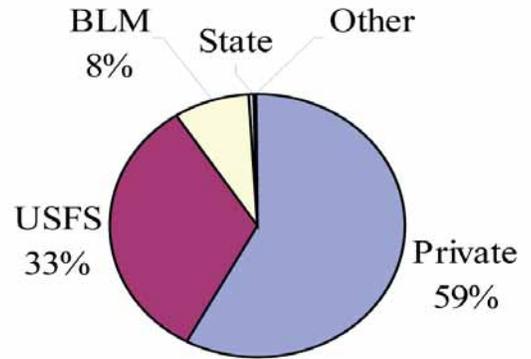


FIGURE 32: LAND OWNERSHIP IN THE JDBRMP AREA



Source: BLM GIS database, 2006

Passage of the Oregon Land Exchange Act in 2000 resulted in a land ownership adjustment in Northeast Oregon, primarily in Grant County. In exchange for public lands disposed of in this Act, the BLM acquired approximately 44 thousand acres along the North Fork of the John Day River.

LEASES AND PERMITS (RECREATION AND PUBLIC PURPOSES ACT)

Temporary land use permits or leases may be used to authorize such activities as trespass prior to resolution, access, storage, apiary sites national guard or military reserve training, engineering feasibility studies, and other miscellaneous short-term activities. In the John Day Basin Planning Area there are numerous agricultural leases on BLM lands for which fees are not collected.

The Recreation and Public Purposes Act (R&PP) authorizes the sale or lease of BLM managed lands for recreational or public purposes to State and local governments and to qualified nonprofit organizations. In the John Day Basin planning area the transfer of land utilized for a dump to Prairie City under the R&PP Act has been attempted but has not occurred.

WATER

Water is the fundamental resource of the John Day Basin. It enables plants to grow and is essential for wildlife. People need water to drink, for play, and to support livestock grazing, irrigation, mining and other economic enterprises. Who gets water and when and how they get it are questions that have dominated the west for over a century and a half.

These questions are answered through the allocation of water rights. Surface and ground water are the property of the State and the Oregon Water Resources Department administers the water to those who have a water right.

Water rights are important tools that have allowed BLM to accomplish a wide variety of their multiple use objectives. Water rights can be used to extract minerals, provide wildlife habitat, and preserve aquatic life. The majority of water rights on BLM land are for irrigation. BLM actively manages over 700 acres of the irrigation water rights under the John Day Wild and Scenic River Plan and the Sutton Mountain Coordinated Resource Management Plan. The remaining 1175 acres of irrigation occur on scattered pieces of agricultural land through out the plan area. Approximately one third of BLM's water rights are related to mining. The majority of the mining water rights are located near John Day on Little Canyon Mountain. This area was hydraulically mined for gold in the late 1800s and early 1900s. Many of the water rights completely overlap each other and include a

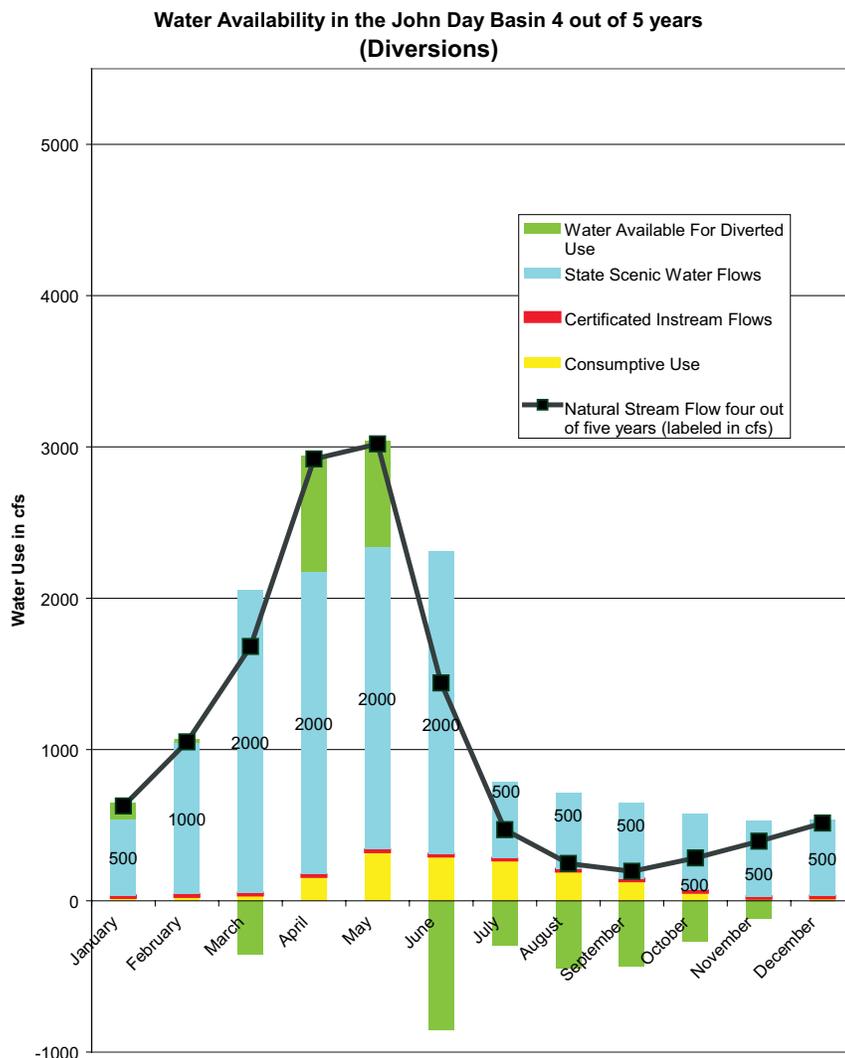
200 acre irrigation water right. BLM owns approximately 220 different state administered water rights. BLM actively manages 23 of these. Based on the Oregon Water Resources Department data, between approximately 50 and 70 cfs could be diverted under BLM water rights. This water is scattered across the basin and is not from a single stream channel. The top few sources include the John Day River, Bridge Creek, the North Fork John Day River, Rock Creek, Bear Creek, and Little Pine Creek.

