



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

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Optional Identification by Lessor/Lessee: _____
Lease Application Number (assigned by WRD): IL-1141

This Lease is between:

Lessor #1:

Name Grauer Brothers
Mailing address 21400 SW Gopher Valley Road
City, State, Zip Code Sheridan, OR 97378
Telephone number 503 843 4023
Email address _____

Lessor #2, 3, etc.

The water right to be leased is located in Yamhill County.

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
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~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 5 S Range 6W, Section 36 and Tax Lot number 1700 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.

~II~ Instream Water Right Information

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

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

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

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S. Yamhill River

Tributary to Yamhill River in the Willamette Basin.

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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): POD to Mouth of S. Yamhill R.

Maximum volume in acre-feet: 19.1

Rate in cfs: 0.08

(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 June 1 through September 30.
- Other (describe): _____

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

2.3 Term of lease. This lease shall terminate on September 30, 2016.

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.

Oregon Water Resources Web Mapping Application (beta)

Active Layer: Water Rights Locate a place on the map ▶ Use Basic Map ▶ Help ▶ Links ▶

Map Contents

- OWRD Data
 - Rule Boundaries
 - Political Boundaries
 - Water Availability
 - Water Rights
 - Surface water
- Base Data
 - Political Boundaries
 - PLS
 - Roads
 - Surface water
 - Topography
- Imagery
 - Aerial Photography

Results

- OWRD Data
 - Place of Use - All SW Uses
 - Point of Diversion - All SW Uses
 - Cert:9858 OR * IR
 - Place of Use - All GW Uses
- OWRD Data
- OWRD Data
 - Place of Use - All SW Uses

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Grauer Brothers

Certificate 9858

5S., 6W., Section 36 - Tax Lot 1700

7.63 acres

Remainder of right is under Highway / Median

Rate, Duty and Instream Period Calculator for Instream Leases and Transfers

Enter appropriate info into blue boxes.
Information shown in purple boxes show calculation results

Instream Calculator			
Application number	Certificate #	Priority Date	
	9858	10/15/1929	
Enter # of Acres			
7.63			
Enter rate/acre (ie 1/80)		Max Instream Rate in CFS	
0.0125		0.095	Rate A: Based on rate per acre
Enter Full Rate Allowed by Certificate in CFS	Enter total # acres allowed by Certificate		
0.250	20.00	0.095	Rate B: Proportional based on full certificate
Enter duty/acre			
2.50	9.08		
	Lesser of Rate A or B in CFS		
	0.095		
Optional =	Enter alternative rate (cannot be greater than the lesser of Rate A or B)		
			number days instream
		Based on Lessor of Rate A or B above	100
		Based on Alternative Rate	ERR

Period Water Proposed to be Protected Instream at Maximum Rate (uses number of days instream from above table)			
Period may not exceed the season of use or extend outside the season of use (ie irrigation season)			
Based on Lessor of Rate A or B above		Based on Alternative Rate	
	Enter proposed begin date		
begin date	7/10/2011	begin date	
end date	10/17/2011	end date	ERR
	OR period may be leased instream		OR period may be leased instream
	Enter proposed end date		Enter proposed end date
end date	10/31/2011		
begin date	7/24/2011	begin date	ERR

Optional - for alternative instream periods including the full irrigation season			
Enter Proposed begin and end dates			
begin date	6/1/2011	Number of Days in Identified Period	
end date	9/30/2011	122	Days
		CFS rate	
		0.079	

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SECTION

36

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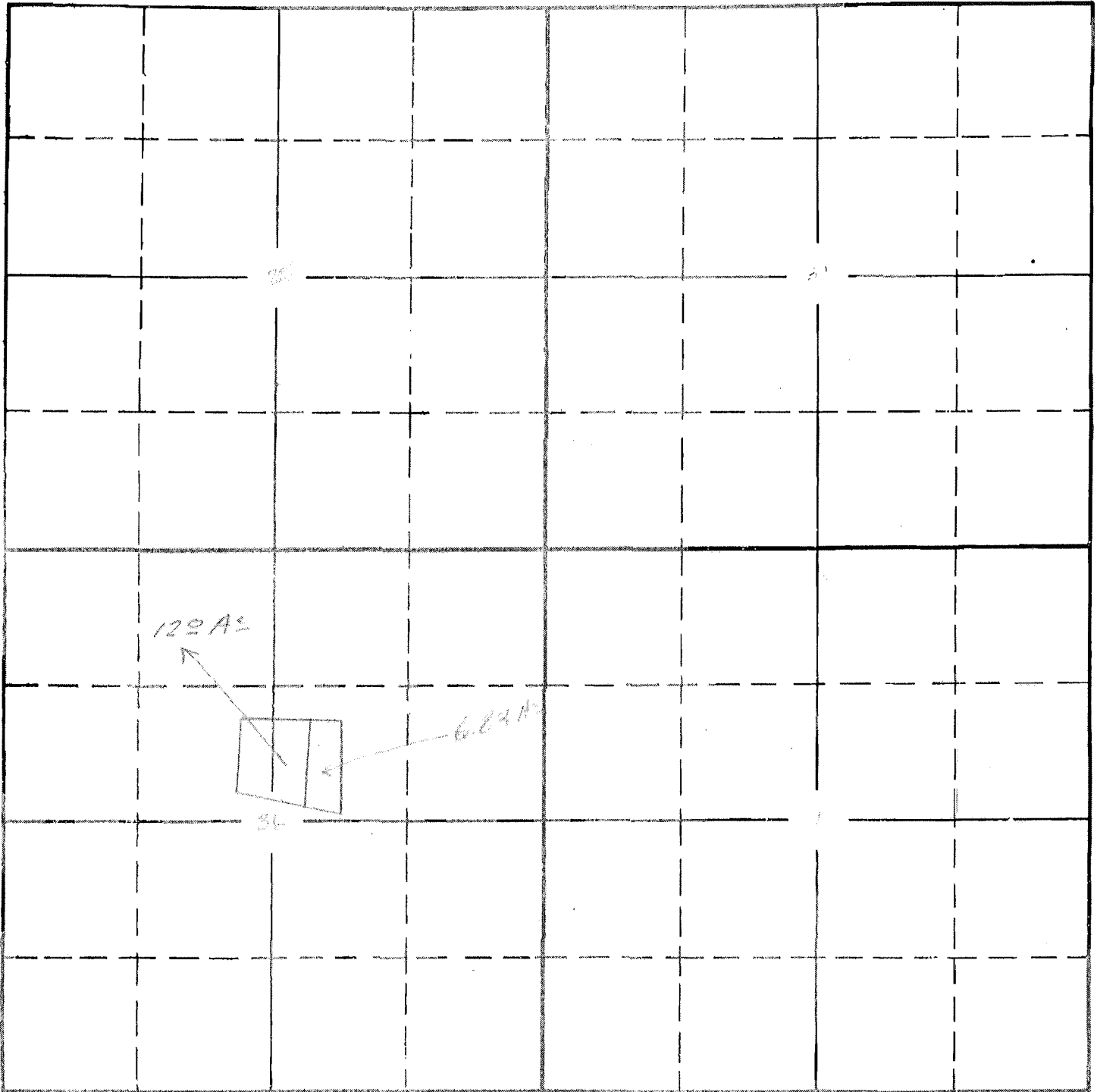
TOWNSHIP 5, RANGE 6 W, W. M.

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North

West

East



South

APPLICATION No.

9316

PERMIT No.

15271