



Oregon Water Resources Department

Water Use Measurement Cost Share Program

Application Materials

This packet contains the following materials for the Water Measurement Cost Share Program:

1. Instruction Sheet
2. Application Form
3. IRS Form W-9; <https://www.irs.gov/pub/irs-pdf/fw9.pdf>
4. How to Select and Install a Suitable Flow Measuring Device:
[www.oregon.gov/owrd/WR/docs/How to Select and Install a Suitable Measuring Device.pdf](http://www.oregon.gov/owrd/WR/docs/How_to_Select_and_Install_a_Suitable_Measuring_Device.pdf)
5. Water Use Measurement and Reporting Factsheet:
<https://www.oregon.gov/owrd/programs/WaterRights/Reporting/WUR/Documents/WURMemo.pdf>
6. Water Use Reporting Website:
<https://www.oregon.gov/OWRD/programs/WaterRights/Reporting/WUR/Pages/default.aspx>

Please contact JR Johnson at (541) 573-2764 or email JR.Johnson@oregon.gov with questions regarding these materials.



Oregon Water Resources Department

Water Measurement Cost Share Program Harney Basin Instruction Sheet

Limited funds are available through OWRD's Water Measurement Cost Share Program to offset the cost of voluntary installation of water measurement devices for water right related diversions or pumping (water uses classified as "exempt" are not currently eligible). Measuring water use can be an important tool to help you understand your current water use and increase water and energy efficiency. Furthermore, future rule changes in the Harney Basin may require water measurement devices on groundwater points of appropriation. This program offers cost-sharing for the *voluntary* installation of measurement devices for users who are not currently required to do so.

Funding Priorities

Funding is available for new, repaired, or replaced measurement devices on wells or surface water diversions that were not previously required to have them. Funding is limited and is currently prioritized for diversions in the Klamath Basin, wells in the Harney Basin, and high priority diversions identified by watermasters. Applications will be assessed on a case-by-case basis to determine. Depending on the funds available and the number of applicants, the Department will reimburse up to 50% of the cost of purchasing and installing a water measurement device.

How To Apply For Cost-Share Funding

1. Set-up an appointment with the District 10 watermaster, JR Johnson, to make sure you understand the program requirements. JR can be contacted by phone (541) 573-2764 or email JR.Johnson@oregon.gov.
2. Get a cost estimate or quote for parts and installation of a properly sized flowmeter for your permitted well(s).
3. Complete the *OWRD Measurement Cost Share Program Reimbursement Application* (attached). Mail application and supporting documentation (W-9 form, flowmeter cost and installation cost estimate) to OWRD. Applicants may also fax their W-9 confidentially to 1 (503) 821-7789.
4. OWRD will evaluate applications and determine funding allocations on a case-by-case basis depending on OWRD priorities and available funding and will communicate with you whether funding is available.
5. Purchase and install flowmeter on your well(s). Submit receipt and proof of installation to OWRD.
6. OWRD will mail reimbursement within one month of the receipt of proof of flowmeter installation.

What This Means For Your Water Use

1. Participation in this program is voluntary and implies consent for OWRD staff to access the flowmeter. (Note: The watermaster has existing authority to access wells listed as points of appropriation on water rights.)
2. Participation in the program does not require you to record and report use. If you would like to voluntarily report water use to the Department for use in better managing groundwater resources, please contact Tracy Fox with the Water Use Reporting Program (wateruse@wrdd.state.or.us or 503-986-0905) to begin that process.

Frequently Asked Questions

What if I install my own flowmeter?

OWRD will honor in kind contribution of your labor as part of the full project cost. Provide an estimate of labor costs as "In Kind Contribution" in Box 3 of the application.

Am I required to install a flowmeter?

If you have been required to install a flowmeter either by a water right condition or order of OWRD, then you are required to install a flowmeter and this cost-share program is not available to you.

Can I apply for cost-share if I lease land that utilizes a well?

Yes, however, payment will be made to the water right owner (typically the land owner) unless the owner submits written permission for the Department to issue payment to the lessee.



