

Application for
Surface Water
Allocation of Conserved Water
 Part 1 of 4 – Minimum Requirements Checklist



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

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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: 75881.
- Part 4 – Completed Mitigation, Proposed Use, Project Schedule, Funding, and Fee Calculation.

Attachments:

- Fees – Amount enclosed: \$ 1,360.00 (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.
- 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 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. (The entire conservation 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 Berchtold Farming LLC		PHONE NO. 949 315-9132	ADDITIONAL CONTACT NO. 505 920-5897 (NETANYA WELCH)
ADDRESS 125 IRVINE COVE CIRCLE			FAX NO.
CITY LAGUNA BEACH	STATE CA	ZIP 92651	E-MAIL MIKEBERCHTOLD@GMAIL.COM , NETANYAWELCH@ROSEARROWESTATE.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

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

REPRESENTATIVE/BUSINESS NAME ENVIROLOGIC RESOURCES INC., (NANCY EAST SMITH)		PHONE NO. 503 860-9658	ADDITIONAL CONTACT NO. 503 799-8011 (TOM CALABRESE)
ADDRESS PO Box 80762			FAX NO.
CITY PORTLAND	STATE OR	ZIP 97280	E-MAIL TOMCALABRESE@H2OGEO.COM nancyesmith@h2ogeo.com

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.

Michael J. Berchtold
Applicant signature

Michael J. Berchtold, Manager
Print Name (and Title if applicable)

6/29/22
Date

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Applicant signature

Print Name (and Title if applicable)

Date

In your own words tell us what physical conservations measures you have made or propose to make and the reason for the change(s): Upgrades to the irrigation system started in 2019 for the applicable portions of the subject water right. Upgrades include converting from hand watering with garden hoses to using drip emitters. The completion of the irrigation system upgrade is anticipated to occur during the 2022 irrigation season and includes incorporating a holding tank to be used as a bulge. If gravity feed from the holding tank does not provide sufficient pressure for all the emitters to function a booster pump may be required.

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 WASHINGTON COUNTY	ADDRESS 155 N 1ST AVE, #350	
CITY HILLSBORO	STATE OR	ZIP 97214

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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 RIGHT INFORMATION:

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

<input checked="" type="checkbox"/>	Certificated Right	75881 Certificate Number	S 28995 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 Proper Proof of the change has been filed	_____ Previous Certificate / Transfer Number	_____ Date Claim of Beneficial Use Submitted

County: Washington

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.* Pre project water delivery system included a pump (rated at 164 gpm) with a 2-inch intake from the reservoir with a 2-inch discharge hose that lead to a manifold. The manifold connected to a 3-inch pipe with 2-inch sub mains that lead to the vineyard rows and a pasture. Connectors off of the sub mains were used to attach garden hoses. Actual irrigation occurred by hand watering with garden hoses. Sprinklers were utilized for the pasture area.

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. Conversely, if the water is only limited by duty, do not list a rate).* **NOTE ONLY 6.5 ACRES OF THE WATER RIGHT ARE SUBJECT TO CONSERVATION MEASURES. TOTAL WATER RIGHT IS FOR 12.35 ACRES**

PRE-PROJECT DESCRIPTION								
			Column A Water Right of Record				Column B System Capacity	
			Rate		Duty		Rate	Duty
Originating Water Right #	Priority	Acres	Maximum CFS	CFS/AC	Maximum AF	AF/AC	Maximum CFS	Maximum AF
75881	7/12/1963	6.5	0.081	1/80	16.3	2.5	0.36	52.5
Totals		6.5	0.081	1/80	16.3	2.5	0.36	52.5

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

CONSERVATION MEASURES:

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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. Water will be pumped from the reservoir to a holding tank (~10,000 gal.) using a pump and a main line. From the holding tank water will be gravity feed to the emitters. If this does not provide sufficient pressure for all the emitters to work a second pump will be used at the holding tank to provide adequate pressure. There are 10,182 emitters rated at 1/2 gph on the lands to be included in the conserved water acres.

