

ORDER and CERTIFICATE CHECK LIST

RECORD MARKING (Support Staff)

file folder (✓) No. ✓ T-8490  
39511 ✓ 34969  
39493 ✓ 31317

Permit ( ) No. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

certificate ( ) No. ✓ 33701  
✓ 35525  
✓ 33710  
✓ 50146

Trans App Reg (✓)  
Trans Name Index (✓)

Sp. OR ( ) Vol \_\_\_\_\_ Page \_\_\_\_\_ Vol \_\_\_\_\_ Page \_\_\_\_\_

Decree ( ) Vol \_\_\_\_\_ Page \_\_\_\_\_ Vol \_\_\_\_\_ Page \_\_\_\_\_

COPIES MADE

Order (✓)

Certificate ( )

file (✓) ( ) Data Center (✓) ( )

Watermaster (✓) ( )

Applicant (✓) ( ) CWRE (✓) ( ) Other \_\_\_\_\_ ( ) ( )

Other \_\_\_\_\_ ( ) ( ) Other \_\_\_\_\_ ( ) ( )

LETTER TO:

Applicant (✓) Other ( ) \_\_\_\_\_

Other ( ) \_\_\_\_\_ Other ( ) \_\_\_\_\_

ENCLOSURES

Sp Order (✓) Vol 54 Page 903 Certificate ( ) \_\_\_\_\_  
( ) Vol \_\_\_\_\_ Page \_\_\_\_\_ (-) \_\_\_\_\_  
( ) \_\_\_\_\_  
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DATE SIGNED 12/11/00

FILE SET-UP

FILE NUMBER	SET-UP DATE	FOR WHOM
_____	10/1/02	CBU
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SEND TO

Fiscal Section ( )

Other ( ) \_\_\_\_\_

NOTES:



# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130

December 13, 2000

Harold Bettencourt  
P.O. Box 1585  
Coos Bay, OR 97420

REFERENCE: File T-8490

Enclosed is a copy of the order approving your water right transfer application T-8490.

A time to complete the transfer is given in the order. A form for reporting early completion is available upon request.

**YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT.** The water right for any portion of the authorized change in use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

You have the requirement to hire a Certified Water Right Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this department within one year of the date you completed the change or within one year of the completion date authorized in the transfer, whichever occurs first.

Sincerely,

**BERNADETTE WILLIAMS**  
Water Rights Specialist

BW:gjt

Enclosures

cc: Lloyd VanGordon, Acting Watermaster 19  
Thomas M. Hoshall, CWRE 441



STATE OF OREGON

COUNTY OF COOS

ORDER APPROVING A CHANGE IN POINTS OF DIVERSION

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 8490 submitted by

HAROLD BETTENCOURT  
P.O. BOX 1585  
COOS BAY, OREGON 97420.

The FIRST right to be modified, as evidenced by Certificate 30146, was perfected under Permit 24662 with a date of priority of JANUARY 23, 1957. The right allows the use of the NORTH FORK COQUILLE RIVER, a tributary of the COQUILLE RIVER, FOR IRRIGATION OF 27.4 ACRES AND STOCK. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.29 CUBIC FOOT PER SECOND (CFS), BEING 0.28 CFS FOR IRRIGATION AND 0.01 CFS FOR STOCK, if available at the authorized point of diversion: LOT 4 (NW~~X~~ SW~~X~~), SECTION 23, T 28 S, R 12 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

The amount of water used for irrigation, together with the amount secured under an other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

LOT 4 (SW¼ NW¼)	20.4 ACRES
LOT 4 (NW¼ SW¼)	7.0 ACRES AND STOCK
SECTION 23	
TOWNSHIP 28 SOUTH, RANGE 12 WEST, W.M.	

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The SECOND right to be modified, as evidenced by Certificate 35525, was perfected under Permit 29302 with a date of priority of FEBRUARY 3, 1964. The right allows the use of the NORTH FORK COQUILLE RIVER, a tributary of the COQUILLE RIVER, FOR DOMESTIC USE OF TWO FAMILIES AND IRRIGATION OF 48.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.61 CUBIC FOOT PER SECOND (CFS), BEING 0.01 CFS FOR DOMESTIC USE AND 0.60 FOR IRRIGATION, if available at the authorized point of diversion: LOT 1 (NE¼ NE¼), LOT 7 (SE¼ NW¼) SECTION 22, T 28 S, R 12 W, W.M., DIVERSION POINTS LOCATED 1950 FEET SOUTH AND 2720 FEET WEST; 190 FEET SOUTH AND 1120 FEET WEST; BOTH FROM NE CORNER, SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or

its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

LOT 1 (NE¼ NE¼)	6.0 ACRES AND DOMESTIC
LOT 2 (NW¼ NE¼)	17.8 ACRES
LOT 3 (SW¼ NE¼)	20.0 ACRES
LOT 2 (NE¼ NW¼)	1.0 ACRES
LOT 3 (SE¼ NW¼)	3.2 ACRES

SECTION 22

TOWNSHIP 28 SOUTH, RANGE 12 WEST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The THIRD right to be modified, as evidenced by Certificate 33710, was perfected under Permit 29316 with a date of priority of FEBRUARY 10, 1964. The right allows the use of the NORTH FORK COQUILLE RIVER, a tributary of the COQUILLE RIVER, FOR IRRIGATION OF 25.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.32 CUBIC FOOT PER SECOND, if available at the authorized point of diversion: LOT 3 (SE¼ NW¼), LOT 4 (NW¼ SW¼), SECTION 23, T 28 S, R 12 W, W.M., DIVERSION POINTS LOCATED 710 FEET EAST AND 2920 FEET SOUTH; 2080 FEET EAST AND 2230 FEET SOUTH; BOTH FROM NW CORNER, SECTION 23, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet for each

acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

	NW $\frac{1}{4}$ NW $\frac{1}{4}$	0.2 ACRES
LOT 4	(SW $\frac{1}{4}$ NW $\frac{1}{4}$ )	9.0 ACRES
LOT 3	(SE $\frac{1}{4}$ NW $\frac{1}{4}$ )	16.4 ACRES
SECTION 23		
TOWNSHIP 28 SOUTH, RANGE 12 WEST, W.M.		

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The FOURTH right to be modified, as evidenced by Certificate 33701, was perfected under Permit 29322 with a date of priority of FEBRUARY 14, 1964. The right allows the use of the NORTH FORK COQUILLE RIVER, a tributary of the COQUILLE RIVER, FOR IRRIGATION OF 59.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.75 CUBIC FOOT PER SECOND, if available at the authorized point of diversion: LOT 4 (SE $\frac{1}{4}$  NE $\frac{1}{4}$ ), SECTION 22, T 28 S, R 12 W, W.M., DIVERSION POINT LOCATED 2620 FEET SOUTH AND 1220 FEET WEST FROM THE NW CORNER, SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$  acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

Lot 1 (NE¼ NE¼)	8.0 ACRES
LOT 3 (SW¼ NE¼)	10.6 ACRES
LOT 4 (SE¼ NE¼)	39.4 ACRES
LOT 4 (NE¼ SE¼)	1.8 ACRES

SECTION 22

TOWNSHIP 28 SOUTH, RANGE 12 WEST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The applicant proposes to change the points of diversion to:

NW¼ NE¼, SECTION 22, T 28 S, R 12 W, W.M.; 590 FEET SOUTH AND 1774 FEET WEST FROM THE NE CORNER, SECTION 22.

THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2002.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same surface water source as the original point of diversion.


5. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Certificates 30146, 35525, 33710, 33701 are canceled. When satisfactory proof of the completed changes is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources

Director, affixed DEC 11 2000.

  
\_\_\_\_\_  
For Paul R. Cleary, Director



WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

November 20, 2000

TO: Paul Cleary  
FROM: Teresa Vonn, Regional Water Management Specialist  
SUBJECT: T-8490

The applicant has requested a change in point of diversion.

The watermaster has said that the transfer could be made without injury.

The Oregon Department of Fish and Wildlife has requested fish screening.

This transfer should be approved.

STATE OF OREGON

COUNTY OF COOS

ORDER APPROVING A CHANGE IN POINTS OF DIVERSION

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 8490 submitted by

HAROLD BETTENCOURT  
P.O. BOX 1585  
COOS BAY, OREGON 97420.

The FIRST right to be modified, as evidenced by Certificate 30146, was perfected under Permit 24662 with a date of priority of JANUARY 23, 1957. The right allows the use of the NORTH FORK COQUILLE RIVER, a tributary of the COQUILLE RIVER, FOR IRRIGATION OF 27.4 ACRES AND STOCK. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.29 CUBIC FOOT PER SECOND (CFS), BEING 0.28 CFS FOR IRRIGATION AND 0.01 CFS FOR STOCK, if available at the authorized point of diversion: LOT 4 (NW~~X~~ SW~~X~~), SECTION 23, T 28 S, R 12 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

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The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

LOT 4 (SW¼ NW¼)            20.4 ACRES  
LOT 4 (NW¼ SW¼)            7.0 ACRES AND STOCK  
SECTION 23  
TOWNSHIP 28 SOUTH, RANGE 12 WEST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The SECOND right to be modified, as evidenced by Certificate 35525, was perfected under Permit 29302 with a date of priority of FEBRUARY 3, 1964. The right allows the use of the NORTH FORK COQUILLE RIVER, a tributary of the COQUILLE RIVER, FOR DOMESTIC USE OF TWO FAMILIES AND IRRIGATION OF 48.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.61 CUBIC FOOT PER SECOND (CFS), BEING 0.01 CFS FOR DOMESTIC USE AND 0.60 FOR IRRIGATION, if available at the authorized point of diversion: LOT 1 (NE¼ NE¼), LOT 7 (SE¼ NW¼) SECTION 22, T 28 S, R 12 W, W.M., DIVERSION POINTS LOCATED 1950 FEET SOUTH AND 2720 FEET WEST; 190 FEET SOUTH AND 1120 FEET WEST; BOTH FROM NE CORNER, SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or

its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

LOT 1 (NE¼ NE¼)	6.0 ACRES AND DOMESTIC
LOT 2 (NW¼ NE¼)	17.8 ACRES
LOT 3 (SW¼ NE¼)	20.0 ACRES
LOT 2 (NE¼ NW¼)	1.0 ACRES
LOT 3 (SE¼ NW¼)	3.2 ACRES

SECTION 22

TOWNSHIP 28 SOUTH, RANGE 12 WEST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The THIRD right to be modified, as evidenced by Certificate 33710, was perfected under Permit 29316 with a date of priority of FEBRUARY 10, 1964. The right allows the use of the NORTH FORK COQUILLE RIVER, a tributary of the COQUILLE RIVER, FOR IRRIGATION OF 25.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.32 CUBIC FOOT PER SECOND, if available at the authorized point of diversion: LOT 3 (SE¼ NW¼), LOT 4 (NW¼ SW¼), SECTION 23, T 28 S, R 12 W, W.M., DIVERSION POINTS LOCATED 710 FEET EAST AND 2920 FEET SOUTH; 2080 FEET EAST AND 2230 FEET SOUTH; BOTH FROM NW CORNER, SECTION 23, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet for each

acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

	NW¼ NW¼	0.2 ACRES
LOT 4	(SW¼ NW¼)	9.0 ACRES
LOT 3	(SE¼ NW¼)	16.4 ACRES
SECTION 23		
TOWNSHIP 28 SOUTH, RANGE 12 WEST, W.M.		

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The FOURTH right to be modified, as evidenced by Certificate 33701, was perfected under Permit 29322 with a date of priority of FEBRUARY 14, 1964. The right allows the use of the NORTH FORK COQUILLE RIVER, a tributary of the COQUILLE RIVER, FOR IRRIGATION OF 59.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.75 CUBIC FOOT PER SECOND, if available at the authorized point of diversion: LOT 4 (SE¼ NE¼), SECTION 22, T 28 S, R 12 W, W.M., DIVERSION POINT LOCATED 2620 FEET SOUTH AND 1220 FEET WEST FROM THE NW CORNER, SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$ )	8.0 ACRES
LOT 3 (SW $\frac{1}{4}$ NE $\frac{1}{4}$ )	10.6 ACRES
LOT 4 (SE $\frac{1}{4}$ NE $\frac{1}{4}$ )	39.4 ACRES
LOT 4 (NE $\frac{1}{4}$ SE $\frac{1}{4}$ )	1.8 ACRES

SECTION 22

TOWNSHIP 28 SOUTH, RANGE 12 WEST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The applicant proposes to change the points of diversion to:

NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 22, T 28 S, R 12 W, W.M.; 590 FEET SOUTH AND 1774 FEET WEST FROM THE NE CORNER, SECTION 22.

THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2002.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same surface water source as the original point of diversion.


5. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Certificates 30146, 35525, 33710, 33701 are canceled. When satisfactory proof of the completed changes is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources

Director, affixed DEC 11 2000.

  
\_\_\_\_\_  
For Paul R. Cleary, Director

# STATE OF OREGON COUNTY OF COOS CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** MELVIN ZUMMALT

of, P.O. Box 514, Myrtle Point, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of North Ford Coquille River

a tributary of Coquille River for the purpose of irrigation of 27.4 acres and stock

under Permit No. 24662 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 23, 1957

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.29 cubic foot per second, being 0.28 c.f.s. for irrigation and 0.01 c.f.s. for stock

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 4 (NW 1/4 SW 1/4), Sec. 23, T. 28 S., R. 12 W., S.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

20.4 acres Lot 4 (SW 1/4 NW 1/4)  
7.0 acres and stock Lot 4 (NW 1/4 SW 1/4)  
Section 23  
T. 28 S., R. 12 W., S.M.

I      RR  
20.4      0  
7.0      0

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. OCTOBER 15 1962

THOMAS L. WEDLER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 22, page 30146

T-8490



STATE OF OREGON  
COUNTY OF COOS  
CERTIFICATE OF WATER RIGHT

This Is to Certify, That NORLAND GANT

of McKinley Route, Box 54, Myrtle Point, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of North Fork Coquille River

a tributary of Coquille River for the purpose of domestic use of two families and irrigation of 48.0 acres

under Permit No. 29302 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from February 3, 1964

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.61 cubic foot per second; being 0.01 c.f.s. for domestic use and 0.60 c.f.s. for irrigation

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 1 (NE 1/4 NE 1/4); Lot 7 (SE 1/4 NW 1/4), Section 22, T. 28 S., R. 12 W., W. M. Diversion points located 1950 feet South and 2720 feet West; 190 feet South and 1120 feet West; both from NE Corner, Section 22.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

- Domestic and 6.0 acres Lot 1 (NE 1/4 NE 1/4)
- 17.8 acres Lot 2 (NW 1/4 NE 1/4)
- 20.0 acres Lot 3 (SW 1/4 NE 1/4)
- 1.0 acre Lot 2 (NE 1/4 NW 1/4)
- 3.2 acres Lot 3 (SE 1/4 NW 1/4)
- Section 22
- T. 28 S., R. 12 W., W. M.

