



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

# Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. 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. TYPE OF TRANSFER APPLICATION

Please check one		
<input checked="" type="checkbox"/> Permanent Transfer <input type="checkbox"/> Temporary Transfer (1 to 5 yrs.) ♦ total number of years: _____ (begin year: _____) (end year: _____)	<input type="checkbox"/> Instream Transfer <input type="checkbox"/> Permanent <input type="checkbox"/> Time-Limited <input type="checkbox"/> Drought Transfer <input type="checkbox"/> Other	Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## 2. APPLICANT INFORMATION

Name: Gary Engle

Address: 37796 Cottonwood Rd.

City: Monument      State: OR      Zip: 97864

Home Phone: 541-934-2778      Work Phone: \_\_\_\_\_      Other Phone: \_\_\_\_\_

Fax: \_\_\_\_\_      E-Mail address: \_\_\_\_\_

## 3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: North Fork John Day Watershed Council

Address: PO Box 444

City: Long Creek      State: OR      Zip: 97856

Home Phone: 541-421-3018      Work Phone: 541-421-3018      Other Phone: \_\_\_\_\_

Fax: 541-421-3019      E-Mail address: info@nfdwc.org

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- If an agent is listed above, please check **one** of the following:
  - Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
  - Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

**4. PROPOSED CHANGE(S) TO WATER RIGHT(S)**

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	<b>Application / Decree</b>	<b>Permit / Previous Transfer</b>	<b>Certificate</b>
1.	2419	-1239	946
2.		-	
3.		-	
4.		-	
5.		-	
6.		-	

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- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
  - Place of Use       Point of Diversion (POD)       Additional Point of Diversion
  - Character of Use       Point of Appropriation (POA, or well)       Additional POA
  - Instream Transfer       Surface Water POD to Ground Water POA
  - Substitution of Supplemental Groundwater right for Primary Surface water right
  - Historic POD change       Other

Reason(s) for change(s): Removal of a push-up dam

Cottonwood Creek is a significant tributary of the North Fork John Day River and Mid-Columbia steelhead spawning and rearing habitat. The proposed transfer will address fish passage and instream disturbance by replacing two push-up dam diversions with one driven sheetpiling diversion. The two current diversions are 300 yards apart, the lower point of diversion (permit 1239) is requested to be transferred to the upper point (permit 40984) which currently has an effective ODFW fish screen. The gravel pushup dam will be replaced by a driven sheetpiling diversion that will allow fish passage. The project will also address stream flows in Cottonwood Creek by converting an open ditch irrigation system to a pressurized pipeline system. Watershed benefits are improved fish passage, habitat and connectivity, irrigation efficiency, and water quality. See attached funded grant proposal to the Oregon Watershed Enhancement Board.

**5. WATER DELIVERY SYSTEM**

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

*The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.*

Traditional flood irrigation, utilizing a 3,800 foot ditch to supply water to 20 acres.

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- System capacity: .61 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

C- 946= 0.25 cfs

C- 47400= 0.36 cfs

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**6. EVIDENCE OF BENEFICIAL WATER USE**

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
  - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
  - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
  - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
  - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

**7. AFFECTED DISTRICTS**

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district?     Yes     No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer?     Yes     No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity?     Yes     No

*If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:*

\_\_\_\_\_

**8. LOCAL GOVERNMENTS**

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

Grant County Oregon  
200 South Humbolt  
Canyon City, OR 97820

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**9. LAND OWNERSHIP**

- Does the applicant own the lands where the portion of water right proposed for transfer is currently located?  Yes  No

*If "No", provide the following information. For Temporary Transfers, also include a **notarized statement granting consent** to the transfer from **each** of the landowners (for Permanent Transfers see Section 12(c)):*

Names of Current Landowner(s):

Address:

City:

State:

Zip:

- Does the applicant own the lands **TO** which the right is being transferred?  
 Yes  No  N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

*If "No", provide the following information:*

Names of Receiving Landowner(s): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_ Zip: \_\_\_\_\_

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Check **one** of the following:

- The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
- The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.
- N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

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**10. Other Remarks (optional)**

When the water rights transfer map was initiated through the Cetrified Water Rights Examiner, changes were found in the actual location of the points of diversions versus what the certificates (C-946 and C47400) listed as the locations. The Water Master (Eric Julsrud) was notified of the discrepancies and went out to the sites to

survey. Please find attached a letter from Eric Juslrud for clarifictaion of the points of diversion for C-946 and C-47400.

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## 11. ATTACHMENTS

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

### Supplemental Form A –

#### Description of Proposed Change(s) to a Water Right

- A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

### Supplemental Form B –

#### Evidence of Use Affidavit(s)

- 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), and
- The Evidence of Use Affidavit **must** be accompanied by **supporting documentation**.

