

Application for Permanent Water Right Transfer



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

Part 1 of 4 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 4 and all required attachments are not completed and included.

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

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Check all items included with this application. (N/A = Not Applicable)

- ☒ Part 1 – Completed Minimum Requirements Checklist.
 - ☒ Part 2 – Completed Transfer Application Map Checklist.
 - ☒ Part 3 – Completed Applicant Information and Signature.
 - ☒ Part 4 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 98014**
Please include a separate Part 4 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.
 - ☒ **Application Fee** - payable by check to the Oregon Water Resources Department, the online fee calculator is located: **\$2,760.00**
https://apps.wrd.state.or.us/apps/wr/wr_transfer_calculator/permanent_transfer.aspx
- Attachments:**
- ☒ Completed Transfer Application Map.
 - ☒ Completed Evidence of Use Affidavit and supporting documentation.
 - ☒ ☐ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
 - ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
 - ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
 - ☒ ☐ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
 - ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- | | |
|--|--|
| ☐ Application fee not enclosed/insufficient | ☐ Map not included or incomplete |
| ☐ Land Use Form not enclosed or incomplete | ☐ Evidence of Use Form not enclosed or incomplete |
| ☐ Additional signature(s) required | ☐ Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

Part 2 of 4 – Transfer Application Map

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

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

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

Part 3 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Bruce Ernst			PHONE NO. 503-633-8366	ADDITIONAL CONTACT NO.
ADDRESS PO Box 460			FAX NO.	
CITY Saint Paul	STATE OR	ZIP 97137	E-MAIL bruce@ernstnursery.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Doann Hamilton / Pacific Hydro-Geology, Inc.			PHONE NO. (503) 632-5016	ADDITIONAL CONTACT NO. (503) 349-6946 (cell)
ADDRESS 18487 S. Valley Vista Road			FAX NO. (503) 632-5983	
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phgdmh@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

We recently added new Well 5 (MARI 71683) to our nursery water right Certificate 98014 under T-14189.
We are now applying to add the same well to our irrigation water right Certificate 98014.

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

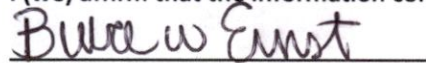
Check One Box

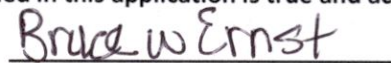
- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **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.

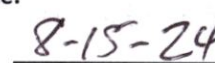
By my signature below, I confirm that I understand:

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

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


Applicant Signature


Print Name (and Title if applicable)


Date

Applicant Signature

Print Name (and Title if applicable)

Date

Received

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

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

Check the following boxes that apply:

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

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME NA			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: ☐ Applicant ☐ Receiving Landowner				

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

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP

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

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

Part 4 of 4 – Water Right Information

Please use a separate Part 4 for each water right being changed. See instructions on page 6, to copy and paste additional Part 4s, or to add additional rows to tables within the form.

CERTIFICATE # 98014

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Description of Water Delivery System

System capacity: 0.42 cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

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

Water is pumped from Well 1 using a 10 Hp submersible pump to convey water through a 4-inch buried PVC pipe to the west to irrigate a 7.6-acre section with impact sprinklers. Water is pumped from Well 2 and Well 3 using a 75 Hp submersible pump to convey water through an 8-inch buried PVC pipe heading east and west to connect to additional 6-inch buried PVC mainline with hydrants where 3-inch portable handlines with impact sprinklers can be attached.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	☒ Authorized ☐ Proposed	MARI 1065	4 S	2 W	4	SW	SE	DLC 70	720 feet south and 1,000 feet east from the NW corner, DLC 70
Well 2	☒ Authorized ☐ Proposed	MARI 51725	4 S	2 W	4	SW	SE	DLC 70	635 feet south and 1,000 feet east from the NW corner, DLC 70.
Well 3	☒ Authorized ☐ Proposed	MARI 68592	4 S	2 W	4	SW	SE	DLC 70	1,200 feet south and 1,905 feet east from the NW corner, DLC 70.
Well 5	☐ Authorized ☒ Proposed	MARI 71683	4 S	2 W	9	NE	NE	DLC 70	2,330 feet south and 1,140 feet west from the NE corner, DLC 70.