The value of BLM’s water rights in the John Day basin is magnified by the fact that the basin water is over allocated (more water rights than water available) for a large portion of the year.

The monthly water availability is illustrated in Figure 33: Water Availability in the John Day Basin 4 out of 5 years.

Most water use requires that water be diverted from the river. BLM land within the John Day Basin contains both points of diversions and places of use for state appropriative water rights.

Less than half of BLM owned points of diversions supply only BLM lands (see figure 34). Rights of way are required for most conveyances of water across BLM land.



On the ground conditions are continually changing and water users continually ask to upgrade, move, and change the construction of water transportation and diversion facilities. These require rights of ways when they cross BLM land. The interconnected nature of these water rights indicates the importance of cooperative management to this key resource.

BLM also holds federally reserved water rights for the John Day Wild and Scenic Rivers. The John Day River Plan identified the State Scenic Flows as interim instream flow goals until an instream flow study is needed for the adjudication of the federally reserved water rights.

Many of the BLM ponds and springs may also be federally reserved water rights under PWR107. Inventories of ponds and springs are incomplete at this time. Some have been issued permits, applications, or certificates

FIGURE 33: WATER AVAILABILITY IN THE JOHN DAY BASIN 4 OUT OF 5 YEARS

from the State of Oregon, but many have not. PWR 107 are the result of an executive order made by Calvin Coolidge in 1926. This order withdrew every smallest legal subdivision of the public land surveys and all lands within one quarter mile of important springs and waterholes on unsurveyed lands. The primary purpose of this withdrawal was for current or future livestock watering and human consumption. This withdrawal includes springs and waterholes on land that was vacant and unappropriated and unreserved as of April 17, 1926. This constitutes a federal reserve right with a 1926 priority date. Springs and waterholes do not need to be currently inventoried in order to qualify, but it is useful to have the inventory completed to ensure that the water right is appropriately tracked during land tenure adjustments.

LIVESTOCK GRAZING

Grazing is one of the most visible and established uses of BLM managed lands. The public lands are an integral part of ranching in the area because of their scattered distribution and ability to provide forage during a critical time of the year. There are many ranches with several hundred acres of public grazing land scattered throughout. Generally these lands are best managed with the adjacent private lands since it is not practical to fence them separately. The larger blocks of several thousand acres are easily managed separately from private lands. These blocks of BLM managed lands are generally located at elevations where they provide excellent forage from early spring to early summer. This is an important transition period as livestock move from winter feeding areas to summer ranges. It also has utility as livestock return in the fall. Livestock grazing is authorized on 432,600 acres or 95 percent of public land managed by the BLM in the planning area. Because BLM lands in the John Day Basin consisted of mostly scattered tracks these lands were not included in a grazing district and are managed under Section 15 of the Taylor Grazing Act.

Under Section 15 of the Taylor Grazing Act BLM lands within the planning area are now leased for grazing on an AUM (animal unit month) basis. The number of AUMs available was determined by range surveys completed between 1967 and 1974 in the John Day River basin. These surveys established the grazing use levels that continue to be authorized today.

There are 229 grazing allotments which vary in size from 22 acres of public land to over 25,000 (Map 16). Since the distribution of public land is generally scattered, the number of acres in any one allotment tends to be small. The majority of allotments, 63 percent of the total, contain less than 1,000 acres of public land. A listing of the allotments and

FIGURE 34: PERCENT OF OWNERSHIP OF LANDS SUPPLIED WATER FROM BLM OWNED POINTS OF DIVERSION

