



State of Oregon  
**Water Resources Department**  
 158 12<sup>th</sup> Street NE  
 Salem, OR 97310  
 (503)378-8455

# Application for Allocation and Use of Conserved Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." If you need additional space to answer any of the questions, attach a separate sheet of writing paper and reference the section number and question.

## 1. APPLICANT INFORMATION

Applicant: Eagle Crest, Inc. Attention: Alan VanVliet  
First Last

Co-applicant: \_\_\_\_\_  
First Last

Mailing address: PO Box 1215  
Redmond OR 97756  
City State Zip

Phone: \_\_\_\_\_ 541-923-0807 \_\_\_\_\_  
Home Work Other

Fax: 541-923-0881 E-Mail address: alan@eagle-crest.com

## 2. WATER RIGHT

A) What is the name on the water right? Swalley Irrigation District

B) Describe the water right:

1. Certificate Number(s): ~~29054 and 29056~~ 74145 dp
2. Priority Date: September 1, 1899
3. Source of Water: The Deschutes River
4. Type of Use: Irrigation
5. Place of Use: (Reference The Attached Exhibit)  
township range section quarter/quarter total no. acres

## 3. IRRIGATION SYSTEM

A) What is the maximum rate and annual duty (volume) of water which may be diverted as stated on the water right certificate?

1. Rate 2.89 cfs (1,296 gpm) 2. Duty: 946.49 ac-ft (5.59 ac-ft/acre)  
cfs, gpm, or miners inches acre feet

B) What is the maximum amount of water that can be diverted using the existing facilities?

1. Rate: 2.89 cfs (1,296 gpm) 2. Duty: 946.49 (5.59 ac-ft/acre)  
cfs, gpm, or miners inches acre feet

C) Describe the present system including diversion structures, pumps, conveyance facilities, and application methods which will be affected by the proposed project. Provide sufficient detail to confirm the system's capacity (use separate sheet if necessary).

The existing diversion structures include an 18" submerged pipe, inlet screen box, and wet well. A 100 horsepower centrifical pump conveys water in a 10 inch pipe line to the Eagle Lake Storage facility. Irrigation water is re-pumped from Eagle Lake to an existing underground irrigation system.

#### 4. CONSERVATION MEASURES

A) Describe the proposed changes to the physical system and operations that will result in the conservation of water. If these proposed changes will change the point of diversion, locate the new point of diversion by distance to a quarter corner, and show the change on your map.

Eagle Crest, Inc proposes use of a fully automated and controlled permanent underground sprinkler system for most irrigated areas. Agriculture wheel line sprinklers and large gun sprinklers are proposed for pasture and ball field areas. Water use will be measured by a water meter.

#### 5. CONSERVED WATER

A) What amount of water will be needed after implementing conservation measures?

1. Rate: 2.12 cfs ( 950 gpm) 2. Duty: 508.2 ac-ft (3.0 ac-ft/acre)  
cfs, gpm, or miners inches acre feet

B) What amount of water will be conserved as a result of the implementation of the conservation measures? Subtract 5A from the smaller of 3A or 3B under IRRIGATION SYSTEM, above.

1. Rate: 0.77 cfs 346 gpm 2. Duty: 438.29 ac-ft ( 2.59 ac-ft/acre)  
cfs, gpm, or miners inches acre feet

C) What portions of the conserved water will be allocated to the state and applicant?

1. Portion going to the state: 25% \_\_\_\_\_  
% or (cfs)

2. Portion going to the applicant: 75% \_\_\_\_\_  
% or (cfs)

D) Proposed use of the conserved water allocated to the applicant: Irrigation

E) How is the water to be measured at the applicant's point of diversion? A water meter has been installed in the pipeline on the discharge side of the primary diversion pump station. Eagle Crest, Inc will monitor the water meter and maintain records for water use.

## 6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction task have already begun, or is completed, please indicate that date.

Proposed date construction will begin: Completed

Proposed date construction will be completed: Completed

Proposed date beneficial water use will begin: October 1, 2001

## 7. MITIGATION

A) Describe any expected effects on other appropriators from the proposed allocation of conserved water. Identify what currently happens to the water that is proposed to be conserved.

Eagle Crest, Inc anticipates no measurable effect on other appropriators.  
Eagle Crest, Inc currently diverts irrigation water from the Deschutes  
River. Only a portion of the total water right allocation is  
typically withdrawn and the balance of the water continues down the  
Deschutes River.

B) Describe any mitigation or other measures that are planned to avoid harm to other water rights.

