

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 <u>will be returned</u> if Parts 1 through 4 and all required attachments are not completed and included.RECEIVED BY OWRD For questions, please call (503) 986-0900, and ask for Allocation of Conserved Water Section.
Check all	l items included with this application. (N/A = Not Applicable) NOV $032014$
$\boxtimes$	Part 1 – Completed Minimum Requirements Checklist.
$\boxtimes$	Part 2 – Completed Applicant Information and Signature. SALEM, OR
$\boxtimes$	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: <u>C-81340</u> .
$\boxtimes$	Part 4 - Completed Mitigation, Proposed Use, Project Schedule, Funding, and Fee Calculation.
Attach	ments:
$\boxtimes$	Fees – Amount enclosed: \$ 675 (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.
	Land Use Information Form with approval and signature. (Not required if 100% of Conserved Water is being transferred instream.) 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.
	N/A Affidavit(s) of Consent.
	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 <u>not</u> 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 <u>and</u> 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.
	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

Ap	olicant	Information	
440	711CH110	THIN HIM NON	

APPLICANT/BUSINESS NAMEPHONE NO.ADDITIONAL CONTACT NO.East Fork Irrigation District541-354-1185			ADDITIONAL CONTACT NO.	
ADDRESS P.O. Box 162				FAX NO. 541-354-5833
CITY ODELL	STATE OR	ZIP 97044	E-MAIL JOHNEFID@HOODRIVER	RELECTRIC.NET

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: <u>04/15/2014</u>.

OR

П

The applicant is the sole owner of the land on which the water right, or portion thereof, proposed for conservation measures is located?  $\Box$  Yes  $\Box$  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.
ADDRESS			
СІТҮ	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.

<b>REPRESENTATIVE/BUSINES</b>	SNAME	PHONE NO.	ADDITIONAL CONTACT NO.			
ZACHARY TILLMAN - DESC	541-382-4077 x.21					
ADDRESS	FAX NO.					
700 NW HILL STREET			541-382-4078			
CITY	STATE	ZIP	E-MAIL			
BEND	OR	97701	ZACH@DESCHUTESRIVER.ORG			

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: <u>Hood River News</u>.

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

icant signature

John R. Buckley, District Manager Print Name (and Title if applicable) October 30, 2014

Applicant signature

Print Name (and Title if applicable)

Date

#### **CONSERVATION MEASURES:**

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

On-Farm efficiency project

Distribution project, such as a ditch piping or lining project

Other: \_\_\_\_\_

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SALEM, OR

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

East Fork Irrigation District (EFID) plans to replace an open, unlined irrigation ditch (Christopher Ditch) with a closed pipeline, eliminating overflows that currently occur at the terminus of the Christopher. In addition, the lands currently supplied via the Christopher Ditch will be expanded to include lands currently supplied via the Neal Creek Ditch, which will significantly reduce operational spill occurring at the terminus of the Neal Creek Ditch (into Neal Creek). The project will be installed in two phases: Phase 1 will eliminate Christopher Ditch and overflows now occurring at its terminus. Phase 2 involves water that is currently diverted into the Neal Creek Ditch, which currently flows into Neal Creek, negatively impacting water quality in Neal Creek. By supplying Neal Creek Ditch water users through the pressurized Christopher Ditch pipeline, EFID will significantly reduce the operational spill presently occurring into Neal Creek, thus conserving additional water.

EFID will be completing the Christopher Ditch Phase 1 this coming Fall/Winter 2014-15. The first phase includes piping approximately 3000 feet of open ditch. Phase 2 will be designed and constructed between May 2015 and May 2016. This will include construction of approximately 6800 feet of new pipeline. The purpose of the project is to (1) provide pressurized delivery to EFID patrons currently served by the Christopher and Neal Creek Ditches; (2) conserve, and protect instream, 0.5 cfs of water that is currently lost to overflow and/or operational spill; and (3) improve water quality in Neal Creek by reducing overflow and/or operational spill into Neal Creek. The 0.5 cfs of conserved water will be protected instream throughout EFID's 168 day irrigation season for an annual volume of 166.6 acre-feet.

