



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Application for 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.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: BLM CORA 2010 Instream
Lease Application Number (assigned by WRD): _____

This Lease is between:

Lessor #1:

Name Prineville District BLM
Mailing address 3050 NE 3rd St
City, State, Zip Code Prineville, OR 97754
Telephone number 541-416-6700
Email address Homer Faver@blm.gov

Lessor #2, 3, etc.

The water right to be leased is located in Wheeler and Wasco Counties.

Lessee (if different than Oregon Water Resources Department):

Name _____
Mailing address _____
City, State, Zip Code _____
Telephone number _____
Email address _____

Trustee:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
(503) 986-0900

~I~ Water Right Holder and Water Right Information

- 1.1 Lessor #1 is the water right holder, or authorized agent for water right holder of the property located at: Township 7S, Range 19E, Sections 19, 20, 29, & 32 and Tax Lot number _____. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.2 Lessor #2 is the (Check one):

X Not applicable

Official representative of _____, the irrigation district which conveys water to the subject water rights.

Another party with an interest in the subject water rights representing _____.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. NA

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes X No

1.5 **Water Rights Proposed to be Leased Instream.**

The first right to be leased identified in Section 1.3 is further described as follows:

Certificate No.: 38666

Priority date: 1959.

Type of use: Irrigation

Legal Season of Use: April 1 to September 30

Is the entire water right certificate being leased? Yes X No

If no, list the acres of the subject water right by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 2) showing the lands which will not receive water.

Place of use: T 7 S, R 19 E, Section 19, NE 1/4 SE 1/4 - 1.3 acres to be leased

Place of use: T 7 S, R 19 E, Section 20, NE 1/4 SW 1/4 - 2.6 acres to be leased

Place of use: T 7 S, R 19 E, Section 20, NW 1/4 SW 1/4 - 13.4 acres to be leased

Place of use: T 7 S, R 19 E, Section 29, NE 1/4 SW 1/4 - 8.6 acres to be leased

Place of use: T 7 S, R 19 E, Section 29, NW 1/4 SW 1/4 - 5.0 acres to be leased

Place of use: T 7 S, R 19 E, Section 29, SE 1/4 SW 1/4 - 3.5 acres to be leased

Place of use: T 7 S, R 19 E, Section 32, NW 1/4 NE 1/4 - 4.0 acres to be leased

Place of use: T 7 S, R 19 E, Section 32, SW 1/4 NE 1/4 - 6.0 acres to be leased

Place of use: T 7 S, R 19 E, Section 32, SE 1/4 NW 1/4 - 0.3 acres to be leased

Number of acres being leased, if for irrigation: 44.7 to be leased instream

Acre-feet of storage, if applicable: NA

Maximum rate associated with the right to be leased (cfs): 0.536

Maximum duty associated with the right to be leased (ac-ft): 224

NOV 24 2010

Conditions or other limitations, if any: NA

If you need to enter another leased right, please use the additional water rights form.

1.6 **Validity of rights.** Lessor(s) attests (mark one) that:

X the water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or

the water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

IL-1099

~II~ Instream Water Right Information

2.1 Public use. This lease will increase streamflows that will benefit:

- X Conservation, maintenance and enhancement of aquatic and fish life, wildlife, and fish and wildlife habitat
- X Pollution abatement
- X Recreation and scenic attraction

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

John Day River

Tributary to Columbia River in the Columbia 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 may 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):

Reaches run from POD to USGS Gage#14048000 (McDonald's Ferry)

Maximum volume in acre-feet: 224 (see table below for specifics by season and reach)

Rate in cfs: Total at PODs 0.27 cfs for April to Sept 30.

Total at McDonald's Ferry 0.22 cfs for April to Sept 30.

Township	Range	Section	Quarter-Quarter	POD	Instream Reach End at McDonald Ferry Gage River Mile	Instream Reach Start at POD River Mile	Water Right Place of Use Area AC.	Full Rate in water right	Flow at POD (with 50% reduction to mitigate return flows)	Flow at McDonald Ferry gage (with a 0.0005 cfs per mile reduction to mitigate losses in reach)	Total Duty (with 50% reduction for return flows)	Max Duty for original water right AC- FT
								(4/1 - 9/30) CFS	(4/1 - 9/30) CFS	(4/1 - 9/30) CFS	(4/1 - 9/30) AC- FT	
7S	19E	32	SW NE	POD3	20.9	109.1	44.7	0.536	0.27	0.22	56.4	224
Totals							44.7	0.536	0.27	0.22	56	224

(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
- X The instream flow will be allocated on a daily average basis up to the described rate from April 1 through September 30.
- X Other (describe): 50% reduction in rate to account for return flows and reduced again to account for losses in reach

If you need to enter more instream uses, please use the additional water rights form.

IL-1099

NOV 24 2010

2.3 Term of lease. This lease shall terminate on Oct 1, 2015.

2.4 Flow protection. The Trustee will regulate use of water from the source, subject to prior appropriation and the agency enforcement guidance, to assure the water is delivered to the point of diversion, and through the reach past junior downstream users, so long as flow is sufficient to meet the demand under priority date of the new instream use (see Section 2.2). As part of regulation activities the watermaster or a designee has access to the point of diversion and place of use for the water rights involved in this lease. No party is required to continuously measure the flow of the waterway described in Section 2.2.

~III~ Other Information

3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

3.2 Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior lease shall not set a precedent for the amount of water to be leased or transferred instream.

3.4 Suspension of original use. During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

3.5 Termination provision.

For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:

- Written notice to the Department with original signatures;
- Consent by all parties to the lease; and/or
- Written notice to the Watermaster's office.

For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

3.6 Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other

NOV 24 2010

IL-1099

3.6 Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

3.7 Fees. Pursuant to ORS 536.050, the following fee is included:

- \$400 for an application with four or more landowners or four or more water rights.
 \$250 for all other applications.

Lessor #1: H. F. "Chip" Faver Date: 9/24/10
H. F. "Chip" Faver,
Field Manager, Central Oregon Resource Area

For additional Lessors, type in space for signature and date

Lessee: _____ Date: _____

Other Attachments as Needed:

Attachment 1: Tax Lot Map. (See instructions.)

Attachment 2: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. (See instructions.)

Attachment 2a: Certificate 38666

Attachment 2b:

Attachment 3: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 is checked).

Attachment 4: Split Season Instream Use Form

RECEIVED

SEP 29 2010

WATER RESOURCES DEPT
SALEM, OREGON

IL-1099

NOV 24 2010



State of Oregon
Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Additional Water Right Form Standard Application for 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~ Water Right Holder and Water Right Information

Section 1.5 continued from Standard Application for Instream Lease.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.

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

Certificate No.: 13570

Priority date: 1876 for Tract 3. 1889 for Tracts 1, 2, 4, 5, & 6. 1897 for Tract 7. Type of use: Irrigation

Legal Season of Use (if not listed on the certificate): March 1 to October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4, which will be dried up as part of this lease. Include a map (Attachment 3) showing the lands that will not receive water.

T11S	R21E	Sec 26	NE¼ SW¼	1.3 acres	T11S	R21E	Sec 27	SE¼ SE¼	0.4 acres
T11S	R21E	Sec 26	NW¼ SW¼	10 acres	T11S	R21E	Sec 28	NE¼ NE¼	1.5 acres
T11S	R21E	Sec 26	SW¼ SW¼	4 acres	T11S	R21E	Sec 28	SE¼ SW¼	4.5 acres
T11S	R21E	Sec 26	SE¼ SW¼	8 acres	T11S	R21E	Sec 28	NE¼ SE¼	0.1 acres
T11S	R21E	Sec 27	SW¼ NE¼	15.8 acres	T11S	R21E	Sec 28	NW¼ SE¼	10.2 acres
T11S	R21E	Sec 27	SE¼ NE¼	5 acres	T11S	R21E	Sec 28	SW¼ SE¼	5.7 acres
T11S	R21E	Sec 27	NE¼ NW¼	11.3 acres	T11S	R21E	Sec 33	NE¼NW¼	1.5 acres
T11S	R21E	Sec 27	NW¼ NW¼	17.1 acres	T11S	R21E	Sec 35	SW¼ NE¼	8.9 acres
T11S	R21E	Sec 27	NE¼ SE¼	17 acres	T11S	R21E	Sec 35	NE¼ NW¼	12 acres
T11S	R21E	Sec 27	NW¼ SE¼	4.8 acres	T11S	R21E	Sec 35	SE¼ NW¼	2.2 acres