I

RR

6.0  
17.8  
20.0  
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3.2

0000000

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. December 31, 1968

CHRIS L. WHEELER State Engineer

T-8490

STATE OF OREGON  
COUNTY OF COOS  
CERTIFICATE OF WATER RIGHT

This Is to Certify, That MELVIN E. ZUMWALT

of Box 514, Myrtle Point, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of North Fork Coquille River

a tributary of \_\_\_\_\_ for the purpose of irrigation of 25.6 acres

under Permit No. 29316 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from February 10, 1964

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.32 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 3 (SE 1/4 NW 1/4), Lot 4 (NW 1/4 SW 1/4), Section 23, T. 28 S., R. 12 W., W. M. Diversion points located; 710 feet East and 2920 feet South; 2080 feet East and 2230 feet South; both from the NW Cor., Section 23. The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall conform to such reasonable rotation system as may be ordered by the proper state officer. A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

0.2 acre NW 1/4 NW 1/4  
9.0 acres Lot 4 (SW 1/4 NW 1/4)  
16.4 acres Lot 3 (SE 1/4 NW 1/4)  
Section 23  
T. 28 S., R. 12 W., W. M.

T RR  
0.2  
9.0  
16.4  
-----  
25.6

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. March 13, 1967

CHRIS L. WHEELER  
State Engineer

T-8490

STATE OF OREGON
COUNTY OF COOS
CERTIFICATE OF WATER RIGHT

This Is to Certify, That DONALD K. LAIRD

of Fairview Route, Box 2240, Coquille, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of North Fork Coquille River

a tributary of Coquille River for the purpose of irrigation of 59.8 acres

under Permit No. 29322 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from February 14, 1964

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.75 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 4 (SE 1/4 NE 1/4), Section 22, T. 28 S., R. 12 W., W. M. Diversion point located 2620 feet South and 1220 feet West from the NW Corner, of Section 22.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall conform to such reasonable rotation system as may be ordered by the proper state officer. A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

8.0 acres Lot 1 (NE 1/4 NE 1/4)
10.6 acres Lot 3 (SW 1/4 NE 1/4)
39.4 acres Lot 4 (SE 1/4 NE 1/4)
1.8 acres Lot 4 (NE 1/4 SE 1/4)
Section 22
T. 28 S., R. 12 W., W. M.

Handwritten calculations: 8.0, 10.6, 39.4, 1.8, sum 59.8. Includes 'T' and 'RR' markings.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed this date. March 13, 1967

CHRIS L. WHEELER
State Engineer

Recorded in State Record of Water Right Certificates, Volume 25, page 33701

Handwritten: T-8490

# AFFIDAVIT OF INSERTION

STATE OF OREGON  
COUNTY OF COOS SS

I, Peggy Roberson, being  
First duly sworn, depose and say that I am the  
Legal Advertising Clerk for the The World Newspaper  
of general circulation, published at Coos Bay,  
Oregon in the aforesaid county and state; that  
I know from my personal knowledge that the

Notice of Water Right Transfer 8490

a printed copy of which hereto annexed, was inserted  
in the entire issue of said newspaper  
in the following issues:

Published: September 30 and October  
7 and 14, 2000

  
Signature

Subscribed and sworn to me before this 18th  
day of October, 2000

  
Notary Public of Oregon  
My commission expires April 22, 2001



NOTICE OF WATER RIGHT TRANSFER 8490  
Harold Battencourt filed an application with the  
Water Resources Department for changes in  
points of diversion of water as provided by ORS  
540.510 to 540.530.  
Certificate 30146, in the name of Melvin Zum-  
walt, includes a right limited to 0.29 cubic foot  
per second from the North Fork Coquille River,  
with a priority date of January 23, 1957 for irri-  
gation of 27.4 acres and stock.  
The point of diversion for this right is in Lot 4  
(NW 1/4 SW 1/4), Section 23, T 28 S, R 12 W,  
WM.  
The applicant proposes to change the point of  
diversion to the NW1/4, NE1/4, Section 22, T 28  
S, R 12 W, WM; 590' S, 1774' W from the NE  
corner of Section 22.  
Certificate 35525, in the name of Norland Gant,  
includes a right limited to 0.61 cubic foot per  
second from the North Fork Coquille River, with  
a priority date of February 3, 1964 for domestic  
use of two families and irrigation of 48.0 acres.  
The point of diversion for this right is in Lot 1  
(NE1/4 NE1/4); Lot 7 (SE1/4 NE1/4), Section  
22; T 28 S, R 12 W, WM; 1950' S and 2720' W;  
190' S and 1120' W; both from the NE Corner,  
Section 22.  
The applicant proposes to change the point of  
diversion to the NW1/4 NE1/4, Section 22, T 28  
S, R 12 W, WM; 590' S, 1774' W from the NE  
corner of Section 22.  
Certificate 33710, in the name of Melvin E. Zum-  
walt, includes a right limited to 0.32 cubic foot  
per second from the North Fork Coquille River,  
with a priority date of February 10, 1964 for irri-  
gation of 25.6 acres.  
The point of diversion for this right is in Lot 3  
(SE1/4 NW1/4), Lot 4 (NW1/4 SW 1/4), Section  
23, T 28 S, R 12 W, WM; 710' E and 2920' S;  
2080' E and 2230' S; both from the NW Corner,  
Section 23.  
The applicant proposes to change the point of  
diversion to the NW1/4 NE1/4, Section 22, T 28  
S, R 12 W, WM; 590' S, 1774' W from the NE  
corner of Section 22.  
Certificate 33701, in the name of Donald K.  
Laird, includes a right limited to 0.75 cubic foot  
per second from the North Fork Coquille River,  
with a priority date of February 14, 1964 for irri-  
gation of 59.8 acres.  
The point of diversion for this right is in Lot 4  
(SE1/4 NE1/4), Section 22, T 28 S, R 12 W,  
WM; 2620' S and 1220' W from the NW Corner,  
Section 22.  
The applicant proposes to change the point of  
diversion to the NW1/4 NE1/4, Section 22, T 28  
S, R 12 W, WM; 590' S, 1774' W from the NE  
corner of Section 22.  
Protest may be filed by persons who think their  
water right may be injured by this change. Addi-  
tional information or forms and rules for filing  
protests are available from the Water Resourc-  
es Department by calling (541) 471-2886, ext.  
228. If a protest is filed a hearing may be held.  
The last date of publication is October 14, 2000.  
IF NO PROTEST IS FILED WITHIN 30 DAYS  
AFTER THE LAST DATE OF PUBLICATION,  
THE CHANGE MAY BE APPROVED WITH-  
OUT A HEARING.  
PUBLISHED: September 30, October 7, 14,  
2000



State of Oregon  
Water Resources Department  
158 12th Street NE, Salem, OR 97310  
(503)378-8455 • (800)624-3199  
www.wrd.state.or.us

T-8490

# 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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MAR 31 2000

## APPLICATION FOR:

WATER RESOURCES DEPT.  
SALEM, OREGON

Please check one

- Water Right Transfer
- Temporary Transfer
- Permit Amendment
- Historic Point of Diversion Change
- Government Action Point of Diversion

## 1. APPLICANT INFORMATION

Name: HAROLD BETTENCOURT  
First Last

Address: P.O. Box 1585  
Coos Bay OR 97420  
City State Zip

Phone: (541) 267-5630  
Home Work Other

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

*\*Optional information*

## 2. TYPE OF CHANGE

- Use
- Place of Use
- Point of Diversion
- Point of Appropriation

Reason for change: Consolidate Points of Diversion and reduce riparian disturbance.

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

If yes, include district name: \_\_\_\_\_

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WATER RESOURCES DEPT.  
SALEM, OREGON

For Department Use		
App. No. _____	Permit No. _____	Date _____

### 3. CURRENT WATER RIGHT INFORMATION

Name on Permit, Certificate, or Decree: SEE ATTACHMENTS 1-4

Decree: \_\_\_\_\_  
 Not applicable

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

Priority Date: \_\_\_\_\_ Authorized Use: \_\_\_\_\_

Source of Water: North Fork Coquille River County: Coos

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 1-4				

**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 1-4						

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

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

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

20 HP centrifugal pump, 4" diameter portable aluminum pipe, Rainbird  
sprinkler heads.

System capacity (in cfs): SEE ATTACHMENTS 1-4

T-8490

4. PROPOSED CHANGES TO THE WATER RIGHT

Change in Use:

Proposed use: N/A

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Change in Point of Diversion or Point of Appropriation:

MAR 31 2000

Change

Additional

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Both old and new points of diversion or points of appropriation will be used for this portion of the water right. WATER RESOURCES DEPT. SALEM, OREGON

Location of Proposed Point of Diversion or Point of Appropriation

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
590' South, 1774' West	NW $\frac{1}{4}$ NE $\frac{1}{4}$	22	28S	12W
from the NE corner of Section 22				

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)
N/A						

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

If no, name of encumbrance holder: N/A

If no, application must include written permission for the transfer from the encumbrance holder.

### Landowners

Answer only  
if applicant  
is not the  
landowner.

*This section does not apply to water delivery entities authorized to act on behalf of their members, making permit amendment requests, or requests for changes in point of diversion or point of appropriation only.*

Landowners: N/A

(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: Harold Bettencourt

Address: P.O. Box 1585

Coos Bay

City

OR

State

97420

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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SALEM, OREGON

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):  
Coos County

Map:

- Water Right Transfer: Must be prepared by a Certified Water Right Examiner.
- All others: Need not be prepared by a Certified Water Right Examiner.

Deed:

- Must accompany all applications, except permit amendment requests.

Evidence of use within last five years, or not subject to forfeiture:

- Best evidence is an affidavit from a knowledgeable person describing the water use. Statements saying water was delivered or assessments/fees were paid are insufficient. Evidence must show actual use of the water for the authorized purpose, in the authorized place of use.

Water Well Reports:

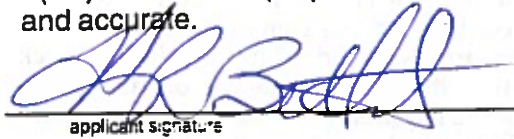
- If application is for a change in point of appropriation or change from surface water to ground water, attach copies of all water well reports. If reports are not available, describe construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed.

Fees:

- Amount enclosed \$ \_\_\_\_\_
- See instruction book for fee schedule.

7. SIGNATURE

I (we) swear that I (we) have read the above application and the statements made are true and accurate.



applicant signature

HR. Bettercourt

name (print)

03/30/00

date

applicant signature

name (print)

date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included the necessary exhibits.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

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WATER RESOURCES DE  
SALEM, OREGON

# INSTRUCTIONS

## FOR TRANSFER APPLICATIONS

Note: All information should be typewritten or neatly printed with dark ink. All items must be completed even if parts or all of the required information appears on supplemental maps or drawings. Applications must be submitted on original forms that are provided by the Department or watermaster. Sign the forms in ink. If you have additional comments that will not fit on the form please submit an attached sheet referencing the section and question.

### 1. APPLICANT INFORMATION

You may include a fax number and an e-mail address if you have these. (These numbers are not required but they may assist the Department in contacting you.)

### 2. TYPE OF CHANGE

Mark the proposed change to your existing water right and describe the reason for that change. You may apply to change all three major components of your water right, however, you must pay the transfer fees for each change.

Indicate if the land is within an irrigation district. The Department is required to notify irrigation districts if transfers are proposed within their boundaries.

### 3. CURRENT WATER RIGHTS

Indicate the name on the current water right. Enter the decree, permit or certificate number, whichever applies. Also enter the priority date, authorized use, source of water, and the county it is located in. If the use and source are in different counties, please indicate.

Fill in the table locating the place(s) of diversion (surface water) or point(s) of appropriation (wells).

Fill in the table locating the place(s) of use.

Describe the general delivery system. Include type, size, length, measurements.

Finally, list the capacity of the delivery system in cubic feet per second (cfs).

### 4. PROPOSED CHANGES

If you are proposing a change in type of use, check the box and provide the proposed new use.

If you are proposing a change in the point of diversion (surface sources) or appropriation (wells) check the box and then indicate if it will be a change or an addition to the existing water right.

Fill in the table locating the new place(s) of diversion (surface water) or point(s) of appropriation (wells).

For a change in the place of use, check the box and fill in the table locating the new place(s) of use.

### 5. LAND OWNERSHIP

Answer only the section(s) that apply.

If you are changing the type or place of use: Indicate if the lands are free of "encumbrances": liens, rights-of-way, or other contracts. If not, provide the name of the holder and obtain written permission from them to proceed with the transfer.

If you are applying for a transfer on land that you do not own: Provide names and addresses for all the landowners shown on the deed. You must obtain notarized permission from all the landowners listed on the deed to proceed with the transfer.

If the transfer will change water rights to someone other than the landowner or applicant: Check the appropriate box to indicate whom the Department should work with to complete the transfer.

### 6. EXHIBITS

Depending on the type of change you are proposing, you may be required to include several exhibits with your application.

For most applications you will need to include a completed Land Use Information Form. If you meet the four listed criteria, you may submit your application without the Land Use Information Form.

All applications require a map. If you are applying for a water right transfer, the map must be prepared by a certified water rights examiner (CWRE). If you do not have a CWRE, you may contact the Department for more information. All other applications may provide maps prepared without a CWRE.

All applications require evidence of use within the last five years.

Applications for changes in or to point(s) of appropriation require well reports.

### 7. SIGNATURE

Before signing the application be sure you have answered the questions completely and prepared the necessary maps and exhibits. Include a check made out to the Oregon Water Resources Department for the required fees and a completed Land Use Information Form (if required).