Oregon Water Resources Department

Groundwater Measurement Cost Share Program Revolving Fund

Reimbursement Application

1. CONTACT INFORMATION		
Applicant:		Title:
Mailing address:		
City:	Zip:	County:
Phone:	E-mail:	
Water Right Owner (if different than above):		
Owner Address:		
Phone:	Email:	

2. PROJECT/WELL DESCRIPTION	
Well(s) Name/Number	
Well(s) Location	
Flowmeter Make/Model/Size	
Project Description	

3. COST SHARE INFORMATION	State	Water User
Equipment (Measurement Devices, e.g. flow meter, weir)	\$	\$
Other Materials, Installation or Labor	\$	\$
In-Kind Contribution	\$	\$
Total Cost	\$	\$
<input type="checkbox"/> I have enclosed copies of estimate, receipts and relevant documentation		

FOR OFFICE USE ONLY			
WATERMASTER:		CONTRACT #	
DISTRICT #:		DATE RECEIVED	
APPROVAL SIGNATURE:		REVIEWED BY	
<input type="checkbox"/> Surface Water	<input type="checkbox"/> Groundwater 33724	PCA	
<input type="checkbox"/> Totalizing Flow Meter	<input type="checkbox"/> Other (weir, flume):	OBJECT	
Certificate#:	Permit#:	PROJECT #	
Well Log ID:	Well Tag#:	Lat:	Long:

5. Project Owner Statement

1. I certify that I have the authority to enter into this agreement with the State of Oregon through its Department of Water Resources on matters relating to the Water Measurement Cost Share Program and have the authority to grant access to Oregon Water Resources Department to enter the premises where the equipment or device is located for the duration of this Program.
2. I certify that the information on his application is correct and I am the owner and/or holder of the associated water right. I have complied with all conditions of the Preliminary approval and all related laws and regulations. I grant to the Oregon Department of Water Resources permission to inspect the project and access to the equipment for the purpose of data collection. I understand that failure to grant an inspection is grounds for revoking the Reimbursement and that the return of any furnished equipment and immediate repayment of any Reimbursement for the equipment purchase and installation under this Program would be required.
3. I understand that Oregon Water Resources Department's approval of my project is for carrying out the provisions of ORS 536.021 and data collection purposes only. The Oregon Water Resources Department does not guarantee or in any way ensure the performance of any equipment, the quality of any system or the reliability of any dealer or installer.
4. I will comply with the provision that the equipment or device must operate in accordance with the representation made in the Project Application. I understand that I must inform the Oregon Water Resources Department in writing within 30 days and before any equipment, devices, water rights, ownership, or access to device location is sold, traded or disposed of in some way, or if the term of a leased premises ends.
5. I certify that the project complies with all local, state and federal requirements and that I obtained all necessary permits.
6. I understand that this application is a public record and that Oregon Water Resources Department may be required by law to disclose information in this application to the public on request in accordance with the Oregon Public Records Law.
7. I understand that the Oregon Water Resources Department does not endorse any company or entity that requests information on this application and does not sell information as a mailing list.
8. I hereby release the State of Oregon and its commissions, agencies, officers, employees, contractors, and agents, and agree to defend and indemnify the foregoing from and against any claims, demands, or costs arising from or in any way related to the Oregon Water Resources Department's approval or failure to approve any project or application, or any party's inability to obtain approval for cost reimbursement.
9. I understand that the sum of all financial incentives for this project and the reimbursement amount cannot exceed the total eligible project cost.
10. I verify that the project owner does not restrict membership, sales, or services on the basis of race, color, creed, religion, national origin, sexual preference or gender.

I have read and agree with the Project Owner Statement of the Project Application and Reimbursement Application.

Printed Name: _____

Signature: _____ Date: _____

Please send all application material to the Oregon Water Resources Department
Salem Opeifa – Measurement Cost Share Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.		
	2 Business name/disregarded entity name, if different from above		
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.		4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	<input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate		
	<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.		
	<input type="checkbox"/> Other (see instructions) ► _____		
	5 Address (number, street, and apt. or suite no.) See instructions.		Requester's name and address (optional)
6 City, state, and ZIP code			
7 List account number(s) here (optional)			

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number											
				-			-				
or											
Employer identification number											
				-							

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ►	Date ►
------------------	----------------------------	--------

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.

