

Regular

Name Roger Kuenzi and Leon Kuenzi  
Address P.O. Box 9026  
Brooks, OR. 97305  
roger9026@gmail.com

Change in POA  
Date Filed 7/11/2018  
Initial notice date 7/17/2018  
DPD issued date \_\_\_\_\_  
PD issued date 10/28/2019  
PD notice date 10/29/2019  
Date of FO 03/21/2020 Vol 1110 Page 349-352

C-Date 10/01/2025  
COBU due date 10/01/2026  
COBU Received date \_\_\_\_\_  
Certificate issued \_\_\_\_\_

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Well  
Trib. of Little Pudding River  
Use Irrigation County Marion  
Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_  
Name of ditch \_\_\_\_\_  
App# G-5256 Per # G-5108 Cert # 65686 PR Date 7/23/1970  
App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_  
App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_  
App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

FEES PAID		
Date	Amount	Receipt #
<u>7-11-18</u>	<u>\$1,570.00</u>	<u>127282</u>
<u>11-4-25</u>	<u>\$ 345.00</u>	<u>146292</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Irrigation District \_\_\_\_\_  
Agent Will McGill willmcgill.surveying@gmail.com  
CWRE Will McGill  
CC's list Marion County

- Oversized map - Location \_\_\_\_\_

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
 SALEM, OR 97301-4172  
 (503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **127282**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Will McGill Surveying, LLC APPLICATION \_\_\_\_\_  
 BY: \_\_\_\_\_ PERMIT \_\_\_\_\_  
 CASH:  CHECK:# 1353 OTHER: (IDENTIFY) \_\_\_\_\_ TRANSFER T-12968  
 TOTAL REC'D \$ 1,570.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_  
 OTHER: (IDENTIFY) \$ \_\_\_\_\_  
 0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

MISCELLANEOUS 46110

0407	COPY & TAPE FEES	\$	
0410	RESEARCH FEES	\$	
0408	MISC REVENUE: (IDENTIFY)	\$	
TC162	DEPOSIT LIAB. (IDENTIFY)	\$	
0240	EXTENSION OF TIME	\$	

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201	SURFACE WATER	\$	0202 \$
0203	GROUND WATER	\$	0204 \$
0205	TRANSFER	\$ <u>1,570.00</u>	

WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$	0219 \$
	LANDOWNER'S PERMIT		0220 \$
	OTHER (IDENTIFY)		

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ \_\_\_\_\_ CARD # \_\_\_\_\_  
 0210 MONITORING WELLS \$ \_\_\_\_\_ CARD # \_\_\_\_\_  
 OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FW/WRD) \$ \_\_\_\_\_  
 0231 HYDRO LICENSE FEE (FW/WRD) \$ \_\_\_\_\_  
 HYDRO APPLICATION \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE **RECEIVED**  
 OBJ. CODE \_\_\_\_\_ VENDOR # **OVER THE COUNTER**  
 DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **127282** DATED: 7-11-18 BY: B. L...

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
 SALEM, OR 97301-4172  
 (503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **131116**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Will McGill Surveying  
 BY: LLC

APPLICATION	
PERMIT	
TRANSFER	<u>T-12968</u>

CASH:  CHECK# 1540 OTHER: (IDENTIFY) \_\_\_\_\_

TOTAL REC'D \$ 96.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 46117 \$ \_\_\_\_\_  
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 96.00  
 0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY) _____	\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$
0240 EXTENSION OF TIME	\$

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$	0220	\$
OTHER (IDENTIFY) _____			

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ \_\_\_\_\_ CARD # \_\_\_\_\_  
 0210 MONITORING WELLS \$ \_\_\_\_\_ CARD # \_\_\_\_\_  
 OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FW/WRD) \$ \_\_\_\_\_  
 0231 HYDRO LICENSE FEE (FW/WRD) \$ \_\_\_\_\_  
 HYDRO APPLICATION \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE **RECEIVED**  
 OBJ. CODE \_\_\_\_\_ VENDOR # **OVER THE COUNTER**  
 DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **131116** DATED: 10-22-19 BY: Bibili

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

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **146292**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Will McGill Surveying, LLC  
BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	<u>T-12968</u>

CASH:  CHECK:#  2473 OTHER: (IDENTIFY)  \_\_\_\_\_

TOTAL REC'D \$ 345.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407	COPIES	\$
_____	OTHER: (IDENTIFY)	\$
0243	I/S Lease	_____
0244	Muni Water Mgmt. Plan	_____
0245	Cons. Water	_____

**4270 WRD OPERATING ACCT**

<b>MISCELLANEOUS</b>			
0407	COPY & TAPE FEES	\$	
0410	RESEARCH FEES	\$	
0408	MISC REVENUE: (IDENTIFY)	\$	
TC162	DEPOSIT LIAB. (IDENTIFY)	\$	
0240	EXTENSION OF TIME	\$	
<b>WATER RIGHTS:</b>			
0201	SURFACE WATER	EXAM FEE \$	RECORD FEE 0202 \$
0203	GROUND WATER	\$	0204 \$
0205	TRANSFER	\$	
<b>WELL CONSTRUCTION</b>			
0218	WELL DRILL CONSTRUCTOR	EXAM FEE \$	LICENSE FEE 0219 \$
	LANDOWNER'S PERMIT		0220 \$
<u>0208</u>	OTHER (IDENTIFY) <u>COBU</u>		\$ <u>345.00</u>

**0536 TREASURY 0437 WELL CONST. START FEE**

0211	WELL CONST START FEE	\$	CARD#
0210	MONITORING WELLS	\$	CARD#
_____	OTHER (IDENTIFY)		

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233	POWER LICENSE FEE (FWWRD)	\$
0231	HYDRO LICENSE FEE (FWWRD)	\$
_____	HYDRO APPLICATION	\$

**\_\_\_\_\_ TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_  
OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

**RECEIVED  
OVER THE COUNTER**

RECEIPT: **146292** DATED: 11-4-25 BY: [Signature]

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



# Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

November 6, 2025

Roger & Leon Kuenzi  
PO Box 9026  
Salem, OR 97305

On November 4, 2025, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

T-12968

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

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

Customer Service phone: (503) 986-0900

Enclosed is your receipt for the \$345.00 COBU recording fee.

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

Cc: file T-12968

# Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer: Corie
Transfer #: T-12968	
Date Received: 11/4/2025	
CWRE Name: Will McGill	

## Fees Required:

- YES  NO  A fee of \$345 must accompany this form for permits with priority dates of July 9, 1987, or later. **Priority date of affected water right(s):**
- YES  NO  A fee of \$345 must accompany this form for any transfer applications submitted July 9, 1987, or later. **Submission date of transfer application:**  
7/11/2018

## Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

## Report Review:

- On form provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

## Groundwater File Review:

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

Fill in App or Transfer Number

**MONEY SLIP**

DATE: \_\_\_\_\_ RECEIPT #: \_\_\_\_\_

RECEIVED FROM		APPLICATION PERMIT	
		TRANSFER	
CASH	CHECK #	OTHER (IDENTIFY)	TOTAL RECEIVED
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
COB TREASURY 4178 MISC EXHIBIT ACCT.			
6407 COPIES	OTHER (IDENTIFY)		\$
6240 Inflow Lease	6241 Main Water Right Plat	6242 Core Water	
COB TREASURY 4178 MISC OPERATING ACCT.			
6407 MISCELLANEOUS COPY & TAPE FEES	4611		\$
6410 RESEARCH FEES			\$
6408 MISC REVENUE (IDENTIFY)			\$
7C-143 DEPOSIT (LAW) (IDENTIFY)			\$
6240 EXTENSION OF TIME			\$
WATER RIGHTS	EXAM FEE		RECORD FEE
6301 SURFACE WATER	\$	6302	\$
6303 GROUND WATER	\$	6304	\$
6305 TRANSFER	\$		\$
WELL CONSTRUCTION	EXAM FEE		RECORD FEE
6216 WELL DRILL CONSTRUCTION LANDOWNER'S PERMIT	\$	6219	\$
6220 OTHER (IDENTIFY) COBU	\$	6220	\$
COB TREASURY 6417 HYDROELECTRIC			
6270 POWER LICENSE FEE (P/WW/WR)		HYD NUMBER	
6271 HYDRO LICENSE FEE (P/WW/WR)			
HYDRO APPLICATION			\$

SPECIAL INSTRUCTIONS:

RETURN TO APPLICANT - LETTER ATTACHED

**CLAIM OF  
BENEFICIAL USE  
for Transfer New or Additional  
POA Only**



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

**A fee of \$345 must accompany this form for transfers where the application was submitted on July 9, 1987, or later.**

**Enter the date the transfer application was submitted:**

**7/11/2018**

**A separate form shall be completed for each transfer.**

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-986-0900.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

**SECTION 1  
GENERAL INFORMATION**

**Type of Authorized Change**

This Claim is being submitted for a transfer where the only authorized change was a change in point(s) of appropriation or additional point(s) of appropriation, or a combination of both.  **YES**  **NO**  
*If additional changes were authorized, you will need to select a different form.*

**1. File Information**

APPLICATION #  
**T-12968**

Received by OWRD  
NOV 04 2025  
Salem, OR

**2. Property Owner (current owner information)**

APPLICANT/BUSINESS NAME <b>Roger Kuenzi &amp; Leon Kuenzi</b>		PHONE NO. <b>(503) 991-6764</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>PO Box 9026</b>			
CITY <b>Salem</b>	STATE <b>OR</b>	ZIP <b>97305</b>	E-MAIL <b>randlkuenzi@gmail.com</b>

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each transfer holder of record must sign this form.***

**3. Transfer holder of record (this may, or may not, be the current property owner)**

TRANSFER HOLDER OF RECORD <b>Roger Kuenzi &amp; Leon Kuenzi</b>		
ADDRESS <b>PO Box 9026</b>		
CITY <b>Salem</b>	STATE <b>OR</b>	ZIP <b>97305</b>

**4. Date of Site Inspection:**

<b>9/30/2025</b>
------------------

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>Roger Kuenzi</b>	<b>9/30/2025</b>	<b>Owner</b>

**6. County:**

<b>Marion</b>
---------------

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

OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

Received by OWRD  
NOV 04 2025  
Salem, OR

**SECTION 2  
SIGNATURES**

CWRE Statement, Seal and Signature

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



CWRE NAME <b>William E. McGill</b>		PHONE NO. <b>(503) 510-3026</b>	ADDITIONAL CONTACT NO. <b>(503) 931-0210</b>
ADDRESS <b>15333 Pletzer Rd. SE</b>			
CITY <b>Turner</b>	STATE <b>OR</b>	ZIP <b>97392</b>	E-MAIL <b>willmcgill.surveying@gmail.com</b>

Transfer Holder of Record Signature or Acknowledgement

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

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
<i>Roger Kuenzi</i>	Roger Kuenzi	Owner	9-30-25
<i>Leon Kuenzi</i>	Leon Kuenzi	Owner	9-30-25

Received by OWRD  
NOV 04 2025  
Salem, OR WR

**SECTION 3**  
**CLAIM DESCRIPTION**

**Note: The Claim only needs to describe the new or additional point(s) of appropriation. This Claim does not need to provide information for the original point(s) of appropriation unless the original point of appropriation is either a new or additional point of appropriation on another right involved in this transfer.**

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

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
APOA 2	MARI 69257	L-136045	Well in Little Pudding River Basin

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

**2. Variations:**

Was the use developed differently from what was authorized by the transfer final order, or extension final? YES  NO

If yes, describe below.

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

**3. Claim Summary:**

NEW OR ADDITIONAL POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
APOA 2	0.25 cfs	0.53 cfs	*

\*System not running at time of site inspection.

Received by OWRD  
NOV 04 2025  
Salem, OR

## SECTION 4 SYSTEM DESCRIPTION

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

YES  NO

If "YES" you will need to copy and complete a separate Section 4.

