



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Application for Historic Change in Point of Diversion/Appropriation Part 1 of 4 – Minimum Requirements Checklist

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: 83781

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: \$ 2100.⁰⁰ (paid by A. STEELE)
 See <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#fees> or call (503) 986-0883.

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(For Staff Use Only)

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

| | |
|--|---|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete | <input type="checkbox"/> Additional signature(s) required |
| <input type="checkbox"/> Other/Explanation _____ | <input type="checkbox"/> Part _____ is incomplete |

Staff: _____ 503-986-0 _____ Date: ____/____/____ T011634

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.

- waiver
6/24/2013
- 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.

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Part 3 of 4 – Applicant Information and Signature

Applicant Information

| | | | | |
|---|-------------|--------------|---------------------------------|------------------------|
| APPLICANT/BUSINESS NAME Amanda A. Steele | | | PHONE NO. 541-856-3501 | ADDITIONAL CONTACT NO. |
| ADDRESS 49737 MILLER ROAD | | | | FAX NO. |
| CITY NORTH POWDER | STATE OR | ZIP 97867 | E-MAIL AHSTEELE@CONNECTS.COM | |

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

| | | | | |
|-------------------------------------|-------------|--------------|---------------------------|------------------------|
| AGENT/BUSINESS NAME JAMES PETERS | | | PHONE NO. 303-810-0031 | ADDITIONAL CONTACT NO. |
| ADDRESS 7643 DAVIS PEAK | | | | FAX NO. |
| CITY LITTLETON | STATE CO | ZIP 80127 | E-MAIL UWEXCO@MSN.COM | |

**** BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.**

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 and/or e-mail address if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail 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 | Amanda A. Steele Print Name (and Title if applicable) | 7-1-13 Date |
| Applicant Signature | Print Name (and Title if applicable) | Date |

In your own words tell us what change(s) you want made and the reason for the change(s): _____

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Part 3 of 4 – Applicant Information and Signature

Applicant Information

| | | | | |
|---|-------------|--------------|----------------------------------|------------------------|
| APPLICANT/BUSINESS NAME Amanda A. Steele Trustee, U-A-D 11-21-97 Amanda A. Steele's Fund | | | PHONE NO. 541-856-3501 | ADDITIONAL CONTACT NO. |
| ADDRESS 49737 MILLER ROAD | | | | FAX NO. |
| CITY NORTH POWDER | STATE OR | ZIP 97867 | E-MAIL AHSTEELE@RCONNECTS.COM | |

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

| | | | | |
|-------------------------------------|-------------|--------------|---------------------------|------------------------|
| AGENT/BUSINESS NAME JAMES PETERS | | | PHONE NO. 303-810-0031 | ADDITIONAL CONTACT NO. |
| ADDRESS 7643 DAVIS PEAK | | | | FAX NO. |
| CITY LITTLETON | STATE CO | ZIP 80127 | E-MAIL UWEXCO@MSN.COM | |

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


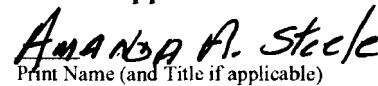
Is the applicant the sole owner of the land on which the water right, or portion thereof, to be changed is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail address if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail 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.



7-1-13
 Applicant Signature Print Name (and Title if applicable) Date

 Applicant Signature Print Name (and Title if applicable) Date

In your own words tell us what change(s) you want made and the reason for the change(s): _____

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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.

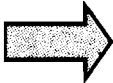
If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. (To learn about sale agreements please visit our web site at: <http://www1.wrd.state.or.us/pdfs/Transfer-PropertyTransactions.pdf>)

| | | | | |
|--------------------------|-------|-----|-----------|------------------------|
| RECEIVING LANDOWNER NAME | | | PHONE NO. | ADDITIONAL CONTACT NO. |
| ADDRESS | | | | FAX NO. |
| CITY | STATE | ZIP | E-MAIL | |

Describe any special ownership circumstances here: _____

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 PLANNING DEPT. | ADDRESS 1995 3 RD STREET | |
| CITY BAKER CITY | STATE OREGON | ZIP 97814 |

| | | |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS | |
| CITY | STATE | ZIP |

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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 # 79578

Description of Water Delivery System

System capacity: 88 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. Water is diverted from the North Powder River into the Hutchinson Hillside Ditch/Gardner Mill Race Ditch at the current diversion point and then into the Gardner Mill Race Ditch in SWSE Section 32, T6S, R38E . Water then continues along the Gardner Mill Race Ditch where it is diverted into ditches in Section 33 and onto the property in Section 34 and applied by flood irrigation.

