



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Application for Permit Amendment or Ground Water Registration Modification

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF APPLICATION

Please check **one** of the following:

☒ Permit Amendment ☐ Ground Water Registration Modification

2. APPLICANT INFORMATION

Name: Russell and Kristine Fowler

First

Last

Address: 94200 Highway 101 South

Yachats

OR

97498

City

State

Zip

Phone: (541) 547-4458

Home

Work

Other

Fax: _____ E-Mail address: _____

RECEIVED

MAY 14 2008

**WATER RESOURCES DEPT
SALEM OREGON**

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this application.)

Name: Steven L. Shropshire

First

Last

Address: Jordan Schrader Ramis PC, PO Box 230669

Portland

OR

97281

City

State

Zip

Phone: (503) 598-7070

Home

Work

Other

Fax: (503) 598-7373 E-Mail address: steve.shropshire@jordanschrader.com

▪ If an agent is listed above, please check **one** of the following:

- ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; **or**
☒ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

Permit Amendments

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE: Concurrent changes to a water right must be filed separately on a transfer application.**)

Ground Water Registration Modifications

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE: Concurrent changes to a water right must be filed separately on a transfer application.**)

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

Please check **all** of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
☒ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the amendment or modification.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.) <u>Not Available for Ground Water Registrations</u> ☐ Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will <u>not</u> be used.)	☐ <u>All</u> of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at the current authorized location will be discontinued.) ☐ <u>Only a portion</u> of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<u>Not Available for Permit Amendments</u> Change existing authorized use to the following proposed <u>new</u> use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Domestic (indicate number of households): _____ ☐ Other _____

- Reason(s) for amendment/modification(s): The requested Permit Amendment is to designate two new points of diversion for domestic use expanded for two households under Permit No. S-53959.

5. CURRENT PERMIT OR REGISTRATION INFORMATION

Permit or Registration to be Amended/Modified (*check and complete one of the following*):

☒	Permit to be Amended:	<u>S-53959</u> Permit Number	<u>October 1, 2011</u> Current Completion Date of Permit
☐	Ground Water Registration to be Modified:	 Ground Water Registration Number	<i>NOTE: Concurrent changes to a water right must be filed separately on a transfer application.</i>

- Name on Permit or Registration: Russell Fowler and Kristine Fowler
- County: Lane
- Authorized Use(s) to be affected by this Amendment/Modification: Domestic Use Expanded for Two Households

- Priority Date(s): November 21, 2002

*If there are **multiple Priority Dates** identified on the Permit or Registration, any information provided on **pages 4 through 7** must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- All Source(s) of Water to be affected by this Amendment/Modification: Nancy Creek

Tributary to: The Pacific Ocean

*If there are **multiple Sources** listed on the Permit or Registration, any information provided on **pages 4 through 7** must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For an application proposing a Change in Place of Use or Character of Use:

- Are there any other **“Layered”** Water Rights, Permits, or Ground Water Registrations issued for **Irrigation** purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified? ☐ Yes ☐ No ☒ N/A -No Change in Use or Place of Use

If **“Yes”**, pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other **“layered”** water uses subject to transfer **must either change concurrently or be cancelled**, except as provided in OAR 690-380-2240(5).

- Remarks: _____

RECEIVED

MAY 14 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

- The following information **must be provided** only for those points of diversion or appropriation that **are involved in the permit amendment or ground water registration modification** (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
N/A	Nancy Creek November 21, 2002	16S	12W	W	10	SW NE		600' S and 150' E from Center N 1/16 Corner, Section 10 – POD A
N/A	Nancy Creek November 21, 2002	16S	12W	W	10	SE NW		580' S and 525' W from Center N 1/16 Corner, Section 10 – POD B

- Does the permit/registration being amended/modified involve a ground water source(s)?
☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

or

- If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

RECEIVED
MAY 14 2008
WATER RESOURCES DEPT
SALEM OREGON

6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation: (i.e., the "TO" point(s) of diversion/appropriation)

(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Nancy Creek	16S	12	W	10	SW NE		1938' S and 534' E from N ¼ Corner, Section 10 – POD A
Nancy Creek	16S	12	W	10	SE NW		1854' S and 356' W from N ¼ Corner, Section 10 – POD B

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☒ N/A - No proposed well(s) listed above.

If "Yes", attach and **clearly label** the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s):

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-_____)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

RECEIVED

MAY 14 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification? ☐ Yes ☒ No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

Lane County

Land Management Division

125 E 8th Ave.

Eugene, OR 97401

8. PERMIT HOLDER OF RECORD

This section is to be completed only for Permit Amendment applications.

