

Application for

District Instream Lease

Part 1 of 4 – Minimum Requirements Checklist



Oregon Water Resources
Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

This Application to be used for water rights in the name of or conveyed by an Irrigation District (or similar organization) Complete Parts 1 through 4 and any required attachments	OWRD #	1L-2126
	District #	2025

Check all items included with this application. (N/A = Not Applicable)

Fee in the amount of:

<input type="checkbox"/> \$610.00 for a lease involving four or more landowners or four or more water rights	Or <input checked="" type="checkbox"/> \$410.00 for all other leases
<input checked="" type="checkbox"/> Check enclosed <u>or</u>	
<input type="checkbox"/> Fee Charged to customer account _____ (Account name)	

☒ Yes ☐ N/A Pooled Lease-a lease with more than one Lessor (Landowner/water right interest holder)

☒ Part 1 – Completed Minimum Requirements Checklist

☒ Part 2 – Completed District and Other Party Signature Page

☒ Part 3 – Completed Place of Use and Lessor Signature Page
(Include a separate Part 3 for each Lessor.)

☒ Part 4 – Completed Water Right and Instream Use Information
(Include a separate Part 4 for each Water Right.)

☒ How many Water Rights are included in the lease application? _____ (# of rights)

List each water right to be leased instream here: 79212 and 83727

☒ Yes ☒ N/A Other water rights, if any, appurtenant to the lands involved in the lease application and not proposed to be leased instream.

List those other water rights here: _____

☐ Yes ☒ No Conservation Reserve Enhancement Program CREP – Are some or all of the lands to be leased part of CREP or another Federal program (list here: _____)?

Required Attachments:

☒ Yes ☐ N/A Instream lease application map(s). More than one QQ and property may be included on each map. A map is **not** required if an entire right is being leased or if the right is for use of municipal or quasi-municipal water use. The map should include the following:

- A north arrow and map scale (no smaller than 1" = 1320').
- Label township, range, section and quarter-quarter (QQ).
- If an irrigation right, the numbers of acres to be leased in each quarter-quarter identify and hachure/shade to differentiate between the acreage being leased and any remaining. If the place of use has more than one priority date, source stream, and/or point of diversion you **must identify each with separate hachuring or shading** and label.
- Tax lot lines and numbers must be included on the map and should clearly identify the property(s) involved.

☐ Yes ☒ N/A If the Lessor(s) is not the deeded land owner, include one of the following:

- A notarized statement from the land owner consenting to the lease and a copy of the recorded deed; or
- A water right conveyance agreement and a copy of the recorded deed for the landowner at the time the water right was conveyed; or
- Other documentation.

☐ Yes ☒ N/A If the right has **not** been used in the last five years; provide supporting documentation indicating why a right (or portion thereof) is **not** subject to forfeiture.

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Part 2 of 4 – District and other party Signature

Term of the Lease: The lease is requested to begin in: month <u>5</u> year <u>2025</u> and end: month <u>9</u> year <u>2025</u>	
Public use: Check the public use(s) this lease will serve (as defined by ORS 537.332): <input checked="" type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input type="checkbox"/> Recreation <input type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	Termination provision (for multiyear leases): The parties to the lease request (choose one): <input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
Additive/Replacing Relationship to other instream water rights: Instream leases are generally additive to other existing instream water rights created as a result of instream leases and transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights. If you would like this lease to relate to other instream water rights differently than described above, please check this box. <input type="checkbox"/> And attach an explanation of your intent.	
Precedent: If a right which has been leased is later proposed to be leased again or later transferred or become part of an allocation of conserved water project, a new injury review shall be required. An instream lease shall not set a precedent on a future transaction.	
Validity of the rights to be leased: <input checked="" type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or <input type="checkbox"/> The water right(s) have not been used for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right is not subject to forfeiture has been provided.	

SIGNATURES

The undersigned declare that the information contained in this application is true and accurate.

