W, WM and to change the place of use within Sects. 4 and 9, T4S, R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, MM/DD/YEAR. Call (503) 979-9931 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

RECEIVE MAY 22 2023

Key

Bank

Checking

T-14049

NOTICE

71.40

Attached is a check for \$71.40 (PCA #46118) for Newspaper Notice for Transfer T-14049 made out to Oregon Water Resources Department (or WRD)

"for T-14049 NOTICE" written on front of check

Mail to: Oregon Water Resources Department 725 Summer St. NE, Suite A Salem, OR 97301-1266

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

Caseworker: cc

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

5/18/2023

Check Amount

Balance Due 71.40

Date 5/18/2023

Oregon Water Resources Department



6605 SE Lake Road, Portland, OR 97222 PO Box 22109 Portland, OR 97269-2169 Phone: 503-684-0360 Fax: 503-620-3433 E-mail: legals@commnewspapers.com

AFFIDAVIT OF PUBLICATION

State of Oregon, County of Marion, ss I, J. Brian Monihan, being first duly sworn, depose and say that I am the President of the Woodburn Independent, a newspaper of general circulation, published in Marion County, Oregon, as defined by ORS 193.010 and 193.020, that

Ad#: 288547

Owner: Oregon Departmetn of Water Re-

Description: Notice of Preliminary Determi-

nation for

Water Right Transfer T-14049

A copy of which is hereto annexed, was published in the entire issue of said newspaper for 2 week(s) in the following issue: 06/07/2023, 06/14/2023

J. Brian Monihan (President)

Subscribed and sworn to before me this

06/14/2023

NOTARY PUBLIC FOR OREGO

Acct #: 134229

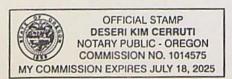
Attn: STACY H PHILLIPS

OREGON DEPARTMENT OF WATER RE-

SOURCES

725 SUMMER ST. NE, SUITE A

SALEM, OR 97301



Notice of Preliminary Determination for Water Right Transfer T-14049

T-14049 filed by Bruce Ernst, PO Box 460, Saint Paul, OR 97137, proposes additional points of appropriation and a change in place of use under Certificate 34191. The right allows the use of 0.42 cubic foot per second from a well in Sec. 4,T4S, R2W, WM for irrigation in Sects. 4 and 9, T4S, R2W, WM. The applicant proposes additional points of appropriation in Sects. 4 and 9, T4S, R2W, WM and to change the place of use within Sects. 4 and 9,T4S, R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, June 14, 2023. Call (503) 979-9931 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination. Published June 7 & 14, 2023.

RECEIVED JUN 26 2023 OWRD

SENDER: COMPLETE THIS SECTION

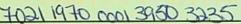
- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.
- 1. Article Addressed to:

BRUCE ERNST PO BOX 460 SAINT PAUL, OR 97137



9590 9402 6816 1074 5300 21

2. Article Number (Transfer from service label)



COMPLETE THIS SECTION ON DELIVERY

A. Signature X	☐ Agent ☐ Addressed
B. Received by (Printed Name)	C. Date of Delivery
D. Is delivery address different from iter	n 1? U Ves

D. Is delivery address different from Item 1?

inter delivery address below:

□ No

JUN 07 2023

OWRD

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- (over \$500)
- ☐ Insured Mail ☐ Insured Mail Restricted Delivery

- □ Priority Mail Express®
- ☐ Registered Mall™ ☐ Registered Mail Restricted
- Delivery ☐ Signature Confirmation™
- ☐ Signature Confirmation
- Restricted Delivery

Domestic Return Receipt

PS Form 3811, July 2020 PSN 7530-02-000-9053



Water Resources Department

North Mall Office Building 725 Summer St NE, Suite A Salem, OR 97301 Phone 503 986-0900 Fax 503 986-0904 www.oregon.gov/owrd

June , 2023

VIA CERTIFIED MAIL AND E-MAIL

Applicant

BRUCE ERNST PO BOX 460 SAINT PAUL, OR 97137

SUBJECT: Water Right Transfer Application T-14049

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14049. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Woodburn Independent newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me, at <u>corey.a.courchane@water.oregon.gov</u> or (503) 979-3917, if I may be of assistance.

Sincerely,

Corey Courchane

Allocation of Conserved Water Transfer and Conservation Section

cc: Transfer Application file T-14049

Gregory J. Wacker, District 16 Watermaster (via e-mail)
Doann Hamilton, Agent for the applicant (via e-mail)

encs

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application	1	PRELIMINARY DETERMINATION
in the Matter of Transfer Application	1	
T-14049, Marion County		PROPOSING APPROVAL FOR ADDITIONAL
•)	POINTS OF APPROPRIATION, A CHANGE
)	IN PLACE OF USE, AND PARTIAL
)	CANCELLATION OF A WATER RIGHT

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

BRUCE ERNST PO BOX 460 SAINT PAUL, OR 97137

Findings of Fact

- On July 15, 2022, BRUCE ERNST filed an application for additional points of appropriation, to change the place of use, and to cancel a portion of the place of use under Certificate 34191. The Department assigned the application number T-14049.
- Notice of the application for transfer was published on August 2, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

- 3. On March 8, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14049 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 7, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
- 4. The portion of the right to be transferred is as follows:

Certificate: 34191 in the name of MICHAEL E. HOPFER (perfected under Permit G-2649)

Use: IRRIGATION of 68.3 ACRES

Priority Date: APRIL 30, 1964

Rate: 0.42 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, 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 WILLAMETTE RIVER (COLUMBIA RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
45	2 W	WM	4	SW SE	70	WELL 1 - 610 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF DLC 70

Authorized Place of Use:

		IRR	IGATIO	N		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
45	2 W	WM	4	NE SW	70	4.2
45	2 W	WM	4	SE SW	70	15.4
45	2 W	WM	4	NE SE	70	2.1
4 S	2 W	WM	4	NW SE	70	8.6
4 S	2 W	WM	4	SW SE	70	29.8
4 S	2 W	WM	4	SE SE	70	5.1
4 S	2 W	WM	9	NE NE	70	0.2
4 S	2 W	WM	9	NW NE	70	2.9
					Total	68.3

5. Certificate 34191 describes the point of appropriation; however, the applicant provided a more accurate description of the point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	4	SW SE	70	WELL 1 - 720 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF DLC 70

6. Transfer Application T-14049 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate distance from original point of appropriation in feet (ft.)
45	2 W			WELL 2 - 635 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF DLC 70	50 ft.		
4 S	2 W	WM	4	SW SE	70	WELL 3 - 1200 FEET SOUTH AND 1905 FEET EAST FROM THE NW CORNER OF DLC 70	1100 ft.
45	2 W	WM	9	NE NE	70	WELL 4 – 2330 FEET SOUTH AND 1090 FEET WEST FROM THE NE CORNER OF DLC 70	2900 ft.

7. Transfer Application T-14049 also proposes to change the place of use of the right to:

				IRRIC	SATION		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed POA
45	2 W	WM	4	NE SW	70	3.6	Wells 2, 3, and 4
45	2 W	WM	4	SE SW	70	10.9	Wells 2, 3, and 4
45	2 W	WM	4	SE SW	70	4.6	Re-described Well 1
45	2 W	WM	4	NE SE	70	2.0	Wells 2, 3, and 4
45	2 W	WM	4	NW SE	70	7.4	Wells 2, 3, and 4
45	2 W	WM	4	SW SE	70	28.4	Wells 2, 3, and 4
45	2 W	WM	4	SW SE	70	3.0	Re-described Well 1
45	2 W	WM	4	SE SE	70	5.4	Wells 2, 3, and 4
45	2 W	WM	9	NW NE	70	1.8	Wells 2, 3, and 4
45	2 W	WM	9	NENW	70	1.2	Wells 2, 3, and 4
				68.3			

Transfer Review Criteria (OAR 690-380-4010)

- Water has been used within the last five years according to the terms and conditions of the
 right. There is no information in the record that would demonstrate that the right is
 subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-14049.
- 10. The proposed changes would not result in enlargement of the right.
- 11. The proposed change would not result in injury to other water rights.
- 12. All other application requirements are met.

Partial Cancellation of a Water Right

13. On July 15, 2022, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from Bruce Ernst. The right to be cancelled is as follows:

Certificate: 34191 in the name of MICHAEL E. HOPFER (perfected under

Permit G-2649)

Use: IRRIGATION of 3.2 ACRES

Priority Date: APRIL 30, 1964

Rate: 0.02 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, 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 WILLAMETTE RIVER (COLUMBIA RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
45	2 W	WM	4	SW SE	70	610 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF DLC 70

Authorized Place of Use:

		IRR	IGATIO	N		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	4	SW SE	70	2.3
45	2 W	WM	4	SE SE	70	0.9
					Total	3.2

Determination and Proposed Action

The additional points of appropriation and change in place of use proposed in Transfer Application T-14049 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned right will be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned right will be cancelled

If Transfer Application T-14049 is approved, the final order will include the following:

 The additional points of appropriation and change in place of use proposed in Transfer Application T-14049 are approved. The portion of the right that has been abandoned is cancelled.

- The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 34191 and any related decree.
- 3. Water right Certificate 34191 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer and cancellation.
- 4. The quantity of water diverted at the additional points of appropriation (Wells 2, 3, & 4), together with that diverted at the original point of appropriation (Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).
- 5. 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.
- Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
- The former place of use of the transferred right shall no longer receive water under the right.
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2024. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
- After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on .

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

DOUGLAS E. WOODCOCK, ACTING DIRECTOR

Oregon Water Resources Department

This Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-979-3917 or corey.a.courchane@water.oregon.gov

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active duty servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through http://legalassistance.law.af.mil. The Oregon Military Department does not have a toll free number.

T-14049.cc Page 6 of 6

COURCHANE Corey A * WRD

 From:
 PHILLIPS Stacy H * WRD

 Sent:
 Friday, May 12, 2023 9:50 AM

 To:
 STARNES Patrick K * WRD

 Cc:
 COURCHANE Corey A * WRD

Subject: RE: Newspaper Estimate for Transfer Application T-14049

Hey Corey,

The quote came in for this notice. Total cost is \$71.40.

Thanks,

Stacy H. Phillips

Natural Resource Specialist 2, Permit Amendment Caseworker 725 Summer Street NE, Suite A, Salem, OR 97301 Office: 503-986-0898 | Work Cell: 503-979-9948



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

From: STARNES Patrick K * WRD < Patrick.K.STARNES@water.oregon.gov>

Sent: Thursday, May 11, 2023 10:37 AM

To: PHILLIPS Stacy H * WRD <Stacy.H.PHILLIPS@water.oregon.gov>

Cc: COURCHANE Corey A * WRD < Corey.A.COURCHANE@water.oregon.gov>

Subject: Newspaper Estimate for Transfer Application T-14049

Hi Stacy -

Corey will need a quote for the attached TRANSFER Application notice to run in the Woodburn Independent. Run time is two weeks.

Thanks!

Kelly

Kelly Starnes, Transfer Program Analyst Oregon Water Resources Department 725 Summer St NE Suite A Salem OR 97301-1271

Cell phone: 503-979-3511 Fax: 503-986-0903

E-mail: patrick.k.starnes@water.oregon.gov

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.



Water Resources Department

North Mall Office Building 725 Summer St NE, Suite A Salem, OR 97301 Phone 503-986-0900 Fax 503 986-0904 www.oregon.gov/owrd

May 12, 2023

Applicant

BRUCE ERNST PO BOX 460 SAINT PAUL, OR 97137

SUBJECT: Water Right Transfer Application T-14049

Your water right transfer is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing...

At this time you need to:

- submit a check for \$71.40 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
- 2. write "for T-14049 NOTICE" on the front of your check, and
- 3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, no later than June 12, 2023.

What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Woodburn Independent newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If we do not receive payment for newspaper notice by June 12, 2023, a Preliminary Determination may be issued denying the application as incomplete.

Attached is a check for \$71.40 (PCA #46118) for Newspaper Notice for Transfer T-14049 made out to Oregon Water Resources Department (or WRD)

"for T-14049 NOTICE" written on front of check

Mail to: Oregon Water Resources Department 725 Summer St. NE, Suite A Salem, OR 97301-1266

Caseworker: cc

Please do not hesitate to contact me, at <u>corey.a.courchane@water.oregon.gov</u> or (503) 979-3917, if I may be of assistance.

Sincerely,

Corey Courchane

Allocation of Conserved Water Transfer and Conservation Section

cc: Transfer Application T-14049

Gregory J. Wacker, District 16 Watermaster (via e-mail)
Doann Hamilton, Agent for the applicant (via e-mail)

OF THE STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14049, Marion County)	PROPOSING APPROVAL FOR ADDITIONAL
•)	POINTS OF APPROPRIATION, A CHANGE
)	IN PLACE OF USE, AND PARTIAL
)	CANCELLATION OF A WATER RIGHT

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

BRUCE ERNST PO BOX 460 SAINT PAUL, OR 97137

Findings of Fact

- On July 15, 2022, BRUCE ERNST filed an application for additional points of appropriation, to change the place of use, and to cancel a portion of the place of use under Certificate 34191. The Department assigned the application number T-14049.
- Notice of the application for transfer was published on August 2, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

- On March 8, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14049 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 7, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
- 4. The portion of the right to be transferred is as follows:

Certificate:

34191 in the name of MICHAEL E. HOPFER (perfected under Permit G-2649)

Use:

IRRIGATION of 68.3 ACRES

Priority Date: APRIL 30, 1964

0.42 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, 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

Source:

A WELL a tributary of WILLAMETTE RIVER (COLUMBIA RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	4	SW SE	70	WELL 1 - 610 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF DLC 70

Authorized Place of Use:

		IRR	IGATIO	N		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
45	2 W	WM	4	NE SW	70	4.2
45	2 W	WM	4	SE SW	70	15.4
45	2 W	WM	4	NE SE	70	2.1
45	2 W	WM	4	NW SE	70	8.6
45	2 W	WM	4	SW SE	70	29.8
45	2 W	WM	4	SE SE	70	5.1
45	2 W	WM	9	NE NE	70	0.2
45	2 W	WM	9	NW NE	70	2.9
					Total	68.3

Certificate 34191 describes the point of appropriation; however, the applicant provided a more accurate description of the point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
45	2 W	WM	4	SW SE	70	WELL 1 - 720 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF DLC 70

6. Transfer Application T-14049 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate distance from original point of appropriation in feet (ft.)
45	2 W	WM	4	SW SE	70	WELL 2 - 635 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF DLC 70	50 ft.
4.5	2 W	WM	4	SW SE	70	WELL 3 - 1200 FEET SOUTH AND 1905 FEET EAST FROM THE NW CORNER OF DLC 70	1100 ft.
4 S	2 W	WM	9	NE NE	70	WELL 4 – 2330 FEET SOUTH AND 1090 FEET WEST FROM THE NE CORNER OF DLC 70	2900 ft.

