



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
(503) 986-0900

Watermaster Review Form Instream Lease Application

Pursuant to OAR 690-077-0077(2) and (3)

Lease Application #: IL-1339

Reviewer: EWJ

Review date: 10/20/2021

Involving Certificate(s) #: 48235

PLEASE SEND TO WRD_DL_instreamlease@oregon.gov

If more than one certificate - please be specific by identifying the certificate to which your comment applies.

Department staff verifies that:

1. Is this a renewal? ☒ Yes ☐ No

If "yes" was the prior Watermaster review completed within the last 6 seasons and still valid?

☐ Yes (Stop here and send in this review) ☒ No (continue to question 2)

2. The lease application meets the requirements to suspend the original use (can it be dried up?).

☒ Yes

☐ No - If "no", please explain:

3. Do you have any information that the right has **not** been used in the last 5 years?

☐ Yes - If "yes", please attach any evidence and explain:

☒ No

4. The proposed instream use is for a:

☐ Point (protected at the authorized point of diversion only)

☒ Reach (protected from the authorized point of diversion to somewhere downstream)

If water for the proposed reach is to be protected beyond the source stream, is the quantity measurable into the receiving stream consistent with OAR 690-077-0015(8)?

☐ Yes ☐ No

5. Do you regulate for any existing state agency or converted minimum flow instream water right(s) at the same point or reach?

☒ Yes

☐ No

6. Does the certificate and/or lease application accurately describe the location of the authorized point of diversion?

☒ Yes

☐ No - If "no", please provide measured distances, lat/long coordinates or river mile:

7. Is water availability (WAB) available on the Department's web site?

☒ Yes

☐ No - If "no" -What is the estimated average natural flow (ENAF) of each stream where the instream right is to be protected:

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8. Will the proposed instream lease injure other water rights due to:

a. Return flows

☒ Yes - If "yes", please explain how much & where do they return to stream: Return flows from the use of this right should enter the North Fork John Day River immediately below the authorized POD location. To take into account the potential for injury to downstream junior users between the authorized POD and the mouth of the North Fork John Day River the amount of flow to be protected under the terms of the lease should be reduced immediately below the authorized point of diversion to the amount that could have been consumptively used by the most consumptive crop that could have been grown in the area. Cuenca values show that the the amount to be protected immediately below the authorized point of diversion should be reduced to 0.12 CFS. After calculating loss over distance (1% per mile) the amount of water protected at the mouth of the North Fork John Day River should be 0.11CFS.

☐ No

b. Other losses

☒ Yes - If "yes", please explain: 1% per mile loss needs to be applied to the protected flow to account for the transportation of the flow approximately 7.5miles +/- to the mouth of the North Fork John Day River

☐ No

9. Will the proposed instream lease result in enlargement due to:

a. Stream flow losses

☒ Yes – If "yes", please explain how much & where See question #8b. By applying a 1% per mile loss this should address any enlargement issues.

☐ No

b. Sub-irrigation

☐ Yes - Yes - If yes, please explain what acres are affected:

☒ No

c. Other issues

☐ Yes - If yes, please explain:

☒ No

10. Proposed conditions to the instream use: (period to be protected, rate, duty, any other suggestions to prevent injury or enlargement).

☐ None

☒ Or, please describe proposed conditions: Protect only the consumptively used water and apply a 1% per mile loss to the protected water - see explanation above (Questions #8,9)

☒ **N/A SPLIT SEASON INSTREAM LEASING**

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11. The applicant consulted with the Watermaster to determine the necessary measurement and reporting requirements in advance of the application being submitted. ☐ Yes ☐ No

a. Based on the consultation, the application accurately describes:

- | | | |
|---|------------------------------|-----------------------------|
| 1. The locations and types of measuring device(s) | ☐ Yes | ☐ No |
| 2. Frequency of measurements | ☐ Yes | ☐ No |
| 3. Parties responsible for the respective measurements | ☐ Yes | ☐ No |
| 4. Amount of water proposed to be used, listed by rate and duty for the existing purpose and instream purpose, including monthly or partial season rate or duty limitations, if appropriate | ☐ Yes | ☐ No |

If any of the above 1-4 is no, please explain:

b. The necessary measuring devices discussed during the consultation are in place prior to any water use beginning (for existing use and instream use). ____ ☐ Yes ☐ No

If no, please explain and provide any additional proposed conditions: