



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

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

Attachments:

- ☒ Fees – Amount enclosed: \$ \$680.00 (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 East Fork Irrigation District		PHONE NO. 541-354-1185	ADDITIONAL CONTACT NO. Mailing: PO Box 162, Odell, OR 97044
ADDRESS 3500 Graves Road		FAX NO. 541-727-4258	
CITY Hood River	STATE OR	ZIP 97031	E-MAIL jaylene@efidhr.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 / 11 / 2020.

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 Jaylene Hattig, East Fork Irrigation District		PHONE NO. 541-354-1185	ADDITIONAL CONTACT NO. Mailing: PO Box 162, Odell, OR 97044
ADDRESS 3500 Graves Road		FAX NO.	
CITY Hood River	STATE OR	ZIP 97031	E-MAIL jaylene@efidhr.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.


Applicant signature

Steven W. Pappas, District Manager
Print Name (and Title if applicable)

7/31/2024
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): SEE ATTACHED

 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 Planning Department	ADDRESS 601 State Street	
CITY Hood River	STATE Oregon`	ZIP 97031

ENTITY NAME Confederated Tribes of the Warm Springs	ADDRESS 1233 Veteran's Street	
CITY Warm Springs	STATE Oregon	ZIP 97761

ENTITY NAME City of Hood River	ADDRESS 211 2nd Street	
CITY Hood River	STATE OR	ZIP 97031

ENTITY NAME Mount Hood Irrigation District	ADDRESS 6950 HWY 35	
CITY Mount Hood Parkdale	STATE Oregon	ZIP 97041

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	92000	Hood River, Vol Page:6-199
		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: 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.*
See Attached Appendix - PAGE 3

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
			Maximum CFS	CFS/AC	Maximum AF	AF/AC	Maximum CFS	Maximum AF
Originating Water Right #	Priority	Acres						
92000	11/25/1895	8,546.77	98.0	1/80	23.336.78	2.73	1/80	360.0
Totals								

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

CONSERVATION MEASURES:

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

- ☐ On-Farm efficiency project
- ☒ Distribution project, such as a ditch piping or lining project
- ☐ Other: _____

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Describe the proposed changes to the physical system, operations and application methods that will result in the conservation of water. If these proposed changes will change the point of diversion, you must meet the ODFW fish screen and bypass requirements pursuant to ORS 540.525. *Please include a description and details of how the estimate of water conserved was determined. Please provide sufficient detail for the Department to provide notice of the project.* _____

Existing Point(s) of Diversion:

Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Measured Distances or Latitude and Longitude
1	S	10	E	4	NW	SW		1	3750 FEET SOUTH AND 430 FEET FROM THE NW CORNER OF 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
										ENTIRE	CERTIFICATE
Total											

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
	Maximum CFS	CFS/AC	Maximum AF	AF/AC	Maximum CFS	CFS/AC	Maximum AF	AF/AC	Maximum CFS	Maximum AF
11/25/1895	98.0	1/80	23,336.78	2.73	96.50	1/80	22,976.78	2.69	1/80	360.0
Totals										

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 %	1.50	360.0	0 %	0.0	0.0	100%	1.5	360.0

* 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**

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. _____

Describe any mitigation or other measures that are planned to avoid 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: _____; 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

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)**
92000	11/25/1895	East Fork Hood River	06/03-9/30 (120 Days)	1.50	360.0
TOTAL VOLUME					

* 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 ____)

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: CW93, CW117

☐ 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: 10/2024	Date: 05/2025	*Date: 11/2026

** 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: OWRD
- ☒ Total cost for project engineering \$ 0
Total cost for construction \$ 3,878,295.00
- ☐ 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 \$ 1,499.875
- ☐ 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 + (_____ x \$480) = Total Fee \$	

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
<input type="checkbox"/>	(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 type="checkbox"/>	(d) Enter Percentage from Table 3, Column A = <u>100</u> %
<input type="checkbox"/>	(e) Deduct 25% from percentage in (d) above = <u>75</u> %
<input type="checkbox"/>	(f) Enter the lesser of (e) above or 50% <u>50%</u>
<input type="checkbox"/>	(g) Total Fee x % waived (f) = Fee Waiver \$ <u>680.00</u>
Example: (d) = 100% - 25% (e) = 75% (max 50% waived) = Fee x 50% = Fee Waiver	
Total Fee \$ <u>1,360.00</u> – Fee Waiver (g) \$ <u>680.00</u> = Amount Due \$ <u>680.00</u>	

Application Attachments

Page 3: In your own words tell us what physical conservation measures you have made or propose to make the reason for the change(s):

The primary goals of this project are to increase summer stream flows for threatened salmon and steelhead and increase long-term irrigation water reliability. These goals will be achieved by replacing 15,700 feet of non-pressure rated pipe (primarily wood and unreinforced concrete) and eight open concrete water boxes along EFID's Oanna and Yasui sublateral lines with 11,700 feet of HDPE pipe, three large pressure reducing stations, plus six smaller pressure reducing stations. The project will eliminate overflows at the existing water boxes that currently lose an estimated average of 2 cfs of flow, which will have a significant positive impact on spawning and rearing habitat availability for ESA-listed spring Chinook and winter steelhead. During drought years, having the ability to deliver water more efficiently will increase reliability and the resiliency of local agriculture to a changing climate. The project would legally protect a portion of the conserved water instream through the Oregon Water Resources Department's Allocation of Conserved Water program.