### FEES

Regular transfers and permit amendments

First change: \$200 Each additional change: \$100  
Each cfs: \$100  
or fraction thereof, requested beyond the first cfs (for changes in place of use, type of use, or water exchanges)

Temporary transfers

Base fee: \$100 Each cfs: \$50  
or fraction thereof, and each additional cfs, or fraction thereof (for non irrigation uses) or  
Each acre of irrigated land: \$0.25

Attachment 1

T-8490

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WATER RESOURCES DEPT.  
SALEM, OREGON

Permittee: Donald K. Laird  
 Permit/Certificate #: 29322/33701  
 Priority Date: February 14, 1964  
 Authorized use: Irrigation for 59.8 acres  
 P.O.D. location: 2620 feet South & 1220 feet West  
 From the NE corner of Sec. 22,  
 SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 22, T28S, R12W.

Authorized place of use:  
 T28S, R12W, S22

Lot 1	8.0 Acres	NE $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 3	10.6 Acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 4	39.4 Acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 4	1.8 Acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$

Permitted amount of water 0.75 cfs

System capacity:

Given Data:

Operating pressure = 50 psi

Pump 20 HP (with assumed efficiency factor of 75% = 6.61)

Suction lift = 10'

Discharge lift = 10'

Assume 50 psi x head factor @ 2.31 friction loss factor @ 1.1 = 127.0' of head

$$\text{Q-pump } \frac{(6.61)(20 \text{ HP})}{10' + 10' + 127'} = \frac{132.2}{147' \text{ of head}} = 0.9 \text{ cfs}$$

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SALEM, OREGON

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Attachment2

Permittee:	Norland Gant	WATER RESOURCES DEPT. SALEM, OREGON
Permit/Certificate #	29302/35525	
Priority Date	February 3, 1964	
Authorized use	Domestic (2) & Irrigation for 48.0 acres	
P.O.D. location	1950feet South & 2720 feet West; 190 feet South & 1120 feet West From the NE corner of Sec. 22, SE $\frac{1}{4}$ NW $\frac{1}{4}$ & NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 22, T28S, R12W.	

Authorized place of use:  
T28S,R12W, S22

Lot 1	6.0 Acres	NE $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 2	17.8 Acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 3	20.0 Acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 2	1.0 Acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
Lot 3	3.2 Acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$

Permitted amount of water: 0.61 cfs  
 Domestic 0.01 cfs  
 Irrigation 0.6 cfs

System capacity:

Given Data:

Operating pressure = 50 psi

Pump 20 HP (with assumed efficiency factor of 75% = 6.61)

Suction lift = 10'

Discharge lift = 10'

Assume 50 psi x head factor @ 2.31 friction loss factor @ 1.1 = 127.0' of head

$$Q\text{-pump } \frac{(6.61)(20 \text{ HP})}{10' + 10' + 127'} = \frac{132.2}{147' \text{ of head}} = 0.9 \text{ cfs}$$

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SALEM, OREGON

T 8490

Attachment3

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Permittee:  
Permit/Certificate #  
Priority Date  
Authorized use  
P.O.D. location

Melvin E. Zumwalt  
29316/33710  
February 10, 1964  
Irrigation for 25.6 acres  
2920feet South & 710 feet East;  
2230 feet South & 2080 feet East  
From the NW corner of Sec. 23,  
SE $\frac{1}{4}$  NW $\frac{1}{4}$  & NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 23, T28S,  
R12W.

WATER RESOURCES DEPT.  
SALEM, OREGON

MAR 3 1 2000

Authorized place of use:  
T28S,R12W, S23

Lot 3	16.4 Acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$
Lot 4	9.0 Acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$
	0.2 Acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$

Permitted amount of water: 0.32 cfs

System capacity:

Given Data:

Operating pressure = 50 psi

Pump 20 HP (with assumed efficiency factor of 75% = 6.61)

Suction lift = 10'

Discharge lift = 10'

Assume 50 psi x head factor @ 2.31 friction loss factor @ 1.1 = 127.0' of head

$$Q\text{-pump } \frac{(6.61)(20 \text{ HP})}{10' + 10' + 127'} = \frac{132.2}{147' \text{ of head}} = 0.9 \text{ cfs}$$

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SALEM, OREGON

T 8490

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WATER RESOURCES DEPT.  
SALEM, OREGON

Attachment 4

Permittee: Melvin E. Zumwalt  
 Permit/Certificate #: 24662/30146  
 Priority Date: January 23, 1957  
 Authorized use: Livestock & Irrigation for 27.4 acres  
 P.O.D. location: 370 feet South & 670 feet East  
 From the W $\frac{1}{4}$  corner of Sec. 23,  
 NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 23, T28S, R12W.

Authorized place of use:  
T28S, R12W, S23

Lot 4	20.4 Acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$
Lot 4	7.0 Acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$

Permitted amount of water: 0.29 cfs  
 Livestock: 0.01 cfs  
 Irrigation: 0.28 cfs

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SALEM, OREGON

System capacity:

Given Data:

Operating pressure = 50 psi  
 Pump 20 HP (with assumed efficiency factor of 75% = 6.61)  
 Suction lift = 10'  
 Discharge lift = 10'  
 Assume 50 psi x head factor @ 2.31 friction loss factor @ 1.1 = 127.0' of head

$$Q\text{-pump} \frac{(6.61)(20 \text{ HP})}{10' + 10' + 127'} = \frac{132.2}{147' \text{ of head}} = 0.9 \text{ cfs}$$

T 8490

# Land Use Information Form: Water Right Transfers, Use of Conserved Water, Exchanges

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the request for water use. **DO NOT FILL OUT THIS FORM IF:** 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) you are applying for a water right transfer involving: a) a change in the place of use with no structural changes, and b) ~~irrigation~~ uses located in irrigation districts or exclusive farm use zones.

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MAR 31 2000

Applicant's Name: HAROLD BETTENCOURT  
Address: P.O. Box 1585  
City: Coos Bay State: OR Zip: 97420  
Phone: (541) 267-5630 WRD Application No.: \_\_\_\_\_

WATER RESOURCES DEPT.  
SALEM, OREGON

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Used
Lots 3, 4 28-12-23	EFU	X	X	X
Lots 3, 4 & TL 100 & 400 28-12-22				

The following section must be completed by all local planning departments responsible for the property(ies) listed above. Please ask the Department for extra forms, as needed.

### For Local Government Use Only

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Local government planning officials are to complete the remainder of this form and return it to the applicant for inclusion in the application.

APR 11 2000

a) Check the appropriate box below and provide requested information.

WATER RESOURCES DEP  
SALEM, OREGON

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 4, C. Go to section b) on reverse side.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)**

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

b) Please provide printed name and written signature.

Name: Staci Courtright  
Title: Planner I

Date: 3-14-00  
Phone: 396-3121x210

Signature: *Staci Courtright*

**Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet.**

**Continuations or Additional Comments:**

Lined area for providing continuations or additional comments.

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APR 1 2000

LAND RESOURCES DEP  
STATE OF OREGON



### Description of Water Use

**Note to Applicant:** This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

**Note to Local Planning Officials:** Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

**RECEIVED**

Applicant Name: HAROLD BETTENCOURT  
 Address: P.O. Box 1585  
Coos Bay OR 97420  
 Phone: (541) 267-5630

MAR 31 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): \_\_\_\_\_
- Livestock (type of livestock, feedlot, slaughterhouse): 200 Head beef cattle
- Residential (# units, single or multi-family, # lots if partition or subdivision): \_\_\_\_\_
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): \_\_\_\_\_
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): \_\_\_\_\_
- Institutional (i.e., school, library, etc.): \_\_\_\_\_
- Mining (aggregate, metal, open pit, placer, etc.): \_\_\_\_\_
- Recreation (park, campsite, pond, etc.): \_\_\_\_\_
- Fish and Wildlife (pond, hatchery, etc.): \_\_\_\_\_
- Hydropower (dam, reservoir, power generating or transmitting facilities): \_\_\_\_\_
- Other (Name and list key characteristics): \_\_\_\_\_

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input checked="" type="checkbox"/> <b>Transfer of Points of Diversion.</b> <input checked="" type="checkbox"/> Surface Water Name sources: <u>North Fork Coquille River</u>	<u>1.97</u> Cubic feet per second. _____ Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond <input type="checkbox"/> Ground Water	Note: Quantity is under Certificates: 35525, 33710, 33701 & 30146.

**RECEIVED**

APR 11 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

T -84990



THIS SPACE RESERVED FOR RECORDER'S USE  
  
1999-8419  
4/30/99 @  
2:41 pm

After recording return to:  
Harold R. Betencourt  
HC-86 Box 50  
Myrtle Point, OR 97458

Until a change is requested all tax statements shall be sent to the following address:

Harold R. Betencourt  
HC-86 Box 50  
Myrtle Point, OR 97458

Escrow No. 249436LS  
Title No. 249436LS RETURN TO: F.A.T.CO.

**STATUTORY BARGAIN AND SALE DEED**

Jody L. McNeely, Grantor, conveys to Harold R. Betencourt and Kathy S. Betencourt, husband and wife, Grantee, the following described real property:

See Attached Exhibit "A"

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$365,000.00 (Here comply with the requirements of ORS 93.030)

Dated this 30 day of June, 1999.

Jody L. McNeely  
Jody L. McNeely

STATE OF OREGON  
County of COOS } ss.

This instrument was acknowledged before me on this 30 day of June, 1999  
by Jody L. McNeely



Lisa Summa  
Notary Public for Oregon

My commission expires: 2-15-2002

**RECEIVED**

APR 11 2000

WATER RESOURCES DEPT.  
SALEM, OREGON



# TICOR TITLE INSURANCE

EXHIBIT "A"

## Parcel I

Beginning at the Northeast corner of Section 22, Township 28 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, and running thence Southerly along the East line of said Section 22, a distance of 611.3 feet to an iron pipe; thence South 79° 01' West 821.2 feet, more or less, to an iron pipe; thence South 6° 07' West 391.00 feet to an iron pipe; thence South 66° 20' West 694.5 feet; thence South 37° 11' West 980.1 feet, more or less, to a point on the meander line on the left bank of the North Fork of the Coquille River; thence upstream following said meander line to a point where same intersects the North line of said Section 22; thence Easterly along the North line of said Section 22, a distance of 907.7 feet, more or less, to the place of beginning, excepting the portion owned by the South Methodist Church. As described in Instrument recorded December 13, 1883, in Book 10, Page 147, Deed Records of Coos County, Oregon.

ALSO EXCEPTING THEREFROM that portion deeded to Lois Hawkins by deed recorded in Book -- 180, Page 156, Deed Records of Coos County, Oregon.

ALSO; Beginning at an iron pipe on the East line of Section 22, Township 28 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, 611.3 feet Southerly of the Northeast corner of said Section 22; thence South 79° 01' West 821.2 feet, more or less, to an iron pipe; thence South 6° 07' West 391 feet to an iron pipe; thence South 66° 20' West 694.5 feet; thence South 37° 11' West 980.1 feet, more or less, to a point on the meander line on the left bank of the North Fork of the Coquille River; thence downstream following the said meander line to a point where the same intersects with the West line of Government Lot 4; thence run to the thread of the stream; thence Easterly along the thread of said stream to the East line of said Section 22; thence Northerly along said East line 1919.9 feet, more or less, to the place of beginning.

## Parcel II

Beginning at the river and running east sixteen rods on the section line between Sections fifteen and twenty-two, thence South, South West twelve rods, thence West to the river, thence with said river to the place of beginning being one acre more or less in Section twenty-two Township twenty eight, Range twelve West Willamette Meridian, Coos County, Oregon.

**RECEIVED**

APR 11 2000

WATER RESOURCES DE  
SALEM, OREGON

06/30/1999 02:41 REC FEE: \$38.00  
COOS COUNTY, OR, TERRI TURI - COUNTY CLERK

PAGE #: 0002 OF 0002  
INST#: 1999 8419

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Alan Simonis and Jennifer Simonis, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Harold R. Battencourt and Kathy S. Battencourt, husband and wife

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances therunto belonging or appertaining, situated in the County of Coos and State of Oregon, described as follows, to-wit:

The legal description has been attached as Exhibit "A" and made a part of this instrument.  
Tax account #8628.00 Code 41.01

TO HAVE and to HOLD the same unto the said grantee and grantee's heirs, successors and assigns forever.  
And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as shown on attached Exhibit "B"

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 400,000.00

~~However, the actual consideration consists of or includes other property or value given or promised which is (the whole/part of the) consideration (indicate which). C. (The sentences between the symbols C, if not applicable should be deleted. See ORS 93.030.)~~

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 10 day of April, 19 94; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Alan Simonis  
Alan Simonis  
Jennifer Simonis  
Jennifer Simonis

STATE OF OREGON  
County of Coos ) ss.

BE IT REMEMBERED, That on this 10 day of April, 19 1994 before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named Alan Simonis and Jennifer Simonis

known to me to be the identical individual s described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Bridgette Bagoy  
Notary Public for Oregon  
My Commission Expires 11-13-97

Starker Services Incorporated 20 So. Santa Cruz Ave. Suite 300 Los Gatos CA 95030
Grantor's Name and Address <u>Harold R. Battencourt</u>
Grantee's Name and Address
After recording return to: <u>Harold R. Battencourt</u> <u>89 Roderick Rd</u> <u>Coos Bay Or 97420</u>
Name, Address, Zip
Until a change is requested all tax statements shall be sent to the following address. <u>Harold R. Battencourt</u> <u>89 Roderick Rd</u> <u>Coos Bay Or 97420</u>
Name, Address, Zip

RECORDING # 94040860  
I, Mary Ann Wilson,  
Coos County Clerk, certify  
the within instrument  
was filed for record at  
Space |  
F  
Record  
11:39 ON 04/19/1994  
M. BRIGHT  
By \_\_\_\_\_ Deputy  
# pages **RECEIVED** Fee \$ 43.00



APR 11 2000

94 04 0860

EXHIBIT "A"

Government Lot 3 and the NE 1/4 of the NW 1/4 of Section 23, all in Township 28 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

ALSO: Government Lot 4 and the NW 1/4 of the NW 1/4 of Section 23, Township 28 South, Range 12 West of the Willamette Meridian, Coos County, Oregon. -----

**RECEIVED**

APR 11 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

## EXHIBIT "B"

1. As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
2. As disclosed by the tax rolls, the premises herein described have been zoned or classified as forest lands. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest pursuant to the provisions of ORS chapter 321.
3. Rights of the public and governmental bodies in and to any portion of the premises herein described now or at any time lying below high water mark of the North Fork Coquille River, including any ownership rights which may be claimed by the State of Oregon below the high water mark as it now exists or at any time existed.
4. Any adverse claim based upon the assertion that:  
  
Said land or any part thereof is now or at any time has been below the ordinary high water mark of the North Fork Coquille River.  
  