7. Transfer Application T-14049 also proposes to change the place of use of the right to:

				IRRIC	SATION		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed POA
45	2 W	WM	4	NE SW	70	3.6	Wells 2, 3, and 4
45	2 W	WM	4	SE SW	70	10.9	Wells 2, 3, and 4
45	2 W	WM	4	SE SW	70	4.6	Re-described Well 1
45	2 W	WM	4	NE SE	70	2.0	Wells 2, 3, and 4
45	2 W	WM	4	NW SE	70	7.4	Wells 2, 3, and 4
45	2 W	WM	4	SW SE	70	28.4	Wells 2, 3, and 4
45	2 W	WM	4	SW SE	70	3.0	Re-described Well 1
45	2 W	WM	4	SE SE	70	5.4	Wells 2, 3, and 4
45	2 W	WM	9	NW NE	70	1.8	Wells 2, 3, and 4
45	2 W	WM	9	NE NW	70	1.2	Wells 2, 3, and 4
					Total	68.3	

Transfer Review Criteria (OAR 690-380-4010)

- Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-14049.
- 10. The proposed changes would not result in enlargement of the right.
- 11. The proposed change would not result in injury to other water rights.
- 12. All other application requirements are met.

Partial Cancellation of a Water Right

13. On July 15, 2022, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from Bruce Ernst. The right to be cancelled is as follows:

Certificate: 34191 in the name of MICHAEL E. HOPFER (perfected under

Permit G-2649)

Use: IRRIGATION of 3.2 ACRES

Priority Date: APRIL 30, 1964

Rate: 0.02 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, 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 WILLAMETTE RIVER (COLUMBIA RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
45	2 W	WM	4	SW SE	70	610 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF DLC 70

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acre
45	2 W	WM	4	SW SE	70	2.3
45	2 W	WM	4	SE SE	70	0.9
45	Z VV	VVIVI	4	SE SE	Total	:

Determination and Proposed Action

The additional points of appropriation and change in place of use proposed in Transfer Application T-14049 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned right will be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned right will be cancelled

If Transfer Application T-14049 is approved, the final order will include the following:

 The additional points of appropriation and change in place of use proposed in Transfer Application T-14049 are approved. The portion of the right that has been abandoned is cancelled.

T-14049.cc Page 4 of 6

- 2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 34191 and any related decree.
- 3. Water right Certificate 34191 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer and cancellation.
- 4. The quantity of water diverted at the additional points of appropriation (Wells 2, 3, & 4), together with that diverted at the original point of appropriation (Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).
- 5. 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.
- Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
- 7. The former place of use of the transferred right shall no longer receive water under the right.
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2024. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
- After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for DOUGLAS E. WOODCOCK, ACTING DIRECTOR Oregon Water Resources Department This Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-979-3917 or corey.a.courchane@water.oregon.gov

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active duty servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through http://legalassistance.law.af.mil. The Oregon Military Department does not have a toll free number.

T-14049.cc Page 6 of 6



Water Resources Department

North Mall Office Building 725 Summer St NE, Suite A Salem, OR 97301 Phone 503 986-0900 Fax 503 986-0904 www.oregon.gov/owrd

April , 2023

VIA CERTIFIED MAIL AND E-MAIL

Applicant

BRUCE ERNST PO BOX 460 SAINT PAUL, OR 97137

SUBJECT: Water Right Transfer Application T-14049

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14049. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Woodburn Independent newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me, at <u>corey.a.courchane@water.oregon.gov</u> or (503) 979-3917, if I may be of assistance.

Sincerely,

Corey Courchane

Allocation of Conserved Water Transfer and Conservation Section

cc: Transfer Application file T-14049

Gregory J. Wacker, District 16 Watermaster (via e-mail) Doann Hamilton, Agent for the applicant (via e-mail)

encs



corey.a.courchane, 3/13/2023, 3:04:05 PM



Fidelity National Title*

Company of Oregon

900 SW Fifth Avenue, Portland, OR 97204

Phone: (503)796-6616 / Fax: (503)229-0615

DEED ONLY REPORT

Prepared For:

Attn:

Pacific Hydro-Geology Inc.

Greg Kupillas

18487 S. Valley Vista Rd

Mulino, OR 97214

Date: March 13, 2023

Order: WAPR2300467LER-2 Ref. No: 042W040001100

Charge: \$25.00

Effective Date: Title Officer:

March 3, 2023 Amy Alexander

A search of the public records of Marion County as of the effective date shown above, shows the last deed of record runs to:

Bruce W. Ernst, Trustee of the Bruce W. Ernst Living Trust dated February 2, 2016, and any amendments thereto

(A) Legal Description:

The Property described in Exhibit 'A' attached hereto and made a part hereof.

Tax Account No:

511871, 340205 and 123661

Map Identification No: 042W04 1100

THIS INFORMATION IS A PLANT SERVICE OF FIDELITY NATIONAL TITLE. IT IS NOT TITLE INSURANCE OR A GURANTEE. THIS SERVICE DOES NOT INCLUDE ANY SUPPLEMENTAL REPORTS OR ANY OTHER INFORMATION, LIABILITY FOR ERRORS IS LIMITED TO THE AMOUNT CHARGED.

Thank you very much for doing business with Fidelity National Title Company/Western American Property Research. If you have any questions, please contact Amy Alexander, Title Examiner or May Patel, Unit Supervisor at 796-6616.

Fidelity National Title Company of Oregon Amy Alexander, Title Examiner

EXHIBIT A

Beginning at the Northwest comer of the Donation Land Claim of John Gearing in Township 4 South, Range 2 West of the Willamette Meridian, Marion County, State of Oregon; thence North 0 degrees 41' East 1.17 chains along the East line of the Donation Land Claim of Peter Waggoner; thence West 29.872 chains to the West line of Section 4; thence South 0 degrees 28' West 13.634 chains along the West line of Section 4 to the North line of the Donation Land Claim of George Aplin; thence South 51 degrees 02' East 27.557 chains along the North line of the George Aplin Claim to the middle of the County Road leading from St. Paul to Champoeg; thence North 73 degrees 46' East 31.43 chains along the middle of the County Road; then South 8.05 chains; thence East 9.847 chains; thence North 1 degree 13' East 10.03 chains to the middle of the County Road; thence North 81 degrees 02' East 3.53 chains along the middle of the County Road; thence North 1 degree 13' East 17.872 chains to the North line of the Donation Land Claim of John Gearin; thence North 89 degrees West 35.547 chains along the North line of the John Gearin Claim to the place of beginning and being a part of the John Gearin Donation Land Claim No. 70 in Township 4 South, Range 2 West, and Peter Waggoner Donation Land Claim No. 66 in Township 3 South, Range 2 West of the Willamette Meridian in Marion County, Oregon.

EXCEPTING THEREFROM all that portion of the above described premises lying West of Highway 219, Film Records for Marion County, Oregon.

ALSO SAVED AND EXCEPT that portion conveyed to the State of Oregon, by and through its Department of Transportation by deed recorded December 16,1994 in Reel 1211, Page 290 and Reel 1211, Page 291.

MAIL TAX STATEMENTS TO: Trustee of the Bruce W. Ernst Living Trust 4406 NE Birdhaven Loop Newberg, OR 97128 REEL 3780 PAGE 379

MARION COUNTY

BILL BURGESS, COUNTY CLERK
02-04-2016 03:17 pm.

Control Number 402680 \$ 56.00

Instrument 2016 00004297

AFTER RECORDING RETURN TO:

Robert J. Saalfeld, Attorney Saalfeld Griggs PC PO Box 470 Salem, OR 97308 OWRD RECEIVED corey.a.courchane, 3/13/2023, 3:04:45 PM

WARRANTY DEED

Bruce W. Ernst, Grantor, conveys to Bruce W. Ernst, Trustee of the Bruce W. Ernst Living Trust dated February 2, 2016, and any amendments thereto, Grantee, the following described real property situated in the County of Marion, State of Oregon:

See Attached Exhibit "A"

Grantor covenants that Grantor is seized of an indefeasible estate in the real property described above in fee simple, that Grantor has good right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantor warrants and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantor, provided that the foregoing covenants are limited to the extent of coverage available to Grantor under any applicable standard or extended policies of title insurance, it being the intention of the Grantor to preserve any existing title insurance coverage.

This deed is executed to partially fund a trust of Grantor's, and the true and actual consideration stated in terms of dollars is ZERO.

The following is the notice as required by Oregon law: "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

WARRANTY DEED (80.88 Acres 6177 Gearin Rd Ne Saint Paul, OR 97137)
PAGE 1 OF 3

(RISuk)

4848-7338-2189, v. 1

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2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

WITNESS Grantor's hand this 2nd day of February 2016.

Bruce W. Ernst

STATE OF OREGON 3 ss.

COUNTY OF MARION 5 ss.

On this 2nd day of February 2016, personally appeared the above named Bruce W. Ernst and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Source W. Ernst and acknowledged the foregoing instrument to be his voluntary act and deed.

Notary Public for Oregon My Commission Expires: 1-7-2020

OFFICIAL STAMP
SAVANNA CAMPBELL
NOTARY PUBLIC - OREGON
COMMISSION NO. 946023
MY COMMISSION EXPIRES JANIARY 07, 2020

WARRANTY DEED (80.88 Acres 6177 Gearin Rd Ne Saint Paul, OR 97137)
PAGE 2 OF 3

(RISak)

4848-7338-2189, v. 1

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ALSO SAVED AND EXCEPT that portion conveyed to the State of Oregon, by and through its Department of Transportation by deed recorded December 16, 1994 in Reel 1211, Page 290 and Reel 1211, Page 291.

WARRANTY DEED (80.88 Acres 6177 Gearin Rd Ne Saint Paul, OR 97137)
PAGE 3 OF 3

(RIStale)

4848-7338-2189, v. 1

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REEL: 3780

PAGE: 379

February 04, 2016, 03:17 pm.

CONTROL #: 402680

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.



Water Resources Department

North Mall Office Building 725 Summer St NE, Suite A Salem, OR 97301 Phone 503 986-0900 Fax 503 986-0904 www.oregon.gov/owrd

March 8, 2023

VIA E-MAIL

Applicant

BRUCE ERNST PO BOX 460 SAINT PAUL, OR 97137

Reference: Water Right Transfer Application T-14049

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-14049. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by April 7, 2023.

Required items needing your immediate attention:

- Please carefully review the Draft Preliminary Determination to verify that it accurately reflects
 the changes you intend to make and to become familiar with the proposed conditions.
- Respond in writing by APRIL 7, 2023, with acknowledgement that you agree to the proposed action and conditions.
- 3. If you find any errors, please let me know.
- 4. REQUIRED: You must submit a Report of Ownership for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - Prepared within 3 months of the Draft Preliminary Determination showing current ownership; OR
 - ii. Prepared within 3 months of recording of a water right conveyance agreement; OR
 - iii. Have a prepared date showing ownership at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership. IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; AND
- e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
- 5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is <u>not</u> already included in the transfer application. The Department's statement of consent form (Consent By Deeded Landowner) is available at: https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf
- 6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions of your water right...

The Watermaster has required a water measurement devices at the new and existing diversion points prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) devices.

Please note the proposed date by which all conditions must be met: October 1, 2024. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. Please let me know by the comment deadline if you will need more time and explain the reasons why.

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice. As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.

Issuance of the Preliminary Determination will occur shortly after we receive:

- Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
- 2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by April 7, 2023, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me, at corey.a.courchane@water.oregon.gov or (503) 979-3917, if I may be of assistance.

