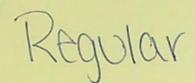
T-14102



T-14102

LANDANC						
KEYUIAY		D	\wedge			
J			A			
		5				
Name_WEISZ FAMILY, LLC						
Attn: Given Weisz	DESCRIPTION OF WATER RIGHT(s)				FEES PAID	
Address 14905 Butteville Rd NE				Date	Amount	Receipt #
BEYVAIS OR 97026	Name of Stream A Well			10.3 2022	\$3,070.00	139270
Senecalle Cicloud.com				10-3-2022	\$125.00	139257
	Trib. of Senecal Creek Basin	2			12,131.82	
Change in POA				2-8-2024	\$71.40	142380
Date Filed 10-3-2022	Use Irrigation	County Marion		1-7-2025	\$ 170.00	144504
Initial notice date 10-11-2022	Quantity of water (CFS)	No. of Acres				
DPD issued date 12-7-2023	Name of ditch					
PD issued date 3/1/2024	App# Az-3901 Per # Bz-31010		PR Date 4/21/191	50		
PD notice date 3/5/2024	App# Per #	Cert #	PR Date		FEES REFUN	DED
Date of FO 6/11/2024 Vol 131 Page 384-388		Cert #	_ PR Date		Amount	Receipt #
	App# Per #	Cert #	_ PR Date			
	App# Per #	Cert #	_ PR Date			
C-Date						
COBU due date						
COBU Received date						
Certificate issued						
Assignments:						
1.001g/micrito						
Irrigation District						
Agent Pacific Hydro-Geology line P	havek @ betanline com					
Agent Patitic induso oronogy inc. b	aggent anothing course					
CWDE	GNED					
CWRE ASSI CC's list Receiving Landowner : Specht	Development Inc	Marion County				
COSING KEEPING LANDOWNER SPECIAL	ter Skei	i white county				
ITTIN: PE	Arappaning Rd Starta	State of the second	THE TRANSPORT			
To it is it is the second seco	N Greenburg Rd., Ste 170					
- Oversized map - Location Portland	OR 97223					

RECEIPT #	144504	725 Summer St SALEM, OR 9	ES DEPARTM	ENT INVOICE # .	
RECEIVED FROM	M: 10/137 FA	mily Li	14	APPLICATION	
BY:	the open	1		PERMIT	
	Fine Service Con			TRANSFER	T-14102
CASH: CH		: (IDENTIFY)		TOTAL REC'D	\$ 20.00
1083	TREASURY 417	0 WRD MI	SC CASH ACO	СТ	
0407	COPIES		34.34		\$
	OTHER: (IDENTI	EY)			\$
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0243 1/5 Le	ase 0244 Muni \	Contraction of the second second			
	427	U WRD U	PERATING AC		
	MISCELLANEOUS		7611		\$
0407	COPY & TAPE FEES				\$
0410	RESEARCH FEES				\$
0408	MISC REVENUE: (IDEN	al and		-	\$
TC162	DEPOSIT LIAB. (IDENTI	FY)			\$
0240	EXTENSION OF TIME				
	WATER RIGHTS:		EXAM FEE		RECORD FEE
0201	SURFACE WATER		\$	0202	\$
0203	GROUND WATER		\$	0204	\$
0205	TRANSFER		\$		
	WELL CONSTRUCTION		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUC	TOR	\$	0219	\$
	LANDOWNER'S PERMIT			0220	\$
0250	OTHER (IDE		ssignme	int h	\$ 170.00
0536	TREASURY 043	7 WELL C	ONST. START	FEE	
0211	WELL CONST START FE	E	\$	CARD#	
0210	MONITORING WELLS		\$	CARD#	
	OTHER (IDE	NTIFY)	2		
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	HYDRO APPLICATION				\$
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DESCRIPT				10	
RECEIPT:	144504	DATED: 1-7	2025BY:_	132	and the second s

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





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

January 8, 2025

Weisz Family, LLC c/o Greg Weisz 14905 Butteville Rd NE Gervais, OR 97026

Reference: Transfer T-14102

The assignment from Specht Development, Inc., c/o Peter Skei to Weisz Family, LLC, c/o Greg Weisz has been recorded in the records of the Water Resources Department.

The Departments records will now show Weisz Family, LLC, c/o Greg Weisz as the transfer holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 144504 covering the recording fee is also enclosed.

A transfer is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the transfer to be familiar with the conditions and timelines contained in the transfer.

Sincerely,

May JDI

Mary F. Bjork Water Rights Program Analyst Water Right Services Division

Enclosure: Original Request and Receipt #144504

cc: Specht Development, Inc., c/o Peter Skei – 10260 SW Greenburg Rd Suite 170, Portland, OR 97223 Data Center, OWRD (cover letter & request) File

Request for Assignment



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

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

	echt Development Inc. c/o Peter	Skei				
	of Current Holder of Record)	Dent	1	OD	07222	
	60 SW Greenburg Rd Suite 170	(City)	(State)		97223 (Phone #)	-
	hereby assign <u>all my interest</u> in and to <u>the entire</u> applic statement; (example, sold all the land author				der/limited license/groundwater	
	hereby assign <u>all my interest</u> in and to <u>a portion</u> of ap license/groundwater statement; (<u>You must include a</u> application/permit/transfer order/limited license/group portion of the land authorized under the right)	map show	ving the p	ortior	n of the	
	hereby assign <u>a portion of my interest</u> in and to <u>the e</u> license/groundwater statement; (example, adding an				/transfer order/limited	
	Application #; Permit #;		; Tran	sfer O	rder #;	
	Limited License #; Gr	oundwate	er Statem	ent#_	;	
as file	d in the office of the Water Resources Director, to:					
We	isz Family LLC c/o Greg Weisz					
No. and No.	e of New Owner)					
	05 Butteville Rd NE Ger ng Address)	(City)	OR 9 (State)	and the second s		
(main		(City)	(State)	(21)	(Phone #)	
tran	e: If there are other owners of the property described is or groundwater statement, you must provide a list of attach it to this form. Write the initials (first letters) of I hereby certify that I have notified all other owners asfer order, limited license, or groundwater statement mess my hand this <u>17</u> th day of <u>Decca</u> (Day) (M mature of Current Holder of Record	fall other of your firm of the pro- of this Re- (m6w lonth)	owners' i st and las operty de: quest of A	names t name scribe ssign 24 (Year	and mailing addresses and es at the spot indicated below d in this application, permit, ment. 	1-10-2025
L	Failure to provide any of the required informa	ation will	result in t	the re	turn of your application.	1º
Oreg 8:00 Fee For	receipt # 144504	form mus	t be subn	nitted	for Assignment" to the Department fee of \$120. Received by 0 JAN 0.7 2	

Request for Assignment

WR Salem, OR



Received by OWRD JAN 07 2025 Salem, OR

Date Received (Date Stamp Here)-

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: 1. De. 152 Frey Meisz Family 1490 NF GENGIN. Transaction Type: ign ment Fees Received: \$ A Cash Check; · Check No. Name(s) on Check: Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible. If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete. If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted. If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810. Sincerely, **OWRD** Customer Service Staff Submission received by: Instructions for OWRD staff:

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



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 11, 2024

P.J. Willard Route 1, Box 76 Gervais, OR 97026

RE: Water Right Certificate 97323 - Remaining Right

The enclosed water right *may* be appurtenant to land you own. This water right certificate describes the water right that remains UNCHANGED as a result of Transfer Application T-14102.

The enclosed document (Certificate 97323) **does NOT confirm** the validity or status of the water right regarding the provisions of Oregon Revised Statute 540.610 pertaining to forfeiture or abandonment.

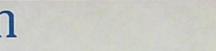
Please feel free to call the Department's Customer Service Group at (503) 986-0801, if you have any questions.

Sincerely,

Elype Richman

Elyse Richman Water Right Services Support Transfers and Conservation Section





Water Resources Department

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

June 11, 2024

Greg Weisz 14905 Butteville Rd NE Gervais, OR 97026

REFERENCE: Transfer Application T-14102

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 transfer, you may contact your caseworker, Corey Courchane, by telephone at (503) 979-3917 or by e-mail at <u>Corey.a.courchane@water.oregon.gov</u>.

Sincerely,

Elype Richman

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

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email) Gregory E. Kupillas, Agent Specht Development, Inc., Receiving Landowner Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application T-14102, Marion County FINAL ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

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.

Applicant

WEISZ FAMILY, LLC ATTN: GREG WEISZ 14905 BUTTEVILLE RD NE GERVAIS, OR 97026

Receiving Landowner

SPECHT DEVELOPMENT, INC ATTN: PETER SKEI 10260 SW GREENBURG ROAD, SUITE 170 PORTLAND, OR 97223

Findings of Fact

- On October 3, 2022, WEISZ FAMILY, LLC, ATTN: GREG WEISZ filed an application to change the point of appropriation under Certificate 36320. The Department assigned the application number T-14102.
- 2. Both the receiving landowner, Specht Development, Inc., Attn: Peter Skei, and applicant, Weisz Family, LLC, Attn: Greg Weisz, will be responsible for completion of the changes.
- Notice of the application for transfer was published on October 11, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 4. On December 7, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14102 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of January 8, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance

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.

T-14102.cc

of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

- On December 9, 2023, the applicant requested to extend the date to complete full beneficial use of the water to October 1, 2028, due to the drilling power schedules and cost to install the additional wells.
- 6. On March 1, 2024, the Department issued a Preliminary Determination proposing to approve Transfer T-14102 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 March 5, 2024, and in the Woodburn Independent Newspaper on April 24 and May 1, 2024 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
- 7. The portion of the right to be transferred is as follows:

Certificate:	36320 in the name of P. J. WILLARD (perfected under Permit G-3666)
Use:	IRRIGATION OF 41.7 ACRES
Priority Date:	APRIL 21, 1967
Rate:	0.52 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.
Comment	A MELL - Arthurston of CENECAL CREEK

Source: A WELL, a tributary of SENECAL CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	2 W	WM	14	NE SE	61	AUTHORIZED WELL 1 - 1070 FEET NORTH AND 1130 FEET WEST FROM THE SE CORNER OF LORE DLC 61

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
55	2 W	WM	13	NW SW	61	23.5
55	2 W	WM	14	NE SE	61	9.2
55	2 W	WM	14	NE SE	82	9.0
					Total	41.7

 Transfer Application T-14102 proposes to move the authorized point of appropriation from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate distance from authorized point of appropriation in feet (ft.)
5 S	2 W	WM	14	NE SE	61	NEW WELL 1 - 1025 FEET NORTH AND 1130 FEET WEST FROM THE SE CORNER OF DLC 61	45 ft. south
5 S	2 W	WM	14	NE SE	82	WELL 4 - 310 FEET NORTH AND 320 FEET WEST FROM THE SE CORNER OF DLC 82	908 ft. southwest
5 S	2 W	wм	14	SE SE	104	WELL 3 - 420 FEET SOUTH AND 1400 FEET EAST FROM THE SW CORNER OF DLC 82	1627 ft. southwest
5 S	2 W	wм	23	NE NE	104	WELL 2 - 2080 FEET SOUTH AND 1680 FEET EAST FROM THE SW CORNER OF DLC 82	3217 ft. south

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2110(2)]

- 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 water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14102.
- 11. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
- 12. The proposed points of appropriation develop groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
- 13. The proposed change, as conditioned, would not result in enlargement of the right.
- 14. The proposed change would not result in injury to other existing water rights.
- 15. All other application requirements are met.

Conclusions of Law

The change in point of appropriation proposed in Transfer Application T-14102 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

- 1. The change in point of appropriation proposed in Transfer Application T-14102 is approved.
- 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 36320 and any related decree.
- Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation.
- 4. Water right Certificate 36320 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
- The quantity of water diverted at the new points of appropriation (New Well 1, Wells 2, 3, and 4) shall not exceed the quantity of water lawfully available at the original point of appropriation (Authorized Well 1).
- Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
- 7. 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.
- Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2028. 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 change and full beneficial use of the water.

9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Pated in Salem, Oregon on	JUN 11 2024
LAN.	(
Was ana	nd
	Conservation Section Manager, for
DOUGLAS EWOODCOCK, AC	TING DIRECTOR
Oregon Water Resources Dep	partment

Mailing date: JUN 1 2 2024

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

P. J. WILLARD ROUTE 1, BOX 76 GERVAIS, OR 97026

confirms the right to use the waters of a WELL a tributary of SENECAL CREEK for IRRIGATION of 42.3 ACRES.

