Application for Instream Lease

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

Complete Parts 1 through 4 and include the required attachments	**OWRD #** SL - 68 **District #** _____
Fee:	Application fee required by ORS 536.050 Fee Schedule is located at this link: https://www.oregon.gov/owrd/WRDFormsPDF/fee_schedule.pdf
	☐ Check enclosed or ☑ Fee Charged to customer account Trout Unlimited ***(Account name)***

Instream Lease Application
Part 1 of 4 – Minimum Requirements Checklist

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

☐ Yes ☑ N/A **Mitigation Project** – (Project creating mitigation credits within the Deschutes Basin Groundwater Mitigation Program)

☑ **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 **NOTE:** Include separate Part 3 for each Lessor.

How many Water Rights are leased? 5 **(# of rights) List them here:** 95217, 94779, 94781, 98728, 98729

☐ **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:_____)?

☑ **Part 4 –** Completed Instream Lease Provisions and Signatures

Required Attachments:

☐ Yes ☑ N/A Map: Instream lease application map Requirements (see Part 2 of the application).

☐ Yes ☑ N/A Supporting documentation describing why a right (or portion thereof) is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years. This information only needs to be provided if the checkbox has been checked to identify that the water right has not been used in the last five years and is not subject to forfeiture (See Part 4).

☐ Yes ☑ N/A If the Lessor (water right holder) is not the deeded downer of the land - provide one of the following:

- A notarized statement from the landowner 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 that demonstrates the lessor is authorized to pursue the lease absent consent of the landowner

Received by OWRD
June 1, 2026
Salem, OR

A Map is generally required for each water right not leased in its entirety

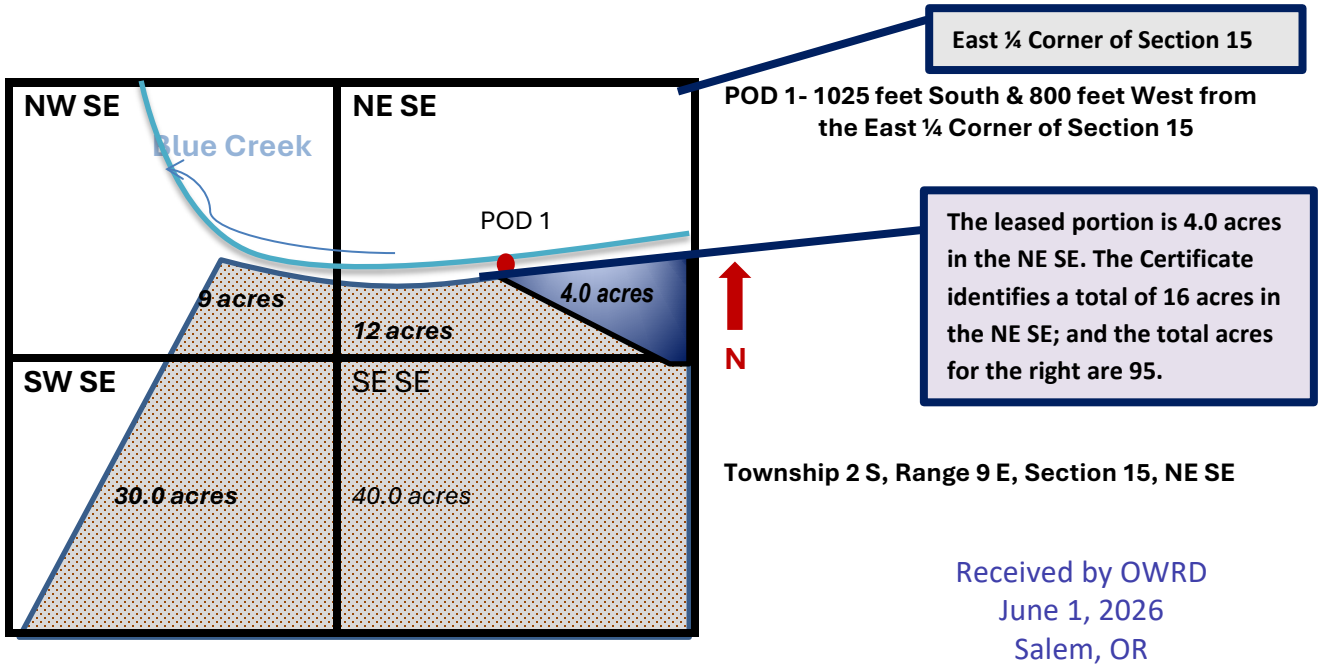
The application map (if required) should include all the items listed below and match the existing water right(s) of record.

This should be a simple map. *(See example below).* A copy of a final proof survey map with the portion to be leased shaded or hachured in will also suffice.

☐ **Yes** ☑ **N/A** Instream lease application map(s).

- 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;
- A north directional symbol, a legend, a map scale, and township, range, section and quarter-quarter (QQ), including tax lots, donation land claims and government lots, if appropriate;
- If an irrigation right, nursery use, or other similar uses, the number of acres to be leased or transferred in each quarter-quarter must be clearly labeled and hachured to differentiate between the acres being leased or transferred and any remaining acreage must be identified;
- If the place of use on the water right is broken down by more than one priority date, or source stream, and/or diversion the map must identify each with separate hachuring and clearly label what is being changed;
- Provide a statement describing the proposed instream reach or point;
- If **more than three** water rights are involved, separate maps are needed for each water right; and
- The map need not be prepared by a certified water right examiner.
- **NOTE:** An existing water right that meets the requirements of OAR 690-077-0071 may be used, if approved by the Department prior to submittal of the application.

EXAMPLE MAP ***(the darker shaded portion representing the portion leased instream)***



Received by OWRD
June 1, 2026
Salem, OR

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

Instream Lease Application
Part 3 of 4 – Water Right and Instream Use Information

Water right # 95217

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 attach a spreadsheet (matching Table 1). Please clearly label any attachments.

☐ **If only leasing a portion of the right** - complete Table 1 as indicated

☑ **Entirety** - 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

Total Acres: 70.8

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 attach a spreadsheet (matching Table 2). Please clearly label any attachments.

(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)

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

Any additional information about the right:

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 attach a spreadsheet (matching Table 3). Please clearly label any attachments.

POD #	Twp		Rng		Sec	Q - Q		DLC/ Gov't lot
Foster	1	S	43	E	4	NE	SW	
Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")								
45.50716, -117.45096								
POD #	**Twp**		**Rng**		**Sec**	**Q - Q**		**DLC/ Gov't lot**
Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")								

Received by OWRD
June 1, 2026
Salem, OR

Table 4 – Instream Use Created by the Lease

River/Stream Name: Lostine River
tributary to Wallowa River

River Basin: Wallowa Basin

Instream Portion: 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.

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.

Priority date	POD #	Use	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
1882		IR	70.8	8/1-9/30	0.59	70.8

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.

OR ☐ 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.

Instream Reach

Proposed Instream Reach:
☑ A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream:
From the POD to the Grande Ronde River

Or Proposed Instream Point:
☐ Instream use protected at the POD

OR ☐ If no reach is identified or the above box is not checked the lease may be processed to be protected at the POD.

Additional Instream Information

☐ **Yes** ☑ **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.

Received by OWRD
June 1, 2026
Salem, OR

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

Instream Lease Application
Part 3 of 4 – Water Right and Instream Use Information

Water right # 94779

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 attach a spreadsheet (matching Table 1). Please clearly label any attachments.

☐ **If only leasing a portion of the right** - complete Table 1 as indicated

☑ **Entirety** - 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

Total Acres: 71.8

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 attach a spreadsheet (matching Table 2). Please clearly label any attachments.

(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)

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

Any additional information about the right:

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 attach a spreadsheet (matching Table 3). Please clearly label any attachments.

POD #	Twp		Rng		Sec	Q - Q		DLC/ Gov't lot
Clearwater	1	N	43	E	33	SW	SW	
Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")								
45.518688, -117.469878								
POD #	**Twp**		**Rng**		**Sec**	**Q - Q**		**DLC/ Gov't lot**
Clearwater								
Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")								

Received by OWRD
June 1, 2026
Salem, OR

Table 4 – Instream Use Created by the Lease

River/Stream Name: Lostine River
tributary to Wallowa River

River Basin: Wallowa Basin

Instream Portion: 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. 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.