Number of acres, if for irrigation: 141.3 acres to be leased instream, 3.0 acres to be irrigated

Acre-feet of storage, if applicable: NA

Rate associated with leased rights (cfs): 3.01 – Bridge Creek POD

0.28 – Mud Creek POD

Duty associated with leased rights (AF): 481.2 – Bridge Creek POD

88 – Mud Creek POD

Conditions or other limitations, if any: NA

NOV 24 2010

~II~ Instream Water Right Information

Section 2.2 continued from Standard Application for Short-Term Instream Lease.

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

Bridge Creek

Tributary to John Day River in the John Day 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 may 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):

Reach runs from POD to USGS Gage#14046778 (BRCO)

Maximum volume in acre-feet: 565.2 (see table below for specifics by season and reach)

Rate in cfs: Total at PODs 1.63 cfs for Mar 1 to June 14 and 0.86 cfs for June 15 to Oct 1.

Total at BRCO 1.47 cfs for Mar 1 to June 14 and 0.70 cfs for June 15 to Oct 1.

Township	Range	Section	Quarter-Quarter	Ditch (POD)	Instream Reach		Tract Number	Water Right Place of Use Area	Full Rate in water right		Flow at POD (with 50% reduction to mitigate return flows)		Flow at BRCO gage (with a 0.005 cfs per mile reduction to mitigate losses in reach)		Total Duty (with 50% reduction for return flows)		Max Duty for original water right
					River Mile	River Mile			(3/1 - 6/14)	(6/15 - 10/1)	(3/1 - 6/14)	(6/15 - 10/1)	(3/1 - 6/14)	(6/15 - 10/1)	(3/1 - 6/14)	(6/15 - 10/1)	
11S	21E	35	SW NE	POD - Bridge Creek	0.8	17.4	1,2,4,5,6,7	119.3	2.98	1.49	1.49	0.75	1.41	0.66	313.5	159.7	477.2
11S	21E	35	SW NE	POD - Mud Creek	0.8	15.9	3	22	0.28	0.22	0.14	0.11	0.06	0.03	28.9	23.6	88
				Totals				141.30	3.26	1.71	1.63	0.86	1.47	0.70	342.4	183.3	565.2

(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 March 1 through October 1.
- Other (describe): 50% reduction in rate to account for return flows and reduced again to account for losses in reach



State of Oregon
Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Additional Water Right Form Standard Application for 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~ Water Right Holder and Water Right Information

Section 1.5 continued from Standard Application for Instream Lease.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.

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

Certificate No.: 13592

Priority date: 1868 Type of use: Irrigation

Legal Season of Use (if not listed on the certificate): March 1 to October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and $\frac{1}{4}$ $\frac{1}{4}$, which will be dried up as part of this lease. Include a map (Attachment 3) showing the lands that will not receive water.

- Place of use: T 10 S, R 21 E, Section 31, SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 11.0 acres to be leased
- Place of use: T 10 S, R 21 E, Section 31, NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 22.8 acres to be leased
- Place of use: T 10 S, R 21 E, Section 31, SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 0.1 acres to be leased
- Place of use: T 10 S, R 21 E, Section 31, SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 9.4 acres to be leased
- Place of use: T 11 S, R 21 E, Section 5, NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 3.0 acres to be leased
- Place of use: T 11 S, R 21 E, Section 6, NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 5.8 acres to be leased

Number of acres, if for irrigation: 52.1 acres to be leased instream, 67.6 acres to be irrigated

Acre-feet of storage, if applicable: NA

Rate associated with leased rights (cfs): 2.99

Duty associated with leased rights (AF): 478

Conditions or other limitations, if any: NA

NOV 24 2010

IL-1099

~II~ Instream Water Right Information

Section 2.2 continued from Standard Application for Short-Term Instream Lease.

