State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Application for

Allocation of Conserved Water

Part 1 of 4 – Minimum Requirements Checklist

This application will be returned if Parts 1 through 4 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Allocation of Conserved Water Section.

Check all items included with this application. (N/A = Not Applicable)

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☒ Part 1 – Completed Minimum Requirements Checklist.

☒ Part 2 – Completed Applicant Information and Signature.

☒ Part 3 – Completed Water Right Information and Conservation Measures. Please include a separate Part 3 for each water right. List all water right certificates involved in this application here: **A portion of Certificate 79482 (1606.67 acres of 9274.1 acres)**

☒ Part 4 –Completed Mitigation, Proposed Use, Project Schedule, Funding, and Fee Calculation.

Attachments:

☒ Fees – Amount enclosed: $**1000** from last page of application).

☒ Application Map. Must have sufficient detail to locate and describe the facilities and areas involved in the conservation measures. Must show the place of use where water is being used if the rate or duty are changing. **See attached Exhibit A, Sheet 1 of 2 and Sheet 2 of 2.**

☒ Land Use Information Form with approval and signature. (Not required if 100% of Conserved Water is being transferred instream.) **See attached Exhibit B** **or**

Land Use Notice - Notice of the intent to create an instream water right must be provided to each affected county, city, municipal corporation, or tribal government along the proposed instream reach.

☒ ☐ N/A Completed Evidence of Use Affidavit and Supporting Documentation. **See attached Exhibit C.**

☒ ☐ N/A Affidavit(s) of Consent. **See Exhibits D, Boardman Tree Farm and Hale Farms LLC**

☐ ☒ N/A Letter of approval from Irrigation or Water Control District. For water rights served by or issued in the name of a District, this must be provided when the transfer applicant is not the District.

☐ ☒ N/A Irrigation or Water Control District's adopted policy on allocation of conserved water.

☒ ☐ N/A If construction of the project has begun or been completed and if more than 25 percent of the project costs have been expended before applying for allocation of conserved water, evidence that you have attempted to identify and resolve the concerns of water right holders in the area, governmental entities or other organizations who have asked to be consulted regarding the allocation of conserved water. **See attached Exhibit E, Evidence of Resolution of Concerns of Other Water Right Holders, and attached Exhibit F, Statement Regarding Project Funding.**

☐ ☒ N/A Evidence for Fee Waiver.

☒ ☐ N/A Notice of Completion.

☐ ☒ N/A Request for Finalization. (Entire project listed on the application must be complete. No partial finalization will be recognized.)

Part 2 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Windy River			**1 541 449 8627**	
ADDRESS				FAX NO.
822 HIGHWAY 395 SOUTH # 423				
CITY	STATE	ZIP	E-MAIL	
HERMISTON	**OR**	**97838**		

☐ The applicant is an irrigation district organized under ORS Chapter 545 or a water control district organized under ORS Chapter 553. The District's OAR 690-018-0025 allocation of conserved water policy was adopted: ____/____/20____.

OR

☒ The applicant is the sole owner of the land on which the water right, or portion thereof, proposed for conservation measures is located? ☒ Yes ☐ No

If NO, include signatures of all landowners (and mailing address if different than the applicant's) or attach affidavits of consent (and mailing addresses) from all landowners or individuals/entities to which the water right(s) has been conveyed.

LANDOWNER NAME			PHONE NO.
Not Applicable			
ADDRESS			
CITY	STATE	ZIP	E-MAIL

Representative Information – The person(s) listed below is/are authorized to represent the applicant in all matters relating to this application.

REPRESENTATIVE/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
BILL PORFILY			**1 541 561 7259**	
ADDRESS				FAX NO.
P.O. BOX 643				
CITY	STATE	ZIP	E-MAIL	
STANDFIELD	**OR**	**97875**		

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

I understand that I will be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following paper: **East Oregonian.**

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

Applicant signature	Print Name (and Title if applicable)	Date
	Robert L. Levy	4-17-2014

In your own words tell us what conservations measures you have made or propose to make and the reason for the change(s):

The conservation measures taken consist of modifying the center pivot circle irrigation machines to operate at lower pressures and reduced flows. This is accomplished by installation of state of the art new low pressure low flow spray nozzles. The irrigation machines were equipped with sprinklers that provided an average overall flow of 11.1 gpm per acre. The irrigation machines are now equipped with sprinklers that provide and average overall flow of 8.0 gpm per acre. This conserved water application lists the rate of water that will be needed for the existing authorized use as 0.019229 cfs/ac (8.63 gpm/ac). This rate is slightly higher than the present sprinkler packages as it provides for a slightly higher average flow rate which is anticipated to be needed in the future for a different crop rotation.

