



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

Application for Instream Lease Pooled Lease Form

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: _____
Lease Application Number (assigned by WRD): IL-1251

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

This Lease is between:

Lessor #2: Irrigation District or Other Water Purveyor

Name Three Sisters Irrigation District
Mailing address P.O. Box 2230
City, State, Zip Code Sisters, OR 97759
Telephone number 541-549-8815
E-mail address** manager@tsidonline.org

Lessee (if different than Oregon Water Resources Department):

Name Deschutes River Conservancy
Mailing address 700 NW Hill Street
City, State, Zip Code Bend, OR 97701
Telephone number 541-382-4077

E-mail address** gen@deschutesriver.org

****BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.**

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

1.2 Lessor #2 is the (Check one):

- Official representative of Three Sisters Irrigation District, the irrigation district, which conveys water to the subject water rights.
- Another party with an interest in the subject water rights representing _____.
- Not applicable.

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(s). 74135 (supplemental groundwater C-82874 Lazy Z), 85393 (supplemental groundwater C-87345 Lazy Z) and 85387 (supplemental groundwater C-87347 Willits)

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No or other Federal Program: _____

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.: 74135

(If you need to enter another leased right, please use the additional water right form for pooled instream lease.)

Priority date: 1895, 1899, 1903, 1904 Type of use: IRR

Legal Season of Use: N/A

If an irrigation right, total number of acres to be leased: 3.5 ac 1904,
71.5 ac 1903,
25.6 ac 1899,
111.0 ac 1895 = total 211.6 ac

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

Maximum rate associated with subject water rights (cfs) being leased: 0.070 cfs 1904,
1.430 cfs 1903,
0.512 cfs 1899,
2.220 cfs 1895
=4.232 total cfs

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): 10.83 AF 1904,
221.24 AF 1903,
79.21 AF 1899,
343.46 AF 1895 = total 654.74 af

Conditions or other limitations, if any: _____

~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 for the water right described in Section 1.5.**

In the Whychus Creek

Tributary to Deschutes River in the Deschutes Basin.

Instream volume in acre-feet (may be up to the same as the duty identified in Sec 1.5):

10.83 AF 1904,
221.24 AF 1903,
79.21 AF 1899,
343.46 AF 1895 = total 654.74 af

Instream rate in cfs (may be up to the same as the rate identified in Sec 1.5):

0.070 cfs 1904,
1.430 cfs 1903,
0.512 cfs 1899,
2.220 cfs 1895 = 4.232 total cfs

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

Rate in CFS: _____

Rate in CFS: _____

(If not certain of the instream rate or volume, please contact the Department for more information on how to fill out this section of the application).

- Instream use protected at the point of diversion (POD).
 Or within a proposed reach.

Describe the proposed reach (an instream reach generally begins at the POD and generally ends at the mouth of the source creek/river). If possible list the reach by river mile): From POD T 15 S, R10 E, WM; Sect 21, SWSW 998 feet North and 1211 feet East from the SW Corner of Section 21 (RM 23.5) to Lake Billy Chinook and into the Deschutes River to the mouth of the Deschutes.

Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible.

(If no reach is identified or the above box is not checked, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.)

If the POD is not described on the Certificate or if there is more than one POD listed on the certificate, then the specific POD must be described: _____

Conditions to prevent injury, if any (use this section to indicate a more restrictive period of use than allowed by the water right):

- None
 The instream flow will be allocated on a daily average basis up to the described rate from July 16 through October 1.
 Other (describe): _____

(Note: The Department may identify additional conditions to prevent injury and/or enlargement.)

2.3 Term of lease. This lease shall terminate on October 31, 2012.

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 short term 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;
 - 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 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 #2: Pamela Thalacker Date: 6-26-12
Three Sisters Irrigation District

Lessee: Genevieve Hubert Date: 6/27/12
Deschutes River Conservancy

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 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

Attachment 5: Pooled Lease Water Right Holder Form



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Additional Water Right Form for Pooled Instream Lease

Lazy Z

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 next right to be leased is further described as follows:

Certificate No.: 85393 Inclusion filed in 2001 (2001-57331 Deschutes County Clerk Records - attached). This is included in TSID boundary. C-85393 supersedes C-81454.
(associated supplemental groundwater C-87345)

(If you need to enter another leased right, please use another additional water right form for pooled instream lease.)

Priority date: 1900, C-85393 Type of use: IRR

Legal Season of Use (if not listed on the certificate): N/A

If an irrigation right, total number of acres to be leased: 32.1

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

Maximum rate associated with subject water rights (cfs) being leased: 0.642 cfs

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): N/A af

Conditions or other limitations, if any: _____

~II~

Section 2.2 continued from Pooled Lease Form.

Instream use created by lease for the water right described in Section 1.5.

The instream use to be created is described as follows:

In the Whychus Creek
Tributary to Deschutes River in the Deschutes
Basin.

Instream volume in acre-feet (may be up to the same as the duty identified in Sec 1.5): 99.32

Instream rate in cfs (may be up to the same as the rate identified in Sec 1.5): 0.642 cfs

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

Rate in CFS: _____

Rate in CFS: _____

(If not certain of the instream rate or volume, please contact the Department for more information on how to fill out this section of the application).

Instream use protected at the point of diversion (POD).

Or within a proposed reach.

Describe the proposed reach (an instream reach generally begins at the POD and generally ends at the mouth of the source creek/river). If possible list the reach by

river mile): From POD: SW1/4 SW 1/4, Section 21, T15 S, R10E, W.M.; 200 feet N and 1150 feet E from the SW corner of Section 21 to the mouth of Whychus Creek and into the Deschutes River and to the mouth of the Deschutes River.

Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible.

(If no reach is identified or the above box is not checked, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.)

If the POD is not described on the Certificate or if there is more than one POD listed on the certificate, then the specific POD must be described: _____

Conditions to prevent injury, if any (use this section to indicate a more restrictive period of instream use than allowed by the water right):

- None
- The instream flow will be allocated on a daily average basis up to the described rate from July 16, 2012 through October 1, 2012.
- Other (describe): _____

(Note: The Department may identify additional conditions to prevent injury and/or enlargement.)



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Additional Water Right Form for Pooled Instream Lease

W. H. H. S.

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 next right to be leased is further described as follows:

Certificate No.: 85387 Inclusion filed in 2001 (2001-57331 Deschutes County Clerk Records - attached). This is included in TSID boundary. C-85387 supersedes C-982. (associated supplemental groundwater C-87347 superseding C-45033)

(If you need to enter another leased right, please use another additional water right form for pooled instream lease.)

Priority date: 1908, C-85387 Type of use: IRR

Legal Season of Use (if not listed on the certificate): N/A

If an irrigation right, total number of acres to be leased: 5.0

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

Maximum rate associated with subject water rights (cfs) being leased: 0.100 cfs

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): N/A

Conditions or other limitations, if any: _____

~II~

Section 2.2 continued from Pooled Lease Form.

