

September 1, 2009



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

Application for Instream Lease Renewal

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.

The undersigned entered into Instream Lease Number L-978 involving Water Right Certificate(s) 74145 on 3/15/2010, which terminated on 10/31/2010.

The undersigned Lessor and Lessee, parties to the original lease, hereby request that Lease Number L-978 be renewed. Lessor and Lessee warrant that, to the best of their knowledge, circumstances have not changed and all matters involved with or affected by the instream lease and the subject water right(s) remain as they were when the lease was first entered into, including but not limited to water right holder interest, the acres from which the right is leased, and the public instream benefit provided as a result of this instream lease.

The terms and conditions of instream lease L-978 are hereby incorporated by reference in their entirety, with the following exception(s):

- The term of the lease shall commence on 4/1/2011 (not before execution by the parties) and continue through 11/1/2015 (as a 5 year opt-out lease which can be cancelled by the Swalley Irrigation District without landowner or lessee signature)

CREP. Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program?

- Yes
 No

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

- \$100 for an instream lease renewal application.

FEB 16 2011

Lessor: [Signature] Date: 2/10/2011
 Email address: _____
 CLR, Jerry Gurl

Lessor: [Signature] Date: 2/15/2011
 Email address: kathy@swalley.com
 Swalley Irrigation District

For additional Lessors, type in space for signature and date

Lessee: [Signature] Date: 2/10/2011
 Email address: gen@deschutesriver.org
 Deschutes River Conservancy