

T-8699



State of Oregon
Water Resources Department
158 12th Street NE, Salem, OR 97310
(503)378 8455 • (800)624 3199
www.wrd.state.or.us

Application for Water Right Transfer

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will request any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

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MAR 09 2004
WATER RESOURCES DEPT
SALEM, OREGON

APPLICATION FOR:

Please check one

Water Right Transfer Temporary Transfer Permit Amendment

Historic Point of Diversion Change Government Action Point of Diversion

1. APPLICANT INFORMATION

Name: JAMES R. BAUERSFELD, JR.
First CHRISTINE R. BAUERSFELD Last

Address: 9500 NE MILL CREEK ROAD
PRINEVILLE, OREGON 97754
City State Zip

Phone: (541) 447-6169 (541) 548-6114
Home Work Other

*Fax: (541) 416-8860 *E-Mail address: DOGUES@AOL.COM

*Optional information

2. TYPE OF CHANGE

Use Place of Use Point of Diversion Point of Appropriation

Reason for change: TRANSFER PORTION OF WATER RIGHT TO OTHER LANDS FOR PRIORITY CHANGE; CHANGE POINT OF DIVERSION FOR PORTION OF WATER RIGHT RETAINED;

Is the land within an irrigation or other water district? Yes No PLACE RETAINED WATER RIGHT ON LANDS TO CORRECT MAP

If yes, include district name: N/A

For Department Use		
App. No. _____	Permit No. _____	Date _____

3. CURRENT WATER RIGHT INFORMATION

Name on Permit, Certificate, or Decree: FREDERICK THOMAS JONES

Decree: CROOKED RIVER DECREE

Not applicable]

Permit Number:
 Not applicable]

Certificate Number: 591
 Not applicable]

Priority Date: 1891

Authorized Use: IRRIGATION-PRIMARY

Source of Water: MILL CREEK County: CROOK
INCLUDING DRY CREEK TRIBUTARY

Are there other sources listed on the water right? Yes No

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SALEM, OREGON
Range

Location of Authorized Point of Diversion or Point of Appropriation:

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
<u>860' EAST OF NW COR. SEC. 6, T135, R17E, WM</u>	<u>NW, NW</u>	<u>36</u>	<u>135</u>	<u>17E</u>

Location of Authorized Place of Use:

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
<u>135</u>	<u>17E</u>	<u>35</u>	<u>---</u>	<u>SW, NE</u>	<u>TL 600 13-17</u>	<u>30.0</u>
<u>135</u>	<u>17E</u>	<u>35</u>	<u>---</u>	<u>SE, SW</u>	<u>TL 600 13-17</u>	<u>40.0</u>
<u>135</u>	<u>17E</u>	<u>35</u>	<u>---</u>	<u>NW, SE</u>	<u>TL 600 13-17</u>	<u>30.0</u>
<u>135</u>	<u>17E</u>	<u>35</u>	<u>---</u>	<u>SW, SE</u>	<u>TL 600 13-17</u>	<u>20.0</u>
<u>145</u>	<u>17E</u>	<u>2</u>	<u>GOV. LOT 3</u>	<u>NE, NW</u>	<u>TL 401 14-17</u>	<u>26.0</u>
<u>145</u>	<u>17E</u>	<u>2</u>	<u>---</u>	<u>SE, NW</u>	<u>TL 401 14-17</u>	<u>34.0</u>

Are there other lands described in the water right? Yes No

Are there other water rights or permits associated with this land? Yes No

If yes, include a copy of all rights or permits. C. 17105 - SEE SUPPLEMENTAL WATER RIGHT BEING TRANSFERRED AT THIS SAME TIME.

Description of general delivery system (ditch measurements, pump size, number of sprinklers, etc.):

ORIGINAL DELIVERY SYSTEM WAS BY USE OF DITCHES SUPPLYING FLOOD IRRIGATION TO NATIVE GRASS MEADOWS. THE DITCHES WERE TYPICALLY ABOUT 2' WIDE AND 2' DEEP AND FLOOD IRRIGATED USING CANVAS DAMS.

