

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: Earl Brown & Sons Inc.

Co-applicant:

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Phone: 541-938-6645

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2. WATER RIGHT

A) What is the name on the water right? Samuel G. Potter, Clarence L. Morse, Otho C. Spragg

B) Describe the water right: See attached sheet for details.

1. Certificate Number(s): 13126, 13088, 12768
2. Priority Date(s): 1898, 1886, 1898
3. Source of Water: Lydell Ditch diverted from the Ford Branch of the Little Walla Walla River
4. Type of Use: Irrigation
5. Place of Use (T-R-S, Q/Q, Total # acres): 10.41 water right acres involved in conservation projects – T6 N, R35 E W.M., W1/2 Section 35

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 (cfs, gpm, miners in.): 174.89gpm or 0.39cfs (See attached sheet).
2. Duty (acre feet): N/A

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

1. Rate (*cfs, gpm, miners in.*): 174.89gpm or 0.39cfs (See attached sheet).
2. Duty (*acre feet*): N/A

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). Water is measured at the points of diversion by weirs cut according to specifications of 16.8gpm/acre. A 15h.p. pump serves water from Lydell Ditch to the properties listed (see attached sheet) which are watered using open ditch flood irrigation.

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. Point of diversion will remain the same with a new weir cut to allow 11.2gpm/acre to be delivered to the properties listed (see attached sheet). A new 375ft X 75ft bulge with a capacity of 6.0 acre feet will be built to serve the listed properties along with several others on the same ditch. Water will be pumped through new 10-12 inch mainline by a 30hp pump station. The old on-farm systems will be replaced with new more efficient Nelson R-10 micro-sprinklers. These will reduce water use from an average 65gpm/acre, to an average 45gpm/acre.

5. CONSERVED WATER

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

1. Rate (*cfs, gpm, miners in.*): 116.59gpm or 0.26cfs (see attached sheet).
2. Duty (*acre feet*): N/A

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 (*cfs, gpm, miners in.*): 58.31gpm/0.13cfs (see attached sheet).
2. Duty (*acre feet*): N/A

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

1. Portion going to the state: 61% (35.58gpm or 0.08cfs)
2. Portion going to the applicant: 39% (22.73gpm or 0.05cfs)

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? Weir

6. PROJECT SCHEDULE

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

Proposed date construction will begin: 2001

Proposed date construction will be completed: Project already completed, 2002

Proposed date beneficial water use will begin: 2002

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. No harmful effects expected.

B) Describe any mitigation or other measures that are planned to avoid harm to other water rights. No harmful effects expected.

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. 1.1 acres of conserved water from water right certificate #13126 and 0.9 acres of conserved water from water right certificate 12768 will be allocated to tax lot 1400 in the S1/2 SW1/4 NW1/4 S35, T6N, R35E W.M. (See attached map and spreadsheet)

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 Walla Walla River

C) Describe the proposed benefit to instream uses. Fish and other aquatic species.

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:

Signature of Applicant:

Date:

Signature of Co-applicant:

Date: