

# **THIS IS A DRAFT OF THIS DOCUMENT AND SUBJECT TO CHANGE.**

## **Questions for Water Transaction projects**

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### **Overview/Abstract**

1. Provide a brief summary of the proposed water transaction, including location, water right acreage, desired closing date, and the project need, the proposed work and identify any partners.. (Maximum 5000 Characters)
2. Why is it important for the PFA Grant Program to consider funding this project at this time with this level of funding? (1500 characters)

### **Location, Context, and Ownership**

3. Property Type
  - a. Public
  - b. Private
  - c. Tribal Lands
4. Project Location
  - a. Latitude: \_\_\_\_\_ & Longitude: \_\_\_\_\_
  - b. County: \_\_\_\_\_
  - c. Watershed/Basin: \_\_\_\_\_
  - d. Stream: \_\_\_\_\_
5. HUC 12-digit/Subwatershed
6. Describe the project's geographic location in relation to streams, rivers, estuaries, and watershed features. (4000 characters)
7. Impacted counties form project, select all that apply
  - a. List all counties in State
8. Project Funding Requested from ODFW
9. Project Start Date and End Date
  - a. NOTE: Projects are recommended to start April 1 of the following year
10. Match provided:
  - a. Start Date and End Date
11. When will the water be instream?
  - a. Start month and day and year
  - b. End Month and day and year

12. Is the transaction being funded by other funders, if so, list the funding amount, and term dates (1000 characters)
13. List project partners and their roles in implementation. (Maximum 500 Characters)
14. Project Type
  - a.  Full Season Instream Lease
  - b.  Split-Season Instream Lease
  - c.  Permanent Instream Transfer
  - d.  Time-limited Instream Transfer
15. Will the transacted water be legally protected instream(yes, no boxes)

### **Ecological Need and Alignment**

16. Select which PFA HCP covered species are to benefit from this project:
  - a. List Species
17. Summarize the primary problem the project addresses and any limiting factors affecting HCP-covered species. Describe how the project will result in measurable benefits to the PFA HCP covered species? (Maximum 5000 Characters)
18. Describe how the project aligns with regional and/or State recovery plans, citing relevant pages/sections. (2,500 characters) *Cite section and page number, do not attach the plan to the document.*
19. Explain if the project fits within a broader phased or ongoing effort. (2,5000 characters)

### **Goals, Objectives and Work plans**

- 20 State the project's goal, desired future condition, provide interim and long-term project performance benchmarks (i.e. objectives and deliverables) with due dates, and describe how those benchmarks would be measured (8000 Characters)
- 21 Summarize the timeline. (3,000 characters)
- 22 If applicable, Briefly describe past, current, and expected future habitat restoration projects that relate to this transaction's stream reach(es) and how the proposed project complements those actions. (2000 character limit)
- 23 How will this proposed project lead to future expansion of instream flow restoration opportunities in the basin? (2000 character limit)

### **Hydrologic Context**

- 24 If the project contains multiple reaches, provide the information below for each separate reach. Note the primary and the secondary reach as applicable and include:
- Targeted Stream of Benefit: (50 character limit)
  - Tributary of: (50 character limit)
- 25 Total River Miles:
- Approximate Upper End River Mile:
  - Approximate Lower End River Mile:
- 26 Will this project provide a cold water refugia?
- 27 Are there any diversions for other users in the targeted protected reach? (300 Characters)
- If yes, how do you plan to protect the water ?

### **Budget and Cost Justification**

28. Upload the budget form (Appendix G) and summarize acquisition costs, including purchase price, appraisal, title, survey, escrow, and any additional line items.
29. Explain how the proposed cost of the water transaction was determined and why it is reasonable and appropriate for the basin. Your explanation should reference any comparable transactions, expert evaluations, historical data, or other evidence supporting the proposed price. If available, please include:
- Cost per cfs and per acre-foot
  - Duration and reliability of flow
  - Any third-party valuation or consultant opinion
  - Description of the negotiation process or rationale used to set the price
    - Upload any supporting materials here. Reference the Water Transaction Guidance Document “Cost Justification for Water Transactions” to ensure you are meeting all requirements for this question.

### **Monitoring**

30. What is the monitoring plan for this project, and why is it appropriate for this transaction type and term? (10000 character limit)
- Discuss how to monitor the diversion and the impacted protected reach?
31. What parameters are being monitored at this project location?
- Stage (staff plate)

- b.  Stage (recorder)
  - c.  Stream-discharge(point measurements)
  - d.  Stream-discharge (seasonal hydrograph)
  - e.  Diversion (weir, flume, totaling flow meter, other)
  - f.  Water temperature
  - g.  Other
    - i. Describe: (50 character limit)
32. Please provide key contact information if another agency, program, or individual will be collecting, storing, and evaluating flow, biological, and/or water quality data. (500 character limit)
- a. *Enter the agency, individual, and contact information.*
33. Describe how the resulting data will be managed, analyzed, and interpreted. Explain the relationship between the data collection and final report to ensure a thorough analysis. (4000 character limit)
34. Describe how the data will be reported and made available to natural resource professionals and the public. (4000 character limit)

**Water Right Authorization & Transaction Flow Rates**

35. Describe how you propose to measure and report the water diverted , used, and protected instream for the proposed project. Include a proposed method, timing, frequency, and location of measurement in your proposal.
36. What is the maximum authorized diversion rate (CFS) and duty (Acre Ft) under the water right during the transaction term?
- a. List by month (e.g., April: 5 CFS; May: 5 CFS; June: 5 CFS) (200 character limit)
37. What is the maximum flow rate (CFS) to be placed instream during the season of use?
- a. Reference your certificate for these numbers and list the season of use. (3000 characters limit)
38. What is the flow target this project is trying to address and when? How was the flow target established? And on average, what percentage of the flow target will be reached from this transaction alone and in combination with other existing transactions during the period of use? (3000 Character Limit).
39. Is/are the water right(s) involved in this transaction within the boundary of an irrigation district?
- a. Yes
  - b. No
  - c. What is the name of the irrigation district? (100 character limit)
    - i. REQUIRED UPLOAD: Upload the signed irrigation district application with this proposal.