System capacity (in cfs): 30.05

4. PROPOSED CHANGES TO THE WATER RIGHT

Change in Use:

Proposed use: _____

C. 591

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

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Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
APPROX. LOCATION	STANTON DITCH - P.O.D.#1 940' NORTH & 660' WEST OF SE COR. SEC. 10	SE, SE	10	145	17E
APPROX. LOCATION	STANTON & EVANS DITCH P.O.D.#2 - 3730' NORTH & 460' EAST OF SW COR. SEC. 11	SW, NW	11	145	17E

Change in Place of Use:

Location of Proposed Place of Use

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
					14-17	
145	17E	15	—	NE, NE	TL 1701	3.4
145	17E	15	—	NW, NE	TL 1701	5.0
145	17E	15	—	SW, NE	TL 1701	10.0
145	17E	15	—	SE, NE	TL 1701	1.9
145	17E	15	—	NE, SE	TL 1701	12.4
145	17E	15	—	NW, SE	TL 1701	7.0
145	17E	15	—	SW, SE	TL 1701	6.0
145	17E	15	—	SE, SE	TL 1701	9.6

Remarks: PAGE 5 EVIDENCE OF USE - WATER RIGHTS UNDERGOING TRANSFER ARE NOT ON LANDS COVERED BY PARTIAL CANCELLATION ACTION ON C. 75204 AND C. 76365 DATED JANUARY 15, 2004.

TRANSFER NOTE - THE APPLICANT WISHES TO AMEND TRANSFER T-8699 TO CONFORM TO THIS APPLICATION AND MAP. THIS TRANSFER IS A PERMANENT TRANSFER AND IS INTENDED TO COVER THE SAME RIGHTS AND LANDS AS TEMPORARY TRANSFER T-9431.

INSTRUCTIONS

FOR TRANSFER APPLICATIONS

Note: All information should be typewritten or neatly printed with dark ink. All items must be completed even if parts or all of the required information appears on supplemental maps or drawings. Applications must be submitted on original forms that are provided by the Department or watermaster. Sign the forms in ink. If you have additional comments that will not fit on the form please submit an attached sheet referencing the section and question.

1. APPLICANT INFORMATION

You may include a fax number and an e-mail address if you have these. (These numbers are not required but they may assist the Department in contacting you.)

2. TYPE OF CHANGE

Mark the proposed change to your existing water right and describe the reason for that change. You may apply to change all three major components of your water right, however, you must pay the transfer fees for each change.

Indicate if the land is within an irrigation district. The Department is required to notify irrigation districts if transfers are proposed within their boundaries.

3. CURRENT WATER RIGHTS

Indicate the name on the current water right. Enter the decree, permit or certificate number, whichever applies. Also enter the priority date, authorized use, source of water, and the county it is located in. If the use and source are in different counties, please indicate.

Fill in the table locating the place(s) of diversion (surface water) or point(s) of appropriation (wells).

Fill in the table locating the place(s) of use.

Describe the general delivery system. Include type, size, length, measurements.

Finally, list the capacity of the delivery system in cubic feet per second (cfs).

4. PROPOSED CHANGES

If you are proposing a change in type of use, check the box and provide the proposed new use.

If you are proposing a change in the point of diversion (surface sources) or appropriation (wells) check the box and then indicate if it will be a change or an addition to the existing water right.

Fill in the table locating the new place(s) of diversion (surface water) or point(s) of appropriation (wells).

For a change in the place of use, check the box and fill in the table locating the new place(s) of use.

5. LAND OWNERSHIP

Answer only the section(s) that apply.

If you are changing the type or place of use: Indicate if the lands are free of "encumbrances": liens, rights-of-way, or other contracts. If not, provide the name of the holder and obtain written permission from them to proceed with the transfer.

If you are applying for a transfer on land that you do not own: Provide names and addresses for all the landowners shown on the deed. You must obtain notarized permission from all the landowners listed on the deed to proceed with the transfer.

If the transfer will change water rights to someone other than the landowner or applicant: Check the appropriate box to indicate whom the Department should work with to complete the transfer.

6. EXHIBITS

Depending on the type of change you are proposing, you may be required to include several exhibits with your application.

For most applications you will need to include a completed Land Use Information Form. If you meet the four listed criteria, you may submit your application without the Land Use Information Form.

All applications require a map. If you are applying for a water right transfer, the map must be prepared by a certified water rights examiner (CWRE). If you do not have a CWRE, you may contact the Department for more information. All other applications may provide maps prepared without a CWRE.

All applications require evidence of use within the last five years.

Applications for changes in or to point(s) of appropriation require well reports.

7. SIGNATURE:

Before signing the application be sure you have answered the questions completely and prepared the necessary maps and exhibits. Include a check made out to the Oregon Water Resources Department for the required fees and a completed Land Use Information Form (if required).

