

T-8303



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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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: BOB HODNEFIELD LEONARD BROWN
First Last

Address: 84301 Mehary Road 83803 Yellow Jacket Road
Milton-Freewater, Oregon 97862 Milton-Freewater, Oregon 97862
City State Zip

Phone: (H) 541-938-0118 (W) 541-938-6645 (M) 509-520-2710
Home Work Other

*Fax: n/a *E-Mail address: n/a

*Optional information

2. TYPE OF CHANGE

Use
 Place of Use
 Point of Diversion
 Point of Appropriation

Reason for change: Hodnefield and Brown each own a portion of property with common water rights.
They want to transfer water rights so that rights are on land with respective owners of wells and p.o.d. from Duggar Creek.

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

If yes, include district name: Hudson Bay District Improvement Company

For Department Use

App. No. _____ Permit No. _____ Date _____

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3. CURRENT WATER RIGHT INFORMATION

Name on Permit, Certificate, or Decree: See Attachments A, B and C

Decree: See Attachment A

Not applicable]

Permit Number: See Attachments Certificate Number: See Attachments

Not applicable] Not applicable]

Priority Date: See Attachments Authorized Use: See Attachments

Source of Water: See Attachments County: Umatilla

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
See Attachments A, B and C				

Location of Authorized Place of Use:

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
See Attachments A, B and C						

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

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

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

Hodnefield northerly well; 10 hp

Brown's/William's well - 200 hp deep turbine plus 60 hp booster

Hodnefield Hudson Bay - Dugger Creek; 10 hp

System capacity (in cfs): _____

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4. PROPOSED CHANGES TO THE WATER RIGHT

Change in Use:

Proposed use: See Attachments

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.

Location of Proposed Point of Diversion or Point of Appropriation

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
See Attachments				

Change in Place of Use:

Location of Proposed Place of Use

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
See Attachments						

Remarks: _____

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5. LAND OWNERSHIP

Use/Place of Use

Answer only if for change in Use or Place of Use.

Are the lands free of encumbrances? Yes No **See Attachments**

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.

See Attachments

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: _____ See Attachments

Address: _____

_____ 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.

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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):

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 \$ 500.00

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.

Earl E Brown Earl E Brown 5/24/99
 applicant signature name (print) date

Lorraine A Brown Lorraine A Brown 5/24/99
 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.

X Robert Hordnefield _____ _____
 applicant signature name (print) date

X Ruby Hordnefield Transfer Application/5 _____
 applicant signature name (print) date

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**Attachment "A"
Brown to Hodnefield**

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WATER RESOURCES DEPT.
SALEM, OREGON

Item 1 Applicant Information:

Applicants:

Bob Hodnefield
Rte 2 Box 69-A
Milton-Freewater, OR 97862

Leonard Brown
130 SW 8th
Milton-Freewater, OR 97862

Phone: (541) 938-0118

Phone: (541) 938-6645

Mobile: (541) 520-2710

Item 2 Type of Change:

- Change in place of use primary water right certificate 2-1705, 4.5 acres
- Change in point of diversion for certificate 2-170, 4.5 acres
- Change in place of use supplemental rights to certificate 2-1705, 4.5 acres
- Change in point of appropriation for water right G-397, 4.5 acres

Item 3 Current Water Right Information:

Primary Right

Water right in the name of: **C. W. Thomas**
Was the water right determined by a decree? **Yes**

1. **Circuit Court of the State of Oregon for Umatilla County and Morrow County entered March 5, 1917 the use of the water of Dugger Creek.**
2. **Certificate No. 2-1705**

Priority Date: **1891**

LOCATION OF AUTHORIZED USE:

Source of water: **Spring Branch of Dugger Creek**

Describe the authorized point of diversion:

Location in Reference to Survey Corner	¼, ¼ of Section	Section	Twnshp	Range
840'S & 800'W from N ¼ Cor. Sec. 32	NE ¼ NW ¼	32	6N	35E W.M.

What is the name of the ditch used? **Thomas Ditch**

Give the location of the authorized area irrigated or place of use other than for irrigation?

Twnshp	Range	Section	¼, ¼ of Section	Tax Lot	No. of acres irrigated
6N	35E W.M.	32	NW ¼ NW ¼	402	4.5 Acres

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Attachment "A"
Brown to Hodnefield

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Item 4 Proposed change to the Water Right

LOCATION OF PROPOSED USE:

Describe the proposed point of diversion:

Location in Reference to Survey Corner	¼, ¼ of Section	Section	Twنشp	Range	Tax Lot
230'S & 1360'E from NW Cor. Sec. 32	NE ¼ NW ¼	32	6N	35E W.M.	300

Give the proposed location of the area irrigated, or place of use other than for irrigation:

Twنشp	Range	Section	¼, ¼ of Section	Tax Lot	No. of acres irrigated
6N	35E W.M.	32	NW ¼ NW ¼	401	4.5 Acres

Item 5 Land Ownership

Are the lands from which you purpose to transfer your water right free of all encumbrances? Yes.

Supplemental Rights

Water Right in name of: a) **George Ivor Rees Williams**
b) **Herbert Hugh Hendricks**
c) **Hudson Bay District Improvement Company**

1) Permit No. a) **G-397**
b) **G-9405**
c) **43973**

2) Certificate No. a) **33206**
b) **65773**
c) **No Certificate**

Priority Date: a) **Oct. 17, 1956**
b) **Sept. 22, 1980 & Aug. 6, 1981**
c) **Sept. 28, 1978**

Location of authorized use:

Source of Water? a) **Williams well**
b) **Northerly well**
c) **Little Walla Walla River and Tum-a-Lum River**

Describe the authorized point of diversion:

Location in Reference to Survey Corner	¼, ¼ of Section	Section	Twنشp	Range
a) 1560'S & 700'E from NW Cor., Sec. 32	SW ¼ NW ¼	32	6N	35E W.M.
b) 570'S & 1300'E from NW Cor. Sec. 32	NW ¼ NW ¼	32	6N	35E W.M.