To meet State Land Use Consistency Requirements, you must list <u>all</u> 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 City of Hood river	ADDRESS 2112 <sup>№D</sup> STREET	
СІТҮ	STATE	ZIP
HOOD RIVER	OR	97031

ENTITY NAME CONFEDERATED TRIBES OF WARM SPRINGS	ADDRESS 1233 VETERANS STREET		
CITY	STATE	ZIP	
WARM SPRINGS	OR	97761	

ENTITY NAME COUNTY OF HOOD RIVER - PLANNING DEPARTMENT	ADDRESS 601 STATE STREET	
CITY	STATE	ZIP
HOOD RIVER	OR	97031

ENTITY NAME MOUNT HOOD IRRIGATION DISTRICT	ADDRESS 6950 Highway 35	
CITY	STATE	ZIP
Parkdale	OR	97041

ENTITY NAME	ADDRESS	
СІГҮ	STATE	ZIP
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Allocation of Conserved Water

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#### Part 3 of 4 - Water Right Information and **Conservation Measures**

WATER RESOURCES DEPT

SALEM OPEREMISE a separate Part 3 for each water right involved in the proposed allocation of conserved water.

#### WATER RIGHT INFORMATION:

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

	Certificated Right	81340			
		Certificate Number	Permit Number or Decree Name		
	Adjudicated, Un-certificated Right				
	Adjudicated, Oli-Certificated Right	Name of Decree	Page Number		
	Permit for which Proof has been				
ш	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: Hood River

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. EFID diverts water from the East Fork of the Hood River from a single point of diversion (POD), located approximately 2 miles SSE of Parkdale, Oregon. The POD is located at river mile (RM) 6.4 of the East Fork Hood River and is specifically described as, NW/SW, Section 4, Township 1 South, Range 10 East, Willamette Meridian, being 3,750 feet South and 430 feet East from the NW corner of Section 4. The total water rights allowed for both EFID and MHID at the POD (and therefore the maximum allowed water rights that could currently be diverted through the EFID diversion and Main Canal) is 132.745 cfs.

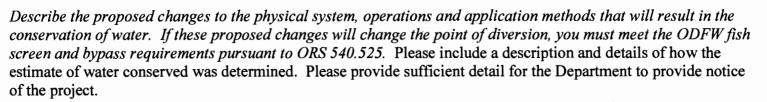
At approximately canal mile (CM) 6.5, water is directed into the Central Lateral Pipeline and Dukes Valley Canal. Both the Christopher Ditch and the Neal Creek Ditch divert from the Main Canal upstream of the start of the Central Lateral Pipeline and Dukes Valley Canal at CM 4.8 and CM 5.6 respectively.

#### **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					
			Rat	e	Dut	у	Ra	te	Duty	
Originating Water Right #	Priority	Acres	Maximum	CFS/AC	Maximum	AF/AC	Maximum	CFS/AC	Maximum	AF/AC
C-81340	11/25/1895	8,526.52	104.45	NA	24,875.63	3.0	132.745			
Totals	1	8,526.52	104.45		24,875.63	3.0	132.745		NA	NA
Note:	1 miner's incl	Note: $l miner's inch = 1/40 cfs;$ $l cfs = 448.8 gpm$ $l cfs = 1.983471 ac-fi/day$								

Note: I miner's inch 1/40 CJS



East Fork Irrigation District (EFID) plans to replace an open, unlined irrigation ditch (Christopher Ditch) with a closed pipeline, eliminating overflows that currently occur at the terminus of the Christopher Ditch. In addition, the lands currently supplied via the Christopher Ditch will be expanded to include lands currently supplied via the Neal Creek Ditch, which will significantly reduce operational spill occurring at the terminus of the Neal Creek Ditch (into Neal Creek). The project will be installed in two phases: Phase 1 will be 3,000 feet and will eliminate Christopher Ditch and overflows now occurring at its terminus. Phase 2 will be 6,800 feet and involves water that is currently diverted into the Neal Creek Ditch, which currently flows into Neal Creek, negatively impacting water quality in Neal Creek. By supplying Neal Creek Ditch water users through the pressurized Christopher Ditch pipeline, EFID will significantly reduce the operational spill presently occurring into Neal Creek, thus conserving additional water.

The estimated amount of water from the Christopher Ditch overflow and the Neal Creek Ditch operational spill that will be eliminated by the project is 0.5 cfs. EFID's Board of Directors has passed a resolution stating that they will reduce their water right by that amount and put the 0.5 cfs into an instream water right. The Confederated Tribes of Warm Springs (CTWS) have contracted the Deschutes River Conservancy to develop the Conserved Water Application that will protect the 0.5 cfs instream with the EFID as the applicant. The basis for the 0.5 cfs of conserved water is explained below:

#### **Conserved Water from elimination of Christopher Ditch Overflows:**

CTWS installed a flow monitoring weir at the terminus of the Christopher Ditch and took flow measurements on 6 occasions during the 2014 irrigation season. The average of those 6 measurements of overflow is 0.23 cfs.

