

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



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

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

- 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: **17190, 76175, 83471.**
- Part 4 –Completed Mitigation, Proposed Use, Project Schedule, Funding, and Fee Calculation.

Attachments:

- Fees – Amount enclosed: \$ **1,160.00** (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.)

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Part 2 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Elizabeth M Sarthou, Trustee		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS P.O. BOX 191			FAX NO.
CITY EAGLE POINT	STATE OR	ZIP 97524-0191	E-MAIL

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

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

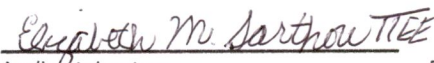
REPRESENTATIVE/BUSINESS NAME GARY WEST, JR.		PHONE NO. (541) 826-3851	ADDITIONAL CONTACT NO.
ADDRESS P.O. BOX 2231			FAX NO.
CITY WHITE CITY	STATE OR	ZIP 97503	E-MAIL BEGEEWEST@GMAIL.COM

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

REPRESENTATIVE/BUSINESS NAME TROUT UNLIMITED (JULIE CYMORE)		PHONE NO. (541) 200-4469	ADDITIONAL CONTACT NO.
ADDRESS 633 IOWA STREET			FAX NO.
CITY ASHLAND	STATE OR	ZIP 97520	E-MAIL JULIE.CYMORE@TU.ORG

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.

 *Elizabeth M. Sarthou* **TRUSTEE** *Elizabeth M. Sarthou* **TRUSTEE** *2/6/2024*
 Applicant signature Print Name (and Title if applicable) Date

 Applicant signature Print Name (and Title if applicable) Date

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In your own words tell us what physical conservations measures you have made or propose to make and the reason for the change(s): The authorized POD will be moved from a ditch to a pump and pivot and wheel line irrigation system for efficiency. A meter will be installed at the pump. 100% of conserved water will be allocated instream.



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 JACKSON COUNTY (PLANNING)	ADDRESS 10 SOUTH OAKDALE AVE. ROOM 100	
CITY MEDFORD	STATE OR	ZIP 97501

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

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

WATER RIGHT INFORMATION:

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

<input checked="" type="checkbox"/>	Certificated Right	17190	
		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 Proper Proof of the change has been filed		
		Previous Certificate / Transfer Number	Date Claim of Beneficial Use Submitted

County: Jackson

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.* Water is diverted into a shared earthen ditch to property. The property is flood irrigated from the ditch. A portable gas pump has been used to irrigate on the north side of the creek

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).*

PRE-PROJECT DESCRIPTION								
			Column A				Column B	
			Water Right of Record				System Capacity	
			Rate		Duty		Rate	Duty
Originating Water Right #	Priority	Acres	Maximum CFS	CFS/AC	Maximum AF	AF/AC	Maximum CFS	Maximum AF
17190	1869	23	0.388	1/59.3	140.8	6.12	3+	1,088.9
Totals		23	0.388		140.8	6.12	3+	1,088.9

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: Moving from ditch to pump and pivot system

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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 system will change from a ditch diversion and flood irrigation to a pump and pivot system and wheel lines. The pivot system will have adjustable sprinklers below the pivot. Rate will be reduced to from 1/59.3 CFS/Ac. to 1/80 CFS per acre and duty will be reduced from 6.12 AF/Ac. To 4.5 AF/Ac. or less based on estimated capacity of new system and crop need.

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Existing Point(s) of Diversion:

Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Measured Distances or Latitude and Longitude
37	S	2	E	4	NE	NE	500		200 ft. S. & 1590 ft. E. from the North ¼ corner section 4

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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	200	43	153.0	EXAMPLE	1/1/1865
36	S	2	E	33	NE	SW	1001		17.8	irrigation	1/1/1869
36	S	2	E	33	NW	SW	1001		5.2	irrigation	1/1/1869
									Total	23.0	

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: 76175, 83471

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
1869	0.388	1/59.3	140.8	6.12	0.288	1/80	103.5	4.5	0.10	36.3
Totals	0.388		140.8		0.288		103.5		0.10	36.3

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)
100%	0.10	36.3	0%			100%	0.10	36.3

* 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

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

WATER RIGHT INFORMATION:

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

<input checked="" type="checkbox"/> Certificated Right	76175	
	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 Proper Proof of the change has been filed		
	Previous Certificate / Transfer Number	Date Claim of Beneficial Use Submitted

County: Jackson

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.* Water is diverted into a shared earthen ditch to property. The property is flood irrigated from the ditch. A portable gas pump has been used to irrigate on the north side of the creek

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).*

PRE-PROJECT DESCRIPTION								
			Column A				Column B	
			Water Right of Record				System Capacity	
			Rate		Duty		Rate	Duty
Originating Water Right #	Priority	Acres	Maximum CFS	CFS/AC	Maximum AF	AF/AC	Maximum CFS	Maximum AF
76175	1895	5	0.127	1/39.3	46.1	9.22	3+	1,088.9
Totals		5	0.127		46.1	9.22	3+	1,088.9

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: Moving from ditch to pump and pivot system

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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 system will change from a ditch diversion and flood irrigation to a pump and pivot system and wheel lines. The pivot system will have adjustable sprinklers below the pivot. Rate will be reduced to from 1/39.3 CFS/Ac. to 1/80 CFS per acre and duty will be reduced from 9.22 AF/Ac. To 4.5 AF/Ac. or less based on estimated capacity of new system and crop need.

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Existing Point(s) of Diversion:

Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Measured Distances or Latitude and Longitude
37	S	2	E	4	NE	NE	500		200 ft. S. & 1590 ft. E. from the North ¼ corner section 4

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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	200	43	153.0	EXAMPLE	1/1/1865
36	S	2	E	33	SE	NW	1003		5.0	irrigation	1/1/1895
									Total	5.0	

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: 17190, 83471

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
1895	0.127	1/39.3	46.1	9.22	0.063	1/80	22.5	4.5	0.064	23.23
Totals	0.127		46.1		0.063		22.5		0.064	23.23

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)
100%	0.064	23.23	0%			100%	0.064	23.23

* 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

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

WATER RIGHT INFORMATION:

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

<input checked="" type="checkbox"/> Certificated Right	83471 <small>Certificate Number</small>	 <small>Permit Number or Decree Name</small>
<input type="checkbox"/> Adjudicated, Un-certificated Right	 <small>Name of Decree</small>	 <small>Page Number</small>
<input type="checkbox"/> Permit for which Proof has been Approved	 <small>Permit Number</small>	 <small>Special Order Volume _____, Page _____</small>
<input type="checkbox"/> Transferred Right for which Proper Proof of the change has been filed	 <small>Previous Certificate / Transfer Number</small>	 <small>Date Claim of Beneficial Use Submitted</small>

County: Jackson

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.* Water is diverted into a shared earthen ditch to property. The property is flood irrigated from the ditch

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).*

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
83471	3/7/1918	6.7	0.09	1/80	30.15	4.5	3+	1,088.9
Totals		6.7	0.09		30.15	4.5	3+	1,088.9

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: Moving from ditch to pump and pivot system

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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 system will change from a ditch diversion and flood irrigation to a pump and pivot system and wheel lines. The pivot system will have adjustable sprinklers below the pivot. The authorized rate will be reduced slightly and authorized duty will be reduced. Moving from a ditch and flood to a pump and sprinklers will likely require less water than allowed in most years.

Existing Point(s) of Diversion:

Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Measured Distances or Latitude and Longitude
37	S	2	E	4	NE	NE	500		200 ft. S. & 1590 ft. E. from the North ¼ corner section 4

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
36	S	2	E	33	SW	NW	1001		4.9	irrigation	3/7/1918
36	S	2	E	33	SE	NW	1001		1.8	irrigation	3/7/1918
Total									6.7		

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: 17190, 76175

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
3/7/1918	0.09	1/80	30.15	4.5	0.085	1/78.8	26.8	4.0	0.005	3.35
Totals	0.09		30.15		0.085	1/78.8	26.8	4.0	0.005	3.35

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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)
100	0.005	3.35	0%	0	0	100	0.005	3.35

* 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.

