



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

# Application for Allocation and Use of Conserved Water

Please type or print in dark ink. If your application is found to be incomplete, inaccurate or does not include the required fees, 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. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. APPLICANT INFORMATION

Name: Royale Columbia Farms, Inc.  
 Address: P. O. Box 130, Hermiston, Oregon 97838  
 Phone(s): 541 571 1043  
 \*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

\*Optional information

## 2. AGENT INFORMATION

The agent listed is authorized to represent the applicant in all matters relating to this allocation of conserved water application.

Name: Bill Porfily  
 Address: P. O. Box 643, Stanfield, Oregon 97875  
 Phone(s): 541 561 7259  
 \*Fax: 541 449 1327 \*E-Mail address: bporfily@my180.net

\*Optional information

## 3. IRRIGATION & WATER CONTROL DISTRICTS

Is the project within the boundaries of an irrigation district or water control district?

Yes  No

If yes, include Exhibit E and list the name and mailing address of the district:

\_\_\_\_\_

Did an irrigation district organized under ORS Chapter 545 or a water control district organized under ORS Chapter 553 file this allocation of conserved water?

Yes  No

If yes, when was the District's OAR 690-018-0025 allocation of conserved water policy adopted? \_\_\_\_\_

## 4. CURRENT WATER RIGHT INFORMATION

A separate page providing the information in **Section 4** must be completed for **each** certificate, permit, decree, or other right involved in the proposed allocation of conserved water.

Water Right Subject to Transfer (check and complete **one** of the following):

<input checked="" type="checkbox"/> Certificated Right	_____	_____
	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	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____	_____
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

Name on Permit, Certificate, or Decree:

Certificate 81197, Royal Columbia Farms Inc;  
Certificate 84967, Royale Columbia Associates;  
Certificate 50872, Royale Columbia Associates;  
Certificate 66853, Royale Columbia Farms, Inc.

County:

Certificate 81197, Umatilla County  
Certificate 84967, Umatilla County  
Certificate 50872, Umatilla County  
Certificate 66853, Umatilla County

Provide the following information about the water right of record:

1. Priority Date:

Certificate 81197, December 8, 1970  
Certificate 84967, December 8, 1970  
Certificate 50872, December 5, 1974  
Certificate 66853, May 4, 1989

2. Source of Water:

Certificate 81197, Columbia River  
Certificate 84967, Columbia River  
Certificate 50872, Columbia River  
Certificate 66853, Columbia River

3. Type of Use:

Certificate 81197, Irrigation of 2115.6 acres  
Certificate 84967, Irrigation of 236.8 acres  
Certificate 50872, Irrigation of 454.4 acres  
Certificate 66853, Irrigation of 24.2 acres

Does the application have a water right involving more than one water right holder?

Yes  No

If yes, are all water right holders applying for this allocation of conserved water?

Yes  No. If no, see Exhibit J.

A) What is the maximum rate and annual duty (volume) of water that may be diverted as stated on the water right of record? *(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.)*

1. Rate\* (cfs):

<u>Certificate 81197</u>	<u>41.46 cfs for 2115.6 acres (0.0196 cfs/acre);</u>
<u>Certificate 84967</u>	<u>4.64 cfs for 236.8 acres (0.0196 cfs/acre);</u>
<u>Certificate 50872</u>	<u>8.90 cfs for 454.4 acres (0.0196 cfs/acre);</u>
<u>Certificate 66853</u>	<u>0.605 cfs for 24.2 acres (0.0250 cfs/acre)</u>
<u>Total for all certificates</u>	<u>55.61 cfs</u>

Note: 1 miner's inch = 1/40 cfs; 1 cfs = 448.8 gpm

2. Duty\* (acre feet):

Certificate 81197 4.5 ac ft per acre for 2115.6 acres = 9520.20 ac ft per year;

Certificate 84967 4.5 ac ft per acre for 236.8 acres = 1065.60 ac ft per year;

Certificate 50872 4.5 ac ft per acre for 454.4 acres = 2044.80 ac ft per year;

Certificate 66853 4.5 ac ft per acre for 24.2 acres = 108.90 ac ft per year

Note: 1 cfs = 1.983471 ac-ft/day

\* If there are multiple **Priority Dates** on the water right, list the rate and duty by priority date.

