

2541 Frederick P. Patterson
P.O. Box 282
Silverton, Ore. 97381

2541

STATUS OF APPLICATION

Change in Place of Use
Date filed July 19, 1971
Date of hearing _____
Place of hearing _____
Date of order May 22, 1972 Vol. 22, page 43
Date for application of water 10-1-73
Proof mailed FEB 22 1979 JUL 13 1979
Proof received _____
Certificate issued SEP 13 1979 Vol. 42, page 48548
8-13-79 JS 48568

DESCRIPTION OF WATER RIGHT

Name of stream Res. & Davis Creek
Trib. of - County of Marion
Use Irrigation & Supplemental Irr.
Quantity of water _____ No. of acres 14.9
Name of ditch -
Date of priority 11-9-65 & 10-31-67
In name of Frederick P. Patterson
_____ Adjudication, Vol. _____, page _____
App. No. 41330 Per. No. 30731 Cert. No. 36238
44216 33028 36239
Certificate cancelled _____
Notation made on record by sh

FEES PAID

Date	Amount	Receipt No.
<u>7-19-71</u>	<u>22.00</u>	<u>24797</u>
TOTAL . . .		
<u>7-26-79</u>	<u>4.00</u> Cert. Fee	<u>13064</u>

FEES REFUNDED

Date	Amount	Check No.

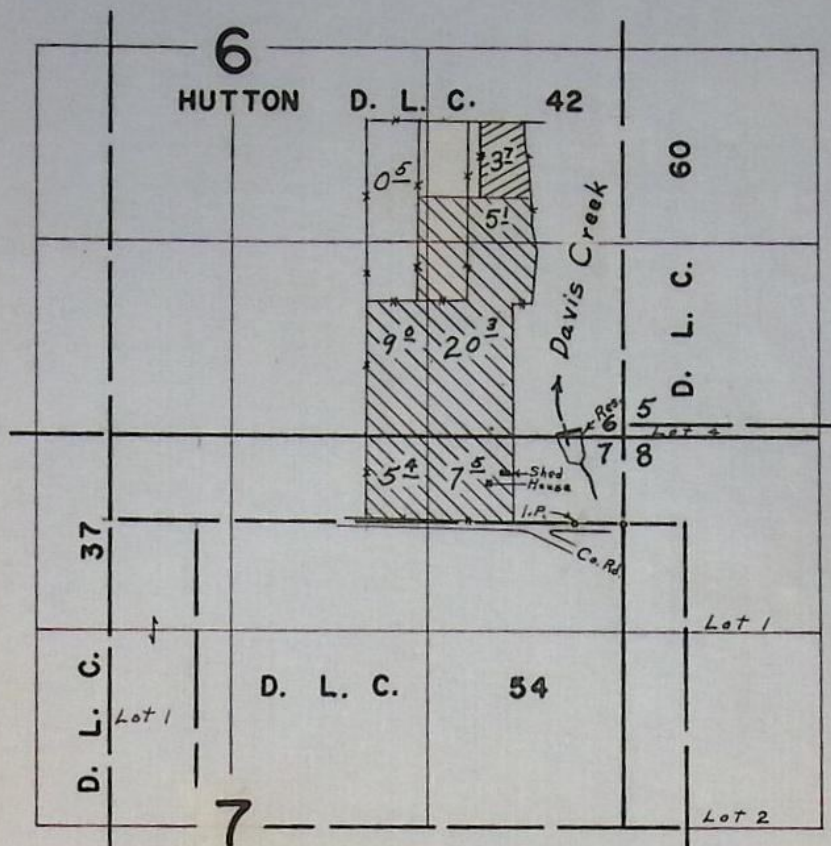
REMARKS

SEE FILES 39770, 41330, R 41591

Form 130 sent MAY 2 1979

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
☒	Name		<u>sh</u>	
☒	Stream		<u>sh</u>	
☒	Pt. of Div.			
☒	Calendar		<u>sh</u>	
CHECKED TO RECORDS:				
☒	Twp & Rge.		<u>sh</u>	
☐	Decree-vault			
☐	Decree-safe			
☒	Cert. of W/R		<u>sh</u>	
☒	Per. Folder		<u>sh</u>	
☐	Chainindex			
☐	Cross Ref.			
☐	Power Claim			
☐	Abstracts			