Wanda Derry Date: 5-14-2025
 Signature of Co-Lessor
 Type text here
 Printed name (and title): Wanda Derry, Manager Business name, if applicable: Talent Irrigation District
 Mailing Address (with state and zip): PO Box 467 Talent OR 97540
 Phone number (include area code): 541-535-1529 **E-mail address: tid@talentid.org

Digitally signed by ELIZABETH MCGARRY
ELIZABETH MCGARRY Date: 2025.06.09 13:38:36 -06'00' Date: _____
 Signature of Co-Lessor
 Printed name (and title): E. Gail McGarry Business name, if applicable: U.S. Bureau of Reclamation
 Mailing Address (with state and zip): 1150 N. Curtis Rd. Boise ID 83706-1234
 Phone number (include area code): 208-378-5306 **E-mail address: emcgarry@usbr.gov

See next page for additional signatures.

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Signature of Lessee

Date:

Printed name (and title): Brad Taylor Business name, if applicable: Medford Water Commission

Mailing Address (with state and zip): 200 S. Ivy St. Room 177 Medford OR 97501

Phone number (include area code): 541-774-2451 E-mail address: brad.taylor@medfordwater.org

**** BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED TO THE LESSOR**

Brad Taylor
Signature

Medford Water Commission
Organization

6/10/2025
Date:

(City of Medford)

200 S. Ivy St. Room 177 Medford OR 97501
Address

541-774-2451
Phone Number

brad.taylor@medfordwater.org
E mail:

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Part 3 of 4 – Place of Use – Lessor Information and Signatures

Complete Table 1 Identify water right(s) proposed to be leased instream
Provide a separate Part 3 for each Lessor (water right interest holder/landowner)

Table 1

Irrigation District or other Water Purveyor Name: City of Medford

Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.

If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.

Any attached table should include reference to the Lessor.

Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
83727	9/16/1915		38 S	2 W	Q1C4 NE SW		100		1.75	IR	5	IL-1789
79212	5/23/1912		38 S	2 W	Q1C4 SE SW		100		1.25	IR	4	IL-1789
83727	9/16/1915		38 S	2 W	Q1C4 SE SW		100		1.25	IS	5	TI-1789
83727	9/16/1915		38 S	2 W	Q1C4 NE SW		2600		1.30	IR	5	IL-1789

Any additional information about the right:

Farm Deferral Tax Status: Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local county assessor. You should contact your County for any weed ordinance and management requirements.

The undersigned declare:

1. I/We agree during the term of this lease to suspend use of water allowed under the water right(s) involved in the lease as well as and any other appurtenant primary or supplemental water right(s); and
2. I/We certify are the lessor(s) (water right interest holder) of the water right(s) in Table 1. If not the deeded land owner, I/we have obtained consent from the deeded land owner and/or have provided documentation of authorization to pursue the instream lease; and
3. I/We affirm that the information in this application is true and accurate.

Date: _____

Signature of Co-Lessor

Printed name (and title): Brad Taylor, General manager Business name, if applicable: Medford Water Commission
Mailing Address (with state and zip): 200 S Ivy St., Medford OR 97501
Phone number (include area code): 541-774-2451 **E-mail address: brad.taylor@medfordwater.org

Date: _____

Signature of Co-Lessor

Printed name (and title): _____ Business name, if applicable: _____
Mailing Address (with state and zip): _____
Phone number (include area code): _____ **E-mail address: _____

JACKSON COUNTY
SEC.1 T38S R2W

SCALE - 1" = 400'



CITY OF MEDFORD

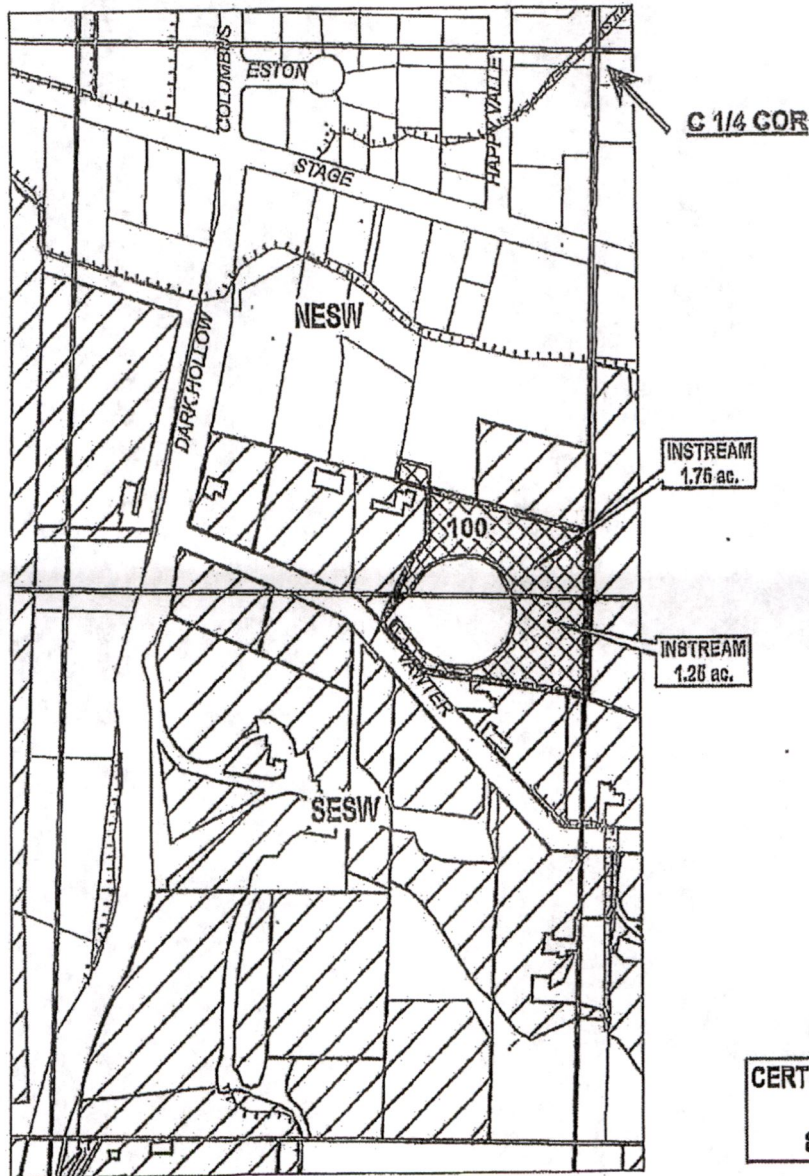
38-2W-01C 100 1.75 AC

38-2W-01CD 100 1.25 AC

NE 1/4 OF THE SW 1/4; SE 1/4 OF THE SW 1/4

TOTAL WATER RIGHTS:
11.1 AC

TOTAL WATER RIGHTS:
25.3 AC



CERTIFICATE #:

83727



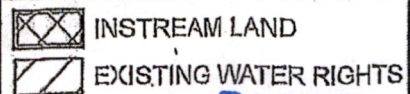
1/31/2020

APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: CITY OF MEDFORD

TAXLOT #: 100

3.0 ACRES



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**JACKSON COUNTY
SEC.1 T38S R2W**

SCALE - 1" = 400'

