

SHONEE D. LANGFORD

Direct Line: Salem 503-540-4261; Portland 503-796-2896

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March 30, 2015

BY HAND DELIVERY

Teri Hranac
Supply and Conservation Specialist
Oregon Water Resources Department
725 Summer St NE Ste A
Salem OR 97301-1271

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Re: Application for Conserved Water
Our File No.: 122869-159985

Dear Teri:

Enclosed for filing on behalf of Dayspring Partners, LLC is an Application for Allocation of Conserved Water with supporting documentation. Also enclosed is a check in the amount of \$2750.00 to cover the application fee. I will serve as the applicant's agent.

Please let me know if you have questions or need additional information to complete your review.

Best regards,



Shonee D. Langford

SDL:kdo
Enclosure

cc: James A. Bisenius, Sr. (w/encl.)
Steven R. Bruce, RG CWRE (w/encl.)



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.

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

- ☒ 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: **24865, 24952, 25515, 25516, 25920 and 25923 (See Attachment A).**
- ☒ Part 4 – Completed Mitigation, Proposed Use, Project Schedule, Funding, and Fee Calculation.

Attachments:

- ☒ Fees – Amount enclosed: \$ **2,750** (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. **Evidence of Use Affidavit provided for Certificates 24865, 25516 and 25923 (which involve POD changes)**
- ☐ ☒ 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 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 letter to Wheeler County accompanying Land Use Information Form. Per pre-application conference, no others have asked to be consulted.**
- ☐ ☒ 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 Dayspring Partners LLC Attn: Mr. James Bisenius			PHONE NO. (503) 603-2500	ADDITIONAL CONTACT NO.
ADDRESS 15350 SW SEQUOIA PARKWAY, SUITE 250			FAX NO. (503) 296-2053	
CITY PORTLAND	STATE OR	ZIP 97224	E-MAIL JIM@CSIMILLC.COM	

- ☐ 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.
ADDRESS			
CITY	STATE	ZIP	E-MAIL

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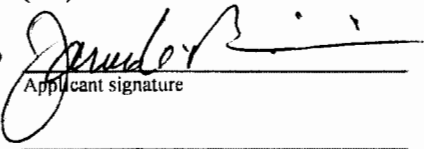
Representative Information – The person(s) listed below is/are authorized to represent the applicant in all matters relating to this application.

REPRESENTATIVE/BUSINESS NAME SHONEE LANGFORD/SCHWABE, WILLIAMSON & WYATT			PHONE NO. (503) 540-4261	ADDITIONAL CONTACT NO.
ADDRESS SCHWABE, WILLIAMSON & WYATT EQUITABLE CENTER 530 CENTER STREET NE, SUITE 400			FAX NO. (503) 796-2900	
CITY SALEM	STATE OR	ZIP 97301	E-MAIL SLANGFORD@SCHWABE.COM	

- ☐ 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: ____.

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


Applicant signature

James A. Bisenius, Manager
Print Name (and Title if applicable)

3/17/15
Date



**SIGN
& DATE**

Applicant signature

Print Name (and Title if applicable)

Date

In your own words tell us what conservations measures you have made or propose to make and the reason for the change(s): We have converted fields from flood irrigation to more efficient systems such as travelers and wheel lines. These changes will allow more uniform application of water and less water loss. We also want to develop more irrigated fields on the ranch using the conserved 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 WHEELER COUNTY	ADDRESS P.O. Box 327	
CITY FOSSIL	STATE OR	ZIP 97830

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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**Part 3 of 4 – Water Right Information and
Conservation Measures**



See Attachment A for separate Part 3 for each water right involved in this application.

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**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.

The Applicant holds all water rights from the headwaters of Rock Creek, Hart Creek and Pine Creek to below the confluence of Pine Hollow Creek and Rock Creek. Applicant's land ownership extends downstream on Rock Creek to the eastern boundary of Section 21, T12S, R25E, WM.

The proposed allocation of conserved water is not expected to harm any downstream water rights, including water rights held by others. Although no harm is expected, Applicant would consent to any potential harm to its own water rights.