This right was perfected under Permit G-3666. The date of priority is APRIL 21, 1967. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.53 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 as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	2 W	WM	14	NE SE	61	1070 FEET NORTH AND 1130 FEET WEST FROM THE SE CORNER OF LORE DLC 61

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 to which this right is appurtenant is as follows:

		IR	RIGATI	ON		
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	2 W	WM	13	SW NW	61	11.8
5 S	2 W	WM	13	NW SW	61	5.5
55	2 W	WM	14	SE NE	61	6.6
55	2 W	WM	14	SE NE	82	13.2
55	2 W	WM	14	NE SE	61	2.0
5 S	2 W	WM	14	NE SE	82	3.2
					Total	42.3

T-14102-rr-36320.cc

Page 1 of 2

Certificate 97323

This certificate describes that portion of water right Certificate 36320, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered __________, approving Transfer Application T-14102.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

WITNESS the signature of the Water Resources Director, affixed ______ JUN 11 2024

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

WATER RIGHT TRANSFER COVER SHEET

WATER MOITH	IN COVER SHEET	
Transfer: T- 14102	RA T	ransfer Specialist:
Transfer Type: Regular Transfer		trez
Applicant: GREG WEISZ 14905 BUTTEVILLE RD NE GERVAIS, OR 97026 Email: Phone:	Agent: N/A GREGORY E. KUPILLAS 18487 S VALLEY VISTA RD MULINO, OR 97042-8741	Phone:
Irrigation District: N/A	Email: CWRE: N/A	Phone.
Email:	Email:	
Affected Local Gov'ts: N/A	Affected Tribal Gov't: N/A	
Marion County	UNAVAILABLE	
Email:	Email:	
Current Landowner if other than Applicant: N/A	Receiving Landowner: N/A SPECHT DEVELOPMENT INC.	
Email:	10260 SW GREENBURG RD STE 170 PORTLAND, OR 97223 Email:)

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
	G-3901	G-3666	36320	Yes No	97323
				Yes No	

Key Dates & Initial Actions:

Rec'd: October 3, 2022	Proposed Action(s): POINT OF APPROPR	RIATION
Fees Pd: 3070.00	WM District: 16	ODFW District:
Initial Public Notice: October 11, 2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent 🛛	electroni file	GW Review sent: N/A
County sent cc: of Ack Letter	BOR notified (date): N/A	Recuvicl
Newspaper quote requested: 1 25 24	Request for news \$ sent: 1/29/2024	News \$ received: 2/3/24
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date 0 15 23 Initials:	Date: 8/13/13 Initials:	Date: Initials:	Date: 111675	Date: 12773 Initials:	CW Sent:	N/A
PD	Date: 1214 123 Initials:	Initials: AID	Date: Initials:	Date: 1/23/24 Initials: PKS	Date: 1/25/24 Initials: CC	Date: 2/22/24	Date: 3/1/24
FO	Date: 4/17/04 Initials:	Date: 4 29 24 Initials: ALD	Date:	Date: 4 30 24 Initials: PKS	Date: 5/1/24 Initials:	Date: 124	Date: 6/11/24

Special Issues:

Special Order Volume: Vol. 131 Pages 394-388

COURCHANE Corey A * WRD

From: Sent: To: Cc: Subject: ELLIOTT Chloe * WRD Wednesday, January 31, 2024 11:34 AM COURCHANE Corey A * WRD WRD_DL_is_data_techs RA PD T 14102 Recorded Time

Good Morning Corey,

Data has completed RA PD T 14102 with a recorded time of 1 hour 30 minutes. Please remember to send documents for review to the general Data Tech email: WRD_DL_is_data_techs <u>WRD_DL is_data_techs@water.oregon.gov</u> email. Otherwise, we won't get them when Duff is out.

Best Wishes,



<u>Chloe Elliott</u> Data Tech 1 Oregon Water Resources Department 725 Summer St. NE, Suite A Salem, Oregon 97301





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

Notice of Preliminary Determination for Water Right Transfer T-14102

T-14102 filed by Weisz Family, LLC, 14905 Butteville Rd NE, Gervais, OR 97026, proposes a change in point of appropriation under Certificate 36320. The right allows the use of 0.52 cubic foot per second from a well in Sec. 14, T5S, R2W, WM for irrigation in Sects. 13 and 14, T5S, R2W, WM. The applicant proposes to move the point of appropriation to Sects. 14 and 23, T5S, 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) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That P. J. WILLARD

of Route 1, Box 76, Gervais , 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 Senecal Creak irrigation of 84.0 acres

T

for the purpose of

under Permit No. G-3666 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 21, 1967

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 1,05 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 NEL SEL, as projected within Lore DLC 61, Section 14, T. 5 S., R. 2 W., W. M. Well located 1070 feet North and 1130 feet West from SE Corner, Lore DLC 61. 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 22 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:

11.8 acres SWL NWL as projected within Lore DLC 61 11.9 23.5 29.0 acres NWL SWL as projected within Lore DLC 61 5.5 Section 13

6.6 acres SEL NEL as projected within Lore DLC 61 13.2 acres SEL NEL as projected within Roy DLC 82 9.0 12.2 acres NEL SEL as projected within Roy DLC 82 9.2 11.2 acres NEL SEL as projected within Lore DLC 61 Section 14 T. 5 S., R. 2 W., W. M. 42.3

4= 0.53cts 42.30

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

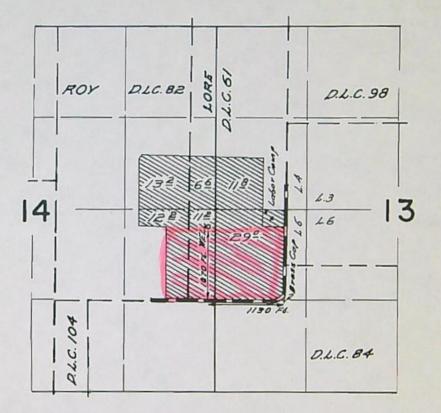
this date. September 9, 1969

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 28 , page 36320

T. 5S. R. 2W. W.M.



FINAL PROOF SURVEY

Application No. G. 3901. Permit No. G. 3666 IN NAME OF

P.J. WILLARD

Surveyed April 12 19.68, by W.S. Ruppart

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

RECEIVED

OCT 0 3 2022

OWRD

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

State of Oregon

SS

County of MARION)

I, GREG WEISZ, in my capacity as PROPERTY OWNER,

mailing address 14905 BUTTEVILLE RD NE, GERVAIS, OR 97026

telephone number (503)951-1215, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

Personal	observation
----------	-------------

Professional expertise

- 2. I attest that:
 - Water was used during the previous five years on the entire place of use for Certificate # <u>36320</u>; OR

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	% %	Gov't Lot or DLC	Acres (if applicable)

OR

 Confirming Certificate # _____ has been issued within the past five years; OR

Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR

- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____(For Historic POD/POA Transfers)

(continues on reverse side)

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

Signature of Affiant

9/2/2022 Date

Signed and sworn to (or affirmed) before me this 21st day of September, 2022.

OFFICIAL STAMP CASANDRA LAURINE LUCHT NOTARY PUBLIC - OREGON COMMISSION NO. 1018282 MY COMMISSION EXPIRES OCTOBER 31, 2025

AV 12-17

Casales hit

My Commission Expires: 10 31 2025

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 RECEIV Beneficial use reports from district IRS Farm Usage Deduction Report Agricultural Stabilization Plan CREP Report
Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU -www.oregonexplorer.info/imagery OWRD - www.wrd.state.or.us Google Earth - earth.google.com TerraServer - www.terraserver.com
Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number



STATE OF OREGON WATER RESOURCES DEPARTMENT 725 Summer St. N.E. Ste. A SALEM, OR 97301-4172 INVOICE #	STATE OF OREGON WATER RESOURCES DEPARTMENT 725 Summer St. N.E. Ste. A SALEM, OR 97301-4172 INVOICE # (503) 986-0900 / (503) 986-0904 (fax) RECEIVED FROM: Arg WRanch Tack. BY: APPLICATION CASH: CHECK:# OTHER: (IDENTIFY) X JO653
1083 TREASURY 4170 WRD MISC CASH ACCT 0407 COPIES 4618 0207 OTHER: (IDENTIFY) Veryper Motice \$ 71.40 0243 VS Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water UPON WRD OPERATING ACCT MISCELLANEOUS 0407 COPY & TAPE FEES 0408 MISC REVENUE: \$ 0408 MISC REVENUE: (IDENTIFY) TC162 DEPOSIT LIAB. (IDENTIFY) 0240 EXAM FEE \$ 0240 EXAM FEE \$ 0240 S 0202 0240 EXAM FEE \$ 0240 S 0204 0241 SURFACE WATER \$ 0202 0203 GROUND WATER \$ 0204 \$ 0203 GROUND WATER \$ 0204 \$ 0205 TRANSFER \$ \$ 0204 \$ 0218 WELL DRILL CONSTRUCTOR \$ 0219 \$ \$ 0218 WELL DRILL CONSTRUCTOR \$	1083 TREASURY 4170 WRD MISC CASH ACCT 0407 COPIES 46113 0207 OTHER: (IDENTIFY) Metxpaper Matrice 5 0243 VS Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water 5 71.40 0243 VS Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water
LANDOWNER'S PERMIT OTHER (IDENTIFY) OTHER (IDENTIFY) O536 TREASURY 0437 WELL CONST START FEE \$ O210 MONITORING WELLS OTHER (IDENTIFY) OTHER (IDENTIFY) O607 TREASURY O467 HYDRO ACTIVITY UCONST S O233 POWER LICENSE FEE (FW/WRD) O231 HYDRO LICENSE FEE (FW/WRD) HYDRO APPLICATION \$	LANDOWNER'S PERMIT 0220 \$ OTHER (IDENTIFY)
OBJ. CODE VENDOR # \$ DESCRIPTION \$ RECEIPT: 142380 DATED: 2-8-24 BY: MMills Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal	t of check



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, Kristine Humphries, being first duly sworn, depose and say that I am the Principal Clerk 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#: 314988 **Owner: Oregon Water Resources Depart**ment **Description: Notice of Preliminary Determi**nation for Water Right Transfer T-14102

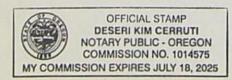
A copy of which is hereto annexed, was published in the entire issue of said newspaper for 2 week(s) in the following issue: 04/24/2024, 05/01/2024

Kristine Humphries (Principal Clerk)

Subscribed and sworn to before me this 5/01/2024

NOTARY PUBLIC FOR OREGON

Acct #: 149038 Attn: ELYSE D. RICHMAN **OREGON WATER RESOURCES DEPARTMENT** 725 SUMMER STREET SE, SUITE A SALEM, OR 97301



SEE EXHIBIT A

Received MAY 1 3 2024 OWRD

EXHIBIT A

4

1

Notice of Preliminary Determination for Water Right Transfer T-14102

T-14102 filed by Weisz Family, LLC, 14905 Butteville Rd NE, Gervais, OR 97026, proposes a change in point of appropriation under Certificate 36320. The right allows the use of 0.52 cubic foot per second from a well in Sec. 14, T55, R2W, WM for irrigation in Sects. 13 and 14, T55, R2W, WM. The applicant proposes to move the point of appropriation to Sects. 14 and 23, T55, R2W, WM. The Water Resourc-

the point of appropriation to Sects. 14 and 23, T5S, R2W, WM. The Water Resources bepartment 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, May 1, 2024. (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination. Published Mar. 6 & 13, 2024. WI314988

WI314988

Received MAY 1 3 2024 OWRD





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 , 2024

VIA CERTIFIED MAIL AND E-MAIL

Applicant

WEISZ FAMILY, LLC ATTN: GREG WEISZ 14905 BUTTEVILLE RD NE GERVAIS, OR 97026

Receiving Landowner

SPECHT DEVELOPMENT, INC ATTN: PETER SKEI 10260 SW GREENBURG ROAD, SUITE 170 PORTLAND, OR 97223

SUBJECT: Water Right Transfer Application T-14102

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14102. 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,

Com

Corey Courchane Allocation of Conserved Water Transfer and Conservation Section

cc: Transfer Application file T-14102 Gregory J. Wacker, District 16 Watermaster (via e-mail) Gregory E. Kupillas, Agent for the applicant (via e-mail)

encs

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application T-14102, Marion County PRELIMINARY DETERMINATION PROPOSING APPROVAL OF A CHANGE IN POINT OF APPROPRIATION

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.

Applicant

WEISZ FAMILY, LLC ATTN: GREG WEISZ 14905 BUTTEVILLE RD NE GERVAIS, OR 97026

Receiving Landowner

SPECHT DEVELOPMENT, INC ATTN: PETER SKEI 10260 SW GREENBURG ROAD, SUITE 170 PORTLAND, OR 97223

Findings of Fact

- On October 3, 2022, WEISZ FAMILY, LLC, ATTN: GREG WEISZ filed an application to change the point of appropriation under Certificate 36320. The Department assigned the application number T-14102.
- 2. Both the receiving landowner, Specht Development, Inc., Attn: Peter Skei, and applicant, Weisz Family, LLC, Attn: Greg Weisz, will be responsible for completion of the changes.
- Notice of the application for transfer was published on October 11, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 4. On December 7, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14102 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of January 8, 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.

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 the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.

- On December 9, 2023, the applicant requested to extend the date to complete full beneficial use of the water to October 1, 2028, due to the drilling power schedules and cost to install the additional wells.
- 6. The portion of the right to be transferred is as follows:

Certificate:	36320 in the name of P. J. WILLARD (perfected under Permit G-3666)
Use:	IRRIGATION OF 41.7 ACRES
Priority Date:	APRIL 21, 1967
Rate:	0.52 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 SENECAL CREEK

Source: A WELL, a tributary of SENECAL CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	2 W	WM	14	NE SE	61	AUTHORIZED WELL 1 - 1070 FEET NORTH AND 1130 FEET WEST FROM THE SE CORNER OF LORE DLC 61

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
55	2 W	WM	13	NW SW	61	23.5
55	2 W	WM	14	NE SE	61	9.2
5 S	2 W	WM	14	NE SE	82	9.0
					Total	41.7

7. Transfer Application T-14102 proposes to move the authorized point of appropriation from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate distance from authorized point of appropriation in feet (ft.)
5 S	2 W	WM	14	NE SE	61	NEW WELL 1 - 1025 FEET NORTH AND 1130 FEET WEST FROM THE SE CORNER OF DLC 61	45 ft. south
5 S	2 W	WM	14	NE SE	82	WELL 4 - 310 FEET NORTH AND 320 FEET WEST FROM THE SE CORNER OF DLC 82	908 ft. southwest
5 S	2 W	WM	14	SE SE	104	WELL 3 - 420 FEET SOUTH AND 1400 FEET EAST FROM THE SW CORNER OF DLC 82	1627 ft. southwest
5 S	2 W	WM	23	NE NE	104	WELL 2 - 2080 FEET SOUTH AND 1680 FEET EAST FROM THE SW CORNER OF DLC 82	3217 ft. south

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2110(2)]

- 8. 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 water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14102.
- 10. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
- 11. The proposed points of appropriation develop groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
- 12. The proposed change, as conditioned, would not result in enlargement of the right.
- 13. The proposed change would not result in injury to other existing water rights.
- 14. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation proposed in Transfer Application T-14102 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14102 is approved, the final order will include the following:

- 1. The change in point of appropriation proposed in Transfer Application T-14102 is approved.
- 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 36320 and any related decree.
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation.
- 4. Water right Certificate 36320 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
- 5. The quantity of water diverted at the new points of appropriation (New Well 1, Wells 2, 3, and 4) shall not exceed the quantity of water lawfully available at the original point of appropriation (Authorized Well 1).

- 6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
- 7. 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.
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2028**. 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 change and full beneficial use of the water.
- 9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Pated in Salem, Oregon on MAR 1 - 2024

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 <u>corey.a.courchane@water.oregon.gov</u>

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <u>http://legalassistance.law.af.mil</u>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.





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

January 29, 2024

Applicant

WEISZ FAMILY, LLC GREG WEISZ 14905 BUTTEVILLE RD NE GERVAIS, OR 97026 **Receiving Landowner**

SPECHT DEVELOPMENT, INC ATTN: PETER SKEI 10260 SW GREENBURG ROAD, SUITE 170 PORTLAND, OR 97223

SUBJECT: Water Right Transfer Application T-14102

Your water right transfer will be 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 in the amount of \$71.40 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
- 2. write "for T-14102 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 February 29, 2024.

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 February 29, 2024, a Preliminary Determination may be issued denying the application as incomplete.

Attached is a check in the amount of \$71.40 (PCA #46118) for Newspaper Notice for Transfer T-14102 made out to Oregon Water Resources Department (or WRD)

- "for T-14102 NOTICE" written on front of check
- Mail to: Oregon Water Resources Department 725 Summer St. NE, Suite A Salem, OR 97301-1266

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,

Corry

Corey Courchane Allocation of Conserved Water Transfer and Conservation Section

cc: Transfer Application T-14102 Gregory J. Wacker, District 16 Watermaster (via e-mail) Gregory E. Kupillas, Agent for the applicant (via e-mail)



Western American Property Research

401 SW Fourth Avenue - Portland, OR 97204 (503) 796-6616 - Fax (503) 796-6650

DEED ONLY REPORT

Prepared For:	Pacific Hydro-Geology, Inc.	Date: 12/8/2023
Attn:	Doann Hamilton	Order:
Wapr2302016LER-2		
		Ref. No:
052W140000900		
		Charge: \$ 25.00

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

Weisz Family LLC, an Oregon limited liability company

November 30, 2023

Trang Nguyen

(A) Legal Description:

Effective Date:

Title Officer:

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

Tax Account No: 514778 Map Identification No: 052W140000900

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.

Bargain & Sale Deed, including the terms and provisions thereof,

Grantor:	John W. Weisz also known as John William Weisz, John W. Weisz Jr.,
	John Weisz Jr. and Geraldine C. Weisz also known as Geraldine Carol
	Weisz
Grantee:	Weisz Family LLC, an Oregon limited liability company
Recorded:	January 28, 2000, in Reel 1666 Page 370

Thank you very much for doing business with Western American Property Research. If you have any questions, please contact Trang Nguyen, Title Examiner or May Patel, Unit Supervisor at 796-6616.

Fidelity National Title Company of Oregon Trang Nguyen, Title Examiner

EXHIBIT 'A'

Beginning at the Southeast corner of the Donation Land Claim of said Moses Lore and wife in Township 5 South, Range 2 West of the Willamette Meridian; thence North 89°30' West 26.33 chains; thence North 0°30' East 16.32 chains; thence South 89°30' East 26.43 chains to the East boundary of said Donation Land Claim; thence South 0°30' West 16.20 chains to the place of beginning and all being in Marion County, Oregon. SAVE AND EXCEPT the following described premises conveyed to the State of Oregon, by and through its State Highway Commission, same recorded December 21, 1953 in Volume 458, Page 227, Deed Records for Marion County, Oregon.

A parcel of land lying in the Thomas Roy's Heirs Donation Land Claim No. 82 also lying in Section 14, Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon, and being a portion of that property described in that deed to Bertie A. Sutherland, recorded in Volume 390, Page 322, of Marion County Record of Deeds, the said parcel being that portion of said property included in a strip of land 100 feet in width, lying on the Easterly side of the center line of the Portland-Salem Expressway as said highway has been located, which center line is described as follows:

Beginning at the Engineer's center line Station 1224+00, said station being approximately 2251 feet North and 1372 feet East of the Southwest corner of said Donation Land Claim No. 82; thence South 37°28' West 400 feet to Station 1228+00, the Easterly line of said strip of land crossing the Northerly and Westerly lines

of said property approximately opposite Stations 1225+60 and 1226+50, respectively.

COPYNIGHT INN REEL PAGE 370 FORM No. 723- BARGAIN AND SALE DEED (Individual or Corporate). 1.04 5 1666 STATE OF OREGON. 55. County of I certify that the within instrument was 12,52 FONE John received for record on book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception SPACE RESERVED FOR RECORDER'S USE Witness my hand and seal of County affixed. ame NAME By, Deputy. -----BARGAIN AND SALE DEED KNOW ALL BY THESE PRESENTS that JOHN W. WEISZ ** AND GERALDINE C ... WEISZ***as.tenants.by.the.entirety hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto <u>WEISZ FAMILY LLC, an Oregon limited liability company</u> hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hered-itaments and appurtenances thereunto belonging or in any way appertaining, situated in <u>Marion</u> County, State of Oregon, described as follows, to-wit: **also known as John William Weisz, John W. Weisz Jr., John Weisz Jr. *** also known as Geraldine Carol Weisz See attached for legal descriptions OF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSED To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$... NONE O However, the actual consideration consists of or includes other property or value given or promised which is D part of the D the whole (indicate which) consideration.⁽⁰⁾ (The sentence between the symbols ⁽⁰⁾, if not applicable, should be deteed. See ORS 93.030.) In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to comportions and to individuals. IN WITNESS WHEREOF, the grantor has executed this instrument on grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors. THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGU-LATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TILE TO THE PROPERTY SNOULD CHECK WITH THE APPRO-PRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930. lersa Joraldine. STATE OF OREGON, County of ______ A and solve by as of Christina Campos Notary Public for Oregon CHRISTINA CAMPOS DE PULIDO NOTARY PUBLIC-OREGON COMMISSION NO. 228101 MY COMMISSION EXPIRES OCT. 14, 2003 My commission expires Exp 10-14-00

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PARCEL 1 Beginning at the Southeast corner of the H. Petit Donation Land Oraim No. 59 in Township 5 South, Range 2 West of the Willamette Hardoran, and running thence North 3/4* East 17.76 chains; thence West 50.87 chains; thence South 26 3/4* West on the West boundary of said Claim No. 59, 19.59 chains; thence South 89 1/4* East 50.15 chains to the place of beginning, the said tract consisting of parts of Sections 14 and 15 and being in said Claim No. 59 in said County of Marion, State of Oregon.

ALSO beginning at a point in the West line of the Thomas Roy Domation Land Claim, 16.05 chains Northerly from the Southwest corner of said Claim in Township 5 South, Range 2 West of the Withamette Meridian in Marion County, Oregon; thence North 15' East along the West line of said Claim, 16.07 chains; thence East 18 50 chains to an iron pipe; thence South 8' East 16.07 chains to an iron pipe; thence South 8' East 16.07 chains to an iron pipe; thence South 8' East 16.07 chains to an iron pipe; thence for the point of beginning.

SAVE AND EXCEPT a parcel of land lying in the Thomas Roy's Heirs Donation Land Claim No. 82, also lying in Section 14, Township 5 South, Range 2 West, Willamette Meridian, Marion County, Oregon, and being a portion of that property described in that deed to William Loith, recorded in Book 233. Page 625, of Marion County Records of Deeds. The said parcel being that portion of said property included in a strip of land 65 feet in width, lying on the Easterly side of the center line of the Market Road #72, from West Woodburn to Gervais, which center line is coincident with the West line of the Thomas Roy's Heirs Donation Land Claim and is described as follows: Roy's Heirs Donation Land Claim, and is described as follows:

Beginning at Engineer's center line Station 0+00, at which Station the North line of said strip of land lies at right angles to said center line, said Station being 800 feet North 1*57'30" East of the intersection to the center line of the Portland-Salem Empressony at Station L4E 1246+26.54 and the center line of said Market Road #72; thence 1*57'30" East 225 feet, more or less, to the southerly line of said property.

The parcel of land to which this description applies contains 0.00 acre of which 0.15 acre lies within the existing right of us, title to which hereby is acknowledge to be in the public, and 0.19 acre lies outside of the existing Frank UL WAY

ALSO SAVE AND EXCEPT a parcel of land lying in the Thomas Roy Donation Land Claim No. 82, also lying in Section 14, Township 5 South, Range 2 West, Willamette Meridian, Marion County, Oregon, and being a portion of that property described in that deed to William Leith and Rosa Leith, recorded in Book 233, Page 625 of Marion County Record of Deeds; the said parcel being that portion of said property lying Southeasterly of a line which is 174 feet Northwesterly of and parallel to the center line of the Portland-Salem Expressway as said highway has been located, which centor line is described as follows:

Beginning at Engineer's center line Station 1225+13.88, said Station being 2159.12 feet North and 1301.61 feet East of the Southwest corner of parts Thomas Roy Donation Land Claim No. 82; thence South 37'28' Went 1786.12 feet to Engineer's center line Station 1245+00, said center line crosses the Northesily and Southerly lines of said property approximately at Engineer's center line Station 1226+11 and 1239+18 respectively.

SAVE AND EXCEPT roads and roadways.

ALSO SAVE AND EXCEPT access restrictions contained in Deed recorded January 22, 1954 in Volume 459, Page 309, Deed Records for Marion County, Oregon.

(5-2W-14 tax lot 600 & 500)

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POU is located in Sects. 13 and 14

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PARCEL 2 That portions of Sections 23 and 24 in Township 5 South, Range 2 West of the Willamette Meridian in Marion County, Oregon described as follows, and including therein portions of Lot 7, of said Section 23, also of the Medard o. Foisy Donation Land Claim No. 104 and also of the Peter Raymond Donaton Land Claim No. 88 described as follows: Beginning at a point in the West line of said Lot 7, a distance of 21.17 chains South 0°30' West of the Southwest corner of the Thomas Roy Donation Land Claim No. 22, thence South 89°15' East, 51.56 chains, more or less, to a point is north and South line, 10 chains East of the West line of said Lot Raymond Claim No. 88; thence South on said North and South line 10 chains; thence North 89°15' West, 51.56 chains, more or less to a point in the West line of said Lot 7; thence North on said West line, 10 chains to the place of beginning.

(5-2W-23 tax lot 100)

PARCEL 3

PARCEL 3 Beginning at a point on the West line of the Thomas Roy Donation Land Claim, 5.82 chains North of the Southeast corner of the Hubert Petit Donation Land Claim in Township 5 South, Range 2 West of the Willamette Meridian, Marion Gounty, Oregon; thence South 89°35' East 18.59 chains to an Iton pipe on the West line of the tract of land described in quitefalm deed executed by William Scollard and wife to James Newton Voctmess and others, which deed is recorded in Book 100, Page 348, Does Newton Voctmess and others, which deed is recorded of 15' East 5.52 chains along said West line; thence North 89°35' West 18.56 chains to the West line of said Thomas Roy Claim; thence South 0°36' West 5.52 chains to the place of beginning.