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

Bridge Creek

Tributary to John Day River in the John Day 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 may 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):

Reach runs from POD to USGS Gage#14046778 (BRCO)

Maximum volume in acre-feet: 208.4 (see table below for specifics by season and reach)

Rate in cfs: Total at PODs 0.65 cfs for Mar 1 to June 14 and 0.33 cfs for June 15 to Oct 1.

Total at BRCO 0.63 cfs for Mar 1 to June 14 and 0.31 cfs for June 15 to Oct 1.

Township	Range	Section	Quarter-Quarter	Ditch (POD)	Instream Reach End at BRCO Gage	Instream Reach Start at POD	Water Right Place of Use Area	Full Rate in water right		Flow at POD (with 50% reduction to mitigate return flows)		Flow at BRCO gage (with a 0.005 cfs per mile reduction to mitigate losses in reach)		Total Duty (with 50% reduction for return flows)		Max Duty for original water right
								(3/1 - 6/14)	(6/15 - 10/1)	(3/1 - 6/14)	(6/15 - 10/1)	(3/1 - 6/14)	(6/15 - 10/1)	(3/1 - 6/14)	(6/15 - 10/1)	
					River Mile	River Mile	AC.	CFS	CFS	CFS	CFS	CFS	CFS	AC- FT	AC- FT	AC- FT
11S	21E		9 NE SW	POD 1	0.8	4.7	52.1	1.30	0.65	0.65	0.33	0.63	0.31	136.9	69.8	208.4

(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 March 1 through October 1.
- Other (describe): 50% reduction in rate to account for return flows and reduced again to account for losses in reach

NOV 24 2010



State of Oregon
Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Additional Water Right Form Standard Application for 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~ Water Right Holder and Water Right Information

Section 1.5 continued from Standard Application for Instream Lease.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.

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

Certificate No.: 25435

Priority date: 1898 Type of use: Irrigation

Legal Season of Use (if not listed on the certificate): April 1 to September 30

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and $\frac{1}{4}$ $\frac{1}{4}$, which will be dried up as part of this lease. Include a map (Attachment 3) showing the lands that will not receive water.

Place of use: T 6 S, R 19 E, Section 32, SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 9.4 acres to be leased

Place of use: T 6 S, R 19 E, Section 32, NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 7.5 acres to be leased

Place of use: T 6 S, R 19 E, Section 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 2.2 acres to be leased

Number of acres, if for irrigation: 19.1 acres to be leased instream

Acre-feet of storage, if applicable: NA

Rate associated with leased rights (cfs): 0.4775

(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 95.5

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any: NA

NOV 24 2010

IL-1099

~II~ Instream Water Right Information

Section 2.2 continued from Standard Application for Short-Term Instream Lease.

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

John Day River

Tributary to Columbia River in the Columbia 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 may 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):

Reach runs from POD to USGS Gage#14048000 (McDonald's Ferry)

Maximum volume in acre-feet: 95.5 (see table below for specifics by season and reach)

Rate in cfs: Total at PODs: 0.2388 cfs for April 1 to Sept 30.

Total at McDonald's Ferry: 0.1980 cfs for April 1 to Sept 30.

Township	Range	Section	Quarter-Quarter	Instream Reach End at McDonald Ferry Gage	Instream Reach Start at POD	Water Right Place of Use Area	Full Rate in water right	Flow at POD (with 50% reduction to mitigate return flows)	Flow at JMcDonald Ferry gage (with a 0.0005 cfs per mile reduction to mitigate losses in reach)	Total Duty (with 50% reduction for return flows)	Max Duty for original water right
							(4/1 - 9/30)	(4/1 - 9/30)	(4/1 - 9/30)	(4/1 - 9/30)	
				River Mile	River Mile	AC.	CFS	CFS	CFS	AC- FT	AC- FT
6S	19E	32	SW SW	20.9	102.4	19.1	0.4775	0.2388	0.1980	50.2	95.5

(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 April 1 through September 30.