Page 4: 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).

During peak irrigation season (early July through mid-September) in an average summer, EFID diverts an average of 75% of the East Fork Hood River's flow, which reduces spawning and rearing habitat for threatened salmon and steelhead on 7 miles of the East Fork and 14 miles of the mainstem Hood River. EFID operates a single diversion at its headworks on the East Fork Hood River (River Mile 6.6). A rock push-up dam and wood headgate were replaced in 2013 with an Obermeyer weir, four steel headgates, and a vertical slot fish ladder. From the sand trap and fish screen facility below the diversion, the water diverted for irrigation enters EFID's open Main Canal and is conveyed 6.8 miles north to a distribution center where the system splits into two laterals: the 4.5-mile Central Lateral Pipeline and the 5-mile open Dukes Valley Canal. The Central Lateral Pipeline supplies water to 10 District-owned, sub-lateral pipelines and to the open Eastside Canal, which is 6.1 miles long and supplies water to seven District-owned piped laterals and transitions into the Whiskey Creek Pipeline. The Eastside Lateral Canal serves about one-third of the East Fork Irrigation District and conveys up to 40 cfs. There are multiple sublaterals within the Central and Eastside Lateral systems, all of which are not piped and keep the overall system from being pressurized. Currently, end spills ensure that the line does not go dry if all patrons are taking their full water right. Unless all lines have pressure-rated pipe, each line must have an end spill to ensure that the user at the end of the line receives their water right. End spills from the East Fork go into several downstream tributaries, which then flow into the mainstem Hood River. (So, the spill never returns to the East Fork itself.)

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EFID's Oanna/Yasui pipeline project consists of multiple sublaterals off the central lateral pipeline. These sub laterals were recently identified with 8 end spills, leaking infrastructure, and need upgrading to eliminate any/all water loss. These upgrades will include utilizing the same location of the existing pipeline, replacing non-pressure rated pipe with pressure related pipe, combining parallel pipes, and adding pressure reducing valves in areas with significant drops.

Page 5: Describe the proposed changes to the physical system, operations and application methods that will result in the conservation of water.

EFID's Oanna/Yasui pipeline project consists of multiple sublaterals off the central lateral pipeline. These sub laterals were recently identified with 8 end spills, leaking infrastructure, and need upgrading to eliminate any/all water loss. These upgrades will include utilizing the same location of the existing pipeline, replacing non-pressure rated pipe with pressure related pipe, combining parallel pipes, and adding pressure reducing valves in areas with significant drops.

We will be eliminating the 8 end spills, replacing existing non pressure rated pipe with pressure rated pipe, and PRV's to close the system off, eliminating end spill waste and pipe leakage.

Page 7: Mitigation Describe any expected effects from the proposed allocation of conserved water on other water rights. Describe what currently happened to the water that is proposed to be conserved.

Water that is proposed to be conserved is currently lost by end spills within the Central Lateral system. The proposed allocation of conserved water is less than the total amount of water currently lost to these end spills and pipe leakage, and therefore there will be no expected effects on other water rights.

The water conserved in-stream for this project will be conserved in the East Fork Hood River, downstream from EFID's single diversion. The water is protected downstream of the EFID diversion, through the remainder of the East Fork Hood River, and down the mainstem Hood River to the confluence with the Columbia. There is only one other diversion downstream of the EFID diversion, which is the Farmers Irrigation District diversion on the mainstem. That diversion water right is junior to EFID's water right, so FID cannot pull more than their water right or any of the conserved instream water.

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3500 GRAVES RD – HOOD RIVER, OR 97031 | PH: (541) 354 – 1185 | P.O. BOX 162 – ODELL, OR 97044

August 5, 2024

RE: Conserved Water Application

Oregon Water Resources Department
Attn: Corey Courchane
725 Summer St. NE, Suite A
Salem, OR 97301

Corey,

Attached is East Fork Irrigation District's Conserved Water Application for the Oanna and Yasui lines. Check #16232, in the amount of \$680 is enclosed.

Please contact us if you have any questions or concerns.

Best regards,


Jaylene Hattig
Water Rights/GIS Specialist

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