Some portion of said land has been created by artificial means or has accreted to such portion so created.  
  
Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the North Fork Coquille River or has been formed by an accretion to any such portion.
5. The rights of fishing, navigation and commerce in the State of Oregon and the Federal Government and the rights of the public in and to that portion thereof lying below the ordinary high water mark of the North Fork Coquille River.
6. Rights of the Public in and to that portion of said premises, now or at any time, lying below the ordinary high water line of creek.
7. Any adverse claim based upon the assertion that said land or any portion thereof is now, or at any time has been below high water mark of the creek.
8. Rights of the public in and to that portion lying within streets, roads and highways.
9. Terms and provisions of easement disclosed in instrument recorded January 5 1934, bearing Microfilm Reel No. 84-1-06439, Records of Coos County, Oregon.

**RECEIVED**

APR 11 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

CONTROL \_\_\_\_\_ LAYOUT \_\_\_\_\_ TRACED \_\_\_\_\_ CHECKED \_\_\_\_\_

T 8490

REDUCED COPY  
NOT TO SCALE

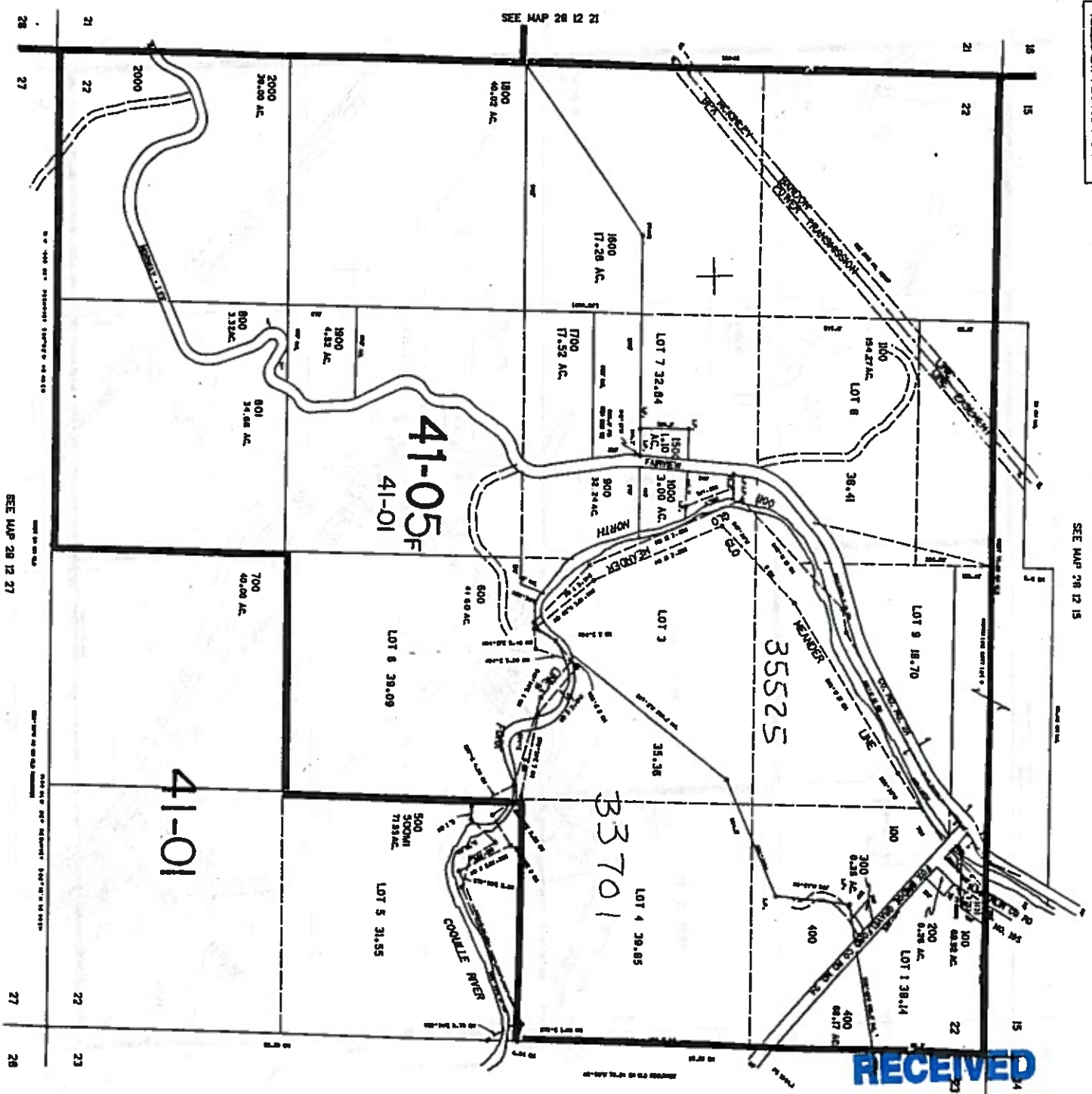


CHANGES UPDATED AS OF JUL 27 1994

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY.

SEE MAP 28 12 15

T-400



SEE MAP 28 12 27

SEE MAP 28 12 23

RECEIVED

APR 11 2000

WATER RESOURCES DEPT  
SALEM, OREGON

CANCELLED  
12000  
13000  
14000  
15000  
16000

555.00

5.000

28 12 22

COPY

REDUCED COPY  
NOT TO SCALE

CHANGES UPDATED AS OF JUL 27 1994

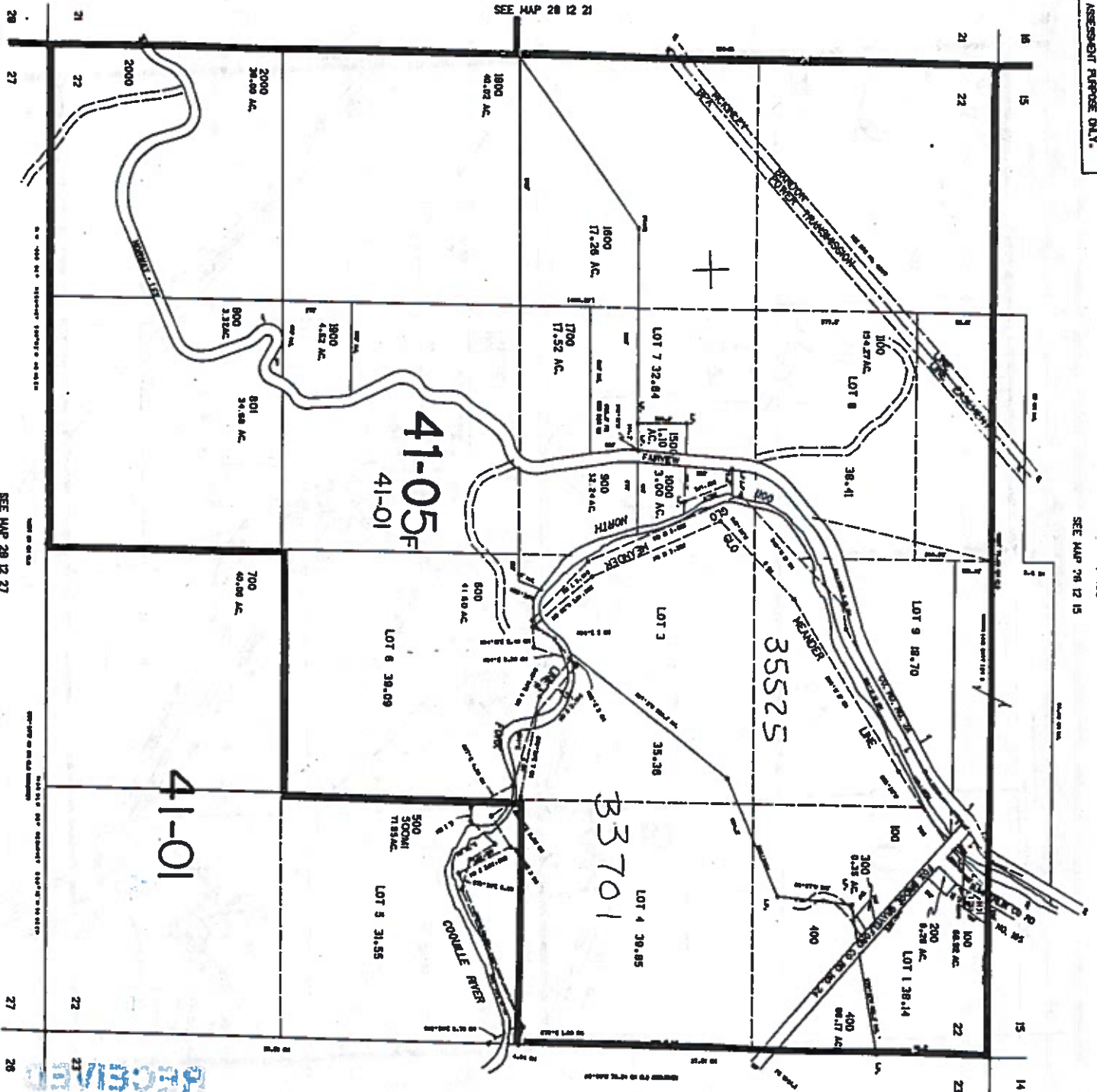
THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY.

SECTION 22 T.28S. R.12W. W.M.  
COOS COUNTY  
1-400'

SEE MAP 26 12 15

28 12 22

CANCELLED  
601  
1200  
1400  
1600  
1800



SEE MAP 28 12 23

355.0'

RECEIVED

APR 13 2000

CLM OREGON  
WATER RESOURCES DEPT

CONTROL \_\_\_\_\_ LAYOUT \_\_\_\_\_ TRACED \_\_\_\_\_ CHECKED \_\_\_\_\_

2

28 12 22



T 8490

ITROL \_\_\_\_\_ LAYOUT \_\_\_\_\_ TRACED \_\_\_\_\_ CHECKED \_\_\_\_\_

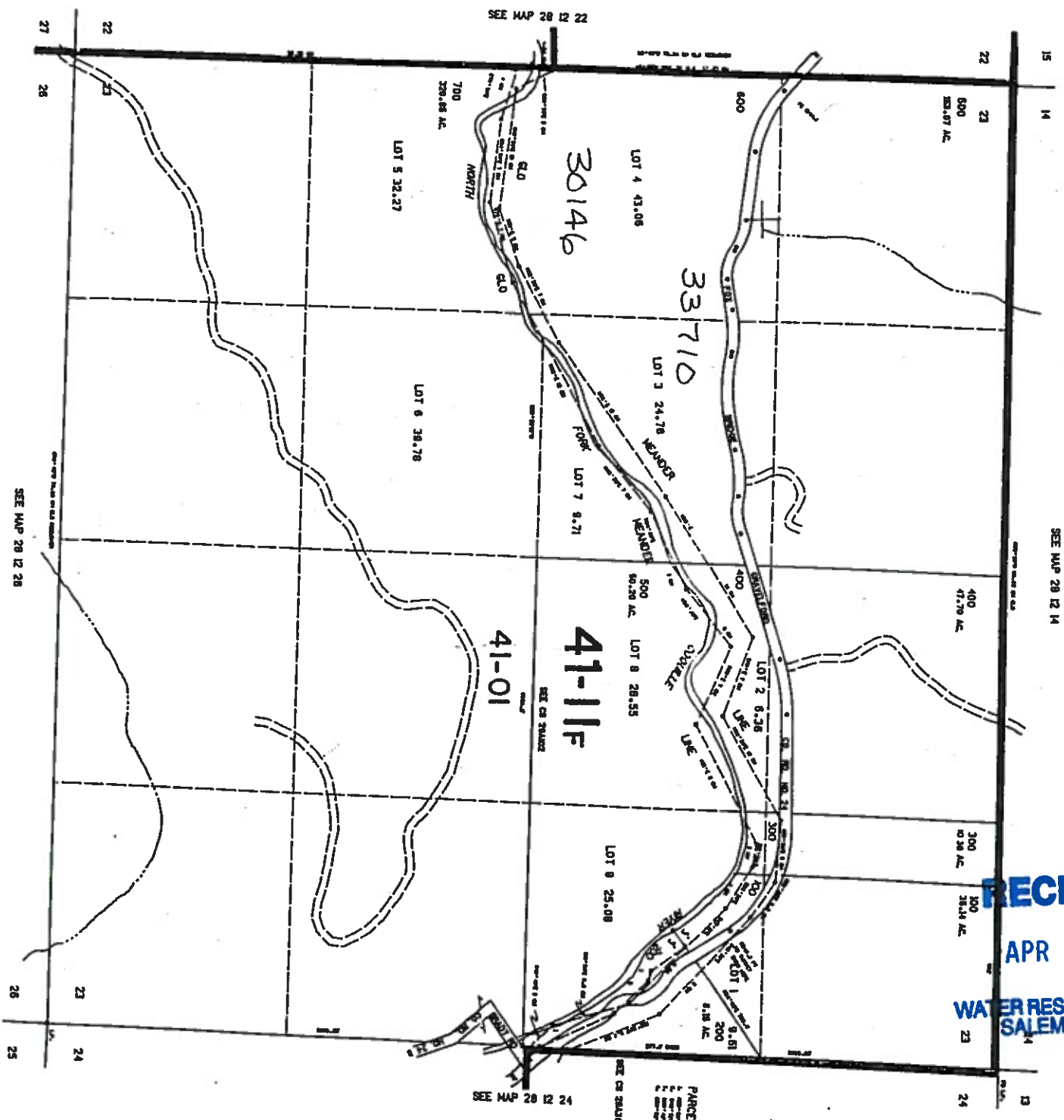
REDUCED COPY  
NOT TO SCALE



CHANGES UPDATED AS OF JAN 26 1995

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY.