Priority date	POD #	Use	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
1883	Clearwate	IR	71.8	8/1-9/30	0.59	71.8

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.

OR ☐ 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.

Instream Reach

Proposed Instream Reach:
☑ A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream:
From the POD to the Grande River

Or Proposed Instream Point:
☐ Instream use protected at the POD

OR ☐ If no reach is identified or the above box is not checked the lease may be processed to be protected at the POD.

Additional Instream Information

☐ **Yes** ☑ **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.

Received by OWRD
June 1, 2026
Salem, OR

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

Instream Lease Application
Part 3 of 4 – Water Right and Instream Use Information

Water right # 94781

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 attach a spreadsheet (matching Table 1). Please clearly label any attachments.

☐ **If only leasing a portion of the right** - complete Table 1 as indicated

☑ **Entirety** - 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

Total Acres: 82.5

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 attach a spreadsheet (matching Table 2). Please clearly label any attachments.

(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)

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

Any additional information about the right:

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 attach a spreadsheet (matching Table 3). Please clearly label any attachments.

POD #	Twp		Rng		Sec	Q - Q		DLC/ Gov't lot
Foster	1	S	43	E	4	NE	SW	
Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")								
45.50716, -117.45096								
POD #	**Twp**		**Rng**		**Sec**	**Q - Q**		**DLC/ Gov't lot**
Foster								
Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")								

Received by OWRD
June 1, 2026
Salem, OR

Table 4 – Instream Use Created by the Lease

River/Stream Name: Lostine River
tributary to Wallowa River

River Basin: Wallowa Basin

Instream Portion: 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. 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.

Priority date	POD #	Use	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
1883	Foster	IR	82.5	8/1-9/30	0.68	82.5

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.

OR ☐ 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.

Instream Reach

Proposed Instream Reach:
☑ A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream:
From the POD to the Grande Ronde River

Or Proposed Instream Point:
☐ Instream use protected at the POD

OR ☐ If no reach is identified or the above box is not checked the lease may be processed to be protected at the POD.

Additional Instream Information

☐ **Yes** ☑ **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.

Received by OWRD
June 1, 2026
Salem, OR

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

Instream Lease Application
Part 3 of 4 – Water Right and Instream Use Information

Water right # 98728

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 attach a spreadsheet (matching Table 1). Please clearly label any attachments.

☑ **If only leasing a portion of the right** - complete Table 1 as indicated

☐ **Entirety** - 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
See Attached Sp										

Total Acres: 225.1

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 attach a spreadsheet (matching Table 2). Please clearly label any attachments.

(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)

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

Any additional information about the right:

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 attach a spreadsheet (matching Table 3). Please clearly label any attachments.

POD #	Twp		Rng		Sec	Q - Q		DLC/ Gov't lot
Cross Country Canal	1	S	43	E	11	NW	SE	

Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")

POD #	Twp		Rng		Sec	Q - Q		DLC/ Gov't lot
Cross Country								

Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")

Received by OWRD
June 1, 2026
Salem, OR

Table 4 – Instream Use Created by the Lease

River/Stream Name: Lostine River, tributary to Wallowa River

River Basin: Wallowa Basin

Instream Portion: 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. 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.

Priority date	POD #	Use	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
1935	Cross Cou	Supplem	225.1	8/1-9/30	1.86	225.1

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.

OR ☐ 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.

Instream Reach

Proposed Instream Reach:

☑ A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream:
From the POD to the Grande Ronde

Or Proposed Instream Point:

☐ Instream use protected at the POD

OR ☐ If no reach is identified or the above box is not checked the lease may be processed to be protected at the POD.

Additional Instream Information

☐ **Yes** ☑ **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.

Received by OWRD
June 1, 2026
Salem, OR

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

Instream Lease Application
Part 3 of 4 – Water Right and Instream Use Information

Water right # 98729

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 attach a spreadsheet (matching Table 1). Please clearly label any attachments.