Instream use created by lease for the water right described in Section 1.5.

The instream use to be created is described as follows:

In the Whychus Creek
Tributary to Deschutes River in the Deschutes Basin.

Instream volume in acre-feet (may be up to the same as the duty identified in Sec 1.5): 15.47

Instream rate in cfs (may be up to the same as the rate identified in Sec 1.5): 0.100 cfs

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

Rate in CFS: _____

Rate in CFS: _____

(If not certain of the instream rate or volume, please contact the Department for more information on how to fill out this section of the application).

Instream use protected at the point of diversion (POD).

Or within a proposed reach.

Describe the proposed reach (an instream reach generally begins at the POD and generally ends at the mouth of the source creek/river). If possible list the reach by

river mile): From POD/Uncle John Ditch: 140 feet N and 1190 feet E from the SW corner, section 21 to the mouth of Whychus Creek and into the Deschutes River and to the mouth of the Deschutes River.

- Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible.
(If no reach is identified or the above box is not checked, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.)

If the POD is not described on the Certificate or if there is more than one POD listed on the certificate, then the specific POD must be described: _____

Conditions to prevent injury, if any (use this section to indicate a more restrictive period of instream use than allowed by the water right):

- None
 The instream flow will be allocated on a daily average basis up to the described rate from July 16, 2012 through October 1, 2012 .
 Other (describe): _____

(Note: The Department may identify additional conditions to prevent injury and/or enlargement.)

Revised 6/25/2012

TSID season 2: TSID Main diversion approx RM 23.5

Priority	Certificate	Cert. Pg	acres*	cfs/ac	sect 1.5/2.2 rate*	conv fact	* no. days	sect 1.5/2.2 duty AF	previous lease #
1904	74135		3.5	0.02	0.07	1.983471	0.138843	78	10.83
Subtotal			3.5		0.070			10.83	
1903	74135		71.5	0.02	1.43	1.983471	2.836364	78	221.24
	74135			0.02	0	1.983471	0	78	0.00
Subtotal			71.5		1.430			221.24	
1899	74135		25.6	0.02	0.512	1.983471	1.015537	78	79.21
	74135			0.02	0	1.983471	0	78	0.00
Subtotal			25.6		0.512			79.21	
1895	74135		42.5	0.02	0.85	1.983471	1.68595	78	131.50
1895	74135		2.0	0.02	0.04	1.983471	0.079339	78	6.19
1895	74135		66.5	0.02	1.330	1.983471	2.638016	78	205.77
1895	74135			0.02	0	1.983471	0	78	0.00
Subtotal			111.0		2.220			343.46	
Totals			211.6		4.232			654.74	

Lazy Z Partners Certificate 85393: Diversion SW1/4 SW 1/4, Section 21, T 15 S, R 10 E, W.M.; 200 feet N and 1150 feet E from the SW corner of Sect 21. Inclusion filed in 2001 (2001-57331 Deschutes County Clerk Records). These acres are part of TSID.

Priority	Certificate	Cert. Pg	acres*	cfs/ac	sect 1.5/2.2 rate*	conv fact	* no. days	sect 1.5/2.2 duty AF	previous lease #
1900	85393		32.1	0.02	0.642	1.983471	1.273388	78	99.32
Totals			32.1		0.642			99.32	

Willits, LLC Certificate 85387: Diversion 140 feet N and 1190 feet E from the SW corner, section 21. Inclusion filed in 2001 (2001-57331 Deschutes County Clerk Records). These acres are part of TSID.

1908	85387		5.0	0.02	0.100	1.983471	0.198347	78	15.47
Totals			5.0		0.100			15.47	

*1.983471 conversion factor = af/cfs per 24 hrs or for one day

start	end	days instream
4/15/2012	7/15/2012	92.00 Season 1
7/16/2012	10/1/2012	78.00 Season 2
7/16/2012	10/1/2012	78.00

C-74135 (supplemental GW, C-82874 Lazy Z)
 C-81454 superseded by C-85393 (supplemental GW, C-87345 Lazy Z)
 C-982 superseded by C-85387 (supplemental GW, C-87347 Willits)

DESCHUTES COUNTY OFFICIAL RECORDS
MARY SUE PENHOLLOW, COUNTY CLERK

2001-57331



\$46.00

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D-OLI Cnt=1 Stn=1 JEFF
\$20.00 \$11.00 \$10.00 \$5.00

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



Note: Inclusion

* Lazy Z Partners

* Willits, LLC

**This page must be included
if document is re-recorded.
Do Not remove from original document.**

**SQUAW CREEK IRRIGATION DISTRICT
ORDER OF LAND INCLUSION**

WHEREAS, Lazy Z Partners LLC (David Herman managing partner), has heretofore filed with the Board of Directors of the Squaw Creek Irrigation District a petition praying for change of boundary and the inclusion of the following described land to-wit:

Exhibit A (attached)

WITHIN the District.

AND WHEREAS, the Board of Directors of the District has heretofore caused notices to be published in the manner prescribed by the law that said petition would be heard at the regular meeting of the Board held in the District office at 6800 Highway 20 West, Sisters, Oregon, on October 1st, 2001, as designated in said notices, which notices directed that any and all persons interested in said petition should appear before the Board and show cause, if any exist, why such petition should not be approved, and it appearing to the Board from an examination of the file in connection with this action that it was in all ways regular and legal and that no persons or interested parties have appeared to object to the petition as filed and on record, or the inclusion of such land within the District as requested and it further appearing from a reading of the petition that petitioners have agreed to pay their share of the District indebtedness heretofore incurred, or which might hereafter be incurred in the operation of the District, now

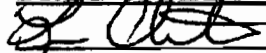
IT IS HEREBY ORDERED, that the above-described lands be, and the same are hereby included within the boundaries of the Squaw Creek Irrigation District.

IT IS FURTHER ORDERED, that this order be filed forthwith in the County records of Deschutes, and Jefferson County, Oregon.

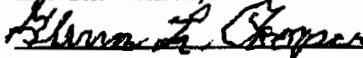
Dated and signed at Sisters, Oregon, this 19 day of December 2001.

SQUAW CREEK IRRIGATION DISTRICT

BOARD OF DIRECTORS:



Lee Christensen, President



Glenn Cooper, Vice President



David Keith

CORPORATE SEAL:



AFTER RECORDING RETURN TO:

SCID

P. O. BOX 2230

SISTERS, OREGON 97759



Marc Thalacker, Manager

State of Oregon _____)

County of Deschutes _____) ss

On this 19 day of December, 2001

the signers of this document did personally appear before me:

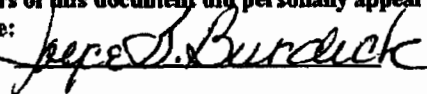




Exhibit "A"

PARCEL I:

The South Half of the Northwest Quarter (S1/2 NW1/4) of Section 10, Township 15 South, Range 10 East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM: A parcel of land situated in the Northwest Quarter (NW1/4) of Section 10, Township 15 South, Range 10 East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Commencing at a brass capped iron pipe at the North Quarter corner of said Section 10; thence South 00°18'03" East, on the North South centerline of said Section 10, 1369.40 feet to a point on the South right of way line of Redmond-Sisters Highway; thence North 89°57'35" West, on said South right of way line, 138.64 feet to a 5/8" iron rod at the true point of beginning; thence South 04°00'21" West, 740.21 feet to a 5/8" iron rod; thence South 60°00'00" West, 77.21 feet to a 5/8" iron rod; thence North 50°41'10" West, 426.61 feet to a 5/8" iron rod; thence North 39°32'28" East, 81.23 feet to a 5/8" iron rod; thence North 19°33'33" East, 242.56 feet to a 5/8" iron rod; thence North 28°13'10" East, 244.74 feet to a 5/8" iron rod on said South right of way line; thence South 89°57'35" East, on said right of way line, 200.00 feet to the true point of beginning.

ALSO EXCEPTING THEREFROM any portion lying within the Redmond-Sisters Highway (Highway 126) and the Bend-Sisters Highway (U.S. Highway No. 20).

PARCEL II:

The South Half (S1/2) of Section 10 and that portion of the South Half of the Northeast Quarter (S1/2 NE1/4) lying Southerly of the Redmond-Sisters Highway in Section 10, Township 15 South, Range 10 East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPT a parcel of land lying in the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) of Section 10, Township 15 South, Range 10 East of the Willamette Meridian, Deschutes County, Oregon, and being a portion of the following described property: That tract of land which was conveyed by that certain deed to Carl S. Woods and Maude E. Woods, recorded in Volume 51, Page 119, of Deschutes County Record of Deeds; the said parcel being described as follows:

Beginning at a point on the East line of said Section 10; said point also being 596.2 feet North of the Quarter corner on the East line of Section 10, Township 15 South, Range 10 East of the Willamette Meridian; thence North 0°36' East along the said East line of Section 10, a distance of 250.00 feet to the Southerly right of way line of the McKenzie Highway (now

known as the Redmond-Sisters Highway), opposite and 30 feet distant from Engineer's center line Station 968+76.3; thence South 80°34' West along said Southerly right of way line, a distance of 101.55 feet; thence South 0°36' West, a distance of 232.31 feet; thence South 89°24' East, a distance of 100.00 feet to the point of beginning.

ALSO EXCEPTING THEREFROM any portion lying within the Redmond-Sisters Highway (Highway 126) and the Bend-Sisters Highway (U.S. Highway No. 20) and Jordan Road.

PARCEL III:

A parcel of land lying in the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) of Section 10, Township 15 South, Range 10 East of the Willamette Meridian, Deschutes County, Oregon, and being a portion of the following described property: That tract of land which was conveyed by that certain deed to Carl S. Woods and Maude E. Woods, recorded in Volume 51, Page 119, of Deschutes County Record of Deeds; the said parcel being described as follows:

Beginning at a point on the East line of said Section 10; said point also being 596.2 feet North of the Quarter corner on the East line of Section 10, Township 15 South, Range 10 East of the Willamette Meridian; thence North 0°36' East along the said East line of Section 10, a distance of 250.00 feet to the Southerly right of way line of the McKenzie Highway (now known as the Redmond-Sisters Highway), opposite and 30 feet distant from Engineer's center line Station 968+76.3; thence South 80°34' West along said Southerly right of way line, a distance of 101.55 feet; thence South 0°36' West, a distance of 232.31 feet; thence South 89°24' East, a distance of 100.00 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying within the Redmond-Sisters Highway (Highway 126).

PARCEL IV:

All of Section 11, Township 15 South, Range 10 East of the Willamette Meridian, Deschutes County, Oregon lying Southerly of the Redmond-Sisters Highway.

EXCEPTING THEREFROM: Beginning at the Quarter section corner on the West line of said Section 11, Township 15 South, Range 10, East of the Willamette Meridian; thence North 0°36' East along the West line of said Section 11, a distance of 846.2 feet to the Southerly right of way line of the said McKenzie Highway, (now known as the Redmond-Sisters Highway), opposite Engineer's Station 968+76.3; thence along said right of way line as follows: North 80°34' East, a distance of 33.6 feet; thence on a 985.0 foot radius curve left (the long chord of which bears North 77°34' East, 103.10 feet) a distance of 103.15 feet; thence North 74°34' East, a distance of 381.35 feet to a point opposite and 30 feet distance from Engineer's Center line Station 963+61.35; thence South 0°36' West parallel to the West

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line of said Section 11, a distance of 980.60 feet to the East and West center line of said Section 11; thence North 89°24' West along the said East and West line, a distance of 500.00 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: Beginning at a point 317.74 feet North and 503.35 feet East of the West Quarter corner of said Section 11; thence North 0°36' East, 657.6 feet to the Southerly right of way line of the McKenzie Highway (now known as the Redmond-Sisters Highway), opposite and 30 feet distant from Engineer's center line Station 963+1.4; thence along said right of way line North 74°34' East, 800 feet; thence South 0°36' West, 200 feet; thence South 37°32' West, 842 feet; thence South 89°24' West, 263 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: A parcel of land lying in the Southwest Quarter of Section 11, Township 15 South, Range 10 East of the Willamette Meridian, said parcel being a strip of land 40 feet in width along the West line of said Section 11, the center line of said strip being described as follows: Beginning at a point on the East and West center line of said Section 11, 20 feet East from the Quarter corner of said Section 11; thence South 0°36' West parallel to and 20 feet distant from the West line of said Section 11, a distance of 2672.4 feet to a point on the South line of said Section 11.

ALSO EXCEPTING THEREFROM any portion lying within the Redmond-Sisters Highway (Highway 126) and Jordan Road.

PARCEL V:

A parcel of land lying in the Southwest Quarter (SW1/4) of said Section 11, Township 15 South, Range 10 East of the Willamette Meridian, Deschutes County, Oregon, said parcel being a strip of land 40 feet in width along the West line of said Section 11, the center line of said strip being described as follows:

Beginning at a point on the East and West center line of said Section 11, 20 feet East from the Quarter corner of said Section 11; thence South 0°36" West parallel to and 20 feet distant from the West line of said Section 11, a distance of 2672.4 feet to a point on the South line of said Section 11.

EXCEPTING THEREFROM any portion lying within Jordan Road.

