



State of Oregon  
**Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900

# Application for Split Season Instream Lease

A summary of review criteria and procedures that are generally applicable to these applications is available at [www.oregon.gov/owrd/forms](http://www.oregon.gov/owrd/forms).

**Attachment 4 (Standard Leasing Form).**  
**Attachment 5-D (Pooled Leasing Form).**

**The standard instream water right form or for pooled leases, the appropriate pooled lease forms, pursuant to ORS 537.348(2) and OAR 690-077 must also be filled out before a Split Season Use Instream Lease Application can be processed.**

*Note: Split season use lease applications must be submitted to the Department two weeks prior to water being used either for the existing purpose or for the proposed instream purpose. (OAR 690-077-0079)*

**1. Existing and Instream Use Periods**

For the water right being leased instream, as described in Section 1.5, include monthly or partial season rate or duty limitations, if appropriate.

This section replaces the “Total volume, Rate in cfs, and Allowed period of use” portions of Section 2.2 on the standard or pooled instream leasing forms.

The water right will be used for its existing purpose from \_\_\_\_\_ to \_\_\_\_\_.  
 The water right will be used for instream use period is from \_\_\_\_\_ to \_\_\_\_\_.

	Rate (cfs)		Conversion Factor 1 cfs = 1.983471 ac-ft/day		Number of days		Duty (ac-ft)
<b>Existing Use</b>		*	1.983471	*		=	
use if needed		*	1.983471	*		=	
use if needed		*	1.983471	*		=	
<b>Instream Use</b>		*	1.983471	*		=	
use if needed		*	1.983471	*		=	
use if needed		*	1.983471	*		=	
<b>Total</b>							

**2. Measurement and Reporting**

The water right lessor or lessee shall contact the watermaster to determine the necessary measurement and reporting requirements associated with leasing a water right.

The holders of the water rights shall measure and report the use of the existing water right and instream water right to the satisfaction of the Director, or provide for third party measurement and reporting to the satisfaction of the Director. Pursuant to ORS 537.332(3), the Department holds instream water rights in trust for the benefit of the people of the State of Oregon.

- (a) Location(s) and type(s) of measuring device(s): \_\_\_\_\_
- (b) Frequency of measurement: \_\_\_\_\_
- (c) Parties responsible for the respective measurements: \_\_\_\_\_

# Instructions for the Split Season Instream Use Instream Leasing Form

## What Is Split Season Use Instream Leasing?

In 2001, the Legislature authorized the split season use leasing of water rights for instream purposes. Under ORS 537.348(3), all or a portion of an existing water right may be used for the existing use and for instream use during the same year, provided that the uses are not concurrent and that the holders of the water rights measure and report to the Water Resources Department the use of the existing water right and the instream water right.

## When Do I Use This Form?

The Split Season Instream Use Form is used as an attachment to either the Standard Leasing Form or the Pooled Leasing Form (used primarily by irrigation districts). The Split Season Instream Use Form replaces the “Total volume, Rate in cfs, and Allowed period of use” portions of Section 2.2 in either the Standard Leasing Form or the Pooled Leasing Form.

## Instructions

Prior to filling the form out, contact your local watermaster to determine the necessary measurement and reporting requirements which are case dependent depending on the water right being leased. Click the link below to find your local watermaster:

<http://www.oregon.gov/owrd/>