You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.

You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

*Note: The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.



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

How to Select and Install a Suitable Flow Measuring Device

Note: Installation of a measuring device is subject to inspection and approval by the Watermaster.

For Piped Diversions

Diversions of less than or equal to 0.01 cfs (about 4.5 gpm):

- Install a flow regulator or control valve (*commonly called a dole valve*) to allow water to flow at a pre-determined rate, or a flow meter, or other device approved by local Watermaster.

Flow Meter Specifications for total diversions of greater than 0.01 cfs:

- Meter type may be magnetic head, ultrasonic, vortex cone, velocity-propeller, shunt line or venturi.
- The meter must have an accuracy rating within plus or minus 2% of actual flow rate for the full range of flow rates allowed.
- The register face must show a cumulative "totalizer", and have a protective plate or cover.
- The meter must measure the instantaneous rate of flow, either displayed directly with a readout or a dial, or by calculating using the totalizer. To calculate the flow: 1) Record a totalizer reading; 2) Run the system for a set number of minutes; and 3) Record another totalizer reading.

Calculation: (end reading minus beginning reading) divided by # of minutes = x measurement units/minute flow rate.

- The units of measure may be in acre-feet, cubic feet or gallons. Any multiplication factor must be clearly indicated on the face of the register.
- Totalizer must have sufficient capacity to record the maximum quantity of water authorized to be pumped over a period of 2 years without "rolling over" to show 0000000.
- Meter may be protected with a locked shelter, provided the Watermaster has access.

Flow Meter Installation:

- Match the meter to pipe size according to manufacturer's specifications.
- There must not be any turnouts or diversions between the source of water and the meter.
- Install the meter according to manufacturer's directions, which is typically in-line with a straight, horizontal length of pipe at least 5 pipe diameters upstream and downstream from any valve, elbow or other obstruction.
- Position the meter so that the pipe will be full at all times when water is being measured.
- Note the use of variable speed pump drives, which can pump a wide range of rates, may require a valve installed after the flow meter to obtain a full pipe of water.

For Ditch or Open Channel Diversions

- To measure only instantaneous flow: Use weirs, submerged orifice devices, Parshall flumes, long-throated or ramp flumes.
- To measure instantaneous flow and volume: Use a method for measurement of diversion discharge. Establish or maintain a rating curve with values for the full range from low to high discharge, conforming to U.S. Geological Survey methods for velocity-area measurements.

For Reservoirs

- Install a staff gage to measure the full range of storage volume. Establish a rating elevation-capacity table to relate water surface elevation to storage volume. In areas where the reservoir typically ices over during the winter, significant protection of the staff plate is required.

Contact your local Watermaster for more information, and to obtain approval of your measuring device. If you have any concerns, please contact the Watermaster prior to purchasing and installing your measurement device.

Last revised: 12/1/2016

Overview of Water Law

Under Oregon law, all water belongs to the public. With some exceptions, cities, irrigators, businesses, and other water users must obtain a permit or license from the Water Resources Department to use water.

Most water rights are obtained in a three-step process. The applicant first must apply to the Department for a permit to use water. Once a permit is granted, the applicant must construct a water system and begin using water. After water is used, the permit holder must submit specific information to the Department detailing how and where water has been applied. If water has been used according to the provisions of the permit, a water right certificate is issued.

Water Use Measurement and Reporting Requirements

Below, the Department has outlined its most common authorities related to water use measurement and reporting.

Measuring and Reporting Water Use

Currently, there are about 15,000 water rights that are required to measure and report water use. This is about 16 percent of the total number of water rights in the state. In 2017, the Department received water use data for approximately 12,000 water rights. Water right holders may be required to both measure and report water use as specified below:

- Pursuant to ORS 537.099, Oregon requires governmental entities such as irrigation districts, state or federal agencies, and municipal water providers to measure and report water use.
- Starting in the early 1990's, the Department began adding water measurement and/or reporting conditions to new permits, based on the size of the water right. Smaller water rights may have a condition stating that "water measurement may be required," while larger permits may have a condition that "water measurement and reporting is required."
- Water users in a Serious Water Management Problem Area (SWMPA) or in a Critical Groundwater Area may be required to measure and report water use. Currently, there is one established SWMPA in the Walla Walla sub-basin, and there are seven Critical Groundwater Areas.