SECTION 24 T.28S. R.22W. W.M.  
COOS COUNTY  
F-400



SEE MAP 28 12 14

SEE MAP 28 12 28

**RECEIVED**

APR 11 2000

WATER RESOURCES DEPT  
SALEM, OREGON

CANCELLED  
399

28 12 23

555.0'

6-19-97

BLM

12

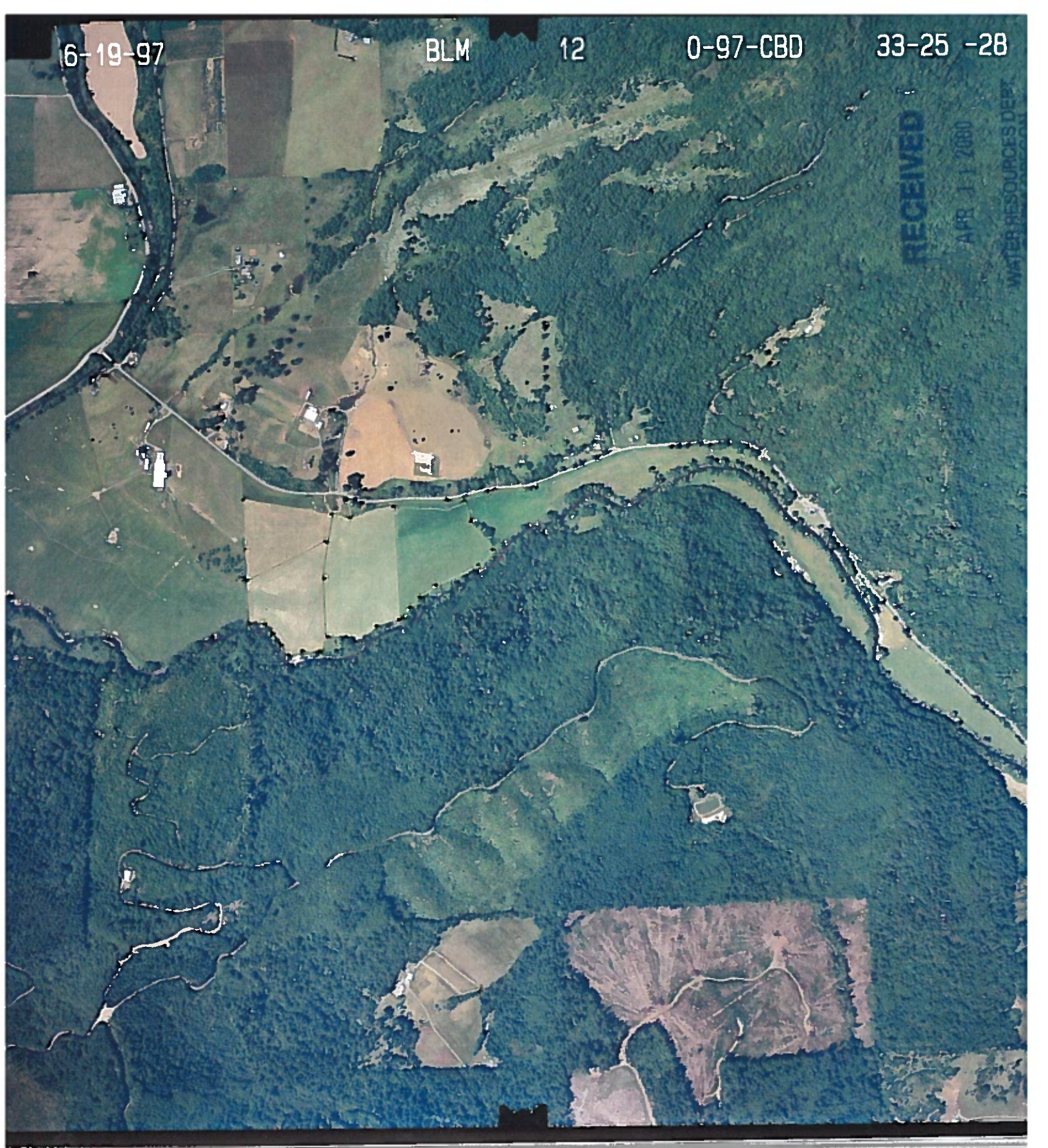
0-97-CBD

33-25 -28

RECEIVED

APR 11 2000

WATER RESOURCES DEPT.



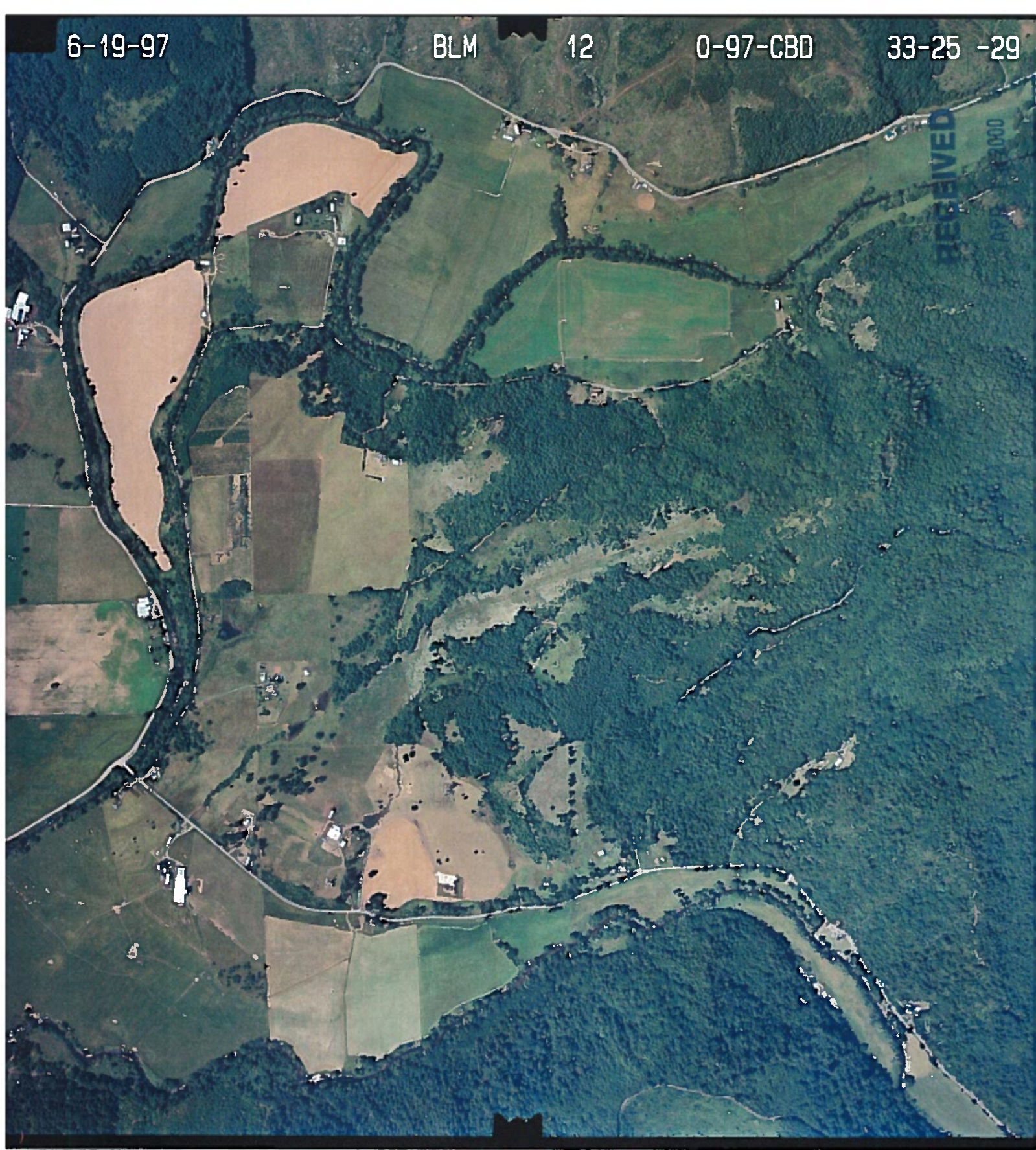
6-19-97

BLM

12

0-97-CBD

33-25 -29



RECEIVED  
APR 1 2000



TELEPHONE (541) 267-2872  
FAX (541) 267-0588  
dennisgoude@stuntzner.com

705 SO. 4<sup>TH</sup>, P.O. BOX 118  
COOS BAY, OREGON 97420

COOS BAY - BROOKINGS - WILSONVILLE

April 10, 2000

Water Resources Department  
Commerce Building  
158 12<sup>th</sup> Street NE  
Salem, OR 97301-4172  
Gloria Tolleson

Dear Ms. Tolleson:

Attached is Mr. Bettencourt's Water Rights Point of Diversion transfer application with the additional information requested. All the lands covered under Certificates #30146, 33710, 33701 & 35525 are owned by Mr. Bettencourt. If you have any further questions please call Dennis Goude at (541) 267-2872.

Sincerely,  
Stuntzner Engineering & Forestry, LLC

  
Dennis Goude

**RECEIVED**

APR 11 2000

WATER RESOURCES DEPT.  
SALEM, OREGON



T-8490

TELEPHONE (541) 267-2872  
FAX (541) 267-0588  
dennisgoude@stuntzner.com

705 SO. 4<sup>TH</sup>, P.O. BOX 118  
COOS BAY, OREGON 97420

COOS BAY - BROOKINGS - WILSONVILLE

April 10, 2000

To: Oregon Water Resources Department  
From: Harold Bettencourt

Re: Evidence of Use

I am submitting this affidavit verifying the permitted beneficial use of water on the acreage covered by Certificates #30146, 33710, 33701 & 35525. The water has been and will be seasonally used to irrigate the covered acreage for the purpose of livestock grazing and crop harvesting (hay).

Sincerely,

Harold Bettencourt

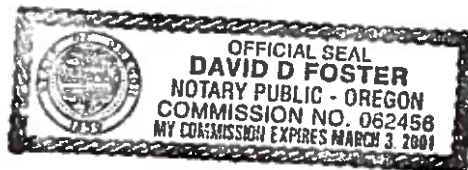
State of OREGON

County of Coos

Signed and sworn by Harold Bettencourt before me on April 10, 2000

Notary Public - State of Oregon

My Commission expires: 3/3/2001



**RECEIVED**

APR 11 2000

WATER RESOURCES DEPT.  
SALEM, OREGON



# Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

942 SW 6th Street

Suite E

Grants Pass, OR 97526

(541) 471-2886

FAX (541) 471-2876

September 22, 2000

Harold Bettencourt  
P.O. Box 1585  
Coos Bay, Oregon 97420

REFERENCE: Transfer 8490

I am reviewing your transfer for a changes in points of diversion. The application appears to be complete.

Notice of the transfer application must be published in the local newspaper having general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. Enclosed is the notice to be published. Please have the newspaper insert the last date of publication in the appropriate place in the notice. Following the last date of publication, please submit the affidavit of publication supplied by the newspaper.

If you have any questions please call (541) 471-2886, ext.228.

Sincerely,

Teresa Vonn  
Regional Water Management Specialist

enc

c: Dennis Goude

Thomas M. Hoshall, CWRE # 441

Lloyd VanGordon, Watermaster, District # 19

*mailed 9/22/2000*

## NOTICE OF WATER RIGHT TRANSFER 8490

Harold Bettencourt filed an application with the Water Resources Department for changes in points of diversion of water as provided by ORS 540.510 to 540.530.

Certificate 30146, in the name of Melvin Zumwalt, includes a right limited to 0.29 cubic foot per second from the North Fork Coquille River, with a priority date of January 23, 1957 for irrigation of 27.4 acres and stock.

The point of diversion for this right is in Lot 4 (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ), Section 23, T 28 S, R 12 W, WM.

The applicant proposes to change the point of diversion to the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 22, T 28 S, R 12 W, WM; 590' S, 1774' W from the NE corner of Section 22.

Certificate 35525, in the name of Norland Gant, includes a right limited to 0.61 cubic foot per second from the North Fork Coquille River, with a priority date of February 3, 1964 for domestic use of two families and irrigation of 48.0 acres.

The point of diversion for this right is in Lot 1 (NE $\frac{1}{4}$  NE $\frac{1}{4}$ ); Lot 7 (SE $\frac{1}{4}$  NW $\frac{1}{4}$ ), Section 22; T 28 S, R 12 W, WM; 1950' S and 2720' W; 190' S and 1120' W; both from the NE Corner, Section 22.

The applicant proposes to change the point of diversion to the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 22, T 28 S, R 12 W, WM; 590' S, 1774' W from the NE corner of Section 22.

Certificate 33710, in the name of Melvin E. Zumwalt, includes a right limited to 0.32 cubic foot per second from the North Fork Coquille River, with a priority date of February 10, 1964 for irrigation of 25.6 acres.

The point of diversion for this right is in Lot 3 (SE $\frac{1}{4}$  NW $\frac{1}{4}$ ), Lot 4 (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ), Section 23, T 28 S, R 12 W, WM; 710' E and 2920' S; 2080' E and 2230' S; both from the NW Corner, Section 23.

The applicant proposes to change the point of diversion to the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 22, T 28 S, R 12 W, WM; 590' S, 1774' W from the NE corner of Section 22.

Certificate 33701, in the name of Donald K. Laird, includes a right limited to 0.75 cubic foot per second from the North Fork Coquille River, with a priority date of February 14, 1964 for irrigation of 59.8 acres.

The point of diversion for this right is in Lot 4 (SE $\frac{1}{4}$  NE $\frac{1}{4}$ ), Section 22, T 28 S, R 12 W, WM; 2620' S and 1220' W from the NW Corner, Section 22.

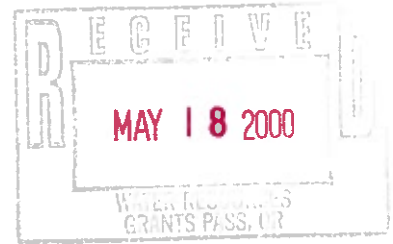
The applicant proposes to change the point of diversion to the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 22, T 28 S, R 12 W, WM; 590' S, 1774' W from the NE corner of Section 22.

Protests may be filed by persons who think their water right may be injured by this change. Additional information or forms and rules for filing protests are available from the Water Resources Department by calling (541) 471-2886, ext. 228. If a protest is filed a hearing may be held.

The last date of publication is [last date of publication]. IF NO PROTEST IS FILED WITHIN 30 DAYS AFTER THE LAST DATE OF PUBLICATION, THE CHANGE MAY BE APPROVED WITHOUT A HEARING.