The Eagle Crest, Inc Swalley Irrigation District rights were  
historically withdrawn from the Deschutes River at the City of Bend.  
The water is currently delivered approximately 18 miles down river  
to the Eagle Crest diversion, benefiting the middle reach of the  
river. Any impacts resulting from the allocation of conserved  
water would be limited to the lower reach of the river. Benefits  
of the middle reach mitigate any impacts.

## 8. LOCATION OF PROPOSED USE

A) Describe the boundaries of the expected area within which the diversion structures and places of use of the applicants' conserved water right would be located. This is land other than that to which this water right is appurtenant.

Eagle Crest, Inc may elect to irrigate resort lands on the west  
side of the Cline Falls Highway, outside of the current irrigated  
area. Eagle Crest may also elect to sell the water to others,  
or lease conserved water to an in-stream use.

B) To the extent possible, identify the stream reach for which the state's portion of the conserved water should be managed under an instream water right. Give river miles, if known.

The Swalley Irrigation District historically diverted water at the City of Bend. The current Eagle Crest diversion is approximately 18 miles downstream from Bend. The state's conserved water would therefore remain in the Deschutes River from Bend to the mouth.

C) Describe the proposed benefit to instream uses.

The Deschutes River below Bend has a normal summer time flow of approximately 30 cfs. The increased summertime flow from the State's conserved water would benefit the fishery, riparian zone, and recreational use of the Deschutes River.

### 9. ACKNOWLEDGMENT OF FORFEITURE

Complete this if the Certified Water Right Examiner's map shows less acreage has been irrigated over the past five years than allowed under the right.

I am aware that \_\_\_\_\_ acre(s) have not been irrigated for the last five years and I am abandoning that portion of the water right and make no further claim for the water. I ask that this \_\_\_\_\_ acre(s) portion of the right be permanently canceled.

### 10. SIGNATURE

All statements made and information provided in this application are true and correct to the best of my knowledge:

Jerry Andrus 11-17-00  
Signature of Applicant Date

\_\_\_\_\_  
Signature of Co-applicant Date

### Please include the following exhibits:

- A) A map with sufficient detail to locate and describe the facilities and areas affected by the conservation measures.
- B) Identify any federal or state public sources of project funds and, if federal or state public funds which are not subject to repayment will be used in the project, information showing the estimated project costs and anticipated sources of funds for the project including:
  1. The total costs of project engineering and construction;
  2. Any cost(s) that are incurred on a regular basis (i.e. monthly, semi annually, annually) that are a result of the project, and which would not be incurred in the absence of the project;
  3. 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 paid from federal or state public funds which are not subject to repayment; and
  4. 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 other funds.
- C) If construction of the project has begun or been completed and if more than 25% of the project costs have been expended before applying for allocation of conserved water, evidence that the applicant has 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.
- D) A letter showing irrigation district or water control district approval if the conservation project is within the boundaries of the of the district.
- E) A land use information form stating that the change is in accordance with the local planning laws and applicable comprehensive plan.
- F) A copy of the current recorded deed to the subject lands.
- G) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they do not object to the proposed transfer.
- H) A letter from Department of Environmental Quality, Parks and Recreation, or the Department of Fish and Wildlife stating that the change will be a benefit to instream uses.
- I) Evidence that the water has been used within the last five years.
- J) Copy of the water right certificate(s).

## CURRENT WATER RIGHT INFORMATION

### Location of Authorized Place of Use:

Township	Range	Section	Government Lot or DIC	¼ ¼ Section	Tax Lot Number	Acres (if appropriate)
15S	12E	14	N/A	NW SE	151214-DO-1000	6.6 AC
15S	12E	14	N/A	SW SE	151214-DO-1100 151214-DO-1200 151214-DO-1300	31.3 AC
15S	12E	14	N/A	SE SE	151214-DO-800 151214-DO-1400	21.3 AC
					151214-DO-1500 151223-AO-0134	
15S	12E	13	N/A	SW SW	151214-DO-1300	0.3 AC
15S	12E	23	N/A	NE NE	151223-AO-0134	23.5 AC
				NW NE	151223-AO-6300 151223-AO-6400	29.4 AC
				SW NE		8.3 AC
				SE NE	151223-AO-6200	13.2 AC
				NE NW	151223-BO-300 151223-BO-500	20.6 AC
				NW NW	151223-BO-1501	3.2 AC
				NE SE	151214-DO-1400	4.6 AC
15S	12E	24	N/A	NW NW	151224-BB-1800 151224-BB-1900	1.9 AC
				SW NW	151223-AO-0134 151223-AO-300	5.2 AC
<b>TOTAL:</b>						<b>169.4 AC</b>