



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/OWRD/PUBS/forms.shtml.

~I~

Section 1.5 continued from Pooled Form.

Water Rights Proposed to be Leased Instream. District and water right holder(s) propose to lease the water rights identified in Section 1.3 on the “Pooled Lease Form.”

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

Certificate No.: _____

Priority date: _____ Type of use: _____

Legal Season of Use (if not listed on the certificate): _____

If an irrigation right, total number of acres to be leased: _____

Total acre-feet of storage to be leased, if applicable: _____

Maximum rate associated with subject water rights (cfs) being leased: _____

If there is more than one rate associated with a water right, describe below:

Season 1 (cfs) _____ Time period: _____

Season 2 (cfs) _____ Time period: _____

Season 3 (cfs) _____ Time period: _____

Maximum duty associated with subject water rights (ac-ft): _____

Conditions or other limitations, if any: _____

~II~

Section 2.2 continued from Pooled Lease Form.

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

_____ River

Tributary to _____ in the _____ Basin.

Describe the point of diversion (POD) and any associated reach(es) of the instream use being created. If possible list the reach by river mile. If no reach is identified, and there is only one POD listed on the certificate, the lease will be processed to be protected at the POD. (If more than one POD is listed on the certificate, then the POD and any associated reach(es) must be identified): _____

Maximum volume in acre-feet: _____

Rate in cfs: _____

(If more than one rate, describe the rate associated within each time period or instream reach.)

Rate in cfs: _____

Rate in cfs: _____

(Use the section below to indicate a more restrictive period of use than allowed by the water right.)

Conditions to prevent injury, if any:

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

Instructions for the Additional Water Rights Form for Pooled Instream Lease

When Do I Use This Form?

This form is used to accompany the “Pooled 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

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://apps.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, ¼ ¼, 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 www.wrd.state.or.us/OWRD/offices.shtml), who will be responsible for making a number of recommendations relating to the reach, amount, timing, and duration of the instream use. 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.

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.
- Recommend to the Director 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.

Do not include with lease application.