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

APOA 2

### A. POA System Information

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

#### 1. Pump Information:

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Franklin	STS6175	Not available	Submersible	Not available	3"

#### 2. Motor Information:

MANUFACTURER	HORSEPOWER
Franklin Electric	15

#### 3. Theoretical Pump Capacity – Pump at Well:

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO GROUND SURFACE (THE DEPTH TO WATER FROM THE GROUND SURFACE MEASURED AT THE WELL DURING PUMPING)	LIFT TO PLACE OF USE (THE LIFT FROM THE GROUND SURFACE AT THE WELL TO THE PLACE OF USE)	TOTAL PUMP OUTPUT (IN CFS)
15	60	53'	-6.5' avg.	0.53

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

#### 4. Provide pump calculations:

$$Q = (15 * 7.04) / (152.4 + 53 - 6.5) = 0.53 \text{ cfs}$$

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

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
System not running at time of site inspection.			

Received by OWRD

NOV 04 2025

Salem, OR

WR

**6. Theoretical Pump Capacity – Pump at Sump:**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO GROUND SURFACE (THE LIFT FROM THE WATER SURFACE TO THE PUMP)	LIFT TO PLACE OF USE (THE LIFT FROM THE PUMP TO THE PLACE OF USE)	TOTAL PUMP OUTPUT (IN CFS)
N/A				

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

**7. Provide pump calculations:**

N/A

**8. Measured Pump Capacity (using meter if meter was present and system was operating):**

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
N/A			

**9. Additional notes or comments related to the system:**

**B. Groundwater Source Information (Well and Sump)**

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

YES  NO

**C. Additional notes or comments related to the system:**

Received by OWRD  
NOV 04 2025  
Salem, OR

## SECTION 5 CONDITIONS

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

**1. Time Limits:**

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

	DATE FROM TRANSFER	DATE THE NEW AND/OR ADDITIONAL POA(S) WERE READY FOR USE *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	3/26/2020	
COMPLETENESS DATE FROM ORDER (C)	10/1/2025	July 2020

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

2. Is there an extension final order(s)? YES  NO

**3. Measurement Conditions:**

a. Does the transfer final order, or any extension final order require the installation of a meter or other approved measuring device? YES  NO

**4. Recording and reporting conditions**

a. Is the water user required to report the water use to the Department? YES  NO

**5. Other conditions required by the transfer final order or extension final order:**

- a. Were there special well construction standards? YES  NO
- b. Was submittal of a ground water monitoring plan required? YES  NO
- c. Other conditions? YES  NO

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

Received by OWRD  
NOV 04 2025  
Salem, OR

**SECTION 6**  
**ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
Well Log	MARI 69257 (APOA 2)
Photos (x6)	Taken at 9/30/2025 site inspection

**SECTION 7**  
**CLAIM OF BENEFICIAL USE MAP**

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

For the purpose of this Claim, the map identifying the location of the place of use does not require a new survey. The location of the place of use identified on the Claim map should be based on the original right of record at the time the transfer final order was issued. In transfers approved for additional points of appropriation, the original points must be identified the map based on the original right of record at the time the transfer final order was issued.

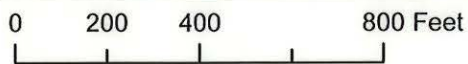
Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification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

Survey method used was aerial photo provided by Vantor, Vivid Advanced.  
Source Date: 2/3/24

Received by OWRD  
NOV 04 2025  
Salem, OR

Claim of Beneficial Use - Kuenzi  
Transfer T-12968

Township 6S, Range 2W, W.M.



This map is not intended to provide legal dimensions or locations of property ownership lines.

Legend

- IR POU
- Mainline
- Taxlot

Received by OWRD  
NOV 04 2011  
Salem, OR



EXPIRES: 12-31-2026

## Map Checklist

Please be sure that the map you submit includes ALL the items listed below.  
(Reminder: Incomplete maps and/or claims may be returned.)

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- N/A Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.) **\*Not required for this type of Claim of Beneficial Use**
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Quarter-Quarters illustrated and named (NE NE, NW NE, etc.)
- N/A Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

Received by OWRD  
NOV 04 2025  
Salem, OR

**(1) LAND OWNER** Owner Well I.D. \_\_\_\_\_  
 First Name ROGER & LEON Last Name KUENZI  
 Company \_\_\_\_\_  
 Address PO BOX 9026  
 City BROOKS State OR Zip 97305

**(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:								
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 160.00 ft.

BORE HOLE			SEAL			sacks/ lbs	
Dia	From	To	Material	From	To	Amt	
12	0	45	Cement w/5% Bentonit	0	45	15	S
8	45	160				Calculated	10.72
						Calculated	

How was seal placed: Method  A  B  C  D  E  
 Other \_\_\_\_\_  
 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 \_\_\_\_\_ Actual Amount \_\_\_\_\_

**(6) CASING/LINER**

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	8		<input checked="" type="checkbox"/> 2	160	.235	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Shoe  Inside  Outside  Other Location of shoe(s) 160  
 Temp casing  Yes Dia 12 From +  0 To 45

**(7) PERFORATIONS/SCREENS**  
 Perforations Method Holte Air perforator  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

Perf/ Screen	Casing/ Liner	Dia	From	To	Scr/slot width	Slot length	# of slots	Tele/ pipe size
Perf	Casing	8	138.5	154	.2	1	350	

**(8) WELL TESTS: Minimum testing time is 1 hour**  
 Pump  Bailer  Air  Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
200		150	2

Temperature 53 °F Lab analysis  Yes By \_\_\_\_\_  
 Water quality concerns?  Yes (describe below) TDS amount 195 ppm  
 From \_\_\_\_\_ To \_\_\_\_\_ Description \_\_\_\_\_ Amount \_\_\_\_\_ Units \_\_\_\_\_

**(9) LOCATION OF WELL (legal description)**  
 County MARION Twp 6.00 S N/S Range 2.00 W E/W WM  
 Sec 33 SW 1/4 of the NE 1/4 Tax Lot 300  
 Tax Map Number \_\_\_\_\_ Lot \_\_\_\_\_  
 Lat \_\_\_\_\_ " or 45.00942000 DMS or DD  
 Long \_\_\_\_\_ " or -122.93450000 DMS or DD  
 Street address of well  Nearest address  
BARE LAND WEST OF 6214 HAZELGREEN ROAD N.E. SALEM, OREGON 97305

**(10) STATIC WATER LEVEL**

Existing Well / Pre-Alteration	Date	SWL(psi)	+ SWL(ft)
Completed Well	6/8/2020		50

Flowing Artesian?  Dry Hole?

WATER BEARING ZONES Depth water was first found 54.00

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
6/8/2020	54	160	200		50

**(11) WELL LOG** Ground Elevation \_\_\_\_\_

Material	From	To
Silty brown top soil	0	5
Silty gray and brown clay	5	15
Brown silty clay	15	32
Sticky brown clay	32	54
Coarse brown sand	54	70
Brown sand with some gravel	70	83
Brown sand and gravel	83	101
Silty dark brown sand and gravel	101	110
Large loose gravel and brown sand	110	115
Tight gray sand and gravel	115	119
Light brown sand and gravel	119	126
Large gravel and brown sand	126	140
Large gravel and gray sand	140	149
Brown sand and gravel	149	158
Soft black sand and gravel	158	160

Received by OWRD  
 NOV 04 2025  
 Salem, OR

Date Started 6/1/2020 Completed 6/8/2020

**(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 1903 Date 6/9/2020  
 Signed RYAN PILLSBURY (E-filed)

**(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 1273 Date 6/10/2020  
 Signed FLOYD SIPPPEL (E-filed)  
 Contact Info (optional) \_\_\_\_\_



Kuenzi cobu 9/30/25 Well

Received by OWRD

NOV 04 2025

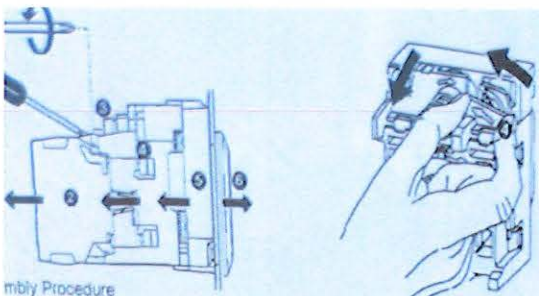
Salem, OR



OREGON  
WATER RESOURCES DEPT  
WELL #  
L136045  
DO NOT REMOVE LABEL

Kuenzi COBU  
9/30/25  
Well tag

Received by OWR  
NOV 04 2025  
Salem, OR



Assembly Procedure  
 Insert a flat blade screwdriver into the opening of the broad snap hook latches of the  
 modules. Press the screwdriver down to unlatch the module  
 Remove the modules  
 Tighten the fastening screw on the holder  
 Move the holder while activating the Unlock lever  
 Move the adapter  
 Move the actuating device

A5E48283758

INSPECTED BY:  
 057403  
 1431424  
 REV 1 10/7/99

QC  
 100

# 6" SUBMERSIBLE MOTOR SAND FIGHTER

HP **15** V **460/380**  
 KW **11** PH **3** HZ **60/50**

DATE CODE **25F19** 16 00074 A  
 QTY **1**



**236 6138 120**



S/N 25F19-16-00074A



**Franklin Electric**  
 www.franklin-electric.com

ASSEMBLED IN USA



**Franklin Electric**  
 SUBMERSIBLE MOTOR

MODEL 2366138120 3-PHASE

50H: metric	11 kW	380 V 24.2 A	2600 min <sup>-1</sup>	cos φ 0.87
		400 V 23.0 A	2670 min <sup>-1</sup>	cos φ 0.84
60H: metric	12.5 kW	415 V 24.1 A	2680 min <sup>-1</sup>	cos φ 0.82
		460 V 23.7 A	3465 min <sup>-1</sup>	cos φ 0.85

60H: 15 HP 460 V 20.8 A 3450 RPM 23.7 MAX A  
 SF 1 15 KVA Code H

Thrust Load 16800N 3800LB  
 Max Ambient Temp 30°C Min Cooling Flow 10cm/s 0.8m/sec  
 Ins Class F IP68  
 Continuous Duty

ASSEMBLED IN USA

Franklin STS6175  
 4 sty  
 Set at 147'

Kuenzi COBM  
 9/30/25  
 Pump/motor  
 tag

Received by OWRD  
 NOV 04 2025  
 Salem, OR



Kuenzi COBU  
9/30/25  
Flow Meter

Received by OWRD  
NOV 04 2025  
Salem, OR

# GEM Series Flow Meter

Model	GEM2
Nominal Diameter	3"
Configuration	A1-RS-S
Power	8-32V DC/AC 1W 3.6V19Ahx5
Bluetooth ID	30240819507
Serial No.	GEM24030379
Production Date	08.2024