SAVE AND EXCEPT that portion of the above described tract of land lying within the right of way of the county road.

(5-2W-14 tax lot 200)

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TL 1100 and 1200 PARCEL 4 Beginning at a stone in the center of the County Road, which is the Southwest corner of Claim No. 82, in Township 5 South, Range 2 Wast of the Willamette Meridian, in Marion County, Oregon; and running Mence North 0°15' East along the center line of said County Road, a distance of 1059.4 feet to an iron pipe; thence East 1238.00 feet themes South 0°15' West 1059.4 feet to a stone; thence West 1238.00 feet to the place of beginning, being situated in the Donation Land Ornim of Thomas Roy, in Township 5 South, Range 2 West of the Willamette meridian in Marion County, State of Oregon.

SAVE AND EXCEPT that part conveyed to the State of Oregon Highway Commission by deed recorded November 19, 1953 in Volume 457, page 233, Marion County Deed Records and in Volume 457, Page 276, recorded November 20, 1953.

PARCEL 5



Sec 15

PARCEL 5 Beginning on the South line of the Donation Land Claim of Thomas Roy and wife, in Township 5 South, Range 2 West of the Willamette Meridian, in Marion County, Oregon at a point on said South line 26.33 chains West from the Southeast corner of the Donation Land Claim of Moses Lore and wife; and running thence North 89°30' West 6.15 chains; thence North 0°30' East 16.32 chains; thence South 89°30' Last 6.15 chains; thence North 0°30' East 16.32 chains; thence South 89°30' Last 6.15 chains; thence South to the place of beginning; being structed in the Donation Land Claim of Thomas Roy and wife, in Township 5 South, Range 2 West of the Willamette Meridian, in Marion County, Oregon. County, Oregon.

SAVE AND EXCEPT beginning on the South line of the Thomas Roy Heirs Donation Land Claim in Township 5 South. Range 2 West of the Willamette Meridian in Marion County. Oregon; at a point which is 3021.18 feet South 89°50' West from the Southeast corner of the Moses Lore Donation Land Claim in said Township and Range; thence North 1°50' East 823.55 feet to a point on the Easterly right of way line of Interstate Highway No. 5; thence South 37°28' West along said right of way line 537.56 feet to a point on the East line of a tract of land conveyed to the State of Oregon by deed recorded in Volume 457, Page 233, Deed Records for said County and State; thence South along the East line of said tract of land 426.44 feet to a point on the South line of said Thomas Roy Heirs Claim; thence West 299.69 feet to the place of beginning.

(5-2W-14 tax lot 1000, 1100)

PARCEL 6

PARCEL 6 Beginning at an iron pipe marking the Northeast corner of the Andrew LaChapelle Donation Land Claim No. 41, in Township 5 South, Mange 2 West of the Willamette Meridian, Marion County, Oregon; thence West along the North line of said Donation Land Claim a distance of 10.00 feet more or less to the Easterly right-of-way of County Read No. 518; thence Southerly along said right-of-way a distance of 365.00 Seet more or less to the Westerly boundary of that certain tract of land conveyed to John W. Weisz, etux, in Volume 570. Page 41, Deed Records, Marion County, Oregon; thence Northeasterly along the Westerly boundary of said tract a distance of 360.00 feet more or less to the place of Legraning.

(5-2W-15 tax lot 1100)

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Beginning at an iron pipe in the East line of the Andrew LaChapelle Donation Land Claim No. 41, in Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon, said iron pipe being North 0*45' East, 797.34 feet from the Southeast corner of said Donation Land Claim; thence North 0*45' 797.34 feet from the Southeast corner of said Donation Land Claim; thence North 0'45' East, along the East line of the above mentioned Donation Land Claim, 417.01 feet to a stone; thence North 25'47' West, 396.00 feet to an iron pipe; thence North 38'15' West 576.18 feet to an iron pipe; thence North 14'10' West 264.00 feet to a stone; thence North 54'21' East, 755.01 feet to a stone, at the Northwest corner of the Joseph Matte Donation Land Claim No. 57, in above mentioned Township and Range; thence South 88'46' East, along the North line of said Matte Claim, 335.13 feet to an iron pipe; thence North 22'15' West, along the center line of a County Road 566.44 feet; thence North 89'5' West, parallel to the North line of the Andrew LaChapelle Donation Land Claim, 555.38 feet to an iron pipe on the East line of the Oregon Electric Railroad right-of-way; thence South 33'24' West, along the East line of said Railroad right-of-way, 2882.29 feet to an iron pipe; thence South 88'48' East, parallel to the South line of the Andrew LaChapelle Donation Land Claim, 1996.63 feet to the point of beginning. All being situated in Section 15, Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon.

SAVE AND EXCEPT therefrom that certain real property conveyed to John William Weisz in Book 570, Page 41, Deed records for Marion County, Oregon.

(5-2W-15 tax lot 1200)

PARCEL 8

PARCEL 8 Beginning at a point on the North line of the Andrew LaGhepelle Donation Land Claim No. 41, in Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon. Said point being North 89°5' West 1857.30 feet from the Northeast corner of said Claim; thence South 11°17'45" West, 2546.67 feet to an iron pipe on the West line of the Oregon Electric Railroad right-of-way: thence North 33°24' East along the West line of said right of way 2970.06 feet to the North line of the above mentioned Andrew LaChappelle Donation Land Claim, said North line being also the center line of County Road; thence North 89°5' West, along said North line of said center line. 1137.06 feet to the point of beginning, all being situated in Section 15. Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon.

SAVE AND EXCEPT from the above tract, that certain tract described in Volume 381, Page 593, Deed Records for Marion County, Oregon.

PARCEL 9

PARCEL 9 Beginning at the Southeast corner of the Andrew LaChapelle Donation Land Claim No. 41, in Section 15, Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon; thence North 0*45' East, along the East line of said Donation Land Claim, 797.34 feet to an iron pipe; thence North 88*48' West, parallel to the South line of the above mentioned Donation Land Claim 1996.63 feet to an iron pipe on the East line of the Oregon Electric Railroad right of way; thence South 11*17*45" West 809.87 feet to an iron pipe on the South line of the Andrew LaChapelle Donation Land Claim; thence South 88*48' East along the South line of sid Donation Land Claim; thence South 88*48' LaChapelle Donation Land Claim No. 41, in Township 5 South, Range 2 West ef the Willamette Meridian, Marion County, Oregon.

(5-2W-15 tax lot 800 & 1300).

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PARCEL 10 Beginning at an iron pipe at the Southeast corner of the Moses Lore Donation Land Claim in Township 5 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; thence South 1428.24 feet to an iron rod; thence North 89*39' West 760.65 feet to an iron rod; thence North 1421.85 feet to an iron rod on the South line of the said Moses Lore donation Land Claim; thence North 89*50' East 760.65 feet along said South line to the iron pipe at the place of beginning, lying in the Peter Raymond Donation Land Claim and the M.G. Foisey Donation Land Claim in the above Township and Range.

SAVE AND EXCEPT that portion lying in public roads and roadways.

ALSO SAVE AND EXCEPT the following; Beginning at an iron pipe at the Southeast corner of the Moses Lore Donation Land Claim in Township 5 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; thence South 714.00 feet; thence South 89°50' West parallel with the South line of said Claim 60.00 feet; thence North 714.00 feet to a point on the South line of said Claim; thence North 89°50' East along the South line of said Claim 60.00 feet to the place of beginning. place of beginning.

(5-2W-13 tax lot 1100)

PARCEL 11

PARCEL 11 Beginning at a point on the East line of the Moses Lore and wife Donation Land Claim No. 61, in Township 5 South, Range 2 West of the Willamette Meridian in Marion County, Oregon, 16.20 chains North 0° 30' East of the Southeast corner of said Claim; and running thence North 0° 30' East along the East line 15.54 chains; thence North 89° 40' West 32.76 chains to the Northwest corner of the 50.82 acres convoyed to Abbie Eckhout by deed recorded June 30, 1910, in Volume 110, Page 484, Deed Records, said Northwest corner being also the Northwest corner of land formerly owned by Voorhees; thence South 0° 15' West 15.54 chains; thence South 89° 40' East 32.64 chains to the place of beginning. beginning.



PARCEL 12

Beginning at the Southeast corner of the Donation Land Claim of said Hoses Lore and wife in Township 5 South, Range 2 West of the Willamette Meridian; thence North 89* 30' West 26.33 chains; thence North 0* 30' East 16.32 chains; thence South 89* 30' East 26.43 chains to the East boundary of said Donation Land Claim; thence South 0* 30' West 16.20 chains to the place of beginning and all being in Marion County, Oregon.

SAVE AND EXCEPT the following described premises conveyed to the State of Oregon, by and through its State Highway Commission, same recorded December 21, 1953, in Volume 458, Page 227, Deed Records for Marion County, Oregon.

A parcel of land lying in the Thomas Roy's Heirs Donation Land Claim No. 82 also lying in Section 14, Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon, and being a portion of that property described in that deed to Bertie A. Sutherland, recorded in Volume 390, Page 322, of Marion County Records of Deeds, the said parcel being that portion of said property included in a strip of Land 100 feet in width, lying on the Easterly side of the center line of the Portland-Salem Expressway as said highway has been located, which center line is described as follows:

Beginning at Engineer's center line Station 1224+00, said station being approximately 2251 feet North and 1372 feet East of the Southwest corner of said Donation Land Claim No. 82; thence South 37° 28' West 400 feet to Station 1228+00, the Easterly line of soid strip of land crossing the Northerly and Westerly lines of said property approximately opposite Stations 1225+60 and 1226+50 respectively.

(5-2W-14 tax lot 800 & 900)

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PARCEL 13 Beginning at the Northwest corner of the Joseph Matte Donation Land Claim No. 57, lying within Section 15, Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon; thence running South 89°20' East along the North line of said Donation Land Claim, a distance of 3915.12 feet, more or less, to the Westerly right of way of Market Road No. 72; thence running in a South by Southwesterly direction along the Westerly right of way of said Market Road a distance of 1180.00 feet, more or less, to the Northerly right of way of the Interstate Highway No. 5; thence running in a Southwesterly direction along said Highway, a distance of 2130.00 feet, more or less, to the point of intersection with the North boundary of that certain parcel described in Volume 458, Page 280, Deed Records for Marion County, Oregon; thence running North 89°06' West a distance of 2870.00 feet, more or less, to a point on the West line of the Joseph Matte Donation Land Claim; thence running North 00°13' East along the West line of said Donation Land Claim; thence running North 00°13' East a distance of 396.00 feet; thence North 38°47' West a distance of 576.18 feet; thence North 14°42' West a distance of 264.00 feet; thence running North 53°53' East a distance of 755.70 feet to the place of beginning. beginning.

PARCEL 14

PARCEL 14 A parcel of land lying in the Joseph Matte Donation Land Claim No. 57, also lying in Section 14 and 23, Township 5 South, Range 2 West, Willamette Meridian, Marion County, Oregon, and being a portion of that property conveyed by that deed to the State of Oregon, by and through its State Highway Commission, recorded in Book 458, Page 280, of Marion County Records of Deeds. The said parcel being that portion of said property lying Westerly of a line which is parallel to and 174 feet Westerly of the center line of the Portland-Salem Expressway as said highway has been locatrd, which center line is described in said deed. is described in said deed.

(5-2W-23 tax lot 400, 5-2w-14 tax lot 1300)

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REEL:1666

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PAGE: 370

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January 28, 2000, 01:33 pm.

CONTROL #: 2895

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

ALAN H DAVIDSON COUNTY CLERK

THIS IS NOT AN INVOICE.

Order: 1122334455 Doc: ORMARI:1666-00370

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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

December 7, 2023

VIA E-MAIL

Applicant

WEISZ FAMILY, LLC ATTN: GREG WEISZ 14905 BUTTEVILLE RD NE GERVAIS, OR 97026 SPECHT DEVELOPMENT, INC. ATTN: PETER SKEI 10260 SW GREENBURG ROAD, SUITE 170 PORTLAND, OR 97223

Reference: Water Right Transfer Application T-14102

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-14102. 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 January 8, 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 JANUARY 8, 2023, with acknowledgement that you agree to the proposed action and conditions.
- 3. If you find any errors, please let me know.
- 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;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; OR
 - Be prepared within 3 months of the date the water right conveyance agreement was recorded; OR
 - Show ownership for the FROM land 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: <u>https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf</u>
- 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) device(s).

Please note the proposed date by which all conditions must be met: October 1, 2025. 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. <u>As outlined in OAR 690-380-4020(3)</u>, <u>publication costs include both the direct cost of the notice and indirect processing costs (not to</u> 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
- 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 January 8, 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,

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Corey Courchane Allocation of Conserved Water Transfer and Conservation Section

cc: Transfer Application file T-14102 Gregory J. Wacker, District 16 Watermaster (via e-mail) Gregory E. Kupillas, Agent for the applicant (via e-mail)

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BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application T-14102, Marion County

DRAFT PRELIMINARY

DETERMINATION PROPOSING APPROVAL A CHANGE IN POINT OF APPROPRIATION

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.