☑ **If only leasing a portion of the right** - complete Table 1 as indicated

☐ **Entirety** - 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
See attached sp										

Total Acres: 225.1

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 attach a spreadsheet (matching Table 2). Please clearly label any attachments.

(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)

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

Any additional information about the right:

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 attach a spreadsheet (matching Table 3). Please clearly label any attachments.

POD #	Twp		Rng		Sec	Q - Q		DLC/ Gov't lot
Minam Lake Reservoir	1	S	43	E	27	NE	NW	

Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")

POD #	Twp		Rng		Sec	Q - Q		DLC/ Gov't lot

Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")

Received by OWRD
June 1, 2026
Salem, OR

Table 4 – Instream Use Created by the Lease

River/Stream Name: Lostine River, tributary to Wallowa River

River Basin: Wallowa Basin

Instream Portion: 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.

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.

Priority date	POD #	Use	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
May 29, 1916		Supplem	225.1	8/1-9/30	1.86	225.1

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.

OR ☐ 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.

Instream Reach

Proposed Instream Reach:

☑ A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream:
From the POD to the Grande Ronde River

Or Proposed Instream Point:

☐ Instream use protected at the POD

OR ☐ If no reach is identified or the above box is not checked the lease may be processed to be protected at the POD.

Additional Instream Information

☐ **Yes** ☑ **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.

Received by OWRD
June 1, 2026
Salem, OR

Term, Termination Clause, Validity of Water Right, Instream Use

Term of the Lease:

The lease is requested to BEGIN in: **month** August **year** 2026

and END in: **month** September **year** 2026

Note: The begin month is generally the first month of the irrigation season and the end month is the last month in the irrigation season. If not an irrigation right, this would be the first and last month of your authorized period of allowed use.

Termination provision (for multiyear leases) - The parties to the lease request (choose one):

- ☐ 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.
- ☐ b. The option of terminating the lease prior to the expiration of the full term, with consent by all parties to the lease.
- ☑ c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)

Validity of the rights to be leased:

- ☑ 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
- ☐ The water right(s) has 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 must be submitted with application.*

Public use: Check the public use(s) this lease will serve (as defined by ORS 537.332):

- ☑ Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values.
- ☐ Recreation
- ☐ Pollution abatement
- ☐ Navigation

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.

The undersigned declare:

1. The Lessor(s) agrees during the term of this lease, to suspend use of water allowed under the subject water right(s) and under any appurtenant primary or supplemental water right(s) not involved in the lease application; and
2. The Lessor(s) certifies that I/we are the water right holder(s) of the right(s) described in this instream lease application. If not the deeded landowner, I/we have provided documentation with the lease application that I/we have authorization to pursue the lease application and/or have obtained consent from the deeded landowner; and
3. All parties affirm that the information provided in this lease application is true and accurate.

Received by OWRD
June 1, 2026
Salem, OR

Lessor Information

Ken and Bobbie Baker Ken and Bobbie Baker		CONTACT NAME	541-263-0342 541-263-0342
81705 Hwy 82 81705 Hwy 82			
Wallowa Wallowa	OR OR	97885 97885	kbbaker79@outlook.com kbbaker79@outlook.com

DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE.

IMPORTANT NOTE - Electronic forms of documents: Beginning on April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system (wrd_automated_email@water.oregon.gov). **Consider adding this email address to your safe sender list.**

→ **Lessor Signature:** Kenneth Baker & Bobbie Baker **Date:** 5/29/2026

Co-Lessor Information

Perry Johnston Perry Johnston		CONTACT NAME	541-263-0386 541-263-0386
81703 Hwy 82 81703 Hwy 82			
Wallowa Wallowa	OR OR	97885 97885	kbbaker79@outlook.com kbbaker79@outlook.com

DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE.

IMPORTANT NOTE - Electronic forms of documents: Beginning on April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system (wrd_automated_email@water.oregon.gov). **Consider adding this email address to your safe sender list.**

→ **Co-Lessor Signature:** Perry Johnston **Date:** 5/29/2026

Lessee Information

Trout Unlimited Trout Unlimited		CONTACT NAME Jessica Humphreys	541-913-3750 541-913-3750
401 NE 1st St 401 NE 1st St			
Enterprise Enterprise	OR OR	97828 97828	jessica.humphreys@tu.org jessica.humphreys@tu.org

DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE.

