

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

RECEIVED

FEB 07 2011

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: \$1300.⁰⁰
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 ☐ Map not included or incomplete
- ☐ Land Use Form not enclosed or incomplete
- ☐ Additional signature(s) required ☐ Part _____ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0 _____ Date: ____/____/____

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, **RECEIVED** format are required. FEB 07 2011
- ☒ A north arrow, a legend, and scale. WATER RESOURCES DEPT
SALEM, OREGON
- ☒ 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 11195

Part 3 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME FREEMAN ANGUS RANCH			PHONE NO. (541) 999-1566	ADDITIONAL CONTACT NO.
ADDRESS 37494 SUTTON CREEK RD				FAX NO.
CITY BAKER CITY	STATE OR	ZIP 97814	E-MAIL	

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

AGENT/BUSINESS NAME SETH D FREEMAN			PHONE NO. (541) 999-1566	ADDITIONAL CONTACT NO.
ADDRESS 37494 SUTTON CREEK RD				FAX NO.
CITY BAKER CITY	STATE OR	ZIP 97814	E-MAIL	

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.

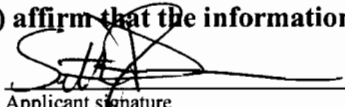
☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

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

SETH D FREEMAN
Name (and title if applicable) (print)

3 FEB 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): CHANGING TO ADDITIONAL POD'S HISTORICALLY USED FOR CERTIFICATES: 4039 AND 52582.

RECEIVED

FEB 07 2011

WATER RESOURCES DEPT
SALEM, OREGON

T 11195

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

Describe any special ownership circumstances here: FREEMAN ANGUS RANCH

☐ 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 local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME BAKER COUNTY	ADDRESS 1995 3 RD STREET	
CITY BAKER CITY	STATE OR	ZIP 97814

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED

FEB 07 2011

WATER RESOURCES DEPT
SALEM, OREGON

T 11195

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 # 52582

RECEIVED

FEB 07 2011

WATER RESOURCES DEPT
SALEM, OREGON

Description of Water Delivery System

System capacity: 1.74 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. 8 inch gravity fed pipeline for 200 feet necked down to 6 inch PVC for 2500 feet. Then back to 8 inch PVC for 1300 feet then again back to 6 inch PVC for 6500 feet to the bottom.

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)
DIV. 1	☒ Authorized ☐ Current	NA	10 S	40 E	25	SE SE		670 FT NORTH AND 500 FT WEST FROM SE CORNER SEC. 25
DIV. 2	☒ Authorized ☐ Current	NA	10 S	40 E	25	NE SE		50 FT SOUTH AND 480 FT WEST FROM E 1/4 CORNER SEC. 25
DIV. 3	☒ Authorized ☐ Current	NA	10 S	40 E	25	SE NE		1200 FT NORTH AND 600 FT WEST FROM E 1/4 CORNER SEC. 25
DIV. 4	☒ Authorized ☐ Current	NA	10 S	40 E	24	SE SE		590 FT NORTH AND 850 FT WEST FROM SE CORNER SEC. 24
NAULT RES.	☐ Authorized ☒ Current	NA	11 S	40 E	1	NW SE		2336 FT SOUTH AND 335 EAST FROM NORTH Q CORNER OF SEC. 1
EAST FORK DIV.	☐ Authorized ☒ Current	NA	10 S	40 E	36	SE SE		50 FT NORTH AND 690 FT WEST FROM THE SE CORNER OF SEC. 36

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.

Table 2. Description of Changes to Water Right Certificate # 52582

List only the part of the right that will be changed. For the acreage in each $\frac{1}{4}$ $\frac{1}{4}$, 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	Acres (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	“	“	“
10	S	40	E	24	NE	SE			.5	DIV. PT. 3	APOD	NAULT RES. / EAST FORK DIV.
10	S	40	E	24	NW	SE			.8	DIV. PT. 3	APOD	NAULT RES. / EAST FORK DIV.
10	S	40	E	24	SW	SE			1.6	DIV. PT. 3	APOD	NAULT RES. / EAST FORK DIV.
10	S	40	E	24	SE	SE			10.6	DIV. PT.3	APOD	NAULT RES. / EAST FORK DIV.
10	S	40	E	25	NE	NE			18.8	DIV. PT. 2	APOD	NAULT RES. / EAST FORK DIV.
10	S	40	E	25	SE	NE			10.4	DIV. PT. 2	APOD	NAULT RES. / EAST FORK DIV.
10	S	40	E	25	NE	SE			6.0	DIV. PT. 1	APOD	NAULT RES. / EAST FORK DIV.
10	S	40	E	25	SE	SE			8.5	DIV. PT. 1	APOD	NAULT RES. / EAST FORK DIV.
10	S	40	E	24	SE	SE			4.2	DIV. PT. 4	APOD	NAULT RES. / EAST FORK DIV.
10	S	40	E	24	SE	SE			8.4	DIV. PT. 2	APOD	NAULT RES. / EAST FORK DIV.