The amount of water conservation was determined by the emitter specifications and water use on adjoining acreage (being irrigated under LL 1781) that utilizes the same type of irrigation system.

Existing Point(s) of Diversion:

Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Measured Distances or Latitude and Longitude
2	S	2	W	26	SE	SW	1301		1090 ft North and 340 ft West of S 1/4 Sec 26

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	200	43	153.0	EXAMPLE	1/1/1865
2	S	2	W	26	SE	SW	1301		1.7	Irrigation	7/12/1963
2	S	2	W	26	SW	SE	1301		4.8	Irrigation	7/12/1963
Total									6.5		

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, groundwater registrations, or uncertificated decree 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
7/12/1963	0.081	1/80	16.3	2.5	0.035	1/200	.4	0.06	0.046	15.9
Totals	0.081	1/80	16.3	2.5	0.035	1/200	.4	0.06	0.046	15.9

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 %	.011 cfs	4.0 af	75 %	0.035 cfs	11.9 af	100%	0.046 cfs	15.9 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 4 of 4 – Mitigation, Proposed Use, Project Schedule, Funding, and Fee Calculation

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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. There are no expected effects on other water rights. Currently the water is used for irrigation and since the conservation measures are partially implemented more water flows downstream during the irrigation season.

Describe any mitigation or other measures that are planned to avoid harm to other water rights. This project is not expected to result in any harm to other water rights.

PROPOSED USE:

New Out-of Stream Uses:

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; Boundaries: 2S, 2W, Sec 26, SWSW, SESW, SWSE.

Will the new use require a change or additional point of diversion/appropriation?

Yes No Unknown at this time

New Point of Diversion:

Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Measured Distances or Latitude and Longitude

New Instream Uses to be Created (State’s Portion):

Originating Surface Water Right (as identified in Part 3)	Priority Date	Source	Proposed Instream Period	Rate (cfs)*	Volume (ac-ft)**
75881	7/12/1963	unnamed creek and reservoir	Irrigation Season	.011	4.0
TOTAL VOLUME					4.0

* 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 duty or volume 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 downstream of POD to confluence with unnamed stream in 2S 2W Sec 26, SWSE

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 and scenic attraction.
- Water Quality (e.g. pollution abatement).

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

- None.
- Instream Water Right Certificates: _____

- N/A 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.

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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: 6/2019	Date: 11/2022	*Date: 2/2023

* 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: _____
- 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) has a contractual interest in this project. The OWEB project number is _____.

FEE CALCULATION

Fee Schedule – ORS 536.050 https://www.oregon.gov/OWRD/Forms/Pages/default.aspx	
\$1,360.00 - Base (1 st Water Right)	Add \$480.00 for each additional right
$\$1,360 + (\underline{0} \times \$480) = \text{Total Fee } \$ \quad 1,360.00$	

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 type="checkbox"/>	(a) Will be converted to an instream right pursuant to ORS 537.348; or
<input type="checkbox"/>	(b) Is necessary to complete a project funded under ORS 541.375 (OWEB); or
<input 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 type="checkbox"/>	(d) Enter Percentage from Table 3, Column A = _____%
<input type="checkbox"/>	(e) Deduct 25% from percentage in (d) above = _____%
<input type="checkbox"/>	(f) Enter the lesser of (e) above or 50% _____
<input type="checkbox"/>	(g) Total Fee x % waived (f) = Fee Waiver \$ _____
<i>Example: (d) = 100% - 25% (e) = 75% (max 50% waived) = Fee x 50% = Fee Waiver</i>	
Total Fee \$ _____ – Fee Waiver (g) \$ _____ = Amount Due \$ _____	

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ATTACHMENT A
Certificate 75881
COBU Map T-6707
Originating Certificate Map

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STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRANK L. AND BETTY M. NIMS
21980 SW AEBISCHER ROAD
SHERWOOD, OREGON 97140

confirms the right to use the waters of AN UNNAMED CREEK AND RESERVOIR
CONSTRUTCTED UNDER APPLICATION NO. R-38892, PERMIT NO. R-3420, a
tributary of CHICKEN CREEK, for IRRIGATION OF 12.35 ACRES.

