Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Watermaster Review Form: Water Right Transfer

Transfer Application: T-11151 Review Due Date: _____

Applicant Name: Kregger Farming Enterprises, LLC

Proposed Changes: ☐ POU ☐ POD ☒ POA ☐ USE ☐ OTHER

Reviewer(s): Tony Justus Date of Review: Nov. 23, 2010

1. Do you have information suggesting that the water rights may be subject to forfeiture? ☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____

2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____

3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____

4. Are there upstream water rights that would be affected by the proposed change? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____

5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? ☐ If you check the box, describe and, if possible, estimate the losses: _____

6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized? ☐ Yes ☒ No If "Yes", explain: _____

7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☐ No ☒ N/A If "Yes", explain: _____

8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☐ No If "Yes", explain: _____

9. Are there other issues not identified through the above questions? ☒ Yes ☐ No If "Yes", explain: New wells must be same aquifer. approval should not result in water use greater than that allowed by the water right. I note the water right is not a "full rate" water right. I suspect it may have been limited to system capacity. Adding additional wells could result in additonal pumping in excess of limit of right.
10. What alternatives may be available for addressing any issues identified above: _____
11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. The checked water control and measurement conditions should be included in the transfer:

Headgates: ☒ **NA**	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☐ May be required in the future.

Measurement Devices:

☐ *The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.*

Surface Water Diversion or Groundwater Point of Appropriation:

☐ *The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each point of diversion/appropriation. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.*

☒ *Water use measurement conditions:* (if this condition is selected, also fill in the top sections of page 3)
- *a.* ***Before water use may begin*** *under this order, the water user shall install a* ***totalizing flow meter****, or, with prior approval of the Director, another suitable measuring device, at each point of diversion/appropriation.*
- *b. The water user shall maintain the meters or measuring devices in good working order.*
- *c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*

Reservoirs:

☐ *The Director may require the water user to install staff gages or other suitable measuring devices that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style. Additionally, if the reservoir is located in-channel, weirs or other suitable measuring devices may be required upstream and downstream of the reservoir, and an adjustable outlet valve may be required. If the Director notifies the water user to install adjustable outlet valves, staff gages, weirs, or other suitable measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the devices in good working order and shall allow the Watermaster access to the devices.*

☐ *Water use measurement conditions:* (if this condition is selected, also fill in the top sections of page 3)
- *a.* ***Before water use may begin*** *under this order, the water user shall install* ***staff gages****, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*
- *b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written*

waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

*** The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:**

☐ Weir ☐ Submerged Orifice ☐ Other: _____

☐ Parshall Flume ☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(to be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-11151

☒ A flowmeter will be required to be installed **prior to diversion of water** at the proposed point(s) of diversion or appropriation as a condition of this transfer.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name:Tony Justus

District: 5

Address: 116 SE Dorian Ave.

City/State/Zip: Pendleton, Oregon, 97801

Phone: 541-278-5456

Email: Tony.G.JUSTUS@wrd.state.or.us

***Note**: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.*

****

Approval of an Alternate Measurement Device T-____

(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

_____

_____

_____ _____ _____

Watermaster signature District Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

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