Sincerely,

Corey Courchane

Allocation of Conserved Water Transfer and Conservation Section

cc: Transfer Application file T-14049

Gregory J. Wacker, District 16 Watermaster (via e-mail)
Doann Hamilton, Agent for the applicant (via e-mail)

encs

OF THE STATE OF OREGON

In '	the I	Matte	r of T	ransfer	Application
T-1	1404	9, Ma	rion	County	

DRAFT

PRELIMINARY DETERMINATION
PROPOSING APPROVAL FOR ADDITIONAL
POINTS OF APPROPRIATION, A CHANGE
IN PLACE OF USE, AND PARTIAL
CANCELLATION OF A WATER RIGHT

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

BRUCE ERNST PO BOX 460 SAINT PAUL, OR 97137

Findings of Fact

- On July 15, 2022, BRUCE ERNST filed an application for additional points of appropriation, to change the place of use, and to cancel a portion of the place of use under Certificate 34191. The Department assigned the application number T-14049.
- Notice of the application for transfer was published on August 2, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- The portion of the right to be transferred is as follows:

Certificate: 34191 in the name of MICHAEL E. HOPFER (perfected under Permit G-2649)

Use: IRRIGATION of 68.3 ACRES

Priority Date: APRIL 30, 1964

Rate: 0.42 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, 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 WILLAMETTE RIVER (COLUMBIA RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
45	2 W	WM	4	SW SE	70	WELL 1 - 610 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF DLC 70

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
45	2 W	WM	4	NE SW	70	4.2
45	2 W	WM	4	SE SW	70	15.4
45	2 W	WM	4	NE SE	70	2.1
45	2 W	WM	4	NW SE	70	8.6
45	2 W	WM	4	SW SE	70	29.8
45	2 W	WM	4	SE SE	70	5.1
45	2 W	WM	9	NE NE	70	0.2
45	2 W	WM	9	NW NE	70	2.9
					Total	68.3

4. Certificate 34191 describes the point of appropriation; however, the applicant provided a more accurate description of the point of appropriation as follows:

Twp) F	Ing	Mer	Sec	Q-Q	DLC	Measured Distances
45	2	W	WM	4	SW SE	70	WELL 1 - 720 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF DLC 70

5. Transfer Application T-14049 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate distance from original point of appropriation in feet (ft.)
45	2 W	WM	4	SW SE	70	WELL 2 - 635 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF DLC 70	50 ft.
45	2 W	WM	4	SW SE	70	WELL 3 - 1200 FEET SOUTH AND 1905 FEET EAST FROM THE NW CORNER OF DLC 70	1100 ft.
45	2 W	WM	9	NE NE	70	WELL 4 – 2330 FEET SOUTH AND 1090 FEET WEST FROM THE NE CORNER OF DLC 70	2900 ft.

6. Transfer Application T-14049 also proposes to change the place of use of the right to:

				IRRIC	SATION		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed POA
45	2 W	WM	4	NE SW	70	3.6	Wells 2, 3, and 4
45	2 W	WM	4	SE SW	70	10.9	Wells 2, 3, and 4
45	2 W	WM	4	SE SW	70	4.6	Re-described Well 1
45	2 W	WM	4	NE SE	70	2.0	Wells 2, 3, and 4
45	2 W	WM	4	NW SE	70	7.4	Wells 2, 3, and 4
45	2 W	WM	4	SW SE	70	28.4	Wells 2, 3, and 4
45	2 W	WM	4	SW SE	70	3.0	Re-described Well 1
45	2 W	WM	4	SE SE	70	5.4	Wells 2, 3, and 4
45	2 W	WM	9	NW NE	70	1.8	Wells 2, 3, and 4
45	2 W	WM	9	NENW	70	1.2	Wells 2, 3, and 4
					Total	68.3	

Transfer Review Criteria (OAR 690-380-4010)

- Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-14049.
- 9. The proposed changes would not result in enlargement of the right.
- 10. The proposed change would not result in injury to other water rights.
- 11. All other application requirements are met.

Partial Cancellation of a Water Right

12. On July 15, 2022, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from Bruce Ernst. The right to be cancelled is as follows:

Certificate: 34191 in the name of MICHAEL E. HOPFER (perfected under

Permit G-2649)

Use: IRRIGATION of 3.2 ACRES

Priority Date: APRIL 30, 1964

Rate: 0.02 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, 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 WILLAMETTE RIVER (COLUMBIA RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
45	2 W	WM	4	SW SE	70	610 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF DLC 70

Authorized Place of Use:

Twp	Png	Mer	Sec	Q-Q	DLC	Acros
ıwp	Rng	ivier	260	u-u	DLC	Acres
45	2 W	WM	4	SW SE	70	2.3
4 S	2 W	WM	4	SE SE	70	0.9
					Total	3.2

Determination and Proposed Action

The additional points of appropriation and change in place of use proposed in Transfer Application T-14049 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned right will be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned right will be cancelled

If Transfer Application T-14049 is approved, the final order will include the following:

- The additional points of appropriation and change in place of use proposed in Transfer Application T-14049 are approved. The portion of the right that has been abandoned is cancelled.
- The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 34191 and any related decree.
- 3. Water right Certificate 34191 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer and cancellation.
- 4. The quantity of water diverted at the additional points of appropriation (Wells 2, 3, & 4), together with that diverted at the original point of appropriation (Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).

- 5. 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.
- Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
- 7. The former place of use of the transferred right shall no longer receive water under the right.
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2024**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
- After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

DRAFT

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

This draft Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-979-3917 or corey.a.courchane@water.oregon.gov

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14049
GW Reviewer Dennis Orlowski Date Review Completed: 02/03/2023
Summary of Same Source Review:
☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).
Summary of Injury Review:
☐ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).
Summary of GW-SW Transfer Similarity Review:
☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.
This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.

Version: 20210204

OREGON WATER RESOURCES DEPARTMENT

Application: T-14049

Reviewer(s): Dennis Orlowski

Proposed Changes:

Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1271 (503) 986-0900 www.wrd.state.or.us

☐ POA

☐ USE

	Ground Water Review Form:
STATE OF THE PARTY	☑ Water Right Transfer
	☐ Permit Amendment
	☐ GR Modification
	☐ Other
	Applicant Name: Bruce Ernst
	□ SW→GW ⊠ RA
	□ OTHER
	Date of Review: February 3, 2023

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

Date Reviewed by GW Mgr. and Returned to WRSD: iti 2/9/23

The water well reports provided with the application do not correspond to the water rights affected by the transfer.
The application does not include when well appears and don't in a Cale well and the

X APOA

⊠ POU

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

Other ____

Basic description of the changes proposed in this transfer: <u>This transfer application pertains</u>
to certificate 34191, which authorizes the irrigation of 71.5 acres in the French Prairie region
of Marion County, using groundwater from a single POA, MARI 1065 (maximum
instantaneous pumping rate of 0.44 cfs (~198 gpm), 2.5 af/ac, Mar 1-Oct 31).

The purpose for this application is to refine the current POU delineation and to add the following POA (all existing wells) to certificate 34191:

- Proposed Well 2 (MARI 51725)
- Proposed Well 3 (MARI 68592)
- Proposed Well 4 (MARI 1132)

Both MARI 1065 and MARI 51725 are also authorized POA for certificate 96789, which is for year-round *nursery* uses on 97.9 acres (cumulative maximum rate 1.78 cfs (~800 gpm); further limited to 0.31 cfs (~140 gpm)/7.6 acres from MARI 1065 and 1.50 cfs (~673 gpm)/90.3 acres from MARI 51725). The POU for both certificates 34191 (this application) and 96789 largely overlap, although they are for different uses (irrigation and nursery).

MARI 1132 is also the authorized POA for certificate 38363, which is for primary *irrigation* of 67.2 acres (maximum rate 0.67 cfs (~300 gpm). The POU for certificate 38363 differs from that of certificate 34191 (this application).

2.	Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
	(Well 1) obtains groundwater from water-bearing sand (with some gravel) layers encased
	within the low permeability silts and clays of the Willamette Confining Unit (Gannett and
	Caldwell, 1998; Woodward and others, 1998; Conlon and others, 1995). The three proposed
	APOA - MARI 51725, MARI 68592, and MARI 1132 range in depth from 95 to 347 feet.
	with all producing groundwater from the same water-bearing units contained within the
	Willamette Confining Unit.
3.	a) Is there more than one source developed under the right (e.g., basalt and alluvium)? Yes No
	b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.):
1	a) Will this proposed change at its maximum allowed rate of use likely result in an increase

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

Yes No Comments: The proposed change will authorize pumping of the proposed APOA at greater rates/volumes than are currently permitted at those three wells (including both exempt and non-exempt/permitted uses). Consequently, the proposed use will likely result in an increase in interference with other nearby groundwater uses.

Of the three proposed APOA, an increase in pumping of MARI 51725 (Proposed Well 2) has the most potential to interfere with other known existing groundwater users, given its relative proximity to those wells (the other two proposed APOA, MARI 68592 and MARI 1132, are also near to other existing wells, but the nearest of those (MARI 54379, MARI 62908) are located on tax lot parcels owned by the applicant, and thus it is assumed that the landowner will self-manage well usage to mitigate impacts to their own wells).

The nearest known water well *completed to a depth similar* to MARI 51725 is MARI 1054, the authorized POA for permit G-15572 (priority date August 15, 2001). MARI 1054 is about 2,000 feet north of MARI 51725 (depth 347 feet) and reportedly completed to a depth of 299 feet.

A Theis (1935) drawdown analysis was completed to assess the potential increase in interference at MARI 1054 due to pumping MARI 51725 (proposed APOA) at a combined pumping rate of 870 gpm (~1.94 cfs); this total is equal to the rate authorized by certificate 96789 (673 gpm, 1.50 cfs) plus this application's authorized rate (certificate 34191, 0.44 cfs, ~198 gpm) (while the simulated 870 gpm pumping rate does somewhat exceed the 800 gpm yield recorded on the MARI 51725 log, recent static water level data (3/16/2022) suggests up to ~250 feet of available drawdown in that well, which should be able to accommodate the additional drawdown associated with the higher pumping rate).

Using conservative pump operation parameters (pumping non-stop 24/7) for MARI 51725, the results of the Theis analysis suggest that up to an additional 12 feet of interference could be expected at MARI 1054. Available static water level measurements from MARI 1054 indicate approximately 200 feet of available drawdown, an amount that should be more than sufficient to absorb the 12 feet of additional drawdown conservatively estimated for the proposed use at MARI 51725. Therefore, it is **not** likely that this proposed change, at the maximum allowed rate of use, will result in MARI 1054 or other nearby groundwater rights from receiving the water to which they are legally entitled.

Iverson, 2002).

NOTE: previous application G-18849 proposed MARI 51725 as the authorized POA for irrigation of 105.8 acres at Zorn Farms, Inc., which is immediately south of this application's POU. Using a combined pumping rate of 1,394 gpm for MARI 51725 (equal to existing authorized plus proposed rates), the groundwater review for application G-18849 concluded potential injury to MARI 1054, and PSI with Mission Creek to the south. That review also concluded that the proposed use would likely exceed the capacity of the resource because the combined rate was ~74 percent greater than the yield reported on the log for MARI 51725 (800 gpm (1.78 cfs) with 138 ft of drawdown via a 6-hour pumping test). However, given that this current proposed change would result in a total cumulative pumping rate at MARI 51725 much lower than the rate evaluated for application G-18849 (870 gpm versus 1,394 gpm), the potential injury to MARI 1054 is correspondingly lower with this currently-proposed use.

	b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled? Yes No If yes, explain: See explanations above.
_	
5.	a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with another surface water source?
	POA, as well as in other nearby wells with similar construction, are above and/or coincident
	with the elevations of nearby reaches of Mission Creek and other local streams.
	Furthermore, groundwater maps for this area show groundwater flowing generally towards
	and discharging into these streams (Gannett and Caldwell, 1998; Woodward and others,
	1998). These relationships indicate that the local alluvial groundwater system is
	hydraulically connected to local streams, and thus the proposed change will likely result in
	an increase in interference with those streams.
	b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any surface water sources resulting from the proposed change?
	Stream: Mission Creek
	Stream: Minimal Significant
	Provide context for minimal/significant impact: Compared to authorized POA MARI 1065
	(Well 1), proposed APOA MARI 1132 (Proposed Well 4) is approximately 1.800 feet neare
	to Mission Creek to the south. However, despite its relative proximity, it is likely that the
	increased interference with Mission Creek expected with additional pumping of MARI 1065
	under this proposed use will only be minimal. This conclusion is based on the existence of
	relatively-thick accumulations of silt and clay (i.e., the Willamette Silt) that are present
	between the stream beds and water-bearing layers in the subject wells; these low-
	permeability deposits reduce the efficiency of the hydraulic connection between aquifer and streams, thus reducing potential impacts to those streams (Gannett and Caldwell, 1998)
	streams, thus reducing potential impacts to mose streams (trannell and Caldwell 1998)

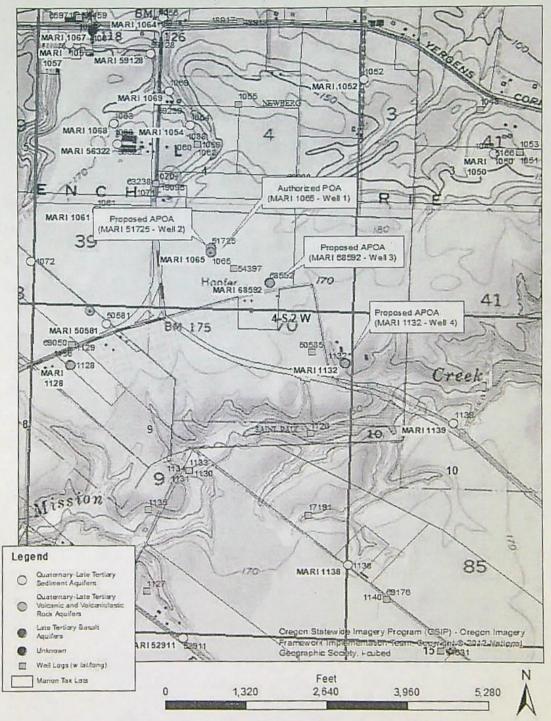
To substantiate this conclusion, the Hunt stream depletion analytical model (Hunt, 2003) was used to compare pumping at authorized POA MARI 1065 with proposed APOA MARI 1132; results of this analysis indicate that the net increased interference to Mission Creek is expected to be perhaps only a few percent greater (relative to well pumping rates). Groundwater reviews for other nearby applications (e.g., G-18849 and G-18672) reached similar conclusions.

- 6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
 Yes \(\subseteq \text{No Comments: Not applicable.} \)
- What conditions or other changes in the application are necessary to address any potential issues identified above: None.
- 8. Any additional comments: None.