Measuring Water Use – Water Distribution

In instances where water use measurement and reporting are not required as discussed above, the watermaster generally can require water *measurement* under ORS 540.310 for the purposes of water distribution and management. Under this provision, *there is no authorization to require reporting of water use.*

Measuring Water Use – 2000 Strategic Measurement Plan

In 2000, the Water Resources Commission developed a strategic plan for improving surface water measurement in areas with the greatest impact on streamflows with the greatest needs for fish. The Department developed a statewide inventory of 2,385 "significant surface water diversions" within 300 high priority watersheds across the state. Significant surface water diversions included: (1) water rights that are required by the Department to measure or report through a water right condition; and (2) significant diversions in high priority watersheds. As of December 2018, 1,084 of the significant diversions had measuring devices installed and 696 were inactive, leaving 611 diversions still needing measuring devices installed. In recent years, the Department has identified a need to revisit its 2000 Strategic Measurement Plan to better address high-priority water management and policy needs for both surface and groundwater.

Use of Data

Water measurement can help the Department to protect existing water right holders, facilitate planning for future water supplies, maximize the beneficial uses for both instream and out-of-stream users, and prevent time-consuming and costly conflicts over water use. Water measurement data are used in the following areas:

- **Science:** Water use data is utilized in basin groundwater studies to assist with characterizing the aquifers and in long-term management of aquifers, including critical groundwater areas. Additionally, this data is used to help refine the Department's surface water availability model, which is used to evaluate whether new water rights can be issued.
- **Water Management and Distribution:** Water measurement information aids watermasters in efficiently distributing and regulating water use for the protection of senior water rights, resolving disputes among water users, and ensuring use is within the limits of the water rights.
- **Review of Water Right Transactions:** Water use measurement data provide evidence of use for water right permit holders to prove up and obtain a water right certificate. Historical water use data assists in injury determinations for water right transfers, permit amendments, exchanges, and voluntary instream leases. Water use information supports water use efficiency projects and conservation projects.
- **Management by Water Users:** For water users, measurement information increases awareness of the amount of water they use and provides a basis for self-regulation. Measurement data also helps water users identify system inefficiencies, track stored water, reduce power costs, measure conservation benefits, develop improvements in their business operations, and plan for future needs. In addition, water use data provides evidence for a water right holder to prove up on a water right, rebut allegations of forfeiture for non-use, or demonstrate the validity of water rights to potential buyers. Governmental entities also use this information in developing agricultural and municipal water management and conservation plans.

Measurement Challenges

When analyzing water use measurement data supplied by the water right holder, the Department reviews the quality of the data and utilizes only data that it has a reasonable confidence in its accuracy. Accurate water use data is beneficial to water managers as well as water users; however, properly collecting water use data can be challenging. To ensure data are accurate, the correct device must be properly installed according to the engineering specifications and some devices must be periodically calibrated. Once installed, the device must be maintained in good working condition, which can be hampered by natural conditions such as sand, ice, debris, or algae. The water user must also read and report the data accurately, including correctly identifying the points of diversion/appropriation, and the associated water rights. The Department frequently works with water users to address these challenges and improve data accuracy.

The cost of measuring devices can also be a challenge for water users, with devices costing several hundred to several thousand dollars. The Legislature's continued capitalization of the cost-share measurement program has allowed the Department to provide funding to assist water users with installing or replacing water measurement devices on surface water diversions, reducing users' concerns about the cost of installing these devices.

Targeted Water Use Measurement Efforts

Oregon's Integrated Water Resources Strategy provides a blueprint for meeting Oregon's instream and out-of-stream water needs. The need for better data and water use measurement is highlighted throughout many actions of the Strategy.

Given that the State has limited resources to invest in collecting and analyzing data, the Department has sought to prioritize its data collection efforts in areas of highest need through targeted approaches.

Legislative Contact

Racquel Rancier, Senior Policy Coordinator, racquel.r.rancier@oregon.gov