T. 7 S. R. 1 E. W. M.



Div. Pt. located 620' N. & 390' W. from S.E. Cor. Hutton D.L.C. 42

FINAL PROOF SURVEY UNDER

TR. 2541

41330

R-41591

30731

R-4635

Application No. 44216 Permit No. 33028

IN NAME OF

FREDERICK P. PATTERSON

Surveyed July 5, 1968, by L. E. Gould

JUNE 2, 1975 R.G. Mucken

STATE OF OREGON

COUNTY OF

MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That J. L. MCCARTNEY

of 3830 Silver Falls Dr. N.E., Silverton, State of Oregon, 97381, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Reservoir constructed under permit No. R-4635

a tributary of Abiqua Creek
irrigation of 36.6 acres

for the purpose of

under Permit No. 30731 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 November 9, 1965

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 3.0 acre feet stored water only

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Hutton DLC 42, Section 6, T. 7 S., R. 1 E., W. M., 620 feet North and 390 feet West from SE Corner, Hutton DLC 42.

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-----of one-acre-foot-per-second ~~per acre~~, a diversion of 2 $\frac{1}{2}$ acre feet for each acre irrigated during the irrigation season of each year and shall be further limited to a total diversion of not to exceed 3 acre feet per 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:

8.8 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
20.3 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 6
7.5 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 7

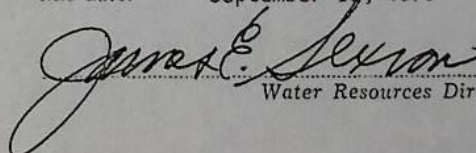
All as projected within Hutton DLC 42
T. 7 S., R. 1 E., W. M.

This certificate is issued to confirm a change in place of use approved by an order of the Water Resources Director entered May 22, 1972 as well as to describe that portion of the water right confirmed by the prior certificate recorded at page 36238, Volume 28, State Record of Water Right Certificates, NOT modified by the provisions of the same order. The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. September 13, 1979


Water Resources Director

RECEIVED

JUL 27 1979

Permit No. 33028 WATER RESOURCES DEPT

SALEM, OREGON

County Marion

Transfer No. 2541

PROOF OF APPROPRIATION OF WATER

1. Name J.L. & Rosemary McCartney 2. Address P.O. Box 534, Silverton, OR 97381
3. Source of Supply Davis Creek
Tributary of Silver Creek
4. Amount of water 0.05 c.f.s. 5. Priority date October 31, 1967
6. Use supplemental irrigation of 3.7 acres
7. Location of point of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Hutton DLC 42, Section 6,
T. 7 S., R. 1 E., W. M., 620 feet North and 390 feet West from the SE Corner,
Hutton DLC 42

8. The description of land given below and as shown on the attached map corresponds to that found to be irrigated:

3.7 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
As projected within Hutton DLC 42
Section 6
T. 7 S., R. 1 E., W. M.

This certificate will be issued to confirm the change in place of use approved by an order of the Water Resources Director entered May 22, 1972 as well as to describe that portion of the water right confirmed by the prior certificate recorded at page 36239, Volume 28, State Record of Water Right Certificates, NOT modified by the provisions of the same order.

We have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change of place of use approved by an order of the Water Resources Director entered May 22, 1972; we know the contents thereof and the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of July
19 79.