### **Parcel and Water Rights Information**

40. Indicate legal access status, location, and whether the point of diversion is on the landowner's property. (Maximum 1000 Characters)
41. Provide a comprehensive summary of all water rights associated with the property (Maximum 2,500 characters). Your response must address the following:
  - a. Type of water rights appurtenant to the property (e.g., surface, well, or both)
  - b. Whether they have been beneficially used in the past 5 years
  - c. Documentation of historical past use of the water rights (e.g., imagery, diversion records, past leases, evapotranspiration data, etc.)
  - d. Whether any rights will be excluded from the acquisition, and if so, why
42. Upload the assessor's report
43. Upload the landowner acknowledgement form. And certify below
  - a. Check one:
    - i.  I certify that I have informed all participating private landowners involved in the project of the existence of the application, and I have advised all of them that all monitoring information obtained on their property is public record.
      1. Please include a complete list of participating private landowners (8000 character limit)
    - ii.  I certify that contact with all participating private landowners was not possible at the time of application for the following reasons: Furthermore, I understand that should this project be awarded, I will be required by the terms of the ODFW PFA grant agreement to secure landowner acknowledgments with all participating private landowners prior to expending PFA Grant funds on a property.
      1. Please List your reasons (8000 character limit)
    - iii.  Not Applicable to your project
      1. List reasons (8000 characters)

### **Encumbrances and Regulatory Impact**

44. Identify easements, infrastructure, or third-party rights that may affect water rights or conveyance. (Maximum 2500 Characters)
45. Explain if appurtenant rights transfer and any unresolved legal interests. (Maximum 2500 Characters)

46. Describe why current regulations are insufficient and how the project impacts regional conservation or working lands. (Maximum 4000 Characters)
47. What permits are required for this project to occur?
- Describe all the permitting needs for this project, what have been obtained, who will be obtained, and list expected dates for any anticipated permitting needs. (5000 characters)
48. I acknowledge that I am responsible for verifying applicable permits, licenses, and General Authorizations required for the project, and can update information at grant agreement execution.
- Yes

### **Organizational Capacity**

49. Describe the applicant's experience, team qualifications, and organizational capacity to successfully implement and manage water transactions that improve instream flows for fish, wildlife, or water quality. (*Character Limit: 6000*)

In your response, please address the following:

- Relevant experience managing or receiving grant funds for conservation or water-related projects.
- Specific examples of completed or ongoing water transactions, including project name, funding amount, funder (e.g., NFWF, OWEB), and a brief project summary.
- The skills, legal knowledge, or access to legal expertise that your team brings to negotiating, structuring, and completing water transactions in compliance with state and local laws.
- Team structure, including names and roles of key personnel, their availability, and experience in project management, stakeholder engagement (e.g., tribes, agencies, communities), and water transaction implementation.
- Strategies for ensuring contractual compliance, monitoring, enforcement, and coordination with OWRD Watermasters or other relevant partners.

### **Water Rights Information**

50. Are specific water right certificate(s), or claim(s) undergoing adjudication applicable to this transaction? (2500 characters)
51. If the project contains multiple water rights, provide the information below for each separate water right.
- Enter Water Right Certificate (or Claim) Number: (25 character limit)

- i. **REQUIRED UPLOAD:** Upload a copy of the Water Right Certificate.
  - b. Total Number of Acres:
  - c. Number of Acres included in this Transaction:
  - d. Name of Water Source: (100 character limit)
  - e. Water Right Priority Date: (25 character limit)
- 52. Will the landowner retain partial use of the water right (claim)?
  - a.  Yes:
    - i. Describe how the partial water right (claim) will be used and the implications to the amount of water proposed for instream use. (1000 character limit)
  - b.  No:
- 53. Describe how your project will work to incorporate the "[10 Best Practices in Community Engagement around Water Projects?](#)" Identify specific actions your project will take.

#### **Required Uploads Checklist**

- 1.  Water right (claim) valuation or water market report.
- 2.  Upload a copy of the Water Right Certificate.
- 3.  Support Letters (If applicable)
- 4.  Copy of the approval order from the Oregon Water Resources Department required to affect the transfer or change of use – if applicable
- 5.  Landowner Acknowledgement Form
  - a. Upload the Landowner Agreement associated with each Water Right Certificate being proposed in this transaction. If a signed final landowner agreement is not available, include a signed letter of intent from the water right holder with the draft landowner agreement.
- 6.  Include two maps: one showing the property boundary and one showing regional context.
  - a. Maps must include the following, select all that apply
    - i.  Project area boundaries
    - ii.  True north arrow
    - iii.  Map title and legend
    - iv.  Latitude and longitude of project location
    - v.  Property boundaries
    - vi.  Monitoring Locations
    - vii.  Surface water bodies
    - viii.  Location of involved structures (existing or proposed)
    - ix.  Tax Map and Lot numbers of each property in project area boundary
      - 1. **Note: Each property where project work is planned must be identifiable on the map or your application will be deemed incomplete.**

- x.  Point(s) of Diversion and Place(s) of Use associated with the project (if applicable)
- xi.  Proposed measurement location(s) (if applicable)

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