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) |
|------------------------|---|--|-----|------|-----|-------|---------------------------|---|
| N-05 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current | | 6 S | 38 E | 32 | SW SE | | ** See Remarks: No measurement in decree, in SWSE Sec. 32 |
| N-04-05 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current | | 7 S | 38 E | 5 | NW NE | | 180'S & 190'E from N1/4 Cor. Section 5 |
| | <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.

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Please use additional pages of Table 2 as needed

Table 2. Description of Changes to Water Right Certificate # 79578

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) | Priority Date |
|---|------|-----|-------|---------|----------------|-----------------------|--|---|--|---------------|
| 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) | | | |
| 6 S | 38 E | 34 | NW NW | 400 | | 10 | | APOD | N-04- 85 ₀₅ | 1865 |
| 6 S | 38 E | 34 | SW NW | 400 | | 20 | | APOD | N-04- 85 ₀₅ | 1865 |
| 6 S | 38 E | 34 | SW NW | 400 | | 5 | | APOD | N-04- 85 ₀₅ | 1871 |
| 6 S | 38 E | 34 | NE NW | 800 | | 35 | | APOD | N-04- 85 ₀₅ | 1875 |
| 6 S | 38 E | 34 | SE NW | 800 | | 20 | | APOD | N-04- 85 ₀₅ | 1871 |
| 6 S | 38 E | 34 | SE NW | 800 | | 6 | | APOD | N-04- 85 ₀₅ | 1865 |
| | | | | | | | | | | |
| | | | | | | | | | | |
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| | | | | | | | | | | |

Additional remarks: Adjudication map shows the pod for the Gardner Millrace in the SWSE of Section 32, T. 6 S., R. 38 E. The location on this right is incorrect.

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Part 3 of 4 – Applicant Information and Signature

Applicant Information

| | | | | |
|---|-------------|--------------|---------------------------|------------------------|
| APPLICANT/BUSINESS NAME Wilson Family Ranches, LLC | | | PHONE NO. 541-898-2288 | ADDITIONAL CONTACT NO. |
| ADDRESS PO BOX 209 | | | FAX NO. | |
| CITY NORTH POWDER | STATE OR | ZIP 97867 | E-MAIL | |

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

| | | | | |
|--|-------------|--------------|-------------------------------------|------------------------|
| AGENT/BUSINESS NAME SARA HAYNES/ BROWNE CONSULTING, LLC | | | PHONE NO. 541-523-5170 | ADDITIONAL CONTACT NO. |
| ADDRESS 50809 ELLIS RD | | | FAX NO. 541-523-5170 | |
| CITY NORTH POWDER | STATE OR | ZIP 97867 | E-MAIL SARA@BROWNECONSULTING.BIZ | |

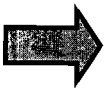
** BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.

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 and/or e-mail address if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail 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.

[Signature]
Applicant Signature

John S. Wilson
Print Name (and Title if applicable)

6/27/13
Date

Applicant Signature

Print Name (and Title if applicable)

Date

In your own words tell us what change(s) you want made and the reason for the change(s): The applicant wants to add an Historic Point of Diversion out of the North Powder River. The reason is to have the certificate allow for water to be used out of the current POD and the historical POD.

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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: _____

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 PLANNING DEPARTMENT | ADDRESS 1995 THIRD ST | | |
| CITY BAKER CITY | STATE OR | ZIP 97814 | |

| | | | |
|-------------|---------|-----|--|
| ENTITY NAME | ADDRESS | | |
| CITY | STATE | ZIP | |

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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 # 83781

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Description of Water Delivery System

System capacity: 88 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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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. The current water delivery system is using POD N-04-05 in Baker County. The water is diverted at this POD and then flows down the ditch to a re- diversion point into the Gardner Millrace Ditch. This ditch then flows to the property of TL 200 located T6S, R38E, Section 35, SW-NW of W.M. where it is then diverted out of the ditch to be used to irrigate pasture ground for livestock.