B) What is the maximum amount of water that can be diverted using the pre-project facilities? (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.)

1. Rate (cfs):

Certificate 81197 55.61 cfs \*

Certificate 84967 55.61 cfs \*

Certificate 50872 55.61 cfs \*

Certificate 66853 55.61 cfs \*

\* This flow rate represents the pumping capacity at the authorized diversion point. It is used for the specified certificate as well as other land than that authorized by the specified certificate.

2. Duty (acre feet):

Certificate 81197 4.5 ac ft per acre for 2115.6 acres = 9520.20 ac ft per year;

Certificate 84967 4.5 ac ft per acre for 236.8 acres = 1065.60 ac ft per year;

Certificate 50872 4.5 ac ft per acre for 454.4 acres = 2044.80 ac ft per year;

Certificate 66853 4.5 ac ft per acre for 24.2 acres = 108.90 ac ft per year

C) 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 to confirm that the applicant is ready, willing, and able to exercise the right.

The distribution system consists of a 2800 horsepower (hp) river pumping station located on the south bank of the Columbia River. From the river pumping station water is pumped southerly approximately 2900 feet through a 30" penstock to an inline 2800 hp booster pumping station. The booster pumping station boosts the pressure in the penstock and pumps the water another two miles south (10560 feet) to the north boundary line of the main farm. From this point the distribution system branches into two pipes. The easterly branch pipeline extends approximately 3680 feet to cluster point CL-4. The westerly branch pipe extends approximately 3700 feet in a southwesterly direction to cluster point CL-1 and a point where it branches into two smaller pipes. From this point the westerly branch pipeline extends approximately 4000 feet to cluster point CL-2. From CL-1 the easterly branch pipe extends approximately 2700 feet in a southerly direction to cluster point CL-3. From CL-3 the pipe continues to extend in a southerly direction for approximately 4200 feet to cluster point CL-5 where it again branches into two smaller pipes. From CL-5 the westerly branch pipeline extends approximately 4100 feet in a southwesterly direction to cluster point CL-8. From CL-5 the second pipe branch extends in a southerly direction approximately 3100 feet to cluster point CL-7. From the cluster points there are pipelines that extend to the circular irrigation machines that are used to irrigate the farmland.

## 5. CONSERVATION MEASURES

A) Describe the type of project, check all that apply:

- On-Farm efficiency project
- Distribution project, such as a ditch piping or lining project
- Other, Installation of a variable speed drive pump and cement mortar lining of pipelines.

B) 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, see point of diversion requirement for Exhibit B. *Provide sufficient detail for public noticing the project.*

The conservation measures taken consist of modifying the center pivot circle irrigation machines to operate at lower pressures and reduced flows. This is accomplished by installation of state of the art new low pressure low flow spray nozzles. Along with modification of the spray nozzles pipelines have been cement mortar lined to reduce pipe transmission losses and a variable speed pump was installed at the river pumping station to assist in operating the distribution system in a manner that allows the pumps to more closely match the system flow requirements.

C) Place of Use\*: See Supplemental Attachment A for Certificate 81197, Supplemental Attachment A for Certificate 84967, Supplemental Attachment A for Certificate 50872 and Supplemental Attachment A for Certificate 66853.

Township	Range	Section	Quarter/Quarter	Total No. Acres
* Not required for a distribution project that does not propose to affect the on-farm rate or duty. If the entire water right is being affected, just state "entire right affected."				

## 6. CONSERVED WATER

A) What amount of water will be needed for the existing, authorized use after implementing conservation measures? *(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.)*

1. Rate\* (cfs):

Certificate 81197 35.33 cfs, 2115.3 acres @ 0.0167 cfs/ac + 0.3 acre @ 0.0196 cfs/ac\*;

Certificate 84967 3.95 cfs, 236.8 acres @ 0.0167 cfs/ac;

Certificate 50872 7.59 cfs, 454.4 acres @ 0.0167 cfs/ac;

Certificate 66853 0.412 cfs, 23.2 acres @ 0.0167 cfs/ac + 1.0 acre @ 0.0250 cfs/acre\*.