PARCEL VI:

INCLUSION

The North Half (N1/2) of Section 14, Township 15 South, Range 10 East of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM the portion lying South and West of the Bend-Sisters Highway.



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

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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: _____
Lease Application Number (assigned by WRD): IL-1251

*see
inclusion*

This Lease is with:

Lessor #1 (Water Right Holder):

Name Willita, LLC
Mailing address 16488 Wilt Road
City, State, Zip Code Sisters, OR 97759
Telephone number _____
Email address _____

If additional water right holders, enter water right holder information below

Lessor #2

Three Sisters Irrigation Dist
P.O. Box 2230
Sisters, OR 97759 541-549-8815 manager@tsidonline.org

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Water Right Holder and Water Right Information

- 1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. 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.
- 1.3 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(s). 85387 (supersedes C-982) Inclusion in TSID with 2001-57331 (county clerk filing) attached, supplemental C-87347 (supersedes C-45033)

Primary Leased

- 1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No or other Federal program: _____

1.5 Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:

[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4 1/4, tax lot number, map orientation and scale.]

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

Certificate Number: 85387

(If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.)

	T	R	SEC	1/4	Dir Loc	Acres	Type of Use	Priority Date	Previous Lease #
*(Identify pertinent page numbers of certificate, if certificate is greater than 10 pages; identify priority date, if there is more than one on the certificate. If any portion of the right proposed to be leased was leased previously, the previous lease number may be identified. Identification of a previous lease is optional.)									
1.	15	10	10	awnw	800	1.3	IRR	1908	IL-
2.	15	10	10	nwsW	800	3.7	IRR	1908	IL-
3.									IL-
4.									IL-
5.									IL-

Total number of acres, if for irrigation (or other acre equivalent use), by certificate and priority date: 5.0 acres

Conditions or other limitations, if any: _____

1.6 Validity of rights to be leased as described in Section 1.5 of this form and any Additional Water Right Form for Pooled Water Right Holder. Lessor(s) attests (mark one) that:

- 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).

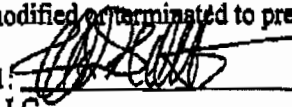
~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on November 1, 2012. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~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 short term 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;
 - 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 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.

Lessor #1: 
Willits, LLC

Date: 6-27-12

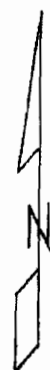
For additional Lessors, type in space for signature and date
Three Sisters Irrigation District

Other Attachments As Needed:

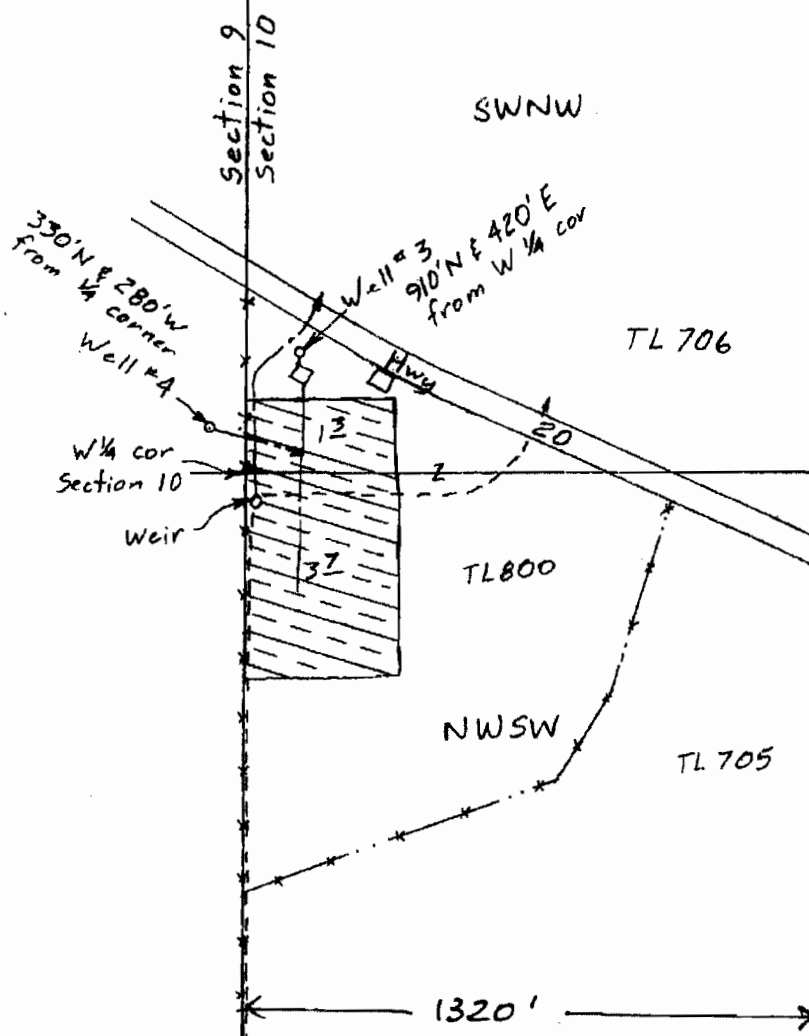
- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
- Exhibit 5-C: Supporting documentation 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 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

T. 15S., R. 10E., W.M.

Highway 126



Scale 1" = 400'



T-8900
& T-8902

Superseded by
C-85387

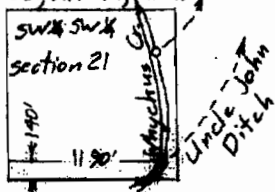
⊕ C-982 1908 - 5² acres
& C-45033 supp - 5² acres

Superseded by
C-87347

Surveyed Aug 23 & Sep 25, 2006

Claim of Beneficial Use Map
for
Willits, LLC

T. 15S., R. 10E., W.M.



This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.



ESTES SURVEYS, LLC



STATE OF OREGON
 COUNTY OF DESCHUTES
 CERTIFICATE OF WATER RIGHT

*Inclusion in
 TSD -
 Attached
 to lease ...
 1.44/72 = .02*

THIS CERTIFICATE ISSUED TO

SHARON AMESTOY
 AMESTOY RANCH
 2955 NE 38TH AVE
 PORTLAND, OR 97212

WILLITTS, LLC
 16488 WILT ROAD
 SISTERS, OR 97759

R & B RANCH, LLC
 c/o RICK MORROW
 PO BOX 3306
 SALEM, OR 97302

confirms the right to use the waters of WHYCHUS CREEK (formerly known as SQUAW CREEK), tributary to the DESCHUTES RIVER for IRRIGATION of 72.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Crook County. The decree is of record at Salem, in the Order Record of the Water Resources Director in VOLUME 1, PAGE 471. The date of priority is 1908.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.44 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	UNCLE JOHN DITCH - 140 FEET NORTH AND 1190 FEET EAST FROM THE SW CORNER, SECTION 21