Oregon Department of Fish and Wildlife  
Transfer Comment Form



Reference: Transfer # 8490

We have reviewed the application for transfer and provide the following comments:

Please check one of the boxes related to potential injury to water rights.

- There does not appear to be a potential for injury to instream or other water rights as a result of the transfer.
- We believe that the transfer would injure the instream or other water right(s) on \_\_\_\_\_, tributary to \_\_\_\_\_. The nature of the injury is as follows: \_\_\_\_\_

(Please attach any available supporting information.)

Please check one of the boxes related to requiring a fish screen or by-pass device.

- Pursuant to ORS 540.525 or 540.532, a condition should be included in any order approving the transfer to require the installation of a fish screen or by-pass device to prevent fish from leaving (source) and entering the diversion. The existing point of diversion is:
  - Equipped with an appropriate fish screening or by-pass device; or (unknown)
  - Included on the priority list of screening projects established pursuant to section 8, chapter 933, Oregon Laws 1989.

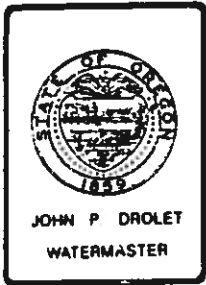
The applicant should contact the following person to obtain additional information on the plans and specifications for the required fish screen or by-pass device and to obtain information about ODFW's cost sharing program for screening and by-pass devices:

ODFW staff name: Bernie Kepshite  
Address: 7118 NE VANDENBERG AVE.  
City/State/Zip: CORVALLIS, OR 97330-9446  
Phone: (541) 757-4186 x255

- A fish screen or by-pass device should not be required as a condition of approval of the transfer.

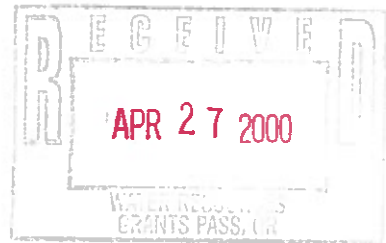
Michael E. Gray  
Signature  
MICHAEL E. GRAY  
Printed Name  
DISTRICT FISH BIOLOGIST  
Title

Please return this form to Teresa Vonn, Water Resources Department, 942 SW 6th Street, Suite E, GRANTS PASS OR 97526 by May 19, 2000.



## Water Resources Department

COOS COUNTY ANNEX, 290 NORTH CENTRAL ST., COQUILLE, OREGON 97423 PHONE 396-3121  
EXT. 254



26 April 00

Harold R. Bettencourt  
P.O. Box 1585  
Coos Bay, OR 97420

file # T-8490

Dear Mr. Bettencourt:

Reference is made to your 21 April dated letter rerouted from OWRD in Salem and received here today regarding your above referenced pending water right transfer for the consolidation of points of diversion.

Attached is a copy of my evaluation of the proposed transfer, coincidentally also completed and forwarded to our regional office in Grants Pass on that same date. As you can see, based on the information contained in your transfer application, I have no objection to the proposed transfer.

Should you have questions, please get in touch. Our office is located in the Courthouse Annex in Coquille City.

Sincerely,

John P. Drolet  
Watermaster, District 19

JPD/dt

CF: BRS  
Vonn (Grants Pass)

T-8490.D19



# Kustom I Truck Sales Inc.

1084 South 5th Street  
Coos Bay, Oregon 97-120

Phone: 541-267-6990  
800-564-8890  
Fax: 541-267-1098

April 21st, 2000

Water Master # 19 John Drolett  
Water Resources Department  
158 12th street NE  
Salem, OR 97301-4172

Reference transfer # 8490

Mr. Drolett:

I operate a 100 pair cow calf operation in Lee Valley, just East of Myrtle Point, Oregon and have applied for cost share assistance from the USDA through the environmental quality incentives program. I have been working with Tom Purvis in the Coquille office to develop a total farm management program which will still allow for an efficient sensible farming operation, but provide for a positive impact to the total environmental due to our ranching operations.

I have recently requested a waiver (see enclosed) to allow me to begin the installation of a permanent buried mainline and permanent buried two inch trough watering system which will be used to apply irrigation water and cattle drinking water from the North Fork of the Coquille River to our summer pasturelands prior to the anticipated fall approval of our contract by the Farm Service Agency Committee. I think this waiver will allow us to gain a year on the negative impact associated with our current method of irrigation and cattle watering. More specifically, I will have to allow my cow-calf pairs to water directly from the river even though the river banks have just been completely fenced and will have to install four pumps @ four different diversion points for irrigating pastures versus one permanent irrigation pump and no cattle up and down my permanently fenced banks. I currently am pasturing this property through May 15th. I will pull the cattle off May 15th until hay season (approx. July 1st-15th). Shortly thereafter, I will need to start irrigation and pasture through November 15th.

I have not started the installation of the pipeline, and am aware that I must wait for consideration of a waiver to remain eligible for the financial assistance, and will not use water from the new point prior to your formal decision on this matter. Tom Purvis has communicated the requirement for this pipeline installation in accordance with NCRS standards and specifications and will be sharing all plans and specifications with me prior to installation to meet his approval.

Thanks in advance for your consideration hopefully no later then June 1st 2000, and please do not hesitate to contact me @ 541/267-6990 if you have any questions.

Sincerely,

Harold R. Bettencourt

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APR 24 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

Rev'd Coquille:  
04-26-00/CH



Oregon  
John A. Kitzhaber, M.D., Governor

RECEIVED  
APR 25 2000  
WATER RESOURCES  
GRANTS PASS, OR

Water Resources Department  
4-17-00  
Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

INTEROFFICE MEMO

Forward

TO:

Teresa Vonn  
FIELD PROCESSOR WORKING ON THIS TRANSFER

DATE: 04-21-00

FROM:

X WATERMASTER, DISTRICT # 19  
GROUNDWATER SECTION

(SIGNATURE)

[Signature]

SUBJECT: WATER RIGHT TRANSFER # 8490

A change in: POU POD POA USE of water.

In the name(s) of Harold Bettencourt

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY\* to an existing water right.

~~\*The approval of this transfer application would result in injury to other water rights because~~  
There is one intervening Pod, p# 24097 in SW 1/4 NE 1/4 Sec 22.  
p# 24097 is SENIOR (1956) in priority to the rights being propose  
for combining POD's ∴ I would not expect injury to the senior  
right.

The existing right may not be valid because —

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) p# 24097

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

— (1) PRIOR to the diverting of water at the new point of diversion . . .

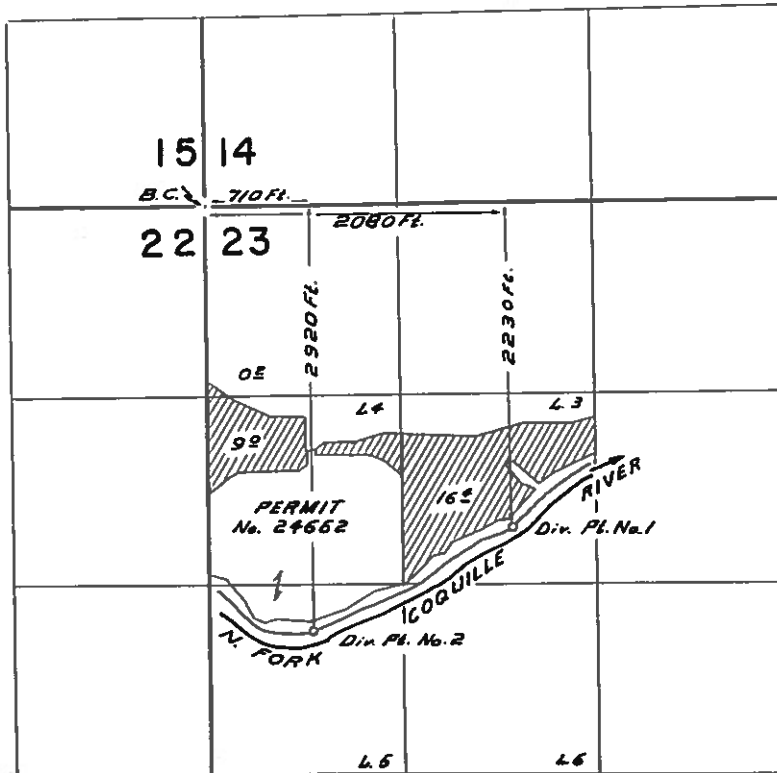
✓ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.





T.28S. R.12W. W.M.



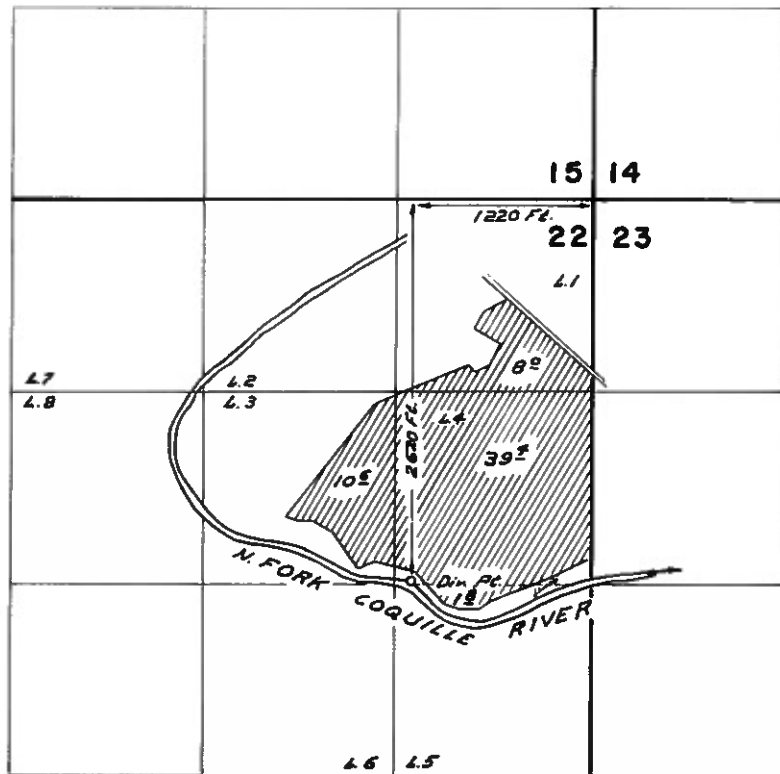
**FINAL PROOF SURVEY**  
UNDER

Application No. 39493 Permit No. 29316  
IN NAME OF

MELVIN E. ZUMWALT

Surveyed SEPT. 1 1965, by L. COLEBANK

T.28S. R.12W. W.M.



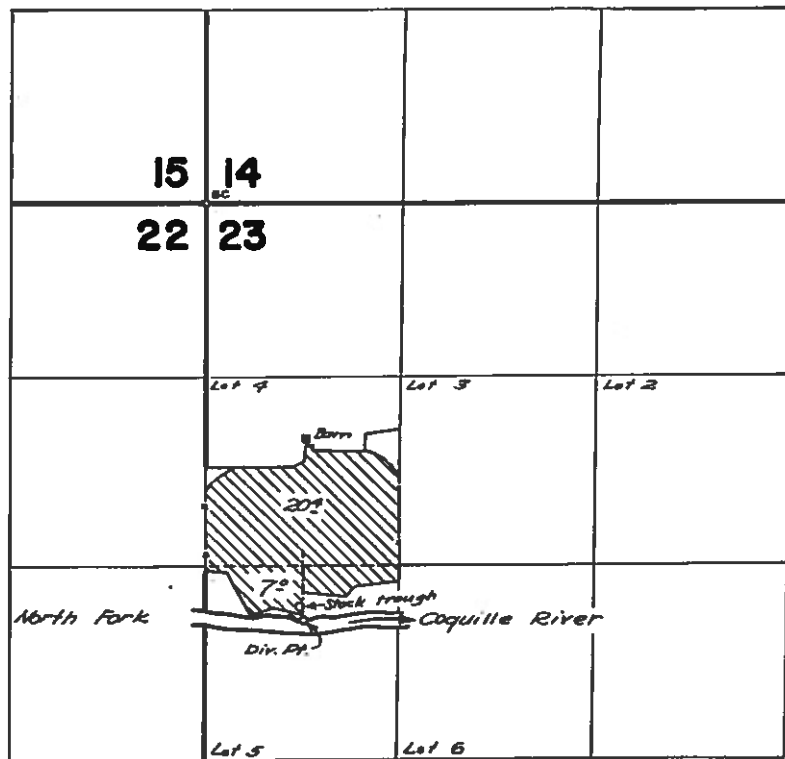
**FINAL PROOF SURVEY**  
UNDER

Application No. 39511... Permit No. 29322.  
IN NAME OF

..... DONALD K. LAIRD .....

Surveyed SEPT. 1 1965, by L. COLEBANK

# T.28S.R.12W.W.M.



## FINAL PROOF SURVEY UNDER

Application No. 31317..... Permit No. 24662...  
IN NAME OF

DORA E. SCHROEDER

Surveyed August 5, 1961., by C.O. Bartels.





# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130

April 17, 2000

Steve Denney  
Oregon Department of Fish and Wildlife  
4192 N Umpqua Hwy  
Roseburg, OR 97470

Reference: Transfer # 8490

Enclosed for your review is a copy of a water right transfer application from N Fk Coquille River, tributary of Coquille River.

Consistent with the Oregon Plan, we are soliciting your input on whether the proposed transfer would injure an instream water right or any other water right in which ODFW has an interest. If you believe that the transfer would injure a water right, please describe the nature of the injury and provide any supporting information which you have available.

ORS 540.525 and 540.532 require that we consult with you to determine if a fish screen or by-pass device should be required in conjunction with a permanent or historic change in a point of diversion. If you request a fish screen or by-pass device, we will include such a condition in the transfer order and the applicant will be eligible to participate in ODFW's cost sharing program for screening and by-pass devices.

We must receive your response in our Grants Pass office

Attention: Teresa Vonn  
Water Resources Department  
942 SW 6th Street, Suite E  
GRANTS PASS OR 97526

by **May 19, 2000** in order to consider it in our decision on the application and to include the appropriate conditions in any approval order. We will presume that you do not have comments and do not intend to request fish screens or by-pass devices if we do not receive a response.

If you have questions, please call (541)471-2886 ext 228.