Total Rate for all certificates 47.28 cfs

\* Accounts for 0.3 acres of Certificate 81197 & 1.0 acres of Certificate 66853 not being involved in the Conserved Water Application.

2. Duty\* (acre feet):

Certificate 81197, 3.0 ac ft/ac for 2115.3 ac + 4.5 ac ft/ac for 0.3 ac = 6347.25 ac ft/year\*;

Certificate 84967, 3.0 ac ft per acre for 236.8 acres = 710.40 ac ft/year;

Certificate 50872, 3.0 ac ft per acre for 454.4 acres = 1363.20 ac ft/year;

Certificate 66853, 3.0 ac ft per acre for 23.2 ac + 4.5 ac ft for 1 ac = 74.10 ac ft/year\*.

Total Duty for all certificates: 8494.95 ac ft per year

\* Accounts for 0.3 acres of Certificate 81197 & 1.0 acres of Certificate 66853 not being involved in the Conserved Water Application.

*\* If there are multiple **Priority Dates** on the water right, list the rate and duty by priority date.*

B) What amount of water will be conserved as a result of the implementation of the conservation measures? Subtract 6A from the smaller of 4A or 4B under “irrigation system” above.

1. Rate\* (cfs):

Certificate 81197	6.13 cfs
Certificate 84967	0.69 cfs
Certificate 50872	1.31 cfs
Certificate 66853	0.193 cfs
Total Rate for all certificates:	8.32 cfs

2. Duty\* (acre feet):

Certificate 81197	1.5 ac ft per acre for	2115.3 acres	=	3172.95 ac ft per year;
Certificate 84967	1.5 ac ft per acre for	236.8 acres	=	355.2 ac ft per year;
Certificate 50872	1.5 ac ft per acre for	454.4 acres	=	681.6 ac ft per year;
Certificate 66853	1.5 ac ft per acre for	23.2 acres	=	34.8 ac ft per year
Total Duty for all certificates:	1.5 ac ft per acre for	2829.7 acres	=	4244.55 ac ft per year

\* If there are multiple **Priority Dates** on the water right, list the rate and duty by priority date.

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

1. Portion going to the state (list by percent, rate and duty):

25 Percent                      2.08 Rate (cfs)                      1061.14 Duty (AF)

2. Portion going to the applicant (list by percent, rate and duty):

75 Percent                      6.24 Rate (cfs)                      3183.41 Duty (AF)

D) The priority for the conserved water is requested to be:

- The same as the original right, or  
 One minute junior to the original right.

E) If all or part of the applicants’ portion of the conserved water is to be used for an out-of-stream use at an identified location:

1. Name and address of the person using the water: Royale Columbia Farms, Inc.  
P. O. Box 130, Hermiston , Oregon 97838

2. Description of the type of beneficial use of the water: Irrigation

3. Legal description of the place of use: A portion of the applicant's share of the conserved water associated with Certificate 81197 will be used on a portion of Section 6, T4N, R30E WM, a portion of Section 36, T5N, R29E WM, a portion of Section 31, T5N, R30E WM and a portion of Section 18, T5N, R30E WM. Refer to the Exhibit B Map for Application for Allocation and Use of Conserved Water Royale Columbia Farms, Inc. A listing of the acreage being proposed as the new place of use is included with the Supplemental Attachment A for Certificate 81197. The total acreage identified for allocation of a portion of the conserved water is 84.4 acres. This 84.4 acres will use 1.41 cfs (rate) and 253.2 acre feet (duty) of the applicant's portion of the conserved water. At this time none of the applicant's share of the conserved water associated with Certificates 84967, 50872 and 66853 are planned to be used for and out-of-stream use.

