

Application for Permit Amendment

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 permit amendment application will be returned if Parts 1 through 4 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Permit Amendment Application Map Checklist.
- Part 3 – Completed Permit Amendment Application – Applicant Information and Signature.
- Part 4 – Completed Permit Amendment Application – Water Use Permit Information.
Please include a separate Part 4 for each permit. List all permit(s) to be amended here: **G-15744.**

Attachments:

- Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- Permit amendment fees – Amount enclosed: \$ **1200.**
See the Department’s Fee Schedule at www.wrd.state.or.us or call (503) 986-0883.
- N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>). Assignment is not needed if applicant is the permit holder of record.
- N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant, **or** other permit holders of record that are not listed as applicants.
- N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Land use form is not required if any of the following apply:
 - Water is to be diverted, conveyed, and/or used only on federal lands.
 - 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.
 - The proposed changes are all located on the property reviewed in Land Use form enclosed in Water Right Application Folder # **G-15834 AND T-10641.**
- N/A For changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation, Water Well Report(s)/Well Log(s)

(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	___ Assignment Form and fee not enclosed/insufficient
___ Additional signature(s) required	Part ___ is incomplete

Other/Explanation _____

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

Part 2 of 4 – Permit Amendment Map Checklist

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

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

- N/A If **more than three** permits are involved, separate maps for each permit.
- 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 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 use permit, 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 permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, 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 use 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°).

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Part 3 of 4 – Applicant Information and Signature

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Applicant Information

APPLICANT/BUSINESS NAME Roger Nicholson / Agri-Water LLC		PHONE NO. 541-381-2274	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 458			FAX NO.
CITY Fort Klamath	STATE OR	ZIP 97626	E-MAIL

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

AGENT/BUSINESS NAME Martha O. Pagel, Schwabe Williamson & Wyatt		PHONE NO. 503-540-4260	ADDITIONAL CONTACT NO.
ADDRESS 530 Center Street NE, Suite 400			FAX NO. 503-796-2900
CITY Salem	STATE OR	ZIP 97301	E-MAIL mpagel@schwabe.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 permit holder of record? Yes No

If NO, include either:

- A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), **OR**
- An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.



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

Roger Nicholson

Applicant signature

Roger Nicholson, Individually and as Manager of Agri-Water, LLC

Name (and title if applicable) (print)

6/14/11

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 amendment(s): **Add a new well drilled under Permit G-16037 as a point of appropriation under Permit G-15744 (as amended by T-10641). The proposed POA will serve only that portion of Permit G-15744 owned by Roger Nicholson/Agri-Water LLC, as identified on the attached map and described in the final order approving prior permit amendment T-10641.**

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Check one of the following:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The permit holder(s) of record will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to the permit holder(s) of record.

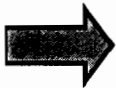
Check the appropriate box, if applicable:

- Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME Wood River District Improvement Co.	ADDRESS Same as Applicant	
CITY	STATE	ZIP

- Check here if water for any of the permits 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 Klamath County – Planning Division	ADDRESS 305 Main Street	
CITY Klamath Falls	STATE OR	ZIP 97601

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 4 of 4 – Water Use Permit Information

Please use a separate Part 4 for each permit being amended.

PERMIT # G-15744 (T-10641)

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NOT DRILLED	33 S	7.5 E	16	NW NE		270 feet South and 1900 feet West from NE Corner of Sec. 16
Well 1A	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NOT DRILLED	33 S	7.5 E	16	SE SE		700 feet North and 600 feet West from NE Corner, Sec. 16
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NOT DRILLED	33 S	7.5 E	16	SE NW		1700 feet South and 2800 feet West from NE Corner, Sec. 16
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NOT DRILLED	33 S	7.5 E	16	SE NW		2450 feet South and 3760 feet West from NE Corner, Sec 16
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NOT DRILLED	33 S	7.5 E	20	NE NE		60 feet South and 670 feet West from the NE Corner of Sec 20
Well 5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	KLAM 57662	33 S	7.5 E	19	NW NE		20 feet South and 200 feet East from the North ¼ Corner of Sec 19

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"/> 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"/> Surface water POD to Ground Water POA (SW/GW) |

Will all of the proposed changes affect the entire water use permit?

- Yes Complete only the proposed (“to” 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 permit to be changed.