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) |
|---------------------------|---|--|-----|------|-----|-------|---------------------------|---|
| N-05** (**See remarks) | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current | | 6 S | 38 E | 32 | SW SE | | **See remarks |
| N-04-05 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current | | 7 S | 38 E | 5 | NW NE | | 180' South and 190' East from N 1/4 Corner Section 5, T7S, R38E, W.M. |
| | <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.

1011634

Please use additional pages of Table 2 as needed

Table 2. Description of Changes to Water Right Certificate # 83781

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) | Priority Date | |
|---|-----|----|-----|-----|----|---------|----------------|-------------------------|--|---|--|-----------------|------|
| Twp | Rng | | Sec | ¼ ¼ | | Tax Lot | Gvt Lot or DLC | Acreage (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 | 1897 |
| " | " | " | " | " | " | " | " | " | EXAMPLE | " | " | " | " |
| 6 | S | 38 | E | 35 | SW | NW | 200 | | 21.5 | N-05 | APOD | N-05 N-04-05 | *N/S |
| | | | | | | | | | | | | | |
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Additional remarks: Transfer is adding POD N-04-05 to be used with POD N-05. Both PODs will water the same land. **Adjudication map shows the POD for the Gardner Millrace is in the SW ¼ of the SE ¼ of Section 32, T6S R38E. The location on this right is incorrect.

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Part 3 of 4 – Applicant Information and Signature

Applicant Information

| | | | | |
|--|-------------|--------------|---------------------------|--|
| APPLICANT/BUSINESS NAME James F. Peters | | | PHONE NO. 303-810-0031 | ADDITIONAL CONTACT NO. 303-297-2117 |
| ADDRESS 7643 DAVIS PEAK | | | | FAX NO. |
| CITY LITTLETON | STATE CO | ZIP 80127 | E-MAIL UWEXCO@MSN.COM | |

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| | | | | |
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| AGENT/BUSINESS NAME | | | PHONE NO. | ADDITIONAL CONTACT NO. |
| ADDRESS | | | | FAX NO. |
| CITY | STATE | ZIP | E-MAIL | |

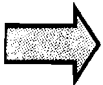
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By signing this application, I understand that prior to Department approval of the historic change in point of diversion/appropriation, I will be required to provide landownership information and evidence that I am authorized to pursue the change as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



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

James F. Peters
Applicant Signature

James F. Peters
Print Name (and Title if applicable)

6/30/13
Date

Applicant Signature

Print Name (and Title if applicable)

Date

In your own words tell us what change(s) you want made and the reason for the change(s): _____

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SALEM, OREGON

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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.

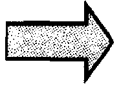
If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. (To learn about sale agreements please visit our web site at: <http://www1.wrd.state.or.us/pdfs/Transfer-PropertyTransactions.pdf>)

| | | | | |
|--------------------------|-------|-----|-----------|------------------------|
| RECEIVING LANDOWNER NAME | | | PHONE NO. | ADDITIONAL CONTACT NO. |
| ADDRESS | | | | FAX NO. |
| CITY | STATE | ZIP | E-MAIL | |

Describe any special ownership circumstances here: _____

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 PLANNING DEPT. | ADDRESS 1995 3 RD STREET | |
| CITY BAKER CITY | STATE OREGON | ZIP 97814 |

| | | |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS | |
| CITY | STATE | ZIP |

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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 # 83782

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Description of Water Delivery System

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System capacity: 88 cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

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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 diverted from the Hutchinson Hillside Ditch in SENW Section 3 into a 10" pipeline. It continues east entering the property in the SENE of Section 3, T7S, R38E. This pipeline continues eastward(partially buried and exposed on surface) along the south side of the property with riser taps that are connected to wheel line sprinklers running N-S across the property. The water is pressured by gravity and no pumping is involved.

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) |
|------------------------|---|---|-----|------|-----|-------|---------------------------|--|
| N-05 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current | | 6 S | 38 E | 32 | SW SE | | **See remarks, No measurements given in decree; SWSE Sec. 32 |
| N-04-05 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current | | 7 S | 38 E | 5 | NW NE | | 180' S & 190" E N1/4 Cor. Sec. 5 |
| | <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.

