

IWR Application # 70651 Certificate # \_\_\_\_\_

STATE OF OREGON

WATER RESOURCES DEPARTMENT

**Application for Instream Water Right  
by a State Agency**

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 Indian Creek, a tributary of M. Fk. John Day river.
2. The public uses this instream water right is based upon include providing required stream flows for bull trout for migration, spawning, egg incubation, fry emergence, and juvenile rearing.
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 |
|-----|-----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 18  | 18/<br>23 | 23  | 23  | 23  | 18  | 12  | 12  | 12  | 12  | 12  | 18  |

4. The reach of the stream identified for an instream water right is from (upstream end) unnamed tributary within the NW quarter of the SE quarter of Section 1, Township 8S, Range 32E W.M., in Grant County... <sup>36</sup>

Downstream to the mouth, river mile 0, within the SW quarter of the SE quarter of Section 7, Township 9S, Range 32E W.M., in Grant County.

5. The method used to determine the requested amounts was the Oregon Method.
6. When were the following state agencies notified of the intent to file for the instream water right?

|                                 |                       |
|---------------------------------|-----------------------|
| Dept. of Environmental Quality  | Date: August 27, 1990 |
| ODFW (Fish, Wldlf, and Habitat) | Date: August 27, 1990 |
| Parks and Recreation Division   | Date: August 27, 1990 |

7. If possible, include recommendations for measuring locations

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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 and implementing a monitoring program.

9. If possible, include other recommendations for methods or conditions necessary for managing the water right to protect the public uses [see OAR 690-77-020 (5)(c)]: None.

10. Remarks: Bull trout is listed as a "sensitive" species (a candidate for listing under the Threatened and Endangered Species Act if population declines from present level) by ODFW.

**THIS APPLICATION MUST BE ACCOMPANIED BY A BASIN MAP WITH THE APPLICABLE LAKE OR STREAM REACH IDENTIFIED.**

An instream water right may be allowed for an instream beneficial use of water subject to existing water rights with 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: 9/5/90

Signed: Nancy M. MacHugh

Oregon Department of Fish and  
Wildlife

Assistant Director  
Habitat Conservation Div.

File: INDIAN1.APP

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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\_\_\_\_.

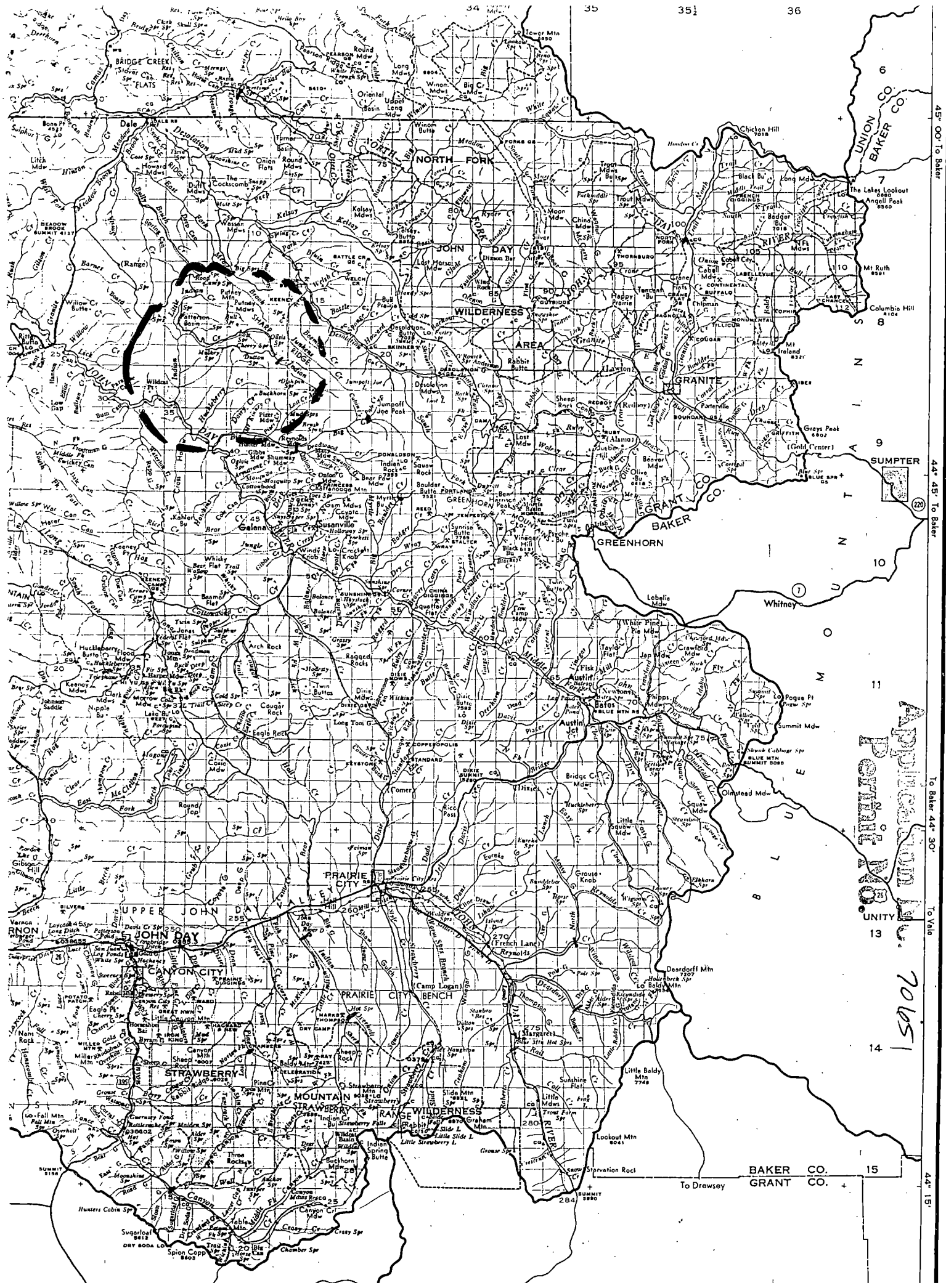
Date: \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_

\_\_\_\_\_

This document was first received at the Water Resources Department in Salem, Oregon, on the 11th day of September, 1990, at 3:00 o'clock P. M.

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



Appalachian No. 70651  
UNITED STATES GEOLOGICAL SURVEY  
WASHINGTON, D. C.

BAKER CO.  
GRANT CO.

To Drewsey