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION - WILLITS, LLC						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
15 S	10 E	WM	10	SW NW	800	1.3
15 S	10 E	WM	10	NW SW	800	3.7

} Leased

IRRIGATION - AMESTOY RANCH						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
15 S	10 E	WM	10	NE SE	702	17.8
15 S	10 E	WM	10	SW SE	702	0.3
15 S	10 E	WM	10	SE SE	702	8.9

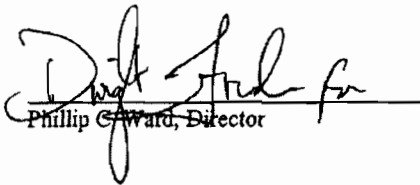
IRRIGATION - R & B RANCH, LLC						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
15 S	10 E	WM	11	NW SW	1300	10.0
15 S	10 E	WM	11	SW SW	1300	24.0
15 S	10 E	WM	11	SE SW	1300	6.0

When required by the Department, the water user shall install and maintain an in-line flow meter or other suitable device(s) for measuring and recording the quantity of water diverted. The types and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm changes in PLACE OF USE approved by an order of the Water Resources Director entered October 12, 2005, at Special Order Volume 67, Page 271, approving Transfer Applications 8900 and 8902, and supercedes Certificate 982, State record of Water Right Certificates.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

Issued FEB 19 2009


Phillip C. Ward, Director

STATE OF OREGON
 COUNTY OF DESCHUTES
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF SISTERS
 150 N FIR ST
 SISTERS, OR 97759

WILLITTS LLC
 16488 WILT RD
 SISTERS, OR 97759

confirms the right to use the waters of THREE WELLS in the WHYCHUS CREEK (formerly known as Squaw Creek) BASIN for SUPPLEMENTAL IRRIGATION of 12.5 ACRES.

This right was perfected under Permit G-3095. The date of priority is MAY 13, 1966. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.157 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION BEING WITHIN THE SW 1/4 SW 1/4, SECTION 10, TOWNSHIP 15 SOUTH, RANGE 10 EAST, W.M.; 1290 FEET NORTH AND 20 FEET EAST FROM THE S 1/4 CORNER OF SECTION 10) or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Well 4	15 S	10 E	WM	9	SE NE	100 FEET NORTH AND 85 FEET WEST FROM THE WEST 1/4 CORNER, SECTION 10
Well 3	15 S	10 E	WM	10	SW NW	280 FEET NORTH AND 120 FEET EAST FROM THE WEST 1/4 CORNER, SECTION 10
Well 1	15 S	10 E	WM	10	SW SE	1290 FEET NORTH AND 20 FEET EAST FROM THE SOUTH 1/4 CORNER, SECTION 10

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

A description of the place of use to which this right is appurtenant is as follows:

SUPPLEMENTAL IRRIGATION - CITY OF SISTERS							
Source	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
Well 1	15 S	10 E	WM	10	SW SE	704	7.3
Well 1	15 S	10 E	WM	10	SE SE	704	0.2

SUPPLEMENTAL IRRIGATION - WILLITTS, LLC							
Source	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
Wells 3 & 4	15 S	10 E	WM	10	SW NW	800	1.3
Wells 3 & 4	15 S	10 E	WM	10	NW SW	800	3.7

3

The quantity of water diverted from the additional and new points of appropriation, together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available at the original points of appropriation.

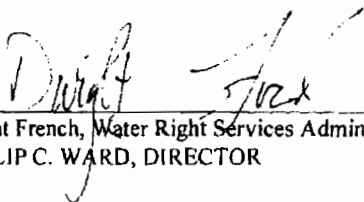
When required by the Department, the water user shall install and maintain an in-line flow meter or other suitable device(s) for measuring and recording the quantity of water diverted. The types and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate describes that portion of the water right confirmed by Certificate 85430, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 09 2011, approving Transfer Application T-11201.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

WITNESS the signature of the Water Resources Director, affixed DEC 09 2011.



Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

February 13, 2012



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

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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: _____
Lease Application Number (assigned by WRD): IL-1251

See Inclusion

This Lease is with:

Lessor #1 (Water Right Holder):

Name Lazy Z Partners
Mailing address 3484 SW Brentwood Drive
City, State, Zip Code Portland, OR 97201-1620
Telephone number ~~541-495-2222~~ 503-227-2704
Email address davidherman36@gmail.com hphpdx@comcast.net

If additional water right holders, enter water right holder information below

Lessor #2

Three Sisters Irrigation Dist
P.O. Box 2230
Sisters, OR 97759 541-549-8815 manager@tsidonline.org

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

-I- Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. 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.

1.3 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. ** Primary Leased*
Certificate No(s). 74135 and 85393 *(Supplemental GW: C-82874, 87345)*

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No or other Federal program: _____

1.5 Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:

[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4 1/4, tax lot number, map orientation and scale.]

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

Certificate Number: 74135

(If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.)

R	Sec	T	Ex Lot	Acres	Priority Date	Page	Priority	Previous Lease		
*(Identify pertinent page numbers of certificate, if certificate is greater than 10 pages; identify priority date, if there is more than one on the certificate. If any portion of the right proposed to be leased was leased previously, the previous lease number may be identified. Identification of a previous lease is optional.)										
1.	15	10	14	nwnw nenw	1900 1900	12.1 4.4	IRR	8	1903	IL-
2.	15	10	14	swnw	1900	25.5	IRR	8	1903	IL-
3.	15	10	14	senw	1900	9.2	IRR	8	1903	IL-
4.	15	10	14	nene	1700	6.3	IRR	8	1903	IL-
5.	15	10	14	sene	1700	18.8	IRR	8	1903	IL-

Total number of acres, if for irrigation (or other acre equivalent use), by certificate and priority date: 71.5 acres

Conditions or other limitations, if any: _____

1.6 Validity of rights to be leased as described in Section 1.5 of this form and any Additional Water Right Form for Pooled Water Right Holder. Lessor(s) attests (mark one) that:

- 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).

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on November 1, 2012. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~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 short term 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;
- 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 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.

Lessor #1: Helen Herman, Managing Member Date: 6/15/12
Lazy Z Partners

For additional Lessors, type in space for signature and date
Three Sisters Irrigation District

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
- Exhibit 5-C: 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 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form



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

Additional Water Right Form For Pooled Water Right Holder 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 Leasing Water Right Holder Form.

Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:

[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4, tax lot number, map orientation and scale.]