References

- Application/review files: T-14049, certificates 34191, 96789, applications G-18849, G-18672 Pumping Test Reports: MARI 1050, 1052, 1068, 51725
- Conlon, T.D., Wozniak, K.C., Woodcock, D., Herrera, N.B., Fisher, B.J., Morgan, D.S., Lee, K.K., and Hinkle, S.R., 2005, Ground-water hydrology of the Willamette Basin, Oregon, Scientific Investigations Report 2005-5168: U. S. Geological Survey, Reston, VA.
- Freeze, R.A. and Cherry, J.A., 1979, Groundwater, Prentice Hall. Englewood Cliffs, New Jersey, 604 p.
- Gannett, M.W. and Caldwell, R., 1998, Geologic framework of the Willamette Lowland aquifer system, Oregon and Washington, Professional Paper 1424-A, 32 p. U. S. Geological Survey, Reston, VA.
- Hunt, B., 2003. Unsteady stream depletion when pumping from semiconfined aquifer: Journal of Hydrologic Engineering, January/February, Vol 8, p. 12-19.
- Iverson, J., 2002, Investigation of the hydraulic, physical, and chemical buffering capacity of Missoula flood deposits for water quality and supply in the Willamette Valley of Oregon: Unpublished M.S. thesis, Oregon State University, 147 p.
- United States Geological Survey, 2013, National Elevation Dataset (NED) [DEM geospatial data]. 1/9th arc-second, updated 2013.
- United States Geological Survey, 2017, Saint Paul quadrangle, Oregon [map], 1:24,000, 7.5 minute topographic series, U.S. Department of the Interior, Reston, Virginia.
- United States Geological Survey, 2017, Newberg quadrangle, Oregon [map], 1:24,000, 7.5 minute topographic series, U.S. Department of the Interior, Reston, Virginia.
- Watershed Sciences, 2009, LIDAR remote sensing data collection, Department of Geology and Mineral Industries: Portland, OR, May 27.
- Woodward, D.G., Gannett, M.W., and Vaccaro, J.J., 1998, Hydrogeologic framework of the Willamette Lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-B, 82 p.

Application T-14049 Bruce Ernst T4S, R2W, Sections 4, 9



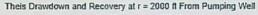
Service Layer Credits: Copyright® 2013 National Geographic Society, Fouled

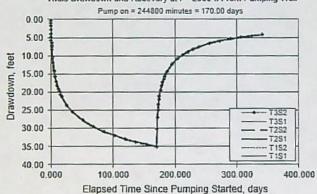
Theis Interference Analysis - MARI 51725 (currently-authorized rate) to MARI 1054

Theis Time-Drawdown Worksheet v.3.00 Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r, from a pumping well for 3 different T values and radial distance, r, from a pumping well for 3 different T values and 2 different S values.

Written by Karl C. Wozniak September 1992. Last modified December 30, 2014

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	1		170		d	
Radial distance from pumped well.	T T		2000.00		n	Q conversions
Pumping rate	Q		673.0		gpm	673.00 gpm
Hydraulic conductivity	K	56,567	56,667	56.667	fl/day	1.50 cfs
Aquiter thickness	b		30		ı	89.97 dm
Storativity	8_1		0.00050			129.561.50 dd
	8.2		0.00050			2.97 at/d
Transmissivity Conversions	T_t2pd	1,700	1,700	1,700	ft2/day	
	T_ft2pm	1.1806	1 1806	1.1806	ft2/min	
	T_gpdpft	12,716	12,716	12,716	gpd/ft	
			Recalculate	Use the Recalcul	ete button if re	calculation is set to manual



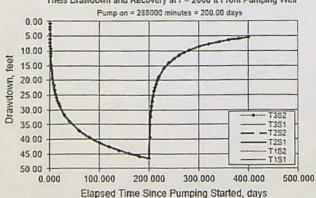


Theis Interference Analysis - MARI 51725 (combined rate) to MARI 1054

Theis Time-Drawdown Worksbeet v.3.00
Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r, from a pumping well for 3 different T values and radial distance, r, from a pumping well for 3 different T values and 2 different 3 values.
Written by Karl C. Wozniak September 1992. Last modified December 30, 2014

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	t		200		d	
Radial distance from pumped well.	1		2000,00		1	Q conversions
Pumping rate	Q		870.0		gpm	870.00 gpm
Hydraulic conductivity	K	56.667	56.667	56.667	fVday.	1.94 ds
Aguifer thickness	b.	Part of the	30	San Land	R	116.31 dm
Storatryly	S_1		0.00050			157,486.63 dd
	5_2		0.00050			3.84 at/d
Transmissivity Conversions	T_f2pd	1,700	1,700	1,700	ft2/day	
	T_112pm	1,1806	1,1805	1,1805	ft2/min	
	T_gpdpft	12,716	12,716	12,716	gpd/ft	/
	Recalculate	Use the Recalculate button if recalculation is set to manual				

Theis Drawdown and Recovery at r = 2000 ft From Pumping Well



STATE OF OREGON

COUNTY OF

MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

MICHAEL E. HOPFER

of Route 1, Box 109, Aurora , State of Oregon , has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

a tributary of Willamette River (Columbia River) irrigation of 71.5 acres

for the purpose of

under Permit No. 0-2649 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 30, 1964

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.44 cubic foot per second

0,42-OFF 0,02 RR

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the SW1 SE1, as projected within Garins DIC 70,

Section 4, T. 4 S., R. 2 W., W. M. Well located 610 feet South and 960 feet

East from the NW Corner, DIC 70.

The amount of water used for irrigation, together with the amount secured under any other

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 2½ acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

1.2 acres NE SW 1

-15.4 acres SE SW 1

-2.1 acres NE SE 1

-2.1 acres NE SE 1

-2.1 acres NE SE 1

-2.1 acres SE 1

-2.1 acres SE 2

-2.1 acres SE 2

-2.1 acres SE 3

-2.1 acres NE 3

-2.1 acr

3,2 AURORR

0.2 acre NE 1 NE 1 2.9 acres NW 1 NE 1 both as projected within Garins DLC 70 Section 9 T. 1 S., R. 2 W., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date: July 31, 1967

CHRIS L. WHEELER
State Engineer

Recorded in State Record of Water Right Certificates, Volume 26 , page 34191

Watermaster Review Form: Water Right Transfer

most affected:



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

Review Due Date: 08/26/2022

Transfer Application: T-14049

Applicant Name: Bruce Ernst POA POD USE Proposed Changes: POU Reviewer(s): G. Wacker Date of Review: 08/23/2022 1. Do you have evidence 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)? V No Records not available. 4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? Yes V No If "Yes", explain: In your estimation, if the proposed change is approved, are there upstream water rights that would 5. Yes No If "Yes", describe how the rights would be affected and list the rights be 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.	N/A 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? 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	 For POU changes that involve micro-irrigation: N/A a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement? Yes No If "Yes", explain:

ο.		porary transfer of this nature been previously filed and approved on the same lands ns 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	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:

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 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- 14049

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
Phone: 971-719-6262
Email: gregory.j.wacker@water.oregon.gov
Note : If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device T- (to be filled out after consultation with the applicant, or after a site visit)
On behalf of the Director, I authorize use of the following suitable alternate measurement device:
Watermaster signature District Date
If this form is used for approval of an alternative measurement device, it must be mailed to:
Oregon Water Resources Department
725 Summer Street NE, Suite A

TACS Page 5 of 5 Last revised May 2019

8/8/2022

T-14049 RAP

RECEIVED

OWRD

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STATE OF OREGON WATER RESOURCES DEPARTMENT

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

(503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

139044

RECEIPT #

2,023.42

Key Bank Checking

T-14049 RAP Processing Fee

REIMBURSEMENT AUTHORITY APPLICANT'S AGREEMENT Contract Number: R11-381-23

AUG 3 1 2022

Received by OWRD

Salem, OR

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Bruce Ernst, hereafter Applicant, hereafter known together as the parties.

OWRD	Information	Applica	nt's Information	Applicant'	s Representative
Contact:	Kelly Starnes	Name:	Bruce Ernst	Name: Contact:	Pacific Hydro-Geology, Inc.
Title:	Transfer Advisor	Contact:			
Address:		Address:	PO Box 460	Address:	18487 S. Valley Vista Rd.
	Salem, OR 97301-1266		St. Paul, OR 97137		Mulino, OR 97042
Phone:	503 979-3511	Phone:	(503) 633-8366	Phone:	(503) 349-6946
Fax:	503 986-0901	Fax:		Fax:	(503) 632-5983
Email:	patrick.k.starnes@water.oregon.gov	Email:	acc@ernstnursery.com	Email:	phgdmh@gmail.com

Purpose The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-14049)

- Authority. The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any
 applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In
 making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions. Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration. Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.

4. Consideration.

- a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is \$2,023.42. Applicant agrees to pay the full amount of \$2,023.42 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
- b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality. Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- 6. Indemnity. Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

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

For Applicant

Jana/Title

Date

For OWRD:

vight French - Administrator

9-7-2022 Date

Mail signed Agreement to:

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

RECEIVED

AUG 31 2022

OWRD

BRUCE ERNST RA R	R11-381-23 T-1404	19			
Front Desk Staff receipts received AA funds					
Transfer Support process Application					
Administrator signs AA					
NRS 1 Support enters workflow record in WRIS and updates RA spreadsheet					
NRS 2 completes initial review of file for deficiencies					
NRS 2 consults with Kelly and/or Lisa					
NRS 2 writes and sends deficiency ltr (email and hard copy)					
NRS 2 addresses correspondence from app/agent regarding deficiencies					
Watermaster completes review					
Groundwater completes review					
NRS 2 completes DPD, PN, and RR					
Transfer staff peer reviews DPD, PN, RR					
Transfer Analyst completes policy check at DPD stage					
NRS 2 sends DPD to app/agent by email and/or mail					
NRS 2 drafts and sends revised DPD					
Transfer Staff peer reviews revised DPD					
Transfer Analyst peer reviews revised DPD					
NRS 2 reviews report of ownership					
NRS 2 completes PD					The same of the sa
Transfer Staff peer reviews PD					
Transfer Analyst peer reviews PD					
Data Center reviews PD AND RR: (RR where applicable)					
Transfer Analyst completes peer review of PN review for newspaper noticing					
Transfer Support requests newspaper quote for PN publishing					
NRS 2 sends publishing fee request to applicant					
Transfer Support processes fee and newspaper publishing			-	-	
Transfer Support processes public notice (dept notice)				-	DECEME
Administrator signs PD					RECEIVED
Transfer Support issues PD, updates WRIS, copy to file, and mails hard copy to applicant					Marine Control
NRS 2 completes FO					AUG 31 2022
Transfer Staff peer reviews FO					
Transfer Analyst peer reviews FO					0111
Administrator signs FO Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy					OWRD
NRS 1 closes out RA Contract			1000	-	The same
	TOTAL ESTIMAT	E HOURS	30.42		
				TOTAL	\$2,023.42

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT#

138672

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

INVOICE # ____

		(503) 986-0900	/ (503) 986-0904 (fax)		
BECEIVED ERO	M: Ernst	Nurser	y + Farms,	APPLICATION	
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RECEIPT: 138672

DATED: 07/15/22 BY

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OREGON WATER RESOURCES DEPARTMENT

TRANSFER REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION



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

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

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

REQUEST	TYPE	FILE NUMBER
×	Transfer Application	Transfer Number T-14049 NA

	Applicant Information	Applicant's Representative/Contact
Name:	Bruce Ernst	Pacific Hydro-Geology, Inc. c/o Doann Hamilton
Address:	PO Box 460	18487 S. Valley Vista Road
	St. Paul, OR 97137	Mulino, OR 97042
Phone:	(503) 633-8366	(503) 349-6946 cell
Fax:		(503) 632-5983
E-Mail Address:	acc@ernstnursery.com	phgdmh@gmail.com

I understand the following:

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

Transfer Reimbursement Authority Program 725 Summer St. NE, Suite A Salem, OR 97301-1271

Received by OWRD

JUL 1 5 2022

Salem, OR

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

Name: Bruce W Ernst
Signature: Bullow Emst

OWRD USE ONLY: Reimbursement Authority Number: R11-38(



Water Resources Department

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

July 27, 2022

BRUCE ERNST PO BOX 460 SAINT PAUL, OR 97137

Reference: Application T-14049

On July 15, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$3750.00. Our receipt number 138674 is enclosed.

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

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

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use or from the new point of appropriation until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

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

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

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

Doann Hamilton, Agent

Marion County

Enclosure

Regular Transfer Process (including "Proving Up" on the changes)

OAR 690 Division 380

Application Received (required information included)

Injury Review forms sent to Watermaster, and Groundwater staff and ODFW as appropriate

Notice of Application in WRD Weekly Notice (30-day Comment Period)

Review of the status of the right and the potential for enlargement or injury to other rights

Draft Preliminary Determination

(WRD assessment of whether application should be approved or denied, considering injury review and any comments received) sent to applicant, with request for a report of ownership for the lands where the transfer right is.

Applicant Review of

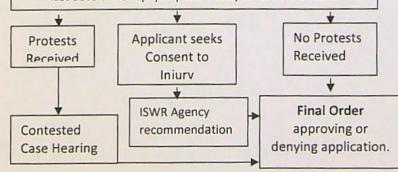
Draft Preliminary Determination
(Opportunity for applicant to submit a report of land ownership and modify or withdraw proposed transfer—at least 30 days

Preliminary Determination Issued

Notice of Preliminary Determination

in WRD Weekly Notice and, if statutorily required, in newspaper once a week for 2 or 3 consecutive weeks.

Protest Period ends 30 days after WRD notice, or 30 days after last date of newspaper publication, whichever is later.



Period for developing authorized changes

begins as soon as an order is issued approving the changes. If the certificate has been cancelled the right goes into an inchoate state.

Deadline for completion of the changes.