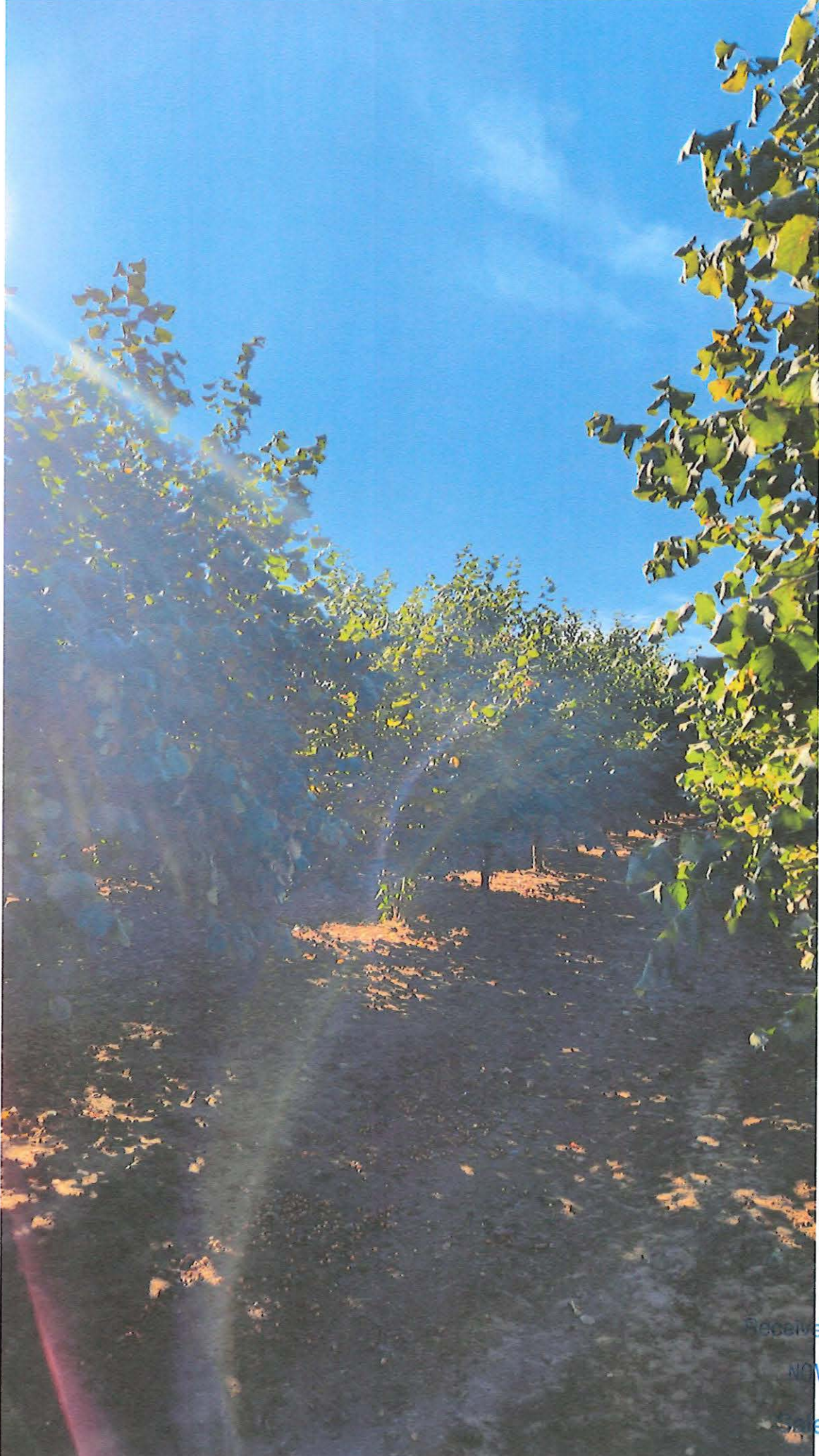
Kuenzi COBU  
9/30/25

Flow  
Meter tag

Received by OWRD

NOV 04 2025

Salem, OR



Kuenzi LOBU  
9/30/25  
hazelnut  
crop, POU

Received by OWRD  
NOV 04 2025  
Salem, OR

Water Right Transfer Cover Sheet

*Scott*

Transfer T-12968

Transfer Specialist:

Transfer Type: Regular

Applicant Name/Address: ROGER & LEON KUENZI PO BOX 9026 BROOKS, OR 97305	Agent Name/Address: WILLIAM E. MCGILL 15333 PLETZER RD SE TURNER, OR 97392	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: County Of Marion planning Department
Commentors: Name/Address:		Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	G-5256	G-5108	65686	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	94492
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: July 11, 2018	Proposed Action(s): POINT OF APPROPRIATION	
Fees Pd: 1570.00	WM District: 16	ODFW District:
Initial Notice: July 17, 2018	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent:

Processing Dates & Actions

Deficiency Contacts: \_\_\_\_\_

DPD Mailed: \_\_\_\_\_

- ODFW contact sheet sent with DPD, or  N/A
- WM measurement contact sheet sent, or  N/A

PD Signed: 10/28/19

PD Weekly Notice: 10/29/19

*Keizer Times*

Newspaper quote requested: 10/17/19

not required

Request for news \$ sent: 10/22/19

News \$ received: 10/22/19

Request to publish sent to newspaper: \_\_\_\_\_

Affidavit of publication received: \_\_\_\_\_

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: <u>Corey</u>	Reviewer: <u>Corey</u>	Reviewer: <u>Deb</u>
Date: <u>6/13/19</u>	Date: <u>9/5/19</u>	Date: <u>11/27/19</u>
Coordinator: <u>PKS</u>	Coordinator: <u>PKS</u>	Coordinator: <u>PKS</u>
Date: <u>6-18-19</u>	Date: <u>10-16-19</u>	Date: <u>12-7-19</u>
Signature Bin Date: _____	Signature Bin Date: _____	Signature Bin Date: _____
Comments/Special Issues: <u>ΔPOA</u>		

Special Order Volume: Vol 114 Pages \_\_\_\_\_ Final Order Signature Date: \_\_\_\_\_

Notice of FO email'd to processors \_\_\_\_\_

RECEIVED

FEB 18 2020

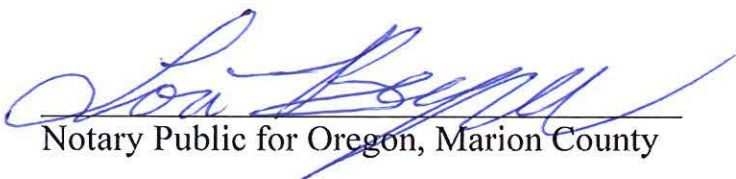
AFFIDAVIT OF PUBLICATION  
STATE OF OREGON, COUNTY OF MARION, SS: OWRD

I, Lyndon Zaitz, being first duly sworn, depose and say that I am the Publisher of the Keizertimes, a newspaper of general circulation as defined by Section 58, Oregon Laws, as amended by Chapter 445 General Laws Of Oregon, 1929, printed and published in Keizer. In aforesaid county and state, that a NOTICE OF PRELIMINARY DETERMINATION FOR WATER RIGHT TRANSFER T-12968 filed by Roger Kuenzi and Leon Kuenzi, PO Box 9026, Salem, OR 97305, proposes an additional point of appropriation under Certificate 65686. The right allows use of 0.495 cubic foot per second from a well in Sect. 33, T6S, R2W, WM for irrigation in Sect. 33, T6S, R2W, WM. The applicant proposes to an additional point of appropriation within Sec. 33, T6S, R2W, WM. The Water Resources Department proposes to approve the transfer based on the requirements of ORS Chapter 540 and OAR 690-380-5000. Published in the Keizertimes February 7, February 14, 2020.



LYNDON ZAITZ

Subscribed and sworn before me this  
14th day of February, 2020



Notary Public for Oregon, Marion County

July 20, 2021

My Commission Expires



**Notice of Preliminary  
Determination for  
Water Right Transfer  
T-12968**

T-12968 filed by Roger Kuenzi and Leon Kuenzi, PO Box 9026, Salem, OR 97305, proposes an additional point of appropriation under Certificate 65686. The right allows the use of 0.495 cubic foot per second from a well in Sec 33, T6S, R2W, WM for irrigation in Sec 33 T6S, R2W, WM. The applicant proposes an additional point of appropriation in Sec 33, T6S, 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, 02/14/2020. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

**GREW Scott A \* WRD**

---

**From:** PHILLIPS Stacy H \* WRD  
**Sent:** Tuesday, October 22, 2019 8:53 AM  
**To:** STARNES Patrick K \* WRD  
**Cc:** GREW Scott A \* WRD  
**Subject:** RE: Newspaper Estimate for Transfer Application T-12968

Good Morning,

The quote came in for this notice, total cost is \$96.00.

Thanks,

[Stacy H. Phillips](#)

Restoration Program Technician

725 Summer Street NE, Suite A, Salem, OR 97301 | Office: 503-986-0898

Email: [stacy.h.phillips@oregon.gov](mailto:stacy.h.phillips@oregon.gov)



[Integrity](#) | [Service](#) | [Technical Excellence](#) | [Teamwork](#) | [Forward-Looking](#)

---

**From:** STARNES Patrick K \* WRD <Patrick.K.Starnes@oregon.gov>  
**Sent:** Friday, October 18, 2019 9:25 AM  
**To:** PHILLIPS Stacy H \* WRD <Stacy.H.Phillips@oregon.gov>  
**Cc:** GREW Scott A \* WRD <Scott.A.Grew@oregon.gov>  
**Subject:** Newspaper Estimate for Transfer Application T-12968

Hi Stacy –

Scott will need a quote for the attached TRANSFER Application notice to run in the Keizertimes . Run time is two weeks.

Thanks!

Kelly

\*\*\*\*\*

Kelly Starnes, Transfer Program Analyst  
Oregon Water Resources Department  
725 Summer St NE Suite A  
Salem OR 97301-1271  
Telephone: 503-986-0886      Fax: 503-986-0903  
E-mail: [patrick.k.starnes@oregon.gov](mailto:patrick.k.starnes@oregon.gov)

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

\*\*\*\*\*



# Oregon

Kate Brown, Governor

October 22, 2019

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

### Applicant

ROGER KUENZI  
LEON KUENZI  
PO BOX 9026  
SALEM, OR 97305

SUBJECT: Water Right Transfer Application T-12968

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

### Items needed before the next phase of processing...

At this time you need to:

1. submit a check for \$96.00 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. **write "for T-12968 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 November 21, 2019.**

### What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Keizertimes 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 November 21, 2019 a Preliminary Determination may be issued denying the application as incomplete.**

✂-----  
**Attached** is a check for \$96.00 (PCA #46117) for Newspaper Notice for Transfer T-12968

- made out to Oregon Water Resources Department ( or WRD)
- **"for T-12968 NOTICE" written on front of check**

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

Please contact me at [scott.a.grew@oregon.gov](mailto:scott.a.grew@oregon.gov) or 503-986-0890 if I may be of assistance.

Sincerely,

*Scott Grew*

Transfer Specialist

cc: T-12968  
Joel M. Plahn, District 16 Watermaster *(via e-mail)*  
William E. McGill, Agent for the applicant *(via e-mail)*

**GREW Scott A \* WRD**

---

**From:** Will McGill <willmcgill.surveying@gmail.com>  
**Sent:** Wednesday, August 28, 2019 3:14 PM  
**To:** GREW Scott A \* WRD  
**Subject:** Re: T-12968 Kuenzi - Issuance of Draft Preliminary Determination - Action Required!

Hi Scott,

I reviewed the DPD and it looks good. We agree with the proposed conditions and request that you proceed. Looks like we had already submitted the list pack back on June 24, 2019.

When do we pay for the newspaper ad?

Thanks.

On Wed, Aug 28, 2019 at 10:10 AM GREW Scott A \* WRD <[Scott.A.Grew@oregon.gov](mailto:Scott.A.Grew@oregon.gov)> wrote:

August 28, 2019

**Applicant**

ROGER KUENZI

LEON KUENZI

PO BOX 9026

SALEM, OR 97305

Reference: Water Right Transfer Application T-12968

Your water right transfer is in the first of three phases of processing. Enclosed is a revised draft of the Department's Preliminary Determination regarding Transfer Application T-12968. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

**Items needed before the next phase of processing...**

1. Please review the revised draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.

**Please note the proposed date by which all conditions must be met: October 1, 2024.** If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

### **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 point 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 three 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.

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

1. Your written response to the conditions and proposed action in the revised draft Preliminary Determination (e-mail is acceptable); and

**If we do not receive the items listed above by September 27, 2019 a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at [scott.a.grew@oregon.gov](mailto:scott.a.grew@oregon.gov) or 503-986-0890 if I may be of assistance.

Sincerely,

*Scott Grew*

Transfer Specialist

Transfer and Conservation Section



# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

August 28, 2019

### Applicant

ROGER KUENZI  
LEON KUENZI  
PO BOX 9026  
SALEM, OR 97305

Reference: Water Right Transfer Application T-12968

Your water right transfer is in the first of three phases of processing. Enclosed is a revised draft of the Department's Preliminary Determination regarding Transfer Application T-12968. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

### Items needed before the next phase of processing...

1. Please review the revised draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.

**Please note the proposed date by which all conditions must be met: October 1, 2024.** If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

### 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 point 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 three 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.