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Please use additional pages of Table 2 as needed

Table 2. Description of Changes to Water Right Certificate # 83782

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) | Priority Date |
|---|-----|-----|-----------|---------|----------------|-------------------------|--|---|--|----------------------|
| Twp | Rng | Sec | ¼ ¼ | Tax Lot | Gvt Lot or DLC | Acreage (if applicable) | POD(s) or POA(s) (name or number from Table 1) | | | |
| 7 | S | 38 | E 2 NW NW | 601 | | 15 | | APOD | N-04-05 | 1871 1883 1889 |
| 7 | S | 38 | E 3 NE NE | 601 | | 32 | | APOD | N-04-05 | 1871 1883 1889 |
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Additional remarks: Adjudication map shows the pod for the Gardner Millrace is in the SWSE of Section 32, T. 6 S., R. 38 E. The location on this right is incorrect.

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Judree original

Oregon
Water Resources Department
1000 NE Oregon Street NE, Suite A
Portland, Oregon 97301-1266
1900

**Application for
Historic Change in Point of
Diversion/Appropriation
Part 1 of 4 – Minimum Requirements Checklist**

**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.**

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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 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: 82781 & 1473

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APPLICATION SECTION

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: \$ 2100.00 (PAID BY A. STEELE)
See <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#fees> 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: _____ / _____ / 10/16/13

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.

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SALEM, OREGON 1011634

Part 3 of 4 – Applicant Information and Signature

Applicant Information *

| | | | | |
|---|-------------|--------------|-----------------------------|--|
| APPLICANT/BUSINESS NAME John R. Kindree and Suzanne M. Kindree | | | PHONE NO. 541-856-3511 | ADDITIONAL CONTACT NO. 208-866-1966 |
| ADDRESS 48994 ANTHONY LAKES HIGHWAY | | | | FAX NO. |
| CITY NORTH POWDER | STATE OR | ZIP 97867 | E-MAIL JKINDREE@EONI.COM | |

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

| | | | | |
|----------------------------------|-------------|--------------|--------------------------------|--|
| AGENT/BUSINESS NAME JAN KERNS | | | PHONE NO. 541-856-3449 | ADDITIONAL CONTACT NO. 541-403-0823 |
| ADDRESS 45917 QUAIL ROAD | | | | FAX NO. 1-888-296-5896 |
| CITY HAINES | STATE OR | ZIP 97833 | E-MAIL JKERNS@RCONNECTS.COM | |

**** BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.**

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 and/or e-mail address if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail 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).

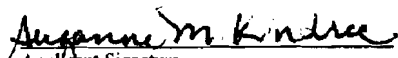


I (we) affirm that the information contained in this application is true and accurate.


Applicant Signature

John R. Kindree
Print Name (and Title if applicable)

7-1-13
Date


Applicant Signature

Suzanne M. Kindree
Print Name (and Title if applicable)

7-1-13
Date

In your own words tell us what change(s) you want made and the reason for the change(s): We have historically been using the Hutchinson Hillside ditch rather than the Gardner Millrace ditch, which is our legal POD. We wish to correct the records to reflect current use, as well as retain the original POD. Hence we are applying for an additional POD to give us flexibility should the Hillside ditch fail.

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To: Jerry Clark

Lindra Application?
Signature page

Hard copies of both Lindra
and Fritz, with them in mail
today. (Originals)

Thank you again for
your help.

Jen Jones

RE: Historic APD Lindra
signature page

1011634

Part 3 of 4 – Applicant Information and Signature

Applicant Information

| | | | | |
|---|-------------|--------------|-----------------------------|--|
| APPLICANT/BUSINESS NAME John Kindree | | | PHONE NO. 541-856-3511 | ADDITIONAL CONTACT NO. 208-866-1966 |
| ADDRESS 48994 ANTHONY LAKES HIGHWAY | | | | FAX NO. |
| CITY NORTH POWDER | STATE OR | ZIP 97867 | E-MAIL JKINDREE@EONL.COM | |

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

| | | | | |
|----------------------------------|-------------|--------------|--------------------------------|--|
| AGENT/BUSINESS NAME JAN KERNS | | | PHONE NO. 541-856-3449 | ADDITIONAL CONTACT NO. 541-403-0823 |
| ADDRESS 45917 QUAIL ROAD | | | | FAX NO. 1-888-296-5896 |
| CITY HAINES | STATE OR | ZIP 97833 | E-MAIL JKERNS@RCONNECTS.COM | |

**** BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.**

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 and/or e-mail address if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail 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 | JOHN KINDREE _____ Print Name (and Title if applicable) | MAY 25, 2013 _____ Date |
| _____ Applicant Signature | _____ Print Name (and Title if applicable) | _____ Date |

In your own words tell us what change(s) you want made and the reason for the change(s): We have historically been using the Hutchinson Hillside ditch rather than the Gardner Millrace ditch, which is our legal POD. We wish to correct the records to reflect current use, as well as retain the original POD. Hence we are applying for an additional POD to give us flexibility should the Hillside ditch fail.

NOTE: Property is held in a trust -- SMK Trust (Suzanne M. Kindree) and JRK Trust (John R. Kindree). This is reflected on the deed.

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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: Trust. See note page 3.

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 CO, PLANNING DEPT. | ADDRESS 1995 3 RD STREET | | |
| CITY BAKER CITY | STATE OR | ZIP 97814 | |

| | | | |
|-------------|---------|-----|--|
| ENTITY NAME | ADDRESS | | |
| CITY | STATE | ZIP | |

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Please use additional pages of Table 2 as needed

Table 2. Description of Changes to Water Right Certificate # 83781

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) | Priority Date | |
|---|-----|-----|---|----|---------|----------------|-----------------------|--|---------|---|--|---------------|--------------|
| 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 | 1897 |
| | | | | | | | | | EXAMPLE | | | | |
| 6 | S | 38 | E | 34 | NE | SW | 1000 | N/A | 40 | N-05 | APOD | N-04-05 | 1871 1882 |
| 6 | S | 38 | E | 34 | NW | SW | 1000 | N/A | 40 | N-05 | APOD | N-04-05 | 1871 1892 |
| 6 | S | 38 | E | 34 | SW | SW | 1000 | N/A | 14 | N-05 | APOD | N-04-05 | 1871 1882 |
| 6 | S | 38 | E | 34 | SE | SW | 1000 | N/A | 24 | N-05 | APOD | N-04-05 | 1871 1882 |
| 6 | S | 38 | E | 34 | NE | SE | 1000 | N/A | 40 | N-05 | APOD | N-04-05 | 1871 1882 |
| 6 | S | 38 | E | 34 | NW | SE | 1000 | N/A | 40 | N-05 | APOD | N-04-05 | 1871 1882 |
| 6 | S | 38 | E | 34 | SW | SE | 1000 | N/A | 32 | N-05 | APOD | N-04-05 | 1871 1882 |
| 6 | S | 38 | E | 34 | SE | SE | 1000 | N/A | 40 | N-05 | APOD | N-04-05 | 1871 1882 |
| | | | | | | | | | | | | | |
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Additional remarks: The adjudication map shows the POD for the Gardner Mill Race is in the SWSE of Sec. 32, T6S, R38E. This location on this right is incorrect.

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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 # 1473

Description of Water Delivery System

System capacity: 88 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. _____

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) |
|------------------------|---|---|-----|------|-----|-------|---------------------------|--|
| N-05 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current | | | | | | | North Powder River Decree -- no distances given |
| N-04-05 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current | | 7 S | 38 E | 5 | NW NE | | 180' S & 190' E from N 1/4 Sec. 5, T 7S, R 38E |
| | <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.

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Please use additional pages of Table 2 as needed

Table 2. Description of Changes to Water Right Certificate # 1473

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) | Priority Date | |
|---|-----|-----|-----|----|---------|----------------|-------------------------|--|---------|---|--|---------------|------|
| Twp | Rng | Sec | ¼ ¼ | | Tax Lot | Gvt Lot or DLC | Acreage (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 | 1897 |
| .. | .. | .. | .. | .. | .. | .. | .. | .. | EXAMPLE | .. | .. | .. | .. |
| 6 | S | 38 | E | 35 | NW | SW | 1000 | N/A | 40 | N-05 | APOD | N-04-05 | 1871 |
| 6 | S | 38 | E | 35 | SW | SW | 1000 | N/A | 40 | N-05 | APOD | N-04-05 | 1871 |
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Additional remarks: Adjudication map shows the POD for the Gardner Mill Race is in the SWSE of Sec. 32, T 6S, R 38E. The location on this right is incorrect.

