



**Authorized Points of Diversion (POD):** Unspecified by Certificate.

**Authorized Place of Use:**

Township		Range		Meridian	Sec	1/4 1/4		Priority Date	Acres
33	S	6	E	W.M.	35	NE	SE	1890	40.0
33	S	6	E	W.M.	35	NW	SE	1888	39.5
33	S	6	E	W.M.	35	SW	SE	1888	40.0
33	S	6	E	W.M.	35	SE	SE	1888	15.0
								1890	25.0
								<b>Total acres</b>	<b>159.3</b>

**Certificate:** 10929

**Use:** Irrigation, domestic and stock

**Acres:** 491.7 acres, being 490.1 acres (from Mares Egg Spring, Springs and Crane Creek) under the 1889 priority date and 1.6 acres (from Sevenmile Creek) under the 1891 priority date

**Priority Date:** 1889 and 1891

**Season of Use:** April 1 to October 1

**Quantity:** Rate:

1/50<sup>th</sup> Cubic Foot per Second (CFS)/acre before July 20: 9.834 CFS, being 9.802 CFS under the 1889 priority date and 0.032 CFS under the 1891 priority date

1/80<sup>th</sup> CFS/acre before July 20: 6.15 CFS, being 6.13 CFS under the 1889 priority date and 0.02 CFS under the 1891 priority date

Duty (limited to 5.0 Acre-Feet (AF)/acre): 2458.5 AF, being 2450.5 AF under the 1889 priority date and 8.0 AF under the 1891 priority date

**Source:** Mares Egg Springs, Springs, Sevenmile Creek, and Crane Creek, tributary to Agency Lake

**Authorized Points of Diversion (POD):** Unspecified by Certificate.

**Authorized Place of Use:**

Township	Range	Meridian	Sec	Lot	Priority Date	Acres		
34	S	6	E	W.M.	1	5	1889	39.6
34	S	6	E	W.M.	1	6	1889	39.2
34	S	6	E	W.M.	1	11	1889	20.0
34	S	6	E	W.M.	1	12	1889	40.0
34	S	6	E	W.M.	1	13	1889	40.0
34	S	6	E	W.M.	1	20	1889	10.0
34	S	6	E	W.M.	1	7	1891	1.6
34	S	6	E	W.M.	2	1	1889	26.2
34	S	6	E	W.M.	2	2	1889	26.1
34	S	6	E	W.M.	2	3	1889	25.6
34	S	6	E	W.M.	2	6	1889	40.0
34	S	6	E	W.M.	2	7	1889	40.0
34	S	6	E	W.M.	2	8	1889	40.0

34	S	6	E	W.M.	2	9	1889	35.0
34	S	6	E	W.M.	2	10	1889	20.0
34	S	6	E	W.M.	2	16	1889	30.0
34	S	6	E	W.M.	2	24	1889	20.0
							<b>Total acres</b>	<b>491.7</b>

3. The lease application includes the information required under OAR 690-077-0077(3). The Department provided notice of the lease application pursuant to OAR 690-077-0077(6). No comments were received.

4. The instream use is as follows:

<b>Certificate</b>	<b>Priority Date</b>	<b>Source &amp; Reach</b>	<b>Instream Rate (cfs)</b>	<b>Period Protected Instream</b>
10928	1888	Crane Cr.: at the Crane Cr. POD	1.89	May 1 – July 19
			1.18	July 20 – Sept. 30
	1890	Sevenmile Cr.: at the Sevenmile Cr. POD	1.3	May 1 – July 19
			0.81	July 20 – Sept. 30
10929	1889	Mares Egg Springs: at the Mares Egg Springs POD	9.8	May 1 – July 19
			6.13	July 20 – Sept. 30
	1891	Sevenmile Cr.: at the Sevenmile Cr. POD	0.032	May 1 – July 19
			0.02	July 20 – Sept. 30

5. Based upon review of the application, comments received, information provided by the Department’s Watermaster, and other available information, the Department finds that the lease will not result in injury or enlargement. This finding is made through an abbreviated review recognizing that the lease may be modified or revoked under OAR 690-077-0077 if the Department later finds that the lease is causing injury to any existing water right or enlargement of the original right.

6. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a new injury review shall be required. Transfers will be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380 and Division 077. Approval of this lease does not establish a precedent for approval of future leases or transfers.

7. The lease will terminate on October 1, 2005.

## CONCLUSIONS OF LAW

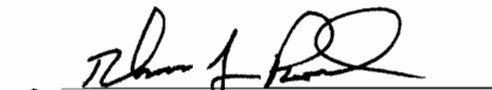
The Department concludes that the lease will not result in injury or enlargement, OAR 690-077-0077. The lease agreement conforms to the applicable provisions of OAR 690-077-0015.

## ORDER

Therefore, it is ORDERED:

1. That the Short-Term Lease as described herein is APPROVED.
2. The former place of use shall no longer receive water as part of these rights during the term of the lease.
3. The lease shall terminate on October 1, 2005.

Dated at Salem, Oregon this 20<sup>th</sup> day of June 2005.

  
Phillip C. Ward, Director

Mailing date: JUN 23 2005