Note: This water right has been served from the same ditch as certificates 17190 and 76175. The authorized ditch diversion is no longer in existence due to meandering of the creek. This water right is moving the point of diversion to the same diversion as proposed for certificates 17190 and 76175. This new diversion is within 500 feet of the authorized diversion and is being moved as provided by ORS-540.510(6) and OAR 690-380-0010(d).

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

MITIGATION:

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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 water is currently diverted into a ditch and used for flood irrigation. There may be some return flows, however water left instream will more than compensate for that.

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

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: _____; Boundaries: _____.

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
36	S	2	E	33	NE	SW	1001		75 feet S & 2240 feet E from the West ¼ corner section 33

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)**
17190	1/1/1869	S. F. Little Butte Cr.	4/1 – 10/1	0.10	36.3
76175	1/1/1895	S. F. Little Butte Cr.	4/1 – 10/1	0.064	23.23
83471	3/7/1918	S. F. Little Butte Cr.	4/1 - 10/1	0.005	3.35
TOTAL VOLUME					62.88

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 existing POD-1 (NE-NE Sec. 4 T37S,R2E to Mouth

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: 59822, 76177, 75997

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: 5/2024	Date: 12/2026	*Date: 12/2028

**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: \$252,176.97 OWRD Grant and Loan
 - Total cost for project engineering
Total cost for construction \$273,260.00
 - 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 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 \$63,060.73.
 - 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) 0%. If this is more than 25%, what portion of project funds (expressed as a percentage) come from federal or state public sources? _____%
- N/A The Oregon Watershed Enhancement Board (OWEB) 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
$\$1,360 + (2 \times \$480) = \text{Total Fee } \$2,320.00$	

Fee Waiver Worksheet	
To qualify for a waiver of up to 50%, you must provide evidence to establish your application meets the following criteria:	
100%	(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
XX	(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= <u>100%</u>
	(e) Deduct 25% from percentage in (d) above = <u>75%</u>
	(f) Enter the lesser of (e) above or 50% <u>50</u>
	(g) Total Fee x % waived (f) = Fee Waiver \$ _____
Example: (d) = 100% - 25% (e) = 75% (max 50% waived) = Fee x 50% = Fee Waiver	
Total Fee <u>\$2,320.00</u> – Fee Waiver (g) <u>\$1,160.00</u> = Amount Due <u>\$1,160.00</u>	

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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 Jackson)

I, Gary West, in my capacity as I farmed the property,
 mailing address P.O. Box 2231, White City, OR 97503-0231
 telephone number (541) 826-3851 or 541-941-9734, being first duly sworn depose and say:

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 # 83471; **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)
76175	36	S	2	E	WM	33	SE NW		5.0
17190	36	S	2	E	WM	33	NE SW		17.8 (15)
17190	36	S	2	E	WM	33	NW SW		5.2 (8)

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)

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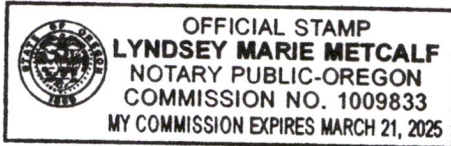
3. The water right was used for: (e.g., crops, pasture, etc.): Mostly Pasture

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.

[Signature]
Signature of Affiant

2-6-2024
Date

Signed and sworn to (or affirmed) before me this 6th day of February 2024.



Lyndsey M. Metcalf
Notary Public for Oregon

My Commission Expires: March 21, 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>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

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TACS

October 2020

42°23'51.05" N 122°35'47.25" W

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Google Earth

600 ft



July 2022
42°23'51.05" N 122°35'47.25" W

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600 ft