Other (describe): 50% reduction in rate to account for return flows and reduced again to account for losses in reach



State of Oregon
Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Additional Water Right Form Standard Application for 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~ Water Right Holder and Water Right Information

Section 1.5 continued from Standard Application for Instream Lease.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.

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

Certificate No.: 38665

Priority date: 1947 Type of use: Irrigation

Legal Season of Use (if not listed on the certificate): April 1 to September 30

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and $\frac{1}{4}$ $\frac{1}{4}$, which will be dried up as part of this lease. Include a map (Attachment 3) showing the lands that will not receive water.

Place of use: T 7 S, R 19 E, Section 20, NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 1.0 acres to be leased

Place of use: T 7 S, R 19 E, Section 20, NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 3.6 acres to be leased

Place of use: T 7 S, R 19 E, Section 20, SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 22.5 acres to be leased

Place of use: T 7 S, R 19 E, Section 20, SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 20.3 acres to be leased

Place of use: T 7 S, R 19 E, Section 29, NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 3.8 acres to be leased

Place of use: T 7 S, R 19 E, Section 29, NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 0.6 acres to be leased

Place of use: T 7 S, R 19 E, Section 29, SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 4.9 acres to be leased

Place of use: T 7 S, R 19 E, Section 29, NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 9.6 acres to be leased

Number of acres, if for irrigation: 66.3 acres to be leased instream

Acre-feet of storage, if applicable: NA

Rate associated with leased rights (cfs): 0.838

(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 332

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any: NA

NOV 24 2010

IL-1099

~II~ Instream Water Right Information

Section 2.2 continued from Standard Application for Short-Term Instream Lease.

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

John Day River

Tributary to Columbia River in the Columbia 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 may 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):

Reach runs from POD to USGS Gage#14048000 (McDonald's Ferry)

Maximum volume in acre-feet: 332 (see table below for specifics by season and reach)

Rate in cfs: Total at PODs: 0.42 for Apr 1 to Sept 30.

Total at McDonald's Ferry: 0.38 for Apr 1 to Sept 30.

Township	Range	Section	Quarter-Quarter	POD	Instream Reach End at McDonald Ferry Gage River Mile	Instream Reach Start at POD River Mile	Water Right Place of Use Area AC.	Full Rate in water right	Flow at POD (with 50% reduction to mitigate return flows)	Flow at McDonald Ferry gage (with a 0.0005 cfs per mile reduction to mitigate losses in reach)	Total Duty (with 50% reduction for return flows)	Max Duty for original water right AC- FT
								(4/1 - 9/30) CFS	(4/1 - 9/30) CFS	(4/1 - 9/30) CFS	(4/1 - 9/30) AC- FT	
7S	19E	29	NE SW	POD 2	20.9	108.4	66.3	0.838	0.42	0.38	88.1	332
Totals							66.3	0.838	0.42	0.38	88.1	332

(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 April 1 through September 30.
- Other (describe): 50% reduction in rate to account for return flows and reduced again to account for losses in reach

NOV 24 2010



State of Oregon
Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Additional Water Right Form Standard Application for 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~ Water Right Holder and Water Right Information

Section 1.5 continued from Standard Application for Instream Lease.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.

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

Certificate No.: 38880

Priority date: 1965 Type of use: Irrigation

Legal Season of Use (if not listed on the certificate): April 1 to September 30

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and $\frac{1}{4}$ $\frac{1}{4}$, which will be dried up as part of this lease. Include a map (Attachment 3) showing the lands that will not receive water.