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) | ☐ 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.

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

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

Table 2. Description of Changes to Water Right Certificate # 9804 *980421*

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
										APOA	4	S	2	W	4	NE	SW	1100	DLC 70	3.6	Irrigation	Wells 2,3,5	4-30-1964
										APOA	4	S	2	W	4	SE	SW	1100	DLC 70	4.6	Irrigation	Well 1	4-30-1964
										APOA	4	S	2	W	4	SE	SW	1100	DLC 70	10.9	Irrigation	Wells 2, 3,5	4-30-1964
										APOA	4	S	2	W	4	NE	SE	1100	DLC 70	2.0	Irrigation	Wells 2, 3,5	4-30-1964
										APOA	4	S	2	W	4	NW	SE	1100	DLC 70	7.4	Irrigation	Wells 2, 3,5	4-30-1964
										APOA	4	S	2	W	4	SW	SE	1100	DLC 70	3.0	Irrigation	Well 1	4-30-1964
										APOA	4	S	2	W	4	SW	SE	1100	DLC 70	28.4	Irrigation	Wells 2, 3,5	4-30-1964
										APOA	4	S	2	W	4	SE	SE	1100	DLC 70	5.4	Irrigation	Wells 2, 3,5	4-30-1964
										APOA	4	S	2	W	9	NW	NE	1100	DLC 70	1.8	Irrigation	Wells 2, 3,5	4-30-1964
										APOA	4	S	2	W	9	NE	NW	1100	DLC 70	1.2	Irrigation	Wells 2, 3,5	4-30-1964
TOTAL ACRES:												TOTAL ACRES:						68.3					

Additional remarks: None.

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For Place of Use or Character of Use Changes: NA

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

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

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

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

Ground water supplemental Permit or Certificate # NA;

Surface water primary Certificate # NA.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-__	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Well 1	Yes	MARI 1065	See Well Log MARI 1065							Not less than full rate of water right
Well 2	Yes	MARI 51725	See Well Log MARI 51725							
Well 3	Yes	MARI 68592	See Well Log MARI 68592							
Well 5	Yes	MARI 71683	See Well Log MARI 98014							

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.

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State of Oregon)
) ss
County of MARION)

I, BRUCE ERNST, in my capacity as OWNER/OPERATOR,

mailing address PO BOX 460, SAINT PAUL, OR, 97137

telephone number (503) 633-8366, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the **entire** place of use for
Certificate # _____; **OR**

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

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

☒ Confirming Certificate # 98014 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.): NURSERY STOCK

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Brian Ernst

Signature of Affiant

8-15-25

Date

Signed and sworn to (or affirmed) before me this 15 day of August, 2025.



Meghan Thompson

Notary Public for Oregon

My Commission Expires: Aug 3, 2027

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.terra-server.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

Received

OCT 01 2025

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THIS CERTIFICATE ISSUED TO

BRUCE ERNST
PO BOX 460
SAINT PAUL OR 97137

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

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

PURPOSE OR USE: IRRIGATION OF 68.3 ACRES

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

DATE OF PRIORITY: APRIL 30, 1964

The wells are located as follows:

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

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year; and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

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

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

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

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director in good working order at each point of appropriation (new and existing).
- B. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

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

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

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

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

Issued SEP 27 2024.



Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

Received

OCT 01 2025

OWRD

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
County of Marion)ss
)

I Dennis and Sylvia Melcher and Jeff Melcher in my/our capacity as owner,

mailing address _____,

telephone number _____, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 98014

described in a Water Right Transfer Application (T-NA),

(transfer number, if known)

submitted by Bruce Ernst

on the property in tax lot number(s) 1700, Section 4, Township 4 South, Range 2 West, W.M.,

located at 6417 Gearin Rd NE, Saint Paul, OR 97137

(site address)

Dennis Melcher

Signature of Affiant

9-23-25

Date

Sylvia R. Melcher

Signature of Affiant

9-23-25

Date

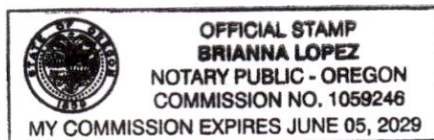
Jeff Melcher

Signature of Affiant

9-23-25

Date

Subscribed and Sworn to before me this 23rd day of September, 2025.



B. Lopez
Notary Public for Oregon

My commission expires June 5, 2029.

Land Use Information Form

OREGON



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

NAME Bruce Ernst			PHONE (503) 633-8366		
MAILING ADDRESS PO Box 460					
CITY St. Paul		STATE OR	ZIP 97137	EMAIL	

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
4S	2W	4	_____	1100	_____	☒ Diverted	☒ Conveyed	☒ Used	IR
4S	2W	4	_____	1700	_____	☒ Diverted	☒ Conveyed	☐ Used	IR
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Marion County

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

Type of application to be filed with the Oregon Water Resources Department:

- ☐ Permit to Use or Store Water ☒ Water Right Transfer ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License ☐ Exchange of Water ☐ Allocation of Conserved Water

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 0.42 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
 ☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

This Land Use Information Form is to accompany a water right transfer application that proposes to add an additional point of appropriation (well), to an existing water right (Certificate 98014).

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 ➔

Received

OCT 01 2025

Last Revised: 10/2023

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

- ☒ Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCC 17.136.020. A
- ☐ Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being Pursued."**

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

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

Name: Alexander Seiger Title: Assistant Planner

Signature:  Date: 8/4/2025

Governmental Entity: Marion County Phone: (503) 588-5038

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:

Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: _____

Staff Name: _____ Title: _____

Staff Signature: _____ Date: _____

Governmental Entity: _____ Phone: _____

RECEIVED

JAN 29 1964

WATER WELL REPORT

STATE OF OREGON
(Please type or print)

MARI 1065

State Well No. 4/2W 40

State Permit No. G 1842

CE TO WATER WELL CONTRACTOR
The original and first copy
of this report are to be
filed with the
STATE ENGINEER, SALEM 10, OREGON
within 30 days from the date
of well completion.

(1) OWNER:

Name Michael Hopfer
Address Rt. 1 Aurora, Oregon

(2) LOCATION OF WELL:

County Marion Driller's well number
1/4 1/4 Section T. 4S R. 2 W.M.
Bearing and distance from section or subdivision corner
937' N and 265' E of the SW Corner of S.E.
corner of section 4

(3) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
document, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(6) CASING INSTALLED:

Threaded ☐ Welded ☐

16" Diam. from 0 ft. to 19 ft. Gage .250
10" Diam. from 0 ft. to 182 ft. Gage .250
" Diam. from _____ ft. to _____ ft. Gage _____

(7) PERFORATIONS:

Perforated? ☒ Yes ☐ No

Type of perforator used torch
Size of perforations 5/16 in. by 8 in.
185 perforations from 47 ft. to 65 1/2 ft.
190 perforations from 85-3" ft. to 104'-9" ft.
180 perforations from 123'-8" ft. to 143'-9" ft.
0 perforations from 163'3" ft. to 177' ft.
perforations from _____ ft. to _____ ft.

(8) SCREENS:

Well screen installed ☐ Yes ☐ No

Manufacturer's Name _____ Model No. _____
Type _____
Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:

Well seal—Material used in seal concrete
Depth of seal 19 ft. Was a packer used? ☐
Diameter of well bore to bottom of seal 24 in.
Were any loose strata cemented off? ☐ Yes ☒ No Depth _____
Was a drive shoe used? ☐ Yes ☒ No
Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/8" - 3/4"
Gravel placed from 19 ft. to 182 ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? _____ Depth of strata _____
Method of sealing strata off _____

(10) WATER LEVELS:

Static level 25 ft. below land surface Date 1-4-64
Artesian pressure _____ lbs. per square inch Date _____

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☐ Yes ☒ No If yes, by whom?