FEES

Regular transfers and permit amendments

First change: \$200 **Each additional change:** \$100

Each cfs: \$100

or fraction thereof, requested beyond the first cfs (for changes in place of use, type of use, or water exchanges)

Temporary transfers

Base fee: \$100 **Each cfs:** \$50

or fraction thereof, and each additional cfs, or fraction thereof (for non irrigation uses) or

Each acre of irrigated land: \$0.25

3. CURRENT WATER RIGHT INFORMATION

Name on Permit, Certificate, or Decree: CLAUDE & AUDRA BRENNAN

Decree: _____

Not applicable]

Permit Number: 15605

Not applicable]

Certificate Number: 17105

Not applicable]

Priority Date: SEPT. 11, 1943

Authorized Use: SUPPLEMENTAL IRRIGATION

Source of Water: MILL CREEK County: CROOK

Are there other sources listed on the water right? Yes No

Location of Authorized Point of Diversion or Point of Appropriation:

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SALEM, OREGON

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
	<u>SE, NE</u>	<u>35</u>	<u>135</u>	<u>17E</u>

Location of Authorized Place of Use:

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
<u>135</u>	<u>17E</u>	<u>35</u>	<u>—</u>	<u>NW, SE</u>	<u>TL 600 13-17</u>	<u>9.9</u>
<u>135</u>	<u>17E</u>	<u>35</u>	<u>—</u>	<u>SW, SE</u>	<u>TL 600 13-17</u>	<u>9.1</u>
<u>135</u>	<u>17E</u>	<u>35</u>	<u>—</u>	<u>SE, SW</u>	<u>TL 600 13-17</u>	<u>8.9</u>
<u>145</u>	<u>17E</u>	<u>2</u>	<u>GOV. LOT 2</u>	<u>NW, NE</u>	<u>TL 401 14-17</u>	<u>4.9</u>
<u>145</u>	<u>17E</u>	<u>2</u>	<u>GOV. LOT 3</u>	<u>NE, NW</u>	<u>TL 401 14-17</u>	<u>12.2</u>

Are there other lands described in the water right? Yes No

Are there other water rights or permits associated with this land? Yes No

If yes, include a copy of all rights or permits, SEE PRIMARY WATER RIGHT UNDER C. 591 BEING TRANSFERRED AT THIS SAME TIME.

Description of general delivery system (ditch measurements, pump size, number of sprinklers, etc.):

THIS WATER RIGHT WAS SUPPLEMENTAL TO A PRIMARY WATER RIGHT FROM MILL CREEK AND WAS DELIVERED BY THE SAME DITCH SYSTEM. ALL WATER RIGHTS WERE LOCATED ON THE WEST SIDE OF MILL CREEK ACCORDING TO THE FINAL PROOF MAP. THE DITCH WAS ABOUT 2' WIDE AND 2' DEEP AND FLOOD IRRIGATED THE LANDS.

4. PROPOSED CHANGES TO THE WATER RIGHT

Change in Use:

Proposed use: _____

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SALEM, OREGON

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

C. 17105

Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
APPROX. LOCATION	STANTON DITCH - P.O.D. #1 940' NORTH & 660' WEST OF SE COR. SEC. 10	SE, SE	10	145	17E
APPROX. LOCATION	STANTON & EVANS DITCH P.O.D. #2 - 3730' NORTH & 460' EAST OF SW COR. SEC. 11	SW, NW	11	145	17E

Change in Place of Use:

Location of Proposed Place of Use *COFFER*

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
145	17E	15	---	NE, NE	TL1701	3.4
145	17E	15	---	NW, NE	TL1701	5.0
145	17E	15	---	SW, NE	TL1701	10.0
145	17E	15	---	SE, NE	TL1701	1.9
145	17E	15	---	NE, SE	TL1701	12.4
145	17E	15	---	NW, SE	TL1701	7.0
145	17E	15	---	SW, SE	TL1701	3.0
145	17E	15	---	SE, SE	TL1701	2.3

Remarks: THIS SUPPLEMENTAL WATER RIGHT IS INTENDED TO FOLLOW THE TRANSFER OF WATER RIGHT UNDER C. 591 (PRIMARY) TO THESE IDENTICAL LANDS. THE RECEIVING LANDOWNER IS BILLY L. COFFER, TRUST AND THE TRANSFERRING LANDOWNER IS JAMES R. BAUERSFELD, JR. AND CHRISTINE R. BAUERSFELD. THE INTENT IS TO EXCHANGE WATER RIGHTS FROM THE SAME SOURCE, MILL CREEK, WITH DIFFERENT PRIORITY DATES.

5. LAND OWNERSHIP

Answer only
if for change
in **Use** or
Place of Use.