Prior to implementation of the conservation measures described in this application, the water that is proposed to be conserved was diverted at authorized points of diversion for flood irrigation on 158.6 acres of land, leaving less water available to downstream appropriators. The conservation measures and the proposed allocation of conserved water will result in approximately 40 acre-feet of water being protected instream at the authorized points of diversion. Once that water passes those points of diversion, it will be available for use by downstream appropriators.

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

Less water will be diverted from the authorized sources and more water will be left instream and available to downstream appropriators. No mitigation is planned, because none should be needed.

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: irrigation and any other legally permissible water use; Boundaries: Township 12 South, Ranges 24, 25 and 26 East; and Township 13 South, Ranges 24 and 25 East, W.M.

☐ For instream uses to be created:

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Originating Water Right (as identified in Part 3)	Priority Date	Source	Proposed Instream Period	Rate (cfs)*	Volume (ac-ft)**
24865	1899	Rock Creek and Springs	April 1 to June 1	0.084	10.1
24952	1878	Springs, Hart Creek and Pine Creek	April 1 to June 1	0.044	5.275
25515	1899	Rock Creek	April 1 to June 1	0.044	5.275
25516	1899	West Fork Rock Creek, Rock Creek Lake and Rock Creek	April 1 to June 1	0.076	9.15
25920	1890	Rock Creek	April 1 to June 1	0.073	8.8
25923	1899	Rock Creek	April 1 to June 1	0.009	1.05
TOTAL VOLUME					39.65

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 _____) _____

OR

☒ Water is requested to be protected at a point at the following location (i.e. legal description of the point of diversion (POD)) See application maps for points of diversion.

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):

- ☒ None.
- ☐ Instream Water Right Certificates: The nearest instream right is Certificate 59793, which is located downstream of the ranch.

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?

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☒ 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:

Begin Construction	Complete Construction and File Notice of Completion	Request that Entire Conserved Water Allocation be Finalized
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.

☒ ☐ 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.

Conservation Measures Were Implemented	Request that Entire Conserved Water Allocation be Finalized
*Date: April 2010	**Date: 5 years from the date of the application

* 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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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 absence 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 contractual 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 (1 st Water Right)	Add \$350.00 for each additional right
$\$1,000 + (5 \times \$350) = \text{Total Fee } \$2,750$	

Fee Waiver Worksheet	
To qualify for a waiver of up to 50%, you must provide evidence to establish your application meets the following criteria:	
☐	(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).
If the project meets one of the above standards, use the following formula to calculate the fees:	
☐	(d) Enter Percentage from Table 3, Column A = _____%
☐	(e) Deduct 25% from percentage in (d) above = _____%
☐	(f) Enter the lesser of (e) above or 50% _____
☐	(g) Total Fee x % waived (f) = Fee Waiver \$_____*
Example: (d) = 100% - 25% (e) = 75% (max 50% waived) = Fee x 50% = Fee Waiver	
Total Fee \$2,750 – Fee Waiver (g) \$0 = Amount Due \$2,750	

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

Allocation of Conserved Water

Notice of Completion

For
CW _____

Applicant Information

APPLICANT/BUSINESS NAME Dayspring Partners LLC Attn: James Bisenius		PHONE NO. (503) 603-2500	ADDITIONAL CONTACT NO.
ADDRESS 15350 SW SEQUOIA PARKWAY, SUITE 250			FAX NO.
CITY PORTLAND	STATE OR	ZIP 97224	E-MAIL JIM@CSIMLLC.COM

(If submitting with an Application, complete only the Applicant name)

Pursuant to OAR 690-018-0062(1), the above applicant hereby notifies the Director that the conservation measure(s) outlined in Allocation of Conserved Water Application CW _____ are complete.

The applicant requests the Director to issue an order:

1. Canceling the water right(s) held by the applicants that is/are modified by the allocation of conserved water;
2. Allowing the continued use of water for the purposes and at the locations described in the original water right certificate(s) at the rate and duty prescribed under OAR-690-018-0050(4)(e); and
3. Allowing the use and management of the conserved water as a dedication of water instream.

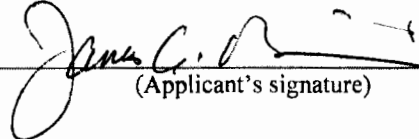
The applicant will file a request for finalization on or before April 1, 2020.
(no more than 5 years).