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

1. Your written response to the conditions and proposed action in the revised draft Preliminary Determination (e-mail is acceptable); and

**If we do not receive the items listed above by September 27, 2019 a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at [scott.a.grew@oregon.gov](mailto:scott.a.grew@oregon.gov) or 503-986-0890 if I may be of assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott A. Grew".

Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application file T-12968  
Joel M. Plahn, District 16 Watermaster (*via e-mail*)  
William E. McGill Cwre, 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-12968, Marion County )

R E V I S E D

**D R A F T**

) PRELIMINARY DETERMINATION  
) PROPOSING APPROVAL OF AN  
) ADDITIONAL 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**

ROGER KUENZI  
LEON KUENZI  
PO BOX 9026  
SALEM, OR 97305

**Findings of Fact**

1. On July 11, 2018, ROGER KUENZI and LEON KUENZI filed an application for change of point of appropriation under Certificate 65686. The Department assigned the application number T-12968.
2. Notice of the application for transfer was published on July 17, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On June 21, 2019 the Department issued a Draft Preliminary Determination (DPD) proposing to approve the transfer application for a change of point of appropriation.
4. On August 23, 2019 the Department received documentation to amend the application from a change in point of appropriation to an additional point of diversion.
5. This revised draft Preliminary Determination is to clarify that this application is for an additional point of appropriation.

6. The right to be transferred is as follows:

**Certificate:** 65686 in the name of CLETUS L. WOODS (perfected under Permit G-5108)  
**Use:** IRRIGATION of 39.7 ACRES  
**Priority Date:** JULY 23, 1970  
**Rate:** 0.495 CUBIC FOOT PER SECOND  
**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Source:** A WELL, within the LITTLE PUDDING RIVER BASIN

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	2 W	WM	33	NW SE	POA 1 - 140 FEET NORTH AND 560 FEET EAST FROM THE SW CORNER OF NWSE OF SECTION 33

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	2 W	WM	33	NW NE	0.2
6 S	2 W	WM	33	SW NE	13.1
6 S	2 W	WM	33	NW SE	7.1
Total					20.4

7. Transfer Application T-12968 proposes to add a point of appropriation approximately 0.5 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	2 W	WM	33	SW NE	POA 2 - 1250 FEET NORTH AND 1750 FEET WEST FROM THE E 1/4 CORNER OF SECTION 33

**Transfer Review Criteria (OAR 690-380-4010)**

8. Water has been used within the last five years prior to the submittal of Transfer Application T-12968 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.
9. A pump, pipeline, and delivery system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12968.
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other water rights.

12. All other application requirements are met.

### **Determination and Proposed Action**

The additional point of appropriation proposed in Transfer Application T-12968 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-12968 is approved, the final order will include the following:*

1. *The additional point of appropriation proposed in Transfer Application T-12968 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 65686 and any related decree.*
3. *Water right Certificate 65686 is cancelled. . A new certificate will be issued describing that portion of the right not affected by this transfer*
4. *The quantity of water diverted at the new point of appropriation (POA 2) together with that diverted at the original point of appropriation (POA 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).*
5. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
6. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2024**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
7. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

R e v i s e d

# **D R A F T**

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

This revised draft Preliminary Determination was prepared by Scott Grew. If you have questions about the information in this document, you may reach him at 503-986-0890 or [scott.a.grew@oregon.gov](mailto:scott.a.grew@oregon.gov)



**Oregon**  
Kate Brown, Governor

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

October ~~23~~ 2019

**Applicant**

ROGER KUENZI  
LEON KUENZI  
PO BOX 9026  
SALEM, OR 97305

**SUBJECT:** Water Right Transfer Application T-12968

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12968. 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 Keizertimes 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 contact me at [scott.a.grew@oregon.gov](mailto:scott.a.grew@oregon.gov) or 503-986-0890 if I may be of assistance.

Sincerely,

*Scott Grew*

Transfer Specialist

cc: T-12968  
Joel M. Plahn, District 16 Watermaster (*via e-mail*)  
William E. McGill, Agent for the applicant (*via e-mail*)

encs

**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-12968, Marion County	)	PROPOSING APPROVAL OF AN
	)	ADDITIONAL 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**

ROGER KUENZI  
LEON KUENZI  
PO BOX 9026  
SALEM, OR 97305

**Findings of Fact**

1. On July 11, 2018, ROGER KUENZI and LEON KUENZI filed an application for change of point of appropriation under Certificate 65686. The Department assigned the application number T-12968.
2. Notice of the application for transfer was published on July 17, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On June 21, 2019 the Department issued a Draft Preliminary Determination (DPD) proposing to approve the transfer application for a change of point of appropriation.
4. On August 23, 2019 the Department received documentation to amend the application from a change in point of appropriation to an additional point of diversion.

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

5. On August 28, 2019, the Department sent a copy of the revised draft Preliminary Determination proposing to approve Transfer Application T-12968 to the applicant. The revised draft Preliminary Determination cover letter set forth a deadline of September 27, 2019, 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.

6. The right to be transferred is as follows:

**Certificate:** 65686 in the name of CLETUS L. WOODS (perfected under Permit G-5108)  
**Use:** IRRIGATION of 20.4 ACRES  
**Priority Date:** JULY 23, 1970  
**Rate:** 0.25 CUBIC FOOT PER SECOND  
**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Source:** A WELL, within the LITTLE PUDDING RIVER BASIN

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	2 W	WM	33	NW SE	POA 1 - 140 FEET NORTH AND 560 FEET EAST FROM THE SW CORNER OF NWSE OF SECTION 33

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	2 W	WM	33	NW NE	0.2
6 S	2 W	WM	33	SW NE	13.1
6 S	2 W	WM	33	NW SE	7.1
Total					20.4

7. Transfer Application T-12968 proposes to add a point of appropriation approximately 0.5 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	2 W	WM	33	SW NE	POA 2 - 1250 FEET NORTH AND 1750 FEET WEST FROM THE E 1/4 CORNER OF SECTION 33

**Transfer Review Criteria (OAR 690-380-4010)**

8. Water has been used within the last five years prior to the submittal of Transfer Application T-12968 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.

9. A pump, pipeline, and delivery system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12968.
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other water rights.
12. All other application requirements are met.

### **Determination and Proposed Action**

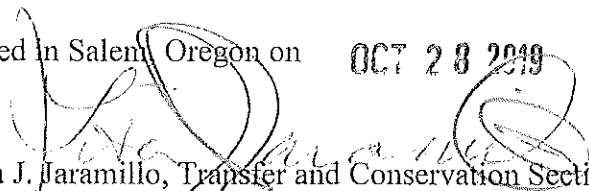
The additional point of appropriation proposed in Transfer Application T-12968 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

*If Transfer Application T-12968 is approved, the final order will include the following:*

1. *The additional point of appropriation proposed in Transfer Application T-12968 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 65686 and any related decree.*
3. *Water right Certificate 65686 is cancelled. . A new certificate will be issued describing that portion of the right not affected by this transfer*
4. *The quantity of water diverted at the new point of appropriation (POA 2) together with that diverted at the original point of appropriation (POA 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).*
5. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
6. *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.*

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

Dated in Salem, Oregon on **OCT 28 2019**

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

This Preliminary Determination was prepared by Scott Grew. If you have questions about the information in this document, you may reach him at 503-986-0890 or [scott.a.grew@oregon.gov](mailto:scott.a.grew@oregon.gov)

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

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



FIRST AMERICAN TITLE

# Property Research Report

**SUBJECT PROPERTY**

R19313  
062W33 00300  
Marion

**OWNER**

Birky Farms LLC  
Ltkuenzi, Roger

**DATE PREPARED**

06/24/2019

**PREPARED BY**

cmurray@firstam.com



*First American Title*

Customer Service 503.219.8746

cs.oregon@firstam.com

©2018 First American Financial Corporation and/or its affiliates.  
All rights reserved. | NYSE: FAF | 3333000418



**First American Title™**

Customer Service Department  
Phone: 503.219.TRIO (8746)  
Fax: 503.790.7872  
Email: cs.oregon@firstam.com  
Date: 6/24/2019

**OWNERSHIP INFORMATION**

Owner: Birky Farms LLC  
CoOwner: Ltkuenzi, Roger  
Site: OR 97000  
Mail: PO Box 9026 Brooks OR 97305

Parcel #: R19313  
Ref Parcel #: 062W33 00300  
TRS: 06S / 02W / 33  
County: Marion

**PROPERTY DESCRIPTION**

Map Grid:  
Census Tract: 002502 Block: 2056  
Neighborhood:  
School Dist: 24J Salem-Keizer  
Impr Type: A90 - Agriculture - General - Diversified (More Than One Activity), All Forest Lands, Waste Or Woodlot In Subdiv/Plat:  
Land Use: 550 - Specially assessed farm land, land only, zoned EFU, SA, FT or UTF  
Std Land Use: VAGR - Vacant Agriculture/Rural  
Zoning: EFU - Exclusive Farm Use  
Lat/Lon: 45.005957 / -122.933731  
Watershed: Abiqua Creek-Pudding River  
Legal: ACRES 26.24

**ASSESSMENT AND TAXATION**

Market Land: \$29,770.00  
Market Impr: \$0.00  
Market Total: \$29,770.00 (2018)  
% Improved: 0.00%  
Assessed Total: \$29,770.00 (2018)  
Levy Code: 02400210  
Tax: \$436.62 (2018)  
Millage Rate: 14.6664  
Exemption:  
Exemption Type:

**PROPERTY CHARACTERISTICS**

Bedrooms:	Total SqFt:	Year Built:
Baths, Total:	First Floor:	Eff Year Built:
Baths, Full:	Second Floor:	Lot Size Ac: 26.24 Acres
Baths, Half:	Basement Fin:	Lot Size SF: 1,143,014 SqFt
Total Units:	Basement Unfin:	Lot Width:
# Stories:	Basement Total:	Lot Depth:
# Fireplaces:	Attic Fin:	Roof Material:
Cooling:	Attic Unfin:	Roof Shape:
Heating:	Attic Total:	Ext Walls:
Building Style:	Garage:	Const Type:

**SALES AND LOAN INFORMATION**

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
KUENZI, ROGER & LEON	11/2/2016	3877-0298	\$325,000.00	Grant		Conv/Unk
BIRKY FARMS LLC	10/31/2007	2884-0108	\$230,000.00	Grant		Conv/Unk