Enclosure

cc: Wm # 19, John Drolet  
Applicant



**TRANSFER CHECK OFF LIST**

TRANSFER FILE # 8490  
DATE RECEIVED 4-11-2000  
DATE MONEY SLIPPED 4-13-00  
DATE RECEIPTED 4-12-00  
VALID WATER RIGHT?  Yes  No  
TEMP ALT AC \_\_\_(Greg) IRR DIST \_\_\_(Greg) PERM AMEND \_\_\_(Kelly) DIV 15  or TEMP Div15 (Larry)

LETTER FROM ATTORNEY \_\_\_ YES (PUT INFO ON FRONT COVER)  NO

FOLDER FILLED OUT\* 4-13-00  
INDEX CARD 4-13-00  
ENTERED IN DB 4-13-00  
TYPE BLACK BOOK 4-13-00 (And color code)  
RECORD MONEY/RECEIPT # 4-12-00  
CONTENTS MARKED 4-12-00  
COLOR CODED — Yes  
4 COPIES MADE & STAMPED 4-13-00

CERTIFICATE MARKED 4-14-00  
CERTIFICATE COPIED 4-14-00  
PULL APPLICATIONS 4-14-00  
APP FOLDER MARKED 4-14-00  
FINAL PROOF MAP COPIED 4-14-00  
PERMIT MARKED \_\_\_\_\_  
PERMIT COPIED \_\_\_\_\_  
PERMIT MAP COPIED \_\_\_\_\_  
DECREE MARKED \_\_\_\_\_  
DECREE COPIED \_\_\_\_\_  
ADJUDICATION MAP COPIED \_\_\_\_\_

ENTRIES CHECKED 4-14-00 CHECKED BY Larry INIT FOLDER   
PUBLIC NOTICE DATE 4-18-00 (PREPARED & COPIED)   
LETTER SENT 4-17-00 Irrigation District \_\_\_\_\_ (copy of app & map)  
COPY TO WM 4-17-00  
BLUE FORM TO WM 4-17-00 Orange P A/Yellow Temp/GREEN dist/LAVENDAR alta  
COPY TO GW \_\_\_\_\_ POA, APOA, or [SW TO GW ONLY(as POD)]  
BLUE FORM TO GW \_\_\_\_\_ Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr  
COPY TO CWRE 4-17-00  
LETTER TO ODFW 4-17-00 ALL Surface water POU/USE (POD and APOD FISH SCREENS)  
TRANSFER SENT TO: SWR Jorena  SW --- NCR --- SCR --- ER

\*SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND TAPE TO FOLDER



# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130

April 17, 2000

Harold Bettencourt  
P. O. Box 1585  
Coos Bay, OR 97420

REFERENCE: Transfer 8490

On 04-11-2000 we received your water right transfer application requesting a change in POD for use of water from N Coquille River. The application was accompanied by \$ 700.00. Our receipt 36871 is enclosed.

By copy of this letter, we are asking the Watermaster for his usual report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. If you have a specific reason why your application should be examined ahead of other applications, please send us a letter describing your reason. We may be able to examine your application ahead of others.

You may not use water from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, you will need to obtain consent from the buyer to complete the transfer.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (800) 624-3199 or (503) 378-3739.

cc: Watermaster #19, John Drolet  
CWRE #441, Thomas M. Hoshall

enclosure



County: COOS  
Transfer: 8490  
Certificate: 33701/35525/33710/30146  
Priority Date: 2-14-1964/2-3-1964/2-10-1964/1-23-1957  
Name: HAROLD BETTENCOURT  
Address: P. O. BOX 1585, COOS BAY 97420  
Change: POD  
Source: N FK COQUILLE RIVER  
Authorized POD: 28S 12W 22 NENE SENE  
28S 12W 23 SENW NWSW  
Proposed POD: 28S 12W 22 NWNE

T-8490



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.

**RECEIVED**

MAR 31 2000

## APPLICATION FOR:

WATER RESOURCES DEPT.  
SALEM, OREGON

Please check one

- Water Right Transfer
- Temporary Transfer
- Permit Amendment
- Historic Point of Diversion Change
- Government Action Point of Diversion

### 1. APPLICANT INFORMATION

Name: HAROLD BETTENCOURT  
First Last

Address: P.O. Box 1585  
Coos Bay OR 97420  
City State Zip

Phone: (541) 267-5630  
Home Work Other

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

*\*Optional information*

### 2. TYPE OF CHANGE

- Use
- Place of Use
- Point of Diversion
- Point of Appropriation

Reason for change: Consolidate Points of Diversion and reduce riparian disturbance.

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

If yes, include district name: \_\_\_\_\_

**RECEIVED**

APR 11 2000

WATER RESOURCES DE  
SALEM, OREGON

For Department Use		
App. No. _____	Permit No. _____	Date _____

T-8490

4. PROPOSED CHANGES TO THE WATER RIGHT

Change in Use:

Proposed use: N/A

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Change in Point of Diversion or Point of Appropriation:

MAR 31 2000

Change

Additional

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Both old and new points of diversion or points of appropriation will be used for this portion of the water right. WATER RESOURCES DEPT SALEM, OREGON

Location of Proposed Point of Diversion or Point of Appropriation

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
590' South, 1774' West	NW 1/4 NE 1/4	22	28S	12W
from the NE corner of Section 22				

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)
N/A						

Remarks: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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WATER RESOURCES DEPT SALEM, OREGON

T-8490

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MAR 31 2000

WATER RESOURCES DEP  
SALEM, OREGON

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):  
Coos County

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.

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.

Fees:

- Amount enclosed \$ \_\_\_\_\_

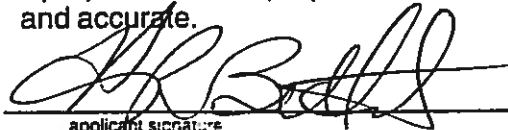
See instruction book for fee schedule.

Deed:

- Must accompany all applications, except permit amendment requests.

7. SIGNATURE

I (we) swear that I (we) have read the above application and the statements made are true and accurate.



applicant signature

H.R. Bettencourt

name (print)

03/30/00

date

applicant signature

name (print)

date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included the necessary exhibits.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

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WATER RESOURCES I  
SALEM, OREGON

T-8490

Attachment 1

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MAR 31 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

Permittee: Donald K. Laird  
 Permit/Certificate #: 29322/33701  
 Priority Date: February 14, 1964  
 Authorized use: Irrigation for 59.8 acres  
 P.O.D. location: 2620 feet South & 1220 feet West  
 From the NE corner of Sec. 22,  
 SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 22, T28S, R12W.

Authorized place of use:  
 T28S,R12W, S22

Lot 1	8.0 Acres	NE $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 3	10.6 Acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 4	39.4 Acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 4	1.8 Acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$

Permitted amount of water 0.75 cfs

System capacity:

Given Data:

Operating pressure = 50 psi

Pump 20 HP (with assumed efficiency factor of 75% = 6.61)

Suction lift = 10'

Discharge lift = 10'

Assume 50 psi x head factor @ 2.31 friction loss factor @ 1.1 = 127.0' of head

$$\text{Q-pump} \frac{(6.61)(20 \text{ HP})}{10' + 10' + 127'} = \frac{132.2}{147' \text{ of head}} = 0.9 \text{ cfs}$$

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APR 11 2000

WATER RESOURCES DEPT.  
SALEM, OREGON



T 8490

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MAR 31 2000

Attachment2

Permittee:	Norland Gant	WATER RESOURCES DEPT. SALEM, OREGON
Permit/Certificate #	29302/35525	
Priority Date	February 3, 1964	
Authorized use	Domestic (2) & Irrigation for 48.0 acres	
P.O.D. location	1950feet South & 2720 feet West; 190 feet South & 1120 feet West From the NE corner of Sec. 22, SE $\frac{1}{4}$ NW $\frac{1}{4}$ & NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 22, T28S, R12W.	

Authorized place of use:  
T28S,R12W, S22

Lot 1	6.0 Acres	NE $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 2	17.8 Acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 3	20.0 Acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 2	1.0 Acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
Lot 3	3.2 Acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$

Permitted amount of water: 0.61 cfs  
Domestic 0.01 cfs  
Irrigation 0.6 cfs

System capacity:

Given Data:

Operating pressure = 50 psi

Pump 20 HP (with assumed efficiency factor of 75% = 6.61)

Suction lift = 10'

Discharge lift = 10'

Assume 50 psi x head factor @ 2.31 friction loss factor @ 1.1 = 127.0' of head

$$Q\text{-pump } \frac{(6.61)(20 \text{ HP})}{10' + 10' + 127'} = \frac{132.2}{147' \text{ of head}} = 0.9 \text{ cfs}$$

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APR 11 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

T 8490

Attachment 3

**RECEIVED**

Permittee:	Melvin E. Zumwalt	MAR 31 2000
Permit/Certificate #	29316/33710	
Priority Date	February 10, 1964	WATER RESOURCES DEPT.
Authorized use	Irrigation for 25.6 acres	SALEM, OREGON
P.O.D. location	2920 feet South & 710 feet East; 2230 feet South & 2080 feet East From the NW corner of Sec. 23, SE $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 23, T28S, R12W.	

Authorized place of use:  
T28S, R12W, S23

Lot 3	16.4 Acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$
Lot 4	9.0 Acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$
	0.2 Acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$

Permitted amount of water: 0.32 cfs

System capacity:

Given Data:

Operating pressure = 50 psi

Pump 20 HP (with assumed efficiency factor of 75% = 6.61)

Suction lift = 10'

Discharge lift = 10'

Assume 50 psi x head factor @ 2.31 friction loss factor @ 1.1 = 127.0' of head

$$Q\text{-pump} \frac{(6.61)(20 \text{ HP})}{10' + 10' + 127'} = \frac{132.2}{147' \text{ of head}} = 0.9 \text{ cfs}$$

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WATER RESOURCES DEPT.  
SALEM, OREGON

T 8490

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Attachment 4

MAR 31 2000

Permittee:	Melvin E. Zumwalt
Permit/Certificate #	24662/30146
Priority Date	January 23, 1957
Authorized use	Livestock & Irrigation for 27.4 acres
P.O.D. location	370 feet South & 670 feet East From the W $\frac{1}{4}$ corner of Sec. 23, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 23, T28S, R12W.

WATER RESOURCES DEPT.  
SALEM, OREGON

Authorized place of use:  
T28S, R12W, S23

Lot 4	20.4 Acres	SW $\frac{1}{4}$	NW $\frac{1}{4}$
Lot 4	7.0 Acres	NW $\frac{1}{4}$	SW $\frac{1}{4}$

Permitted amount of water:	0.29 cfs
Livestock	0.01 cfs
Irrigation	0.28 cfs

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APR 11 2000

System capacity:

Given Data:

Operating pressure = 50 psi

Pump 20 HP (with assumed efficiency factor of 75% = 6.61)

Suction lift = 10'

Discharge lift = 10'

Assume 50 psi x head factor @ 2.31 friction loss factor @ 1.1 = 127.0' of head

WATER RESOURCES DEPT  
SALEM, OREGON

$$Q\text{-pump } \frac{(6.61)(20 \text{ HP})}{10' + 10' + 127'} = \frac{132.2}{147' \text{ of head}} = 0.9 \text{ cfs}$$

HAROLD BETTENCOURT

P.O. BOX 1585

COOS BAY OR 97420

541-267-5630

POD

04/11/2000

of hearing

of order

for application of water

mailed

received

date issued

DESCRIPTION OF WATER RIGHT

Name of stream *Al. Ek. Coquille River*

Trib. of *Coquille River* County of *Coos*

Use *Irriqation/Domestic/Livestock*

Quantity of water

Name of ditch

Date of priority *2-14-1964/2-3-1964/2-10-1964/1-23-1957*

In name of *Donald K Laird/Norland Granu/Melvin E Zumwalt*

Adjudication, Vol.

App. No. *39511* Per. No. *28372* Cert. No. *33701*

Certificate cancelled *39511* *33860* *39483* *48316* *33525* *31319* *24662* *33710* *30146*

Notations made on record by *WPD*

REMARKS

*D/Thomas M. Hoshall CORE # 441*

*1-18-2000*

FEES PAID

Date	Amount	Receipt No.
<i>4/11/00</i>	<i>700.00</i>	<i>36871</i>
TOTAL . . .		
Cert. Fee		

REFUNDED

Amount	Check No.
<i>To: SUR</i>	
<i>ODFW 1</i>	
<i>WRD 19</i>	

T-8490



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.

**RECEIVED**

MAR 31 2000

## APPLICATION FOR:

WATER RESOURCES DEPT.  
SALEM, OREGON

Please check one

Water Right Transfer       Temporary Transfer       Permit Amendment

Historic Point of Diversion Change       Government Action Point of Diversion

## 1. APPLICANT INFORMATION

Name: HAROLD BETTENCOURT  
First Last

Address: P.O. Box 1585  
Coos Bay OR 97420  
City State Zip

Phone: (541) 267-5630  
Home Work Other

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

\*Optional information

## 2. TYPE OF CHANGE

Use       Place of Use       Point of Diversion       Point of Appropriation

Reason for change: Consolidate Points of Diversion and reduce riparian disturbance.

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

If yes, include district name: \_\_\_\_\_

**RECEIVED**

APR 11 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

For Department Use

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

T-8490

4. PROPOSED CHANGES TO THE WATER RIGHT

Change in Use:

Proposed use: N/A

RECEIVED

Change in Point of Diversion or Point of Appropriation:

MAR 31 2000

Change

Additional

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Both old and new points of diversion or points of appropriation will be used for this portion of the water right. WATER RESOURCES DEPT SALEM, OREGON

Location of Proposed Point of Diversion or Point of Appropriation

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
590' South, 1774' West	NW 1/4 NE 1/4	22	28S	12W
from the NE corner of Section 22				

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)
N/A						

Remarks: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

RECEIVED

APR 11 2000

WATER RESOURCES DEPT SALEM, OREGON

T-8490

RECEIVED

MAR 31 2000

WATER RESOURCES DEPT  
SALEM, OREGON

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):  
Coos County

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.

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.

Fees:

- Amount enclosed \$ \_\_\_\_\_
- See instruction book for fee schedule.

Deed:

- Must accompany all applications, except permit amendment requests.

7. SIGNATURE

I (we) swear that I (we) have read the above application and the statements made are true and accurate.