Legal Owner of the above described lands

J.L. McCartney - Rosemary McCartney

RECEIVED

JUL 27 1979

Permit No. 30731 WATER RESOURCES DEPT

SALEM, OREGON

County Marion

Transfer No. 2541

PROOF OF APPROPRIATION OF WATER

1. Name J.L. & Rosemary McCartney 2. Address P.O. Box 534, Silverton, OR 97381
3. Source of Supply Reservoir constructed under Permit No. R-4635
Tributary of Abiqua Creek
4. Amount of water stored water only 5. Priority date November 9, 1965
6. Use irrigation of 3.7 acres
7. Location of point of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within Hutton DLC 42, Section 6,
T. 7 S., R. 1 E., W. M., 620 feet North and 390 feet West from the SE Corner,
Hutton DLC 42

8. The description of land given below and as shown on the attached map corresponds to that found to be irrigated:

3.7 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
As projected within Hutton DLC 42
Section 6
T. 7 S., R. 1 E., W. M.

This certificate will be issued to confirm the change in place of use approved by an order of the Water Resources Director entered May 22, 1972 as well as to describe that portion of the water right confirmed by the prior certificate recorded at page 36238, Volume 28, State Record of Water Right Certificates, NOT modified by the provisions of the same order.

We have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change of place of use approved by an order of the Water Resources Director entered May 22, 1972; We know the contents thereof and the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of July
19 79.

Legal Owner of the above described lands

J.L. McCartney - Rosemary McCartney

RECEIVED
JUL 19 1971
STATE ENGINEER
SALEM, OREGON

RECEIVED
JAN 11 1972
STATE ENGINEER
SALEM, OREGON

RECEIVED
MAY 16 1972
STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Frederick P. Patterson

(Name of applicant)

of Rt. 1, Box 282, Silverton

(Postoffice)

County of Marion

State of Oregon

do hereby make application for change in place of use

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Reservoir constructed under Permit #4635 and supplemental from Davis Creek

(Name of stream)

2. The use to which the water is applied is Irrigation from Reservoir and supplemental irrigation from Davis Creek

(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is _____

4. The point of diversion is located 20 ft. N and 390 ft. W from the S.E.

(N. or S.)

(E. or W.)

corner of Hutton D.L.C. #42

(Section or subdivision)

being within the S.E. 1/4 of S.E. 1/4

of Section 6 Tp. 7S. R. 1E. W. M., in the County of Marion

(No. N. or S.)

(No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
Cert. #36238	7S.	1E.	6													0.5	9.0	
		7		5-														
Cert. #36239	7S.	1E.	6													0.5	9.0	
		7		5-														

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary) (as proj. within Hutton D.L.C. #42)

6. Are you the legal owner of the above described lands? yes

(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? yes

8. What is the date of priority of your water right? Cert. #26238 Nov. 9, 1965 & Cert. #36239 Oct. 31, 1967.

9. Was your water right acquired by State Engineer's Permit? yes If so, give number

(Yes or No)

of permit #30731 & 33028.

Vol. 28
10. Do you hold a water right certificate? yes If so, give number of certificate 36238 & 36239
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

No

no

(Yes or No)

If so, give title of proceedings

12. Is the water right recorded in your name? yes
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
ert. #36238	7S.	1E.	6													X		X
			X															
ert. #36239	7S.	1E.	6													X		X
			X															

as proj. w/n Hutton DLC 42

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of being within the of Section Tp. R. W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of The name of the ditch to be used is

15. Are you the owner of the land on which the proposed point of diversion is to be located?

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

17. Are there any diversions between your present point of diversion and the proposed point of diversion?

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? yes
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Mortgage	Federal Land Bank	\$10,000.00

20. Reasons for the proposed changes are Irrigation is more needed in the new location as the property from which irrigation is to be transferred will be leased for crops which do not require irrigation.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Marion

ss.

I, Frederick P. Patterson, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 9th day of July, 1971.

Frederick P. Patterson
(Name of applicant)

Subscribed and sworn to before me this 9th day of July, 1971.

