

CW-14



State of Oregon  
Water Resources Department  
158 12th 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: Todd Davis  
First Last

Co-applicant: Alan Davis  
First Last

Mailing address: 53285 Appleton Road  
Milton-Freewater, OR 97862  
City State Zip

Phone: 541-938-7077 541-938-7093  
Home Work Other

Fax: 541-938-4645 E-Mail address: tdavis @applelovers.com

## 2. WATER RIGHT

A) What is the name on the water right? Todd and Alan Davis

B) Describe the water right: 4.00-3.39 3.5 - 4.5 5.62 4.0  
1. Certificate Number(s): 13173 12673 13155 13174 dp  
2. Priority Date: 1900-1888 1900-1888 1887 1900  
3. Source of Water: Walla Walla River  
4. Type of Use: Irrigation  
5. Place of Use: 6N 35E 27D NW 1/4 SE 1/4 21.01  
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? 1900 126 gpm  
1888 132.55  
1889 94.42

1. Rate: 352.97 gpm 2. Duty: none  
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: 600 gpm 2. Duty: none  
cfs, gpm, or miners inches acre feet

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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 through a weir that travels through an 18" inlet pipe into a 500,000 gallon pond. Water is then pumped through a combination of a 10 hp and 30 hp pumps. Water is then distributed through a 10" mainline system to low pressure Nelson Rotator Sprinkler 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.

Within the last 5 years we have converted from ditch irrigation to the above described system. Water will be diverted through existing point of diversion and weir.

#### 5. CONSERVED WATER

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

1. Rate: 235 gpm 2. Duty: none  
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: 118 gpm 2. Duty: none  
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: 63% = 74.32 gpm 1900 priority  
% or (cfs)

2. Portion going to the applicant: 37% = 43.68 gpm 1888  
% 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? weir

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**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: 9-1-95

Proposed date construction will be completed: completed

Proposed date beneficial water use will begin: 4-1-2001

**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.

None

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

There are no measures planned to avoid harm to other water rights as there is no harm 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.

Current diversion works will divert conserved water to  
6N 3SE Sec 27 Tax lot 100 & 200 as per map.

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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.

Walla Walla River

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C) Describe the proposed benefit to instream uses.

Fish Flows

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**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:


1-18-01  
 Signature of Applicant Date  

1-18-01  
 Signature of Co-applicant Date

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**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).