Place of use: T 7 S, R 19 E, Section 19, SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 0.1 acres to be leased

Place of use: T 7 S, R 19 E, Section 19, SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 22.6 acres to be leased

Place of use: T 7 S, R 19 E, Section 19, NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 21 acres to be leased

Place of use: T 7 S, R 19 E, Section 20, NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 0.1 acres to be leased

Place of use: T 7 S, R 19 E, Section 20, SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 13.4 acres to be leased

Place of use: T 7 S, R 19 E, Section 20, NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 0.1 acres to be leased

Place of use: T 7 S, R 19 E, Section 20, NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 18.1 acres to be leased

Number of acres, if for irrigation: 75.4 acres to be leased instream, 21.8 acres to be irrigated

Acre-feet of storage, if applicable: NA

Rate associated with leased rights (cfs): 1.11

(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 377

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any: NA

NOV 24 2010

IL-1099

~II~ Instream Water Right Information

Section 2.2 continued from Standard Application for Short-Term Instream Lease.

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

John Day River

Tributary to Columbia River in the Columbia 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 may 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):

Reach runs from POD to USGS Gage#14048000 (McDonald's Ferry)

Maximum volume in acre-feet: 377 (see table below for specifics by season and reach)

Rate in cfs: Total at PODs: 0.55 for Apr 1 to Sept 30.

Total at McDonald's Ferry: 0.51 for Apr 1 to Sept 30.

Township	Range	Section	Quarter-Quarter	POD	Instream Reach End at McDonald Ferry Gage River Mile	Instream Reach Start at POD River Mile	Water Right Place of Use Area AC.	Full Rate in water right	Flow at POD (with 50% reduction to mitigate return flows)	Flow at McDonald Ferry gage (with a 0.0005 cfs per mile reduction to mitigate losses in reach)	Total Duty (with 50% reduction for return flows)	Max Duty for original water right
								(4/1 - 9/30) CFS	(4/1 - 9/30) CFS	(4/1 - 9/30) CFS	(4/1 - 9/30) AC- FT	
7S	19E	20	SW NW	POD3	20.9	106.2	75.4	1.11	0.55	0.51	116.6	377
Totals							75.4	1.11	0.55	0.51	117	377

(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 April 1 through September 30.
- Other (describe): 50% reduction in rate to account for return flows and reduced again to account for losses in reach



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Additional Water Right Form Standard Application for 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~ Water Right Holder and Water Right Information

Section 1.5 continued from Standard Application for Instream Lease.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.

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

Certificate No.: 47874

Priority date: 1975 Type of use: Irrigation

Legal Season of Use (if not listed on the certificate): April 1 to September 30

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4, which will be dried up as part of this lease. Include a map (Attachment 3) showing the lands that will not receive water.

- Place of use: T 6 S, R 19 E, Section 31, NE 1/4 NE 1/4 - 1.0 acres to be leased
- Place of use: T 6 S, R 19 E, Section 31, SE 1/4 NE 1/4 - 12.7 acres to be leased
- Place of use: T 6 S, R 19 E, Section 31, NE 1/4 SE 1/4 - 2.1 acres to be leased
- Place of use: T 6 S, R 19 E, Section 32, NW 1/4 NW 1/4 - 1.1 acres to be leased
- Place of use: T 6 S, R 19 E, Section 32, SW 1/4 NW 1/4 - 0.3 acres to be leased
- Place of use: T 6 S, R 19 E, Section 32, NW 1/4 SW 1/4 - 1.7 acres to be leased
- Place of use: T 6 S, R 19 E, Section 32, SW 1/4 SW 1/4 - 1.0 acres to be leased
- Place of use: T 7 S, R 19 E, Section 5, NW 1/4 NW 1/4 - 1.0 acres to be leased

Number of acres, if for irrigation: 20.9 acres to be leased instream, 1.0 acres to be irrigated

Acre-feet of storage, if applicable: NA

Rate associated with leased rights (cfs): 0.52

(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 104.5

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any: NA

NOV 24 2010

~II~ Instream Water Right Information

Section 2.2 continued from Standard Application for Short-Term Instream Lease.