[Notarial Seal]

Francis Nelson Bush
NOTARY PUBLIC FOR OREGON

My commission expires 12-26-74

Remarks

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

CHANGE IN PLACE OF USE

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR

Transfer No. 2541

County Marion

1. Name Frederick P. Patterson Address Route 1, Box 282, Silverton
2. Source of Supply Reservoir & Davis Creek, Trib. of _____
3. Amount of Water 0.05 ~~0.60~~ cfs Priority Date 11/9/65 and 10/31/67
4. Use irrigation ³¹
5. Proposed Point of Diversion _____

6. Place of Use DATE FOR APPLICATION OF WATER: 10/1/73

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
7 S	1 E	6	NE $\frac{1}{4}$ SE $\frac{1}{4}$		5.1 ³² acres
7 S	1 E	6	SE$\frac{1}{4}$ SE$\frac{1}{4}$		9.8 acres

No "C" SUBM.

R41577 36237

NEW OWNER J. L. MCCARTNEY
Rt. / Box 282

LAND IN QUESTION DOES NOT APPEAR IRRIGATED
IN FACT NOTHING APPEARS IRRIGATE. HAS ABOUT
2000' SPRINKLER LATERAL NAILED TO FENCE POST
TO MAKE FENCE FOR CORRAL. ABOUT 1000'
OF PIPE LAYING ON GROUND NO HEADS ON ANY
PIPE.

LMY
9-4-74

INFO: J. L. MCCARTNEY
P.O. Box 534
SILVERTON, ORE.
97381

McCartney has been on the place since 1971.

He owns the E. portion of this transfer. The E. 9⁸ acres
is in steep, wooded hillside & will not be irrigated.

The E. $\frac{1}{2}$ of the 5¹ acres was in strawberries when McCartney
bought the place & ~~was~~ was last in in 1971.

McCartney has this in oats & is going to ir. them any day
now.

Earl Coffy owns the W. portion of the 5¹ acres & he has no
access to the creek.

McCartney is short on pipe on the place, but he & his brother
in Estacada own over 4000' of pipe jointly he says. He is going
to get more on the place shortly to reach all of it. I believe his
story.

DIV. PT - pump from Res.

PUMP - JACUZZI QD. CENTR 1 $\frac{1}{2}$ " X 2"

MOTOR - UNICLOSED 15 HP @ 3000 R.P.M.

HEADS - 22 BUCKNER 860'S $\frac{1}{64}$ X0 ALL MAX.

PIPE - 920' - 4" ALUM } HAS MORE IN
1000' - 3" ALUM } ESTACADA

USE - IRR. of OATS

LIFT - +60'

TIE - TIED TO L.E. GOULD SURVEY ON 1968 - T

6-2-75

F.E.

R.G. Maken

64114-000 PATTERSON, FREDERICK P. + ALMA I
< McCARTNEY, J. L. + ROSEMARY
3830 SILVER FALLS DR, NE
SILVERTON, OR 97383

RECEIVED
OCT 26 1978
WATER RESOURCES DEPT.
SALEM, OREGON

64117-000 DECKER, ROGER & ROSALIE
< DIETRICH, JAMES E + JOHN K.
3904 SILVER FALLS DR NE
SILVERTON OR 97381

64119-000 VERLEY, H. L. REX & RITARO
3061 WHITCOMB WAY
CASTER WY 82601

64120-000 COFFEY, HELEN CT
3860 SILVER FALLS DR NE
SILVERTON, OR 97381

64121-000 PATTERSON, FREDERICK P + ALMA I
< COFFEY, HELEN C.T.
3860 SILVER FALLS DR NE
SILVERTON, OR 97381

41591
41330
44216

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION)
OF FREDERICK P. PATTERSON FOR THE)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM RESERVOIR AND)
DAVIS CREEK)

ORDER APPROVING
TRANSFER NO. 2541

On July 19, 1971, Frederick P. Patterson filed an application in the office of the State Engineer for the approval of a change in place of use of water from Reservoir and Davis Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Frederick P. Patterson and recorded at page 36238, Volume 28, State Record of Water Right Certificates, confirms a right to the use of 3.0 acre feet stored water from reservoir constructed under permit R-4635 for the irrigation of among other lands 0.5 acre in NW¼ SE¼, 9.0 acres in SW¼ SE¼, Section 6, 5.4 acres in NW¼ NE¼, Section 7, Township 7 South, Range 1 East, W.M., with a date of priority of November 9, 1965.