Dated: 3/17/15

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James A. Bisenius, Manager
(Printed Applicant Name)

(Printed Applicant Name)


(Applicant's signature)

(Applicant's signature)



**SIGN
& DATE**

Attachment A

Part 3 for Certificates 24865, 24952, 25515, 25516, 25920 and 25923

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Part 3 of 4 – Water Right Information and
Conservation Measures

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QWRD

WATER RIGHT INFORMATION:

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

☒ Certificated Right	24865 Certificate Number	John Day River 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: Wheeler

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.*

The POD in the NW NE of Section 11 consisted of a diversion to the unlined Trosper ditch. The ditch had a 3-foot wide bottom, was 1-foot deep, had 2:1 side walls and 1½ foot/100 feet of fall. The calculated capacity of the ditch was 19.9 cfs.

The POD in the SE NW of Section 2 had an 18-inch Waterman gate with approximately 20 feet of CMP behind it sloped at approximately 1.3%. The capacity of the gate is estimated to be 7.5 cfs. The unlined ditch below the CMP was 2-feet wide at the bottom, 1.2-feet deep had 1:1 side walls and 1.3 feet/100 feet of fall. The capacity of the ditch was calculated as 14.8 cfs. There is also a fish screen below the POD as indicated on the application map. The ditch also has an 18-inch-diameter CMP located under the road. The CMP had a slope of approximately 1.3% and a calculated capacity of 7.5 cfs.

The springs described in the certificate are inferred to consist of wet areas in the fields within the SE NW of Section 2 in T13S, R24E, WM. The amount of irrigation the springs provide varies each year and cannot be quantified because there is no apparent surface flow.

Water was applied for flood irrigation using spreader ditches and furrows.

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
24865	1899	40.4	1.01 cfs to June 1, then 0.505 cfs	0.025 to June 1, then 0.013	161.6 AF	1 AF/AC/month to June 1 and 4 AF/AC April 1 to Sept 30	19.9 cfs + 7.5 cfs = 27.4 cfs (serves other rights)	0.678	>161.6	>4
Totals		40.4	See above		161.6		27.4 cfs		>161.6	>4

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
- ☐ Distribution project, such as a ditch piping or lining project
- ☐ Other: _____

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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. *Please include a description and details of how the estimate of water conserved was determined. Please provide sufficient detail for the Department to provide notice of the project.*

The flood irrigation has been replaced with a pump station at a new POD and travelers with big guns. The new POD (referred to as a Proposed Additional POD on the map) is located in the SW SE of Section 35 in T12S, R24E, WM.

The pump station has two 40-hp electric turbine pumps and also serves other water rights in the area. In addition to the two fixed pumps, the ranch has a portable 4-cylinder Duetz Diesel engine coupled to a Cornell DDS 7 inch x 4-inch pump and a portable Isuzu 60 hp engine coupled to a Berkeley pump that can be used for irrigation. All of the pumps have fish screens.

The conveyance system consists of buried 4 and 6-inch-diameter PVC pipelines. There are five Nelson big guns available for delivering the water. Three of the big guns each can discharge 200 gpm; the other two big guns discharge 250 gpm.

The rate will be reduced from 1/40th to 1/60th during the period from April 1 to June 1 and the duty during the full irrigation season will be reduced by 1 AF/acre. The rate and duty reductions occur because the new pressurized system is expected to be at least 20% more efficient than flood irrigation and will allow the delivery of the proper quantity of water at appropriate times during the crop cycle.