Yield: 600	gal./min. with 30	ft. drawdown after 2	hrs.
" 600	" 51	" 4	"
" 600	" 51	" 6	"

Ballor test gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow g.p.m. Date _____

Temperature of water _____ Was a chemical analysis made? ☐ Yes ☐ No

(12) WELL LOG:

Diameter of well below casing 20"

Depth drilled 205 ft. Depth of completed well 178 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Top Soil	0	3
Light Brown Clay	3	26
Brown Clay Hard	26	39
Dark Brown Clay	39	54
Fine Black Sand	54	61
Brown Clay with Layers of Sand	61	83
Hard Brown Clay	83	89
Blue Clay	89	101
Brown Clay	101	112
Blue Clay	112	123
Black Sand	123	132
Wood	132	133
Brown Clay	133	136
Hard Brown Clay turning to	136	
Blue at		143
To Green at		150
To Blue at		166
Black Sand		174
Chalk White Clay		180
Light Brown Clay		205

We installed a concrete plug at 178'

Work started 12-14 19 63 Completed 1-6 19 64
Date well drilling machine moved off of well 1-6 19 64

(13) PUMP:

Manufacturer's Name _____ Type: _____ H.P. _____

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Milo Schneider Equipment Co.

(Person, firm or corporation) (Type or print)

Address Star Rt., Box 97, St. Paul, Oregon

Drilling Machine Operator's License No. 212

[Signed] Milo Schneider (Water Well Contractor)

Contractor's License No. 387 Date 1-25 19 64

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

APR 25 1997

WELL ID # 102416

WATER RESOURCES DEPT.

(START CARD) # 78623

Instructions for completing this report are on the last page of this form.

(1) OWNER:

Well Number

Name Ernst Nursery & Farms

Address 20863 Riverside Dr. NE

City St. Paul State OR Zip 97137

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:

☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger

☐ Other

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation

☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well 347 ft.

Explosives used ☐ Yes ☒ No Type Amount

HOLE

SEAL

Diameter From To Material From To Sacks or pounds

20" 0 40' holeplug 0 40 40 sacks

16" 40 347 bentonite

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E

☒ Other OAR 690-210-340

Backfill placed from ft. to ft. Material

Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:

Diameter From To Gauge Steel Plastic Welded Threaded

Casing: 16" +2' 298 .375 ☒ ☐ ☒ ☐

Liner: ☐ ☐ ☐ ☐

Final location of shoe(s) 298'

(7) PERFORATIONS/SCREENS:

☐ Perforations

Method

☒ Screens

Type

Material stainless

From To Slot size Number Diameter Tele/pipe size Casing Liner

+3 299' .070 12" pipe ☒ ☐

299 319 .070 12" screen ☐ ☐

319 339 .080 12" screen ☐ ☐

339 347 12" pipe ☒ ☐

347 Bottom plate & lift bail ☐ ☐

(8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump

☐ Bailer

☐ Air

Flowing

☐ Artesian

Yield gal/min

Drawdown

Drill stem at

Time

800

138

6 hr. S

Temperature of water 54 Depth Artesian Flow Found

Was a water analysis done? ☐ Yes By whom

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata:

(9) LOCATION OF WELL by legal description:

County Marion Latitude Longitude

Township 4 S N or S Range 2W E or W. WM.

Section 4 SW 1/4 NE 1/4

Tax Lot 0110 Lot Block Subdivision

Street Address of Well (or nearest address) 6177 Gearin Rd.

St. Paul, OR 97137

(10) STATIC WATER LEVEL:

62' ft. below land surface.