The applicant must make full beneficial use under terms and conditions of the order by the deadline or request an extension of time, or inform the department that he does not intend to

If the applicant decides not to complete a change in POD/POA, the Department will issue an order reverting the right to the original POD/POA and issue a new certificate. However, if any other type of change is not completed, the transferred portion of the right is forfeited.

An order may be issued, granting an extension of time for completing the changes.

Applicant submits a Claim of Beneficial
Use prepared by a CWRE within one year
after the completion deadline or the date
of complete beneficial use. There is no
provision for extending the deadline for
submission of the Claim.

Water Right Services Division reviews
the Claim, determines whether proof
has been made and if so, issues a new
certificate. Right is no longer inchoate,
but perfected and subject to being
transferred.

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT#

138674

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

INVOICE #

		(503) 986-0900 / (5	03) 986-0904 (Tax)						
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РЕСЕІРТ: 138674

DATED: 07/15/22 BY:

BY: _____

Application for Permanent Water Right Transfer



Part 1 of 5 - Minimum Requirements Checklist

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

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

Chec	k all it	em	s included with this application. (N/A = Not Applicable)			
\boxtimes			Part 1 – Completed Minimum Requirements Checklist.			
\boxtimes			Part 2 – Completed Transfer Application Map Checklist.			
			Part 3 – Application Fee, payable by check to the Oregon Water Resource completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd fee calculator.			
\boxtimes			Part 4 – Completed Applicant Information and Signature.			
			Part 5 – Information about Water Rights to be Transferred: How many to be transferred? 1 List them here: Certificate: 34191 Please include a separate Part 5 for each water right. (See instruction NOTE: A separate transfer application is required for each water right criteria in OAR 690-380-3220 are met.	ns on page 6)		
			Attachments:	JUL 1 5 2022		
			Completed Transfer Application Map.			
\boxtimes			Completed Evidence of Use Affidavit and supporting documentation.	OWRD		
	⊠ N/	Α	Affidavit(s) of Consent from Landowner(s) (if the applicant does not own right is on.)	n the land the water		
	⊠ N/	Α	Supplemental Form D – For water rights served by or issued in the name district. Complete when the transfer applicant is not the irrigation distri			
	□ N/	N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in whater is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change place of use only, b) no structural changes, c) the use of water is for irrigation only, and the use is located within an irrigation district or an exclusive farm use zone.				
	□ N/	Α	Water Well Report/Well Log for changes in point(s) of appropriation (we point(s) of appropriation.	ell(s)) or additional		
	Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface was source and more than 1000' upstream or downstream from the point of diversion. See 690-380-2130 for requirements and applicability.					
			(For Staff Use Only)			
		W	/E ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): Application fee not enclosed/insufficient Map not included or incomplete Evidence of Use Form not enclosed Evidence of Use Form not enclosed Post is incomplete Form not enclosed Evidence of Use Form not enclosed Evidence of Use Form not enclosed Evidence is incomplete Evidence is incomplete in its post	d or incomplete		
		0	Additional signature(s) required Part is incomplete ther/Explanation			
			aff: 503- Date: /	1		

Revised 7/1/2021

Permanent Transfer Application Form - Page 1 of 11

Part 2 of 5 - Transfer Application Map

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

	sure that the transfer application map you submit includes all the required items and he existing water right map. Check all boxes that apply.
⊠ □ N/A	Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre license view/. CWRE stamp and signature are not required for substitutions.
□ ⊠ N/A	If more than three water rights are involved, separate maps are needed for each water right.
\boxtimes	Permanent quality printed with dark ink on good quality paper.
	The size of the map can be $8\frac{1}{2}$ x 11 inches, $8\frac{1}{2}$ 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.
	The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
	Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
\boxtimes	Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
	Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
	Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
	Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
⊠ □ N/A	Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
	Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
⊠ □ N/A	If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32′15.5″) or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

	FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)	-	
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: Place of Use	0	44.000
2	Multiply line 2b by \$1090 and enter » » » » » » » » » » » » » » » » » » »	2	\$1,090
3	Subtract 1 from the number in 3a above: 0 (3b) If only one water right this will be 0 Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » » » » » »	3	\$0
	Do you propose to add or change a well, or change from a surface water POD to a well? No: enter 0 Yes: enter \$480 for the 1 st well to be added or changed \$480 (4a)		
4	Do you propose to add or change additional wells? No: enter 0 Yes: multiply the number of additional wells by \$410 \$820 (4b) Add line 4a to line 4b and enter » » » » » » » » » » » » » » » » » »	4	\$1,300
	Do you propose to change the place of use or character of use? No: enter 0 on line 5 Yes: enter the cfs for the portions of the rights to be transferred (see below*):0.42 (5a) Subtract 1.0 from the number in 5a above: -0.58 (5b)		RECEIVE JUL 15 20
5	If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » » »	5	OWRD \$0
6	Add entries on lines 1 through 5 above » » » » » » » » » Subtotal:	6	\$3,750
	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 6 by 0.5 and enter on line 7 »		40
7	If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » » » »	0	\$0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:	8	\$3,750

*Example for Line 5a 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:

1. For irrigation calculate cfs for each water right involved as follows:

a. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac= 0.56 cfs).

b. 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)

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 5a would be only 0.56
cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

	FEE WORKSHEET for SUBSTITUTION		
1	Base Fee (includes change to one well)	1	\$990.00
	Number of wells included in substitution(2a) Subtract 1 from the number in 2a above:(2b) If only one well this will be 0		
2	Multiply line 2b by \$480 and enter » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » Fee for Substitution:	3	NA

Part 4 of 5 - Applicant Information and Signature

JUL 1 5 2022

Applicant Information

APPLICANT/BUSINESS NAM Bruce Ernst	E	PHONE NO. (503) 633-8366	ADDITIONAL CONTACT NO	
ADDRESS PO Box 460			FAX NO.	
CITY Saint Paul	STATE OR	ZIP 97137	E-MAIL acc@ernstnursery.	com
BY PROVIDING AN E-M ELECTRONICALLY, COP			CEIVE ALL CORRESPONDENCE	FROM THE DEPARTMENT

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

AGENT/BUSINESS NAME Doann Hamilton / Pacif	ic Hydro-Geology,	Inc.	PHONE NO. (503) 632-5016	ADDITIONAL CONTACT NO. (503) 349-6946 (cell)		
ADDRESS 18487 S. Valley Vista Ro	ADDRESS L8487 S. Valley Vista Road			FAX NO. (503) 632-5983		
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phgdmh@gmail.com	n		

Explain in your own words what you propose to accomplish with this transfer application, and why:

The authorized Well 1 (MARI 1065) has not been able to produce enough water to cover all of our area.

We wish to add Well 2 (MARI 51725), Well 3 (MARI 68592) and Well 4 (MARI 1132) along with reconfiguring the authorized place of use to reflect improved mapping and to correspond with the realignment of McKay Rd and Hwy 219.

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

Check One Box

\boxtimes	By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to
	Department approval of the transfer, I will be required to provide landownership information and evidence that I am
	authorized to pursue the transfer as identified in OAR 690-380-4010(5); OR
	I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the
	municipality or a predecessor; OR
	I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.
	Free Company of the C

By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department
 for publication of a notice in a newspaper with general circulation in the area where the water right is located,
 once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing
 the notice in the following newspaper: Woodburn Independent.
- Amendments to the application may only be made in response to the Department's Draft Preliminary
 Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any
 issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be
 subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a
 refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error
 of the Department.

I (we) affirm that the informati	on contain	_		- 1	rate.		
Bruce w Errot			-	v Ernst	6-16-22 OWI	RD	
Applicant Signature		Print Nam	ne and tit	le if applicable	Date		
Applicant Signature		Print Nam	ne and tit	le if applicable	Date		
Is the applicant the sole owner located? ⊠ Yes ☐ No*	of the land	on which	the wate	r right, or portion th	nereof, proposed for transfer is		
*If NO, include signatures of all de attach affidavits of consent (and water right(s) were conveyed.							
Check the following boxes that o	apply:						
The applicant is responsent to the applicant.	sible for co	mpletion	of change	(s). Notices and cor	respondence should continue to	o be	
The receiving landowner issued. Copies of notice					d change(s) after the final order owner.	is	
Both the receiving land and correspondence sh					letion of change(s). Copies of no	otices	
At this time, are the lands in thi	s transfer a	application	in the pr	ocess of being sold	? ☐ Yes ⊠ No		
					ceiving landowner information r assignment will have to be file		
If a property sells, the certiful unless a sale agreement or https://www.oregon.gov/o	other docu	iment stat	es otherv	vise. For more infor	mation see:		
RECEIVING LANDOWNER NAME NA				PHONE NO.	ADDITIONAL CONTACT NO.		
ADDRESS					FAX NO.		
CITY	STATE	ZIP	E-MAIL				
Describe any special ownership	circumsta	nces:					
The confirming Certificate shall	be issued	in the nam	e of:	Applicant Rec	eiving Landowner		
Check here if any of the an irrigation or other water					ill be located within or serve	ed by	
IRRIGATION DISTRICT NAME NA			ADDRESS				
CITY			STATE		ZIP		
Check here if water for a contract for stored water					vice agreement or other		
ENTITY NAME NA			ADDRESS				
CITY			STATE		ZIP		

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

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

Part 5 of 5 - Water Right Information

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

Description of Water Delivery System

System capacity: 0.44 cfs cubic feet per second (cfs) OR

gallons per minute (gpm)

CERTIFICATE # 34191

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. <u>Authorized Well 1 (MARI 1065) is pumped with a 10 Hp submersible pump through the existing mainlines to supply drip irrigation to can yards and impact sprinklers to in-ground stock.</u>

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	R	ng	Sec	%	Х	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	Authorized Proposed	MARI 1065	4	s	2	w	4	sw	SE	DLC 70	610 feet south and 960 feet east from the NW corner, DLC 70
Re- described Well 1	Authorized Proposed	MARI 1065	4	S	2	w	4	sw	SE	DLC 70	720 feet south and 1,000 feet east from the NW corner, DLC 70
Well 2	☐ Authorized ☑ Proposed	MARI 51725	4	S	2	w	4	sw	SE	DLC 70	635 feet south and 1,000 feet east from the NW corner, DLC 70.
Well 3	☐ Authorized ☑ Proposed	MARI 68592	4	S	2	w	4	sw	SE	DLC 70	1,200 feet south and 1,905 feet east from the NW corner, DLC 70.
Well 4	☐ Authorized ☑ Proposed	MARI 1132	4	S	2	w	9	NE	NE	DLC 70	2,330 feet south and 1,090 feet west from the NE corner, DLC 70.

Check al	I type(s) of change(s) proposed	below (change	"CODES" are provided in parentheses):
	Place of Use (POU)		Supplemental Use to Primary Use (S to P)

	Character of Use (USE)		Point of Appropriation/Well (POA)
	Point of Diversion (POD)		Additional Point of Appropriation (APOA)
	Additional Point of Diversion (APOD)		Substitution (SUB)
	Surface Water POD to Ground Water POA (SW/GW)		Government Action POD (GOV)
Will all o	of the proposed changes affect the entire	water	right?
Yes	Complete only the Proposed ("to" or "on" "CODES" listed above to describe the pro		s) section of Table 2 on the next page. Use the changes.
⊠ No	Complete all of Table 2 to describe the po	ortion	of the water right to be changed.
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Table 2. Description of Changes to Water Right Certificate # 34191

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

	AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.								Proposed Changes (see			PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									s					
Tv	vp	Rn		Sec		1/4	Tax Lot	Gvt	Acres	Type of USE listed on	POD(s) or	Priority Date	"CODES" from previous page)	Tv	vp	Rı	ng	Sec	7/4	1/4	Tax Lot	Gvt		New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
4	s	2	w	4	NE	sw	1100	DLC 70	4.2	IR	Well 1	4-30-1964	POU, APOA	4	s	2	w	4	NE	sw	1100	DLC 70	3.6	IR	4	4-30-1964
4	s	2	w	4	SE	sw	1100	DLC 70	15.4	IR	Well 1	4-30-1964	POU, APOA	4	s	2	w	4	SE	sw	1100	DLC 70	10.9	IR	Wells 2, 3 and 4	4-30-1964
4	s	2	w	4	NE	SE	1100	DLC 70	2.1	IR	Well 1	4-30-1964	POU, APOA	4	s	2	w	4	SE	sw	1100	DLC 70	4.6	IR	Re-described Well 1	4-30-1964
4	s	2	w	4	NW	SE	1100	DLC 70	8.6	IR	Well 1	4-30-1964	POU, APOA	4	s	2	w	4	NE	SE	1100	DLC 70	2.0		Wells 2, 3 and 4	
4	s	2	w	4	sw	SE	1100	DLC 70	29.8	IR	Well 1	4-30-1964	POU, APOA	4	s	2	w	4	NW	SE	1100	DLC 70	7.4	IR	Wells 2, 3 and 4	4-30-1964
4	s	2	w	4	SE	SE	1100	DLC 70	5.1	IR	Well 1	4-30-1964	POU, APOA	4	s	2	w	4	sw	SE	1100	DLC 70	28.4	IR	Wells 2, 3 and 4	4-30-1964
4	s	2	w	9	NE	NE	1100	DLC 70	0.2	IR	Well 1	4-30-1964	POU, APOA	4	s	2	w	4	sw	SE	1100	DLC 70	3.0	IR	Re-described Well 1	4-30-1964
4	s	2	w	9	NW	NE	1100	DLC 70	2.9	IR	Well 1	4-30-1964	POU, APOA	4	s	2	w	4	SE	SE	1100	DLC 70	5.4	1	Wells 2, 3 and 4	
														4	s	2	w	9	NW	NE	1100	DLC 70	1.8		Wells 2, 3 and 4	
														4	s	2	w	9	NE	NW	1100	DLC 70	1.2	IR	Wells 2, 3 and 4	4-30-1964
						TOT	TAL ACI	RES:	68.3											TO	TAL AC	RES:	68.3			

Additional remarks: With improved mapping methods, including the use of orthographically corrected aerial photos, the relationship of the place of use relative to the section and sixteenth lines differs from the original final proof survey map. We also want to note the alignment of the existing roads has changed since the Certificate was finalized. This transfer is to change the place of use to conform with the new placement RECEIVED

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of the road, correct the location of Well 1, add Wells 2, 3 and 4, voluntarily cancel some acres covered by buildings and not used for can yard storage before shipping, and re-describe the place of use according to the current mapped locations of the section and sixteenth lines.

