



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

# Application for Instream Water Right Certificate

## SECTION 1: ORGANIZATION INFORMATION AND SIGNATURE

### Organization Information

NAME OREGON DEPT. OF FISH AND WILDLIFE		PHONE 503-947-6000	FAX 503-947-6202
ADDRESS 4034 FAIRVIEW INDUSTRIAL DR. SE			CELL
CITY SALEM	STATE OR	ZIP 97302-1142	E-MAIL *

### Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME ANNA PAKENHAM STEVENSON / OREGON DEPT. OF FISH AND WILDLIFE		PHONE 503-947-6084	FAX 503-947-6202
ADDRESS 4034 FAIRVIEW INDUSTRIAL DR. SE			CELL
CITY SALEM	STATE OR	ZIP 97302-1142	E-MAIL * ANNA.P.STEVENSON@STATE.OR.US

\* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Note that paper copies of the Final Order documents will also be mailed.)

Anna Pakenham Stevenson  
Water Program Manager

12/1/16

Applicant Signature

Print Name and Title

Date

Applicant Signature

Print Name and Title

Date

## SECTION 2: NOTIFICATION TO DEQ, ODFW, AND PARKS

Please indicate the date you notified other state agencies of your intent to file an instream water right application.

Oregon Department of Environmental Quality was notified on: October 17 2016

Oregon Department of Fish and Wildlife was notified on: N/A

Oregon Parks and Recreation Department was notified on: October 17 2016

## SECTION 3: NOTIFICATION TO AFFECTED LOCAL GOVERNMENTS

Please provide copies of letters of your intent to file an instream water right application to each affected local government within whose jurisdiction the instream use is proposed. Affected local government means any city, county or metropolitan service district formed under ORS Chapter 268 or an association of local governments performing land-use planning functions under ORS 197.190.

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**SECTION 4: SOURCE AND REACH**

Stream or lake name: Fifteenmile Creek Tributary to: Columbia River

If the source is a stream, indicate the reach delineated by river mile (the upstream point to the downstream point) of the proposed instream water right:

In Fifteenmile Cr, tributary to the Columbia River, beginning in Dufur at the Highway 197 crossing, river mile 30.6 in the SWSE quarter of Section 25, Township 1 S, Range 13 E W.M. in Wasco County (45.4504, -121.1196), and continuing upstream to the unnamed barrier at river mile 49.4 in the NWSW quarter of Section 28, Township 2 S, Range 11 E W.M. in Wasco County (45.3656, -121.4402).

If the source is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume and page, or decree name). \_\_\_\_\_

If the source is stored water and you do not, or will not, own the reservoir(s), please enclose a copy of your written agreement with the owner of the reservoir to release flows identified in this application.

**SECTION 5: PUBLIC USES AND AMOUNTS**

The public uses to be served by the requested instream water right are: For the conservation, maintenance and enhancement of aquatic and fish life, wildlife, and fish and wildlife habitat. Applied flows include water for fish and wildlife migration, spawning, nesting, brooding, egg incubation, larval or juvenile development, juvenile and adult rearing and aquatic life. Flow levels will vary based on life cycle and life stage development needs.

The monthly (or half-monthly) flows in cubic feet-per-second (CFS) or acre-feet (AF) or by lake elevation (LE) necessary to support the public uses are:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Unit
10	10	15	26	26	26	15	15	10	10	10	10	CFS

If this is a multi-agency request, please indicate the monthly (or half-monthly) flows in cubic feet-per-second (cfs) or acre-feet (af) or by lake elevation (le) that are necessary to support the public uses for each category of public use.

USE	J	F	M	A	M	J	J	A	S	O	N	D	
													<input type="checkbox"/> CFS
													<input type="checkbox"/> AF
													<input type="checkbox"/> LE
													<input type="checkbox"/> CFS
													<input type="checkbox"/> AF
													<input type="checkbox"/> LE

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## **SECTION 6: DATA, METHODS, AND COMPLIANCE**

**Please describe the technical data and methods used to determine the requested amounts.**

The Oregon Method (Thompson 1972) was used in the Basin Investigations to develop flow recommendations. The Oregon Method is a habitat based method that determines the degree of habitat at different streamflow rates and life stages. It requires repeated measurements at different flows. The criteria cover fish spawning, adult migration, and rearing habitat. The desired flow levels are determined by examining flow vs. habitat at different flow levels. Methods for assessing flow needs for spawning, rearing and passage were described by Thompson (1972) as follows:

- Spawning and incubation flows were based on transect measurements with species-specific depth, velocity, and substrate criteria. Repeated measurements over a range of flows were used to develop a relationship of total spawning area vs. discharge.
- Rearing flows were based on repeated measurements, over a range of flows, of the following parameters: adequate depth over key riffles, riffle-pool ratio (i.e. sufficient connectivity between pools), average riffle and pool depths and velocities, and availability of instream cover.
- Passage flows were based on repeated depth measurements at transects across the shallowest riffles judged most likely to impede upstream migration of adult salmonids. Passage criteria were based on the percentage of adequate depth along the transects as a function of discharge.

**Please provide written documentation of how your agency complied with the requirements contained in your own administrative rules for instream water rights, including application of the required methods to determine requested flows.**

ODFW followed all procedures laid out in the agency's 635-400-0015 rules- Determination of Instream Flow Measurement Methodologies. Specifically, the Basin Investigation Report (BIR) flows for this instream flow recommendation were based on 'The Oregon Method', an approved method for determining an instream flow requirement. The BIR identifies fish and wildlife resources of the basin, their distribution, limiting factors, harvest, and water requirements. Stream flow recommendations of the BIR are specifically designed to meet the seasonal biological requirements of the basin's fish. These BIR flow recommendations were used in this instream water right application (see attached BIR: "Hood Basin Supplement" Appendix 2 page 18).

ODFW will also coordinate with OWRD instream water rights monitoring (635-400-0025). Specifically, ODFW will coordinate with OWRD to develop monitoring plans for instream water rights and to revise the existing Memorandum of Understanding between the Department and WRD to include issues related to instream water rights, such as measuring, monitoring and enforcement of instream water rights.

References:

Thompson, K.E., 1972. Determining stream flows for fish life. Pages 31-50 plus appendices in Proceedings of the Instream Flow Requirement Workshop, March 15-16, 1972, Portland, Oregon. Pacific Northwest River Basins Commission.

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**SECTION 7: WITHIN A DISTRICT**

If the reach is located within an irrigation district or other water district, please provide their contact information.

Irrigation District Name None	Address	
City	State	Zip
Water District Name City of Dufur	Address PO Box 145 / 175 NE Third St	
City Dufur	State OR	Zip 97021

**SECTION 8: REMARKS**

Use this space to clarify any information you have provided in the application. \_\_\_\_\_

**SECTION 9: MAP**

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**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

- SECTION 1: \_\_\_\_\_
- SECTION 2: \_\_\_\_\_
- SECTION 3: \_\_\_\_\_
- SECTION 4: \_\_\_\_\_
- SECTION 5: \_\_\_\_\_
- SECTION 6: \_\_\_\_\_
- SECTION 7: \_\_\_\_\_
- SECTION 8: \_\_\_\_\_
- SECTION 9: \_\_\_\_\_
- Other: \_\_\_\_\_  
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