



Superior Water Right Consulting, LLC

NORM DAFT
"The Water Guy"

245 Glenoak Lane
Grants Pass, OR 97526

Phone (Cell): 541 761-1057
normthewaterguy@charter.net

September 11, 2024

Oregon Water Resources Department
ATTN: Corey Courchane
725 Summer Street NE, Suite A
Salem, OR 97301-1266

RE: Request for Finalization

CW-125

Corey,

Please find the enclosed documents:

1. Surface Water Allocation of Conserved Water - Request for Finalization signed by the applicants.
2. Map showing the source and place of use by priority date.
3. Fish screen approval for the two certificates included in the conserved water application.

The included map shows the location of a staff gage determined by the Watermaster and the location of the required totalizing meter.

The reservoir acts as a bulge in the system to facilitate pumping water to the conserved water area as well as the remaining right certificates to be issued.

Please let me know if anything else is needed.

Thank You

Norman E. Daft

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

Surface Water Allocation of Conserved Water Request for Finalization

For
 CW 125

Applicant Information

| | | | |
|--|-------------|---------------------------|--|
| APPLICANT/BUSINESS NAME James B. and Jennifer Darby | | PHONE NO. 907-229-0629 | ADDITIONAL CONTACT NO. 907-229-0237 |
| ADDRESS 1898 NW Sunview Place | | | FAX NO. |
| CITY Grants Pass | STATE OR | ZIP 97526 | E-MAIL brantdarby@yahoo.com |

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

The above applicant requests that the allocation of conserved water be finalized. The construction of the conservation measure(s) has been completed that resulted in conserved water.

List the portions of the conserved water allocated to the applicant as listed in the Order Approving Allocation of Conserved Water or an Order issued pursuant to OAR 690-018-0062(2).

| Applicant's Portion of Conserved Water | |
|--|--------------------------|
| Maximum Rate (CFS) | Maximum Duty (Volume)/AF |
| 0.104 | 43.2 |

- All or part of the Applicant's portion of the conserved water is to be:
- Leased (If water is to be temporarily leased instream, a separate Instream Lease Application must be submitted.); _____ CFS; _____ AF
 - Dedicated instream (permanent); _____ CFS; _____ AF
 - Temporarily reserved instream for future out-of-stream use; _____ CFS; _____ AF
 - Used out-of-stream as described below.

N/A Out-of-Stream Use. Describe the Applicant's portion of the conserved water to be used for an out-of-stream use at the location below.

| Applicant's Conserved Water | | | | | Applicant's Conserved Water Remaining | |
|-----------------------------|-----------|-------------|------------|-------------|---------------------------------------|--------|
| Certificate | Priority | Type of Use | Rate (CFS) | Volume (AF) | CFS | Volume |
| 93295 | 8/18/1920 | irrigation | 0.045 | 18.3 | 0 | 0 |
| 93296 | 1888 | irrigation | 0.059 | 24.9 | 0 | 0 |
| Totals | | | 0.104 | 43.2 | 0 | 0 |

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Describe the point of diversion that will be used to deliver water to the new place of use:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|-----|-----|-----|-----|------|--|
| 39S | 8W | WM | 17 | NESW | 730 feet South & 15 feet West from the Center corner of Section 17 |

Name and address of the person using the water: Applicant as listed above

Description of the type of beneficial use of the water: irrigation

Description of the place of use:

| Applicant's Conserved Water Out-of-Stream Use Location | | | | | | | | | | |
|--|---|-----|---|-----|----|----|---------|----------------|-------|---------------|
| Twp | | Rng | | Sec | ¼ | ¼ | Tax Lot | Gvt Lot or DLC | Acres | Priority Date |
| 2 | S | 9 | E | 15 | NE | NW | 200 | Example | 153.0 | 1/1/1865 |
| 39 | S | 8 | W | 17 | NW | SE | 300 | | 8.3 | 1888 |
| 39 | S | 8 | W | 17 | NW | SE | 300 | | 5.75 | 8/18/1920 |
| 39 | S | 8 | W | 17 | NE | SE | 300 | | 0.65 | 8/18/1920 |
| Totals | | | | | | | | | 14.7 | |

N/A A map depicting the lands identified above that meets the standards in OAR 690-310-0050 (required if out-of-stream use table completed).

The above applicant requests that the allocation of conserved water be finalized. The applicant further requests that the Director issue:

1. A superseding certificate as provided for in the order approving the allocation of conserved water;
2. A certificate for an instream water right for the state's portion of the conserved water; and
3. An order allowing:
 - a. The use of any portion of the conserved water allocated to the applicant, at the location and for the type of use identified in the tables above; and
 - b. The use and management as an instream water right of any conserved water being leased, dedicated, or temporarily reserved instream.