[Signature]      H.R. Bettencourt      03/30/00  
 applicant signature      name (print)      date

---

applicant signature      name (print)      date

**Before you submit your application be sure you have:**

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included the necessary exhibits.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

RECEIVED

APR 11 2000

WATER RESOURCES DEPT  
SALEM, OREGON

T-8490

Attachment 1

**RECEIVED**

MAR 31 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

Permittee: Donald K. Laird  
 Permit/Certificate #: 29322/33701  
 Priority Date: February 14, 1964  
 Authorized use: Irrigation for 59.8 acres  
 P.O.D. location: 2620 feet South & 1220 feet West  
 From the NE corner of Sec. 22,  
 SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 22, T28S, R12W.

Authorized place of use:  
 T28S, R12W, S22

Lot 1	8.0 Acres	NE $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 3	10.6 Acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 4	39.4 Acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 4	1.8 Acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$

Permitted amount of water 0.75 cfs

System capacity:

Given Data:

Operating pressure = 50 psi

Pump 20 HP (with assumed efficiency factor of 75% = 6.61)

Suction lift = 10'

Discharge lift = 10'

Assume 50 psi x head factor @ 2.31 friction loss factor @ 1.1 = 127.0' of head

$$\text{Q-pump } \frac{(6.61)(20 \text{ HP})}{10' + 10' + 127'} = \frac{132.2}{147' \text{ of head}} = 0.9 \text{ cfs}$$

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WATER RESOURCES DEPT.  
SALEM, OREGON



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Attachment2

Permittee:  
Permit/Certificate #  
Priority Date  
Authorized use  
P.O.D. location

Norland Gant  
29302/35525

WATER RESOURCES DEPT.  
SALEM, OREGON

February 3, 1964

Domestic (2) & Irrigation for 48.0 acres  
1950feet South & 2720 feet West;  
190 feet South & 1120 feet West  
From the NE corner of Sec. 22,  
SE $\frac{1}{4}$  NW $\frac{1}{4}$  & NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 22, T28S,  
R12W.

Authorized place of use:  
T28S,R12W, S22

Lot 1	6.0 Acres	NE $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 2	17.8 Acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 3	20.0 Acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
Lot 2	1.0 Acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
Lot 3	3.2 Acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$

Permitted amount of water: 0.61 cfs  
Domestic 0.01 cfs  
Irrigation 0.6 cfs

System capacity:

Given Data:

Operating pressure = 50 psi

Pump 20 HP (with assumed efficiency factor of 75% = 6.61)

Suction lift = 10'

Discharge lift = 10'

Assume 50 psi x head factor @ 2.31 friction loss factor @ 1.1 = 127.0' of head

$$Q\text{-pump } \frac{(6.61)(20 \text{ HP})}{10' + 10' + 127'} = \frac{132.2}{147' \text{ of head}} = 0.9 \text{ cfs}$$

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SALEM, OREGON

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Attachment 3

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Permittee:	Melvin E. Zumwalt	MAR 31 2000
Permit/Certificate #	29316/33710	
Priority Date	February 10, 1964	WATER RESOURCES DEPT.
Authorized use	Irrigation for 25.6 acres	SALEM, OREGON
P.O.D. location	2920 feet South & 710 feet East; 2230 feet South & 2080 feet East From the NW corner of Sec. 23, SE $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 23, T28S, R12W.	

Authorized place of use:  
T28S, R12W, S23

Lot 3	16.4 Acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$
Lot 4	9.0 Acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$
	0.2 Acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$

Permitted amount of water: 0.32 cfs

System capacity:

Given Data:

Operating pressure = 50 psi

Pump 20 HP (with assumed efficiency factor of 75% = 6.61)

Suction lift = 10'

Discharge lift = 10'

Assume 50 psi x head factor @ 2.31 friction loss factor @ 1.1 = 127.0' of head

$$Q\text{-pump } \frac{(6.61)(20 \text{ HP})}{10' + 10' + 127'} = \frac{132.2}{147' \text{ of head}} = 0.9 \text{ cfs}$$

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WATER RESOURCES DEPT.  
SALEM, OREGON

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Attachment 4

MAR 31 2000

Permittee:  
Permit/Certificate #  
Priority Date  
Authorized use  
P.O.D. location

Melvin E. Zumwalt  
24662/30146  
January 23, 1957  
Livestock & Irrigation for 27.4 acres  
370 feet South & 670 feet East  
From the W $\frac{1}{4}$  corner of Sec. 23,  
NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 23, T28S, R12W.

WATER RESOURCES DEPT.  
SALEM, OREGON

Authorized place of use:  
T28S, R12W, S23

Lot 4      20.4 Acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
Lot 4      7.0 Acres NW $\frac{1}{4}$  SW $\frac{1}{4}$

Permitted amount of water: 0.29 cfs  
Livestock                      0.01 cfs  
Irrigation                      0.28 cfs

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System capacity:

Given Data:

Operating pressure = 50 psi

Pump 20 HP (with assumed efficiency factor of 75% = 6.61)

Suction lift                = 10'

Discharge lift             = 10'

Assume 50 psi x head factor @ 2.31 friction loss factor @ 1.1 = 127.0' of head

WATER RESOURCES DE  
SALEM, OREGON

$$Q\text{-pump } \frac{(6.61)(20 \text{ HP})}{10' + 10' + 127'} = \frac{132.2}{147' \text{ of head}} = 0.9 \text{ cfs}$$

**WATER RIGHTS TRANSFER MAP**  
 Located in portions of Government lots  
 2 NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 3 SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 4 SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 7 SE $\frac{1}{4}$  NW $\frac{1}{4}$   
 & 8 NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 22. Also in portions of  
 Lots 3 SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 4 SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 4 NW $\frac{1}{4}$  SW $\frac{1}{4}$  & NW $\frac{1}{4}$  NW $\frac{1}{4}$   
 Section 23, Township 28 South, Range 12 West, W.M.  
 Certificates 35525, 33701, 30146 & 33710  
 Coos County, Oregon

PREPARED FOR: HAROLD BETTENCOURT  
 PREPARED BY: DENNIS GOUDE  
 PREPARED: JANUARY 20, 2000

RECORD: CERTIFICATE 35525  
 P.O.D. IS 190 FEET SOUTH AND  
 1120 FEET WEST FROM THE NE  
 CORNER OF SECTION 22.

SCALE 1" = 400 FEET

RECORD: CERTIFICATE 35525  
 P.O.D. IS 1950 FEET SOUTH AND  
 2720 FEET WEST FROM THE NE  
 CORNER OF SECTION 22.



PROPOSED NEW POINT OF DIVERSION  
 FOR TRANSFERRED P.O.D.'S WILL BE  
 LOCATED 595 FEET SOUTH AND  
 1774 FEET WEST OF THE NE  
 CORNER OF SECTION 22.

RECORD: CERTIFICATE 33701  
 P.O.D. IS 2620 FEET SOUTH AND  
 1220 FEET WEST FROM THE NE  
 CORNER OF SECTION 22.

RECORD: CERTIFICATE 33710  
 P.O.D. IS 710 FEET EAST AND  
 2920 FEET SOUTH FROM THE NW  
 CORNER OF SECTION 23.

RECORD: CERTIFICATE 30146  
 P.O.D. IS 370 FEET SOUTH AND  
 670 FEET EAST FROM THE W $\frac{1}{4}$   
 CORNER OF SECTION 23.

RECORD: CERTIFICATE 33710  
 P.O.D. IS 2080 FEET EAST AND  
 2230 FEET SOUTH FROM THE NW  
 CORNER OF SECTION 23.

NOTE:  
 COMBINING THE POINTS OF DIVERSION FROM  
 CERTIFICATES 33701, 35525, 33710 & 30146  
 WILL REDUCE RIPARIAN DISTURBANCE.

**LEGEND**

P.O.B.

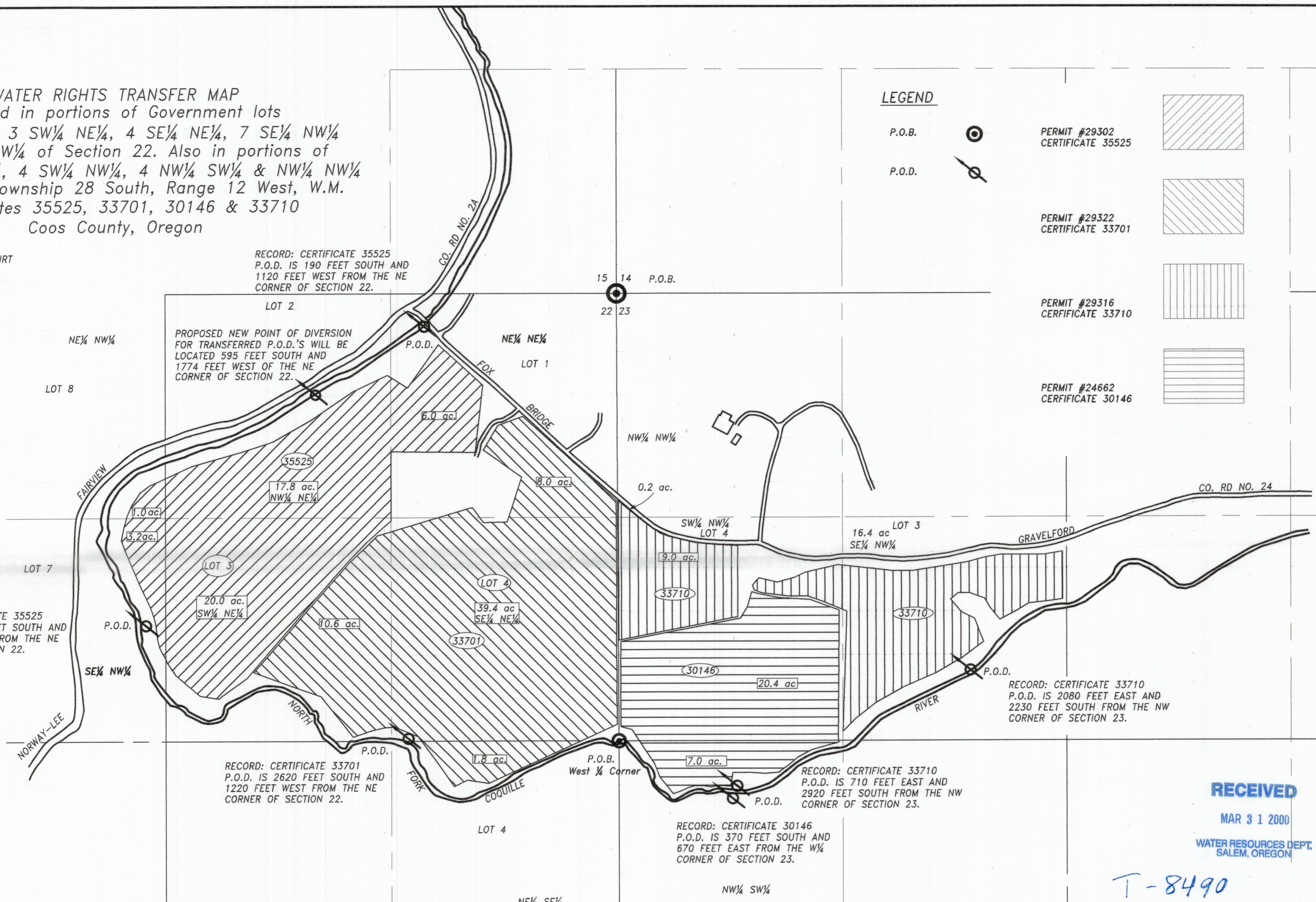
P.O.D.

PERMIT #29302  
 CERTIFICATE 35525

PERMIT #29322  
 CERTIFICATE 33701

PERMIT #29316  
 CERTIFICATE 33710

PERMIT #24662  
 CERTIFICATE 30146



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 SALEM, OREGON

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**Stuntzner Engineering  
 & Forestry, L.L.C.**

ENGINEERING \* LAND SURVEYING \* FORESTRY  
 PLANNING \* WATER RIGHTS

705 South 4th St. Phone: (541) 267-2872  
 Post Office Box 118 Coos Bay, Oregon 97420 Fax: (541) 267-0588

Drawn By: DENNIS GOUDE Date: JANUARY 20, 2000

Checked By: TOM HOSHALL Drawing No.: 99-245

Designed By: Revised:

Job Name: HAROLD BETTENCOURT Sheet 1 of 1

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 SALEM, OREGON

**WATER RIGHTS TRANSFER MAP**  
 Located in portions of Government lots  
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 Section 23, Township 28 South, Range 12 West, W.M.  
 Certificates 35525, 33701, 30146 & 33710  
 Coos County, Oregon

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 PREPARED BY: DENNIS GOUDE  
 PREPARED: JANUARY 20, 2000

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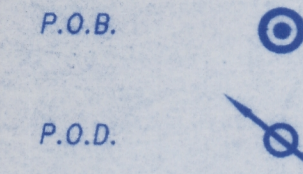
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 P.O.D. IS 2080 FEET EAST AND  
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**LEGEND**



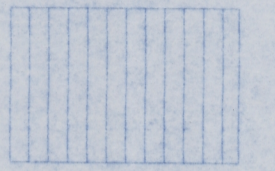
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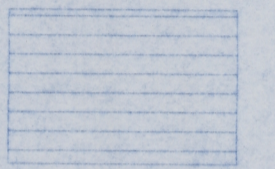
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 CERTIFICATE 33701



PERMIT #29316  
 CERTIFICATE 33710



PERMIT #24662  
 CERTIFICATE 30146



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Drawn By: DENNIS GOUDE Date: JANUARY 20, 2000

Checked By: TOM HOSHALL Drawing No.: 99-245

Designed By: Revised:

Job Name: HAROLD BETTENCOURT Sheet 1 of 1

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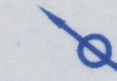
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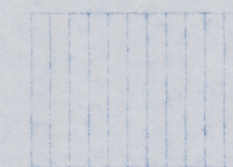
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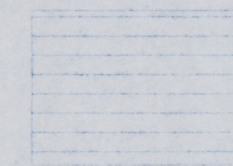
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P.O.B.  
 West  $\frac{1}{4}$  Corner

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Drawn By: DENNIS GOUDE	Date: JANUARY 20, 2000
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Job Name: HAROLD BETTENCOURT	Sheet 1 of 1

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