#### **Conserved Water from elimination of Neal Creek Ditch Operation Spill:**

Historically, EFID used the Neal Creek Ditch which spilled directly into Neal Creek as a conveyance to provide water to the District's eastside patrons via the Eastside Canal. The construction of the Central Lateral Pipeline eliminated the need to deliver water to the eastside patrons using Neal Creek as part of the district's delivery system. However, after the completion of the Central Lateral Pipeline; EFID had to continue directing significant quantities of water via the Neal Creek Ditch to serve the 43.1 acres of remaining Neal Creek Ditch patrons. EFID's operational spill that used to provide this water to these patrons required higher flows in the Neal Creek Ditch because of the location of the patron's headgates and/or pumps. CTWS measured flows into the Neal Creek Ditch, using a staff gage and weir, on 4 occasions during the 2014 irrigation season. The average of those measurements is 5.9 cfs. By comparing the current diversions into Neal Creek Ditch (5.9 cfs) to the maximum paper water rate that could be delivered to the remaining 43.1 acres of Neal Creek Ditch patrons (5.62 gpm/ac), we can calculate the maximum amount of conserved water that could potentially be generated by this project.

Based on EFID's allowed diversion rate of 5.62 gallons per minute per acre (gpm/ac), the 43.1 acres currently being served via the Neal Creek Ditch will be delivered a total of up to 0.54 cfs once the Phase 2 of the Christopher Ditch Project is completed. This yields a maximum amount of conserved water of 5.36 cfs (5.9 cfs – 0.54 cfs). Calculations are below:

Conversion Rate: 1 cfs = 448.8 gpm

Calculation #1: (43.1 acres \* [5.62 gpm / 448.8]) = 0.54 cfs = Maximum paper rate for 43.1 acres

Calculation #2: (5.9 cfs - 0.54 cfs = 5.36 cfs) = Maximum amount of potential conserved water



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#### **Total Conserved Water**

Of the overflows and operational spill that will be eliminat SA LEMO DEduced by the Christopher Pipeline, the applicant proposes to allocate a total of 0.5 cfs of conserved water, being 0.23 cfs from elimination of Christopher Ditch overflows and 0.27 cfs from reduction of Neal Creek Ditch operational spill. 100% of the conserved water is to be allocated to permanent instream use in the East Fork Hood River, benefitting both streamflow and water quality. The increased flow will benefit East Fork Hood River populations of Chinook salmon, Coho salmon and mid-Columbia River steelhead trout, which have been listed as 'Threatened' on the Endangered Species List (ESA) since 1998. The East Fork Hood River is also listed on Oregon's Department of Environmental Quality's (DEQ's) 303(d) list for impaired water quality due to temperature, turbidity, fine sediment, pesticide contamination, low flow, habitat quantity and habitat diversity.

#### **Other Benefits**

In addition to increased streamflows in the East Fork Hood River, this project will significantly reduce the spill of silt-laden East Fork water into Neal Creek, thereby improving water quality in Neal Creek (DEQ data suggests that EFID spills into Neal Creek negatively affect the temperature, ph and pesticide contamination level in Neal Creek). Pressurized delivery of irrigation water to an approximate total of 150 acres will reduce the consumption of electricity needed to pressurize irrigation systems, saving both money and power.

#### 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."

Tv	wp	R	ng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of Use listed On Certificate	Priority Date
2 Entire Certif icate	S	9	E	15	NE	NW	153.0	100		EXAMPLE	1/1/1865
					I			Total			

Are there other water right certificates, water use permits, ground water registrations, or uncertificated decreed rights associated with the above lands?  $\boxtimes$  Yes  $\square$  No. If YES, list the certificates, water use permits, ground water registrations, or uncertificated decreed numbers: <u>C-80929, C-80928, C-80926, C-84803, C-84802 & Permit #43393</u>

Is the project within the boundaries of an irrigation district or water control district?  $\boxtimes$  Yes  $\square$  No If YES, and applicant is <u>not</u> 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		Rat	e		Duty	Rate	Dut	у		
Priority	Maximum CFS	CFS/AC	Maximum AF	AF/AC	Maximum CFS	CFS/AC	Maximu AF	m AF/AC	Maximum CFS	Maximum AF	AF/AC
11/25/1 895	106.55	NA	NA	NA	106.05	NA	NA	NA	0.5	NA	NA