Dated: 9-11-24

Jennifer Darby
(Printed Applicant Name)

James Brent Darby
(Printed Applicant Name)

Jennifer Darby
(Applicant's signature)

[Signature]
(Applicant's signature)

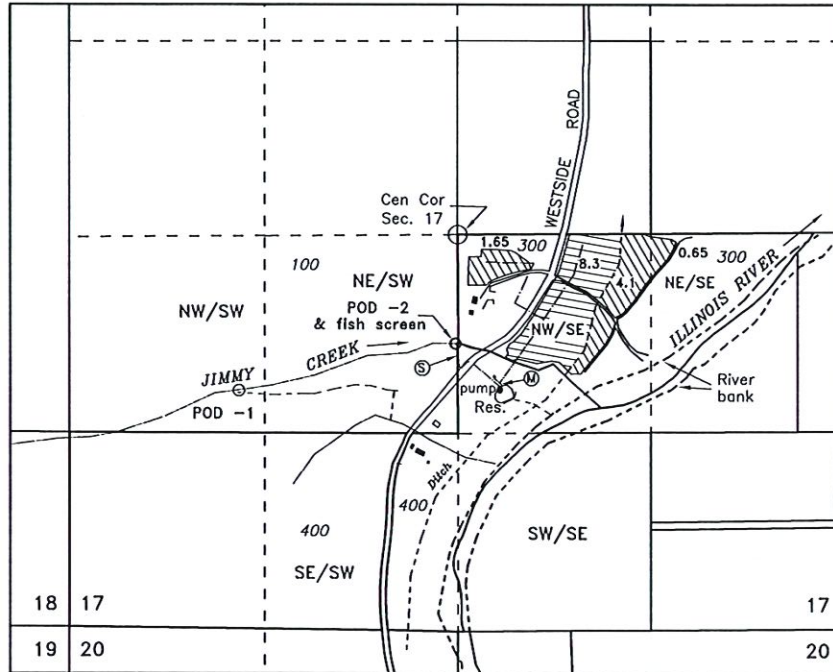
ALLOCATION OF CONSERVED WATER

REQUEST FOR FINALIZATION

CW-125

TOWNSHIP 39 SOUTH, RANGE 8 WEST, W.M.

JOSEPHINE COUNTY OREGON



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
POD #1 – NW/SW SECTION 17, 1050 FEET SOUTH & 1500 FEET WEST FROM THE CENTER CORNER OF SECTION 17 T.39S. R.8W., WM (POD-1 is currently not in use)

POD #2 – NE/SW SECTION 17, 730 FEET SOUTH & 15 FEET WEST FROM THE CENTER CORNER OF SECTION 17 T.39S. R.8W., WM

Legend

Total of 14.7 Acres to use Conserved Water

 Conserved Water 1888
8.3 Acres – Irrigation

 Conserved Water 8/18/1220
6.4 Acres – Irrigation

 Meter

 Staff Gage

Prepared For

James B. and Jennifer Darby
1898 NW Sunview Place
Grants Pass, OR 97526

Prepared By:

SUPERIOR WATER RIGHT CONSULTING, LLC
245 GLENOAK LANE
GRANTS PASS, OR 97526 (541) 761-1057



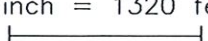
BASE MAP:

Current Oregon Map & 7/23/2023 Google aerial photos over County GIS tax lots – adjusted & Oriented to 10/30/1981 BLM survey for assumed best fit

POD 1 based on BLM bearing tree 9/18/84

This map is not intended to provide legal dimensions or locations of property ownership lines

Scale

1 inch = 1320 feet


Drawn 9/11/2024 n.e.d.



Oregon

Tina Kotek, Governor

Department of Fish and Wildlife
Rogue Watershed District Office
1495 East Gregory Rd.
Central Point, OR 97502
Phone: 541-826-8774
Fax: 541-826-8776
www.odfw.com



August 1, 2024

James and Jennifer Darby
1898 NW Sunview Place
Grants Pass, OR 97526

Dear James,

Regarding OWRD Certificate 93295, ODFW has determined the fish screen at the new point-of-diversion (POD #2) meets current fish protection criteria, and fish bypass devices are not necessary. The historical POD (POD#1) does not meet current fish protection criteria, nor is it subject to fish screening and passage criteria. Certificate 93295 specifically mentions the "new" POD is subject to this requirement. This approval is contingent on the following: current screening and passage conditions remain unchanged, screens are installed with effective screen area submerged during operation, screen is regularly inspected and maintained to ensure it remains in working order (including debris removal), and the screen is annually inspected when it is not in use.

Current condition of the historic POD is a stop log dam with a capped 10" PVC pipe to divert water (currently in use). The new POD is actively diverting water using a passable push up dam with a passively screened 10" pipe that meets current fish protection criteria.

Sincerely,

Josh Kelsey
Screens and Passage Coordinator
Fish Screening and Passage Program
(541) 857-2424

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Our mission is to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations.



Oregon

Tina Kotek, Governor

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August 1, 2024

James and Jennifer Darby
1898 NW Sunview Place
Grants Pass, OR 97526

Dear James,

Regarding OWRD Certificate 93296, ODFW has determined the fish screen at the new point-of-diversion (POD #2) meets current fish protection criteria, and fish bypass devices are not necessary. The historical POD (POD#1) does not meet current fish protection criteria, nor is it subject to fish screening and passage criteria. Certificate 93296 specifically mentions the "new" POD is subject to this requirement. This approval is contingent on the following: current screening and passage conditions remain unchanged, screens are installed with effective screen area submerged during operation, screen is regularly inspected and maintained to ensure it remains in working order (including debris removal), and the screen is annually inspected when it is not in use.

Current condition of the historic POD is a stop log dam with a capped 10" PVC pipe to divert water (currently in use). The new POD is actively diverting water using a passable push up dam with a passively screened 10" pipe that meets current fish protection criteria.

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