For Place of Use or Character 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: Permit G-18143.

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # NA; Surface water primary Certificate # NA.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

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

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well log/Default.aspx

AND/OR

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

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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	
Authorized Well 1	Yes	MARI 1065		See Well Log MARI 1065							
Proposed Well 2	Yes	MARI 51725		See Well Log MARI 51725							
Proposed Well 3	Yes	MARI 68592		See Well Log MARI 68592							
Proposed Well 4	Yes	MARI 1132		See Well Log MARI 1132							

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Application for Water Right

Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.

Supporting documentation must be attached.

State of	Oregon)	SS					DECEMEN
County	of MARION)			,	33					RECEIVED
I, BRUCE	ERNST, in my c	apacit	ty as <u>Ow</u>	NER/	OPERAT	OR,				JUL 1 5 2022
mailing	address PO Bo	x 460	, ST. PAU	L, OR	97137					OWRD
telepho	one number (50	03) 63	<u>3-8366</u> ,	being	first d	uly swo	rn depos	e and say:		OVERED
1.	My knowledg	e of th	ne exerc	ise or	status	of the v	vater righ	it is based or	(check one):	
	□ Perso	nal ob	oservatio	on			Professi	onal experti	se	
2.	I attest that:									
					ne prev	vious fiv	e years o	n the entire	place of use fo	or
			#							
	☐ My kı	nowle	dge is sp	ecific	to the	use of v	water at t	the following	Gov't Lot	hin the last five years:
	Certificate #	Tow	nship	Ra	nge	Mer	Sec	1/4 1/4	or DLC	(if applicable)
			100							
OR								. 6	00	
	Confirming Co								n the last five	years The
	instream leas	e num	ber is:		(Note:	If the e	ntire righ	t proposed t	for	
										eased instream.); OR
	The water rig would be reb							itation that	presumption	of forfeiture for non-use
	Water has be 10 years for 0								opriation for i	more than
					(cc	ntinues	on reve	rse side)		

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

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.

Brian Einst

Signature of Affiant

6-16-22 Date

Signed and sworn to (or affirmed) before me this 16 day of June 2012.

OFFICIAL STAMP

KAREN TUCK

NOTARY PUBLIC - OREGON

COMMISSION NO. 995170

MY COMMISSION EXPIRES JANUARY 05, 2024

Notary Public for Oregon

My Commission Expires: Jamery 5, 2024

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
RECEIVED	without the source being identified, the date of the photograph and source should be added.
JUL 1 5 2022	Sources for aerial photos:
OWRD	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

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING
T-12435, Marion County)	A TEMPORARY CHANGE
)	IN PLACE OF USE

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

BRUCE W. ERNST LIVING TRUST BRUCE W. ERNST TRUSTEE 4406 NE BIRDHAVEN LOOP NEWBERG, OR 97128 RECEIVED

JUL 1 5 2022

OWRD

Findings of Fact

- On July 20, 2016, BRUCE W. ERNST LIVING TRUST, BRUCE W. ERNST TRUSTEE
 filed an application to temporarily change the place of use under Certificate 34191 for a period
 of 5 years. The Department assigned the application number T-12435.
- Notice of the application for transfer was published on July 26, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 3. The portion of the right to be transferred is as follows:

Certificate: 34191 in the name of MICHAEL E. HOPFER (perfected under Permit G-2649)

Use: IRRIGATION of 62.9 ACRES

Priority Date: APRIL 30, 1964

Rate: 0.39 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, 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

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.

acre-feet per acre for each acre irrigated during the irrigation season of each

year.

Source: A WELL within the WILLAMETTE RIVER BASIN

Authorized Point of Appropriation:

Twp	Twp Rng M		Sec	Q-Q	Measured Distances			
4 S	2 W	WM	4	SW SE	610 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF DLC 70			

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
45	2 W	WM	4	NE SW	70	0.90
45	2 W	WM	4	SE SW	70	10.10
4 S	2 W	WM	4	NE SE	70	2.10
45	2 W	WM	4	NW SE	70	8.60
45	2 W	WM	4	SW SE	70	32.10
45	2 W	WM	4	SE SE	70	6.00
4 S	2 W	WM	9	NE NE	70	0.20
4 S	2 W	WM	9	NW NE	70	2.90
					Total:	62.90

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 Temporary Transfer Application T-12435 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	4	SE SE	70	6.40
4 S	2 W	WM	9	NE NE	70	23.40
4 S	2 W	WM	9	NW NE	70	24.00
4 S	2 W	WM	9	SW NE	70	3.30
4 S	2 W	WM	9	SW NE	70	0.03
4 S	2 W	WM	9	SE NE	70	3.50
48	2 W	WM	9	NE NW	70	1.20
4 S	2 W	WM	10	NW NW	70	1.00
4 S	2 W	WM	10	SW NW	70	0.07
					Total:	62.90

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 right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
- 7. The proposed change would not result in enlargement of the right.
- 8. The proposed change 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 change in place of use proposed in Temporary Transfer Application T-12435 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

- The temporary change in place of use proposed in Temporary Transfer Application T-12435 is approved.
- The former place of use shall not be irrigated as part of this water right during the 2016, 2017, 2018, 2019 and 2020, irrigation seasons.
- 3. The use shall revert to the authorized place of use at the end of the 2020, irrigation season.
- The approval of this temporary transfer may be revoked or modified if the Department finds
 the change causes injury to any existing water right.
- 5. 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.
 - b. The water user shall maintain the meter or measuring device in good working order.
 - c. The water user shall allow the Watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.
- 6. A subsequent application for permanent transfer of Certificate 34191 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 Certificate 34191.
- The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
- The use of the remaining water right described by Certificate 34191 shall continue to be in accordance with the terms and conditions of Certificate 34191.

Dated at Salem, Oregon this 23 day of August 2016.
9
Chryst Fil
Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Land Use Information Form

RECE VED

JUL 1 5 2022



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

OWRD

Applicant(s): Bruce Ernst

Mailing Address: PO Box 460

City: St. Paul

State: OR

Zlp Code: 97137

Daytime Phone: (503) 633-8366

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	, %%	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
<u>4S</u>	<u>2W</u>	4		1100	EFU	☑ Diverted	○ Conveyed	⊠ Used	<u>IR</u>
<u>45</u>	<u>2W</u>	4		1700	EFU	☑ Diverted	○ Conveyed	Used	<u>IR</u>
<u>4S</u>	<u>2W</u>	9		100	EFU	Diverted	○ Conveyed	Used	<u>IR</u>
						☐ 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 Permit Amendment or Ground Water Registration Modification Water Right Transfer Exchange of Water Limited Water Use License Allocation of Conserved Water Surface Water (name) Source of water: Reservoir/Pond Ground Water Estimated quantity of water needed: 0.42 Cubic feet per second gallons per minute acre-feet Commercial Intended use of water: Irrigation Industrial Domestic for household(s) Other___ Municipal Quasi-Municipal Instream Briefly describe: This Land Use Information Form is to accompany a water right transfer application that proposes to change the place of use, change the point of appropriation (well), and add three wells for an existing water right (Certificate 34191).

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

See bottom of Page 3. ->

For Local Government Use Only

JUL 1 5 2022

The following section must be completed by a planning official from each county and city listed unless the project will be called 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 ☐ Land uses to be served by the proposed wate by your comprehensive plan. Cite applicable	er uses (including proposed construction) are	allowed outrig	ght or are not regulated
☐ Land uses to be served by the proposed wate as listed in the table below. (Please attach do Record of Action/land-use decision and accor periods have not ended, check "Being pursu	er uses (including proposed construction) invocumentation of applicable land-use approvempanying findings are sufficient.) If approva	volve discretion als which have a	ary land-use approvals 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	d-Use Approval:
permits, etc.;		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		Obtained Denled	☐ Being Pursued ☐ Not Being Pursued
		Obtained Denled	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denled	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denled	☐ Being Pursued ☐ Not Being Pursued
Name: Jarel Bradford	: Title:	Associa	te Planner
Signature:	Phone: 503-566	-4173Date:	7-12-2022
	enty Planning Division		
Note to local government representative: Plea sign the receipt, you will have 30 days from the Information Form or WRD may presume the lan comprehensive plans.	se complete this form or sign the receipt be Water Resources Department's notice date d use associated with the proposed use of v	low and return to return the co vater is compat	ompleted Land Use lible with local
Receipt	t for Request for Land Use Informati	<u>on</u>	
Applicant name:			
City or County:	Staff contact:		
Signature:	Phone: Dat	e:	

The original and state on trace of EGEIVEN The original and first copy of this report are to be filed with the ATE ENGINEER, SALEM 10, OREGON TATE ENGIN (1) OWNER: Michael Hopfer Rt. 1 Aurora, Address (2) LOCATION OF WELL: Driller's well number % Section T. 4S Bearing and distance from section or subdivision corner 937' N and 265' E of the SW Corner of corner of section 4 or topperaturate in the state of (3) TYPE OF WORK (check): New Well T Deepening | Reconditioning | donment, describe material and procedure in Item 12. (4) PROPOSED USE (check): (5) TYPE OF WELL: Rotary & Driven Domestic | Industrial | Municipal | ☐ Jetted ☐ ☐ Bored ☐ Cable Irrigation A Test Well | Other Dug (6) CASING INSTALLED: Threaded | Welded | 0 ft to 19 ft Gage .250 0 ft to 182 ft Gage .250 __ ft. Gage __.250 ___ " Diam. from _____ __ft_to_____ft_Gage_ (7) PERFORATIONS: Perforated? Yes | No torch Type of perforator used Size of perforations ft. to 65% 85-3" 190 perforations from 123'-8" 180 ft to 143'-9" perforations from 16313" perforations from ... (8) SCREENS: Well screen installed Yes No Manufacturer's Name Set from (9) CONSTRUCTION: Well seal-Material used in seal ... Concrete Depth of seal ______ft. Was a packer used? Diameter of well bore to bottom of scal ____24____ in. Were any loose strata cemented off? [Tet & No Depth ...

Was a drive shoe used? ☐ Yes ☑ No

Did any strata contain unusable water? D Yes 2 No

Gravel placed from _____19 ___st, to

Type of water? Method of sealing strata off (10) WATER LEVELS:

Static level Artesian pressure

Was well gravel packed? M Yes O No Size of gravel: 3/8 = 19 ft. to 182 ft.

Dorth of Strata

WATER WELL REPORT
STATE OF OREGON
GINEGER Type or print

4/24 401

e or print) State Well No.	-	
G 2842 State Permit No.		
(11) WELL TESTS: Drawdown is amount v	vater leve	I is
Was a pump test made? Yes No If yes, by whon		
Yield: 600 gal./min. with 30 ft. drawdow 51 "	n after	200.00
600 21	- 6) "
Baller test gal./min, with ft. drawdow	m after	hrs.
Artesian flow g.p.m. Date		7 37
Temperature of water Was a chemical analysis n		Son Dio
(12) WELL LOG: Diameter of well below of	asing -T	78
Depart drined	GII	260
Formation: Describe by color, character, size of materia show thickness of aquifers and the kind and nature of i stratum penetrated, with at least one entry for each of	the materi	al in each formation.
MATERIAL	FROM	TO
Top Soil	0	3
Light Brown Clay	3	26
Brown Clay Hard	26	39
Dark Brown Clay	39	54
Fine Black Sand	54	61
Brown Clay with Layers of Sand	61	83
Hard Brown Clay	83	89
Blue Clay	89	101
Brown Clay	101	112
Blue Clay	112	123
Black Sand	123	132
Wood Wood	132	133
Brown Clay	133	136
Hard Brown Clay turning to	136	
Blue at	1)0	143
To Green at		150
To Blue at	165	166
Black Sand	166	174
Chalk White Clay	174	180
Light Brown Clay	180	205
TIENTO DI ONIL OTAY	100	207
We installed a concrete plug at	1781	
· · ·		
Work started 12-14 19 63 Completed 1-6		19 64
Date well drilling machine moved off of well 1-6		19 64
	DEC	19 04
(13) PUMP: Manufacturer's Name	REC	EVEL
Type:	LEUL	1 5 2022
Water Well Contractor's Certification:		
This well was drilled under my jurisdiction true to the best of my knowledge and belief.	and al	reperDis
NAME Milo Schneider Equipment Co.		
Address Star Rt., Box 97, St. Paul,	Oregon	
Drilling Machine Operator's License No. 212		
[Signed] / file Schner (Water Well Contractor)	des	
Contractor's License No. 387 Date 1-2	5	., 19.64

ft. below land surface Date 1-4-64

lbs. per square inch Date (USE ADDITIONAL SHEETS IF NECESSARY) HEVEIVE

APR 2 5 1997

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

(as required by ORS 537.765) WATER RESOURCES DEPT.