### Map

- Water Right Transfer*  
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- Temporary Transfer or Historical POD Change*  
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

### Water Well Report(s)/Well Log(s):

- The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

### Land Use Information For Proposed Changes:

#### For Instream Transfers:

- Notice of the intent to file an instream transfer application has been provided to each affected local government along the proposed reach, and copies of the notices are enclosed. (*For instream transfers a Land Use Information Form is not required.*)

#### For All Other Transfers:

- Land Use Information Form is enclosed; *or*
- All of the following criteria are met, therefore a Land Use Information Form is not required:
- ① In EFU zone or irrigation district,
  - ② Change in place of use only,
  - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
  - ④ Irrigation only.

#### Fees:

- Amount enclosed: \$900.00  
See the Department's Fee Schedule at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.

### Instream Water Right Transfers, also include:

#### Supplemental Form C –

#### Instream Water Right Transfer

- Complete this form to describe the desired nature and attributes for the proposed instream water right.

### Temporary Transfers, also include:

#### Recorded Deed:

- The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

#### Affidavit of Consent:

- If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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**Before submitting your application to the Department, be sure you have:**

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

**12. SIGNATURES**

▪ Check one of the following, as appropriate, and sign the application in the signature box below:

In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to **all** lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is **not** the applicant, a **notarized statement consenting to the transfer** (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized to pursue the transfer. I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.

I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (and affidavits of consent from any other landowners, if applicable) is enclosed.

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

<u>Sam Engle</u> Applicant signature	<u>GARY ENGLE</u> Name and title if applicable (print)	<u>12-14-09</u> Date
_____ Applicant signature	_____ Name and title if applicable (print)	<b>RECEIVED</b> _____ Date

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**2. CURRENT WATER RIGHT INFORMATION**

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

<input checked="" type="checkbox"/> Certificated Right	946	1239
	Certificate Number	Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-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

- Name on Permit, Certificate, or Decree: J. E. Johnson
- County: Grant
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): July 2, 1912

*If there are **multiple priority dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: Cottonwood Creek

Tributary to: North Fork John Day River

*If there are **multiple sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

**For applications proposing a Change in Place of Use or Character of Use:**

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?
  - Yes     No     N/A – No Change in Place of Use or Character of Use

*If "Yes", what are the Permit, Registration or Certificate Numbers?*

*Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).*

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▪ **Certificate Number or other identifying number: C- 946**

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

**Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:**

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer or the authorized point(s) of diversion or appropriation that serves the lands being transferred, if applicable)

Water Right No.	Source and Priority Date	Township	Range	Meridian	Section	Approx. Location	Tax Lot, DEC or Gov't Lot	Direction & Distance from a Recognized Survey Corner
	Cottonwood Creek July 2, 1912	10S	27E	W.M.	36	SW of SE SE of NE	5600	Ditch 1: 130 rods W & 52 rods S of NE corner S36 Ditch 2: 145 rods S & 40 rods W of NE corner of S36.

- Does the water right being transferred involve a ground water source(s)?  
 Yes       No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

**Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)**

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

Water Right No.	Well No.	Well Name	Well Type	Well Depth	Well Construction	Type of Measurement Device	Total Well Depth

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Remarks: Acreage application on map is based on physical survey. The total acreage authorized under C- 946 was found. However, not all in appropriate 40 acre tracts as authorized under C- 946.

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# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

Watermaster Dept., District 4  
201 S. Humbolt St., Suite 180  
Grant County Courthouse  
Canyon City, OR 97280  
Ph: 541-575-0119  
Fax: 541-575-0641

December 16, 2009

Attn: Transfer Division  
Oregon Water Resources Department  
725 Summer Street, N.E. Suite A  
Salem, Oregon 97301

RE: Clarification of the point of diversions for C-946 and C-47400 and place of use for C-946.

To whom it may concern,

Gary Engle is submitting a transfer to request a change in point of diversion for C-946. This proposed transfer is located in T.10S R. 27E W.M. within Sections 25 and 36. I have worked closely with Bob Bagett the CWRE hired to prepare the application and map as well as the North Fork Watershed Council with this project. My understanding is this proposed transfer will be an upstream point of diversion movement as a result of a proposed project to remove fish passage barriers along Cottonwood Creek a tributary of the North Fork of the John Day River. The proposed upstream movement will leave only one point of diversion along the creek in this area. This will result in C-946 and C-47400 sharing one diversion.

Upon assisting Bob Bagett with the water right research for the property we noted a discrepancy with the location of the authorized point of diversion and authorized place of use listed in C-946 compared to the locations found on the ground. Additionally, the location of the point of diversion for C-47400 was found not to fit the coordinates listed on the certificate. Bob Bagett explained to me the discrepancies he found during the survey of the lands and subsequently I asked to visit the property and take a look at the findings.

