

IWR Application # 70870 Certificate # _____

STATE OF OREGON

WATER RESOURCES DEPARTMENT

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

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NOV 08 1990

There is no fee required for this application.

WATER RESOURCES DEPT.
SALEM, OREGON

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 East Pine Creek, a tributary of Pine Creek (Snake River).
2. The public uses this instream water right is based upon include providing required stream flows for rainbow 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
6	6/10	16	16	16	16/10	6	6	6	6	6	6

4. The reach of the stream identified for an instream water right is from (upstream end) Beecher Creek, river mile 10.3, within the SE quarter of Section 16, Township 7S, Range 46E W.M., in Baker County...

Downstream to the mouth, river mile 0, within the SW quarter of the NW quarter of Section 18, Township 8S, Range 47E W.M., in Baker 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: October 29, 1990
ODFW (Fish, Wldlf, and Habitat)	Date: October 29, 1990
Parks and Recreation Division	Date: October 29, 1990

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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 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: An inadequate instream water right (#59541) is currently in effect in this reach.

The requested flows are the minimum required to maintain fish populations at their current levels. No provision is made at these flows for population restoration or enhancement.

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: 11/6/90

Signed: Nancy M. MacHugh

Oregon Department of Fish and
Wildlife

Assistant Director
Habitat Conservation Div.

File: EPINE1.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 8th day of November, 1990, at 8:00 o'clock A M.

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

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