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Please use additional pages of Table 2 as needed

Table 2. Description of Changes to Water Use Permit # G-15744 (PAGE 1 OF 2)

List only the part of the permit that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

Authorized ("from" lands) as they appear before the changes										Proposed ("to" lands) after the changes											
Twp	Ring	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (See "CODES" from previous page)	Twp	Ring	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date	
2	S	9	E	15	NE	NW	100			POD #1 POD #2											
"	"	"	"	"	"	"	"	EXAMPLE	"	"											
33	S	7.5	E	20	NE	NE	4200			POA									Well 1, 1A, 2, 3, 4		
33	S	7.5	E	20	NW	NE	4200			POA									Well 1, 1A, 2, 3, 4		
33	S	7.5	E	20	SW	NE	4200			POA									Well 1, 1A, 2, 3, 4		
33	S	7.5	E	20	SE	NE	4200			POA									Well 1, 1A, 2, 3, 4		
33	S	7.5	E	20	SE	SW	4400			POA									Well 1, 1A, 2, 3, 4		
33	S	7.5	E	20	SE	SW	4400			POA									Well 1, 1A, 2, 3, 4		
33	S	7.5	E	20	NE	SE	4200			POA									Well 1, 1A, 2, 3, 4		
33	S	7.5	E	20	NW	SE	4200			POA									Well 1, 1A, 2, 3, 4		
33	S	7.5	E	20	SW	SE	4200			POA									Well 1, 1A, 2, 3, 4		
33	S	7.5	E	20	SE	SE	4200			POA									Well 1, 1A, 2, 3, 4		
TOTAL ACRES											TOTAL ACRES										

Additional remarks: Proposing additional POA for listed "from" lands. No place of use changes. The "to" lands are the same as the "from" lands. See next page for additional lands affected by proposed amendment.

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Please use additional pages of Table 2 as needed

Table 2. Description of Changes to Water Use Permit # G-15744. (PAGE 2 OF 2)

List only the part of the permit that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

Authorized ("from" lands) as they appear before the changes							Proposed ("to" lands) after the changes																
Twp	Ring	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acre(s) (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Ring	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acre(s) (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date			
2	S	9	E	15	NE	NW	100	15.0	POD #1 POD #2		POU/POD	2	S	9	E	15	NW	NW	100	1	10.0	POD #5	
"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	15	SW	NW	200		5.0	POD #6	
33	S	7.5	E	29	NW	NE	5600	40.0	Well 1, 1A, 2, 3, 4	APOA													
33	S	7.5	E	29	SW	NE	5600	40.0	Well 1, 1A, 2, 3, 4	APOA													
33	S	7.5	E	29	NE	NW	5600	40.0	Well 1, 1A, 2, 3, 4	APOA													
33	S	7.5	E	29	NW	NW	5600	40.0	Well 1, 1A, 2, 3, 4	APOA													
33	S	7.5	E	29	SW	NW	5600	40.0	Well 1, 1A, 2, 3, 4	APOA													
33	S	7.5	E	29	SE	NW	5600	40.0	Well 1, 1A, 2, 3, 4	APOA													
33	S	7.5	E	29	NE	SW	5600	40.0	Well 1, 1A, 2, 3, 4	APOA													
33	S	7.5	E	29	NW	SW	5600	40.0	Well 1, 1A, 2, 3, 4	APOA													
33	S	7.5	E	29	NW	SE	5600	40.0	Well 1, 1A, 2, 3, 4	APOA													
TOTAL ACRES								758.6								TOTAL ACRES							

Additional remarks: See remarks on previous page.

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Permit # G-15744

For a change in place of use:

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Does the permit holder of record own or control the land TO which the place of use is being moved?

Yes No


If NO, the landowner of the land TO which the place of use is being **moved must be assigned to the permit as a permit holder of record** by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

Is the proposed place of use contiguous to the authorized place of use? Yes No

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

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

If YES, list the other certificate, permit, or ground water registration numbers: _____

 If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

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

OR

Describe the construction of the authorized and proposed 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. For proposed wells, we recommend that you consult a licensed well driller, geologist or certified water right examiner for the proper information needed to complete the table.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well specific rate (cfs or gpm). If less than full rate of water right
Well 1	No	N/A	TBD	30"	TBD	TBD	TBD	Unknown	Unknown	TBD
Well 1A	No	N/A	TBD	30"	TBD	TBD	TBD	Unknown	Unknown	TBD
Well 2	No	N/A	TBD	30"	TBD	TBD	TBD	Unknown	Unknown	TBD
Well 3	No	N/A	TBD	30"	TBD	TBD	TBD	Unknown	Unknown	TBD
Well 4	No	N/A	TBD	30"	TBD	TBD	TBD	Unknown	Unknown	TBD

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well 5	See attached well log									

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