

Application for Historic Change in Point of Diversion/Appropriation

Part 1 of 4 – Minimum Requirements Checklist



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

This historic change in point of diversion/appropriation application will be returned if Parts 1 through 4 and all required attachments are not completed and included.

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

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Historic Change in Point of Diversion/Appropriation Application Map Checklist.
- Part 3 – Completed Historic Change in Point of Diversion/Appropriation Application – Applicant Information and Signature.
- Part 4 – Completed Historic Change in Point of Diversion/Appropriation Application – Water Right Information. Please include a separate Part 4 for each water right. List all water right certificates to be transferred here:

Attachments:

- Completed Historic Change in Point of Diversion/Appropriation Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- Completed Evidence of Use Affidavit and supporting documentation showing that water has been diverted at the actual, current point of diversion/appropriation for more than 10 years.
- Statement from the local Watermaster, based upon the Watermaster’s knowledge and Department records, that no complaint of injury has been made due to the use of water at the actual, current point of diversion/appropriation.
- Land Use Information Form with approval and signature (or signed land use form receipt stub).
- N/A Affidavit(s) of Consent to Transfer by Deeded Landowner. Any landowner listed in ownership report for the transfer lands who has not signed this application must submit an affidavit consenting to the historic change in point of diversion/appropriation.
- N/A For changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation, Water Well Report/Well Log.
- Fees – Amount enclosed: \$900.00.
See the Department’s Fee Schedule at www.wrd.state.or.us or call (503) 986-0883.

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

RECEIVED
JAN 20 2011

T 11190

Part 2 of 4 – Historic Change in Point of Diversion/Appropriation Application Map Checklist

Your historic change in point of diversion/appropriation application will be returned if any of the map requirements listed below are not met.

Please be sure that the historic change in point of diversion/appropriation application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- 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 white or clear paper or film.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are 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) and county tax lot numbers are required.
- 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.
- Authorized 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.
- Actual, current point of diversion/appropriation. Show the 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°).
- 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 If for more than one actual, current point of diversion/appropriation. separate hachuring is needed for each place of use served by each point of diversion/appropriation, including the 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.

T 11190

RECEIVED

JAN 20 2011

Part 3 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Steve Edwards		PHONE NO. (971) 506-6995	ADDITIONAL CONTACT NO.
ADDRESS 16300 SE STRING TOWN ROAD			FAX NO.
CITY DAYTON	STATE OR	ZIP 97114	E-MAIL

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

AGENT/BUSINESS NAME GREG OR MALIA KUPILLAS / PACIFIC HYDRO-GEOLOGY INC.		PHONE NO. (503) 632-5016	ADDITIONAL CONTACT NO. (503) 939-3167 (CELL)
ADDRESS 18487 S. VALLEY VISTA ROAD			FAX NO. (503) 632-5983
CITY MULINO	STATE OR	ZIP 97042	E-MAIL PHGGEK@BCTONLINE.COM

If an agent is listed above, please check **one** of the following:

- Please send all correspondence to Agent. Send copies of correspondence to Applicant; **OR**
- Please send all correspondence to Applicant. Send copies of correspondence to Agent.
- Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

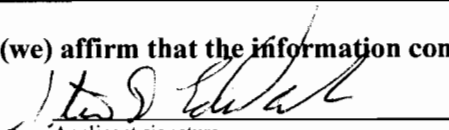
Is the applicant the sole owner of the land on which the water right, or portion thereof, to be changed is located? Yes No

If NO, include signatures of all landowners (and mailing address if different than the applicant's) or attach affidavits of consent (and mailing addresses) from all landowners or individuals/entities to which the water right(s) has been conveyed.

By signing this application, I understand that prior to Department approval of the historic change in point of diversion/appropriation, I will be required to provide landownership information and evidence that I am authorized to pursue the change as identified in OAR 690-380-4010(5).