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
13	S	24	E	2	NE	NW	100	Lot 3	31.7	Irrigation, Domestic & Stock	1899
13	S	24	E	2	SE	NW	100	--	8.7	“	1899
Total									40.4		

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: NA

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
1899	1.01 to June 1, then 0.505	0.025 to June 1, then 0.013	161.6	4	0.673 to June 1, then 0.505	0.017 to June 1, then 0.013	121.2	3	0.337 to June 1	40.4	1
Totals	See above	See above	161.6	4	See above	See above	121.2	3	0.337 to June 1	40.4	1

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 (Volume)
25%	0.084 cfs to June 1	10.1 AF	75%	0.253 cfs to June 1	30.3 AF	100%	0.337 cfs to June 1	40.4 AF

* 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

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**Part 3 of 4 – Water Right Information and
Conservation Measures**

WATER RIGHT INFORMATION:

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

☒ Certificated Right	24952 Certificate Number	John Day River 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: Wheeler

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.*

The Hart Creek POD in the SW NW of Section 28 consists of an open ditch that water can be diverted to by placing a small push-up dam on the creek. The ditch has a bottom width of 1 foot, a depth of 2 feet, sidewalls with 1½:1 slopes and an approximately 1% slope for a calculated capacity of 41.7 cfs. The amount of water used from Hart Creek varies each year, depending on precipitation.

The POD on the west bank of Pine Creek in the SW SW of Section 28 consists of an 18-inch Armco gate with an approximately 20-foot-long section of CMP with an approximate slope of 1%. The calculated capacity of this system is 6.5 cfs. There is a fish screen below the CMP. The ditch below the fish screen has a bottom width of 3 feet, a depth of 2 feet, sidewalls with a slope of 2:1 and an approximately 1% slope for a calculated capacity of 66.1 cfs. The amount of water used at this Pine Creek POD varies each year, depending on precipitation.

The POD on the east bank of Pine Creek in the SW SW of Section 28 also consists of an 18-inch Armco gate with an approximately 20-foot-long section of CMP with an approximate slope of 1%. The calculated capacity is 6.5 cfs. The ditch below the CMP has a bottom width of 3 feet, a depth of 1.5 feet, sidewalls with 2:1 slopes and an approximately 1% slope for a calculated capacity of 40.1 cfs. The amount of water used at this Pine Creek POD also varies each year, depending on precipitation.

Water was applied for flood irrigation using spreader ditches and furrows.

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	
24952	1878	21.1	0.528 cfs to June 1, then 0.264 cfs	0.025 to June 1, then 0.013	84.4 AF	1 AF/AC/month to June 1 and 4 AF/AC April 1 to Sept 30	41.7 cfs from Hart Creek and up to 13.0 cfs from Pine Creek	>0.025	>84.4 AF	>4	
Totals		21.1	See above	See above	84.4	See above	See above	>0.025	>84.4 AF	>4	

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
- ☐ Distribution project, such as a ditch piping or lining project
- ☐ Other: _____

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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. *Please include a description and details of how the estimate of water conserved was determined. Please provide sufficient detail for the Department to provide notice of the project.*

The flood irrigation has been replaced with pipelines connecting to a Leeson 3-hp electric motor with a Berkeley 2½ inch x2 inch booster pump and sprinklers. The ranch has over 3,500 feet of 4-inch aluminum hand lines and over 3,000 feet of 3-inch aluminum hand lines as well as 220 sprinklers with 9/64-inch nozzles. The reservoir in the NE SW of Section 28, constructed under Permit R-14951 (Application R-87687), is also used as a bulge in the system.

The rate will be reduced from 1/40th to 1/60th during the period from April 1 to June 1 and the duty during the full irrigation season will be reduced by 1 AF/acre. The rate and duty reductions occur because the new pressurized system is expected to be at least 20% more efficient than flood irrigation and will allow the delivery of the proper quantity of water at appropriate times during the crop cycle.

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	1530	100	EXAMPLE	1-1-1865
12	S	24	E	28	NE SW	2200	--	Irrigation	1878
12	S	24	E	28	NE SE	2200	--	Irrigation	1878
12	S	24	E	28	NW SE	2200	--	Irrigation	1878
Total							21.1		

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: _____

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
1878	0.528 cfs to June 1, then 0.264 cfs	0.025 to June 1, then 0.013	84.4	4	0.352 to June 1, then 0.264	0.017 to June 1, then 0.013	63.3	3	0.176 to June 1	21.1	1
Totals	See above	See above	84.4	4	See above	See above	63.3	3	0.176 to June 1	21.1	1

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 (Volume)
25%	0.044cfs to June 1	5.275	75%	0.132 cfs to June 1	15.825	100%	0.176 cfs to June 1	21.1

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 3 of 4 – Water Right Information and
Conservation Measures**



WATER RIGHT INFORMATION:

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

☒ Certificated Right	<u>25515</u> Certificate Number	<u>John Day River</u> 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: Wheeler

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.*
The POD in the NE SW of Section 2, T13S, R24E, WM, consisted of a push-up dam. The unlined ditch below the POD had a bottom width of 2 feet, a depth of 1½ feet, ½:1 side slopes and a fall of 0.8ft/100 ft for an estimated capacity of 13.2 cfs.

The POD in the SW SE of Section 35, T12S, R24E, WM, consisted of a 24-inch Waterman gate with approximately 20 feet of CMP below it. The slope of the CMP was 0.5 ft/100 ft for an estimated capacity of 9.5 cfs. The unlined ditch below the gate had a 4-feet wide bottom, a depth of 2 ½ feet, vertical sides and a fall of 0.5 feet/100 feet for an estimated capacity of 32.2 cfs. There is a fish screen on the ditch below the POD as indicated on the map.

The field was flood irrigated using spreader ditches and furrows.

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.)*

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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
25515	1899	21.1	0.528 cfs to June 1, then 0.264 cfs	0.025 to June 1, then 0.013	84.4 AF	1 AF/AC/month to June 1 and 4 AF/AC April 1 to Sept 30	13.2 cfs at Section 2 POD & 9.5 cfs at Waterman gate	0.450	>84.4 AF	>4
Totals		21.1	See above	See above	84.4	See above	At least 9.5 cfs	0.450	>84.4 AF	>4

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
- ☐ Distribution project, such as a ditch piping or lining project
- ☐ Other: _____

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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. *Please include a description and details of how the estimate of water conserved was determined. Please provide sufficient detail for the Department to provide notice of the project.*

The flood irrigation has been replaced with a pump station at the POD and travelers with big guns. The POD is located in the SW SE of Section 35 in T12S, R24E, WM.

The pump station has two 40-hp electric turbine pumps and also serves other water rights in the area. In addition to the two fixed pumps, the ranch has a portable 4-cylinder Duetz Diesel engine coupled to a Cornell DDC 7 inch x 4-inch pump and a portable Isuzu 60 hp engine coupled to a Berkeley pump that can be used for irrigation. All of the pumps have fish screens.

The conveyance system consists of buried 4 and 6-inch-diameter PVC pipelines. There are five Nelson big guns available for delivering the water. Three of the big guns each can discharge 200 gpm; the other two big guns discharge 250 gpm.

The rate will be reduced from 1/40th to 1/60th during the period from April 1 to June 1 and the duty during the full irrigation season will be reduced by 1 AF/acre. The rate and duty reductions occur because the new pressurized system is expected to be at least 20% more efficient than flood irrigation and will allow the delivery of the proper quantity of water at appropriate times during the crop cycle.

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
Entire	Certificate					2300	--	Irrigation	1899
Total							21.1		

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: Supplemental Irrigation from Certificate 87507

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					Conserved Water				Conserved Water	
Rate					Duty				Rate	
Priority	Maximum CFS	CFS/AC	Maximum AF	AF/AC	Rate	Duty	Rate	Duty	Maximum CFS	Maximum AF
1899	0.528 cfs to June 1, then 0.264 cfs	0.025 to June 1, then 0.013	84.4	4	0.528 to June 1, then 0.264	0.017 to June 1, then 0.013	84.4	4	0.176 to June 1	21.1
Totals	See above	See above	84.4	4	See above	See above	84.4	4	0.176 to June 1	21.1

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 (Volume)
25%	0.044 cfs to June 1	5.275 AF	75%	0.132 cfs to June 1	15.825 AF	100%	0.176 cfs to June 1	21.1

* 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

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Part 3 of 4 – Water Right Information and Conservation Measures

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WATER RIGHT INFORMATION:

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

☒ Certificated Right	<u>25516</u> Certificate Number	<u>John Day River</u> 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: Wheeler

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.*

The PODs for the right also serve a number of other water rights, of which the majority, including this right, do not require water measurement under the decree. The amounts of water historically used from each source for this right are uncertain because of these conditions.