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SALEM, OREGON

Please use additional pages of Table 2 as needed

Table 2. Description of Changes to Water Right Certificate # 83781 & 1473

List only the part of the right that will be changed. For the acreage in each 1/4 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) | Priority Date | | |
|---|-----|-----|---------|----|---------|----------------|----------------------|--|------|---|--|---------------|------|--------|
| Twp | Rng | Sec | 1/4 1/4 | | 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 | 1897 | |
| EXAMPLE | | | | | | | | | | | | | | |
| C 83781 | 6 | S | 38 | E | 34 | NE | SW | 1000 | N/A | 40 | N-05 | N-04 | Y | * 1871 |
| | 6 | S | 38 | E | 34 | NW | SW | 1000 | N/A | 40 | N-05 | N-04 | Y | * 1871 |
| | 6 | S | 38 | E | 34 | SW | SW | 1000 | N/A | 14 | N-05 | N-04 | Y | * 1871 |
| | 6 | S | 38 | E | 34 | SE | SW | 1000 | N/A | 24 | N-05 | N-04 | Y | * 1871 |
| | 6 | S | 38 | E | 34 | NE | SE | 1000 | N/A | 40 | N-05 | N-04 | Y | * 1871 |
| | 6 | S | 38 | E | 34 | NW | SE | 1000 | N/A | 40 | N-05 | N-04 | Y | * 1871 |
| | 6 | S | 38 | E | 34 | SW | SE | 1000 | N/A | 32 | N-05 | N-04 | Y | * 1871 |
| | 6 | S | 38 | E | 34 | SE | SE | 1000 | N/A | 40 | N-05 | N-04 | Y | * 1871 |
| C 1473 | 6 | S | 38 | E | 35 | NW | SW | 1000 | N/A | 40 | N-05 | N-04 | Y | 1871 |
| | 6 | S | 38 | E | 35 | SW | SW | 1000 | N/A | 40 | N-05 | N-04 | Y | 1871 |

Additional remarks: Evidence of Use Affidavit table

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WATER RESOURCES DEPT
SALEM, OREGON

Inty - Original

regon
ources Department
er Street NE, Suite A
egon 97301-1266
0900

Application for Historic Change in Point of Diversion/Appropriation

Part 1 of 4 – Minimum Requirements Checklist

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.

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

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- 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: C 83782

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APPLICABLE MAP

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: \$2100. (P_{ay} by A. STEELE)
See <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#fees> 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, .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.

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Part 3 of 4 – Applicant Information and Signature

Applicant Information

| | | | | |
|---|-------------|--------------|---------------------------|--|
| APPLICANT/BUSINESS NAME Ross Fritz and Jacquelyn Fritz | | | PHONE NO. 541-856-3475 | ADDITIONAL CONTACT NO. 541-910-8090 |
| ADDRESS 48862 ANTHONY LAKES HWY | | | | FAX NO. ----- |
| CITY NORTH POWDER | STATE OR | ZIP 97867 | E-MAIL JARO@EONI.COM | |

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

| | | | | |
|----------------------------------|-------------|--------------|--------------------------------|--|
| AGENT/BUSINESS NAME JAN KERNS | | | PHONE NO. 541-856-3449 | ADDITIONAL CONTACT NO. 541-403-0823 |
| ADDRESS 45917 QUAIL ROAD | | | | FAX NO. 1-888-293-5896 |
| CITY HAINES | STATE OR | ZIP 97833 | E-MAIL JKERNS@RCONNECTS.COM | |

**** BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.**

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

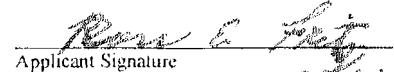
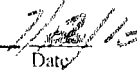
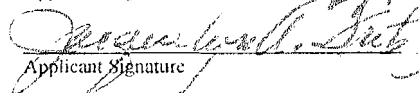
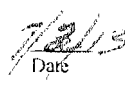
Is the applicant the sole owner of the land on which the water right, or portion thereof, to be changed is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail address if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail 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 | Ross E. Fritz Print Name (and Title if applicable) |  Date |
|  Applicant Signature | Jacquelyn A. Fritz Print Name (and Title if applicable) |  Date |

In your own words tell us what change(s) you want made and the reason for the change(s): We have historically been using the Hutchinson Hillside Ditch rather than the Gardner Millrace Ditch, which is our legal POD. We wish to correct the records to reflect current use, as well as retain the original POD. Hence, we are applying for an additional POD to give us flexibility should the Hillside Ditch fail.