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Attachment "A"
Brown to Hodnefield

c) LWWR 925'S & 300'W from NE Cor. Sec. 2	NE ¼ NE ¼	2	5N	35E W.M.
Tum-a-Lum 850'S & 2100'E from NE Cor. Sec. 2	NE ¼ NW ¼	1	5N	35E W.M.

Give the location of the authorized area irrigated or place of use other than for irrigation?

Twncshp	Range	Section	¼, ¼ of Section	Tax Lot	No. of acres irrigated
a), b), c) 6N	35E W.M.	32	NW ¼ NW ¼	402	4.5 Acres

Location of proposed use:

Describe the proposed point of diversion:

Location in Reference to Survey Corner	¼, ¼ of Section	Section	Twncshp	Range
a) Permit G397 northerly well 570'S & 1300'E from NW Cor. Sec. 32	NW ¼ NW ¼	32	6N	35E W.M.

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Hodnefield to Brown**

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Item 2 Type of Change:

Change in place of use primary water right certificate G-9405, 4.5 acres
Change in place of use supplemental water right permit 43973, 4.5 acres

Item 3 Current Water Right Information:

Primary Right

Water right in the name of: **Herbert Hugh Hendricks**

Was water right acquired by water permit? **Yes**

- 1. Permit No. **G-9405**
- 2. Certificate No.: **65773**

Date of Priority right: **Sept. 22, 1980 and Aug. 6, 1981**

Location of authorized use:

- Source of water: a) **Williams well**
- b) **Northerly well**

Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Twonshp	Range
a) 1560'S & 700'E from NW Cor. Sec. 32	SW 1/4 NW 1/4	32	6N	35E W.M.
b) 570'S & 1300'E from NW Cor. Sec. 32	NW 1/4 NW 1/4	32	6N	35E W.M.

Give location of the authorized area irrigated or place of use other than for irrigation:

Twonshp	Range	Section	1/4, 1/4 of Section	Tax Lot	No. of acres irrigated
6N	35E W.M.	32	NW 1/4 NW 1/4	401	4.5 Acres

Is the land within an irrigation district or other Water District? **Yes**

If yes, which District? **Hudson Bay District Improvement Company**

County: **Umatilla**

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Attachment "B"
Hodnefield to Brown

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Item 4 Proposed Change to Water Right:

Give the proposed location of the area irrigated.

Twncshp	Range	Section	¼, ¼ of Section	Tax Lot	No. of acres irrigated
6N	35E W.M.	32	NW ¼ NW ¼	402	4.5 Acres

Item 5 Land Ownership:

Are the lands from which you propose to transfer your water right free of all encumbrances? **No**

If no, give the description below of existing encumbrances:

Encumbrances	Held By	Amount
Mortgage	Mary Jane Hendricks	Over \$10,000

Supplemental Right:

Water Right in name of: a) **Hudson Bay District Improvement Company**

Permit No. a) **43973**

Priority Date: a) **Sept. 28, 1978**

Location of authorized use:

Source of Water? a) **Little Walla Walla River**
b) **Tum-a-Lum River**

Describe the authorized point of diversion:

Location in Reference to Survey Corner	¼, ¼ of Section	Section	Twncshp	Range
a) 925'S & 300'W from NE Cor. Sec. 2	NE ¼ NE ¼	2	5N	35E W.M.
b) 850'S & 2100'E from NE Cor. Sec. 2	NE ¼ NW ¼	1	5N	35E W.M.

Give the location of the authorized area irrigated or place of use other than for irrigation?

Twncshp	Range	Section	¼, ¼ of Section	Tax Lot	No. of acres irrigated
6N	35E W.M.	32	NW ¼ NW ¼	401	4.5 Acres

Location of proposed use:

Give the proposed location of the area irrigated, or place of use other than for irrigation:

Twncshp	Range	Section	¼, ¼ of Section	Tax Lot	No. of acres irrigated
6N	35E W.M.	32	NW ¼ NW ¼	402	4.5 Acres

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**Attachment "C"
Hodnefield**

Item 2 Type of Change:

Change in Point of Appropriation Primary Water Right Permit G-397

Item 3 Current Water Right Information:

Water Right

Water right in the name of: **Herbert Hugh Hendricks**

Was water right acquired by water permit? **Yes**

1. Permit No. **G-397**
2. Certificate No.: **33206**

Date of Priority right: **October 17, 1956**

Source of water: a) **Williams well**

Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Twnshp	Range
William Well 1560'S & 700'S from NW Cor. Sec. 32	SW 1/4 NW 1/4	32	6N	35E W.M.

Give location of the authorized area irrigated or place of use other than for irrigation:

Twnshp	Range	Section	1/4, 1/4 of Section	Tax Lot	No. of acres irrigated
6N	35E W.M.	32	NE 1/4 NW 1/4	300	23.3 Acres
6N	35E W.M.	32	NW 1/4 NW 1/4	401	9.0 Acres

Item 4 Proposed Change to the Water Right:

LOCATION OF PROPOSED POINT OF APPROPRIATION:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Twnshp	Range
Northerly Well 570'S & 1300'E from NW Cor. Sec 32	NW 1/4 NW 1/4	32	6N	35E W.M.