Instructions for completing this report are on the last page At the forme GON

(START CARD) # __78623

	(1) OWNER: Well Number		WELL by legal desc		ongitude		
		Township 4 S	N or S Range	2W	H o	w. W	/M
		Continuo 4 5	SW 14	NE	1/4		***
		Scalon 4	SW 1/4_	Luz			
		Tax Lot 0110 Lot Block Subdivision Street Address of Well (or nearest address) 6177 Gearin Rd. St. Paul, OR 97137					_
						_	_
	- Control - Control - Control - Control	(10) STATIC WATE			- 4	127/0	17
	Total Control of the	The second secon	low land surface.		Date 4/		
			lh. per squar	e inch.	Date		
	Domestic Community Industrial Alrrigation	(11) WATER BEAR	ING ZONES:				
	Thormal Injection Livestock Other						
	(5) BORE HOLE CONSTRUCTION:	Depth at which water wa	s first found 20'				
-	Special Construction approval Yes No Depth of Completed Well 347 ft.						
	Explosives used Yes X No Type Amount	From	To	Estimate	d Flow Ka		SWL
	HOLE SEAL	20	32	20gpm			8'
	Diameter From To Material From To Sacks or pounds	297'	341'	800 g	pm	6	21
-	20" 0 40' holeplug 0 40 40 sacks						
-	bentonite						
	16" 40 347			240			
		(12) WELL LOG:					
	How was seal placed: Method A B C D E		Elevation				
Name Address Gity (2) TY New (3) Di Rot Oth (4) Pi Doo Specia Explos Backfi Gravel (6) C Casing Liner: Final le (7) Pi S From +3 299 319 339 347 (8) W Viel 8 Temper Was a v Did any Salty	& Other OAR 690-210-340						
	Backfill placed from ft. to ft. Material	Materia	al	From	То	SW	L
	Gravel placed from ft. to ft. Size of gravel	Topsoil		0	1		
	(6) CASING/LINER:	. Clay brown		1	36		
	Diameter From To Gauge Steel Plastic Welded Threaded	Clay gray br		36	46		
	Casing: 16" +2: 298 .375 K	Clay silty g	ray	46	75	-	
		Sand-silt		75	87	日	2
		Clay gray		87	115	100	2
		Sand & clay	gray	115	126	703	10
	Liner:	Clay gray		126	144	CE	-
		Clay with sa	nd & gravel	144	175	111	-
		Clay gray		175	212	R	
		Clay w/sand		212	224	UILLIA	
_		Clay gray,pa		224	276		
		Clay w/sand,		276	281		
	From To size Number Diameter size Casing Liner	Clay sandy, b		281	292		
		Clay silty b	rown	292	297		
		Sand brown		297	304	62'	
_		Sand black		304	315	62'	
		Gravel & san	d,black	315	341	62	
	347 Bottom plate & lift bail	Clay gray		341	347		
		10/04/	0.5	1.12	- 100		
	(8) WELLTESTS: Minimum testing time is I hour				7/97		_
	Flowing	(unbonded) Water Well					
(1) OWNER: Name Errist Nursery & Farms Address 20863 Riverside Dr. NE City St. Paul State OR (2) TYPE OF WORK New Well Deepening Alteration (repair/recondition)		I certify that the work	I performed on the constr	ruction, alter	ration, or al	pandonr	nent
		Materials used and inform	nation reported above are	true to the	best of my	knowled	dge
Name Ernst Nursery & Farms Address 20863 Riverside Dr. NE Clay St. Paul State OR Zip 97137	and belief.						
		¥	+mat	WWC Nu	mber 13		_
			Minmin		Date 4/	33/9	7_
	Temperature of water 54 Depth Artesian Flow Found	(bonded) Water Well Co					
	Was a water analysis done? Yes By whom	I accept responsibility	for the construction, alte	ration, or ab	andonment	work	
	Did any strata contain water not suitable for intended use? Too little	performed on this well du performed during this tim	e is in compliance with (meon water	r summer w	-11	
	Salty Muddy Odor Colored Other	performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.				f.	
	Depth of strata:	-()	28		mber 78		
		Signed wan	of more	n	Date 4/	21/9	37
	ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SEC	COND COPY-CONSTR	UCTOR THIRD	OPY-CUS			

MARI 68	592 WELL I.D. LABEL# L 132853				
STATE OF OREGON	START CARD # 215109				
WATER SUPPLY WELL REPORT	ORIGINAL LOG#				
(as required by ORS 537.765 & OAR 690-205-0210)	ORIGINAL LOG#				
(1) LAND OWNER Owner Well I.D.					
First Name Bruce Last Name Ernst Company Ernst Nursery & Farms	(9) LOCATION OF WELL (legal description)	W manyana			
Address PO Box 460	County MARION Twp 4 S N/S Range 2	1100 E/W WM			
City St. Paul State OR Zip 97137	Sec 4 SW 1/4 of the SE 1/4 Tax Lot	1100			
(2) TYPE OF WORK New Well Deepening Conversion	Tax Map Number Lot Lat ror	DMS or DD			
Alteration (complete 2a & 10) Abandonment(complete 5a)					
(2a) PRE-ALTERATION	Long or or Nearest address				
Casing: Casing					
Material From To Amt sacks/lbs	6180 Gearin Road NE, St. Paul, OR 97137	•			
Scal:					
(3) DRILL METHOD	(10) STATIC WATER LEVEL Date SWL(nsi)	+ SWL(ft)			
Rotary Air Rotary Mud X Cable Auger Cable Mud	Existing Well / Pre-Alteration Date SWL(psi)	SWE(III)			
Reverse RotaryOther	Completed Well 03-21-2019				
(4) PROPOSED USE Domestic XIrrigation Community	Flowing Artesian? Dry Hole?				
Industrial/Commericial Livestock Dewatering	WATER BEARING ZONES Depth water was first four	nd 76			
Thermal Injection Other	SWL Date From To Est Flow SWL(psi				
(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)	09-28-2018 76 90	21			
Depth of Completed Well 95 ft.	07-20-2010 /0 70				
BORE HOLE SEAL sacks/					
Dia From To Material From To Amt lbs					
16 0 34 Bentonite Chips 0 34 34 S					
12 34 93 Calculated 20					
Calculated	(11) WELL LOG Ground Elevation				
How was seal placed: Method A B C D E	Material From	То			
X Other 690-210-0340	Clay, brown 0	5			
Backfill placed from ft. to ft. Material	Silt, brown 5 Silt, greenish gray 19	19			
Filter pack from ft. to ft. Material Size	Clay, greenish gray, sand 32	38			
Explosives used: Yes Type Amount	Clay, greenish gray 38	42			
(5a) ABANDONMENT USING UNHYDRATED BENTONITE	Clay, gray 42	52			
Proposed Amount Pounds Actual Amount Pounds	Sand, black, silt, dark gray 52 Sand, black, silt, layers, dark gray 76	76			
(6) CASING/LINER Casing Liner Dia + From To Gauge Stl Plste Wid Thrd	Clay, dark greenish gray 90	93			
	Clay, blueish gray. 93	95			
○ 12 X 1.5 58.14 .25 ○ ○ X ○ 10 X 2.96 95 .25 ○ ○ X	RECEIVED				
8 10 9 250 153 8 8 A A A		DEC			
	JUN 2 6 2019	RECEIV			
Shoe Inside X Outside Other Location of shoe(s) 58.14	6110515	JUL 15 21			
Temp casing Yes Dia From To To	OWRD				
(7) PERFORATIONS/SCREENS		Olares			
Perforations Method		OWRD			
Screens Type V-wire Material stainless steel Perf/S Casing/Screen Scrn/slot Slot # of Tele/	Date Started 09-28-2018 Completed 03-19-2	019			
Perf/S Casing/Screen Scrn/slot Slot # of Tele/ creen Liner Dia From To width length slots pipe size	(unbonded) Water Well Constructor Certification				
Screen 10 69.75 90 .08 10	I certify that the work I performed on the construction, deep				
	abandonment of this well is in compliance with Oregon				
	construction standards. Materials used and information report the best of my knowledge and belief.	icu above are true to			
	License Number 1704 Date 04-12-201	9			
(O) WELL TESTS. Minimum testing time is 1 hours	1704 Date 04-12-201				
(8) WELL TESTS: Minimum testing time is 1 hour Pump Bailer Air Flowing Artesian	Signed				
	(bonded) Water Well Constructor Certification				
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr) 200 48.5 4	I accept responsibility for the construction, deepening, altera	tion or shordow			
	work performed on this well during the construction dates repo				
	performed during this time is in compliance with Oregon	water supply we			
Temperature 53 °F Lab analysis Yes By	construction standards. This report is true to the best of my kn	owledge and belief.			

License Number

Cortact Info (optional)

Signed

Amount Units

Yes (describe below) TDS amount 87
Description Amount

Water quality concerns?

Date 04-12-2019

MARI 68592

WATER SUPPLY WELL REPORTcontinuation page

WELL I.D. LABEL# L	132853	
START CARD # ORIGINAL LOG #	215109	
ORIGINAL LOG#		

(2a) PRE-ALTERATION	Water Quality Concerns
Dia + From To Gauge Stl Plste Wld Thrd	From To Description Amount Unit
Material From To Amt sacks/lbs	
	MAN OF A PRO NIA TIED I EXTEL
(5) BORE HOLE CONSTRUCTION	(10) STATIC WATER LEVEL SWL Date From To Est Flow SWL(psi) + SWI
BORE HOLE SEAL sacks/	SWL Date From To Est Flow SWL(psi) + SWI
Dia From To Material From To Amt lbs	
Calculated	
Calculated	
Carculated	
Calculated	
Calculated	
FILTER PACK	
From To Material Size	(11) WELL LOG
	Material From To
6) CASING/LINER	
Casing Liner Dia + From To Gauge Stl Plste Wld Thrd	
	RECEIVED
RAHHHH RAHH	
KAL-H-KAHH	JUL 1 5 2022
	OWED
RAI HERRIE	OVVICE
H B SI F F F B SI F F F F F F F F F F F F F F F F F F	
	RECEIVED
7) PERFORATIONS/SCREENS	MEDELVE
	JUN 2 6 2019
Perf/S Casing/Screen Scrn/slot Slot # of Tele/ creen Liner Dia From To width length slots pipe size	0011 25 0011
	OWRD
	Comments/Remarks
	Comments/Remarks
(8) WELL TESTS: Minimum testing time is 1 hour	Bottom plate at 95 feet
	Lifting bale 93.5 feet
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)	

The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON 97316 within 30 days from the date of well completion.	C 2 4 1965 STATE OF	OREGON	IAN 2	WE 1966	Dwell N	10. 4/	126-	9 A
of well completion. Si -1E	ENGINEER	STA	TE E	NGINE	ER ER	t No		
	M OREGON	(11) WEI	LL TES	TREED	wered belo	s amount ow static le	water level evel	is
Name Amiel Desmet		Was a pump				, by whom	17	
Address Rt. 1, Box.110		Yield: 500		al./min. witi			wn after 6	
Aurora, Oregon	EXPLORED DESCRIPTIONS 2.23		with	air lif	t	"		"
(2) LOCATION OF WELL:				#	143.	# dunwid	attan	
County Marion Driller's well	number	Bailer test Artesian flov		gal./min. w	p.m. Date	ft. drawdo	own arter	hrs.
34 34 Section 9 T.	4S R. 2W W.M.	Temperature					made? 🗆 Y	es X No
Bearing and distance from section or subdivisi	on corner	(12) WEI			eter of we		asing	0
		Depth drilled	1 113	ft. De	epth of con	mpleted w	ell 113	ft.
•		Formation: I show thickness tratum pend	Describe bess of agua	y color, char ifiers and the oth at least o	acter, size kind and one entry	of materia nature of for each c	il and structhe materi	ture, and al in each ormation.
				MATERIAL			FROM	то
(3) TYPE OF WORK (check):		Blue cl		MATERIAL			FROM	393
New Well Deepening Recon	ditioning Abandon	Blue sa					391	65
andonment, describe material and proces	dure in Item 12.	Blue cl					65	74
(4) PROPOSED USE (check):	(5) TYPE OF WELL:			all lave	r clav		74	112
	Rotary Driven	Clay	aras San	Marie Mass J. S.	-		112	113
Domestic Industrial Municipal	Cable D Jetted							
Irrigation ☐ Test Well ☐ Other ☐	Dug 🛘 Bored 🖂							
(6) CASING INSTALLED: Three	aded Welded X		131-7					
18 " Diam. from 0 ft. to 39	ft. Gage 250		KEU	PEINER				
12 " Diam. from 0 ft. to 113	ft. Gage							
" Diam. from ftto			JUL	15 2022	-			
(7) PERFORATIONS: Perfo	prated? Yes No				-			
Type of perforator used torch	prated D res D 140		0	TARRESTA	-	-		-
Size of perforations 3/8 in. by 8	in.		-0	Ahistra				-
360 perforations from 82	ft. to 112 ft.				-			
perforations from	ft. toft.							
perforations from								
perforations from	ft, to ft.	Van Indiana						
perforations from	ft. to ft.							
(8) SCREENS: Well screen instr	alled? Yes KNo							
Manufacturer's Name		•		-				
Diam. Slot size Set from	tt to ft	Work started	5-17	7-65 19	. Com	pleted 6	-25	1965
		Date well dr	illing mad	chine moved	off of wel	11		19
(9) CONSTRUCTION:		(13) PUN	IP:					
Well seal-Material used in seal Bento	onite	Manufacture	r's Name	nor	le			
Depth of seal 391 ft. Was #	packer used? yes	Туре:					н.р.	
Diameter of well bore to bottom of seal	24 in.						н.Р.	
Were any loose strata cemented off? Tyes	No Depth	Water Well	Contrac	ctor's Certi	fication:			
Was a drive shoe used? ☐ Yes ဩ No	2/0 2/1	This we	ll was d	rilled unde	r my jur	isdiction	and this	report is
Was well gravel packed? ☐ Yes ☐ No. S.	ize of gravel: 3/8 - 3/4	true to the	best of i	my knowled	ige and b	elief.		-cport 15
Gravel placed fromOtt. to		NAME	Milo S	Schneide	r			
Did any strata contain unusuable water?			(Person, f	irm or corpora	ation)	(T)	pe or print	
Type of water? depth of s	trata	Address	Doar I	Rt., Box	7/2 S	c. Paul	L, Oreg	on
Method of sealing strata off		Drilling M	achine O	peratof's V	Tense N		212	
(10) WATER LEVELS:		ش	m. 0	111	7	~		***************************************
Static level 9 ft. below land	i surface Date	[Signed] !	tulo	ann.	Vater Well	Contract		
	pare inch Date	Contractor'	s Licens				-65	10
	- (USE ADDITIONAL SE	EETS IF NEC	ESSARY)		Jane Date	***************************************	***************************************	., 19

