



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 return it to you. If 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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 MAY 20 2002  
 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: John Vial, agent for ODOT (area in Hannon Rd. r/w)  
First Last

Address: 200 Antelope Rd.  
White City OR 97503  
City State Zip

Phone: (541) 774-6355  
Home Work Other

\*Fax: (541) 774-6349 \*E-Mail address: john.n.Vial@odot.state.or.us

\*Optional information

## 2. TYPE OF CHANGE

Use     
  Place of Use     
  Point of Diversion     
  Point of Appropriation

Reason for change: New highway construction

Is the land within an irrigation or other water district?  Yes  No

If yes, include district name: not a district but in an irrigation company, Little Butte Irrigation Company

For Department Use

App. No. \_\_\_\_\_ Permit No. \_\_\_\_\_ Date \_\_\_\_\_

T-9130

### 3. CURRENT WATER RIGHT INFORMATION

Name on Permit, Certificate, or Decree: Little Butte Irrigation Company

Decree: Vol. 14, page 498, Records of Water Resources Director  
 Not applicable]

Permit Number: \_\_\_\_\_ Certificate Number: 75892  
 Not applicable]  Not applicable]

Priority Date: 1883 Authorized Use: irrigation, stock and domestic

Source of Water: Little Butte Creek County: Jackson

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

**Location of Authorized Point of Diversion or Point of Appropriation:**

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
560' North and 2990' East from SW cor. Sec. 31	SW $\frac{1}{4}$ SE $\frac{1}{4}$	31	35S	1E

**Location of Authorized Place of Use:**

Township	Range	Section	Government Lot or DLC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
36S	1W	3	Lot 5	SW $\frac{1}{4}$ NW $\frac{1}{4}$	36 1W 03B 500, 605	3.5
36S	1W	3	DLC 46	SW $\frac{1}{4}$ NW $\frac{1}{4}$	36 1W 03B 706	0.85
36	1W	3	DLC 46	NW $\frac{1}{4}$ SW $\frac{1}{4}$	36 1W 03B 706	0.15
36	1W	3	DLC 46	NW $\frac{1}{4}$ SW $\frac{1}{4}$	36 1W 03C 2901-3101	1.75
					501 & 500	
36	1W	3	<del>DLC 47</del> DLC 46	SW $\frac{1}{4}$ SW $\frac{1}{4}$	36 1W 03C 500-503-504	1.85

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

Are there other water rights or permits associated with this land?  Yes  No  
 If yes, include a copy of all rights or permits.

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

The delivery system is open ditch (Little Butte Irrigation Company Ditch).  
This ditch is 3' wide and 2' deep.

System capacity (in cfs): 50 CFS

## 4. PROPOSED CHANGES TO THE WATER RIGHT

**Change in Use:**

Proposed use: \_\_\_\_\_

**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
980' North and 20' West from SE Cor. Sec. 4	SE $\frac{1}{4}$ SE $\frac{1}{4}$	4	36S	1E

**Change in Place of Use:**

**Location of Proposed Place of Use**

Township	Range	Section	Government Lot or DLC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
36S	1W	3	DLC 46	SW $\frac{1}{4}$ NW $\frac{1}{4}$	36 1W 03B 703 & 704	0.80
36S	1W	3	DLC 46	NW $\frac{1}{4}$ SW $\frac{1}{4}$	36 1W 03C 2900 & 500	0.65
36S	1W	3	<del>DLC 47</del> DLC 46	SW $\frac{1}{4}$ SW $\frac{1}{4}$	500	0.9
36S	1W	4	DLC 46	NE $\frac{1}{4}$ SE $\frac{1}{4}$	3000 & 3100 & 500	0.45
36S	1W	4	DLC 46	SE $\frac{1}{4}$ SE $\frac{1}{4}$	500	0.9
36S	1E	5	N/A	SE $\frac{1}{4}$ NE $\frac{1}{4}$	36 1E 5 1100	4.4

Remarks: Proposed point of diversion is same as new point of diversion on  
File No. T-7998

Please send any corrections necessary to the map to my CWRE and also send  
him copies of all correspondence.

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**5. LAND OWNERSHIP**

**Use/Place of Use** N/A

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

**Landowners**

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

*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.

**Receiving Landowner**

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

Name: HANSEL FAMILY TRUST

Address: 8575 Hwy. 140

EGGLE POINT OR 97524  
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.

## 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):
- \_\_\_\_\_ Jackson 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.

### 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.

  
applicant signature

JOHN VIAL, DISTRICT 8 MANAGER

MAY 12, 2002

name (print)

date

applicant signature

name (print)

date

### 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.