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


 Applicant signature

Owner
 Name (and title if applicable) (print)

1-21-2011
 Date

Applicant signature
 Name (and title if applicable) (print)
 Date

In your own words tell us what change(s) you want made and the reason for the change(s): The original point of diversion is on land not owned by the applicant that is part of this water right. The portion of the water right appurtenant to land owned by the applicant has been irrigated for at least the last 20 years from an existing point of diversion located on the applicant's property. The purpose of this transfer is to properly document this historic change in point of diversion.

T 11190

RECEIVED

JAN 26 2011

Check the following boxes that apply:

At this time, are the lands in this 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. (To learn about sale agreements please visit our web site at: <http://www1.wrd.state.or.us/pdfs/Transfer-PropertyTransactions.pdf>)

RECEIVING LANDOWNER NAME NOT APPLICABLE			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

Describe any special ownership circumstances here: Not Applicable

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 NOT APPLICABLE	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT	ADDRESS 525 NE 4 TH STREET	
CITY MCMINNVILLE	STATE OR	ZIP 97128

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

T 11190

JAN 26 2011

Part 4 of 4 – Water Right Information

Please use a separate Part 4 for each water right being changed. See instructions at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>.

CERTIFICATE # 21924

Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) **OR**
 ~250 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 directly from Palmer Creek at the current point of diversion using a 20 Hp centrifugal pump, and then delivered to the places of use through a 4-inch mainline set with hydrants every 180 feet for connection to 3-inch handlines equipped with high pressure, impact sprinklers.

Table 1. Location of Authorized and Current 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 the Current POD/POA that has been used for more than 10 years?	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)
POD #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current		4 S	3 W	20	SW SE	DLC 50	Not specified on certificate but more accurately described as: 850 feet south and 50 feet east from the NW corner, DLC 50.
POD #2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current		4 S	3 W	29	NE SE	DLC 50	300 feet north and 980 feet east from the SW corner, DLC 50.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Current							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Current							

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

- Point of Diversion (POD) Additional Point of Diversion (APOD)
- Point of Appropriation/Well (POA) Additional Point of Appropriation (APOA)

Will the historic change in point of diversion/appropriation affect the entire water right?

- Yes Complete only the proposed section of Table 2 on the next page.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

JAN 20 2011 T 11190

Please use additional pages of Table 2 as needed

Table 2. Description of Changes to Water Right Certificate # 21924

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one actual, current POD/POA, specify the acreage associated with each actual, current POD/POA.

Authorized ("from" lands) as they appear before the changes										Proposed Change (POD, POA, APOD, or APOA)	Current (in use for more than ten years) POD(s)/POA(s) to be used (from Table 1)	
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acre (if applicable)	POD(s) or POA(s) (name or number from Table 1)			
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2	POD	POD #5
"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"
4	S	3	W	29	NE	NE	201	DLC 50	2.0	POD #1	POD	POD #2
4	S	3	W	29	NW	NE	201	DLC 50	1.7	POD #1	POD	POD #2
4	S	3	W	29	SW	NE	201	DLC 50	1.6	POD #1	POD	POD #2
4	S	3	W	20	SE	NE	201	DLC 50	1.9	POD #1	POD	POD #2

Additional remarks: As a result of what we believe to be more accurate mapping, the positions of the section and quarter-quarter section lines are different from the original Final Proof Survey map for Certificate 21924. As a result, the acreage by quarter-quarter section listed above differs from that as described in the certificate, but the total acreage for the affected portion of the water right remains unchanged.

JAN 26 2011
T 11190

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 current 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://apps2.wrd.state.or.us/apps/gw/well_log/Default.aspx)

OR

Describe the construction of the authorized and current well(s) in Table 3 for any wells that do not have a well log.

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 adequate information is likely to delay the processing of your transfer application.

Current or Authorized POA Name or Number	OWRD Well ID Tag No. L- (if available)	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
NA									

T 11190

JAN 26 2010