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AFFIDAVIT FOR THE VOLUNTARY CANCELLATION OF A <u>PORTION</u> OF A WATER RIGHT CERTIFICATE (ORS 540.621)

State of Oregon)		
County of Marion County) ss)		
I/We (or authorized agent), Bruce Ernst, residir (503) 633-8366, being first duly sworn depose a		St. Paul, OR 97137, telepho	ne numb
 I/We are the legal and deeded owner(s) of the ¼¼, Section 4 and 9, Township 45 in Marion County, Oregon, as shown on the legal description and made part of this affid. 	(N/S), Range <u>2V</u> attached map an	<u>₩</u> (E/W), of the Willamette	Meridian,
I/We wish to cancel the following portion(s <u>Michael E. Hopfer</u> with a date of priority of		it certificate number <u>34191</u> is	ssued to
A place of use, or use.			
For the use of (specify irrigation, do FOR IRRIGATION OR NURSERY USE Total number of acres to be call	: ncelled <u>3.2</u>		
 Location of acres to be cancelle map. 	ed must be clearly	identified on a copy of the f	inal proo
In the amount of 0.0197 cubic foot	per second	RECEIVED	
From the water source (s) A Well		JUL 1 5 2022	
e e		OWRD	
AND/OR (less common)			
One or more of the authorized points (groundwater) authorized under the o		ce water) or points of appro	priation
For the use of (specify irrigation, do	omestic, etc.)	-	
From the water source (s)			
Located within the¼¼, Section	on Townshi	p (N/S), Range	(E/W)
Location Description (if given on the ce	rtificate)		

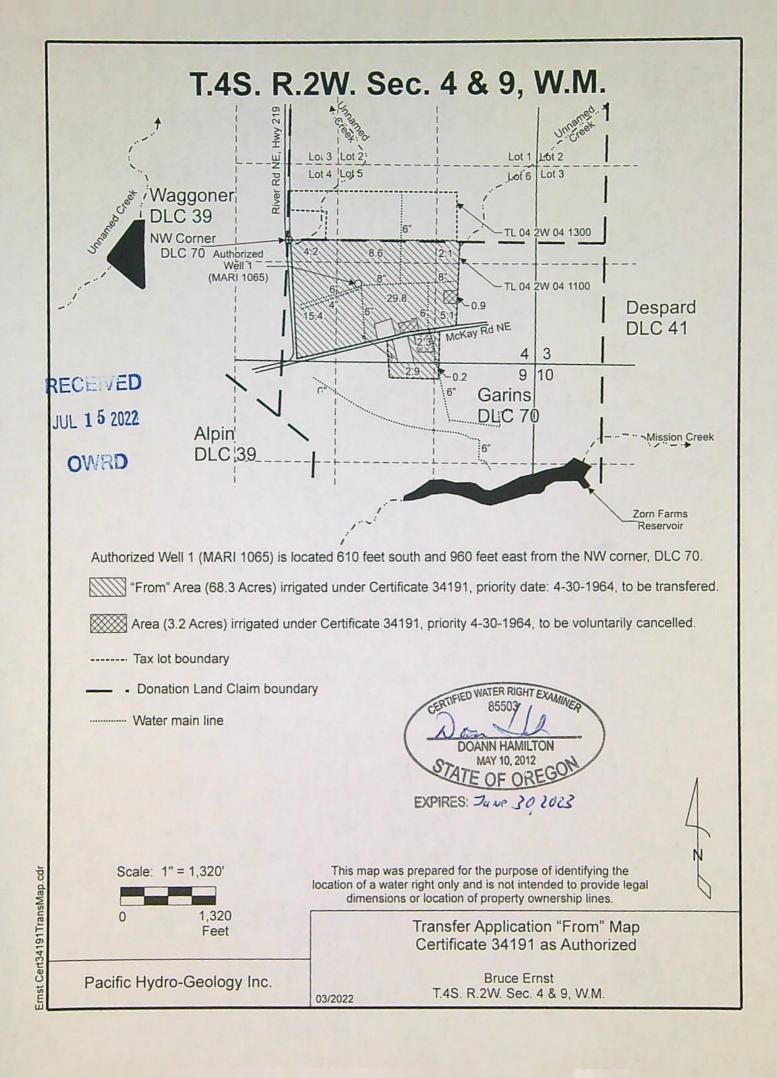
Page 1 of 2

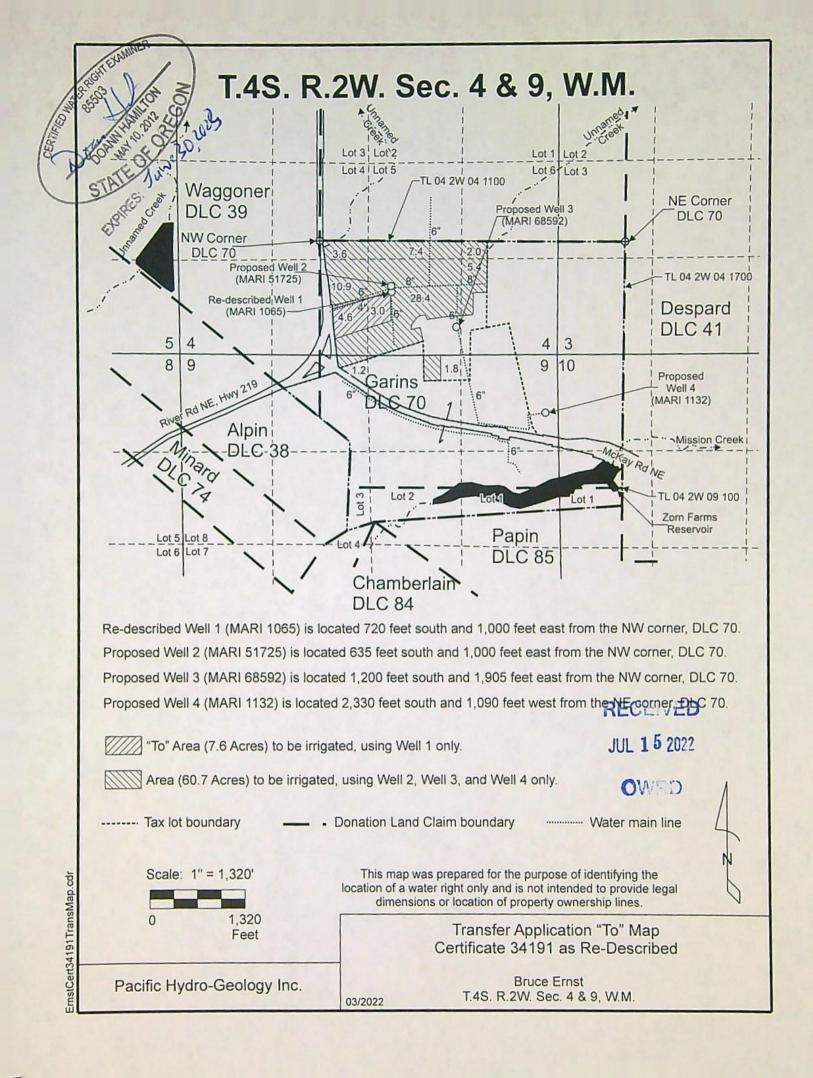
3.		rict, or federal reclama	ooundaries of an irrigation, drainage, water ation project (if the right is located within a
4.		indicates the concurr	y an irrigation district. The signature of the rence of the district to the cancellation of
NA			
Sig	nature of district manager	Printed Name	Date
5.		t to the cancellation	tion district then the affiant must have on of the portion of the water right. cuments consent of the district.)
NA			
Sig	gnature of district manager	Printed Name	Date
	and request that portion of the right Bluck with the state of legal owner as listed on de	nt be canceled.	of the water right described in Item 2, above, $\frac{\sqrt{-10-22}}{\text{Date}}$
Sig	gnature of legal co-owner as listed on (If applicable)	deed	Date
	Subscribed and Sworn to B	sefore Me this	_day of June , 20 22
	OFFICIAL STAMP KAREN TUCK NOTARY PUBLIC - OREGON COMMISSION NO. 995170 MY COMMISSION EXPIRES JANUARY		Notary Public for Oregon
		Му	Commission Expires January 5, 2024
	SE ATTACH A LEGIBLE COPY OF:		
	eed which lists landowners and include		
	ppy of a water right final proof map, ondoned portion of the right clearly d		adjudication map with the
	CTING AS AN AUTHORIZED AGENT, I		ver of Attorney or other documents
			RECEIVED
		Do 2 - 62	. 1 5 2022

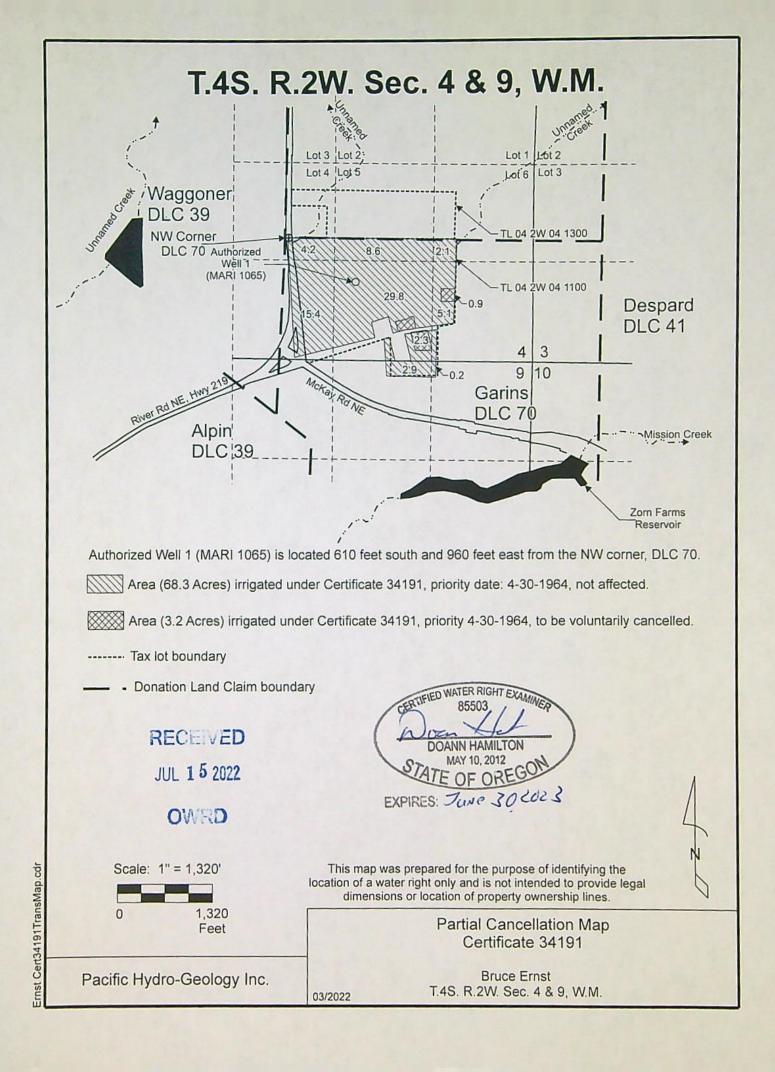
1)

2)

3)







REC ED JUL 1 5 2022



Permanent Transfer Application Intake Completion Checklist

Che	ck the Certificate(s)	in WRIS		Transfer	# T- \L	1040	1
	cked by- ARLA e- JULY 20, 2022	Type of Change(s)	Substitution	Supplemental to Primary	POU	POD	APOD
Fee Received: 3750.00		Proposed: Mark the Proposed Changes	Gov Action	Surface to Ground	USE	РОА	APOA
Calculated Fee:				How many right		sferred?	1
Add	0.00 itional Observations: ncellation of 3.2 acres			Certificate # 34	*131		
If OK	and complete, check bo	x to the left; if NOT, fill in.					
	If no, what is missing?	on complete? Have all applic Whose signature is missing the place of use is in <u>or</u> nea	?				
				•			
	the description of the If no, you may need to 4. Is there only one (1) was If no, are the criteria of	nas the applicant(s) complete explanation of the reasons for contact the applicant or ago rater right included in this transforms of OAR 690-380-3220 for mo	or transfer on ent? ansfer applicat re than one W	Part 4 of the ap ion? R met? Yes or	oplication No	?	
	separate completed P	es do each of the certificates art 5 tables 1 & 2? e(s) are missing a separate Pa				rown	
		nd signed by a CWRE? Does				Yes [No
\boxtimes	7. If a change in point of	appropriation (POA), have t	he well logs be	en included? [□ N/A.		
	8. If a change in place of Supplemental Form U	use (POU) within Umatilla C P N/A.	ounty, have th	e applicant(s) p	provided a	1	
		cklist are checked (with no rake completeness check she	A CONTRACTOR OF THE PARTY OF TH		ed), ACCE	PT the	applicatio
	It should be retu	e left are NOT checked, then trned and the deficiencies li e 1, <u>unless</u> the applicant or a	sted in the "st	aff" section at	the botto	m of	
	etions taken				D-1		