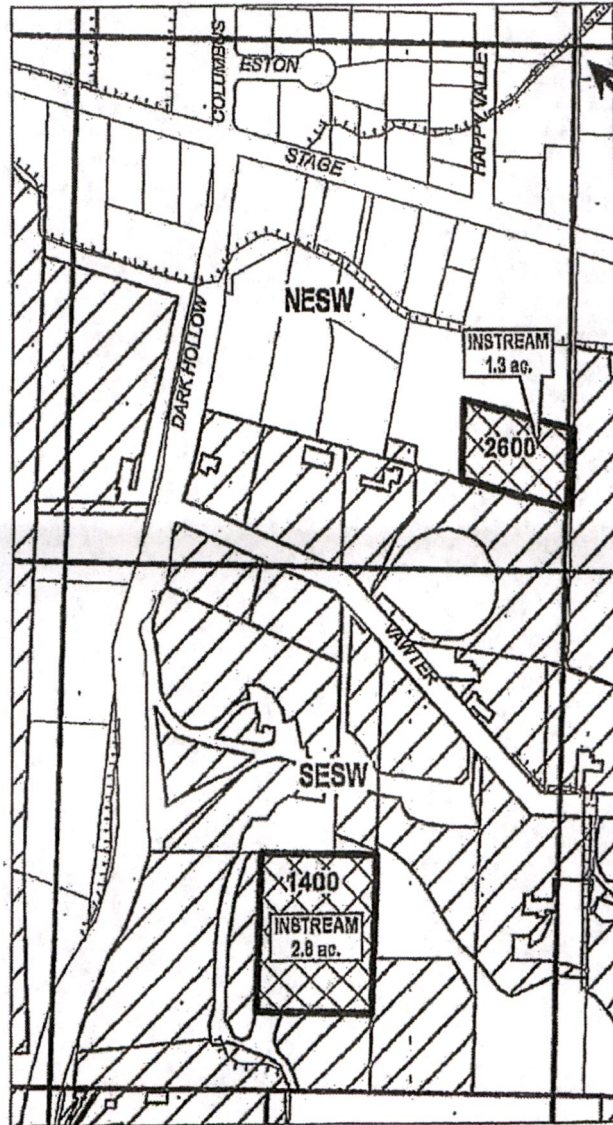
CITY OF MEDFORD
38-2W-01CA 2600 1.30 ACRES



NE 1/4 OF THE SW 1/4; SE 1/4 OF THE SW 1/4

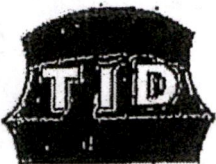
TOTAL WATER RIGHTS:
11.1 AC

TOTAL WATER RIGHTS:
25.3 AC



CERTIFICATE #:
79212
83727

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


1/31/2020

APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: CITY OF MEDFORD

TAXLOT #: 2600 38-2W-01CA 1.30 ACRES

 INSTREAM LAND
 EXISTING WATER RIGHTS

Part 3 of 4 – Place of Use – Lessor Information and Signatures

Complete Table 1 Identify water right(s) proposed to be leased instream
Provide a separate Part 3 for each Lessor (water right interest holder/landowner)

Table 1

Irrigation District or other Water Purveyor Name: Medford Water Commission

Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.

If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.
 Any attached table should include reference to the Lessor.

Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
79212	5/23/1912		38S	2W	D1C0	SE SW	1400		2.80	TR	4	IL-1789
83727	9/16/1915		38S	2W	D1C0	SE SW	1400		2.80	TS	5	IL-1789

Any additional information about the right:

Farm Deferral Tax Status: Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local county assessor. You should contact your County for any weed ordinance and management requirements.

The undersigned declare:

1. I/We agree during the term of this lease to suspend use of water allowed under the water right(s) involved in the lease as well as and any other appurtenant primary or supplemental water right(s); and
2. I/We certify are the lessor(s) (water right interest holder) of the water right(s) in Table 1. If not the deeded land owner, I/we have obtained consent from the deeded land owner and/or have provided documentation of authorization to pursue the instream lease; and
3. I/We affirm that the information in this application is true and accurate.

