

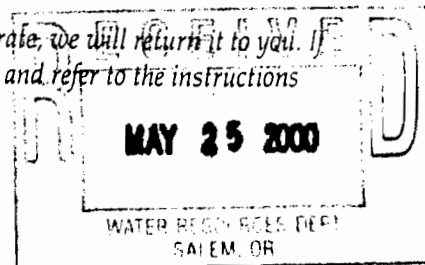


State of Oregon  
Water Resources Department  
158 12th Street NE, Salem, OR 97310  
(503)378-2455 • (800)624-3199  
www.wrd.state.or.us

# Application for Water Right Transfer

T-8528

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.



## APPLICATION FOR:

Please check one

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

## 1. APPLICANT INFORMATION

Name: Oregon Department of Fish and Wildlife  
First Last

Address: P.O. Box 5430  
Charleston Oregon 97420  
City State Zip

Phone: (541) 888-5515  
Home Work Other

\*Fax: (541) 888-6860 \*E-Mail address: Michael.e.gray@state.or.us

*\*Optional information*

## 2. TYPE OF CHANGE

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

Reason for change: Water to be stored in the enlarged Upper Pony Creek Reservoir as described in the attached Memorandum of Understanding

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

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

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

**3. CURRENT WATER RIGHT INFORMATION**

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Name on Permit, Certificate, or Decree: Coos Bay - North Bend Water Board

Decree: \_\_\_\_\_

Not applicable

Permit Number: R - 2252 Certificate Number: \_\_\_\_\_

Not applicable

Not applicable

Priority Date: May 12, 1959 Authorized Use: Municipal

Source of Water: Joe Ney Slough 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 SUPPLEMENTAL SHEET				

**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 SUPPLEMENTAL SHEET						

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.*):

Water currently stored behind earthen reservoir on Joe Ney Slough. Water will be pumped via pipeline to the Upper Pony Creek Reservoir.

System capacity (in cfs): not available at this time

**4. PROPOSED CHANGES TO THE WATER RIGHT**

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**Change in Use:**

Proposed use: \_\_\_\_\_

**Change in Point of Diversion or Point of Appropriation:**

**Change**

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

**Additional**

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

**Location of Proposed Point of Diversion or Point of Appropriation**

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

**Change in Place of Use:**

**Location of Proposed Place of Use**

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
SEE SUPPLEMENTAL SHEET						
NOTE: THIS APPLICATION IS FOR THE TRANSFER OF 835 ACRE FEET OF STORED WATER FROM JOE NEY TO PONY CREEK.						

Remarks: This application is to fullfill the conditions described in the attached Memorandum of Understanding.

NOTE: Permit R - 2252 was issued to store up to 2,500 acre feet of water. Up to 835 acre feet of water will be stored in the Upper Pony Creek Reservoir from Joe Ney Slough upon approval of this permit amendment.

**5. LAND OWNERSHIP**

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

**Use/Place of Use**

Are the lands free of encumbrances?  Yes  No

If no, name of encumbrance holder: \_\_\_\_\_

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

Answer only if applicant is **not** the landowner.

**Landowners**

*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: Coos Bay - North Bend Water Board  
(List all landowners shown on deed.)

Address(es): 2305 Ocean Blvd. P. O. Box 539  
Coos Bay Oregon 97420  
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.

Answer only if the receiving landowner is **not** the original landowner or the applicant.

**Receiving Landowner**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
City State Zip

- The Department's records should be changed to show this landowner is responsible for completion of the changes. All notices and correspondence should be sent to this landowner.
- Applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to applicant.

**6. EXHIBITS**

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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 Bay and North Bend through the Coos Bay - North Bend Water Board

**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 \$ 200.00

*See instruction book for fee schedule.*

**7. SIGNATURE**

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

*Michael E. Gray*

MICHAEL E. GRAY

2/2/2000

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.

Oregon Department of Fish and Wildlife  
Permit Amendment Supplemental Sheet

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Location of Authorized Point of Diversion:

Coordinates (as noted on Permit)	¼ ¼	Section	Township	Range
SE corner of the SW¼SW¼ of Section 6 and the NE corner of the NW¼NW¼ of Section 7	SW¼SW¼ NW¼NW¼	6 7	26 S	13 W

Item 3: Location of Authorized Place of Use:

Township	Range	Section	¼ ¼	Tax Lot	Use
26 S	13 W	6	SW¼SW¼	500	Storage
		6	SE¼SW¼	500	"
		7	NW¼NW¼	200	"
			NE¼NW¼	200	"
			SE¼NW¼	200	"
			NW¼NE¼	200	"

Item 4: Location of Proposed Place of Use:

Township	Range	Section	¼ ¼	Tax Lot	Use
25 South	13 West	28	SW¼SW¼	1000	Storage
		29	NE¼SE¼	400	"
			SE¼SE¼	400	"
			SW¼SE¼	400	"
		32	NE¼NE¼	200	"
			NW¼NE¼	300 & 400	"
			SW¼NE¼	400	"
			SE¼NE¼	200 & 400	"
			NE¼NW¼	300 & 400	"
			SE¼NW¼	400	"
			NE¼SE¼	200	"
			SE¼SE¼	200 & 300	"
		33	SW¼NW¼	300	"

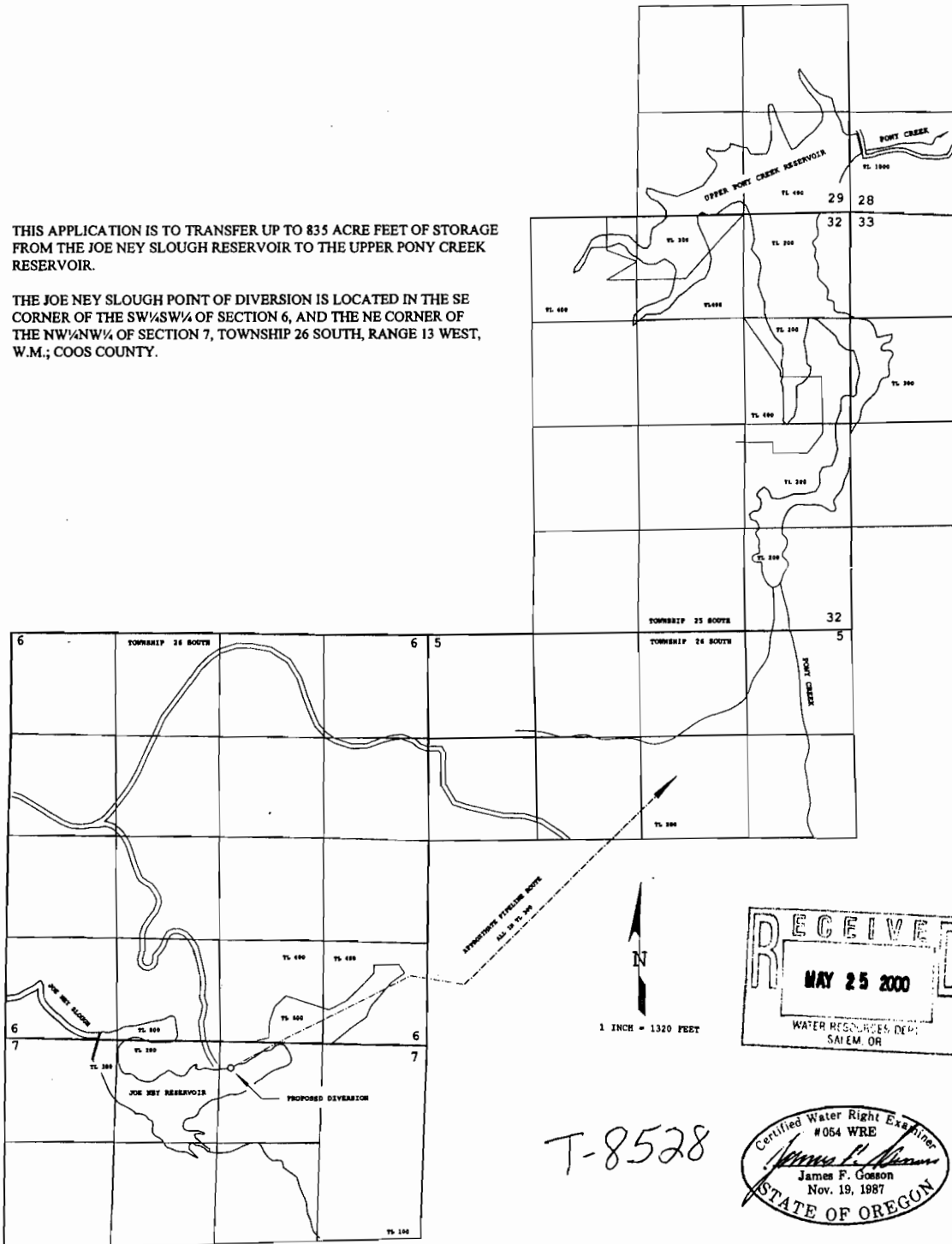
**APPLICATION FOR A PERMIT AMENDMENT  
IN THE NAME OF  
THE OREGON DEPARTMENT OF FISH AND WILDLIFE**

APPLICATION R-33088

PERMIT R-2252

THIS APPLICATION IS TO TRANSFER UP TO 835 ACRE FEET OF STORAGE FROM THE JOE NEY SLOUGH RESERVOIR TO THE UPPER PONY CREEK RESERVOIR.

THE JOE NEY SLOUGH POINT OF DIVERSION IS LOCATED IN THE SE CORNER OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$  OF SECTION 6, AND THE NE CORNER OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$  OF SECTION 7, TOWNSHIP 26 SOUTH, RANGE 13 WEST, W.M.; COOS COUNTY.



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.