



## IRRIGATION AGREEMENT

### SB 267 TEMPORARY WATER TRANSFER

#### PARTIES:

Property Owner and Water Right User ("User"):

Mr. & Mrs. Smith

PO Box 012345

Somewhere, USA 91000

Irrigation District:

Santiam Water Control District ("SWCD")

284 E. Water Street

Stayton, OR 97383

#### RECITALS

The User, as referenced above, proposes to temporarily transfer 0.98 acres of SWCD water right ("Water") onto the subject real property ("Property") commonly known as Tax Map#: 17-13-28 00 00200.

Where proposed Water on the Property is mapped as noted on the transfer "Map", Exhibit A, attached and incorporated by this reference requires compliance with the rules of the Oregon Water Resources Department (the "OWRD").

Now therefore, the Parties agree as follows:

#### AGREEMENT

Incorporating the above recitals and exhibits as if set forth herein;

1. SWCD agrees to provide Map for proposed Water use on the Property as specified on Temporary District Transfer Application ("Application") and file the Map with the OWRD District 16 Watermaster.
2. User agrees to beneficially use Water as Mapped and pursuant to state law and rules of OWRD during the 2020 Irrigation season. "Beneficial Use" is defined as noted below and as presented and may be amended in the future by state law, rules and statute.
3. On October 31, 2020 the Water will revert back to the lands from which it came. The Application shall be terminated and User must cease irrigation of the Property where Water was Mapped.
4. By signing this Agreement, User acknowledges that District staff or its designated Agents may periodically and without notice complete physical inspections of the Property to determine beneficial use of the water right as specified in the Application. The inspections may include walking the Mapped area, reviewing established crop and the delivery system.
5. Failure to fully use the Water as transferred may cause denial of future transfer requests to this property.
6. By signing this Agreement, each party represents he/she has the requisite authority to sign on behalf of the entity represented if any.

#### Some Rules Regarding Beneficial Use:

**Beneficial use of Irrigation Right is the application of water to produce a crop, grass or landscape areas. Irrigation water shall be used on land that has been designated for this purpose – irrigable land, not a rock pile and not on driveways, roadways or under structures. If you hold 1 acre of water, you must produce a crop or grass on exactly 1 acre of land. One acre equals 43,560 square feet.**

**Landscape areas such as lawn or shrub beds or a commercial crop such as shrubs, trees or growing of plants for resale is allowed. The land must be under production to qualify as beneficial use. The placement of water on land that is not cleared, seeded or under some type of production is not beneficial use. *The use of irrigation water for dust abatement is not beneficial use.* The use of irrigation water on anything that would grow naturally without the benefit of irrigation water is not beneficial use.**



\_\_\_\_\_ Date \_\_\_\_\_  
Landowner

\_\_\_\_\_ Date \_\_\_\_\_  
Landowner

\_\_\_\_\_ Date \_\_\_\_\_  
Brent Stevenson Manager SWCD