- F) If all or part of the applicants' portion of the conserved water is to be leased\*, dedicated or temporarily reserved instream, a statement identifying the quantity of water to be managed as an instream water right: A portion of the applicant's share of conserved water associated with Certificate 81197 and all of the applicant's share of the conserved water associated with Certificates 84967, 50872 and 66853 are to be temporarily reserved instream . The proposed rate and duty of the conserved water to be temporarily reserved instream is:  
Certificate 81197, 3.19 cfs and 2126.51 acre feet;  
Certificate 84967, 0.52 cfs and 266.40 acre feet;  
Certificate 50872, 0.98 cfs and 511.20 acre feet;  
Certificate 66853, 0.145 cfs and 26.10 acre feet.  
Totals for all Certificates 4.84 cfs and 2930.21 acre feet  
*\* Water can be temporarily protected instream without filing an OAR 690-077 Instream Lease application.*

## 7. LOCATION OF PROPOSED USE

- A) For new out-of-stream uses, 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. See Exhibit B. A portion of the conserved water will be used for irrigating 84.4 acres of farmland in a portion of Section 6, T4N, R30E WM, a portion of Section 36, T5N, R29E WM, a portion of Section 31, T5N, R30E WM, and a portion of Section 18, T5N, R30E, WM. The existing Point of Diversion will be used for the new land. Refer to the Exhibit B Map for Application for Allocation and Use of Conserved Water Royale Columbia Farms, Inc. A listing of the acreage being proposed as the new place of use is included with the Supplemental Attachment A for Certificate 81197. The proposed rate and duty for the new acreage is 1.41 cfs and 253.2 acre feet respectively.
- B) For instream uses, to the extent possible, identify the stream reach(es) for which the state's portion of the conserved water should be managed under an instream water right. Be as explicit as possible, by giving river miles, or other identifying information that might be included in the instream certificate.  
This is the same for all four certificates. All four certificates have the same point of diversion. From the Point of Diversion, located in the SW1/4 NW1/4 of Section 8, T5N, R30E, WM, 2860 feet North and 70 feet East from the SW Corner of Section 8, to the confluence of the Columbia River with the Pacific Ocean.
- C) Describe the proposed benefit to instream uses.  
 for instream use for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values.  
 other, please describe:

## 8. MITIGATION

- A) Describe any expected effects on other water rights from the proposed allocation of conserved water. Identify what currently happens to the water that is proposed to be conserved.  
Prior to the applicant installing the conservation measures the conserved water was withdrawn from the Columbia River and used to irrigate the farmland. Since installation of

the conservation measures the owner has determined that the crops he is growing can be successfully grown with less irrigation water than the water right allows. The conservation measures have reduced the quantity and rate of withdrawal from the Columbia River. The conserved water is presently left instream.

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

The project is not expected to result in any harm to other water rights. Mitigation will include 25% of the conserved water being allocated to instream uses.

### 9. FUNDING

If more than 25% of the conserved water is proposed to be allocated to the applicant then provide Exhibit C and identify what portion of project funds (expressed as a percentage) come from federal or state public sources that are not subject to repayment.

All of the cost of the conservation measures will be paid for by the landowner. No funding will come from the state or federal sources.

Does the Oregon Watershed Enhancement Board (OWEB) have a contractual interest in this project?

Yes  No

If yes, what is the OWEB project number? NA

### 10. PROJECT SCHEDULE

If project is not yet complete:

Proposed date construction has/will begin: \_\_\_\_\_

Proposed date construction will be completed and notice of project completion will be filed: \_\_\_\_\_

Proposed date the project will be finalized: \_\_\_\_\_

If project is already complete:

Date it was implemented: \_\_\_\_\_

Royale Columbia Farms, Inc. has been field testing various water conservation strategies since late in 2003. Promising strategies have continually been modified to improve them. The conserved water strategies that allow the water conservation identified in this application were fully implemented and operational at the end of the 2009 irrigation season.

\_\_\_\_\_ (Provide Exhibit K)

The applicant requests:

That the allocation be finalized, or

Additional time be granted to prove that the project worked to the applicant's satisfaction before finalizing the allocation of conserved water. Indicate the amount of time desired \_\_\_\_\_ (up to five years after completion of the project may be allocated).

## 11. 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 Not Applicable 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 Not Applicable acre(s) portion of the right be permanently canceled.

## 12. EXHIBITS

*Check each of the following attachments included with this application. All attachments are required unless otherwise noted. The application will be returned if all required attachments are not included.*

### **Exhibit (Form) A – Evidence of Use Affidavits**

- Provide if 1) it is an on-farm efficiency project, or 2) specific acreage is being affected by the project. *Consult with Department staff regarding the evidence needed for distribution projects.* At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original, not a copy. The form is available at [http://www1.wrd.state.or.us/pdfs/Supplemental\\_Form\\_B.pdf](http://www1.wrd.state.or.us/pdfs/Supplemental_Form_B.pdf).

### **Exhibit B – Map**

- Provide if the entire water right is not part of the conservation project and/or new lands shall receive water. *Consult with Department staff if there is any question regarding the need for submittal.* See OAR 690-018-0040(17) and 690-018-0062(3)(a).

### **Exhibit C - Project Funding Description**

- Provide if more than 25% of water goes to applicant. See OAR 690-018-0040(18).

### **Exhibit D – Identification and Resolution of Water Right Conflicts**

- Provide if construction has begun or been completed and if more than 25% of the project costs have been expended prior to filing this application. See OAR 690-018-0040(19).

### **Exhibit E – Letter of Approval from the Irrigation District**

- Provide if project is located within boundaries of an irrigation district and the district is not the applicant. See OAR 690-018-0040(20).

### **Exhibit F – District Conserved Water Policy**

- Provide if applicant is an Irrigation District or Water Control District. See OAR 690-018-0040(21) & 690-018-0025.

### **Exhibit G - Land Use Information Form**

- See OAR 690-018-0040(22). The land use form is available at: <http://www1.wrd.state.or.us/pdfs/landuseform.pdf>

### **Exhibit H - Ownership & Lien Information**

- Provide if application involves:
- on-farm efficiency project, and/or
  - distribution project affecting specified lands. Provide a report of ownership and lien information or a current recorded deed to the subject lands.

### **Exhibit I – Support Letters from ODFW, DEQ and OPRD**

- Letters from ODFW, DEQ, and OPRD indicating that they have been consulted and indicating that at least one of the agencies attests that conserved water is needed to support instream uses. See OAR 690-018-0050(4)(f).

### **Exhibit J – Water Right Clarification & Notification of Affected Persons**

- Provide if the application involves water rights for
- lands under multiple ownerships and not all of the water right holders are applicants, and the project is not being submitted by a District as a distribution project and/or
  - which the current final proof survey maps for lands involved in the application do not adequately describe the location of the place of use or the associated priority dates of the associated water rights

*Consult with Department staff if there is any question regarding the need for submittal.*

### **Exhibit K – Evidence that the Project was Implemented Within 5 Years.**

- Provide if project was completed before application submittal. See OAR 690-018-0040(12)(a).

### **Fees:**

- Amount enclosed: \$ 1750.00  
See OAR 690-018-0040(25) and the Department's Fee Schedule at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml#fees](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#fees) or call (503) 986-0900.



### **13. SIGNATURE**

I (we) affirm that the information contained in this application is true and accurate.

\_\_\_\_\_  
applicant signature

\_\_\_\_\_  
name (print)

\_\_\_\_\_  
date

\_\_\_\_\_  
agent signature

\_\_\_\_\_  
name (print)

\_\_\_\_\_  
date

#### **Before submitting your application, be sure you have:**

- Answered each question completely.
- Included the required attachments.
- Provided original signatures for all water right holders or other parties with an interest in the right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

## Additional Information

The complete OAR Chapter 690, Division 018 Allocation of Conserved Water rules are available at: [http://arcweb.sos.state.or.us/rules/OARS\\_600/OAR\\_690/690\\_018.html](http://arcweb.sos.state.or.us/rules/OARS_600/OAR_690/690_018.html)

### 690-018-0040

#### Application Requirements (Excerpt)

Applicants for allocation of conserved water shall provide to the Department the information described in this rule in substantially the same order as listed. The information shall include:

(12) For a project that has already been completed:

(a) Evidence that the measure was implemented within five years prior to the date of filing the application; and

(b) The date on which the applicant intends to request that the allocation be finalized pursuant to OAR 690-018-0062(3).