			Cons	erved Wat	er Descrip	tion				
	Colur	nn A			Colui	nn B		(	Column C	
Table 1 – Smaller of A or B				Needed				Conserved Water		
Ra	nte	Du	ty	R	ate	Du	t <b>y</b>	Rate	Dut	y
Maximum CFS	CFS/AC	Maximum AI <sup>7</sup>	AF/AC	Maximum CFS	CFS/AC	Maximum AF	AF/AC	Maximum CFS	Maximum AF	AF/AC
104.45	NA	24,875. 63	3.0	103,95	NA	24,709. 03	3,0	0.5	166.6	NA
104.45		24,875. 63	3.0	103.95		24,709, 03	3.0	0.5	166.6	
	Ra Maximum CFS 104.45	Table 1 – SmaRateMaximumCFSCFSIO4.45NA	Rate         Dut           Maximum CFS         Maximum AF         Maximum AF           104.45         NA         24,875.           63	Column A           Table 1 – Smaller of A or B           Rate         Duty           Maximum         Maximum         AF/AC           CFS         CFS/AC         AF         AF/AC           104.45         NA         24,875.         3.0           104.45         24,875.         3.0	Column A           Table 1 - Smaller of A or B           Rate         Duty         Rate           Maximum         CFS         CFS/AC         AF         AF/AC         CFS           104.45         NA         24,875.         3.0         103.95         63         103.95           104.45         A         24,875.         3.0         103.95         103.95	Column A         Colum           Table 1 - Smaller of A or B         Nee           Rate         Duty         Rate           Maximum         CFS         CFS/AC         AF         AF/AC         CFS         CFS/AC         CFS/AC         Maximum         CFS         CFS/AC         Maximum         CFS         CFS/AC         Maximum         CFS         CFS/AC         NA         24,875.         3.0         103.95         NA         104.45         104.45         24,875.         3.0         103.95         NA         24,875.         3.0         103.95         NA         104.45         104.45         104.45         104.45         104.45         3.0         103.95         NA         104.45	$\begin{tabular}{ c c c c } \hline Table 1 - Smaller of A or B & \hline Needed \\ \hline Rate & Duty & Rate & Du \\ \hline Maximum & Maximum & AF/AC & CFS & CFS/AC & AF \\ \hline 104.45 & NA & 24,875. & 3.0 & 103.95 & NA & 24,709. \\ \hline 63 & - & & & & & & & & & & & \\ \hline 104.45 & - & - & & & & & & & & & & & & & \\ \hline 104.45 & - & - & & & & & & & & & & & & & & & $	$\begin{tabular}{ c c c c c } \hline Column A & \hline Column B \\ \hline Table 1 - Smaller of A or B & \hline Needed \\ \hline Table 1 - Smaller of A or B & \hline Needed \\ \hline Table 1 - Smaller of A or B & \hline Needed \\ \hline Table 1 - Smaller of A or B & \hline Needed \\ \hline Nature 1 & \hline Nature 2 & \hline Nature 1 & \hline Nature 2 & \hline Nature 2$	$\begin{tabular}{ c c c c c c c } \hline Column A & \hline Column B & \hline Column $	$\begin{tabular}{ c c c c c c c } \hline Column A & \hline Column B & \hline Column C \\ \hline Table 1 - Smaller of A or B & \hline Needed & \hline Conserved War \\ \hline Table 1 - Smaller of A or B & \hline Needed & \hline Conserved War \\ \hline Rate & Duty & Rate & Duty & Rate & Duty \\ \hline Maximum \\ CFS & CFS/AC & AF & AF/AC & CFS & CFS/AC & AF & AF/AC & CFS & AF \\ \hline 104.45 & NA & 24,875. & 3.0 & 103.95 & NA & 24,709. & 3.0 & 0.5 & 166.6 \\ \hline 104.45 & 24,875. & 3.0 & 103.95 & CFS/AC & AF & AF/AC & CFS & AF \\ \hline 104.45 & 24,875. & 3.0 & 103.95 & CFS/AC & AF & AF/AC & CFS & AF \\ \hline 104.45 & 24,875. & 3.0 & 103.95 & CFS/AC & AF & AF/AC & CFS & AF & AF & AF/AC & CFS & AF & AF & AF/AC & CFS & AF & AF/AC & CFS & AF & AF/AC & CFS & AF & AF & AF/AC & CFS & AF & AF/AC & CFS & AF & AF & AF & AF/AC & CFS & AF & AF & AF & AF & AF/AC & CFS & AF & $

#### 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			Ар	olicant's Portic	m	' Conserved Water		
		Maximum			Maximum			Maximum
	Maximum	Duty		Maximum	Duty		Maximum	Duty
Percentage*	Rate	(Volume)	Percentage	Rate	(Volume)	Percentage	Rate	(Volume)
100%	0.5	166.6	0	0	NA	100%	0.5	166.6

\* must be at least 25%

The priority for the conserved water is requested to be:

 $\boxtimes$  The same as the original right, or

One minute junior to the original right.