IMPORTANT NOTE - Electronic forms of documents: Beginning on April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system (wrd_automated_email@water.oregon.gov). **Consider adding this email address to your safe sender list.**

→ **Lessee Signature:** _____ **Date:** 5/31/2026

Received by OWRD
June 1, 2026
Salem, OR

Application for Split Season Instream Lease

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

Attachment (Standard Leasing Form) OR Attachment (District Pooled Leasing Form).

The appropriate standard leasing form or District pooled lease form, 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 Table 1 on the standard leasing form or the pooled leasing form, 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 Table 2 on the standard or pooled instream leasing forms. 94781

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)
Existing Use	1.3563	*	1.983471	*	92	=	247.5
use if needed		*	1.983471	*		=	
use if needed		*	1.983471	*		=	
Instream Use	0.6818	*	1.983471	*	61	=	82.5
use if needed		*	1.983471	*		=	
use if needed		*	1.983471	*		=	
Total	n/a		n/a		n/a		330

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): see attached letter

(b) Frequency of measurement: see attached letter

(c) Parties responsible for the respective measurements: see attached letter

Received by OWRD
June 1, 2026
Salem, OR

Application for Split Season Instream Lease

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

Attachment (Standard Leasing Form) OR Attachment (District Pooled Leasing Form).

The appropriate standard leasing form or District pooled lease form, 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 Table 1 on the standard leasing form or the pooled leasing form, 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 Table 2 on the standard or pooled instream leasing forms. **94779**

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)
Existing Use	1.18	*	1.983471	*	92	=	215.4
use if needed		*	1.983471	*		=	
use if needed		*	1.983471	*		=	
Instream Use	0.5934	*	1.983471	*	61	=	71.8
use if needed		*	1.983471	*		=	
use if needed		*	1.983471	*		=	
Total	n/a		n/a		n/a		287.2

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): see attached letter

(b) Frequency of measurement: see attached letter

(c) Parties responsible for the respective measurements: see attached letter

Received by OWRD
June 1, 2026
Salem, OR

Application for Split Season Instream Lease

OREGON WATER RESOURCES DEPARTMENT

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

Attachment (Standard Leasing Form) OR Attachment (District Pooled Leasing Form).

The appropriate standard leasing form or District pooled lease form, 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 Table 1 on the standard leasing form or the pooled leasing form, 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 Table 2 on the standard or pooled instream leasing forms. 95217

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)
Existing Use	1.164	*	1.983471	*	92	=	212.4
use if needed		*	1.983471	*		=	
use if needed		*	1.983471	*		=	
Instream Use	0.585	*	1.983471	*	61	=	70.8
use if needed		*	1.983471	*		=	
use if needed		*	1.983471	*		=	
Total	n/a		n/a		n/a		283.2

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): see attached letter

(b) Frequency of measurement: see attached letter

(c) Parties responsible for the respective measurements: see attached letter

Received by OWRD
June 1, 2026
Salem, OR

May 31st, 2026

To: Oregon Water Resources Department
Re: Measurement and Reporting for Split Season Lease

For water rights 94779, 94781 and 95217 the duty is 1.0 acre-feet per acre every 30-day period May 1-July 31, and 1 acre-foot per acre for all of August 1- September 31. Because the instream period for the proposed split season lease begins on August 1 and ends on September 30, and because the irrigation duty limitation for August 1 - September 31 is independent of irrigation duty usage from May 1- July 31, the water master does not require measuring devices to monitor duty usage from May 1- July 31 for these water rights. Compliance with the terms of the split season lease and confirmation that no irrigation water is being applied to acres involved in the proposed split season lease from August 1-September 31 will be confirmed by regular site visits by and Trout Unlimited staff.

Please let me know if you have any questions.

Best,

Jessica Humphreys Trout Unlimited
Oregon Flow Restoration Director
jessica.humphreys@tu.org
541.913.3750

Received by OWRD
June 1, 2026
Salem, OR