Use/Place of Use

Are the lands free of encumbrances? Yes No

If no, name of encumbrance holder: _____

If no, application must include written permission for the transfer from the encumbrance holder.

Answer only
if applicant
is **not** the
landowner.

Landowners

This section does not apply to water delivery entities authorized to act on behalf of their members, making permit amendment requests, or requests for changes in point of diversion or point of appropriation only.

Landowners: _____
(List all landowners shown on deed.)

Address(es): _____

_____ City State Zip

Application must include notarized statements from all landowners shown on deed giving permission for the transfer. Use an extra sheet if necessary.

Answer only
if the receiving
landowner is
not the original
landowner or
the applicant.

Receiving Landowner

Name: _____

Address: _____

_____ City State Zip

- The Department's records should be changed to show this landowner is responsible for completion of the changes. All notices and correspondence should be sent to this landowner.
- Applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to applicant.

4. PROPOSED CHANGES TO THE WATER RIGHT

Change in Use:

Proposed use: _____

C. 591

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

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SALEM, OREGON

Location of Proposed Point of Diversion or Point of Appropriation

	Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
P.O.D. #1	35' SOUTH & 80' WEST FROM NE COR. NW 1/4 SE 1/4 S. 35	NW, SE	35	135	17E
P.O.D. #2	1045' SOUTH & 2655' EAST FROM NW COR. S. 2	GOV. LOT 2 NW, NE	2	145	17E
P.O.D. #3	215' SOUTH & 520' EAST FROM NW COR. S. 2	GOV. LOT 4 NW, NW	2	145	17E

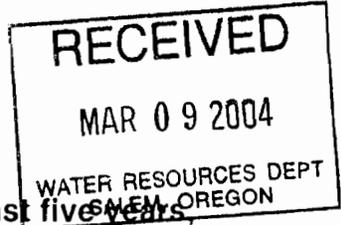
Change in Place of Use:

Location of Proposed Place of Use *BAUERSFELD*

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
135	17E	35	—	SW, NE	TL 600 13-17	1.0
135	17E	35	—	NW, SE	TL 600 13-17	11.9
135	17E	35	—	SW, SE	TL 600 13-17	9.9
145	17E	2	GOV. LOT 2	NW, NE	TL 401 14-17	5.1
145	17E	2	GOV. LOT 3	NE, NW	TL 401 14-17	19.8
145	17E	2	GOV. LOT 4	NW, NW	TL 401 14-17	10.4
145	17E	2	—	SW, NE	TL 401 14-17	2.3
145	17E	2	—	SE, NW	TL 401 14-17	17.5
145	17E	2	—	SW, NW	TL 401 14-17	0.9

THE ENTIRE WATER RIGHT OF C. 591 IS BEING
TRANSFERRED OFF. THIS PORTION OF C. 591 IS
BEING TRANSFERRED BACK ONTO THESE LANDS.
THIS PROCESS WILL CORRECT THE MAPPING
OF C. 591 WHICH IS IN ACCURATE AS TO
LOCATION BY 1/4 1/4 SECTION.

6. EXHIBITS



Application may be rejected if all appropriate exhibits are not enclosed.

Land Use Information Form:

- Enclosed
- Not needed: (must meet the following four requirements)
 - ❶ In EFU zone or irrigation district.
 - ❷ Change in place of use only.
 - ❸ No structural changes needed, including diversion works, delivery facilities, other structures.
 - ❹ Irrigation only.

List all affected governments (city, county, state, tribal, federal):
CROOK COUNTY

Map:

- Water Right Transfer: *Must be prepared by a Certified Water Right Examiner.*
- All others: *Need not be prepared by a Certified Water Right Examiner.*

Deed:

- Must accompany all applications, except permit amendment requests.

Evidence of use within last five years or not subject to forfeiture:

- Best evidence is an affidavit from a knowledgeable person describing the water use. Statements saying water was delivered or assessments/fees were paid are insufficient. Evidence must show actual use of the water for the authorized purpose, in the authorized place of use.

SEE REMARKS PAGE 3

Water Well Reports: *N/A*

- If application is for a change in point of appropriation or change from surface water to ground water, attach copies of all water well reports. If reports are not available, describe construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed.

Fees:

- Amount enclosed \$ _____

See instruction book for fee schedule.

7. SIGNATURE

I (we) swear that I (we) have read the above application and the statements made are true and accurate.