☐ N/A – *This is a Ground Water Registration Modification application.*

- Is the applicant the permit holder of record? ☒ Yes ☐ No

If "No", the applicant must either:

A. *Be assigned as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment;*

or

B. *Submit an **Affidavit of Consent** from the permit holder of record that gives permission for the applicant to amend the permit.*

RECEIVED

MAY 14 2008

**WATER RESOURCES DEPT
SALEM OREGON**

9. LAND OWNERSHIP

If for a Permit Amendment proposing a Change in Place of Use:

- Does the permit holder of record own or control the land **TO** which the place of use is being moved? ☐ Yes ☐ No

*If "No", the owner of the land **TO** which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment.*

- Check one of the following:
 - ☐ The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
 - ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

If for a Ground Water Registration Modification:

- Does the applicant own the lands **FROM** which the registration is being moved? ☐ Yes ☐ No

If "No", provide the following information:

Names of Current Landowner(s): _____

First

Last

Address: _____

City

State

Zip

- Does the applicant own the lands **TO** which the registration is being moved? ☐ Yes ☐ No

If "No", provide the following information:

Names of Receiving Landowner(s): _____

First

Last

Address: _____

City

State

Zip

- Check one of the following:

- ☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
- ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

RECEIVED

MAY 14 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

10. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Map:

- ☒ A map meeting the requirements of OAR 690-380-3100 must be included but need **not** be prepared by a Certified Water Right Examiner.

Land Use Information Form:

- ☒ Enclosed; or
- ☐ Not required if **all** of the following are met:
- ❶ In EFU zone or irrigation district;
 - ❷ Change in place of use only;
 - ❸ No structural changes needed, including diversion works, delivery facilities, other structures; **and**
 - ❹ Irrigation only.

Water Well Reports/Well Logs:

- ☐ The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☐ N/A. The application does **not** involve a change in point of appropriation or a change from surface water to ground water, so water well reports are **not** required.

Fees:

- ☒ Amount enclosed: \$ 400.00
See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.

For Permit Amendments Only...

Request for Assignment:

- ☐ Enclosed. The applicant is **NOT** the permit holder of record and needs to be assigned to the permit; **OR** the landowner of the proposed place of use is **NOT** the permit holder of record and needs to be assigned to the permit.
The Request for Assignment form is available online at: www.wrd.state.or.us/OWRD/PUBS/forms.shtml ; or
- ☒ N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; **OR** the applicant is **not** the permit holder of record but **is** supplying an Affidavit of Consent from the permit holder.

Affidavit of Consent:

- ☐ Enclosed. Because the applicant is **NOT** the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; or
- ☒ N/A. Not required because the applicant is the permit holder of record.

RECEIVED

MAY 14 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

8. ATTACHMENTS

Check each of the following attachments included with this application. The application will be returned if all required attachments are not included.

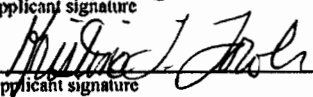
Form A – Evidence of Use Affidavits ☐ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original, not a copy. Form B – Instream Water Right Transfer ☐ Required for instream transfers only. Map ☐ Permanent Water Right Transfer The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy. ☒ Permit Amendment, Temporary Transfer, or Other Application A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner. Evidence of Lien Holder Notification ☐ Copies of the written notification of the proposed transfer provided by the applicant to each lien holder, unless the water right has been quit claimed. Recorded Deed ☐ Required for temporary transfers only.	Land Use Information Form: ☒ Enclosed ☐ Not Required if all of the following are met: 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, and ④ Irrigation only. Water Well Reports/Well Logs: ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached. ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached. ☒ The application is for a surface water transfer and water well reports are not required. Fees: ☒ Amount enclosed: \$ 400.00 See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.
---	---

9. SIGNATURES

I (we) understand that prior to approval of a permanent transfer and after issuance of a draft preliminary determination by the Department, I (we) must submit:

- (1) A report on ownership and lien information prepared by a title company within the last three months if required under OAR 690-380-3000(13), and
- (2) If I (we) are not the landowners, proof that the landowner or entity to which the water right has been quitclaimed consents to the transfer or that ownership information is not required.

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

 applicant signature	<u>RUSSELL P. FOWLER</u> name (print)	<u>APRIL 23, 2008</u> date
 applicant signature	<u>KRISTINE L. FOWLER</u> name (print)	<u>April 23, 2008</u> date

Before submitting your application, be sure you have:

- Answered each question completely.
- Included the required attachments.
- Provided original signatures for all named deed holders or other parties with an interest in the right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

Transfer Application/7

RECEIVED

MAY 14 2008

WATER RESOURCES DEPT
SALEM, OREGON