West Fork Rock Creek Source:

POD A in the SE SE of Section 21 in T13S, R24E, WM, consists of a concrete structure with 8-feet-long flashboards to divert water from West Branch Rock Creek to a ditch connected to Rock Creek Lake. A 3-feet-wide Cipoletti weir with concrete wingwalls exists on the ditch downstream of the diversion structure. The unlined ditch downstream of the weir is approximately 17-feet wide at the top, 6-feet wide at the bottom, has a depth of approximately 5.5 feet and approximately 1.3 feet of fall in 100 feet. The calculated ditch capacity is 627.5 cfs; however, there is a 36-inch-diameter CMP culvert downstream of this section of ditch that acts as a constriction. The CMP is approximately 20 feet long and has 0.5 feet of slope. A calculation indicates the CMP capacity is 78.5 cfs. As indicated, the water from this diversion system enters Rock Creek Lake.

Water from the West Fork not diverted to Rock Creek Lake flows into Rock Creek and can be diverted at the Pehling-McFadden Ditch as discussed below.

Rock Creek Lake Source:

Water at POD B on Rock Creek Lake in the SW NE of Section 22 in T13S, R24E, WM, can be diverted through a gate valve at the base of the dam into an 18-inch-diameter HDPE pipeline that has an outlet to Rock Creek as well as the High Ditch located above the east bank of Rock Creek. The open end of the pipe inside the reservoir is reported to be about 40 feet below the lake's surface and has a fish screen on it. The pipeline has estimated altitudes of 4370 feet and 4120 feet at the intake and Rock Creek, respectively. The pipe's capacity to deliver water in the lake to Rock Creek is calculated to be 64.8 cfs.

West Fork, Rock Creek Lake and Rock Creek Sources:

Water from the above Rock Creek tributaries and Rock Creek is diverted to the unlined Pehling-McFadden Ditch in the SW NW of Section 14 in T13S, R24E, WM, using a 32 inch Waterman gate with about 20 feet of 36-inch-diameter CMP

behind it. The slope of the CMP is approximately 0.5%, yielding an estimated capacity of 29.0 cfs. The unlined ditch downstream of the gate has a top width of approximately 8 feet, a bottom width of 3 feet, a depth of 2.5 feet and the fall is about 0.5 feet/100 feet. A calculation indicates the ditch capacity is 50.8 cfs. A fish screen is located about 100 feet downstream of the gate.

In addition to serving other fields, the Pehling-McFadden Ditch diverts water to Fred Creek. A redirection point on Fred Creek in the SE NE of Section 3 in T13S, R24E, WM, diverts the water to a ditch serving the place of use. The redirection point consists of a 2-foot-tall concrete weir with a depth of 1.5 feet. The fall of the ditch at the weir is 1.3%. The capacity of the weir system is calculated to be 7.5 cfs. The ditch downstream has a 2-foot bottom width, is 1.5-feet deep, has 1:1 to 2:1 side slopes and 1.3 feet/100 feet of fall. The ditch capacity in this area is estimated to be 27.7 cfs.

Pre-Project Irrigation of Places of Use:

Water was delivered to the places of use using spreader ditches and furrows.

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
25516	1899	36.6	0.915 cfs to June 1, then 0.458 cfs	0.025 to June 1, then 0.013	146.4 AF	1 AF/AC/month to June 1 and 4 AF/AC April 1 to Sept 30	POD A 78.5 cfs; POD B 64.8 cfs; Rock Creek water redirection on Fred Creek 7.5 cfs (all 3 PODs serve a number of rights)	>0.025	>146.4 AF	>1 to June 1, then >4 April 1 to Sept 30
Totals		36.6	See above	See above	146.4	See above	128.2 cfs	>0.025	>146.4	See above

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
☐ Distribution project, such as a ditch piping or lining project
☐ Other: _____

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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. *Please include a description and details of how the estimate of water conserved was determined. Please provide sufficient detail for the Department to provide notice of the project.*

The flood irrigation has been replaced with a pump station at a new POD and travelers with big guns. The new additional POD (referred to as a Proposed Additional POD on the map) is located in the SW SE of Section 35 in T12S, R24E, WM.