Additional remarks: FOR LANDS UNDER CERTIFICATE 52582 POD'S AUTHORIZED NAMLEY DIV. PT. 1,2,3 AND 4 WILL REMAIN AS AUTHORIZED AND ADDING POD'S CALLED NAULT RESERVOIR AND EAST FORK DIVERSION WITH THE AUTHORIZED SOURCE OF WATER AS CERTIFICATES 65112 AND 64867 STATE.

RECEIVED

FEB 07 2011

WATER RESOURCES DEPT
SALEM, OREGON

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 # 4039

Description of Water Delivery System

System capacity: 1.85 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. 8 inch gravity fed pipeline for 200 feet necked down to 6 inch PVC for 2500 feet. Then back to 8 inch PVC for 1300 feet then again back to 6 inch PVC for 6500 feet to the bottom.

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)
BURDEN #1	☒ Authorized ☐ Current	N/A	10 S	40 E	36	SE SE		ADJUDICATED NO MEETS AND BOUNDS
BURDEN #2	☒ Authorized ☐ Current	N/A	10 S	40 E	36	SE SE		ADJUDICATED NO MEETS AND BOUNDS
NAULT RES.	☐ Authorized ☒ Current	N/A	11 S	40 E	1	NW SE		2336 FT SOUTH AND 335 EAST FROM NORTH Q CORNER OF SEC. 1
EAST FORK DIV.	☐ Authorized ☒ Current	N/A	10 S	40 E	36	SE SE		50 FT NORTH AND 690 FT WEST FROM THE SE CORNER OF SEC. 36

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.

T 11195

RECEIVED

FEB 07 2011

WATER RESOURCES DEPT
SALEM, OREGON

Table 2. Description of Changes to Water Right Certificate # 4039

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	Acres (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	"	"	"
10	S	40	E	36	NE	NE			27.4	BURDEN #1&2	APOD	NAULT RES./ EAST FORK DIV.
10	S	40	E	36	SE	NE			18.4	BURDEN #1&2	APOD	NAULT RES./ EAST FORK DIV.
10	S	40	E	36	NE	SE			29.2	BURDEN #1&2	APOD	NAULT RES./ EAST FORK DIV.

Additional remarks: FOR ALL LANDS UNDER CERTIFICATE 4039 POD'S AUTHORIZED NAMELY BURDEN# 1AND #2 WILL REMAIN AS AUTHORIZED AND ADDING POD'S CALLED NAULT RESERVOIR AND EAST FORK DIVERSION WITH THE AUTHORIZED SOURCE OF WATER AS CERTIFICATES 65112 AND 64867 STATE.

RECEIVED

FEB 07 2011

WATER RESOURCES DEPT
SALEM, OREGON

T 11195

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

RECEIVED

FEB 07 2011

WATER RESOURCES DEPT
SALEM, OREGON

T 11195

Application for Water Right Historic POD/POA Transfer Watermaster Statement



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

I, NATHAN PETRUCCI, Deputy Watermaster of District 8,
state that to my knowledge, there has been no claim of injury due to use of an historic point of
diversion/appropriation for Certificate 4039

from Sutton Creek located as follows:
(source)

☐ By Township, Range Section and distances from a Survey Corner:

Twp	Rng	Mer	Sec	Q-Q	DLC	GLot	Measured Distances
11S	40E	W.M.	1	NWSE			2336 FT SOUTH AND 335 EAST FR NORTH Q CORNER OF SEC. 1
10S	40E	W.M.	36	SESE			50 FT NORTH AND 690 FT WEST FROM THE SE CORNER OF SEC. 36

OR

☐ by GPS coordinates: Latitude: _____ Longitude: _____

OR

☒ as shown on the attached map.

Signature

Date

RECEIVED

FEB 07 2011

WATER RESOURCES DEPT
SALEM, OREGON

T 11195

Application for Water Right Historic POD/POA Transfer Watermaster Statement



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

I, NATHAN PETRUCCI, Deputy Watermaster of District 8,
state that to my knowledge, there has been no claim of injury due to use of an historic point of
diversion/appropriation for Certificate 52582

from Sutton Creek located as follows:
(source)

☐ By Township, Range Section and distances from a Survey Corner:

Twp	Rng	Mer	Sec	Q-Q	DLC	GLot	Measured Distances
11S	40E	W.M.	1	NWSE			2336 FT SOUTH AND 335 EAST FR NORTH Q CORNER OF SEC. 1
10S	40E	W.M.	36	SESE			50 FT NORTH AND 690 FT WEST FROM THE SE CORNER OF SEC. 36

OR

☐ by GPS coordinates: Latitude: _____ Longitude: _____

OR

☒ as shown on the attached map.

Signature

Date

RECEIVED

FEB 07 2011

WATER RESOURCES DEPT
SALEM, OREGON