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

Assessor Map



Parcel ID: R19313

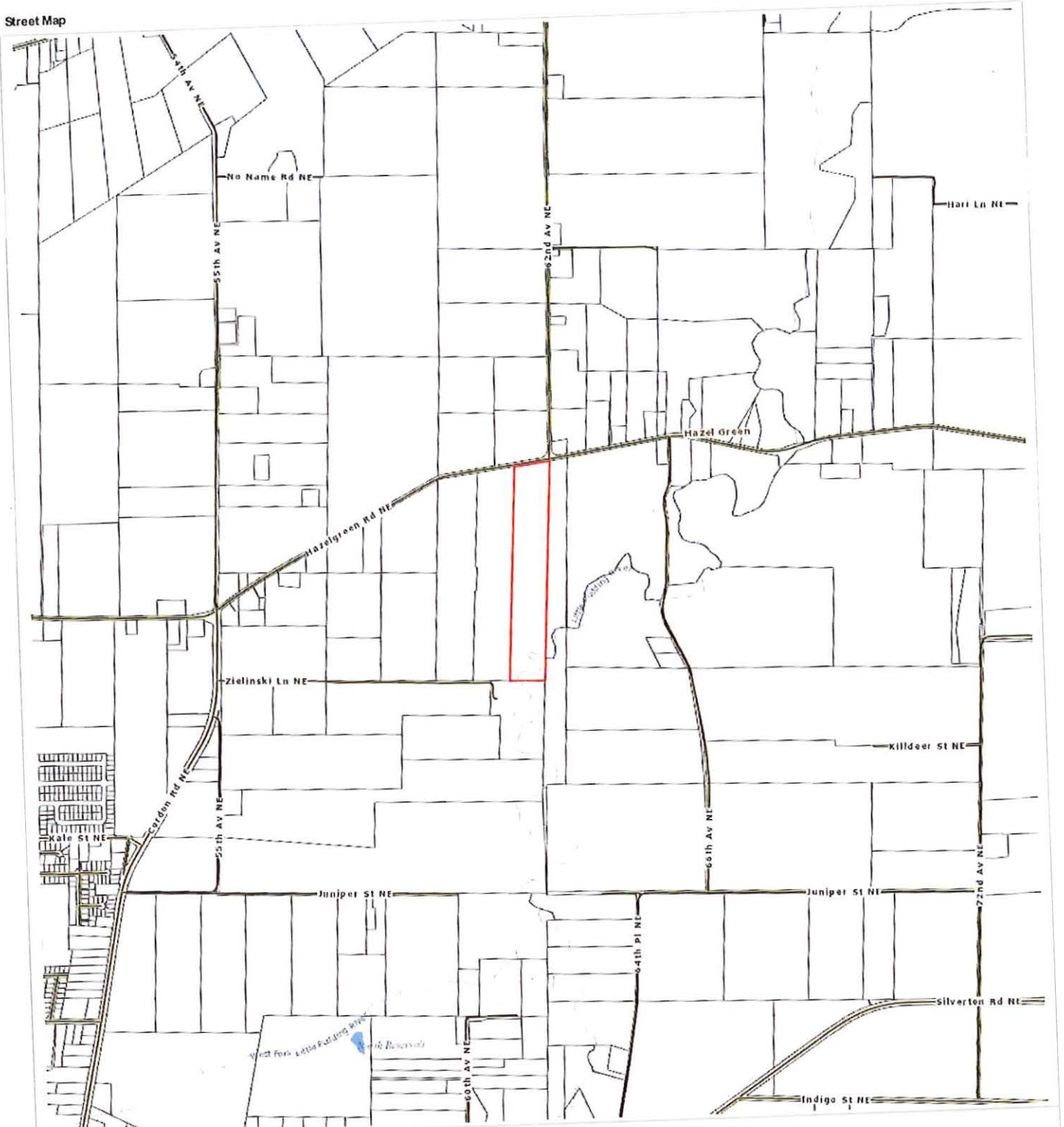
Site Address:

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



First American Title™

Street Map



Parcel ID: R19313

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



First American Title™

REEL 3877 PAGE 298  
MARION COUNTY  
BILL BURGESS, COUNTY CLERK  
11-02-2016 10:34 am.  
Control Number 433381 \$ 61.00  
Instrument 2016 00052716

Recording Requested by  
And when recorded return to:

ROGER E. KUENZI  
LEON D. KUENZI  
PO BOX 9026  
BROOKS OR 97305

Mail tax statements to:

ROGER E. KUENZI  
LEON D. KUENZI  
PO BOX 9026  
BROOKS OR 97305

AmesTitle 125307 AM

MEMORANDUM OF CONTRACT OF SALE

This Memorandum of Contract of Sale (this "Memorandum") is made as of October 31, 2016, between BIRKY FARMS, LLC, an Oregon limited liability company, whose address is PO Box 225, Crabtree, OR 97335 ("Seller") and ROGER KUENZI and LEON KUENZI, as tenants in common, whose address is PO Box 9026, Brooks OR 97305 ("Purchaser")

Pursuant to a Contract of Sale dated this same date ("Contract"), Seller sold to Purchaser Seller's interest in that certain property in Marion County, Oregon, Property Tax Account No. R19313 Hazelgreen / 62<sup>nd</sup> Avenue, Salem, OR 97317, and more particularly described in the attached Exhibit "A". The terms upon which Seller has sold the Property to Purchaser are set forth in the Contract, to which reference is made for all purposes. The true and actual consideration for this conveyance is THREE HUNDRED TWENTY-FIVE THOUSAND and NO/100 (\$325,000.00). Purchaser will pay such amount, with interest, according to the terms of the Contract.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE

UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

This Memorandum must be recorded in the official records of Marion County, Oregon in order to give notice of the existence of the Contract. This Memorandum will not be deemed or construed to define, limit, or modify the Contract, or any provision thereof, in any manner.

IN WITNESS WHEREOF, the parties have caused this Memorandum to be executed as of the day and year first above written.

Purchaser:

Roger Kuenzi  
Roger Kuenzi

Leon Kuenzi  
Leon Kuenzi

Seller:

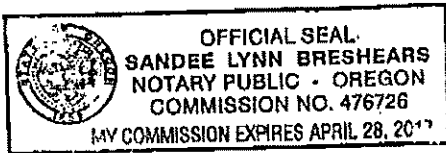
BIRKY FARMS, LLC, an Oregon limited liability company

Nathan Birky  
By: Nathan Birky, Member

STATE OF OREGON            )  
  ) ss.  
County of Marion            )

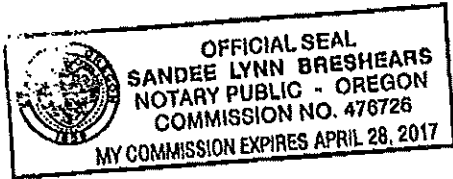
This Instrument was acknowledged before me on November 1, 2016 by ROGER KUENZI.

Sandee Breshears  
Notary Public for Oregon  
My commission expires: 4/28/17



STATE OF OREGON )  
 ) ss.  
County of Marion )

This Instrument was acknowledged before me on November 1, 2016 by LEON KUENZI.



*/s/ Sandee Breshears*  
Notary Public for Oregon  
My commission expires: 4/28/17

STATE OF OREGON )  
 ) ss.  
County of Marion )

This record was acknowledged before me on October 31, 2016, by NATHAN BIRKY as the member of BIRKY FARMS LLC.



*/s/ Sandee Breshears*  
Notary Public for Oregon  
My commission expires: 4/28/17

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Beginning at an iron pipe in the South line of the Northwest quarter of the Southeast quarter of Section 33, Township 6 South, Range 2 West of the Willamette Meridian, Marion County, Oregon, which point is 1323.60 feet South 00°19'30" East and 895.18 feet North 89°27' East from the center of said section 33; and running thence North 00°13' West 2641.75 feet to the center line of Market Road No. 52; thence North 80°03' East, along said centerline, 436.45 feet to a point; thence South 00°13' East 2713.05 feet to an iron pipe at the Southeast corner of the said North west quarter of the Southeast quarter of section 33; thence South 89°27' West 430.17 feet to the point of beginning.

**REEL: 3877**

**PAGE: 298**

**November 02, 2016, 10:34 am.**

**CONTROL #: 433381**

**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: \$ 61.00**

**BILL BURGESS  
COUNTY CLERK**

**THIS IS NOT AN INVOICE.**

## GREW Scott A \* WRD

---

**From:** Will McGill <willmcgill.surveying@gmail.com>  
**Sent:** Monday, June 24, 2019 2:17 PM  
**To:** GREW Scott A \* WRD  
**Subject:** Kuenzi Farm Transfer T-12968

Hi Scott,

I have reviewed the DRAFT Preliminary Determination and with the changes we discussed in our meeting last Friday, I am requesting you proceed with processing T-12968. The List Pack you requested has been ordered from First American Title, Commercial St., Salem, OR. I confirm that we would like to use the Keizer Times for the required newspaper NOTICE. Also, I would like to request October 1, 2024 for the date by which all conditions must be met.

Thanks and let me know if you need anything else.

P.S. - Got your phone message from last Friday about mortgage or lien holders on the property.

--

Will McGill, PLS, CWRE  
15333 Pletzer Rd SE  
Turner, OR 97392  
503-510-3026

[mcgillwaterrights.com](http://mcgillwaterrights.com)

 WILL MCGILL SURVEYING, LLC



Virus-free. [www.avast.com](http://www.avast.com)

**GREW Scott A \* WRD**

---

**From:** Murray, Cira J. <CMurray@firstam.com>  
**Sent:** Monday, June 24, 2019 3:19 PM  
**To:** GREW Scott A \* WRD  
**Cc:** Will McGill  
**Subject:** T-12968 062W33 00300  
**Attachments:** Trio - 062W33 00300.pdf

Good Afternoon,

Attached is the information you requested. I hope you have a wonderful day!

**We appreciate the opportunity to provide you with this information.  
Please consider First American Title for your next escrow!**

Thank you,

*Cira Murray*  
First American Title  
777 Commercial St SE, Ste 100  
Office: 503-581-0555  
Fax: 866-848-1677  
Email: [cmurray@firstam.com](mailto:cmurray@firstam.com)

**\*\*Find Quad-County foreclosure information below\*\***  
<http://www.firstam.com/title/or/marion-quad/resources/index.html>

**\*\*To ensure receipt and a timely response, please send all requests to [cs.salem.or@firstam.com](mailto:cs.salem.or@firstam.com)\*\***

*First American Title Insurance Company makes no express or implied warranty respecting the information presented and assumes no responsibility for errors or omissions. The attached requested documents are not a complete title search and there may be deeds and/or encumbrances affecting the subject real property that are not included. This information is furnished without charge in conformance with guidelines established by the Insurance Division, State of Oregon.*

First American, the eagle logo, First American Title, and [firstam.com](http://firstam.com) are registered trademarks or trademarks of First American Financial Corporation and/or its affiliates. ©2014 First American Financial Corporation and/or its affiliates. All rights reserved. ☐☐NYSE: FAF)

A member of the [First American Financial Corporation](http://www.firstam.com)  
family of companies | NYSE: FAF

\*\*\*\*\*  
This message may contain confidential or proprietary information intended only for the use of the addressee(s) named above or may contain information that is legally privileged. If you are not the intended addressee, or the person responsible for delivering it to the intended addressee, you are hereby notified that reading, disseminating, distributing or copying this message is strictly

prohibited. If you have received this message by mistake, please immediately notify us by replying to the message and delete the original message and any copies immediately thereafter.

If you received this email as a commercial message and would like to opt out of future commercial messages, please let us know and we will remove you from our distribution list.

Thank you.~

\*\*\*\*\*

FAFLD



# Oregon

Kate Brown, Governor

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

June 21, 2019

## **Applicant**

ROGER KUENZI  
LEON KUENZI  
PO BOX 9026  
SALEM, OR 97305

Reference: Water Right Transfer Application T-12968

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-12968. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

## **Items needed before the next phase of processing...**

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. A report of landownership for the lands to which the water right(s) are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** (*Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.*)
  - a) The title company's report must either be:
    - i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
    - ii) prepared within 3 months of recording of a water right conveyance agreement, or
    - iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
  - b) The ownership report shall include:
    - i) Date the ownership report was generated or prepared; and
    - ii) List of owners at that time; and
    - iii) Legal description of the property where the water right to be transferred is currently located.
  - c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.

3. 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. Please confirm the Keizertimes as the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

**Please note the proposed date by which all conditions must be met: October 1, 2020.** If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

#### **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 point 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 three 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.

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

1. Your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. Report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application.

**If we do not receive the items listed above by July 21, 2019 a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at [scott.a.grew@oregon.gov](mailto:scott.a.grew@oregon.gov) or 503-986-0890 if I may be of assistance.