The pump station has two 40-hp electric turbine pumps and also serves other water rights in the area. In addition to the two fixed pumps, the ranch has a portable 4-cylinder Duetz Diesel engine coupled to a Cornell DDC 7 inch x 4-inch pump and a portable Isuzu 60 hp engine coupled to a Berkeley pump that can be used for irrigation. All of the pumps have fish screens.

The conveyance system consists of buried 4 and 6-inch-diameter PVC pipelines. There are five Nelson big guns available for delivering the water. Three of the big guns each can discharge 200 gpm; the other two big guns discharge 250 gpm.

The rate will be reduced from 1/40th to 1/60th during the period from April 1 to June 1 and the duty during the full irrigation season will be reduced by 1 AF/acre. The rate and duty reductions occur because the new pressurized system is expected to be at least 20% more efficient than flood irrigation and will allow the delivery of the proper quantity of water at appropriate times during the crop cycle.

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
12	S	24	E	35	NE	SW	2300	--	17.3	Irrigation and Storage in Rock Creek Lk	1899
12	S	24	E	35	SW	SW	2300	--	0.5	"	1899
12	S	24	E	35	SE	SW	2300	--	17.0	"	1899
12	S	24	E	35	NW	SE	2300	--	1.8	"	1899
Total									36.6		

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: Supplemental Irrigation from Certificate 87507

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.*)

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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
1899	0.915 cfs to June 1, then 0.458 cfs	0.025 to June 1, then 0.013	146.4 AF	4	0.610 to June 1, then 0.458	0.017 to June 1, then 0.013	109.1 AF	3	0.305 to June 1	36.6	1
Totals	See above	See above	146.4 AF	4	See above	See above	109.1 AF	3	0.305 to June 1	36.6	1

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 (Volume)
25%	0.076 cfs to June 1	9.15 AF	75%	0.229 to June 1	27.45 AF	100%	0.305 cfs to June 1	36.6 AF

* 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

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**Part 3 of 4 – Water Right Information and
Conservation Measures**

WATER RIGHT INFORMATION:

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

☒ Certificated Right	25920 Certificate Number	John Day River 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: Wheeler

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.*
The POD in the SW SE of Section 35 consisted of a 24-inch Waterman gate with approximately 20 feet of CMP behind it. The slope of the CMP was 0.5 ft/100 ft for an estimated capacity of 9.5 cfs. The unlined ditch below the gate had a 4-foot wide bottom, a depth of 2 ½ feet, vertical sides and a fall of 0.5 feet/100 feet for an estimated capacity of 32.2 cfs. There is a fish screen on the ditch below the POD as indicated on the map.

The POD in the SW NE of Section 35 consisted of an unlined ditch with a bottom width of 2 feet, a depth of 1.1 feet, side slopes of ½:1 and a fall of 1 foot/100 feet. The estimated capacity of the ditch was 8.74 cfs.

Water was applied for flood irrigation using spreader ditches and furrows.

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.)*

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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	
25920	1890	35.2	0.88 cfs to June 1, then 0.44 cfs	0.025 to June 1, then 0.013	140.8	1 AF/AC/month to June 1 and 4 AF/AC April 1 to Sept 30	9.5 cfs + 8.74 cfs = 18.24 cfs	>0.88	>140.8 AF	>4	
Totals		35.2	See above		140.8	see above	18.24 cfs	>0.88	>140.8 AF	>4	

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

☐ 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. *Please include a description and details of how the estimate of water conserved was determined. Please provide sufficient detail for the Department to provide notice of the project.*

The flood irrigation has been replaced with a pump station at the POD and travelers with big guns. The POD is located in the SW SE of Section 35 in T12S, R24E, WM.

The pump station has two 40-hp electric turbine pumps and also serves other water rights in the area. In addition to the two fixed pumps, the ranch has a portable 4-cylinder Duetz Diesel engine coupled to a Cornell DDC 7 inch x 4-inch pump and a portable Isuzu 60 hp engine coupled to a Berkeley pump that can be used for irrigation. All of the pumps have fish screens.

The conveyance system consists of buried 4 and 6-inch-diameter PVC pipelines. There are five Nelson big guns available for delivering the water. Three of the big guns each can discharge 200 gpm; the other two big guns discharge 250 gpm.

The rate will be reduced from 1/40th to 1/60th during the period from April 1 to June 1 and the duty during the full irrigation season will be reduced by 1 AF/acre. The rate and duty reductions occur because the new pressurized system is expected to be at least 20% more efficient than flood irrigation and will allow the delivery of the proper quantity of water at appropriate times during the crop cycle.

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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
12	S	24	E	35	NE NE	2300	--	Irrigation	1890
12	S	24	E	35	NW NE	2300	--	Irrigation	1890
12	S	24	E	35	SW NE	2300	--	Irrigation	1890
12	S	24	E	35	SE NE	2300	--	Irrigation	1890
Total							35.2		

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: Supplemental Irrigation from Certificate 87507

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
1890	0.88 cfs to June 1, then 0.44 cfs	0.025 to June 1, then 0.013	140.8	4	0.587 to June 1, then 0.44 cfs	0.017 to June 1, then 0.013	105.6	3	0.293 to June 1	35.2	1
Totals	See above	See above	140.8	4	See above	See above	105.6	3	0.293 to June 1	35.2	1

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 (Volume)
25%	0.073 cfs	8.8	75%	0.220 cfs	26.4 AF	100%	0.293 to June 1	35.2 AF

* 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

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**Part 3 of 4 – Water Right Information and
Conservation Measures**



WATER RIGHT INFORMATION:

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

☒ Certificated Right	<u>25923</u> Certificate Number	<u>John Day River</u> 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: Wheeler

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.*

The POD in the NE SE of Section 15 consists of a slide gate connected to 10 feet of 18-inch-diameter CMP with a slope of 0.8 feet in 50 feet. The approximate capacity of this system is 8.0 cfs. There is a 5-foot fish screen below the CMP. The unlined ditch below the diversion has a 2.5 feet wide bottom, is 2 feet deep, has 1½:1 sides and a slope of 1 foot in 100 feet. The ditch capacity is approximately 50.7 cfs.

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
25923	1899	4.2	0.105 cfs to June 1, then 0.053 cfs	0.025 to June 1, then 0.013 cfs	16.8	1 AF/AC/month to June 1 and 4 AF/AC April 1 to Sept 30	8 cfs	1.9 cfs/ac	>16.8	>4
Totals		4.2	See above		16.8	See above	8 cfs		>16.8	>4

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

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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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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. *Please include a description and details of how the estimate of water conserved was determined. Please provide sufficient detail for the Department to provide notice of the project.*

The flood irrigation has been replaced with a portable pump at a new POD and travelers with big guns. The new POD (referred to as a Proposed Additional POD on the map) is located in the SW NW of Section 14 in T13S, R24E, WM.

There is a portable 4-cylinder Duetz Diesel engine coupled to a Cornell DDC 7 inch x 4 inch pump and a portable Isuzu 60 hp engine coupled to a Berkeley pump that can be used for irrigation. Both pumps have fish screens. There are five Nelson big guns available for delivering the water. Three of the big guns each can discharge 200 gpm; the other two big guns discharge 250 gpm.

The rate will be reduced from 1/40th to 1/60th during the period from April 1 to June 1 and the duty during the full irrigation season will be reduced by 1 AF/acre. The rate and duty reductions occur because the new pressurized system is expected to be at least 20% more efficient than flood irrigation and will allow the delivery of the proper quantity of water at appropriate times during the crop cycle.

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
13	S	24	E	14	SW	NW	100	--	4.2	Irrigation	1899
Total									4.2		

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: Supplemental Irrigation from Certificate 86547

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
1899	0.105 cfs to June 1, then 0.053 cfs	0.025 to June 1, then 0.013 cfs	16.8	4	0.07 to June 1, then 0.033	0.017 cfs to June 1, then 0.013 cfs	12.6	3	0.035 to June 1	4.2	3
Totals	See above	See above	16.8	4	See above	See above	12.6	3	0.035 to June 1	4.2	3

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 (Volume)
25%	0.009 cfs	1.05 AF	75%	0.026 cfs	3.15 AF	100%	0.035 cfs	4.2 AF

* 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

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