



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: 74299, 85974, and 85975.
- Part 4 – Completed Mitigation, Proposed Use, Project Schedule, Funding, and Fee Calculation.

Attachments:

- Fees – Amount enclosed: \$500.00 (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 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.
- 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 Farmers Irrigation District			PHONE NO. 541-387-5261	ADDITIONAL CONTACT NO. 541-386-3115
ADDRESS 1985 COUNTRY CLUB ROAD				FAX NO. 541-386-9103
CITY HOOD RIVER	STATE OR	ZIP 97031	E-MAIL LES@FIDHR.ORG	

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: 08/17/2016.

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

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

REPRESENTATIVE/BUSINESS NAME LES PERKINS, MANAGER, FARMERS IRRIGATION DISTRICT			PHONE NO. 541-387-5261	ADDITIONAL CONTACT NO. 541-490-4062
ADDRESS 1985 COUNTRY CLUB ROAD				FAX NO. 541-386-9103
CITY HOOD RIVER	STATE OR	ZIP 97031	E-MAIL LES@FIDHR.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: Hood River News.

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



Les Perkins
Applicant signature

Rick Brock
Applicant signature

Les Perkins, Manager
Print Name (and Title if applicable)

08/26/16
Date

Rick Brock, Water Rights
Print Name (and Title if applicable)


08/26/16
Date

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In your own words tell us what conservations measures you have made or propose to make and the reason for the change(s): Replacement of 2.1 miles of the North Green Point pipeline which is 28 year old pipe. The pipe is remote, leaking and starting to rust through and is not easily repaired. The pipe has been damaged multiple times in the past. The replacement pipe is very strong HDPE 30 inch pipe.

 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 HOOD RIVER COUNTY	ADDRESS 601 STATE STREET	
CITY HOOD RIVER	STATE OR	ZIP 97031

ENTITY NAME CONFEDERATED TRIBES OF WARM SPRINGS NATURAL RESOURCES SECTION	ADDRESS 1233 VETERANS STREET PO BOX C	
CITY WARM SPRINGS	STATE OR	ZIP 97761

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 3 of 4 – Water Right Information and Conservation Measures

WATER RESOURCES DIVISION
SALEM, OREGON



WATER RIGHT INFORMATION:

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

<input checked="" type="checkbox"/> Certificated Right	<u>74299</u>	_____
	Certificate Number	Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Un-certificated Right	_____	_____
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____	_____
	Permit Number	Special Order Volume _____, Page _____
<input type="checkbox"/> 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.* Replacement of 2.1 miles of the North Green Point pipeline, currently 39 inch galvanized pipe which is starting to rust through and leak and some 36" ADS pipe with rock damage. The pipe has also been damaged by logging in the past and other storm damage. The upper end of the pipe to be replaced is approximately 2.69 miles downstream of the installed NMFS & ODFW approved fish screened North Green Point Creek Diversion. The existing pipeline consists of 24" & 27" PVC pipe and some 30" concrete pipe between the diversion and the upstream end of the replacement project. The downstream end of the pipe replacement project is approximately 4 miles upstream of the first irrigation water user on the system. There is currently 36" HDPE, 42" PVC, 42" ADS & 36" Durmax pipe between the lower end of the replacement project and the terminus of the pipeline.

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
74299	12/01/1905	1936.8	31.62 cfs	.0125	5,810.4 ac/ft.	3 ac/ft.	31.62 cfs	.0125	5,810.4	3 ac/ft.
Totals		1936.8	31.62 cfs	.0125	5,810.4	3	31.62 cfs	.0125	5,810.4	3

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, **WATER RESOURCES DEPT SALEM, OREGON**

- 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 North Green Point pipe replacement project includes replacement of 2.1 miles of pipe, which currently is made up of 39" galvanized pipe and 36" ADS pipe. Flow measurements at the start of this section of pipe and at the end of this section of pipe indicate a loss of 1.5 cfs year round. The project is located in Hood River County, in the mountains, GPS coordinates are Lat: 45* 35' 54", Lon: 121* 38' 54", the legal description is 1N-9E-3-SE/SW. The North Green Point diversion has an installed NMFS and ODFW compliant fish screen with bypass. The 2.1 mile stretch of old pipe will be replaced with new 30" HDPE pipe.