The next right to be leased is further described as follows:

Certificate Number: 81454 superseded by 85393

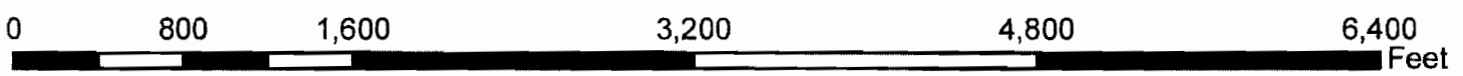
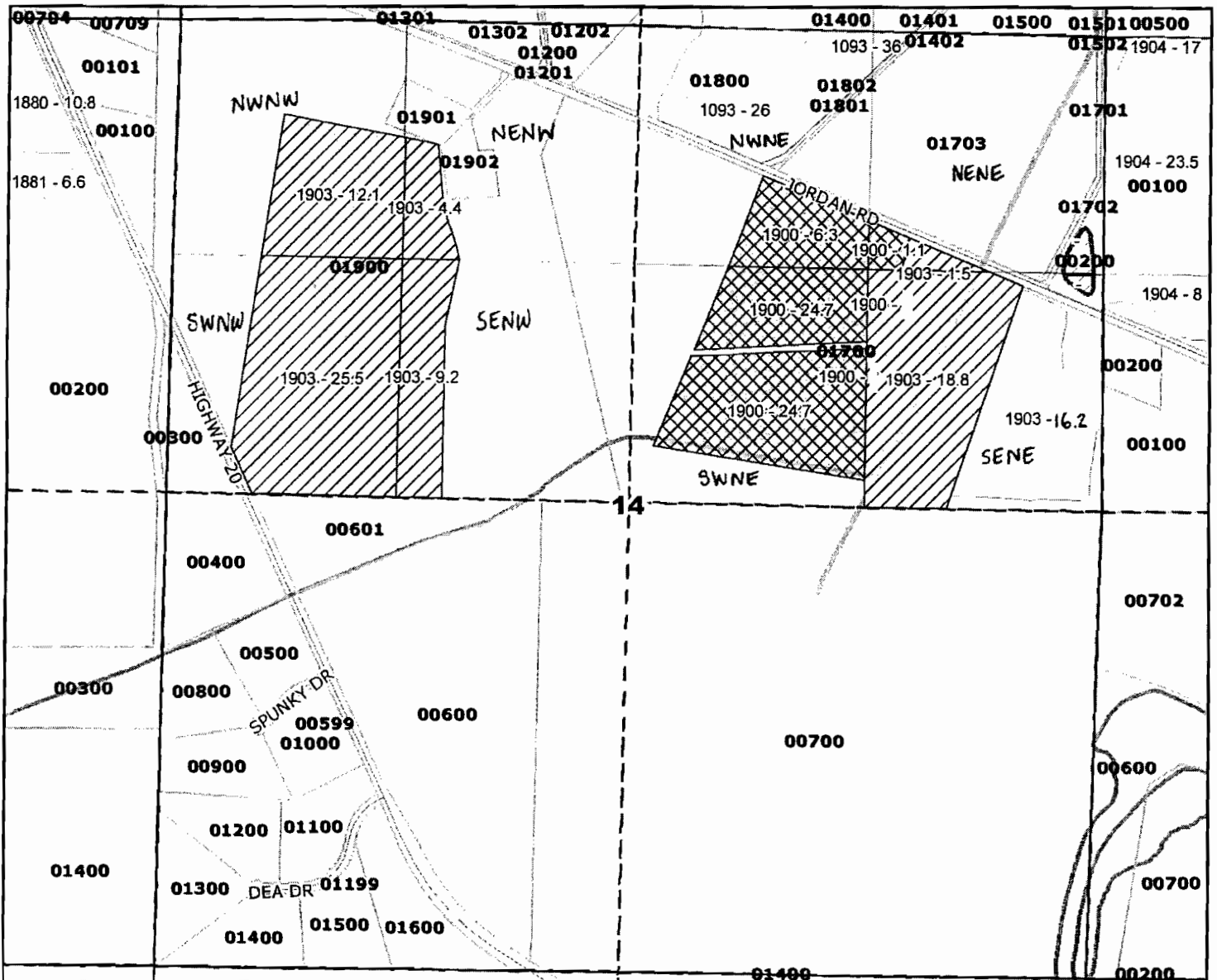
(If you need to enter another leased right, please use another Additional Water Right Form for Pooled Water Right Holder.)

T	R	Sect	1/4	Tax Lot	Acres	Type of Use	*Page #	*Priority Date	*Previous Lease #
*(Identify pertinent page numbers of certificate, if certificate is greater than 10 pages; identify priority date, if there is more than one on the certificate. If any portion of the right proposed to be leased was leased previously, the previous lease number may be identified. Identification of a previous lease is optional.)									
1.	15	10	14	nwne	1700	6.3	IRR	1900	IL-
2.	15	10	14	swne	1700	24.7	IRR	1900	IL-
3.	15	10	14	nene	1700	1.1	IRR	1900	IL-
4.									IL-
5.									IL-
6.									IL-
7.									IL-
8.									IL-
9.									IL-
10.									IL-

Total number of acres, if for irrigation (or other acre equivalent use), by certificate and priority date:
32.1 acres

Conditions or other limitations, if any: _____

TSID Lazy Z Partners 2012 Instream Lease



Legend
 Lazy Z Partners 2012 Instream
 1900
 1903

Total
 71.5 acres 1903 instream
 32.1 acres 1900 instream
 16.2 acres 1903 remaining

*Associated
 not leased
 Supplemental
 Gw C-82874*

Certificate 74135
 15S 10E 14
 Taxlot 1900
 {
 NWNW 12.1 1903 acres instream
 NENW 4.4 1903 acres instream
 SWNW 25.5 1903 acres instream
 SENW 9.2 1903 acres instream
 Taxlot 1700
 NENE 1.5 1903 acres instream
 SENE 18.8 1903 acres instream
 SENE 16.2 1903 acres remaining

*Supplemental
 Gw C-87345*

Certificate ~~84454~~ → 85393
 Taxlot 1700
 {
 NWNE 6.3 acres 1900 instream
 SWNE 24.7 acres 1900 instream
 NENE 1.1 acres 1900 instream

71.5 acres 1903 instream ✓
 32.1 acres 1900 instream ✓
 16.2 acres 1903 remaining