Applicant

WEISZ FAMILY, LLC ATTN: GREG WEISZ 14905 BUTTEVILLE RD NE GERVAIS, OR 97026

Receiving Landowner

SPECHT DEVELOPMENT, INC ATTN: PETER SKEI 10260 SW GREENBURG ROAD, SUITE 170 PORTLAND, OR 97223

Findings of Fact

- On October 3, 2022, WEISZ FAMILY, LLC, ATTN: GREG WEISZ filed an application to change the point of appropriation under Certificate 36320. The Department assigned the application number T-14102.
- Both the receiving landowner, Specht Development, Inc., Attn: Peter Skei, and applicant, Weisz Family, LLC, Attn: Greg Weisz, will be responsible for completion of the changes.
- Notice of the application for transfer was published on October 11, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 4. The portion of the right to be transferred is as follows:

Certificate:	36320 in the name of P. J. WILLARD (perfected under Permit G-3666)
Use:	IRRIGATION OF 41.7 ACRES
Priority Date:	APRIL 21, 1967
Rate:	0.52 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 SENECAL CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	2 W	WM	14	NE SE	61	AUTHORIZED WELL 1 - 1070 FEET NORTH AND 1130 FEET WEST FROM THE SE CORNER OF LORE DLC 61

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
55	2 W	WM	13	NW SW	61	23.5
5 S	2 W	WM	14	NE SE	61	9.2
55	2 W	WM	14	NE SE	82	9.0
		and the second s			Total	41.7

 Transfer Application T-14102 proposes to move the authorized point of appropriation from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate distance from authorized point of appropriation in feet (ft.)
5 S	2 W	WM	14	NE SE	61	NEW WELL 1 - 1025 FEET NORTH AND 1130 FEET WEST FROM THE SE CORNER OF DLC 61	45 ft.
5 S	2 W	WM	14	NE SE	82	WELL 4 - 310 FEET NORTH AND 320 FEET WEST FROM THE SE CORNER OF DLC 82	908 ft.
5 S	2 W	WM	14	SE SE	104	WELL 3 - 420 FEET SOUTH AND 1400 FEET EAST FROM THE SW CORNER OF DLC 82	1627 ft.
5 S	2 W	WM	23	NE NE	104	WELL 2 - 2080 FEET SOUTH AND 1680 FEET EAST FROM THE SW CORNER OF DLC 82	3217 ft.

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2110(2)]

- 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 water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14102.
- The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).

- 9. The proposed points of appropriation develop groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
- 10. The proposed change, as conditioned, would not result in enlargement of the right.
- 11. The proposed change would not result in injury to other existing water rights.
- 12. All other application requirements are met.

Determination and Proposed Action

...

The change in point of appropriation proposed in Transfer Application T-14102 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14102 is approved, the final order will include the following:

- 1. The change in point of appropriation proposed in Transfer Application T-14102 is approved.
- 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 36320 and any related decree.
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation.
- 4. Water right Certificate 36320 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
- 5. The quantity of water diverted at the new points of appropriation (New Well 1, Wells 2, 3, and 4) shall not exceed the quantity of water lawfully available at the original point of appropriation (Authorized Well 1).
- 6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

- 7. 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.
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. 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 change and full beneficial use of the water.
- 9. 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 <u>corey.a.courchane@water.oregon.gov</u>

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14102 (RA)

GW Reviewer Travis Brown Date Review Completed: 7/11/2023

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.

Contraction of the local division of the loc	Oregon Water Reso 725 Summer Street N Salem, Oregon 97301 (503) 986-0900 www.wrd.state.or.us	IE, Suite A	Ground Wa Water Rig Permit Ar GR Modif	nendment	·m :
Application: T-14	102 (RA)		Applicant	Name: <u>Weisz Family</u>	LLC
Proposed Change	s: 🖾 POA 🗆 USE	□ APOA □ POU	$\Box SW \rightarrow GW$ $\Box OTHER$	RA	
Reviewer(s): <u>Tr</u>	avis Brown	Date Reviewed		Date of Review: 7/11 Returned to WRSD:	

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

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

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

- Other ____
- Basic description of the changes proposed in this transfer: <u>Applicant proposes to replace the sole authorized From-POA (Well 1 / MARI 2461) for 41.7 acres under Certificate 36320</u> with 4 To-POA, 2 of which already exist (Well 2 / MARI 2629 and Well 3 / MARI 2464) and 2 of which have yet to be built (New Well 1 and Well 4). Certificate 36320 authorizes Irrigation of 84.0 acres at a maximum rate of 1.05 cfs.

<u>Proposed Well 2 (MARI 2629) has overlapping rights: 49.6 acres of Irrigation at 0.62 cfs</u> <u>under Certificate 39793, for which Well 2 is the sole authorized POA; and 193.4 acres of</u> <u>Irrigation at 2.42 cfs under Permit G-11853, for which Well 2 is 1 of 3 authorized POA.</u>

Proposed Well 3 (MARI 2464) has overlapping rights: 193.4 acres of Irrigation at 2.42 cfs under Permit G-11853, for which Well 3 is 1 of 3 authorized POA.

NOTE: In Additional Remarks on Page 8 of the application, the applicant indicates that "[t]he authorized well...will be decommissioned." It is not clear how or whether the applicant intends to continue irrigating the remaining 42.3 acres authorized in **Certificate 36320** that are not covered by this transfer.

 Will the proposed POA develop the same aquifer (source) as the existing authorized POA?

 ∑ Yes □ No Comments: Both the From-POA and To-POA produce groundwater from the alluvial aquifer system.
 1

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Ground Water Review Form

5

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.): N/A

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 To-POA will be closer to neighboring groundwater rights, which will likely increase interference with those neighboring rights.

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

☐ Yes ⊠ No If yes, explain: <u>The proposed To-POA Well 2 (MARI 2629) is ~1,250 ft</u> from the sole POA (MARI 2648) location for neighboring groundwater Claim GR-909, whereas the authorized From-POA Well 1 (MARI 2461) is ~3,720 ft from the Claim GR-909 POA. Claim GR-909 has priority date of 2/10/1953, which is senior to Certificate 36320's priority date of 4/21/1967. To assess the potential for the proposed transfer to injure Claim GR-909, a Theis (1935) analysis of drawdown was used (see Theis Interference Analysis, attached). Hydraulic parameters used for the analysis were derived from regional data and studies (Pumping Test Reports; Conlon et al., 2005). Results of the analysis indicate that the proposed transfer is unlikely to injure Claim GR-909 or similarly located rights.

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

Yes No Comments: <u>The proposed To-POA will be closer to Sam Brown Creek</u> <u>than the authorized From-POA. The closer proximity will likely increase interference with</u> <u>Sam Brown Creek</u>.

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: <u>Sam Brown Creek</u> Minimal Significant Provide context for minimal/significant impact: <u>The thick layer of fine-grained sediments</u> that underlie Sam Brown Creek and other streams in the area that are minimally incised will diffuse depletion of surface water such that the expected change in degree of interference with surface due to the proposed change will likely be minimal.

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

Yes No Comments: N/A

- What conditions or other changes in the application are necessary to address any potential issues identified above: _____
- 8. Any additional comments:

References

Application File: T-14102

Transfer Application: T-14102 (RA)

1

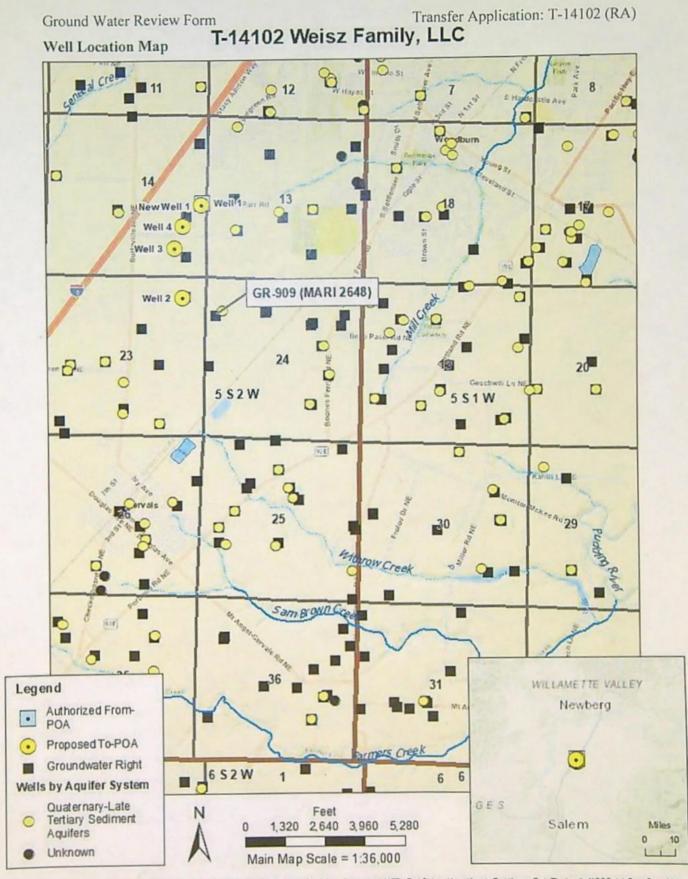
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Ground Water Review Form

Certificate: 36320

Claim: GR-909

- Pumping Test Reports: MARI 1634, 1850, 1901, 2211, 2351, 2360, 2374, 2433, 2437, 2472, 2602, 2634, 2651, 2655, 2656, 2659, 2681, 2713, 2812, 2853, 2968, 17503, 18128, 18489, 18805, 53043, 54047, 54550, 56347, 56348, 58807, 59731
- 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.
- Theis, C.V., 1935, The relation between the lowering of the piezometric surface and the rate and duration of discharge of a well using groundwater storage, American Geophysical Union Transactions, vol. 16, p. 519-524.



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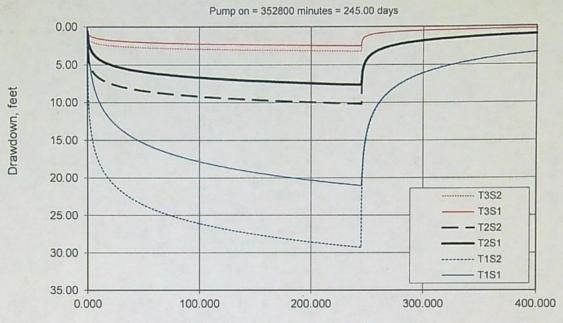
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Version: 20210204

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Ground Water Review Form

Theis (1935) Interference Analysis



Theis Drawdown and Recovery at r = 1250 ft From Pumping Well

Elapsed Time Since Pumping Started, days

Pumping Time, t=245 days [irrigation season]

Radial distance, r=1,250 ft [MARI 2629 to MARI 2648]

Pumping rate, Q=0.52125 cfs [proportional rate based on proposed transferred acreage] Transmissivity: T1=1,000; T2=3,300; T3=12,000 ft²/day [pumping test reports] Storativity: S1=0.001, S2=0.0001 [Conlon et al., 2005]

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Received by OWRD

OCT 2 5 2022

REIMBURSEMENT AUTHORITY APPLICANT'S AGREEMENT Contract Number: R11-403-23

Salem, OR

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Weisz Family, LLC, hereafter Applicant, hereafter known together as the parties.

OWRD	Information	Applica	nt's Information	Applicant	's Representative
Contact: Title: Address:	Kelly Starnes Transfer Advisor 725 Summer Street, NE, Suite A Salem, OR 97301-1266	Name: Contact: Address:	Weisz Family, LLC Greg Weisz 14905 Butteville Rd NE Gervais, OR 97026	Name: Contact: Address:	Pacific Hydro-Geology, Inc. Greg Kupillas 18187 S. Valley Vista Rd Mulino, OR 97042
Phone: Fax: Email:	503 979-3511 503 986-0901 patrick.k.starnes@water.oregon.gov	Phone: Fax: Email:	(503) 951-1215 senecal6@icloud.com	Phone: Fax: Email:	(503) 939-3167 (503) 632-5983 phggek@bctonline.com

Purpose The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-14102)

- 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 <u>\$2,131.82</u>. Applicant agrees to pay the full amount of <u>\$2,131.82</u> to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality. Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- 6. Indemnity. Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

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

For Applicant:

For OWRD:

() Dwight-Prench – Administrator

Name/Title:

Mail signed Agreement to:

Stacy Phillips Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1266 10/14/2022 Date

Received by OWRD

OCT 2 5 2022

Salem, OR

RECEIPT #	wat 139257	ER RESOUR 725 Summ SALEM,	OF OREGON RCES DEPARTM er St. N.E. Ste. A OR 97301-4172 / (503) 986-0904 (fax)	ENT INVOICE #	
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BY:				PERMIT	
				TRANSFER	T-14102
CASH: C	10606			TOTAL REC'D	\$125.00
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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	
X	Application	Transfer Number T-14102 TBD

	Applicant Information	Applicant's Representative/Contact
Name:	Weisz Family, LLC Attn: Greg Weisz	Pacific Hydro-Geology Inc., Greg Kupillas
Address:	14905 Buttteville Rd NE	18187 S Valley Vista Rd
	Gervais, OR 97026	Mulino, OR 97042
Phone:	503.951.1215	503.939.3167
Fax:		<u>503.632.5983</u>
E-Mail Address:	Senecal6@icloud.com	phggek@bctonline.com

I understand the following:

- That upon receipt of my non-refundable application fee of <u>\$ 125.00</u>, 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

I certify that I am the (check one):

Applicant Applicant's Representative Other (Please specify)

Name: Greg Weisz

Signature: Ing Wen

OWRD USE ONLY: Reimbursement Authority Number: R11-403 -23

Transfer Reimbursement Authority Estimate Application Form

RECEIVED

OCT 0 3 2022

OWRD





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

October 10, 2022

GREG WEISZ 14905 BUTTEVILLE RD NE GERVAIS, OR 97026

Reference: Application T-14102

On October 3, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$3070.00. Our receipt number 139270 is enclosed.

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

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

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

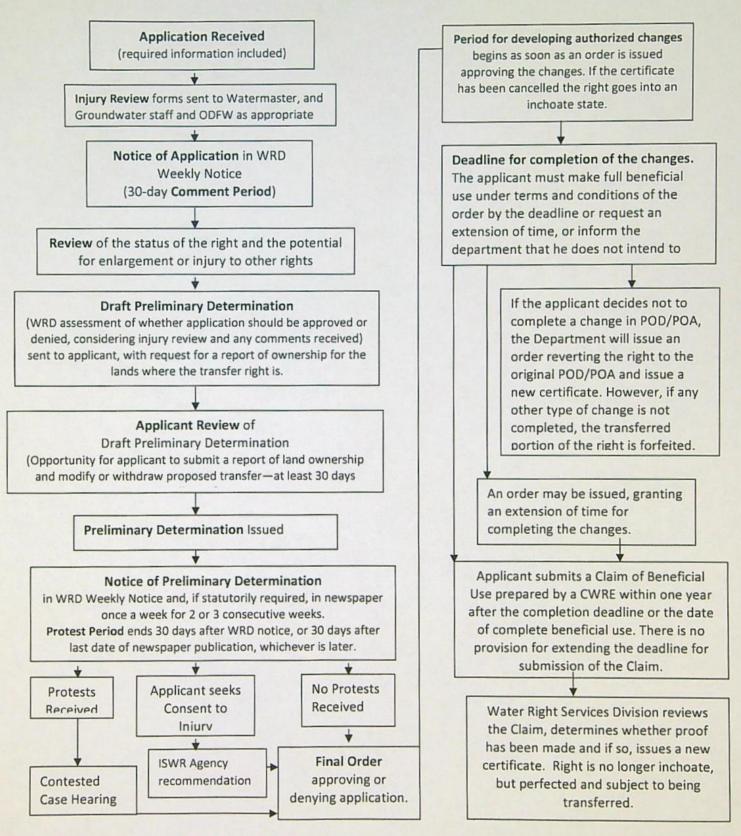
If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #16, Gregory J. Wacker (via email) Gregory E. Kupillas, Agent Specht Development, Inc., Receiving Landowner Marion County

Enclosure

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

OAR 690 Division 380



		0R 97301-4172 (503) 986-0904 (fax)	APPLICATION		
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0203	GROUND WATER	s	0204	S	
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	LANDOWNER'S PERMIT		0220	S	
-	OTHER (IDENTIFY)				
0536	TREASURY 0437 WELI	CONST. STAR	T FEE		
0211	WELL CONST START FEE	\$	CARD	*	
0210	MONITORING WELLS	\$	CARD	#	
1	OTHER (IDENTIFY)				
0607	TREASURY 0467 HYDE	RO ACTIVITY	LIC NUMBER		
0233	POWER LICENSE FEE (FW/WRD)			S	
0231	HYDRO LICENSE FEE (FW/WRD)			\$	
	HYDRO APPLICATION		1.1	\$	
		R / RDX			
FUND					
FUND	TITLE				
	DE VENDOR #			le.	
DESCRIP	TION			\$	

Application for Permanent Water Right Transfer



O R E G O N Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1266 (503) 986-0900 WATER RESOURCES www.oregon.gov/OWRD

Part	of 5 – Minimum Requirements Checklist DEPARTMENT	· · ·]			
	This transfer application <u>will be returned</u> if Parts 1 through 5 and all rea attachments are not completed and included. For questions, please call (503) 986-0900, and ask for Transfer Section.	RECEIVED			
eck all it	ems included with this application. (N/A = Not Applicable)	OCT 0 3 2022			
	Part 1 – Completed Minimum Requirements Checklist.	OWPD			
3	Part 2 – Completed Transfer Application Map Checklist.	OWRD			
	Part 3 – Application Fee, payable by check to the Oregon Water Resourc completed Fee Worksheet, page 3. Try the new online fee calculator at:				
\triangleleft	Part 4 – Completed Applicant Information and Signature.				
	Part 5 – Information about Water Rights to be Transferred: How many we be transferred? <u>1</u> List them here: <u>36320 (Attachment A)</u> Please include a separate Part 5 for each water right. (See instruction NOTE: A separate transfer application is required for each water rig criteria in OAR 690-380-3220 are met.	ns on page 6)			
	Attachments:				
\triangleleft	Completed Transfer Application Map. (Attachment B)				
\propto	Completed Evidence of Use Affidavit and supporting documentation. (At	ttachment C)			
□ ⊠ N/	A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own right is on.)	the land the water			
	A Supplemental Form D – For water rights served by or issued in the name district. Complete when the transfer applicant is not the irrigation district	Construction of the second second second second			
X 🗆 N	/A Oregon Water Resources Department's Land Use Information Form with signature (or signed land use form receipt stub) from each local land use water is to be diverted, conveyed, and/or used. Not required if water is conveyed, and/or used only on federal lands or if all of the following app place of use only, b) no structural changes, c) the use of water is for irrig the use is located within an irrigation district or an exclusive farm use zo	e authority in which to be diverted, oly: a) a change in gation only, and d)			
	N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additi point(s) of appropriation. (Attachment E)				
<u> </u>	/A Geologist Report for a change from a surface water point of diversion to point of appropriation (well), if the proposed well is more than 500' from source and more than 1000' upstream or downstream from the point of 690-380-2130 for requirements and applicability.	n the surface water			
	(For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): Application fee not enclosed/insufficient Land Use Form not enclosed or incomplete Additional signature(s) required Part is incomplete	l or incomplete			

Other/Explanation

Staff:

Cł C

25 .

Date:

1___

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Part 2 of 5 – Transfer Application Map

OCT 0 3 2022

Yo	our trans	ofer 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 <u>http://apps.wrd.state.or.us/apps/wr/cwre_license_view/</u> . 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 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
\boxtimes		A north arrow, a legend, and scale.
		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, ¼¼, 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)

Part 3 of 5 – Fee Worksheet

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed:		
2	Place of Use Character of Use Point of Diversion/Appropriation Number of above boxes checked = 1 (2a) Subtract 1 from the number in line 2a = 0 (2b) If only one change, this will be 0 Multiply line 2b by \$1090 and enter >>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>	2	0
3	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i> 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) Do you propose to add or change additional wells? No: enter 0 Yes: multiply the number of additional wells by \$410 \$1,230 (4b)		
4	Add line 4a to line 4b and enter » » » » » » » » » » » » » » » » » » »	4	\$1,710
	Do you propose to change the place of use or character of use? No: enter 0 on line 5		RECEIVED
	Yes: enter the cfs for the portions of the rights to be transferred (see below*): (5a) Subtract 1.0 from the number in 5a above: (5b)		OCT 0 3 2022
	If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » » »		OWRD
5	5c by \$410, then enter on line 5 » » » » » » » » » » » » » » » » » »	5	The second se
6	Add entries on lines 1 through 5 above » » » » » » » » » » » Subtotal:	6	\$3,070
	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 »		
7	If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » » » »		0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » » »		\$3,070
-	Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:	and	45.0 acres

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).

	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	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

VIED

(RD)

APPLICANT/BUSINESS NAME Weisz Family, LLC Attn: Greg Weisz					
ADDRESS 14905 Butteville Rd NE				FAX NO.	
CITY Gervais	STATE	ZIP 97026	E-MAIL senecal6@icloud.c	com	

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

AGENT/BUSINESS NAME Pacific Hydro-Geology Inc., ATTN: Gregory E. Kupillas			PHONE NO. 503.939.3167	ADDITIONAL CON	RECEIVED
ADDRESS 18487 S Valley Vista	Rd	FAX NO.	OCT 0 3 2022		
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phggek@bctonline	OWRD	
	MAIL ADDRESS, CONSEN		CEIVE ALL CORRESPONDENC	E FROM THE DEPART	IMENT

Explain in your own words what you propose to accomplish with this transfer application, and why: The Applicant is proposing to change the point of appropriation of Certificate 36320.

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

Check One Box

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

By my signature below, I confirm that I understand:

- 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: <u>Woodburn Independent</u>.
- Amendments to the application may only be made in response to the Department's Draft Preliminary
 Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any
 issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be
 subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a
 refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error
 of the Department.
- I (we) affirm that the information contained in this application is true and accurate.

Appligant signature

Greg Weisz, Member, Weisz Family LLC Print Name (and Title if applicable)

9/21/2022 Date

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 = 1 (2a)		
	Subtract 1 from the number in line $2a = 0$ (2b) If only one change, this will be 0	1	
2	Multiply line 2b by \$1090 and enter » » » » » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer <u>1 (3a)</u>		
	Subtract 1 from the number in 3a above: $0(3b)$ If only one water right this will be 0		
3	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?		
1 -	No: enter 0 Xes: enter \$480 for the 1 st well to be added or changed <u>\$480 (4a)</u>		
	Do you propose to add or change additional wells?		
1	No: enter 0 Yes multiply the number of additional wells by \$410 \$1,230 (4b)		
4	Add line 4a to line 4b and enter » » » » » » » » » » » » » » » » » » »	4	\$1,710
124	Do you propose to change the place of use or character of use?	1	RECEIVED
	No: enter 0 on line 5		
	Yes: enter the cfs for the portions of the rights to be transferred (see below*): (5a)		DCT 0 3 2022
	Subtract 1.0 from the number in 5a above:(5b)		
	If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » » »		OWRD
-	If 5b is greater than 0, round up to the nearest whole number:(5c) and multiply	1	
5	5c by \$410, then enter on line 5 » » » » » » » » » » » » » » » » » »		0 \$3,070
0	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal: Is this transfer:	0	\$3,070
1	necessary to complete a project funded by the Oregon Watershed Enhancement Board		
	(OWEB) under ORS 541.932?		
	endorsed in writing by ODFW as a change that will result in a net benefit to fish and		
	wildlife habitat?		
	If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » » » »	7	0
8	Subtract line 7 from line 6 » /n » » » » » » » » » » » » » » » » »	_	\$3,070
*	Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acre of Supplemental Certificate 87¢54 (1/80 cfs per acre) on the same land:	s) and	145.0 acres
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 multipolic of acres to be transferred to get the transfer cfs (x 45 ac= 0.56 cfs).	ly by	the number
	 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 r	per acre;
	multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 4	5.0 a	c x 0.0125
2	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 su	upplemental
-	rights on acreage for which you have already calculated the cfs fee for the primary right on the same la	nd. Th	he fee should
	be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a w cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0		be only 0.56
		1.	
	FEE WORKSHEET for SUBSTITUTION	-	4000 00
	1 Base Fee (includes change to one well)		\$990.00
	Number of wells included in substitution (2a)		
1	Subtract 1 from the number in 2a above: (2b) If only one well this will be 0	1	

2

3

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

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

Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Xes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: <u>https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf</u>

RECEIVING LANDOWNER NAME Specht Development, Inc AT	TN: Peter S	škei	PHONE NO. 503-320-9201	ADDITIONAL CO	NTACT RECEIVED	
ADDRESS 10260 SW Greenburg Road, S	FAX NO.	OCT 0 3 2022				
CITY Portland	STATE OR	ZIP 97223	E-MAIL pskei@spechtprop.com OW			
Describe any special ownersh points of appropriation being	and the second second second	and the second	and the second	e is being sold and	the new	
The confirming Certificate sha	II be issued	in the name of	: Applicant Reco	eiving Landowner		

Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME	ADDRESS					
CITY	STATE	ZIP				

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

ENTITY NAME N/A	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	ADDRESS				
Marion County	5155 Silverton Rd. NE				
CITY	STATE	ZIP			
Salem	OR	97305			

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 36320

Description of Water Delivery System

System capacity: 1.05 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. Water is discharged from the well using a 40 Hp pump, conveyed to the place of use through above-ground mainlines and laterals, and applied using handlines equipped with high pressure impact sprinklers or a hard hose traveling sprinkler.