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WATER RESOURCES DEPT SALEM, OREGON

## Project Schedule, Funding, and Fee Calculation

Part 4 of 4 - Mitigation, Proposed Use,

#### **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.

Some portion of the water that is proposed to be conserved seeps into the local water table and into the regional groundwater system. The remainder is discharged into Neal Creek, causing measurable decreases in water quality (e.g. temperature, turbidity, pesticide contamination). There is no injury as a result of this allocation of conserved water due to the fact that any downstream Neal Creek water users are not legally entitled (i.e. do not have water rights to) to East Fork Hood River water.

Describe any mitigation or other measures that are planned to avoid harm to other water rights. Please see attached statement from Hood River Basin Water Master, Bob Wood.

#### JAN 15 2015

#### PROPOSED USE:

#### WATER RESOURCES DEPT

- N/A For new out-of-stream uses, describe the intended use and boundaries of the expected active 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: \_; Boundaries: \_\_\_\_\_.
- 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)**
C-81340	11/25/1895	East Fork Hood River	4/15 - 9/30	0.5	166.6
			TOTAL	OLUME	166.6

\*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. Location of the proposed reach (identify the extent of the reach): (e.g., from the upstream POD located at RM \_\_\_\_\_ to downstream location at the mouth at RM \_\_\_\_\_) From the POD located at RM 6.4 of the East Fork Hood River, through the confluence with the Middle Fork Hood River to the Mouth of the Hood River (RM 0).

OR

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.
- $\boxtimes$
- Recreation. Pollution Abatement.

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

None.

 $\boxtimes$ 

Instream Water Right Certificates: C-68457, C-76267, C-86005

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 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?

$\boxtimes$	No;
$\Box$	INO,

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 П instream period; or RECEIVED BY OWRD
  - П The stream is listed as water quality limited by DEQ.

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#### **PROJECT SCHEDULE:**

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

t Abjair Chiair Anno	Conntro Carolina ant Oly Content Carolina	
Date: Nov. 2014	Date: June 2016	*Date: Sept. 2016

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.
- $\square$  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.

Construction Mechanist	l Regione installant secondaria, 1974 ili e
Westmanian	Miteriala di construitori
*Date:	**Date:

- \* 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.

#### FUNDING

Barren and

	ederal or state public funds that <u>are not</u> subject to repayment are to be used for the project. <i>Refer</i> 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 \$
⊠	Enter the percentage from Table 3, Column B (Applicant's Portion of Conserved Water) $\underline{0}$ %. 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 contractual interest in this project. The OWEB project number is

#### FEE CALCULATION

Fee Schedule – ORS 536.050 http://www	v.oregon.gov/owrd/pubs/docs/forms/fee_schedule_4_2012.pdf			
\$1,000.00 - Base (1 <sup>st</sup> Water Right)	Add \$350.00 for each additional right			
$(1x \times 350) = $ Total Fee $(1x \times 350) = $ Total Fee $(1x \times 350) = $ Total Fee $(1x \times 350) = $				

	(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).
NO NO. MINIST. MINIST.	(d) Enter Percentage from Table 3, Column A = $100\%$
	(e) Deduct 25% from percentage in (d) above = $75\%$
	(f) Enter the lesser of (e) above or $50\% \frac{50}{2}$
	(g) Total Fee x % waived (f) = Fee Waiver \$675*
	Example: (d) = 100% - 25% (e) = 75% (max 50% waived) = Fee x 50% = Fee Waiver
	Total Fee \$ <u>1,350</u> – Fee Waiver (g) \$ <u>675</u> = Amount Due \$ <u>675</u>

### **List of Exhibits**

### **EFID Christopher Ditch Pipeline**

- A) EFID Certificate 81340
- B) Signed, Notarized Affidavit of Beneficial Use & Supporting Documentation
- C) EFID Conserved Water Policy
- D) DEQ Letter of Support
- E) ODFW Letter of Support
- F) Project Map with Water Rights
- G) Water Master Letter Confirmation of No Injury
- H) Land Use Notice Notifications

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