The conservation measures were made to improve efficiency of the irrigation system and save water.

To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction the conservation project and/or proposed instream reach will be located.

ENTITY NAME	ADDRESS	
MORROW COUNTY	**100 S COURT ST.**	
CITY	STATE	ZIP
HEPPNER	**OR**	**97836**

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 3 of 4 – Water Right Information and Conservation Measures

[redacted]

WATER RIGHT INFORMATION:

Water Right Subject to Transfer (check and complete **ONE** of the following):

☒	Certificated Right	79482 Certificate Number	36940 Permit Number or Decree Name
☐	Adjudicated, Un-certificated Right	Name of Decree	Page Number
☐	Permit for which Proof has been Approved	Permit Number	Special Order Volume ____, Page ____
☐	Transferred Right for which Proof has been Filed	Previous Certificate / Transfer Number	Date Claim of Beneficial Use Submitted

County: **Morrow**

Describe the pre-project water delivery system. Include information on the diversion structure, pumps, and conveyance facilities (including canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use). *Provide sufficient detail for the Department to determine the system capacity.*

This conserved water application involves a portion (1606.67 acres of 9274.1 acres) of the water right authorized by Certificate 79482. The diversion structure, pumps, and main conveyance facilities used to irrigate the acreage related to this Conserved Water Application are part of the overall facilities used to irrigate all of the acreage authorized by Certificate 79482. Therefore, components of the distribution system described in the following discussion have capacity far exceeding that required to serve the acreage related to this Conserved Water Application.

The diversion structure is located on the south bank of the Columbia River in Section 2, T4N, R25E, W. M. It consists of a platform type structure that extends from the shoreline into the river. The structure is shared with and also used by Columbia Improvement District. Each entity operates independently with their own pumps. The easterly half (upstream) side of the structure is used by Boardman Tree Farm and serves the acreage related to this Conserved Water Application. Boardman Tree Farm has a battery of six short coupled low head vertical turbine pumps totaling 1350 horsepower (2- 150 hp units, 3- 250 hp units, and 1- 300 hp unit) that are used to pump water from the river a short distance inland to a high lift pumping station (High Lift). The High Lift pumping station consists of a large concrete sump structure. There are nine high lift short coupled vertical turbine pumps totaling 8600 horsepower (1-600 hp unit & 8-1000 hp units) that pump water from the High Lift structure into the main pipelines that carry water to the farm land. From the High Lift pumping structure the water is pumped into parallel 54" main pipelines. The parallel pipelines extend in a southeasterly direction 3480 feet +/- to a point where they cross beneath Columbia Avenue, then continue southeasterly 8200 feet +/- to a point where they cross beneath the Union Pacific Railroad track, then continue southeasterly another 1690 feet +/- to a point where they cross the West Extension Canal , then continue 430 feet +/- to a point where they cross beneath State Highway 730, then continue 4010 feet +/- to where they bend to the south. This is the location of a booster pumping station referred to as the Cherokee Station.

The Cherokee booster pumping station consists of four centrifugal pumps totaling 600 horsepower (1-75 hp unit, 1- 125 hp unit, & 2- 200 hp units). It boosts the pressure in a portion of the water being carried by the 54" parallel pipelines and discharges it into a 20" pipeline the extends east 3770 feet +/- to the pivot point of a circular irrigation machine (circle), C-89, where it transitions to a 18" pipeline that extends southeasterly 2130 feet +/- to the pivot point of another circle, C-90, where it continues southeasterly 1020 feet +/- and transitions to a 16" pipeline that continues 1000 feet +/- southeasterly to the pivot point of circle C-91. It then transitions to a 14" pipeline and extends southeasterly 1870 feet +/- to the pivot point of circle C-92. Circles C-90, C-91, and C-92 all irrigate ground which is a part of the 1606.67 acres of Certificate 79482 associated with this conserved water application.