Sincerely,



Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application file T-12968  
Joel M. Plahn, District 16 Watermaster (*via e-mail*)  
William E. McGill Cwre, 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-12968, Marion County

)  
)  
)  
)  
)  
)

**D R A F T**

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**

ROGER KUENZI  
LEON KUENZI  
PO BOX 9026  
SALEM, OR 97305

**Findings of Fact**

1. On July 11, 2018, ROGER KUENZI and LEON KUENZI filed an application to change the point of appropriation under Certificate 65686. The Department assigned the application number T-12968.
2. Notice of the application for transfer was published on July 17, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

3. The right to be transferred is as follows:

**Certificate:** 65686 in the name of CLETUS L. WOODS (perfected under Permit G-5108)

**Use:** IRRIGATION of 39.7 ACRES

**Priority Date:** JULY 23, 1970

**Rate:** 0.495 CUBIC FOOT PER SECOND

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** A WELL, within the LITTLE PUDDING RIVER BASIN

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	2 W	WM	33	NW SE	POA 1 - 140 FEET NORTH AND 560 FEET EAST FROM THE SW CORNER OF NWSE OF SECTION 33

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	2 W	WM	33	NW NE	0.2
6 S	2 W	WM	33	SW NE	24.6
6 S	2 W	WM	33	NW SE	14.9
Total					39.7

4. Transfer Application T-12968 proposes to move the authorized point of appropriation approximately 0.5 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	2 W	WM	33	SW NE	POA 2 - 1250 FEET NORTH AND 1750 FEET WEST FROM THE E 1/4 CORNER OF SECTION 33

***Transfer Review Criteria (OAR 690-380-4010)***

5. Water has been used within the last five years prior to the submittal of Transfer Application T-12968 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.
6. A pump, pipeline, and delivery system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12968.
7. The proposed change would not result in enlargement of the right.
8. The proposed change would not result in injury to other water rights.
9. All other application requirements are met.

**Determination and Proposed Action**

The change in point of appropriation proposed in Transfer Application T-12968 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-12968 is approved, the final order will include the following:*

1. *The change in point of appropriation proposed in Transfer Application T-12968 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 65686 and any related decree.*
3. *Water right Certificate 65686 is cancelled.*
4. *The quantity of water diverted at the new point of appropriation (POA 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).*
5. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
6. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2020**. 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.*
7. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

## D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Scott Grew. If you have questions about the information in this document, you may reach him at 503-986-0890 or [scott.a.grew@oregon.gov](mailto:scott.a.grew@oregon.gov)

## Groundwater Transfer Review Summary Form

Transfer/PA # T- 12968

GW Reviewer DENNIS ORLOWSKI Date Review Completed: 3/27/2019

### Summary of Enlargement (Same Source) Review:

The proposed transfer fails to keep the original place of use from receiving water from the same source.

### 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.

### Summary of Well Construction Assessment:

The proposed POA does not have a well log.

The proposed POA does not appear to meet current well construction standards. Route through Well Construction and Compliance Section.

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



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

## Ground Water Review Form:

- Water Right Transfer
- Permit Amendment
- GR Modification
- Other

Application: T-12968

Applicant Name: Leon and Roger Kuenzi

Proposed Changes:  POA     APOA     SW→GW     RA  
 USE     POU     OTHER

Reviewer(s): Dennis Orlowski

Date of Review: 03/27/2019

Date Reviewed by GW Mgr. and Returned to WRSD: 3/28/19

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 \_\_\_\_\_

1. Basic description of the changes proposed in this transfer: The proposed transfer pertains to certificate 65686, which is for irrigation of 39.7 acres using a single authorized "POA 1", MARI 4725, pumping at a maximum instantaneous rate of 0.495 cfs (~222 gpm), subject to seasonal duty and rate limitations.

**This application proposes to change to a "POA 2" (proposed well not yet drilled) at a different location.** According to the applicant: "We have purchased tax lot 300 and the authorized POA for Cert. 65686 is on tax lot 400. We propose to drill a new well to irrigate the portion of Cert. 65686 on tax lot 300."

**NOTE:** this reviewer was not able to reconcile the described location for proposed "POA 2" with the plotted location of "POA 2" as shown on the application map. Plotting the described location (1250' N and 1750' W from the E ¼ corner of Section 33) using OWRD ArcMap data places "POA 2" in the north-central portion of tax lot 400. However, the application map and the applicant's statement both indicate that proposed "POA 2" is to be located on tax lot 300 to the east. For this review, it was assumed that the "POA 2" location shown on the application map at the northwest corner of tax lot 300 is the intended location.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
 Yes     No    Comments: The authorized POA, MARI 4725, obtains groundwater from sand and gravel beds (Willamette Aquifer) overlain by about 40 ft of fine-grained sediments (Willamette Silt). The proposed "POA 2" is planned to be similarly constructed, and thus will develop the same aquifer.

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?  
 Yes  No \_\_\_\_\_

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): \_\_\_\_\_

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: Relative to the authorized POA 1 (MARI 4725) location, the location for the proposed POA 2 is nearer to several likely domestic wells and permitted irrigation wells. Wells in this area are of similar depth (~80-150 ft) and obtain groundwater from the same general alluvial aquifer system. Thus pumping of the proposed POA 2 will likely cause an increase in interference with these other groundwater 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: Though well logs were not found to confirm, the nearest potentially-affected wells are likely domestic wells at residences generally east and west of the proposed POA 2 location. Compared to the POA 1 location, the proposed POA 2 location is about 2100 ft closer to a domestic well assumed to be present at a residence to the east of POA 2.

Drawdown estimates made using the Theis distance-drawdown relationship indicate that up to about 3 ft of additional interference drawdown might be expected at the nearest assumed domestic well location (using aquifer parameters derived from pumping tests of nearby wells, and assuming a conservative (24/7), pro-rated pumping scenario at the proposed APOA location). It is unlikely that this amount of additional drawdown will prevent this and other nearby groundwater rights from receiving water to which they are legally entitled.

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

Yes  No Comments: Compared to the authorized POA (MARI 4725), proposed POA 2 is about 1450 ft nearer to an unnamed tributary to the Little Pudding River (to the north of POA 2). Despite this relative increase in proximity, the low drawdowns predicted with the Theis analysis previously suggest that it is unlikely that the proposed change will result in an increase in interference with the creek.

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: \_\_\_\_\_

Minimal  Significant

Stream: \_\_\_\_\_

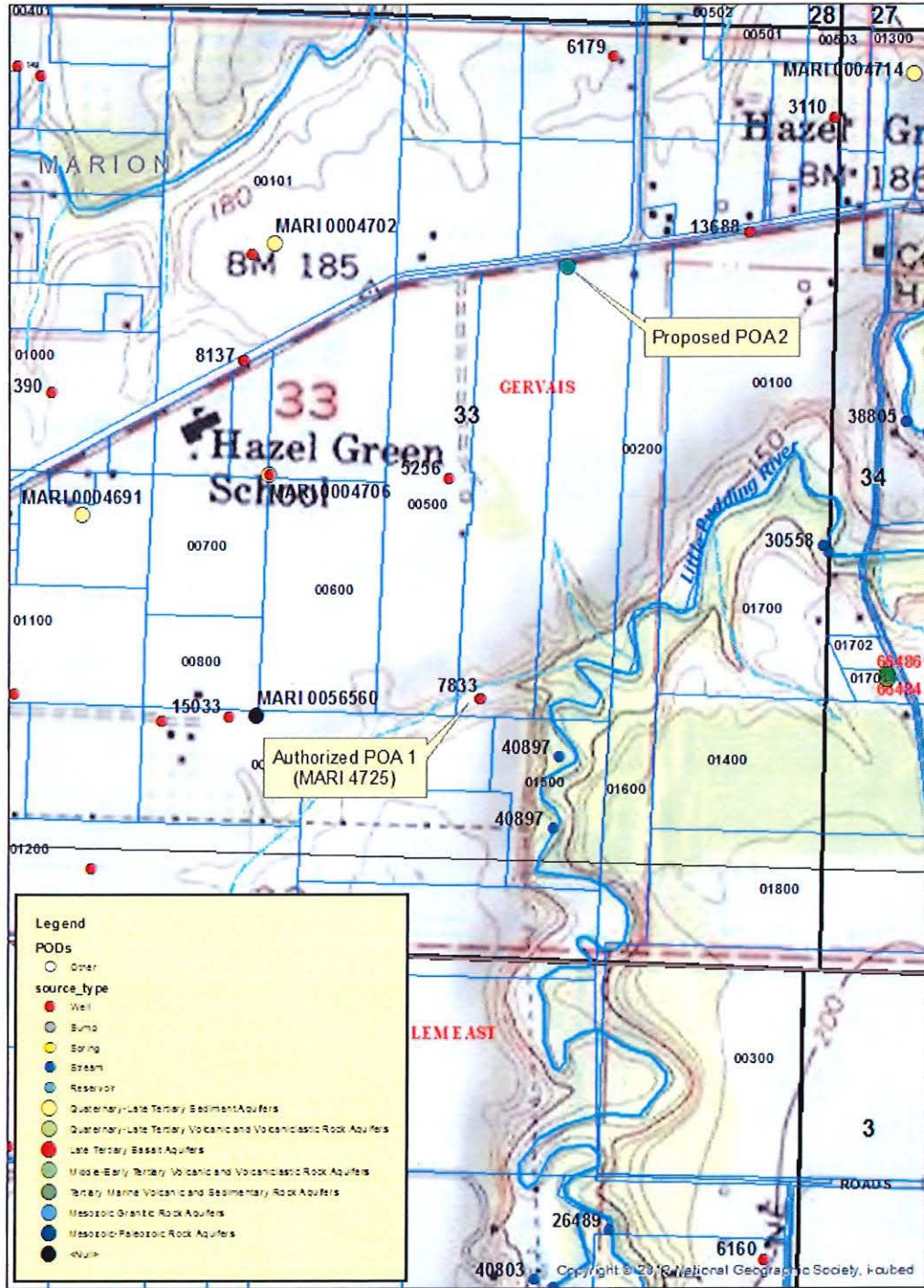
Minimal  Significant

Provide context for minimal/significant impact: \_\_\_\_\_

6. What conditions or other changes in the application are necessary to address any potential issues identified above: None

7. Any additional comments: **It is recommended that the caseworker confirm with the applicant that their intent is indeed a new POA, and not just an APOA, for certificate 65686.**

# Application T-12968 Kuenzi T6S, R2W, S33



**This drawdown analysis: authorized POA 1 (MARI 4725) to assumed nearest domestic well (~2600 ft)**

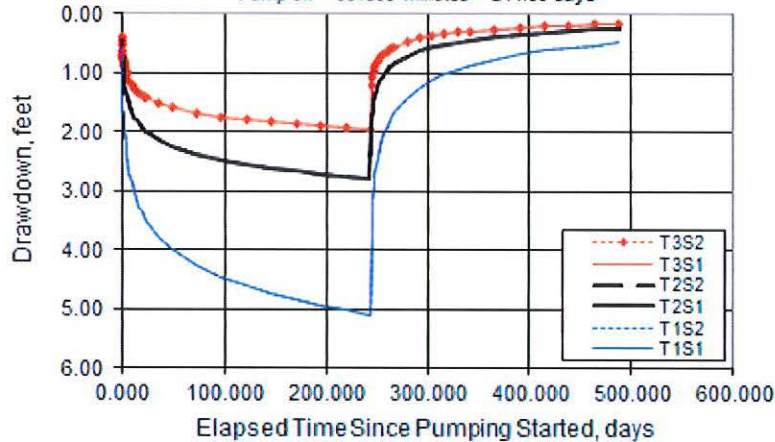
This Time-Drawdown Worksheet v 3.00  
 Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r, from a pumping well for 3 different T values and radial distance, r, from a pumping well for 3 different T values and 2 different S values  
 Written by Karl C. Wozniak September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

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units
Total pumping time	t		244		d
Radial distance from pumped well	r		2600.00		ft
Pumping rate	Q		90.0		gpm
Hydraulic conductivity	K	50	100	150	ft/day
Aquifer thickness	b		40		ft
Storativity	S_1		0.00010		17.32620 cfd
	S_2		0.00010		0.40 a/d
Transmissivity Conversions	T_ftpd	2.000	4.000	6.000	ft <sup>2</sup> /day
	T_ftpm	1.3889	2.7778	4.1667	ft <sup>2</sup> /min
	T_gpdft	14.950	29.920	44.880	gpd/ft