Lot	q0	Tax lot	Acres	Type	Priority	Owner
SW¼ SE¼		705	5.50	IRR	1895	Dorman, Jerry & Penny
SW¼ SE¼		705	0.20	POND	1895	Dorman, Jerry & Penny
SE¼ SE¼		405	1.50	IRR	1893	Morris, Richard & Sherry
SE¼ SE¼		703	12.00	IRR	1895	Taylor, James & Diana
SE¼ SE¼		704	5.50	IRR	1895	Taylor, James & Diana
Section 13						
NE¼ NE¼		100	36.00	IRR	1903	Lazy Z, Joan Hull
NW¼ NE¼		100	26.00	IRR	1903	Lazy Z, Joan Hull
SW¼ NE¼		100	28.50	IRR	1903	Lazy Z, Joan Hull
SE¼ NE¼		100	35.00	IRR	1903	Lazy Z, Joan Hull
Section 14						
NE¼ NE¼		405	6.50	IRR	1893	Morris, Richard & Sherry
NE¼ NE¼		405	6.00	IRR	1895	Morris, Richard & Sherry
NE¼ NE¼		406	8.50	IRR	1893	Prete, Gene & Barbara
NE¼ NE¼		406	5.50	IRR	1895	Prete, Gene & Barbara
NE¼ NE¼		407	2.00	IRR	1893	Timms, Gregory & Sandra
NE¼ NE¼		407	2.00	IRR	1895	Timms, Gregory & Sandra
NW¼ NE¼		407	5.00	IRR	1893	Timms, Gregory & Sandra
NW¼ NE¼		407	5.00	IRR	1895	Timms, Gregory & Sandra
NW¼ NE¼		408	9.00	IRR	1893	Giguere, Hugh & Gail
NW¼ NE¼		408	17.00	IRR	1895	Giguere, Hugh & Gail
SW¼ NE¼		301	18.00	IRR	1895	Giguere, Hugh & Gail
SW¼ NE¼		403	13.40	IRR	1895	Giguere, Hugh & Gail
SW¼ NE¼		403	0.20	POND	1895	Giguere, Hugh & Gail
SE¼ NE¼		401	16.00	IRR	1895	Giguere, Hugh & Gail
SE¼ NE¼		404	16.00	IRR	1895	Giguere, Hugh & Gail
NE¼ NW¼		400	7.00	IRR	1893	Gillespie, Dave & Patricia
NE¼ NW¼		400	7.50	IRR	1895	Gillespie, Dave & Patricia
NW¼ NW¼		200	32.00	IRR	1895	Patterson, Kay E.
SW¼ NW¼		200	29.00	IRR	1895	Patterson, Kay E.
SE¼ NW¼		300	3.00	IRR	1895	Patterson, Kay E.
NW¼ SW¼		200	12.00	IRR	1895	Patterson, Kay E.
NW¼ SW¼		700	5.50	IRR	1895	K.O.A., Dennis McCarthy
NW¼ SW¼		700	1.00	POND	1895	K.O.A., Dennis McCarthy
SW¼ SW¼		800	3.50	IRR	1895	K.O.A., Dennis McCarthy
NE¼ SE¼		500	2.00	IRR	1895	Herring, Janet
NE¼ SE¼		502	25.00	IRR	1895	Little, Daniel & Patricia
SW¼ SE¼		500	19.00	IRR	1904	Herring, Janet
SW¼ SE¼		501	7.00	IRR	1904	Herring, Janet
SE¼ SE¼		500	21.00	IRR	1895	Herring, Janet
SE¼ SE¼		500	14.00	IRR	1904	Herring, Janet
SE¼ SE¼		501	2.00	IRR	1904	Herring, Janet
Section 24						
NW¼ NE¼		600	10.00	IRR	1885	Sharpf, Larry & Barbara
NW¼ NE¼		600	21.00	IRR	1895	Sharpf, Larry & Barbara
NW¼ NE¼		600	7.00	IRR	1904	Sharpf, Larry & Barbara
SW¼ NE¼		600	38.50	IRR	1895	Sharpf, Larry & Barbara
NE¼ NW¼		600	19.00	IRR	1895	Sharpf, Larry & Barbara
NE¼ NW¼		600	2.10	IRR	1904	Sharpf, Larry & Barbara
SE¼ NW¼		600	6.00	IRR	1895	Sharpf, Larry & Barbara
NW¼ SE¼		600	4.50	IRR	1895	Sharpf, Larry & Barbara
NW¼ SE¼		600	6.00	IRR	1904	Sharpf, Larry & Barbara
Section 26						
NW¼ SW¼		3200	40.00	IRR	1895	Runco, Roy
Section 28						
Township 15 South, Range 10 East, W.M.						

STATE OF OREGON
 COUNTY OF DESCHUTES
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SHARON AMESTOY
 AMESTOY RANCH, LLC
 2955 NE 38TH AVE
 PORTLAND OR 97212

LAZY Z RANCH
 c/o JAY POULOS
 4389 CROISAN RIDGE WAY
 SALEM, OR 97302

SKI POND RANCH, LLC
 c/o DAVID HERMAN
 1628 NW EVERETT ST.
 PORTLAND, OR 97209

*Inclusion in
 TSID -
 Attached to
 lease*

confirms the right to use the waters of WHYCHUS CREEK (formerly known as SQUAW CREEK), a tributary of the DESCHUTES RIVER for IRRIGATION of 58.7 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County. The decree is of record at Salem, in the Order Record of the Water Resources Director in VOLUME 1, PAGE 471. The date of priority is 1900.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.174 CUBIC FEET PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION BEING WITHIN THE NW¼ SW¼, SECTION 9, TOWNSHIP 15 SOUTH, RANGE 10 EAST. W.M.; 910 FEET SOUTH AND 160 FEET EAST FROM THE W ¼ CORNER OF SECTION 9), or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	21	SW SW	UNCLE JOHN DITCH - 140 FEET NORTH AND 1190 FEET EAST FROM THE SW CORNER, SECTION 21

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION - AMESTOY RANCH						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
15 S	10 E	WM	10	SW NE	702	0.9
15 S	10 E	WM	10	SE NE	702	6.8
15 S	10 E	WM	10	NE SE	702	6.8
15 S	10 E	WM	10	NW SE	702	2.0

IRRIGATION - LAZY Z RANCH						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
15 S	10 E	WM	10	NE SW	700	8.1


IRRIGATION - SKI POND RANCH, LLC						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
15 S	10 E	WM	14	NE NE	1700	1.1
15 S	10 E	WM	14	NW NE	1700	6.3
15 S	10 E	WM	14	SW NE	1700	24.7
15 S	10 E	WM	14	SE NE	1700	2.0

When required by the Department, the water user shall install and maintain an in-line flow meter or other suitable device(s) for measuring and recording the quantity of water diverted. The types and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm changes in PLACE OF USE approved by an order of the Water Resources Director entered October 12, 2005, at Special Order Volume 67, Page 271, approving Transfer Applications 8900 and 8902, and together with Certificate 82876 supercedes Certificate 81454, State record of Water Right Certificates.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

Issued FEB 19 2009


Phillip C. Ward, Director

STATE OF OREGON
 COUNTY OF DESCHUTES
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

L. F. BROGAN
 SISTERS, OREGON 97759

confirms the right to use the waters of a WELL in the WHYCHUS CREEK (formerly know as Squaw Creek) BASIN for PRIMARY IRRIGATION OF 4.6 ACRES AND SUPPLEMENTAL IRRIGATION of 52.5 ACRES.