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	Ing	Sec	*	ХХ		Measured Distances (from a recognized survey corner)
Authorized Well 1	Authorized Proposed	MARI 2461	5	s	2	w	14	NE	SE	DLC 61	1070 feet north and 1130 feet west from SE Corner of DLC 61
New Well 1	Authorized	-	5	s	2	w	14	NE	SE	DLC 61	1025 feet north and 1130 feet west from the SE Corner of Lore DLC 61
Well 4	Authorized	-	5	s	2	w	14	NE	SE	DLC 82	310 feet north and 320 feet west from the SE Corner of DLC 82
Well 3	Authorized	MARI 2629	5	s	2	w	14	SE	SE	DLC 104	420 feet south and 1400 feet east from the SW Corner of DLC 82
Well 2	Authorized	MARI 2464	5	s	2	w	23	NE	NE	DLC 104	2,080 feet south and 1,680 feet east from the SW Corner of DLC 82

Check all 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)	\boxtimes	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" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

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

RECEIVED OCT 0 3 2022 OWRD Please use and attach additional pages of Table 2 as needed. See page 6 for instructions.

Table 2. Description of Changes to Water Right Certificate # 36320

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																					
Tw	γp	R	ng	Sec	:	4 %		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Date	"CODES" from previous page)	Tw	p	Rn	g	Sec	1/4	%	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	and the second
5	s	2	w	13	NW	sv	w	900	DLC 61	23.5	IR	Well 1	4/21/1967	POA	5	s	2	w	13	NW	sw	900	DLC 61	23.5	IR	New Well 1, and Wells 2, 3, and 4	and the second second second
5	s	2	w	14	NE	SI	E	900	DLC 61	9.2	IR	Well 1	4/21/1967	POA	5	s	2	w	13	NE	SE	900	DLC 61	9.2	IR	New Well 1, and Wells 2, 3, and 4	and the second sec
5	s	2	w	14	NE	SI	E	900	DLC 82	9.0	IR	Well 1	4/21/1967	POA	5	s	2	w	14	NE	SE	900	DLC 82	9.0	IR	New Well 1, and Wells 2, 3, and 4	
						Т	OT	AL ACF	RES:	41.7											TO	TAL AC	RES:	41.7			

Additional remarks: The authorized well is in a proposed roadway and will be decommissioned. Water can be conveyed north under Parr Road from Wells 2 and 3 through an existing buried mainline.

OCT 0 3 2022

OWRD

Revised 7/1/2021

Certificate # 36320

For Place of Use or Character of Use Changes – Not Applicable

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



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

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

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

Ground water supplemental Permit or Certificate # <u>N/A;</u> Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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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: (See Attachment E)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	is well aiready 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 2461		See MARI 2461							
New Well 1	No		320 ft (est.)	12 in (est.)	0-260 ft (est.)	40 ft (est.)	260-315 ft (est.)	45 ft (est.)	Alluvial	Not less than full	
Well 2	Yes	MARI 2629		See MARI 2629							
Well 3	Yes	MARI 2464		See MARI 2464							
Well 4	No	-	320 ft (est.)	12 in (est.)	0-260 ft (est.)	40 ft (est.)	260-315 ft (est.)	45 ft (est.)	Alluvial	right	

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

State o	f Oregon)	
) \$\$	
County	of <u>Marion</u>)	RECEIVED
I, GREG	WEISZ, in my capacity as PROPERTY OWNER,	
		OCT 0 3 2022
mailing	address <u>14905 BUTTEVILLE RD NE, GERVAIS, OR 97026</u>	
teleph	one number (503)951-1215, being first duly sworn depose and say:	OWRD
1.	My knowledge of the exercise or status of the water right is based on (check one):	
	Personal observation Professional expertise	

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

2. I attest that:

 \boxtimes Water was used during the previous five years on the entire place of use for Certificate # 36320; OR

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Town	ship	Ra	nge	Mer	Sec	Ya Ya	Gov't Lot or DLC	Acres (if applicable)
1									
				IJ					

OR

Confirming Certificate #	has been iss	sued within the past	five years; OR
--------------------------	--------------	----------------------	----------------

Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); Ol

- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____(For Historic POD/POA Transfers)

(continues on reverse side)

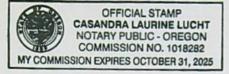
Evidence of Use Affidavit - Page 1 of 2

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

Signature of Affiant

9/2/2022 Date

Signed and sworn to (or affirmed) before me this 21st day of September, 2022.



Casalen

Notary Public for Oregon

My Commission Expires: 10/3

RECE VED

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

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon

)) ss

County of MARION)

I, GREG WEISZ, in my capacity as PROPERTY OWNER,

mailing address 14905 BUTTEVILLE RD NE, GERVAIS, OR 97026

telephone number (503)951-1215, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

Personal observation	Professional expertise

2. I attest that:

OWRD

OCT 03 2022

RECEIVED

Water was used during the previous five years on the entire place of use for Certificate # <u>36320</u>; OR

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Townsh	ip Range	Mer	Sec	¥4 ¥4	Gov't Lot or DLC	Acres (if applicable)
		1 2 1 1					
	Chill		2.			- manual a	
HEOE!	1 Sta	100					
5.0 mm	123						
	A COL						
Parises	1						
and a		1					

OR

Confirming	Castificate	44	hee	heen	incurad	within	the.	mant	E		OB
Confirming	Certificate	#	IIds	been	issueu	within	the	past	iive	years;	UR

Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion <u>not</u> leased instream.); OR

- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____(For Historic POD/POA Transfers)

(continues on reverse side)

Land Use Information Form



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

OCT 0 3 2022

OWRD

Applicant(s): Weisz Family, LLC Attn: Greg Weisz

Mailing Address: 14905 Butteville Rd NE

City: Gervais

State: OR

Zip Code: 97026

Daytime Phone: 503.951.1215

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	14 14	Tax Lot #	Pian Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
<u>55</u>	<u>2W</u>	<u>14</u>		900	EFU, UT-20	Diverted	Conveyed	🖾 Used	Irrigation
<u>5S</u>	<u>2W</u>	14		1000	EFU	Diverted	Conveyed	Used	Irrigation
<u>5S</u>	<u>2W</u>	14		1500	EFU	Diverted	Conveyed	Used Used	Irrigation
<u>5S</u>	<u>2W</u>	23		100	<u>UT-20</u>	Diverted	Conveyed	Used Used	Irrigation

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

	Permit Amendment or Ground Water Registration Modification Exchange of Water
Source of water: Reservoir/Pond Ground Water Surface V	Water (name)
Estimated quantity of water needed: 0.52 Scubic feet per second	gallons per minute acre-feet
Intended use of water: Irrigation Commercial Indust Municipal Quasi-Municipal Instru	
Briefly describe: This land use information form is to accompany a water right point of appropriation (well) from a single well to two new w right Certificate 36320.	

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

See bottom of Page 3. \rightarrow

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

PLand uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Mcc 16, 13.00 cA) + Mcc 17, 136.020 (A)

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Lan	d-Use Approval:
		Obtained Denied	Being Pursued
	RECEIVED	Obtained Denied	Being Pursued
	OCT 0 3 2022	Denied	Being Pursued Not Being Pursued
		Denied	Being Pursued Not Being Pursued
	OWRD	Obtained Denied	Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name:	Javed	Bradford		Title:	Assoc	iate Planner
Signature:	R	~	Phone:	503-566	-4173 ate:	9/29/2022
	ity: Ma	rion count	Phone:	Divis	ion	10/202

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

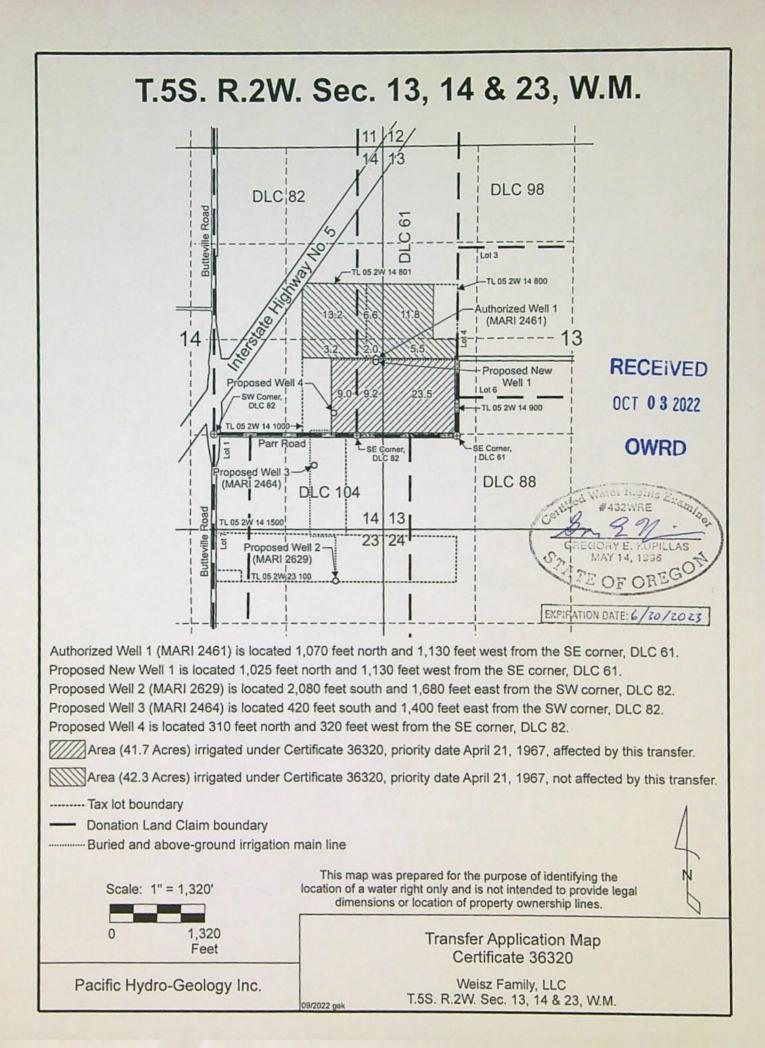
City or County:	Staff contact:		
Signature:	Phone:	Date:	

12 PO

JOHN HOOPER PROPERTY. MARI.		
filed with the	State Well No. 5	2w-13M
STATE ENGINEER, SALEM, OREGON STATE APR 7 1957ATE OI within 30 days from the date of well completion.	pe or print) G-3901 State Permit No.	
(1) OWNER: SALEM OREGON Name PAUL WILLARD OREGON	(11) WELL TESTS: Drawdown is amount lowered below static in Was a pump test made? Yes D No If yes, by whom	STETTLER
Address RI. 1 BOX 16	Yield: 5/0 gal/min. with /60 ft. drawdow	
GERVAIS ORE.		
(2) LOCATION OF WELL:	Bailer test gal./min. with ft. drawdo	own after hrs.
County MARION Driller's well number	Artesian flow g.p.m. Date	
34 34 Section /3 T. 55 R. 2 W. W.M. Bearing and distance from section or subdivision corner	Temperature of water 5 7 Was a chemical analysis	15 11
1	(12) WELL LOG: Diameter of well below or Depth drilled 773 ft. Depth of completed we	
	Formation: Describe by color, character, size of materia	and structure, and
	show thickness of aquifers and the kind and nature of i stratum penetrated, with at-least one entry for each c	the material in each hange of formation.
(3) TYPE OF WORK (check):	MATERIAL	FROM TO
New Well Deepening Reconditioning Abandon	CLAY YELLOW COLOR	2 23
andonment, describe material and procedure in Item 12.	CLAY BLUE - SILTY	23 78
(4) PROPOSED USE (check): (5) TYPE OF WELL:	SAHD BLACK FINE GRAIN	78 120
Domestic Industrial Municipal Rotary Driven	GRAVEL + SAHD 5'- 90% SAHD	120 125
Intigation & Test Well C Other Cable & Jetted	SAND- FINE TO MEDIUM	125- 133
"Dug 🗋 Borea 🗋	GRAVEL + SAND - BROWN	133 142
(6) CASING INSTALLED: Threaded D Welded D	CLAY BLUE - STICKY	142 150
12 " Diam. from ft. to ft. Gage	CLAY-SANDY CLAY COLOR CLAY BLUE COLOR	165 173 1
ft. Gage ft. Gage	Chiry Dove Color	105 112 :
" Dlam. from ft. to ft. Gage		
(7) PERFORATIONS: Perforated? Yes I No		
Type of perforator used MILLP -		
Size of perforations 3 in. by 2 & in.	1.	
340 perforations from 134 ft to 142 ft	GEONDUCTOR HOLE DRILLED BU	And in case of the local division of the loc
perforations from ft. to ft.	TO 133'- 3" CRUSHED GRAD ABOVE RED GRAVEL-TO STOP	AL MLACED
perforations from ft to ft	OF FINE SAND ABOVE	F127201104
perforations from ft. to ft.	6" CASING THEN REMOVE	0
(8) SCREENS: Well screen installed? I Yes X No		
Manufacturer's Name		
Model No		· · · ·
Diam Slot size Set from ft. to ft.	Work started 3-23- 1966 Completed 3	1-4- 1066
	Date well drilling machine moved off of well	-4- 1966
(9) CONSTRUCTION:	(13) PUMP:	RECEIVED
Well seal-Material used in seal Beitto NITe Depth of seal 23' ft Pas a packer used? YES	Manufacturer's Name	
Depth of seal 23' ft fra a packer used? YES Diameter of well bore to bottom of seal 15" in.	Type: 1	H.P. OCT OV 2022
Were any loose strata cemented off? TYE No Depth	Water Well Contractor's Certification:	001 00 2022
Was a drive shoe used? Xes DNo	This well was drilled under my jurisdiction	and this poport is
Was well gravel packed? I Yes X No. Sze of gravel:	the to the best of my knowledge and belief.	UWRD
Gravel placed from ft. To ft.	NAME J.H. SHEED + SONS. (Person, firm or corporation) (Ty	
Did any strata contain unusable water? As INO Type of water? SANDY depth Ustrata 78 TO 120	Address 3910 SILVERTON RD. N. 5	SHLEH ORS
Method of scaling strata off CASE	Drilling Machine Operator's License No	
(10) WATER LEVELS:		<u></u>
Static level 10' tt. below and surface Date 4-9-66	[Signed]	
Artesian pressure Ibi, perquare inch Date	Contractor's License No Date	5- 19.66
USE ADDITIONAL SI	LEETS IF NECESSARY)	

