

## Part 3 of 4 – Water Right and Instream Use Information

**Use a separate Part 3 for each water right to be leased instream**

### Water Right Information

Water right # 94782

**Table 1**

Water Right Information: Provide a description of the originating water right to be leased. Also include your tax lot number(s). Fill in all applicable information. For example, if your water right has multiple points of diversion (POD) but they're not numbered, you do not need to include a number. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 1). Please clearly label any attachments.

<input checked="" type="checkbox"/> <b>If only leasing a portion of the right</b> - complete Table 1 as indicated					<input type="checkbox"/> <b>Entirety</b> - If the entire water right is to be leased, skip to Table 3.					
Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC	Acres	USE	Previous Lease # (if any)
EXAMPLE										
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
1882		1-N	43-E	32	NW-SE	8600		1.4	IR	
1882		1-N	43-E	32	SW-SE	8600		4.8	IR	

Total Acres: 6.2

**Table 2**

To illustrate the totals for the water right proposed to be leased instream						
Total rate and volume by priority date, POD, use and acreage as appropriate considering the right to be leased. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 2). Please clearly label any attachments. (cfs = cubic feet per second and af = acre-feet)						
Priority Date	POD #	Use	Total Acres	Other Information (such as conditions/limitations on the right)	Total Rate (cfs)	Total Volume (af)
1882		IR	6.2		0.0512	6.2
<b>Total af from storage, if applicable:</b> _____ AF or <input checked="" type="checkbox"/> N/A						
<b>Any additional information about the right:</b> _____						

**Table 3**

**Point of Diversion (POD) description:** If the POD is not described on the certificate or if there is more than one POD listed on the certificate, then **the specific POD(s)** involved in the lease must be described. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 3). Please clearly label any attachments.

POD #	Twp	Rng	Sec	Q-Q	DLC/ Gov't	Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")
Miles	1-S	43-E	9	SE-NE		Not given

Please check this box if you don't know the location of the POD(s) and want the Department to identify the location of the POD(s) for the purpose of the instream lease.

**Part 3 of 4 cont. – Water Right and Instream Use Information**

**Instream Use Information**

**Table 4**

<b>Instream Use Created by the Lease</b>						
<b>River/ Stream Name:</b> <u>Lostine River</u> , tributary to <u>Wallowa River</u>				<b>River Basin:</b> <u>Grande Ronde Basin</u>		
<p><b>Instream Portion:</b> Use Table 4 to illustrate the instream rate, volume and instream period by priority date, POD (if more than one), Use (if more than one), and acreage as appropriate considering the right to be leased.</p> <p>If not enough room below, you may add additional rows (see instructions) or attach a spreadsheet (matching the below portion of Table 4). Please clearly label any attachments.</p>						
Priority date	POD #	Use	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
1882		IR	6.2	8.1-9.30	0.0512	6.2
<p>Note: If not certain of the instream rate, volume and/or instream period, see the instructions and/or contact Department Staff for assistance. The instream rate and volume may be up to the maximum rate and duty/volume allowed by the right, as described in Table 2 or on your Certificate if leasing the entire right. The proposed instream period may be no longer than the irrigation season or the authorized period of allowed use.</p>						
<p><b>OR</b> <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.</p>						
<b>Instream Reach</b>						
<p><b>Proposed Instream Reach:</b>  <input checked="" type="checkbox"/> A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream: From the POD to <u>the confluence with the Wallowa river</u></p>				<p><b>Or Proposed Instream Point:</b>  <input type="checkbox"/> Instream use protected at the POD</p>		
<p><b>OR</b> <input type="checkbox"/> Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. (If no reach is identified or the above box is not checked, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.)</p>						
<b>Additional Instream Information</b>						
<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <b>Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:</b> list here _____</p> <p>Note: The Department may identify additional conditions to prevent injury and/or enlargement.</p>						
<p><b>Any additional information about the proposed instream use:</b> _____</p>						



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# Application for Split Season Instream Lease

A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 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.

#### Water Right 94782

The water right will be used for its existing purpose from 5.1 to 7.31.

The water right will be used for instream use period is from 8.1 to 9.30.

	Rate (cfs)		Conversion Factor 1 cfs = 1.983471 ac-ft/day		Number of days		Duty (ac-ft)
<b>Existing Use</b>	<b>0.1529</b>	*	1.983471	*	92.00	=	<b>27.9</b>
use if needed		*	1.983471	*		=	<b>0.00</b>
use if needed		*	1.983471	*		=	<b>0.00</b>
<b>Instream Use</b>	<b>0.0512</b>	*	1.983471	*	61	=	<b>6.2</b>
use if needed		*	1.983471	*		=	<b>0.00</b>
use if needed		*	1.983471	*		=	<b>0.00</b>
<b>Total</b>	n/a		n/a		n/a		<b>34.1</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.

(g) Location(s) and type(s) of measuring device(s): See Attached Letter

(b) Frequency of measurement: See Attached Letter

(c) Parties responsible for the respective measurements: See Attached Letter