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IWR Application # 73370

Certificate # WATER RESOURCES DEPT SALEM, OREGON

STATE OF OREGON

WATER RESOURCES DEPARTMENT

**Application for Instream Water Right
by Oregon Department of Fish and Wildlife**

There is no fee required for this application.

Applicant: Randy Fisher for Oregon Department of Fish and Wildlife, PO Box 59, Portland, OR 97207

1. The name of the stream of the proposed instream water right is Middle Fork Rogue River, a tributary of South Fork Rogue River.
2. The public use this instream water right is based on is providing required stream flows for cutthroat, rainbow, brook and brown trout.
3. The amount of water (in cubic feet per second) needed by month for each category of public use is as follows:

USE(S): Migration, spawning, egg incubation, fry emergence, and juvenile rearing.

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
135	135	135	135	135/	80	54	54/	135	135	135	135
				80			135				

4. The reach of the stream identified for an instream water right is from (upstream end) Bessie Creek, within the SW quarter of Section 32, Township 32S, Range 4E W.M., in Jackson County...

Downstream to the mouth, within the NW quarter of Section 9, Township 33S, Range 3E W.M., in Jackson County.

5. Technical data relied on in this application are published in the Rogue River Basin Investigation report. This report was submitted to the Oregon State Water Resources Board in 1972. These data are based on instream flow studies conducted by Oregon State Game Commission personnel in 1967.

The method used to determine the requested flows was "the Oregon Method" as described in Determining Minimum Flow Requirements for Fish, ODFW, 1984, a document previously submitted to Water Resources Department, Salem, Oregon.

6. When were the following state agencies notified of the

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intent to file for the instream water right?

Dept. of Environmental Quality Date: April 5, 1993
ODFW (Fish, Wldlf, and Habitat) Date: April 5, 1993
Parks and Recreation Division Date: April 5, 1993

7. If possible, include recommendations for measuring locations or methods:

Establish a gaging structure at or near the lower limit of the reach.

8. If possible, include recommendations for assisting the Water Resources Department (WRD) in measuring and monitoring procedures:

Local ODFW personnel will assist the watermaster in establishing a monitoring plan and program.

9. If possible, include other recommendations for methods or conditions necessary for managing the water right to protect the public uses: None.

10. Remarks: None.

An instream water right may be allowed for an instream beneficial use of water subject to existing water rights which have an effective date prior to the filing date of this application.

This type of beneficial use is for the benefit of the public and a certificate issued confirming an instream water right shall be held in trust by the Water Resources Department for the people of the State of Oregon, pursuant to ORS 537.341.

Date: 5/4/93

Signed: *Joe E. Zandy*

Oregon Department of Fish and Wildlife

Assistant Director
Habitat Conservation Div.

FILE: MFROGUE.APP

10/10/10

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This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return them for:

In order to retain its priority, this application must be returned to the Water Resources Department with corrections on or before

_____, 19____.

Date: _____, 19____.

This document was first received at the Water Resources Department in Salem, Oregon, on the 5th day of May, 1993, at 8:00 o'clock A M.

Water Resources Department
3850 Portland Rd. NE
Salem, OR 97310

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