4. Well- MARI 2629			
filed with the		120	-23
CATE ENGINEER, SALEM, OREGON 97310 STATE C within 30 days from the date (Please t of well completion.	of OREGON ype or print) G-3988 State Permit No		
OWNER: ME PAUL WILLARD	(11) WELL TESTS: Drawdown is amount lowered below static i Was a pump test made? XYes No If yes, by who		THER
dress Rt. 1 BOX 76	Yield: 680 gal/min. with 44 ft. drawdo		2 hrs.
GERUAIS ORE	x <u>* * * * *</u>		"
unty MARION Driller's well number	Baller test gal./min. with ft. drawd	own after	hrs.
unty MARION Driller's well number 14 14 Section 23 T. 55 R. 2W. W.M.	Artesian flow g.p.m. Date Temperature of water 52 Was a chemical analysis	made?	Yes X No
aring and distance from section or subdivision corner	(12) WELL LOG: Diameter of well below of	1	2
	Depth drilled /66. ft. Depth of completed w		6' ft.
	Formation: Describe by color, character, size of materi show thickness of aguifers and the kind and nature of stratum penetrated, with at least one entry for each	al and stru the mater change of	cture, and al in each formation.
	MATERIAL	FROM	TO `
3) TYPE OF WORK (check):	TAPSOIL	0	1
Well Decpening Reconditioning Abandon and Abandon and Abandon Reconditioning Reco	CENT YCLOUD COLOR	14	75
	SAND FINE MUDDY	75	102
4) PROPOSED USE (check): (5) TYPE OF WELL: Rotary Driven	PONGLOMERATE	102	107
omestic Industrial Municipal Cable A Jetted	PLAY SANDY BLUE	107	113
rigation X Test Well Other Dug Bored	CLAY MEALY	1/3	128
) CASING INSTALLED: Threaded D Welded &	CONGLOMERATE BLUE	128	140
12' Diam from 0 tt. to 166 ft. Gage 7	GRAVEL 12 -	140	143
" Diam. from ft. to ft. Gage	SAND COARSE	143	146
" Diam. from ft. to ft. Gage	CLAYSTONE BLUE SOFT	146	161
7) PERFORATIONS: Perferated? Z Yes D No	CENTSTERCE Dette Serie	135	100
ype of perforator used MILLS	-		
Sty perforations iron 143 th. to 153 th	RECEIVED		
perforations fromft. toft			
perforations from ft. to ft to			
perforations from ft. to ft			
8) SCREENS: Well screen installed? Ves XNo			
fanufacturer's Name			
Slot size		5-27	1067
tiam Slot size Set from ft. to ft	Date well drilling machine moved off of well	5-2	7 1967
9) CONSTRUCTION:	(13) PUMP:		
Vell seal-Material used in seal <u>BENTCHITZ</u> Depth of seal <u>IC2</u> , ft. Was a packer used? <u>YES</u>	Manufacturer's Name		-
Pepth of sealft. Was & packer used?	Туре:	H.P	
Diameter of well bore to bottom of seal in.	Water Well Contractor's Certification:		
Were any loose strata cemented off? X Yes D No Depth	•		Ale at
Was well gravel packed? Vies Vio Size of gravel:	This well was drilled under my jurisdiction true to the best of my knowledge and belief.	and this	report is
Gravel placed from	NAME TR. SNEED + SPALS		
Did any strata contain unusable water? Yes No Type of water? SAHDy depth of strata 75' TO 102	- NAME J.A. SNEED & SONS (Person, firm or corporation) Address 3910 SILVERTON R.D.	SHL	en Ch
Method of sealing strata off CASED	= Drilling Machine Operator's License No.		****************
10) WATER LEVELS:	[Signed] R.J. Succed.		
Arteslan pressure lbs. per guare inch Date	_ Contractor's License No Date	- 27.	19.67
(USE ADDITIONAL	SHEETS IF NECESSARY)		

	THIN					
NOTICE TO WATER WELL CONTRACTOR	* (04)					
tiled with the LE CE HE CATER WELL DECORTO LINE Well No. 5/2W-14						
The original and first copy of this report are to the ECEINE TATE WELL BEFORTCEINE State well No. 5/2w-14 state Engineer, SALEM, OMERON AND X 6 1968 (Please type or print)						
within 30 days from the date the in the internet where this lines to the internet has						
or well completionSTATE ENGINEER	SALEM OREGON			•		
(1) OWNER. SALLIN UNLOON	(11) LOCATION OF WELL:					
(1) OWNER:						
Name E. N. CAIN	County / Providence					
Address Rf 1 - Box 74K BRooks						
(2) TYPE OF WORK (check):	Bearing and distance from section or subdivision corner					
New Well 2 Deepening Reconditioning Abandon						
If abandonment, describe material and procedure in Item 12.		1000				
(3) TYPE OF WELL: (4) PROPOSED USE (check):			,	att		
Rotary D Briven D	(12) WELL LOG: Diameter of well below casing					
Cable Jetted Domestic Industrial Municipal Dug Bored Irrigation Test Well Other	Depth drilled 178 ft. Depth of compl	eted wel	1 17	ft.		
Dug Bored I Irrigation 2 Test Well Other D.	Formation: Describe color, texture, grain size	and strue	cture of n	naterials;		
CASING INSTALLED: Threaded D Welded	and show thickness and nature of each stratu with at least one entry for each change of form	ation. R	eport each	h change		
10 Diam. from +1_ the to 179 the Gage 1250	in position of Static Water Level as drilling pro	ceeds. 1	Note drilli	ng rates.		
" Diam. from ft., to ft. Gage	/ MATERIAL	From	To	SWL		
" Diam. from ft. to ft. Gage	Soil .	0	ス			
PERFORATIONS: / Perforated? Pres D No.	BROWN - CLAY	2	19			
Type of perforator used Maillo	BLUT - 11 SANDY	19	83.			
	BROWN - CRMENTED	83	85			
	SAND	0.0	00	·		
	BLACK - SAND	85	95			
	BLUR - CLAY LUTH	95	100			
perforations from ft. to ft.	Somer Star ALIGRADEL	100	110			
perforations fromft. toft.	BLUR - CLAY WITH	100	11.5			
Personal personal and the second seco	Protein auro	115	1.30			
(7) SCREENS: Well screen installed? Ves 2100	GRAVIEL STUBLL & MURD	130	139			
Manufacturer's Name	BRAVIEL BRAVIEL	120	121			
Type Model No.	BRUYN - CREMMANTAN	139	162	(
Diam Slot size Set from ft. to ft.	SAND					
Diam Slot size Set Irom ft. to ft.	BLACK - SAND	162	170			
(8) WATER LEVEL: Completed well.	BLUR - CLAY	120	178			
Static level 20 ft. below land surface Date 9-3/-60						
isian pressure lbs, per square inch Date						
(a) THEFT MESTE. Drawdown is amount water level is						
(9) WELL TESTS: Drawdown is amount water level is lowered below static level	21			*		
Was a pump test mader I Yes I No II ye, by whom Tos here y wig	Work started 7-26 - 19 (Complet	10	-/			
Yield: 400 gal./min. with A3 ft. drawdown after / hrs.		ed /-	21	1968		
500 " "	Date well drilling machine moved off of well	7-3	<u> </u>	19 68		
	Drilling Machine Operator's Certification:					
Bailer test gal./min. with tt. drawdown after hrs.	This well was constructed under my di rials used and information reported above	rect sur	pervision.	. Mate-		
Artesian flow g.p.m. Die	knowledge and belief.	1		uy best		
Temperature of water Was a chemical analysis made? I Yes ONO	[Signed] Abuman Tixel	Date	-2	10 68		
F :	(Drilling Machine Operator)	a.		-, 10.Me()		
(10) CONSTRUCTION:	Drilling Machine Operator's License No	45	5			
Well seal-Material used	Water Well Contract of a line up					
Depth of seal 50 tt.	Water Well Contractor's Certification: This well was drilled under my jurisdiction and this report is					
Diameter of well bore to bottom of seal in. Were any loose strata cemented off is a RNo Depth	true to the bort of my knowledge and beli	ef.	nd this r	eport is		
RELEWA	MAME HAILING - KURIST Carling to 113 Com					
Was a drive shoe used? Gres No Did any strata contain unusable water O Yes GNo	(Person, firm or corporation) (Type or print)					
Versitate OCT 0.2 20	nonaddress SS45 HOSTENISTSE					
Type of water?	1 - 11 1 CONTRACTOR					
Method of sealing strata off	[Signed] Andran K heiller					
Was well gravel packed? Yes to lize of gravel:						
Gravel placed from ft.	Contractor's License No. 5-2- Date	2-1	-d	19.6.8.		
USE ADDITIONAL SH	EETS IF NECESSARY)					





Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in	neck the Certificate(s) in WRIS Transfer # T- 14/02							
Checked by- alla Date- 10/4/22	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution	Supplemental to Primary	POU	POD	APOD		
Fee Received: 3070 -		Gov Action	Surface to Ground	USE	POA	АРОА		
Calculated Fee:			How many rights to be Transferred?					
3070-			Certificate # 36320					
Additional Observations:				000				
f OK and complete, check box t		ants listed at t	he top of the pa	age signe	ed at the	bottom?		
	/hose signature is missing	?						
	planation of the reasons ontact the applicant or ag	for transfer on ent?	Part 4 of the ap	ne inform plication	nation m 1?	atch		
If no, are the criteria of (DAR 690-380-3220 for mo pplication CANNOT be ac	ore than one W	R met? Yes or M		Tree Flo	wchart.		
5. For multiple certificates separate completed Part If no, which certificate(s)				nave the	ir own			
6. Is the map prepared and If no, what is missing? _	I signed by a CWRE? Does		requirements? Aap waiver inclu]Yes [] No		
7. If a change in point of ap	opropriation (POA), have t	he well logs be	en included?] N/A.				
8. If a change in place of us Supplemental Form U?	se (POU) within Umatilla (N/A.	County, have th	ne applicant(s) p	rovided	а			
9. If all boxes on this check Put this application intal	list are checked (with no ke completeness check sh	remaining define eet in the tran	ciencies identifi sfer folder.	ed), ACC	EPT the	applicatio		
It should be return	left are NOT checked, the ned and the deficiencies li 1, <u>unless</u> the applicant or	isted in the "st	aff" section at t	the bott	om of			
Actions taken:				Dat	0.			

Revised 7/14/2021

Permanent Transfer Application Intake Completion Checklist

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					
	Character of Use	1				
	Point of Diversion/Appropriation					
1	Number of above boxes checked = $(2a)$					
2	Subtract 1 from the number in line $2a = (2b)$ <i>If only one change, this will be 0.</i>	2	0			
2	Multiply line 2b by \$1,090 and enter » » » » » » » » » » » » » » » » » » »	4	0			
	Number of water rights included in transfer (3a)					
-	Subtract 1 from the number in 3a above: <u>(3b)</u> If only one water right this will be 0	3	0			
3	Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » » » » » »	5	0			
	Do you propose to add or change a well, change from a surface water POD to a		C LA C			
	well, or Substitute a Suppl GW right for a Primary SW right? No: enter 0 » » » » » » » » » » » » » » » » » »					
	Yes = \$480 (4a)		a start			
	If YES: enter the number of wells being proposed: (4b)		Part -			
	Subtract 1 from the number in line $4b = (4c)$ If only one well this will be 0.					
1	Multiply line $4c$ by $410 = (4d)$					
4	Add lines 4a and 4d and enter » » » » » » » » » » » » » » » » » » »	4	0			
	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					
	example below*): (5a)					
	Subtract 1.0 from the number in 5a above:(5b)					
	If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » » »					
	If 5b is greater than 0, round up to the nearest whole number: <u>(5c)</u> and					
5	multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » »	5	0			
6	Add entries on lines 1 through 5 above » » » » » » » » » » » Subtotal:	6	0			
	Is this transfer:					
	necessary to complete a project funded by the Oregon Watershed					
1	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 » » »		1.2.2			
7	If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » » » » »	7	0			
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » » »	8				