Recalculate Use the Recalculate button if recalculation is set to manual

**This Drawdown and Recovery at r = 2600 ft From Pumping Well**

Pump on = 351360 minutes = 244.00 days



**This drawdown analysis: proposed POA 2 to assumed nearest domestic well (~500 ft)**

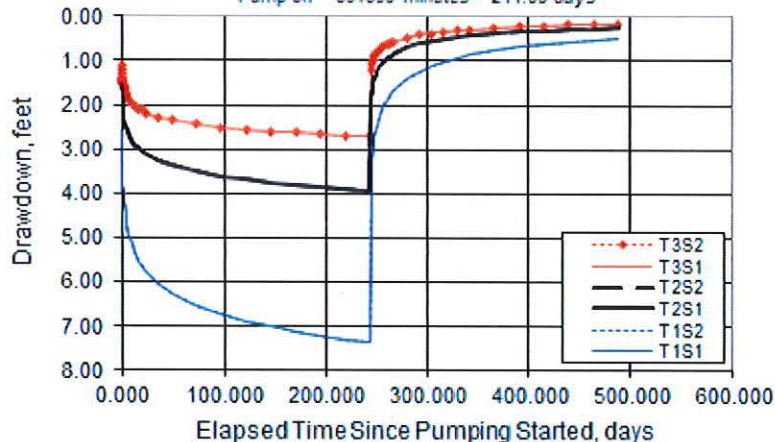
This Time-Drawdown Worksheet v 3.00  
 Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r, from a pumping well for 3 different T values and radial distance, r, from a pumping well for 3 different T values and 2 different S values  
 Written by Karl C. Wozniak September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

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units
Total pumping time	t		244		d
Radial distance from pumped well	r		500.00		ft
Pumping rate	Q		90.0		gpm
Hydraulic conductivity	K	50	100	150	ft/day
Aquifer thickness	b		40		ft
Storativity	S_1		0.00010		17.32620 cfd
	S_2		0.00010		0.40 a/d
Transmissivity Conversions	T_ftpd	2.000	4.000	6.000	ft <sup>2</sup> /day
	T_ftpm	1.3889	2.7778	4.1667	ft <sup>2</sup> /min
	T_gpdft	14.950	29.920	44.880	gpd/ft

Recalculate Use the Recalculate button if recalculation is set to manual

**This Drawdown and Recovery at r = 500 ft From Pumping Well**

Pump on = 351360 minutes = 244.00 days





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

## Watermaster Review Form: Water Right Transfer

Transfer Application: T-12968

Review Due Date: \_\_\_\_\_

Applicant Name: Kuenzi

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): Joel Plahn

Date of Review: Jul. 30, 2018

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable?  Yes  No If "yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights?  Yes  No  
 Generally characterize the frequency of any regulation or explain why regulation has not occurred: \_\_\_\_\_
3. Have headgate notices been issued for the source that serves the transferred right(s)?  
 Yes  No  Records not available.
4. In your estimation, after the proposed change would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized?  
 Yes  No If "Yes", explain: \_\_\_\_\_
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected?  Yes  No If "Yes", describe how the rights would be affected and list the rights most affected: \_\_\_\_\_
6. Check here  if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:  
 \_\_\_\_\_.  N/A
7. For POD changes and instream transfers, check here  if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses: \_\_\_\_\_.  N/A
8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:  N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)?  Yes  No
9. For POU changes:  N/A Is it likely the original place of use would continue to receive water from the same source?  Yes  No If "Yes", explain: \_\_\_\_\_

10. For POU or USE changes:  N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?  Yes  No If "Yes", explain: \_\_\_\_\_

11. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?  Yes  No If "Yes", explain: \_\_\_\_\_

12. What alternatives may be available for addressing any issues identified above: \_\_\_\_\_

13. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights?  No  Yes, as checked below:

A Headgate should be required prior to diverting water.

Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of page 3)

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

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

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

Reservoir water use measurement: (if this condition is selected, also fill in the top sections of page 3)

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

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

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

Weir

Submerged Orifice

Parshall Flume

Flow Restrictor

Other: \_\_\_\_\_

**Oregon Water Resources Department**

**Measurement Condition Information for the Applicant**

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

Transfer #: T-\_\_\_\_\_

In order to avoid enlargement of the right or injury to other rights, a \_\_\_\_\_ will be required to be installed **prior to diversion of water**, as a condition of this transfer:

- at each point of diversion/appropriation (new and existing) or
- at each new point of diversion/appropriation.

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

Watermaster name: \_\_\_\_\_

District: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

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

\*\*\*\*\*

**Approval of an Alternate Measurement Device**

T-\_\_\_\_\_

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

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

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Watermaster signature

\_\_\_\_\_  
District

\_\_\_\_\_  
Date

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

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

# Regular Permanent Water Right Transfer Application Checklist

Checked by J. Joye Date 7-11-18

Certs & acres involved: <u>C 65686</u>
Changes: <u>POA</u>
# cfs involved: _____
Source: <u>Well</u>

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

- 1. Page 1 of application: Are all attachments that have been checked actually included?  
If not, what is missing? \_\_\_\_\_
- 2. Are fees included and correct? Fee paid: \_\_\_\_\_  
If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_
  - ▶ If a Government Action POD change (see: Page 5): NO CHARGE

\*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type  
POU is counted as one type  
[USE *or* (Supplemental to Primary)] are counted as one type
- 3. Page 3 of application: Have all the applicants listed at the top of the page signed?  
If no, whose signature is missing? \_\_\_\_\_
- 4. Are all listed certificates or permits shown by WRIS as non-cancelled?  
If no, which are cancelled? \_\_\_\_\_  
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number \_\_\_\_\_ and check the #4 box at left on this checklist.
- 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?  
 N/A  Form D needed from \_\_\_\_\_ (district)
- 6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application and assign it a numbered transfer folder. Put this check sheet in the transfer folder. If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the **deficiencies listed in the "staff" section at the bottom of Application Page 1**, unless the applicant or agent can resolve the deficiencies within 2-3 days.



# Oregon

Kate Brown, Governor

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

July 12, 2018

ROGER KUENZI & LEON KUENZI  
PO BOX 9026  
BROOKS, OR 97305

Reference: Application T- 12968

On July 11, 2018, we received your water right Transfer application. The application was accompanied by \$1570.00. Our receipt number 127282 was assigned.

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.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

This application may 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) 986-0807.

Cc: Watermaster Dist. #16 (*via email*)  
William E. McGill, Agent/CWRE  
Marion County Planning

Enclosure



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

# Application for Permanent Water Right Transfer

## Part 1 of 5 – Minimum Requirements Checklist

**This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
 For questions, please call (503) 986-0900, and ask for Transfer Section.

**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 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: Cert. 65686**  
 Please include a separate Part 5 for each water right. (See instructions on page 6)

**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 Land Use Information Form with approval and signature (or signed land use form receipt stub). 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):**

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503-986-0 \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

RECEIVED

JUL 11 2018

OWRD TACS

## Part 2 of 5 – Transfer Application Map Checklist

**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/](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 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Roger Kuenzi and Leon Kuenzi</b>		PHONE NO. <b>503-991-6764</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>P.O. Box 9026</b>		FAX NO.	
CITY <b>Brooks</b>	STATE <b>OR</b>	ZIP <b>97305</b>	E-MAIL <b>rogerat9026@gmail.com</b>
<b>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.</b>			

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

AGENT/BUSINESS NAME <b>William E. McGill, CWRE</b>		PHONE NO. <b>503-510-3026</b>	ADDITIONAL CONTACT NO. <b>541-327-2798</b>
ADDRESS <b>15333 Pletzer Rd. SE</b>		FAX NO. <b>541-327-2798</b>	
CITY <b>Turner</b>	STATE <b>OR</b>	ZIP <b>97392</b>	E-MAIL <b>willmcgill.surveying@gmail.com</b>
<b>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.</b>			

**Explain in your own words what you propose to accomplish with this transfer application, and why:**  
 We have purchased tax lot 300 and the authorized POA for Cert. 65686 is on tax lot 400. We propose to drill a new well to irrigate the portion of Cert. 65686 on tax lot 300.

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

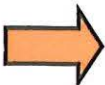
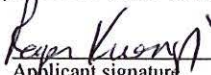
Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)


### 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.

I understand that 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: Keizertimes.

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

  
  
 Applicant signature

  
 Applicant signature

Roger Kuenzi, Owner  
 Print Name (and Title if applicable)

7-9-2018  
 Date

Leon Kuenzi, Owner  
 Print Name (and Title if applicable)

7-9-18  
 Date

RECEIVED

JUL 11 2018

OWRD

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:

<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

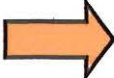
Describe any special ownership circumstances here: \_\_\_\_\_

- 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	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 <b>Marion County</b>	ADDRESS <b>5155 Silverton Rd. SE</b>	
CITY <b>Salem</b>	STATE <b>OR</b>	ZIP <b>97305</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

**RECEIVED**

JUL 11 2018

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 # 65686

Received by OWRD

**Description of Water Delivery System**

System capacity: 1.22 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

AUG 23 2019

Salem, OR

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 by a 25 HP turbine pump and delivered through 4" above ground mainline and irrigated by high pressure sprinklers.

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POA 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 4725	6	S	2	W	33	NW	SE	400	140' N and 560'E from the SW corner of the NW ¼ SE ¼ of Sec. 33
POA 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		6	S	2	W	33	SW	NE	300	1250' N and 1750' W from the E ¼ corner of Sec. 33
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- |  |  |
|--|--|
| <input type="checkbox"/> Place of Use (POU)                            | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)            |
| <input type="checkbox"/> Character of Use (USE)                        | <input type="checkbox"/> Point of Appropriation/Well (POA)                   |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                                  |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> 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.

## 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 # 65686

#### Description of Water Delivery System

System capacity: 1.22 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 by a 25 HP turbine pump and delivered through 4" above ground mainline and irrigated by high pressure sprinklers.**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POA 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 4725	6	S	2	W	33	NW	SE	400	140' N and 560' E from the SW corner of the NW ¼ SE ¼ of Sec. 33
POA 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		6	S	2	W	33	SW	NE	300	1250' N and 1750' W from the E ¼ corner of Sec. 33
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- |  |   |
|--|---|
| <input type="checkbox"/> Place of Use (POU)                            | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)     |
| <input type="checkbox"/> Character of Use (USE)                        | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input type="checkbox"/> Additional Point of Appropriation (APOA)     |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                           |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> 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.

SUPERSEDED

RECEIVED

JUL 11 2018

OWRD TACS

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

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

**Table 2. Description of Changes to Water Right Certificate # 65686**

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	Acres	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	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
<b>EXAMPLE</b>																						
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901		
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
6	S	2	W 33 NW NE	300		0.2	Irrigation	POA 1	1970	POA	6	S	2	W 33 NW NE	300		0.2	Irrigation	POA 2	1970		
6	S	2	W 33 SW NE	300		13.1	Irrigation	POA 1	1970	POA	6	S	2	W 33 SW NE	300		13.1	Irrigation	POA 2	1970		
6	S	2	W 33 NW SE	300		7.1	Irrigation	POA 1	1970	POA	6	S	2	W 33 SW NE	300		7.1	Irrigation	POA 2	1970		
TOTAL ACRES:						20.4						TOTAL ACRES:						20.4				

Additional remarks: \_\_\_\_\_.

RECEIVED

JUL 11 2018

OWRD

**For Place of Use or Character of Use Changes**

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

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



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)

RECEIVED

Ground water supplemental Permit or Certificate # \_\_\_\_\_;  
Surface water primary Certificate # \_\_\_\_\_.