[Handwritten Signature]
applicant signature name (print) date

James R. Bauersfeld
applicant signature name (print) date 3/4/04

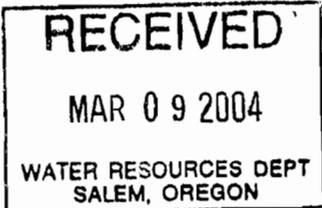
Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included the necessary exhibits.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

James R. Bauersfeld personally appeared before on March 4, 2004 Sara J. O...

Transfer Application/5





6. EXHIBITS

Application may be rejected if all appropriate exhibits are not enclosed.

Land Use Information Form:

- Enclosed
Not needed: (must meet the following four requirements)
1 In EFU zone or irrigation district.
2 Change in place of use only.
3 No structural changes needed, including diversion works, delivery facilities, other structures.
4 Irrigation only.
List all affected governments (city, county, state, tribal, federal): CROOK COUNTY

Map:

- Water Right Transfer: Must be prepared by a Certified Water Right Examiner.
All others: Need not be prepared by a Certified Water Right Examiner.

Deed:

- Must accompany all applications, except permit amendment requests.

Evidence of use within last five years, or not subject to forfeiture:

- Best evidence is an affidavit from a knowledgeable person describing the water use. Statements saying water was delivered or assessments/fees were paid are insufficient. Evidence must show actual use of the water for the authorized purpose, in the authorized place of use.

SEE REMARKS PAGE 3

Water Well Reports:

- If application is for a change in point of appropriation or change from surface water to ground water, attach copies of all water well reports. If reports are not available, describe construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed.

Fees:

- Amount enclosed \$
See instruction book for fee schedule.

7. SIGNATURE

I (we) swear that I (we) have read the above application and the statements made are true and accurate.

Handwritten signature of Christine R. Davala, name (print) Christine R. Davala, date 03/08/04

Before you submit your application be sure you have:

- Answered each question completely.
Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
Included the necessary exhibits.
Included a check payable to the Oregon Water Resources Department for the appropriate amount.



OFFICIAL SEAL DIANE M. CROSS NOTARY PUBLIC-OREGON COMMISSION NO. 365024 MY COMMISSION EXPIRES JANUARY 27, 2007

State of Oregon County of Crook

Personally appeared before me the above named Chris Bauerfeld and acknowledged Transfer Application/5

The foregoing instrument to be her voluntary act and Deed Diane M. Cross 1/27/07

5. LAND OWNERSHIP

Answer only
if for change
in **Use** or
Place of Use.

Use/Place of Use

Are the lands free of encumbrances? Yes No

If no, name of encumbrance holder: _____

If no, application must include written permission for the transfer from the encumbrance holder.

Answer only
if applicant
is **not** the
landowner.

Landowners

This section does not apply to water delivery entities authorized to act on behalf of their members, making permit amendment requests, or requests for changes in point of diversion or point of appropriation only.

Landowners: _____
(List all landowners shown on deed.)

Address(es): _____

City

State

Zip

Application must include notarized statements from all landowners shown on deed giving permission for the transfer. Use an extra sheet if necessary.

Answer only
if the receiving
landowner is
not the original
landowner or
the applicant.

C. 17105 AND A PORTION OF C. 591 Receiving Landowner

Name: BILLY L. COFFER TRUST
BILLY L. COFFER, TRUSTEE

Address: 5600 NE MILL CREEK ROAD

PRINEVILLE OREGON 97754

City

State

Zip

(541) 447-4131

The Department's records should be changed to show this landowner is responsible for completion of the changes. All notices and correspondence should be sent to this landowner.

Applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to applicant.

**ARMSTRONG SURVEYING
& ENGINEERING, INC.**

378 N.E. Second Street
PRINEVILLE, OREGON 97754

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MAR 09 2004

WATER RESOURCES DEPT
SALEM, OREGON

DATE March 8, 2004

SUBJECT W.O. 2192 Coffey
W.O. 2197 - Bowersfeld

TO

(541) 447-7791
Fax (541) 416-1602

Water Resources Dept.
Attn: Doug Parrott
North Mall Office Bldg.
725 Sumner St NE
Suite A
Salem, OR 97301-1271

James Bowersfeld

Enclosed please find a revised application for transfer T-8699 consisting of 9 sheets and revised maps consisting of 3 sheets.

Billy Coffey
Also enclosed is a revised application for transfer T-8696 consisting of 6 sheets and one map sheet. Also enclosed is a new Affidavit of Use for the Coffey lands. Also enclosed is a Statement comparing the Boyle map relative to this transfer off, one sheet. Also enclosed is a Statement by Coffey concerning areas of non-use and a marked up Boyle map 2 sheets.

PLEASE REPLY

NO REPLY NECESSARY

SIGNED