Certificate of water right issued to Frederick P. Patterson, recorded at page 36239, Volume 28, State Record of Water Right Certificates confirms a right to the use of 0.60 c.f.s. of waters of Davis Creek for, among other lands, supplemental irrigation of the above listed lands, with a date of priority of October 31, 1967.

The applicant herein, owner of the lands above described, proposes to transfer the water rights therefrom, without loss of priority, to 5.1 acres in NE¼ SE¼, and 9.8 acres in SE¼ SE¼, Section 6, Township 7 South, Range 1 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

Mr. Mike Ricks, Watermaster of District 16, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 0.5 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 9.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, and 5.4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, Township 7 South, Range 1 East, W.M., for primary irrigation with a date of priority of November 9, 1965, and for supplemental irrigation, with a priority date of October 31, 1967, be severed therefrom and simultaneously and without loss of priority transferred to 5.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, and 9.8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, Township 7 South, Range 1 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1973.

It is FURTHER ORDERED that the certificates of water right heretofore issued to Frederick P. Patterson and recorded at pages 36238 and 36239, Volume 28, State Record of Water Right Certificates are canceled and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use, certificate of water right shall be issued to Frederick P. Patterson confirming the extent of water being used beneficially and covering the balance of the rights not involved in this proceeding.

Dated at Salem, Oregon, this 22nd day of May, 1972.

/s/ CHRIS L. WHEELER
State Engineer

RECEIVED
JUL 19 1971

STATE ENGINEER
SALEM, OREGON

RECEIVED
JAN 11 1972

STATE ENGINEER
SALEM, OREGON

RECEIVED
MAY 16 1972

STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Frederick P. Patterson

(Name of applicant)

of Rt. 1, Box 282, Silverton

(Postoffice)

County of Marion

State of Oregon

, do hereby make application for change in place of use

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Reservoir constructed under Permit #4635 and supplemental from Davis Creek

(Name of stream)

2. The use to which the water is applied is Irrigation from Reservoir and supplemental irrigation from Davis Creek

(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is _____

4. The point of diversion is located 20 ft. N and 390 ft. W from the S.E.

(N. or S.)

(E. or W.)

corner of Hutton D.L.C. #42

(Section or subdivision)

being within the S.E. 1/4 of S.E. 1/4

of Section 6 Tp. 7S. R. 1 E. W. M., in the County of Marion

(No. N. or S.)

(No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
Cert. #36238	7S.	1E.	6													0.5	9.0	
			7	4.5														
Cert. #36239	7S.	1E.	6													0.5	9.0	
			7	4.5														

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

5.4 priv. suppl.

(Attach separate sheet if necessary) (as proj. within Hutton D.L.C. #42)

6. Are you the legal owner of the above described lands? _____

yes

(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? yes

8. What is the date of priority of your water right? Cert. #26238 Nov. 9, 1965 & Cert. #36239 Oct. 31, 1967

9. Was your water right acquired by State Engineer's Permit? yes If so, give number

(Yes or No)

of permit #30731 & 33028

10. Do you hold a water right certificate? yes If so, give number of certificate 36238 & 36239
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?
no
no If so, give title of proceedings
(Yes or No)

12. Is the water right recorded in your name? yes
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
rt. 36238	7S.	1E.	6													X		X
			X												5'	5'		9'
rt. 36239	7S.	1E.	6													X		X
			X															

as proj. w/n Hutton DLC 42

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of being within the of Section Tp. R. W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of The name of the ditch to be used is

15. Are you the owner of the land on which the proposed point of diversion is to be located?

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

17. Are there any diversions between your present point of diversion and the proposed point of diversion?

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? yes
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Mortgage	Federal Land Bank	\$10,000.00

20. Reasons for the proposed changes are Irrigation is more needed in the new
location as the property from which irrigation is to be transferred will be leased
for crops which do not require irrigation.