Upon my visit to the property and the inspection of the area it was noted that C-946's permit map did not clearly define where the acreage was supposed to be very precisely. The landscape of the area is physically marked by knobs, rises, outcroppings of rock and sloping small pastures. The fields are odd shaped as a result of the lay of the land.

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It is my personal opinion that no significant alterations to the landscape have occurred over the life of this water right based upon my visual inspection of the area. I also believe that the locations noted on the permit map for C-946 accurately described the place of use at the time the permit was awarded a certificate of water right. It is clear based upon the permit map that the intent was to show the place of use being shaped to fit the overall lay of the land. However, I believe that survey technology today can better show the locations on the ground than what were possible back in 1912.

Acreage Authorized Under C-946			Acreage Noted by Physical Survey of Bob Bagett		
T. 9S R. 27E W.M.			T. 9S R. 27E W.M.		
1.0 ac.	SESW	Sec.25	0.7 ac.	SESW	Sec.25
19.0 ac.	SWSE	Sec.25	19.3 ac.	SWSE	Sec.25

The physical survey by Bob Bagett places the points of diversion as follows: Ditch #1 (West side of Creek) within the NWNE of Section 36. Ditch #2 (East side of creek) within the SENE of Section 36. See attached transfer application map for the appropriate coordinates for these ditches. On the ground it was very evident due to the elevations of the hills and creek that the ditches could have never been in the locations where the permit placed them. There is in excess of 15 feet elevation difference between the creek and the ditch in the locations where the permit placed the head of the ditches.

When viewing this area on an aerial photo I can see where it would be easy to miss the heads of the two ditches; one on the east side of the creek and one on the west side of the creek. I suspect that perhaps when the survey was conducted by S. C. Brown in 1977 for C-47400 that the two ditches may have not been clear enough on the photos to determine the location of the heads of the ditches if one of sufficient scale and detail wasn't used (assuming an aerial photo was used).

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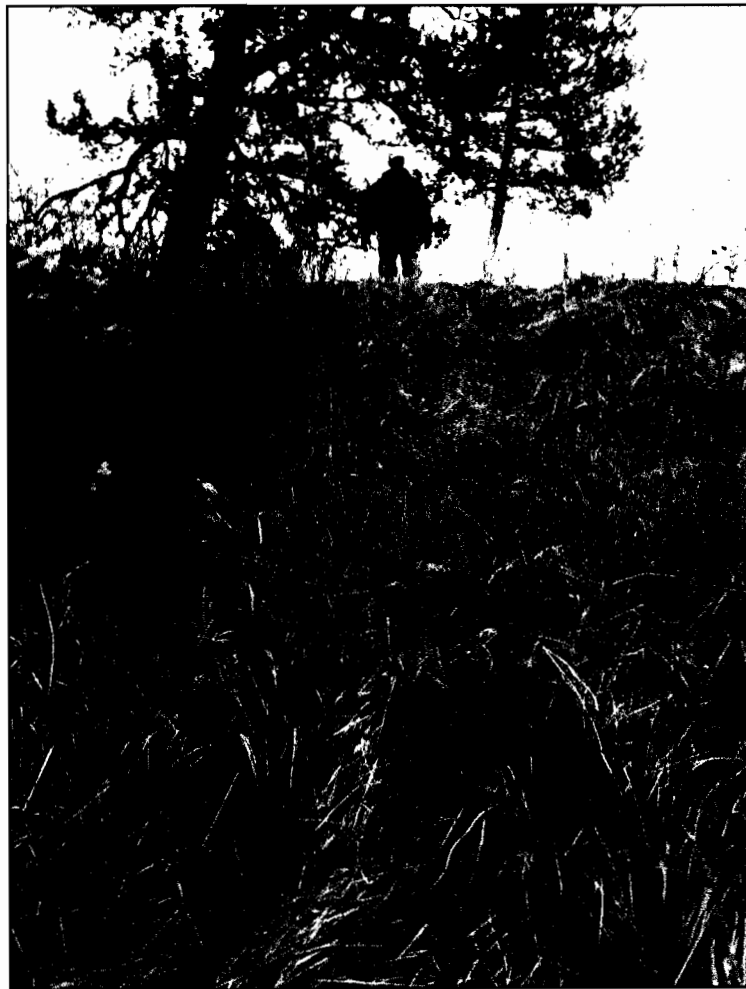
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I believe there was some kind of error or mistake made when the locations of the points of diversions were finalized for both certificates. Due to the great elevation difference there would have been no way for water to reach the place of use if the ditches were ever in the location where the certificates placed them. Additionally, the surrounding hills, rock outcroppings and other features would make moving the location of the ditch an extremely difficult undertaking. Moving these ditches upstream would require extensive fluming and construction due to the steep slopes and rocky hills along the edge of the creek. Moving the locations downstream would result in such a rapid change in elevation that lifting the water would require pumping. It is my professional opinion that these ditches have not moved any significant distance over time and the current survey accurately describes the location of the two ditches which serve C-946 and C-47400. Based upon the physical survey there appears to be approx 900ft distance between the authorized POD locations and the locations where they were noted on the ground (See attached survey map).