 Signature of Co-Lessor Date: _____

Printed name (and title): Brad Taylor, General manager Business name, if applicable: Medford Water Commission
 Mailing Address (with state and zip): 200 S. Ivy St Medford, OR 97501
 Phone number (include area code): 541-774-2451 **E-mail address: brad.taylor@medfordwater.org

 Signature of Co-Lessor Date: _____

Printed name (and title): _____ Business name, if applicable: _____
 Mailing Address (with state and zip): _____
 Phone number (include area code): _____ **E-mail address: _____

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**JACKSON COUNTY
SEC.1 T38S R2W**

**MEDFORD WATER
COMMISSION**

SCALE - 1" = 400'

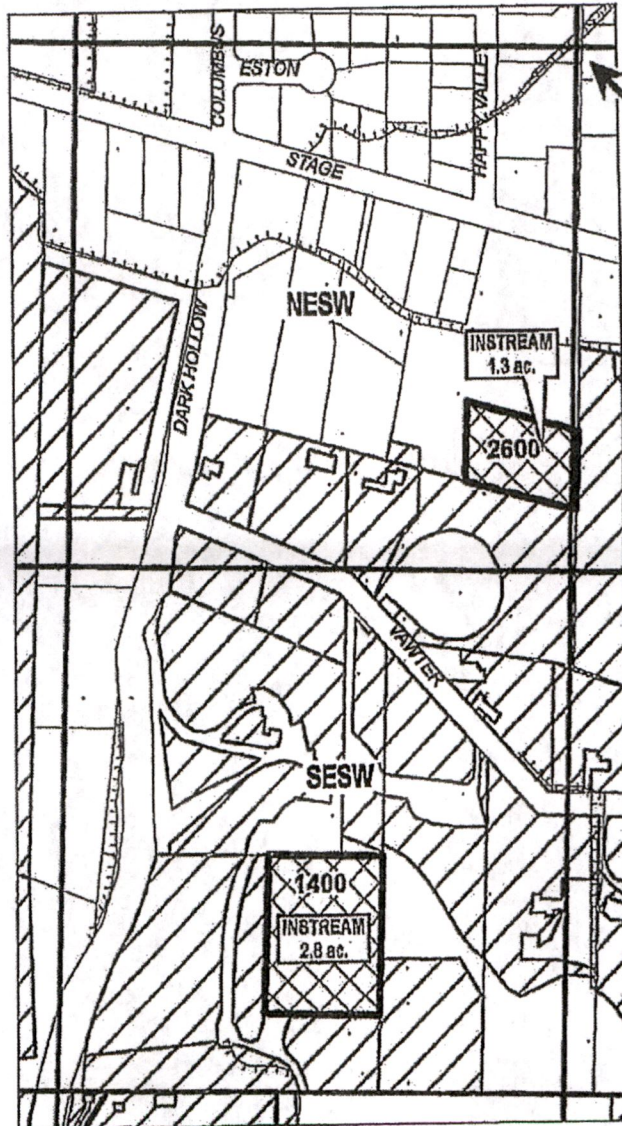
38-2W-01CD 1400 2.80 AC



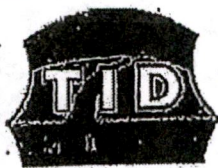
NE 1/4 OF THE SW 1/4; SE 1/4 OF THE SW 1/4

**TOTAL WATER RIGHTS:
11.1 AC**

**TOTAL WATER RIGHTS:
25.3 AC**



**CERTIFICATE #:
79212
83727**



1/31/2020



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: MEDFORD WATER COMMISSION

TAXLOT #:

1400

2.8 ACRES

 **INSTREAM LAND**
 **EXISTING WATER RIGHTS**

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Part 4 of 4 – Water Right and Instream Use Information

Use a separate Part 4 for each water right to be leased instream

Table 2

Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4) Water Right # 79212

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 rows (see instructions) or create a spreadsheet (matching Table 2 and clearly labeled) and attach.
(cfs = cubic feet per second and af = acre-feet)