This right was perfected under Permit 28955. The date of priority is
JULY 12, 1963. The amount of water to which this right is entitled is
limited to an amount actually beneficially used and shall not exceed
0.15 CUBIC FOOT PER SECOND or its equivalent in case of rotation,
measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 26, T 2 S, R 2 W, W.M.; 1090 FEET NORTH AND
340 FEET WEST FROM THE S $\frac{1}{4}$ CORNER OF SECTION 26.

The amount of water used for irrigation, together with the amount
secured under any other right existing for the same lands, is limited
to ONE-EIGHTIETH of one cubic foot per second per acre, or its
equivalent for each acre irrigated and shall be further limited to a
diversion of not to exceed 2 $\frac{1}{2}$ acre-feet for each acre irrigated during
the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

A description of the place of use to which this right is appurtenant
is as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.55 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.80 ACRES
SECTION 26
TOWNSHIP 2 SOUTH, RANGE 2 WEST, W.M.

This certificate describes that portion of the water right confirmed
by Certificate 43526, State Record of Water Right Certificates, NOT
modified by the provisions of an order of the Water Resources Director
entered DEC 09 1998, approving Transfer Application
6707.

The issuance of this superseding certificate does not confirm the
status of the water right in regard to the provisions of ORS 540.610
pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted
to beneficial use on the lands or place of use described. The use
confirmed herein may be made only at times when sufficient water is
available to satisfy all prior rights, including rights for
maintaining instream flows.

WITNESS the signature of the Water Resources
Director, affixed DEC 09 1998.

/s/ Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75881.

T-6707.PKS

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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Land Use Information Form

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OREGON Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.oregon.gov/OWRD


Applicant(s): Berchtold Farming LLC

Mailing Address: 125 Irvine Cove Circle

City: Laguna Beach State: CA Zip Code: 92651 Daytime Phone: 949 315-9132 owner
 (Netanya Welch on site contact 505 920-5897)

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
2S	2W	26	SWSW	1301	AF-20	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	farming
			SESW	1301	AF-20	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	farming
			SWSE	1301	AF-20	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	farming
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Washington

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) _____

Estimated quantity of water needed: 16
 cubic feet per second
 gallons per minute
 acre-feet

Intended use of water: Irrigation
 Commercial
 Industrial
 Domestic for _____ household(s)
 Municipal
 Quasi-Municipal
 Instream
 Other _____

Briefly describe:

Upgrading irrigation system for existing acres with a water right and will irrigate additional acres within the same tax lot with the conserved water.



Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

For Local Government Use Only

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The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): **Section 344**
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Erik Stout Title: Associate Planner

Signature: *Erik Stout* Phone: 503-846-8135 Date: 6-27-22

Government Entity: Washington County LUT

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Application for Water Right Transfer

Evidence of Use Affidavit



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) ss
 County of Washington)

I, Netanya Welch, in my capacity as On site manager

mailing address mailing:125 Irvine Cove Circle, Laguna Beach, CA 92651 Site: 21980 SW Aebischer Road, Sherwood, OR, 97140

telephone number (505) 920-5897, being first duly sworn depose and say:

RECEIVED
 JUL 08 2022
 OWRD

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # _____; **OR**

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)
75881	2	S	2	W	WM	26	SWSE		4.8
							SESW		1.7

OR

- Confirming Certificate # _____ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

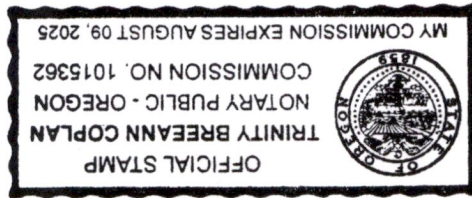
(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): Irrigation of pasture and crops
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Netay Welch
Signature of Affiant

6/29/22
Date

Signed and sworn to (or affirmed) before me this 29th day of June, 2022.



Trinity Coplan
Notary Public for Oregon

My Commission Expires: August 9th, 2025

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph <p style="text-align: center;">RECEIVED JUL 08 2022 OWRD</p>	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number