From the location of the Cherokee booster station the parallel 54" main pipelines extend south 530 feet +/- and cross beneath I-84 and continue south 530 feet +/- to the location of a booster pumping station (Booster 1). The Booster 1 pumps consist of battery of nine pumps totaling 7800 horsepower (2-400 hp units & 7-1000 hp units). Booster 1 boosts the pressure in the 54" parallel pipelines south of I-84 and discharges into parallel pipelines, 1- 48" and 1-54". These pipelines continue extending southeasterly. Approximately 600 feet southeast of Booster 1, a branch 20" pipeline connects to the Booster 1 discharge pipelines. It extends in a southwesterly direction 1820 feet +/- to a cluster point (location from which several circles are served from a common pipeline connection point). From the cluster point there is a 12" pipeline that extends northwest 1050 feet +/- to the pivot of circle C-8, a 12" pipeline which extends southwest 1530 feet +/- to the pivot point of circle C-9, and a 10" pipeline that extends east 1560 feet +/- to the pivot point of circle C-16 all of which irrigate ground which is part of the 1606.67 acres of Certificate 79482 associated with this conserved water application.

At the cluster point the 20" pipeline transitions to a 16" pipeline which extends southwesterly 4060 feet +/- to another cluster point. From this cluster point there is a 12" pipeline that extends east 1580 feet +/- to the pivot point of circle C-10 which irrigates ground that is a part of the 1606.67 acres of Certificate 79482 associated with this conserved water application.

From the location of the 20" branch pipeline connection to the parallel 48" and 54" mainlines the parallel mainlines continue southeast 2820 feet +/- to a point where a 16" branch pipeline connects. The 16" branch pipeline extends in at northeast direction 1800 feet +/- to a cluster point. From the cluster point there is a 12" pipeline that extends southwest to the pivot point of a half circle, C-24 which irrigates ground which is a part of the 1606.67 acres of Certificate 79482 associated with this conserved water application.

From the point where the 16" branch pipeline connects to the parallel 48" and 54" mainlines the parallel mainlines continue southeast 1860 feet +/- to a point where a 12" branch pipeline connects. The 12" branch pipeline extends in a southwest direction 2530 feet +/- to a cluster point. From this cluster point there is a 10" pipeline that extends northwest 1570 feet +/- to the pivot point of circle C-17, and a 10" pipeline that extends southwest 1610 feet +/- to the pivot point of circle C-18 both of which irrigate ground that is a part of the 1606.67 acres of Certificate 79482 associated with this conserved water application.

From the point where the 12" branch pipeline connects to the parallel 48" and 54" mainlines the parallel mainlines continue southeast 1680 feet +/- to a point where another 12" branch pipeline connects. This 12" branch pipeline extends in a southwest direction 1530 feet +/- to a the pivot point of a half circle C-25 which irrigates ground that is a part of the 1606.67 acres of Certificate 79482 associated with this conserved water application. From the location of the connection of the second 12" branch pipeline to the parallel 48" and 54" mainlines the parallel mainlines continue to extend southeasterly to the location of another booster pumping station (Booster 2).

The Booster 2 pumping station consists of battery of nine pumps totaling 5000 horsepower (2-400 hp units & 7-600 hp units). Booster 2 boosts the system pressure and discharges into a single 54" pipeline that continues southeasterly. Approximately 2260 feet southeast of Booster 2, a branch 36" pipeline connects to the Booster 2 discharge pipeline. The branch 36" pipeline extends southwest 3220 feet +/- to a cluster point. From the cluster point there is a 12" pipeline that extends northwest 1660 feet +/- to the pivot point of a half circle, C-26, and a 12" pipeline that extends southwest 1560 feet +/- to the pivot point of a second half circle, C-27. Both of these half circles irrigate ground which is a part of this the 1606.67 acres of Certificate 79482 associated with conserved water application.

From the cluster point the 36" pipeline continues southwesterly 3210 feet +/- to a point where a 14" branch pipeline connects. The 14" branch pipeline extends northwesterly 3230 feet +/- to a cluster point. From the cluster point there is a 12" pipeline that extends northwesterly 1680 feet +/- to the pivot of circle C-11, and a 10" pipeline which extends 1480 feet +/- east to the pivot of circle C-19 both of which irrigate ground which is a part of the 1606.67 acres of Certificate 79482 associated with this conserved water application.

From the location of the 14" branch pipeline connection to the 36" pipeline the 36" pipeline continues southwest 750 feet +/- to a point where a 22" branch pipeline connects. The 22" branch pipeline extends southeast 3660 feet +/- to a cluster point. From the cluster point there is a 12" pipeline that extends northwesterly 1560 feet +/- to the pivot of a half circle, C-28, which irrigates ground which is a part of the 1606.67 acres of Certificate 79482 associated with this conserved water application.

From the location of the 22" branch pipeline connection to the 36" pipeline the 36" pipeline continues southwest 1560 feet +/- to another cluster point. From this cluster point there is a 10" pipeline that extends northeasterly 1570 feet +/- to the pivot point of circle C-20 which irrigates ground which is a part of the 1606.67 acres of Certificate 79482 associated with this conserved water application.

Table 1: Pre-Project Description

List: A) the maximum rate and annual duty (volume) of water that may be diverted **as stated on the water right of record;** and B) the maximum amount of water that can be diverted using the pre-project facilities **("system capacity")**. If there are multiple priority dates on the water right, list the rate and duty associated with each priority date. (*If the water right is only limited by rate, do not list a duty, and conversely, if the water is only limited by duty, do not list a rate.*)

PRE-PROJECT DESCRIPTION										
			Column A Water Right of Record				Column B System Capacity			
			Rate		Duty		Rate		Duty	
Originating Water Right #	Priority	Acres	Maximum	CFS/AC	Maximum	AF/AC	Maximum	CFS/AC	Maximum	AF/AC
All of Cert 79482 (9274.1 acres)	**6-29-73**	**9274.1**	**229.3 cfs**	**0.0247**	**41733.45 Ac Ft**	**4.5**	**229.3 cfs**	**0.0247**	**41733.45 Ac Ft**	**4.5**
Portion of Cert 79482 involved in this Conserved Water Appl. (1606.67 acres)	**6-29-73**	**1606.67**	**39.72 cfs**	**0.0247**	**7230.02 Ac Ft**	**4.5**	**39.72 cfs**	**0.0247**	**7230.02 Ac Ft**	**4.5**
Totals		**1606.67**	**39.72 cfs**		**7230.02 Ac Ft**	**4.5**	**39.72 cfs**		**7230.02 Ac Ft**	**4.5**

Note: *1 miner's inch = 1/40 cfs;* *1 cfs = 448.8 gpm* *1 cfs = 1.983471 ac-ft/day*

CONSERVATION MEASURES:

Describe the type of conservation measures, check all that apply:

☒ On-Farm efficiency project (New lower flow rate sprinkler nozzles)

☐ Distribution project, such as a ditch piping or lining project

☐ Other:

Describe the proposed changes to the physical system, operations and application methods that will result in the conservation of water. If these proposed changes will change the point of diversion, you must meet the ODFW fish screen and bypass requirements pursuant to ORS 540.525. *Provide sufficient detail for the Department to provide notice of the project.*

The conservation measures taken consist of modifying the center pivot circle irrigation machines to operate at lower pressures and reduced flows. This is accomplished by installation of state of the art new low pressure low flow spray nozzles. The irrigation machines were equipped with sprinklers that provided an average overall flow of 11.1 gpm per acre. The irrigation machines are now equipped with sprinklers that provide and average overall flow of 8.0 gpm per acre. This conserved water application lists the rate of water that will be needed for the existing authorized use as 0.019229 cfs/ac (8.63 gpm/ac). This rate is slightly higher than the present sprinkler packages as it provides for a slightly higher average flow rate which is anticipated to be needed in the future for a different crop rotation.

Place of Use Involved in Conservation Measures

List only the part of the right that will be affected. If the entire right is being affected, just state "entire Certificate."

Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of Use listed On Certificate	Priority Date
2	S	9	E	15	NE	NW	153.0	100		EXAMPLE	1/1/1865
4	N	26	E	16	SW	NE	3400		14.20	IRRIGATION	6/29/73
4	N	26	E	16	SE	NE	3400		6.30	IRRIGATION	6/29/73
4	N	26	E	16	NW	NW	3400		6.40	IRRIGATION	6/29/73
4	N	26	E	16	SW	NW	3400		39.96	IRRIGATION	6/29/73
4	N	26	E	16	SE	NW	3400		26.10	IRRIGATION	6/29/73
4	N	26	E	16	NE	SW	3400		22.80	IRRIGATION	6/29/73
4	N	26	E	16	NW	SW	3400		10.00	IRRIGATION	6/29/73
4	N	26	E	16	NE	SE	3400		29.01	IRRIGATION	6/29/73
4	N	26	E	16	NW	SE	3400		29.80	IRRIGATION	6/29/73
4	N	26	E	16	SW	SE	3400		0.20	IRRIGATION	6/29/73
4	N	26	E	16	SE	SE	3400		1.20	IRRIGATION	6/29/73
4	N	26	E	17	NE	NE	3400		0.80	IRRIGATION	6/29/73
4	N	26	E	17	SE	NE	3400		15.59	IRRIGATION	6/29/73
4	N	26	E	17	SW	NW	3400		7.52	IRRIGATION	6/29/73
4	N	26	E	17	SE	NW	3400		0.31	IRRIGATION	6/29/73
4	N	26	E	17	NE	SW	3415		15.50	IRRIGATION	6/29/73
4	N	26	E	17	NW	SW	3415		39.99	IRRIGATION	6/29/73
4	N	26	E	17	SW	SW	3415		35.71	IRRIGATION	6/29/73
4	N	26	E	17	SE	SW	3415		35.64	IRRIGATION	6/29/73

4	N	26	E	17	NE	SE	3415		1.80	IRRIGATION	6/29/73
4	N	26	E	17	NE	SE	3415		1.40	IRRIGATION	6/29/73
4	N	26	E	17	SW	SE	3415		6.30	IRRIGATION	6/29/73
4	N	26	E	18	SW	NE	3415		17.13	IRRIGATION	6/29/73
4	N	26	E	18	SE	NE	3415		11.52	IRRIGATION	6/29/73
4	N	26	E	18	SE	SW	3415		8.30	IRRIGATION	6/29/73
4	N	26	E	18	NE	SE	3415		34.95	IRRIGATION	6/29/73
4	N	26	E	18	NW	SE	3415		28.65	IRRIGATION	6/29/73
4	N	26	E	18	SW	SE	3415		40.54	IRRIGATION	6/29/73
4	N	26	E	18	SE	SE	3415		34.84	IRRIGATION	6/29/73
4	N	26	E	19	NE	NE	3415		34.97	IRRIGATION	6/29/73
4	N	26	E	19	NW	NE	3415		36.03	IRRIGATION	6/29/73
4	N	26	E	19	SW	NE	3415		41.41	IRRIGATION	6/29/73
4	N	26	E	19	SE	NE	3415		35.25	IRRIGATION	6/29/73
4	N	26	E	19	NE	NW	3415		3.80	IRRIGATION	6/29/73
4	N	26	E	19	SE	NW	3415		8.50	IRRIGATION	6/29/73
4	N	26	E	19	NE	SW	3415		4.40	IRRIGATION	6/29/73
4	N	26	E	19	SE	SW	3415		9.00	IRRIGATION	6/29/73
4	N	26	E	19	NE	SE	3415		35.54	IRRIGATION	6/29/73
4	N	26	E	19	NW	SE	3415		36.99	IRRIGATION	6/29/73
4	N	26	E	19	SW	SE	3415		40.93	IRRIGATION	6/29/73
4	N	26	E	19	SE	SE	3415		34.91	IRRIGATION	6/29/73
4	N	26	E	20	NW	NE	3415		5.70	IRRIGATION	6/29/73
4	N	26	E	20	SW	NE	3415		5.10	IRRIGATION	6/29/73
4	N	26	E	20	NE	NW	3415		32.63	IRRIGATION	6/29/73
4	N	26	E	20	NW	NW	3415		39.51	IRRIGATION	6/29/73
4	N	26	E	20	SW	NW	3415		34.69	IRRIGATION	6/29/73
4	N	26	E	20	SE	NW	3415		35.56	IRRIGATION	6/29/73
4	N	26	E	20	NE	SW	3415		31.75	IRRIGATION	6/29/73
4	N	26	E	20	NW	SW	3415		38.82	IRRIGATION	6/29/73
4	N	26	E	20	SW	SW	3415		35.25	IRRIGATION	6/29/73
4	N	26	E	20	SE	SW	3415		36.02	IRRIGATION	6/29/73
4	N	26	E	20	NW	SE	3415		4.50	IRRIGATION	6/29/73
4	N	26	E	20	SW	SE	3415		4.00	IRRIGATION	6/29/73
4	N	26	E	29	NW	NE	3415		3.80	IRRIGATION	6/29/73
4	N	26	E	29	SW	NE	3415		4.20	IRRIGATION	6/29/73
4	N	26	E	29	NE	NW	3415		32.49	IRRIGATION	6/29/73
4	N	26	E	29	NW	NW	3415		39.48	IRRIGATION	6/29/73
4	N	26	E	29	SW	NW	3415		35.44	IRRIGATION	6/29/73
4	N	26	E	29	SE	NW	3415		36.40	IRRIGATION	6/29/73
4	N	26	E	29	NE	SW	3415		33.48	IRRIGATION	6/29/73
4	N	26	E	29	NW	SW	3415		39.22	IRRIGATION	6/29/73
4	N	26	E	29	SW	SW	3415		34.05	IRRIGATION	6/29/73
4	N	26	E	29	SE	SW	3415		35.64	IRRIGATION	6/29/73
4	N	26	E	29	NW	SE	3415		4.60	IRRIGATION	6/29/73
4	N	26	E	29	SW	SE	3415		4.80	IRRIGATION	6/29/73
4	N	26	E	30	NE	NE	3415		34.94	IRRIGATION	6/29/73
4	N	26	E	30	NW	NE	3415		34.70	IRRIGATION	6/29/73
4	N	26	E	30	SE	NE	3415		14.60	IRRIGATION	6/29/73
4	N	26	E	30	NE	NW	3415		4.91	IRRIGATION	6/29/73
4	N	26	E	30	NE	SE	3415		21.80	IRRIGATION	6/29/73
4	N	26	E	30	SE	SE	3415		15.00	IRRIGATION	6/29/73
4	N	26	E	32	NW	NE	3415		4.50	IRRIGATION	6/29/73
4	N	26	E	32	NE	NW	3415		24.90	IRRIGATION	6/29/73
										RECEIVED BY OWRD	
								TOTAL	1606.67		

MAY 01 2014

Are there other water right certificates, water use permits, ground water registrations, or uncertificated decreed rights associated with the above lands? ☒ Yes ☐ No. If YES, list the certificates, water use permits, ground water registrations, or uncertificated decreed numbers: **There is a permit, Permit G-15859, for supplemental irrigation for the lands above.**

Is the project within the boundaries of an irrigation district or water control district? ☐ Yes ☒ No If YES, and applicant is not a District, you must provide a letter of approval from the District.

Table 2: Conserved Water

In Column A, list the smaller of A or B from Table 1 (Pre-Project Description). In Column B, list the amount of water that will be needed for the existing, authorized use(s) after implementing the conservation measures. In Column C, subtract Column B from Column A and enter the results *(e.g.,* A – B = C). *(If the water right is only limited by rate, do not list a duty; and conversely, if the water is only limited by duty, do not list a rate.)*

Conserved Water Description											
	Column A				Column B				Column C		
	Table 1 – Smaller of A or B				Needed				Conserved Water		
	Rate		Duty		Rate		Duty		Rate	Duty	
Priority	Maximum CFS	CFS/AC	Maximum AF	AF/AC	Maximum CFS	CFS/AC	Maximum AF	AF/AC	Maximum CFS	Maximum AF	AF/AC
6/29/73	**39.72**	**0.0247 (11.1 gpm/ac)**	**7230.02**	**4.5**	**30.89**	**0.019229 (8.63 gpm/ac)**	**5623.35**	**3.5**	**8.83**	**1606.67**	**1.0**
Totals	**39.72**	**0.0247**	**7230.02**	**4.5**	**30.89**	**0.019229**	**5623.35**	**3.5**	**8.83**	**1606.67**	**1.0**

Table 3: Allocation of Conserved Water

List the portions of the conserved water that will be allocated to the state and applicant. Note: Column A plus Column B should total Column C (e.g., A + B = C).

Conserved Water Allocation								
Column A			Column B			Column C		
State's Portion			Applicant's Portion			Conserved Water		
Percentage*	Maximum Rate	Maximum Duty (Volume)	Percentage	Maximum Rate	Maximum Duty (Volume)	Percentage	Maximum Rate	Maximum Duty (Ac Ft)
25%	**2.21**	**401.67**	**75%**	**6.62**	**1205.0**	**100%**	**8.83**	**1606.67**

** must be at least 25%*

The priority for the conserved water is requested to be:

☐ The same as the original right, or

☒ One minute junior to the original right.

Part 4 of 4 – Mitigation, Proposed Use, Project Schedule, Funding, and Fee Calculation

MITIGATION:

Describe any expected effects from the proposed allocation of conserved water on other water rights. Describe what currently happens to the water that is proposed to be conserved.

Prior to the applicant installing the conservation measures the conserved water was withdrawn from the Columbia River and used to irrigate the farmland. Since installation of the conservation measures the owner has determined that the crops he is growing can be successfully grown with less irrigation water than authorized by the water right certificate. The conservation measures have reduced the quantity and rate of withdrawal from the Columbia River. The state's portion of the conserved water will be left in stream.

Describe any mitigation or other measures that are planned to avoid harm to other water rights.

The project is not expected to result in any harm to other water rights. Mitigation will include 25% of the conserved water being allocated to in stream uses.

PROPOSED USE:

☒ ☐ N/A For new out-of-stream uses, describe the intended use and boundaries of the expected area within which the diversion structures and places of use of the applicants' conserved water right will be located. This is land other than that to which this water right is appurtenant.

Intended Use: **Primary irrigation. There is no intent to "layer" the applicant's portion of the conserved water so as to preclude the future potential of using the primary water rights separately from other primary water rights that may be appurtenant to the place of use for the conserved water. Rather, the intention is to maintain the primary irrigation use for the applicant's share of the conserved water. Should the applicant at some future time petition to use its portion of the conserved water separately from other primary water rights that may be appurtenant to the place of use for the conserved water, an analysis of whether a separation of the applicant's portion of the conserved water would result in enlargement or injury shall consider that the applicant's portion of the conserved water originated as separate, distinct primary water rights.** Boundaries: **The area on which the applicant anticipates it will use its share of conserved water is located somewhere in:**

Twn	Range		Twn	Range		Twn	Range		Twn	Range
2N	23E		3N	23E		4N	23E		5N	26E
2N	24E		3N	24E		4N	24E		5N	27E
2N	26E		3N	26E		4N	25E		5N	28E
2N	27E		3N	27E		4N	26E		5N	29E
2N	28E		3N	28E		4N	27E		5N	30E
			3N	29E		4N	28E			
			3N	30E		4N	29E			
						4N	30E			

☒ For instream uses to be created:

Originating Water Right (as identified in Part 3)	Priority Date	Source	Proposed Instream Period	Rate (cfs)*	Volume (ac-ft)**
79482	**6/29/73**	**Columbia River**	**Irrigation Season**	**2.21**	**401.67**
				TOTAL VOLUME	**401.67**

*Tip: To calculate rate (if other than the rate allowed by the right), divide the volume by the number of days in the period and then divide by 1.983471; or

To calculate volume, multiply the rate by the number of days in the instream period and then multiply by 1.983471.

Note: The instream rate may not exceed the maximum rate conserved and the total volume may not exceed to maximum volume or duty conserved (Table 3, Column C)

Location of the proposed instream water right.

☒ Water is requested to be protected within a reach **of the Columbia River**. The location of the proposed reach (identify the extent of the reach):

The stream reach for which the state's portion of the conserved water should be managed under an in stream water right is from the Point of Diversion, located in Lot 7 in the NE1/4 NW1/4 of Section 2, T4N, R25E, WM; South 86 Degrees 22 Minutes 46 Seconds West, 2829 Feet from the NE Corner of Section 2 to the confluence of the Columbia River with the Pacific Ocean.

☐ Water is requested to be protected at a point at the following location (i.e. legal description of the point of diversion (POD)).

Public Use for which conserved water right should be managed under an instream right (check at least one box):

☒ Conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat, and other ecological values.

☐ Recreation.

☐ Pollution Abatement.

List any existing instream water rights at the same point or within the same requested reach(es):

☐

☒ Instream Water Right Certificates: **88116**

Is it your intent to have the proposed instream water right transfer be additive to any instream water right established under ORS 537.348 (instream transfer application process) and ORS 537.470 (allocation of conserved water) and replace a portion of any instream water right established under ORS 537.341 (state agency application process) and ORS 537.346 (conversion of minimum perennial streamflows) with an earlier priority date?