Priority Date	POD #	Use	Acre	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)
5-23-1912	16511	IR	4.05	The instream right protected under this lease shall be satisfied based on the same percentage diversion and delivery rate that TID is providing to irrigation rights within the District. The instream rate proposed is estimated based upon a 1/100 th cfs per acre rate. In case of shortage of supply where the general allotment on the District has been reduced, the District may deliver less than 2.65 acre feet per acre in accordance with District policy governing temporary instream leases. In the event the District stops delivery of irrigation water prior to September 30 th , the delivery for instream use shall also stop.	0.41	10.73

Total af from storage, if applicable: 10.73 AF or ☐ N/A

If the POD is not described on the certificate or, if the specific POD must be described:

Table 3

Instream Use created by the lease	River Basin: <u>Rogue</u>	River/Stream Name: <u>Emigrant Creek</u> tributary to <u>Bear Creek</u>				
Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>16511</u> to <u>next downstream right</u>		Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD				
OR <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 water right, the lease may be processed to be protected at the POD.)						
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)						
Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acre	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
5/23/1912	16511	IR	4.05	May through September 2025	0.41	10.73
OR <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.						
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A Conditions to avoid enlargement or injury to other water rights, if any, or other limitations: list here _____						
Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
Any additional information about the proposed instream use: <u>none</u>						

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Part 4 of 4 – Water Right and Instream Use Information

Use a separate Part 4 for each water right to be leased instream

Table 2

Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4) Water Right # 83727

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 rows (see instructions) or create a spreadsheet (matching Table 2 and clearly labeled) and attach.
(cfs = cubic feet per second and af = acre-feet)

Priority Date	POD #	Use	Acreage	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)
9/16/1915		IS	7.10	The instream right protected under this lease shall be satisfied based on the same percentage diversion and delivery rate that TID is providing to irrigation rights within the District. The instream rate proposed is estimated based upon a 1/100 th cfs per acre rate. In case of shortage of supply where the general allotment on the District has been reduced, the District may deliver less than 2.65 acre feet per acre in accordance with District policy governing temporary instream leases. In the event the District stops delivery of irrigation water prior to September 30 th , the delivery for instream use shall also stop.	.071	18.82
Total af from storage, if applicable: <u>18.82</u> AF or <input type="checkbox"/> N/A						
If the POD is not described on the certificate or, if the				specific POD must be described:		

Table 3

Instream Use created by the lease	River Basin: <u>Rogue</u>	River/Stream Name: <u>Emigrant Creek</u> tributary to <u>Bear Creek</u>				
Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>16511</u> to <u>next downstream right</u>		Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD				
OR <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 water right, the lease may be processed to be protected at the POD.)						
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)						
Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acreage	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
9/16/1915	16511	IR	7.10	April through September 2025	.071	18.2
OR <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.						
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A Conditions to avoid enlargement or injury to other water rights, if any, or other limitations: list here _____						
Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
Any additional information about the proposed instream use: <u>none</u>						

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District Instream Lease Application

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TALENT IRRIGATION DISTRICT

104 W. Valley View Road

PO Box 467

Talent, OR 97540-0467



Phone: 541-535-1529

Fax: 541-512-4036

Email: tid@talentid.org

Website: www.talentid.org

June 13, 2025

Oregon Water Resources Department
Attn: Sarah A. Henderson
725 Summer Street NE
Salem, OR 97301

RE: 2025 Instream Lease

Dear Ms. Henderson:

Enclosed is the District's "Application for District Instream Lease" for 2025, along with our check #3742 in the amount of \$410 to cover the lease fee.

The lease involves the following:

<u>Property owner name</u>	<u>Map description</u>	<u>Acres to be leased</u>
Medford Water Commission	38-2W-01CD 1400	2.80
City of Medford	38-2W-01CA 100	1.75
	38-2W-01CD 100	1.25
	38-2W-01CA 2600	1.30

The total acres involved in the 2025 lease are 7.10 and involve District Water Right Certificates 79212 and 83727.

Please let us know if you have any questions or need additional information.

Sincerely,

A handwritten signature in purple ink that reads "Wanda Derry".

Wanda Derry
Manager

Enclosures

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