1011634

Part 3 of 4 – Applicant Information and Signature

Applicant Information

| | | | | |
|--|-------------|--------------|---------------------------|--|
| APPLICANT/BUSINESS NAME Ross and Jackie Fritz | | | PHONE NO. 541-856-3475 | ADDITIONAL CONTACT NO. 541-910-8090 |
| ADDRESS 48862 ANTHONY LAKES HWY | | | | FAX NO. ----- |
| CITY NORTH POWDER | STATE OR | ZIP 97867 | E-MAIL JARO@EONI.COM | |

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

| | | | | |
|----------------------------------|-------------|--------------|--------------------------------|--|
| AGENT/BUSINESS NAME JAN KERNS | | | PHONE NO. 541-856-3449 | ADDITIONAL CONTACT NO. 541-403-0823 |
| ADDRESS 45917 QUAIL ROAD | | | | FAX NO. 1-888-293-5896 |
| CITY HAINES | STATE OR | ZIP 97833 | E-MAIL JKERNS@RCONNECTS.COM | |

**** BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.**

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 and/or e-mail address if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail 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.

Ross E. Fritz
Applicant Signature

ROSS FRITZ
Print Name (and Title if applicable)

6/24/13
Date

Applicant Signature

Print Name (and Title if applicable)

Date

In your own words tell us what change(s) you want made and the reason for the change(s): We have historically been using the Hutchinson Hillside Ditch rather than the Gardner Millrace Ditch, which is our legal POD. We wish to correct the records to reflect current use, as well as retain the original POD. Hence, we are applying for an additional POD to give us flexibility should the Hillside Ditch fail.

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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: _____

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 PLANNING DEPARTMENT | ADDRESS 1995 3 RD STREET | | |
| CITY BAKER CITY | STATE OR | ZIP 97814 | |

| | | | |
|-------------|---------|-----|--|
| ENTITY NAME | ADDRESS | | |
| CITY | STATE | ZIP | |

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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 # 83782

Description of Water Delivery System

System capacity: 88 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. Water is conveyed to the property via a 20" mainline constructed in 1993 and shared by 5 farms. An 8" lateral for my property is diverted from the mainline, and serves my lands via handlines and wheellines delivery systems. There is no pumping required since it is all gravity flow.

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) |
|------------------------|---|--|-----|------|-----|-------|---------------------------|--|
| N-05 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current | N/A | 6 S | 38 E | 32 | SW SE | 400 | See Remarks |
| | <input type="checkbox"/> Authorized <input type="checkbox"/> Current | | | | | | | |
| N-04-05 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current | N/A | 7 S | 38 E | 5 | NW NE | 400 | 180' S & 190'E from N 1/4 Sec. 5, T 7S, R 38E |
| | <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.

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Please use additional pages of Table 2 as needed

Table 2. Description of Changes to Water Right Certificate # 83782

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) | Priority Date | |
|---|-----|-----|-----|----|---------|----------------|----------------------|--|---------|---|--|---------------|------|
| 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 | 0 | E | 15 | NE | NW | 100 | | 15.0 | POD #1 POD #2 | POD | POD #5 | 1897 |
| " | " | " | " | " | " | " | " | " | EXAMPLE | " | " | " | " |
| 7 | S | 38 | E | 2 | NE | NW | 400 | | 29 | N-05 | APOD | N-04-05 | * |
| 7 | S | 38 | E | 2 | NW | NE | 400 | | 36 | N-05 | APOD | N-04-05 | * |
| | | | | | | | | | | | | | |
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Additional remarks: C 83782 table 4 contains errors in which the POD does not match the North Powder River decree. Scribner errors in N-04 and N-05. Do not match actual locations. Adjudication map shows the POD located in SWSE Sec. 32, T 6S, R 38E.

* Priority Date: This application has a portion of Tract 4 with priority dates of 1871, 1883 and 1899 in the NE NW and NW NE.

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