



State of Oregon
Water Resources Department
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Additional Water Right Form for Pooled Instream Lease

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

~I~

Section 1.2 continued from Pooled District Form.

Subject Water Rights. District and Landowners propose to lease the water rights listed in Attachment 5.

The right(s) to be leased are further described as follows:

Certificate No.: 74147
Priority date: 10/29/1913 Type of use: IRR
Legal Season of Use (if not listed on the certificate): April 1 through November 1
If an irrigation right, total number of acres to be leased: 89.59 IRR, 2.0 Industrial
Total acre-feet of storage to be leased, if applicable: 887.84 IRR, 19.82 IND
(907.66 total)
Rate associated with leased rights (cfs): Season 1: April 1 to May 1 and October 1 to October 26 (1.120 cfs IRR, 0.025 cfs IND)
(Use additional lines if there is more than one rate associated with the water right.)
Rate associated with leased rights (cfs): Season 2: May 1 to May 15 and September 15 to October 1 (1.493 cfs IRR, 0.033 cfs IND)
Rate associated with leased rights (cfs): Season 3: May 15 to September 15 (2.65 cfs IRR, 0.062 cfs IND)
Duty associated with leased rights (AF): 887.84 AF of IRR, 19.82 AF of IND
(Use additional lines if there is more than one duty associated with the water right.)
Duty associated with leased rights (AF): _____
Duty associated with leased rights (AF): _____
Conditions or other limitations, if any: None

~II~

Section 2.2 continued from Pooled District Form.

Instream use created by lease. The instream use to be created is described as follows:

Tumalo Creek
Tributary to Deschutes River in the Deschutes Basin.

Field Code Changed

Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease may be processed to be protected at the point of diversion): TID POD #1 (Tumalo Feed Canal) to mouth and to Lake Billy Chinook

Total volume (AF): Season 1: 124.39 AF - IRR, and 2.78 AF - IND
(Use additional lines if there is more than one rate associated with the water right.)
Total volume (AF): Season 2: 88.85 AF-IRR, 1.98 AF - IND
Total volume (AF): Season 3: 674.60 AF - IRR, 15.06 AF - IND
Rate in cfs: Season 1: 1.120 cfs IRR, 0.025 cfs IND
(Use additional lines if there is more than one rate associated with the water right.)
Rate in cfs: Season 2: 1.493 cfs IRR, 0.033 cfs IND
Rate in cfs: Season 3: 2.765 cfs IRR, 0.062 cfs IND

Conditions to prevent injury, if any:

- None
- The instream flow will be allocated on a daily average basis up to the described rate from 4/1/2006 through 10/26/2006.
- Other (describe): _____

- Deleted: .
- Field Code Changed
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- Field Code Changed
- Field Code Changed
- Field Code Changed

Instructions for the Additional Water Rights Form

When Do I Use This Form?

This form is used to accompany the “Standard Lease Form” when more than one water right is being leased instream. One “Additional Water Rights Information Form” should be used for each additional right being leased instream.

Instructions for Completing a this Form

1.5 Complete a water right profile for each right, or portion of a right proposed to be leased for instream use. The priority date, type of use, and other information describing the right will be found on your certificate, which can be viewed online at <http://stamp.wrd.state.or.us/apps/wr/wrinfo/wrinfo.php> (Note: Profiles of supplemental rights are required only when these rights are also proposed to be leased.)

“Priority date” should include the day and month, if applicable, in addition to the year.

If the entire water right is being leased, check the “Yes” box indicating this and skip to the number of acres being leased.

If the entire water right is not being leased, check the “No” box indicating this and fill in the remainder of Section 1.5.

“Acre-feet of storage” is the quantity of water that is released from a reservoir. If no reservoir is involved, indicate “N/A.”

“Maximum rate associated with leased rights” should show the total rate of use. For example, if 40 acres are being leased instream and the rate is described as 1/80 cfs/acre, then the rate would be 0.5 cfs (40 acres * 1/80 cfs/acre).

“Maximum duty associated with leased rights” should show the total duty. For example, if 40 acres are being leased instream and there is a 4 ac-ft duty per acre the maximum duty would be 160 ac-ft (40 acres * 4.0 ac-ft/ac). If no duty is listed on the certificate or in the decree, then “N/A” should be indicated.

Attachment 3, a detailed map illustrating lands under subject rights to be leased, is required if only part of a right is being leased instream. If a map is required it needs to include the Township, Range, Section, $\frac{1}{4}$ $\frac{1}{4}$, a north arrow, scale and crosshatching or other photocopyable means of differentiating the lands being leased from the remaining lands.

2.2 This section is best completed in close consultation with the local district watermaster (a listing is available at <http://www.wrd.state.or.us/staff/index.shtml>), who will be responsible for making a number of decisions relating to the reach, amount, timing, and duration of the instream use. Variables among water rights include:

- The way in which use under the right is distributed throughout the season.
- Use allowed during a certain period of the year only.
- Specific provisions relating to total volume and rate.
- Particular conditions of individual rights, which will also apply to the new use.

The watermaster will:

- Review factors such as losses, return flow, and consumptive use in determining whether the proposed location of the new use will be allowed.
- Decide if and how far the Department can protect the new instream use past the original point of diversion. (In some instances, the new use may need to be broken into reaches of decreasing amounts. The reach below the original point of diversion would be managed like the shepherding of stored water.)
- Identify any conditions to be placed on the new use, which are necessary to prevent or mitigate injury to existing rights.

If a water right is used at its maximum rate for the entire season, it will frequently exceed its allowable duty (volume), and/or need to

have the season of use reduced to prevent enlargement or injury of other water rights.