(17) A map with sufficient detail to locate and describe the facilities and areas affected by the conservation measures;

(18) Identification of any federal or state public sources of project funds and, if federal or state public funds that 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:

(a) The total cost for project engineering and construction;

(b) The present value of any incremental changes in the costs of operations and maintenance that are directly attributable to the project that would not be incurred or realized in the absence of the project;

(c) 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; and

(d) 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.

(19) 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 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;

(20) A letter showing irrigation district or water control district approval if the conservation project is within the boundaries of the district;

(21) For applications submitted by irrigation districts or water controls districts, evidence of an adopted policy consistent with the requirements of OAR 690-018-0025.

(22) Land use information outlined in the Department's Land Use Planning Procedures Guide; and

(23) Other information the Department or Commission deems necessary and appropriate to aid in the evaluation of the application.

(24) The appropriate fee as required under ORS 536.050.

(25) The Director shall waive the application fee based on the percent of conserved water allocated to the state for instream use, not to exceed 50 percent of the application fee, if the instream allocation is:

(a) To establish an instream water right pursuant to ORS 537.348;

(b) Necessary to complete a project funded by the Oregon Watershed Enhancement Board under ORS 541.375; or

(c) Determined and endorsed in writing by Oregon Department of Fish and Wildlife as a change that will result in a net benefit to fish and wildlife habitat.

### 690-018-0050

#### Processing a Conservation Application (Excerpt)

(4) The Department shall review the application and consider any comments received under section (3) of this rule to determine:

(f) In consultation with the Departments of Fish and Wildlife, Environmental Quality and Parks and Recreation, if conserved water is needed to support instream uses;

## 690-018-0062

### Completion of Conservation Project (Excerpt)

(3) Prior to the expiration of the time allowed under OAR 690-018-0050(4)(i), the applicant may request that an allocation of conserved water be finalized. The request shall include:

(a) If all or part of the applicants' portion of the conserved water is to be used for an out-of-stream use at an identified location, the following information:

- (A) The name and address of the person using the water;
- (B) A description of the type of beneficial use of the water;
- (C) A legal description of the place of use; and
- (D) A map that meets the standards in OAR 690-310-0050 and

(b) If all or part of the applicants' portion of the conserved water is to be leased, dedicated or temporarily reserved instream, a statement identifying the quantity of water to be managed as an instream water right.

### Exhibit B – Application Map

The application map shall include:

- a. Township, range, section,  $\frac{1}{4}$   $\frac{1}{4}$ , a north arrow, and a standard scale such as 1 inch = 400 feet or 1 inch = 1,320.
- b. Location of existing and new point of diversion, if applicable, with coordinates referenced to a recognized survey corner.
- c. For on-farm conservation involving only a portion of the place of use, the location of the lands to be affected by the project with acres described by  $\frac{1}{4}$   $\frac{1}{4}$ .
- d. Location of lands on which applicant's portion of conserved water is to be used if other than those currently authorized with acres described by  $\frac{1}{4}$   $\frac{1}{4}$ .

If the applicant is requesting that the project be finalized upon approval of this application, then the applicant must complete a map consistent with OAR 690-310-0050 as identified in OAR 690-018-0062.

### Exhibit J – Water Right Clarification and Evidence of Notification of Effected Persons

If the application:

- 1) Involves rights for lands under more than one ownership and not all of the owners are applicants; and/or
- 2) The final proof survey maps on file with the Department for any quarter-quarter section in which lands involved in the application are located do not adequately describe the location of the place of use or the associated priority dates of the associated water rights, the Department may require the following additional information:

- A list of the name and address of each landowner whose lands the Department concludes may be included in the portion of the water right proposed for allocation of conserved water and written proof of service of a copy of the application on those landowners and a map delineating the location, acreage, priority dates, and ownership of the subject water right; and
- Other information sufficient to establish that no portion of the right to be conserved is held by persons other than those proposing the conservation project and, for rights with multiple priority dates, the priority dates for the right to be transferred are consistent with the decree or other document establishing the right.

*(The applicant should consult with Department staff if there is any question regarding the need for submittal of Exhibit J.)*