Date 4/17/97

Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 20'

From	To	Estimated Flow Rate	SWL
20	32	20 gpm	8'
297'	341'	800 gpm	62'

(12) WELL LOG:

Ground Elevation

Material	From	To	SWL
Topsoil	0	1	
Clay brown	1	36	
Clay gray brown	36	46	
Clay silty gray	46	75	
Sand-silt	75	87	
Clay gray	87	115	
Sand & clay gray	115	126	
Clay gray	126	144	
Clay with sand & gravel	144	175	
Clay gray	175	212	
Clay w/sand	212	224	
Clay gray, part sticky	224	276	
Clay w/sand, gravel gray	276	281	
Clay sandy, brown-gray	281	292	
Clay silty brown	292	297	
Sand brown	297	304	62'
Sand black	304	315	62'
Gravel & sand, black	315	341	62'
Clay gray	341	347	

Date started 12/24/96

Completed 4/17/97

(unbonded) Water Well Constructor Certification:

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

Signed Kermit Martin

WWC Number 1391

Date 4/23/97

(bonded) Water Well Constructor Certification:

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

Signed Ivan G. Rosen

WWC Number 783

Date 4/21/97

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

Received

OCT 01 2025

14739-

OWRD

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

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

(1) LAND OWNER

Owner Well I.D. _____
First Name Bruce Last Name Ernst
Company Ernst Nursery & Farms
Address PO Box 460
City St. Paul State OR Zip 97137

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion
☐ Alteration (complete 2a & 10) ☐ Abandonment (complete 5a)

(2a) PRE-ALTERATION

Dia + From To Gauge Stl Plstc Wld Thrd
Casing: ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐
Material From To Amt sacks/lbs
Seal: ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

(3) DRILL METHOD

☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering
☐ Thermal ☐ Injection ☐ Other _____

(5) BORE HOLE CONSTRUCTION

Special Standard ☐ (Attach copy)

Depth of Completed Well 95 ft.

BORE HOLE

Dia	From	To	Material	From	To	Amt	sacks/lbs
16	0	34	Bentonite Chips	0	34	34	S
12	34	95				26	
						Calculated	
						Calculated	

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other 690-210-0340

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount Pounds Actual Amount Pounds

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
☒	12	☒	1.5	58.14	.25	☒	☐	☒	☐
☐	10	☒	2.96	95	.25	☐	☐	☒	☐
☐		☐				☐	☐	☐	☐
☐		☐				☐	☐	☐	☐

Shoe ☐ Inside ☒ Outside ☐ Other Location of shoe(s) 58.14

Temp casing ☐ Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type V-wire

Material stainless steel

Perf/S	Casing/Screen	Dia	From	To	Scr/slot width	Slot length	# of slots	Tele/pipe size
Screen		10	69.75	90	.08			10

(8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
200	48.5		4

Temperature 53 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below) TDS amount 87

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County MARION Twp 4 S N/S Range 2 W E/W WM
Sec 4 SW 1/4 of the SE 1/4 Tax Lot 1100

Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD

Long _____ " or _____ DMS or DD

☒ Street address of well ☐ Nearest address

6180 Gearin Road NE, St. Paul, OR 97137

(10) STATIC WATER LEVEL

Existing Well / Pre-Alteration	Date	SWL(psi)	+	SWL(ft)
Completed Well	03-21-2019			

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES Depth water was first found 76

SWL Date From To Est Flow SWL(psi) + SWL(ft)

09-28-2018	76	90			21

(11) WELL LOG

Ground Elevation _____

Material	From	To
Clay, brown	0	5
Silt, brown	5	19
Silt, greenish gray	19	32
Clay, greenish gray, sand	32	38
Clay, greenish gray	38	42
Clay, gray	42	52
Sand, black, silt, dark gray	52	76
Sand, black, silt, layers, dark gray	76	90
Clay, dark greenish gray	90	93
Clay, blueish gray	93	95

RECEIVED

JUN 26 2019

OWRD

Date Started 09-28-2018 Completed 03-19-2019

(unbonded) Water Well Constructor Certification

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

License Number 1704 Date 04-12-2019

Signed _____

(bonded) Water Well Constructor Certification

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

License Number 783 Date 04-12-2019

Signed _____

Contact Info (optional) _____