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

John Day River

Tributary to Columbia River in the Columbia 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 may 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):

Reach runs from POD to USGS Gage#14048000 (McDonald's Ferry)

Maximum volume in acre-feet: 104.5 (see table below for specifics by season and reach)

Rate in cfs: Total at PODs: 0.26 for Apr 1 to Sept 30.

Total at McDonald's Ferry: 0.22 for Apr 1 to Sept 30.

Township	Range	Section	Quarter-Quarter	Instream Reach End at McDonald Ferry Gage	Instream Reach Start at POD	Water Right Place of Use Area	Full Rate in water right	Flow at POD (with 50% reduction to mitigate return flows)	Flow at IMcDonald Ferry gage (with a 0.0005 cfs per mile reduction to mitigate losses in reach)	Total Duty (with 50% reduction for return flows)	Max Duty for original water right
							(4/1 - 9/30)	(4/1 - 9/30)	(4/1 - 9/30)	(4/1 - 9/30)	
				River Mile	River Mile	AC.	CFS	CFS	CFS	AC- FT	AC- FT
6S	19E	32	SW SW	20.9	102.4	20.9	0.52	0.26	0.22	54.9	104.5

(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 April 1 through September 30.
- Other (describe): 50% reduction in rate to account for return flows and reduced again to account for losses in reach



State of Oregon
Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Additional Water Right Form Standard Application for 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~ Water Right Holder and Water Right Information

Section 1.5 continued from Standard Application for Instream Lease.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.

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

Certificate No.: 75800

Priority date: 1882 Type of use: Irrigation

Legal Season of Use (if not listed on the certificate): March 1 to October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and $\frac{1}{4}$ $\frac{1}{4}$, which will be dried up as part of this lease. Include a map (Attachment 3) showing the lands that will not receive water.

Place of use: T 10 S, R 20 E, Section 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 1.5 acres to be leased

Place of use: T 10 S, R 20 E, Section 14, NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 9.9 acres to be leased

Place of use: T 10 S, R 20 E, Section 14, SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 3.0 acres to be leased

Number of acres, if for irrigation: 14.4 acres to be leased instream, 5.0 acres to be irrigated

Acre-feet of storage, if applicable: NA

Rate associated with leased rights (cfs): 0.36

(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 57.6

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any: NA

NOV 24 2010

IL-1099

~II~ Instream Water Right Information

Section 2.2 continued from Standard Application for Short-Term Instream Lease.

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

Bridge Creek

Tributary to the John Day River in the John Day 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 may 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):

Reach runs from POD to USGS Gage#14046778 (BRCO)

Maximum volume in acre-feet: 57.6 (see table below for specifics by season and reach)

Rate in cfs: Total at PODs: 0.18 for Mar 1 to Jun 14, 0.09 for June 15 to Oct 1.

Total at BRCO: 0.17 for Mar 1 to Jun 14, 0.08 for June 15 to Oct 1.

Township	Range	Section	Quarter-Quarter	Ditch (POD)	Instream Reach End at BRCO Gage	Instream Reach Start at POD	Water Right Place of Use Area	Full Rate in water right		Flow at POD (with 50% reduction to mitigate return flows)		Flow at BRCO gage (with a 0.005 cfs per mile reduction to mitigate losses in reach)		Total Duty (with 50% reduction for return flows)		Max Duty for original water right
								(3/1 - 6/14)	(6/15 - 10/1)	(3/1 - 6/14)	(6/15 - 10/1)	(3/1 - 6/14)	(6/15 - 10/1)	(3/1 - 6/14)	(6/15 - 10/1)	
					River Mile	River Mile	AC.	CFS	CFS	CFS	CFS	CFS	CFS	AC- FT	AC- FT	AC- FT
10S	20E	14	SE NE	POD - Besser Ditch	0.8	3	14.4	0.36	0.18	0.18	0.09	0.17	0.08	37.8	19.3	57.6

(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 March 1 through October 1.

Other (describe): 50% reduction in rate to account for return flows and reduced again to account for losses in reach