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
See	74299						191.7		IR	12/1/1905
attach ment	74299						1,745.1		IS	12/01/1905
Total = Entire certificate							1936.8			

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: Certificates 85974 & 85975.

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
1905	31.62	.0125	5,810.4	3	30.12	.0125		3	1.5	504.9	2.97
							5,305.5			357.0	
Totals							5453.4	per email		per email	
								11/1/16			11/1/16

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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)
75%	1.125 cfs	378.7 AF	25%	.375 cfs	126.2 AF	100%	1.50 cfs	504.9

* must be at least 25%

267.7 per email 11/1/16

89.3 AF per email 11/1/16

357.0 AF per email 11/1/16

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 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. Certificates 74299, 85974 & 85975 will be adjusted. Water that will be conserved is currently leaking out in several places from the 39" & 36" pipe in the 2.1 mile stretch that encompasses the pipe replacement project.

Describe any mitigation or other measures that are planned to avoid harm to other water rights. None

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: We will likely leave the water in-stream for the foreseeable future. If we have a patron who needs additional water, then we may allow a temporary transfer (for instance if they have a new planting that will require a higher level of irrigation than usual). Boundaries: Any new out-of-stream uses will take place within the boundaries of our District. We would be utilizing the existing diversion and fish screen on our North Greenpoint Creek diversion. The areas within our District that would be included are: 2N-10E-04, 2N-10E08, 2N-10E-09, 2N-10E-10, 2N-10E-15, 2N-10E-16, 2N-10E-17, 2N-10E-19, 2N-10E-20.

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)**
74299	12-1-1905	North Green Point Creek	April 15 - October	1.125	378.7
			June 3 to September 30	per email 11/1/16	267.7
				per email 11/1/16	267.7
				TOTAL VOLUME	378.7

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 North Green Point Diversion 1N-9E-3-SE/SW, GPS coordinates Lat: 45° 35' 37" N, Lon: 121° 41' 2" W to the confluence with Green Point Creek located in NENW of Sec. 10, T1N, R9E, WM. Further protected in Green Point Creek to the confluence with West Fork of Hood River located in the SENW of Sec. 12, T1N, R9E, WM.

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.
- Recreation.
- Pollution Abatement.

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

- None.
- Instream Water Right Certificates: _____

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

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

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

- No; **OR**
- Yes (Provide supporting documentation that demonstrates why additional flows are significant for the public use requested.); **OR**
- Yes, and it is presumed that flows that exceed the estimated average natural flow or natural lake levels are significant because:
 - The requested flow does not exceed the maximum amount of any instream water right applied for under ORS 537.338 (state agency instream water right application process); the requested public use is for the same public use; and the requested reach covers a portion or same reach as the state agency instream water right; **and**
 - The stream is in an ODFW flow restoration priority watershed during the requested instream period; **or**
 - The stream is listed as water quality limited by DEQ.

PROJECT SCHEDULE:

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

Begin Construction	Complete Construction and File Notice of Completion	Request that Entire Conserved Water Allocation be Finalized
Date: 10-1-2016	Date: 12-16-2016	*Date: 9-30-2021

* 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:	**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.

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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: Oregon Water Resources Department, Water Supply Development Account

Total cost for project engineering \$85,000.00
Total cost for construction \$1,304,245.00

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 \$0.

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 \$0.

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 \$79,500.00.

N/A Enter the percentage from Table 3, Column B (Applicant's Portion of Conserved Water) 25%. 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 + (0 \times \$350) = \text{Total Fee } \1000.00	

Fee Waiver Worksheet	
To qualify for a waiver of up to 50%, you must provide evidence to establish your application meets the following criteria:	
<input checked="" type="checkbox"/>	(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
<input checked="" type="checkbox"/>	(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:	
<input checked="" type="checkbox"/>	(d) Enter Percentage from Table 3, Column A = <u>75%</u>
<input checked="" type="checkbox"/>	(e) Deduct 25% from percentage in (d) above = <u>50%</u>
<input checked="" type="checkbox"/>	(f) Enter the lesser of (e) above or 50% <u>50%</u>
<input checked="" type="checkbox"/>	(g) Total Fee x % waived (f) = Fee Waiver <u>\$500.00*</u>
	Example: (d) = 100% - 25% (e) = 75% (max 50% waived) = Fee x 50% = Fee Waiver
<input checked="" type="checkbox"/>	Total Fee <u>\$1000.00</u> – Fee Waiver (g) <u>\$500.00</u> = Amount Due <u>\$500.00</u>

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**Oregon Department of Environmental Quality
LAND USE COMPATIBILITY STATEMENT (LUCS)**

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SECTION 1 - TO BE COMPLETED BY APPLICANT

1A. Applicant Name: Farmers Irrigation District	1B. Project Name: LPPF Lowline North Green Point Pipe Phase
Contact Name: Les Perkins	Physical Address: 1985 Country Club Rd.
Mailing Address: 1985 Country Club Rd.	City, State, Zip: Hood River, OR 97031
City, State, Zip: Hood River, OR 97031	Tax Lot #: 0100 and 0700 and 0300
Telephone: 541-387-5261	Township: 1N Range: 9E Section: 1 & 2
Tax Account #: 93-0391212	Latitude: 45 degrees 36' 23" N
	Longitude: 121 degrees 39' 52" W

1C. Describe the project, include the type of development, business, or facility and services or products provided (attach additional information if necessary):

This project is part of the ongoing work within FID's system to improve infrastructure to improve reliability, conserve water, improve water quality, and improve hydroelectric production. The LPPF Lowline North Green Point Pipe Phase entails removal of existing leaky and damaged metal pipe. Approximately 12,000 feet of existing 37" metal pipe and 42" N12 pipe will be removed and replaced with 30" HDPE fused pipe. This segment of pipe is part of a much larger pipeline system which delivers water for irrigation and hydroelectric production. The source water is from a diversion on North Green Point Creek which is located approximately 2 miles from the project location. The diversion has a National Marine Fisheries Service compliant fish screen installed and operating. The project will be contained within FID's easements (circa 1906) and will not involve any in-stream work. The new pipe will be installed within the existing pipe alignment.

1D. Check the type of DEQ permit(s) or approval(s) being applied for at this time.

- | | |
|---|--|
| <input type="checkbox"/> Air Quality Notice of Construction | <input type="checkbox"/> Pollution Control Bond Request |
| <input type="checkbox"/> Air Contaminant Discharge Permit (<i>excludes portable facility permits</i>) | <input type="checkbox"/> Hazardous Waste Treatment, Storage, or Disposal Permit |
| <input type="checkbox"/> Air Quality Title V Permit | <input checked="" type="checkbox"/> Clean Water State Revolving Fund Loan Request |
| <input type="checkbox"/> Air Quality Indirect Source Permit | <input type="checkbox"/> Wastewater/Sewer Construction Plan/Specifications (<i>includes review of plan changes that require use of new land</i>) |
| <input type="checkbox"/> Parking/Traffic Circulation Plan | <input type="checkbox"/> Water Quality NPDES Individual Permit |
| <input type="checkbox"/> Solid Waste Land Disposal Site Permit | <input type="checkbox"/> Water Quality WPCF Individual Permit (<i>for onsite construction-installation permits use the DEQ Onsite LUCS form</i>) |
| <input type="checkbox"/> Solid Waste Treatment Facility Permit | <input checked="" type="checkbox"/> Water Quality NPDES Stormwater General Permit (<i>1200-A, 1200-C, 1200-CA, 1200-COLS, and 1200-Z</i>) |
| <input type="checkbox"/> Solid Waste Composting Facility Permit (includes Anaerobic Digester) | <input type="checkbox"/> Water Quality General Permit (<i>all general permits, except 600, 700-PM, 1700-A, and 1700-B when they are mobile.</i>) |
| <input type="checkbox"/> Conversion Technology Facility Permit | <input type="checkbox"/> Water Quality 401 Certification for federal permit or license |
| <input type="checkbox"/> Solid Waste Letter Authorization Permit | |
| <input type="checkbox"/> Solid Waste Material Recovery Facility Permit | |
| <input type="checkbox"/> Solid Waste Energy Recovery Facility Permit | |
| <input type="checkbox"/> Solid Waste Transfer Station Permit | |
| <input type="checkbox"/> Waste Tire Storage Site Permit | |

1E. This application is for: Permit Renewal New Permit Permit Modification Other:

SECTION 2 - TO BE COMPLETED BY CITY OR COUNTY PLANNING OFFICIAL

Instructions: Written findings of fact for all local decisions are required; written findings from previous actions are acceptable. For uses allowed outright by the acknowledged comprehensive plan, DEQ will accept written findings in the form of a reference to the specific plan policies, criteria, or standards that were relied upon in rendering the decision with an indication of why the decision is justified based on the plan policies, criteria, or standards.

2A. The project proposal is located: Inside city limits Inside UGB Outside UGB

2B. Name of the city or county that has land use jurisdiction (the legal entity responsible for land use decisions for the subject property or land use):
Hood River County

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Oregon Department of Environmental Quality
LAND USE COMPATIBILITY STATEMENT (LUCS)

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WATER RESOURCES DEPT

SALEM, OREGON

SECTION 2 - TO BE COMPLETED BY CITY OR COUNTY PLANNING OFFICIAL

Applicant Name: Farmers Irrigation District Project Name: LPFP Lowline North Green Point Pipe Phase

2C. Is the activity allowed under Measure 49 (2007)? No, Measure 49 is not applicable Yes; if yes, then check one:

Express; approved by DLCDC order #:

Conditional; approved by DLCDC order #:

Vested; approved by local government decision or court judgment docket or order #:

2D. Is the activity a composting facility?

No Yes; Senate Bill 462 (2013) notification requirements have been met.

2E. Is the activity or use compatible with your acknowledged comprehensive plan as required by OAR 660-031?

Please complete this form to address the activity or use for which the applicant is seeking approval (see 1.C on the previous page). If the activity or use is to occur in multiple phases, please ensure that your approval addresses the phases described in 1.C. For example, if the applicant's project is described in 1.C as a subdivision and the LUCS indicates that only clearing and grading are allowed outright but does not indicate whether the subdivision is approved, DEQ will delay permit issuance until approval for the subdivision is obtained from the local planning official.

The activity or use is specifically exempt by the acknowledged comprehensive plan; explain:

YES, the activity or use is pre-existing nonconforming use allowed outright by (provide reference for local ordinance):

YES, the activity or use is allowed outright by (provide reference for local ordinance): Section 5.02 of the Hood River County Zoning Ordinance.

YES, the activity or use received preliminary approval that includes requirements to fully comply with local requirements; findings are attached.

YES, the activity or use is allowed; findings are attached.

NO, see 2.C above, activity or use allowed under Measure 49; findings are attached.

NO, (complete below or attach findings for noncompliance and identify requirements the applicant must comply with before compatibility can be determined):

Relevant specific plan policies, criteria, or standards:

Provide the reasons for the decision:

Additional comments (attach additional information as needed):

Replacement of existing irrigation conveyance line.

Planning Official Signature:

Eric Walker

Title:

Principal Planner

Print Name:

ERIC WALKER

Telephone #:

541-387-6840

Date:

6/27/16

If necessary, depending upon city/county agreement on jurisdiction outside city limits but within UGB:

Planning Official Signature:

Title:

Print Name:

Telephone #:

Date:

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Farmers Irrigation District Conserved Water Policy

WATER RESOURCES DEPT
SALEM, OREGON

Adopted August 17, 2016

1. Authority

The Board of Directors (the "Board") of Farmers Irrigation District (the "District") must adopt a Conserved Water Policy (the "Policy") pursuant to Oregon Administrative Rule ("OAR") 690-018-0025 in order to allocate conserved water from conservation measures pursuant to Oregon Revised Statutes ("ORS") 537.455 to 537.500.