☒ Yes ☐ No. If no, please explain your intent below:

Is the requested instream flow intended to exceed the estimated average natural flow or natural lake level occurring from the drainage system?

☒ No; **OR**

☐ Yes (Provide supporting documentation that demonstrates why additional flows are significant for the public use requested.); **OR**

☐ Yes, and it is presumed that flows that exceed the estimated average natural flow or natural lake levels are significant because:

- ☐ The requested flow does not exceed the maximum amount of any instream water right applied for under ORS 537.338 (state agency instream water right application process); the requested public use is for the same public use; and the requested reach covers a portion or same reach as the state agency instream water right; **and**
- ☐ The stream is in an ODFW flow restoration priority watershed during the requested instream period; **or**
- ☐ The stream is listed as water quality limited by DEQ.

PROJECT SCHEDULE:

☐ ☒ N/A For a project that has **not** been completed, please provide the dates on which the applicant intends to do the following:

Date :	*Date :*	***Date:***

** Must be within 5 years from the date of filing the Notice of Completion.*

Note: If construction of the project has begun or has been completed, and if more than 25 percent of the project costs have been expended before submitting this application, you must submit evidence that you have attempted to identify and resolve the concerns of water right holders in the area, governmental entities or other organization who have asked to be consulted regarding the allocation of conserved water.

See attached Exhibit G, Evidence that the Project was Implemented Within 5 Years

See Attached Allocation of Conserved Water Notice of Completion form.

☒ ☐ N/A For a project that has been completed, provide the dates when the conservation measures were implemented and the date by which the applicant intends to request the allocation be finalized. Complete and attach Notice of Completion form.

***Date:* June of 2011**	****Date:* March 1, 2019**

** Must be within 5 years prior to the date of filing this application.*

*** Must be within 5 years from the date of filing this Application and Notice of Completion.*

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SALEM, OR

FUNDING

☐ ☒ N/A Federal or state public funds that are not subject to repayment are to be used for the project. *Refer to OAR 690-018-0040(18)(a)-(d) for further information in completing this section.*

☐ Source of Funding: ☐ Federal: _____ ☐ State: _____

☐ Total cost for project engineering $_____
Total cost for construction $_____

☐ The present value of any incremental changes in the cost of operations and maintenance that are directly attributable to the project that would not be incurred or realized in the absences of the project is $_____.

☐ The amount of funding and the value of any in-kind contributions for project engineering and construction and for any incremental changes in the costs of operations and maintenance to be provided from federal or state public funds that are not subject to repayment is $_____.

☐ The amount of funding and the value of any in-kind contributions for project engineering and construction and for any incremental change since costs of operations and maintenance to be provided from other funds is $_____.

☐ ☒ N/A Enter the percentage from Table 3, Column B (Applicant's Portion of Conserved Water) _____%. If this is more than 25%, what portion of project funds (expressed as a percentage) come from federal or state public sources? _____%

☐ ☒ N/A The Oregon Watershed Enhancement Board (OWEB) have a contract interest in this project. The OWEB project number is_____.

FEE CALCULATION

Fee Schedule – ORS 536.050 http://www.oregon.gov/owrd/pubs/docs/forms/fee_schedule_4_2012.pdf	
$1,000.00 - Base (1st Water Right)	Add $350.00 for each additional right
$1,000 + (**0** x $350) = Total Fee **$1000**	

	(a) Will be converted to an instream right pursuant to ORS 537.348; **or**
	(b) Is necessary to complete a project funded under ORS 541.375 (OWEB); **or**
	(c) Is approved by the Oregon Department of Fish and Wildlife as a project that will result in a net benefit to fish and wildlife habitat. *See* OAR 690-018-0040(25).
	(d) Enter Percentage from Table 3, Column A = 25%
	(e) Deduct 25% from percentage in (d) above = 0 %
	(f) Enter the lesser of (e) above or 50% 0%
	(g) Total Fee x % waived (f) = Fee Waiver $0
	Example: (d) = 100% - 25% (e) = 75% (max 50% waived) = Fee x 50% = Fee Waiver
	Total Fee $1000 – Fee Waiver (g) $0 = Amount Due $1000