The authorized head of ditch #1 compared to the actual level of the ditch.

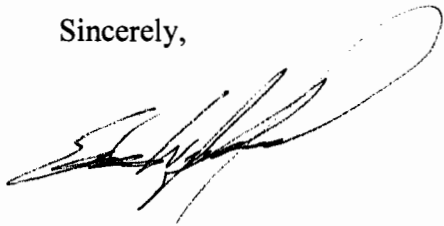


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It is my belief that these particular water rights (C-946 and C-47400) are a candidate for clarification of the point of diversions to more accurately describe their location on the ground. The area where the points of diversions are located is bordered by steep canyon walls on the easterly and westerly boundaries. I saw no evidence of any major earth moving or alterations in this area to suggest construction activity or severe head cutting resulted in the movement of the points of diversions over time. Additionally, the general shape of the fields for C-946 represented on the paper permit map can be seen on the ground visually and I believe that the permit map accurately depicted the appropriate shape and size of the intended place of use but unfortunately didn't describe the place of use as accurately as we can today.

Sincerely,



Eric W. Julsrud  
Oregon Water Resources Department  
Watermaster District 4

Cc: Cottonwood Creek Regulation File

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# North Fork John Day Watershed Council

PO Box 444. Long Creek, OR 97856. (541) 421-3018 amy@nfdwc.org

December 23, 2009

Attn: Debbie Colbert  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

**RE: Water Right Transfer Application, Gary Engle**

We are requesting a "Waiver of Fees" pursuant to **690-380-3400** for this water right transfer. This transfer will result in a net benefit to fish and wildlife and is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.375. Please see the attached letter from Jeff Neal with the Oregon Department of Fish and Wildlife in the John Day field office and our funded grant application from OWEB, #210-6018 Cole-Engle Fish Passage and Irrigation Improvement project. We are applying for a regular point of diversion transfer, in which the base fee is \$900, so we are including a payment for \$450, which is 50% of the associated fees.

This project is addressing fish passage and instream disturbance by replacing two push-up dam diversions with one driven sheetpiling diversion on Cottonwood Creek. Cottonwood Creek is a significant tributary of the North Fork John Day River and Mid-Columbia steelhead spawning and rearing habitat. There are two current diversions, the lower point of diversion does not currently have a working fish screen and we are applying to move the POD to the upstream point which does have an effective ODFW fish screen. In addition, the movement of the point of diversion will be eliminating a push-up dam and yearly instream disturbance. A driven sheet piling diversion will replace the upstream pushup dam during the instream work window of 2010. There is a net benefit to fish and wildlife by removing 2 push-up dams, and moving an existing point of diversion to an upstream point that will utilize an existing effective fish screen.

In addition as part of the OWEB project we are working with the landowners and the Natural Resources Conservation Srertvoes to address stream flows in Cottonwood Creek by converting an open ditch irrigation system to a pressurized pipeline system. Overall watershed benefits are improved fish passage, habitat and connectivity, irrigation efficiency, and water quality.

Sincerely,



Amy Charette  
Coordinator, North Fork John Day Watershed Council

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# Oregon

Theodore R. Kulongoski  
Governor

Department of Fish and Wildlife

John Day Field Office

PO Box 9

John Day, Oregon 97845-0009

Voice: 541-575-1167

Fax: 541-575-0948

<http://www.dfw.state.or.us>

August 24, 2009



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

## **Transfer Applications for John Cole and Gary Engle**

The Oregon Department of Fish and Wildlife is submitting this letter of support for the transfer application(s) submitted by the North Fork Watershed Council on behalf of John Cole and Gary Engle on Cottonwood Creek tributary to the North Fork John Day River.

While not having fully examined the individual merits and impacts of the application(s), ODFW believes that the transfer application(s) submitted by the North Fork Watershed Council on behalf of John Cole and Gary Engle may create a net benefit to fish and wildlife habitat in the North Fork of the John Day River. ODFW reserves its final determination until a more thorough review of the transfer can be conducted.

Replacement of push up dams with updated structures or diversion alternatives that allow for fish passage and potentially open up habitat in the John Day River system has been a priority of ODFW for decades.

We recommend that the Water Resources Department consider waiving a portion of the application fee pursuant to its administrative rules. We look forward to a more thorough review of each of these transfers as they proceed through the inter-agency review process.

Sincerely,

Jeff Neal  
John Day Fish District  
Oregon Dept. of Fish and Wildlife  
P.O. Box 9  
John Day, OR 97845  
541-575-1167

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