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**Application to the Water Resources Department
for Allocation of Conserved Water
January 15, 1998**

WATER RESOURCES DEPT.
SALEM, OREGON

Submitted Per ORS 690-18-040

1 Name of Applicants

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2 Water Right Certificate Number and Name

Certificate No. 68635, Larry Menteer (certificate holder)

3 Priority Date and Source of Water

1896; The source of water is Evans Creek, a tributary of the Rogue River.

4 Amount of Water Available Under Original Right

Rate: 0.072 cfs Duty: 30.5 acre-feet (0.072 cfs x 1.98 acre-feet/cfs x 214 days)

5 Description of the Previous System

The applicant previously used a 3 horse power Briggs and Stratton 4 cycle gas motor to operate a McColloch Mite-E-Lite pump with 2" intake and 2" discharge. Water was run to the 4 acre field through 34 pieces of 4" x 20' aluminum hand line and 3 pieces of 4" x 10' aluminum hand line. Water was allocated on field through 9 pieces of 2" x 20' aluminum hand line and 4 pieces of 2" x 40' aluminum hand line. Water was applied to the field using 9 20-A Rainbird at 45 psi with 9/64 orifices. The system discharged 33.3 gallons per minute (gpm) when fully operating, slightly over the paper water right of 32.3 gpm.

6 Description of the New System

The applicant will install a 5 horse power pump at the existing point of diversion. The level of horse power is necessitated by supplying extra water to run the fish screen and to get water up hill to the 4 acre field. Water will be run through 940' of 2" diameter 160 psi PVC pipe to connect to the main irrigated pasture and to two sub-irrigation systems (one for the orchard and one for the landscape around the existing home). The pasture irrigation system includes 210' of aluminum handline and a 30' section of flux hose to allow the connection of a #70 Rainbird on a traveling cart to fixed riser valves. The orchard system includes 120' of aluminum handline with four fixed riser valve connections. The home irrigation system incorporates drip, small fixed rainbirds, and pop-up spray heads in the lawn area. The system will discharge 22.9 gpm when fully operating, right at the new paper water right of 1/80th cfs per acre. The pump will be metered to assure use at the new rate.

7 Amount of Water Needed Under New System

0.051 cfs; 21.61 acre-feet

8 Allocation of Conserved Water

The applicants propose that 100 percent of the conserved water, 0.021 cfs and 8.9 acre-feet, be allocated to the state as a permanent instream water right.

9 Project Schedule

Project design was completed in January 1998.

Materials and supplies will be delivered to the property in March 1998.

Installation of the new irrigation system will occur during the summer of 1998.

The applicants intend to file the notice of project completion in the late-summer of 1998.

The applicants request that the allocation be finalized pursuant to OAR 690-18-062(3) concurrently with approval of this application and that the superseding certificate for the remaining right be issued to Menteer and a certificate for an instream right be issued for the conserved water during the 1998 irrigation season pursuant to OAR 690-18-062(4).

10 Effects of Proposed Allocation on Other Appropriators

The proposed allocation of the conserved water as an instream water right will not effect other appropriators. The water which the applicants are proposing to conserve was previously lost during field application due to seepage and evaporation.

11 Planned Mitigation Measures

No mitigation measures are necessary to avoid harm to other water rights.

12 Places of Use of Conserved Water Right

The applicants are proposing that all of the conserved water be allocated to a permanent instream water right. The conserved water will not be used out-of-stream.

13 Stream Reach of Conserved Water Right

The reach of the instream water right will start at the existing point of diversion near RM 9. The right will be added to the instream right of 0.055 cfs created under the order for allocation of conserved water approved on November 16, 1996, found at Special Order Volume 50, Page 853. The reach of this instream water right begins near RM 11. The collective instream right of 0.076 cfs will have a priority date of 1896 plus one minute. In an above-average water year, the collective instream water right should be managed from RM 9 to the mouth of Evans Creek, tributary to the Rogue River.

14 Detailed Map

A detailed map of the areas affected by the conservation measures which meets the standards in OAR 690-11-070 is attached as Exhibit A.

15 Project Costs

Since the applicants are requesting allocation of 100% of the water to an instream water right, the project costs are immaterial to the allocation of conserved water. However, the estimated costs and funding sources are as follows:

The total cost of the project is \$11,000

The present value of any incremental changes in the costs of operations and maintenance directly attributable to the project is approximately \$230 a year in electricity to run the pump. Some periodic maintenance of the pump may also be required.

The Governor's Watershed Enhancement board will contribute \$6,015 to the project.

The Oregon Water Trust, a private nonprofit organization, will contribute \$800 to the project.

The applicant will contribute the balance of the project cost through in kind labor.

16 Resolution of Other's Concerns

The project has been considered and approved by the Evans Creek Watershed Council, which is made up of water right holders and other interested residents of the Evans Creek Basin.

17 Irrigation District/Water Control District Approval

The conservation project is not located within an irrigation district or water control district.

18 Land Use Information

The point of diversion, place and type of use of the remaining right will remain the same as approved under Certificate No. 68635. The conserved water will be allocated to a permanent instream water right. The land use served by the right is existing and consistent with the county comprehensive plan.