JUL 11 2018

**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

OWRD

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

**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](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**

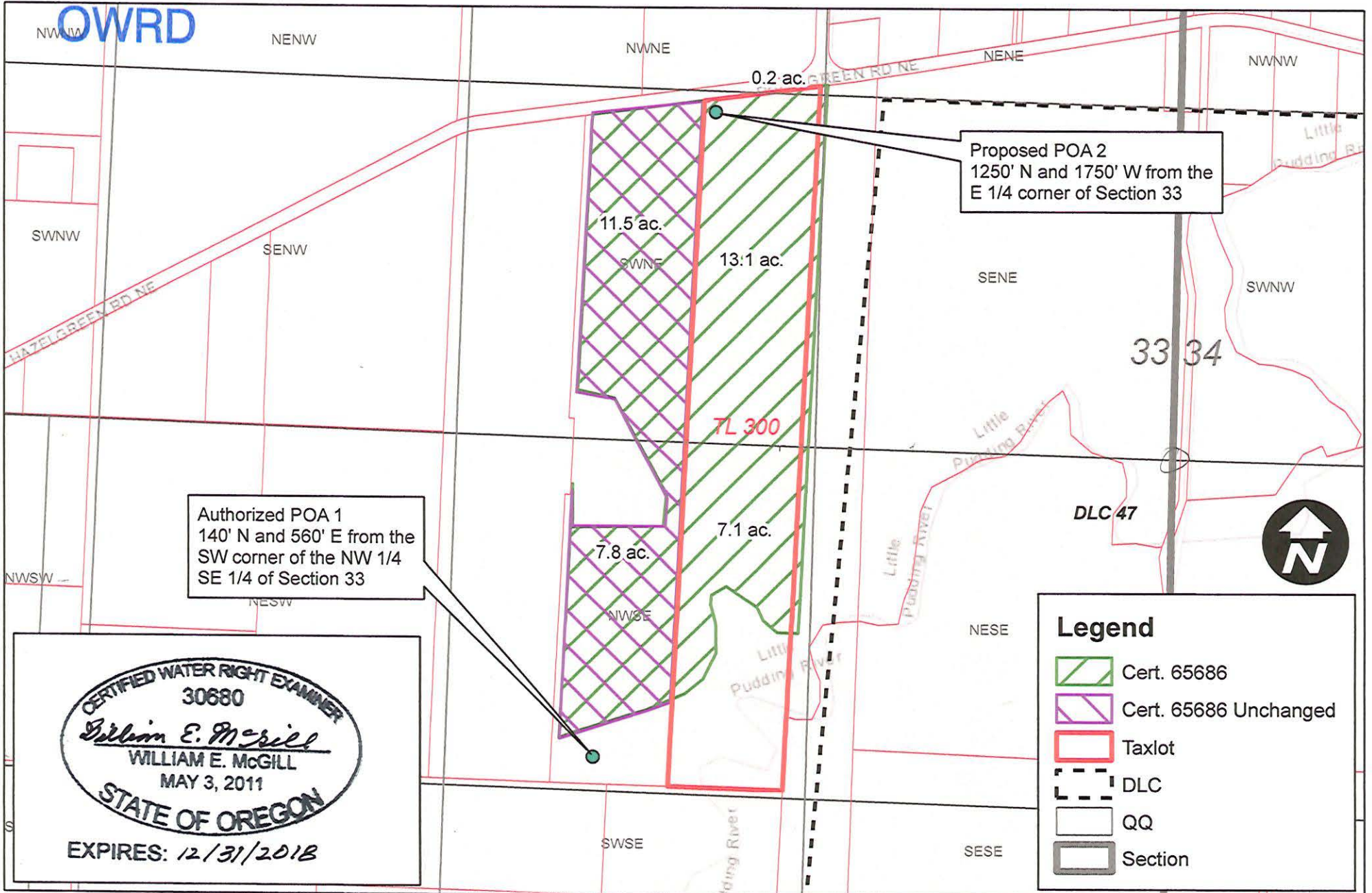
Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department 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
POA 1	Yes		83'	10"	+1' to 83'	30'	62' to 79'	11'	Sand and gravel	
POA 2	No		100' +/-	10"		20'			Sand and gravel	

RECEIVED

JUL 11 2018

Permanent Water Right Transfer, Kuenzi  
T 6S, R 2W









Authorized POA 1  
140' N and 560' E from the  
SW corner of the NW 1/4  
SE 1/4 of Section 33

Proposed POA 2  
1250' N and 1750' W from the  
E 1/4 corner of Section 33

CERTIFIED WATER RIGHT EXAMINER  
30680  
*William E. McGill*  
WILLIAM E. MCGILL  
MAY 3, 2011  
STATE OF OREGON  
EXPIRES: 12/31/2018

**Legend**

-  Cert. 65686
-  Cert. 65686 Unchanged
-  Taxlot
-  DLC
-  QQ
-  Section

**NOTICE TO WATER WELL CONTRACTOR**

The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON 97310  
within 30 days from the date of well completion.

**RECEIVED**  
STATE ENGINEER  
SALEM, OREGON  
AUG 1 0 1970

**WATER WELL REPORT**  
STATE OF OREGON  
(Please type or print)  
(Do not write above this line)

POA 1

MARI.

State Well No. 6/2W-34

State Permit No. \_\_\_\_\_

33

**(1) OWNER:**

Name CHETOS WOODS  
Address 3950 CHIRMANA RD. N.E. SALEM

**(2) TYPE OF WORK (check):**

New Well  Deepening  Reconditioning  Abandon

If abandonment, describe material and procedure in Item 12.

**(3) TYPE OF WELL:**

Rotary  Driven   
Cable  Jetted   
Dug  Bored

**(4) PROPOSED USE (check):**

Domestic  Industrial  Municipal   
Irrigation  Test Well  Other

**CASING INSTALLED:**

Threaded  Welded   
10" Diam. from 0.1 ft. to 8.3 ft. Gage 2.50  
" Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_  
" Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_

**PERFORATIONS:**

Perforated?  Yes  No.

Type of perforator used MILLS  
Size of perforations 5/8 in. by 2 1/2 in.  
\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
226 perforations from 6.7 ft. to 9.9 ft.  
\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**(7) SCREENS:**

Well screen installed?  Yes  No

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

**(8) WATER LEVEL: Completed well.**

Static level 11 ft. below land surface Date 7-7-70  
Artesian pressure \_\_\_\_\_ lbs. per square inch Date \_\_\_\_\_

**(9) WELL TESTS:**

Drawdown is amount water level is lowered below static level

Was a pump test made?  Yes  No If yes, by whom? MILLER & WEST  
Yield: 200 gal./min. with 24 ft. drawdown after 1 1/2 hrs.  
400 " 35 " 1 1/2 "  
550 " 45 " 2 "

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

**(10) CONSTRUCTION:**

Well seal—Material used DRILLING CLAY & BANTONITE  
Depth of seal 30 ft.  
Diameter of well bore to bottom of seal 14 in.  
Were any loose strata cemented off?  Yes  No Depth \_\_\_\_\_  
Was a drive shoe used?  Yes  No  
Did any strata contain unusable water?  Yes  No  
Type of water? \_\_\_\_\_ depth of strata \_\_\_\_\_  
Method of sealing strata off \_\_\_\_\_  
Was well gravel packed?  Yes  No Size of gravel: \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**(11) LOCATION OF WELL:**

County MARION Driller's well number \_\_\_\_\_  
1/4 Section 37 T. 4 S. R. 2 W. W.M. \_\_\_\_\_  
Bearing and distance from section or subdivision corner \_\_\_\_\_

**(12) WELL LOG:**

Diameter of well below casing 10  
Depth drilled 8.3 ft. Depth of completed well 8.3 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
SOIL	0	1	
BROWN - CLAY	1	27	
" - " (SILTY)	27	38	
" - " MIXED	38	41	
WITH SAND & GRAVEL			
BROWN - CEMENTED SAND	41	50	
BROWN - SAND & SOME WOOD	50	58	
BLACK - SAND & GRAVEL	58	66	
BROWN - " & "	66	81	
" - "	81	83	

Work started 7-2-1970 Completed 7-7-1970

Date well drilling machine moved off of well 7-8-1970

**Drilling Machine Operator's Certification:**

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Bill Latta & Hudson Miller Date 7-9-1970  
(Drilling Machine Operator)

Drilling Machine Operator's License No. 59

**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 Miller & West (Type or print)  
(Person, firm or corporation)

Address 8545 W. 1st St. S.E. Salem

[Signed] Hudson R. Miller (Water Well Contractor)

Contractor's License No. 37 Date 7-9-1970

**RECEIVED**

JUL 11 1970

**OWRD**

# 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, ROGER KUENZL, in my capacity as OWNER,  
 mailing address P.O. BOX 9026, BROOKS, OR 97305  
 telephone number (503)991-6764, 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)
65686	6	S	2	W	WM	33	NW	NE		0.2
65686	6	S	2	W	WM	33	SW	NE		13.1
65686	6	S	2	W	WM	33	NW	SE		7.1

**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)

RECEIVED

JUL 11 2018

OWRD

FS

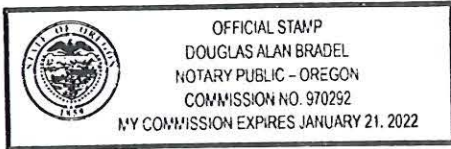
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS

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

Regan Kuehn  
Signature of Affiant

7-6-2018  
Date

Signed and sworn to (or affirmed) before me this 6th day of July, 2018.



Douglas A. Braedel  
Notary Public for Oregon

My Commission Expires: 01/21/2022

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>● Power usage records for pumps associated with irrigation use</li> <li>● Fertilizer or seed bills related to irrigated crops</li> <li>● Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>● District assessment records for water delivered</li> <li>● Crop reports submitted under a federal loan agreement</li> <li>● Beneficial use reports from district</li> <li>● IRS Farm Usage Deduction Report</li> <li>● Agricultural Stabilization Plan</li> <li>● CREP Report</li> </ul>
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>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.</p> <p>Sources for aerial photos:            OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a>            OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a>            Google Earth – <a href="http://earth.google.com">earth.google.com</a>            TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

RECEIVED

JUL 11 2018

OWRD

FS



RECEIVED

JUL 11 2018

OWRD

Google Earth

Imagery Date: 7/14/2014 lat 45.009426° lon -122.935225° elev 189 ft eye alt 7064 ft

# 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

Applicant(s): Roger Kuenzi

Mailing Address: P.O. Box 9026

City: Brooks

State: OR

Zip Code: 97305

Daytime Phone: 503-991-6764

## 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:
<u>6S</u>	<u>2W</u>	<u>33</u>	<u>NWNE</u>	<u>300</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>farming</u>
<u>6S</u>	<u>2W</u>	<u>33</u>	<u>SWNE</u>	<u>300</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>farming</u>
<u>6S</u>	<u>2W</u>	<u>33</u>	<u>NWSE</u>	<u>300</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>farming</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Marion County

## B. Description of Proposed Use

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

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

Source of water:  Reservoir/Pond     Ground Water     Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 0.255     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:

The authorized POA 1 is on tax lot 400, so it is proposed to drill a new well on tax lot 300 to irrigate the 20.4 acres of certificate 65686 on tax lot 300 because the tax lots are in different ownerships.

**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. →

RECEIVED

JUL 11 2018

OWRD

# 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 uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): *MCC 17.136*
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Name: *Patty Doiv* Title: *Assistant Planner*  
 Signature: *Patty Doiv* Phone: *503-588-5038* Date: *7/5/18*  
 Government Entity: *Marion County Planning*

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

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

Marion County Planning Division  
 5155 Silverton Rd. NE  
 Salem, OR 97305

RECEIVED

JUL 11 2018

OWRD





RECEIVED

OCT 22 2019

OWRD

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Will McGill Surveying, LLC15333 Pletzer Rd SE Turner, OR 97392Transaction Type: Newspaper NoticeFees Received: \$ 96.<sup>00</sup> Cash Check:Check No. 1540Name(s) on Check: SAME AS ABOVEAddress on Check: SAME AS ABOVE

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: 

(Name of OWRD staff)

### 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.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.

OREGON



Received by OWRD

NOV 04 2025

Salem, OR

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Roger & Leon Kuenzi

PO Box 9026 Salem OR 97305

Transaction Type: Claim

Fees Received: \$ 345

Cash       Check:      Check No. 2473  
Name(s) on Check: Will McGill Surveying

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: Conie Lornien  
(Name of OWRD staff)

### 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.