



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 5 – Minimum Requirements Checklist

**This historic change in point of diversion/appropriation application will be returned if
Parts 1 through 5 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)

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Part 1 – Completed Minimum Requirements Checklist.

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Part 2 – Completed Application Map Checklist.

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Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call
Customer Service at (503) 986-0801.



Part 4 – Completed Applicant Information and Signature.



Part 5 – Information about the Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: Transferring Cert# 25865 POD #1 upstream to current Historical location.**

Please include a separate Part 5 for each water right. (See instructions on page 5)

Attachments:



Completed 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 used on the land for five years prior to transfer filing AND 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 from Landowner (if the applicant does not own the land the water right is on.)



☒ N/A

Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

(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: ____/____/____

Revised 7/1/2017

TU12666

Part 2 of 5 – 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 5 – Fee Worksheet

FEE WORKSHEET for HISTORIC POD/POA TRANSFER			
1	Base Fee (includes Historic POD change to one water right for up to 1 cfs)	1	\$1,000
	Number of water rights included in transfer <u>1 (2a)</u> Subtract 1 from the number in 2a above: <u>0 (2b)</u> <i>If only one water right this will be 0</i>		
2	Multiply line 2b by \$450 and enter » » » » » » » » » » » » » » »	2	\$0
	Do you propose to change a well, or change from a surface water POD to a well? ☒ No: enter 0 » ☐ Yes: enter \$350 »		
3		3	
4	Add entries on lines 1 through 3 above » » » » » » » » Transfer Fee:	4	\$1000

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

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

Note: Applicant must be an INDIVIDUAL, as defined by OAR 690-380-2120, that is “a natural person and does not include a government body, organization, business enterprise, or other such entity.”

APPLICANT/BUSINESS NAME Oregon Department of Fish & Wildlife			PHONE NO. 541-987-2171	ADDITIONAL CONTACT NO. 541-987-2482
ADDRESS PO Box 93			FAX NO. 541-987-2172	
CITY Dayville	STATE OR	ZIP 97825	E-MAIL daniel.r.marvin@state.or.us	
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.				

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

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

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

Print Name (and Title if applicable)
Daniel Marvin

5/11/2017
Date

Applicant Signature

Print Name (and Title if applicable)

Date _____

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses 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) were conveyed.*

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. For more information see:

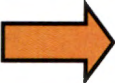
<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

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 GRANT COUNTY	ADDRESS 201 S HUMBOLT ST, STE 280		
CITY CANYON CITY	STATE OR	ZIP 97820	

ENTITY NAME RECEIVED BY OWRD	ADDRESS		
CITY MAY 15 2017	STATE	ZIP	

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Explain in your own words what you propose to accomplish with this transfer application; and why: Applicant is seeking to officailly transfer the POD for water right certificate 25865 with a priority date 1897. The purpose if this transfer is to move the Authorized down stream POD to the Current POD that has been in use for 40 + years, 1635' upstream to the current POD. The Current POD has in place approved fish passage screen installed in 1994, gravity fed pipe with mainline and sprinkler irrigation system. The transfer is necessary to continue irrigating 47.9 acres of alfalfa and grain crops.

INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
OR
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
OR
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

Microsoft Word 2010

- Unlock the document by clicking the **Review** tab, toggle the **Restrict Editing icon** at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the “**Allow only this type of editing** in the document: **Filling in forms**” in the “Editing restrictions” section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

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Other Alternatives:

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- Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 6 of 9 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 5, to copy and paste additional Part 5s, or to add additional rows to tables

CERTIFICATE # 25865

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Description of Water Delivery System

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System capacity: 1.19/0.6 cubic feet per second (cfs) OR

534.11/270 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 water is diverted from Flat creek through an approved Oregon Department of Fish & Wildlife fish screen. From there, the water goes into a 6" mainline and is run to the hay field that sprinkler irrigates 47.9 acres of alfalfa and grain crops for wildlife 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)
25865	☒ Authorized ☐ Current		13 S	27 E	13	NW SE	1800	3617 ft NW of SE corner of Sec. 13 44 43" 28.79 N 119 40' 94.62 W
25865	☐ Authorized ☒ Current		13 S	27 E	13	SE SW	1800	3175 ft. NW of SE corner of Sec. 13 44 43' 28.79 N 119 40' 94.62 W
	☐ Authorized ☐ Current							
	☐ Authorized ☐ 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.

Please use and attach additional pages of Table 2 as needed. Do you have questions about how to fill-out the tables? See page 5 for instructions, or contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 25865

List only the part of the right that will be changed. For the acreage in each $\frac{1}{4}$ $\frac{1}{4}$, list the change proposed. If more than one actual, current POD/POA, specify the acreage associated with each actual, current POD/POA.

Authorized ("from" lands) as they appear before the changes											Proposed Change (POD, POA, APOD, or APOA)	Current (in use for more than ten years) POD(s)/ POA(s) to be used (from Table 1)	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	"		"	"
13	S	27	E	13	NW	SE	1800		47.9	POD #1			1897
13	S	27	E	13	SE	SW	1800		47.9			POD#2	1897

Additional remarks: Changing of POD#1 upstream to POD #2.

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For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and current well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (**Tip:** You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/)

OR

- ☐ Describe the construction of the authorized and current well(s) in Table 3 for any wells that do not have a well log.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide adequate information is likely to delay the processing of your transfer application.

Current or Authorized POA Name or Number	OWRD Well ID Tag No. L-____ (if available)	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

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