2. Conserved Water Policy

A portion of any water conserved pursuant to the Policy may be used on additional lands, be put to a different use, or be leased or sold to another user. The Policy is intended to promote the conservation of water, maximize beneficial use and enhance stream flows pursuant to the statutory authority in ORS 537.455 to 537.500 and 540.510(2) and (3).

3. Definition of Conserved Water

"Conserved Water" means that amount of water that results from conservation measures, defined as the difference between: (a) the smaller of the amount stated on the water right or the maximum amount of water that can be diverted using the existing facilities; and (b) the amount of water needed after implementation of conservation measures to meet the beneficial use under the water right certificate.

4. Allocation of Conserved Water

All water resulting from a water conservation measure may be transferred for use for: (a) irrigation of additional land (District's/applicant's land or land of others through transfer); (b) other beneficial uses under Oregon law; or (c) lease or permanent allocation to instream benefits. In particular, conserved water shall be allocated pursuant to the Policy in the following percentages: (a) 25% of the conserved water shall be allocated to the State of Oregon for instream purposes; and (b) 75% of the remaining water shall be allocated to the District/applicant in proportion to its financial contribution to the conservation measure. If there are public monies contributed to the conservation measure, the percent of instream water allocated for the public benefit, shall include the 25% instream allocation required under ORS 537.455 to 537.500. In no case shall the District/applicant receive less than 25% of the remaining conserved water unless the District/applicant voluntarily chooses to propose a higher allocation to the State for instream purposes. All transfers must conform to Oregon Water Resources Department ("OWRD") rules and regulations.

5. Share in Funding Water Conservation Project

When the District adopts a water conservation project providing for conserved water, notice of the project and its adoption shall be given to all District patrons. The notice to the patrons shall indicate the project's estimated cost per irrigated acre and allow the patrons thirty (30) days from the date the notice is placed in the mail, postage pre-paid, for first class mail, to elect to fund their prorata share of the project and receive their prorata share of conserved water less any state mandated instream percentage of the conserved water.

Notification to the District by the patron of the patron's election to fund their prorata share of the water conservation project, shall be in writing and shall include a check to cover the costs estimated for the District patron's prorata share of the project. If the project estimates are high then patron will upon completion of the project receive a refund. If the project estimate is low the patron will upon completion of the project pay the increased prorata costs.

6. Conserved Water Applications

An application must be submitted to OWRD to request allocation of conserved water, as required by OWRD's rules for the conserved water program. It must be accompanied by the appropriate fee and the applicant will be required to pay for costs of notice. There is a state public review process for such applications. Two types of applications are contemplated by this Policy:

(a) District Applications. When the conserved water occurs within the conveyance system, prior to a District diversion or measurement point at the farm, the conserved water is a transportation loss for which the District as holder of the water right may apply. Applications may be the result of piping, lining, change in District point of diversion, or other capital improvements or methodology which conserves water and meets the state's program requirements. The allocation of conserved water as the result of a District project and the expenditure of District funds and personnel results in a benefit to the District as a whole so long as no water user's ability to legally apply the user's beneficial allocation occurs.

(b) Water User Applications. When the conserved water occurs past the District's point of diversion to the farm, then the conserved water is a transportation loss for which the water user beneficially applying irrigation to the landowner's own property may apply. The allocation of conserved water as the result of the water user project and expenditure is a benefit to the landowner applying for the conserved water project proportionate to the amount of water at that diversion allocated to the applicant.

7. Appeal Process

District patrons shall have period of sixty (60) days from the date of the adoption of the Policy to petition for a vote by all District patrons on the Policy. The petition for a vote shall be governed by the applicable statutes governing elections or recalls in the District. District patrons shall also have a period of thirty (30) days from the receipt of a notice that a water conservation project is adopted by the Board within which to file a notice of an appeal requesting review by the Board for failure to follow the Policy of the District in adopting the water conservation project.

8. Review of Policy

The Board shall review and update the Policy at the first regularly scheduled board meeting following every fifth anniversary of the Board either adopting, or reviewing and updating, the Policy. The Board may, in its sole discretion, review and update the Policy at any other meeting of the Board. The Board shall follow the process and provisions of the Policy, as required by OAR 690-018-0025(2), whenever reviewing and updating the Policy.

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