This right was perfected under Permit G-4841. The date of priority is AUGUST 25, 1970. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.63 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	10 E	WM	14	NW NW	290 FEET SOUTH & 140 FEET EAST FROM NW CORNER OF SECTION 14

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

A description of the place of use to which this right is appurtenant is as follows:

Authorized place of use (Primary Rights)

Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	10 E	WM	10	SE SE	0.1
15 S	10 E	WM	11	SW SW	4.5
TOTAL					4.6

Authorized place of use (Supplemental Rights)

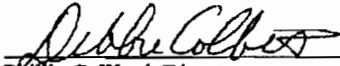
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	10 E	WM	14	NE NW	4.4
15 S	10 E	WM	14	NW NW	12.1
15 S	10 E	WM	14	SW NW	25.5
15 S	10 E	WM	14	SE NW	9.2
15 S	10 E	WM	15	NE NW	1.3
TOTAL					52.5

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This certificate describes that portion of the water right evidenced by Certificate 57115 NOT modified by Special Order Volume 55, Page 252 approving transfer application T-8601 and NOT modified by the provisions of an order of the Water Resources Director entered OCT 12 2005, approving Transfer Application T-8902.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed November 17, 2006



Phillip C. Ward, Director
FW

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SHARON AMESTOY
AMESTOY RANCH LLC
2955 NE 38TH AVE
PORTLAND, OR 97212

CITY OF SISTERS
150 N FIR ST
SISTERS, OR 97759

STEVEN AND CINDY GREER
67315 BASS LANE
BEND, OR 97701

LAZY Z RANCH
c/o JAY POULOS
4389 CROISAN RIDGE WAY
SALEM, OR 97302

MURRAY GRAY LLC
c/o MURRAY HERMAN
1628 NW EVERETT ST
PORTLAND, OR 97209-2109

SKI POND RANCH LLC
c/o DAVID HERMAN
1628 NW EVERETT ST
PORTLAND, OR 97209-2109

confirms the right to use the waters of FOUR WELLS in the WHYCHUS CREEK (formerly known as Squaw Creek) BASIN for IRRIGATION of 24.3 ACRES, AND SUPPLEMENTAL IRRIGATION of 95.6 ACRES.

This right was perfected under Permit G-4841. The date of priority is AUGUST 25, 1970. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.235 CUBIC FEET PER SECOND (cfs); being:

Water User	Primary Rate (cfs)	Supplemental Rate (cfs)
Amestoy Ranch	0	0.206
City of Sisters	0.201	0.108
Steven and Cindy Greer	0.013	0
Lazy Z Ranch	0	0.101
Murray Gray, LLC	0.09	0
Ski Pond Ranch, LLC	0	0.516

(IF AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION, BEING WITHIN THE NW ¼ NW ¼, SECTION 14, TOWNSHIP 15 SOUTH, RANGE 10 EAST, W.M.; 290 FEET SOUTH AND 140 FEET EAST FROM THE NW CORNER OF SECTION 14) or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Measured Distances
Well 5	15 S	10 E	WM	10	NW SE	700	830 FEET SOUTH AND 350 FEET EAST FROM THE CENTER 1/4 CORNER, SECTION 10
Well 1	15 S	10 E	WM	10	SW SE	704	1290 FEET NORTH AND 20 FEET EAST FROM THE SOUTH 1/4 CORNER, SECTION 10
Well 2	15 S	10 E	WM	14	NW NW	1900	290 FEET SOUTH AND 140 FEET EAST FROM THE NW CORNER, SECTION 14
GREER WELL	15 S	10 E	WM	25	NW SE	907	1460 FEET NORTH AND 1750 FEET WEST FROM THE SE CORNER, SECTION 25

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION - CITY OF SISTERS							
Source	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
Well 2	15 S	10 E	WM	15	NE NE	200	5.0
Well 2	15 S	10 E	WM	15	SE NE	200	11.1

IRRIGATION - STEVEN AND CINDY GREER							
Source	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
Greer Well	15 S	10 E	WM	25	NW SE	907	1.0

IRRIGATION- MURRAY GRAY							
Source	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
Well 2	15 S	10 E	WM	14	NW NW	1900	7.2

SUPPLEMENTAL IRRIGATION - AMESTOY RANCH							
Source	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
Well 2	15 S	10 E	WM	10	SW NE	702	0.9
Well 2	15 S	10 E	WM	10	SE NE	702	6.8
Well 2	15 S	10 E	WM	10	NE SE	702	6.8
Well 2	15 S	10 E	WM	10	NW SE	702	2.0

SUPPLEMENTAL IRRIGATION - CITY OF SISTERS							
Source	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
Well 2	15 S	10 E	WM	10	NE SW	704	0.9
Well 2	15 S	10 E	WM	10	SE SW	704	11.6
Well 1	15 S	10 E	WM	10	NW SE	704	2.4
Well 2	15 S	10 E	WM	10	SE SE	704	4.0
Well 2	15 S	10 E	WM	15	NE NE	704	10.8

SUPPLEMENTAL IRRIGATION – LAZY Z RANCH							
Source	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
Well 5	15 S	10 E	WM	10	NE SW	700	8.1

SUPPLEMENTAL IRRIGATION – SKI POND RANCH							
Source	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
Well 2	15 S	10 E	WM	14	NE NE	1700	1.9
Well 2	15 S	10 E	WM	14	NW NE	1700	6.3
Well 2	15 S	10 E	WM	14	SW NE	1700	24.7
Well 2	15 S	10 E	WM	14	SE NE	1700	8.4

(1.1) } Lazy Z
Supp.

The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The quantity of water diverted from the additional and new points of appropriation, together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available at the original points of appropriation.

When required by the Department, the water user shall install and maintain an in-line flow meter or other suitable device(s) for measuring and recording the quantity of water diverted. The types and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate describes that portion of the water right confirmed by Certificate 85431, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 09 2011, approving Transfer Application T-11201.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

WITNESS the signature of the Water Resources Director, affixed DEC 09 2011.


 Dwight French, Water Right Services Administrator, for
 PHILLIP C. WARD, DIRECTOR

February 13, 2012



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

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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: _____
Lease Application Number (assigned by WRD): IL-1251

This Lease is with:

Lessor #1 (Water Right Holder):

Name Golfside Investments, LLC
Mailing address P.O. Box 386
City, State, Zip Code Amboy, WA 98601
Telephone number _____
Email address _____

If additional water right holders, enter water right holder information below

Lessor #2
Three Sisters Irrigation Dist
P.O. Box 2230
Sisters, OR 97759 541-549-8815 manager@tsidonline.org

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

-I- Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. 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.

1.3 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(s). 74135

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No or other Federal program: _____

1.5 Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:
 [This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4, tax lot number, map orientation and scale.]

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

Certificate Number: 74135

(If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.)

	T	R	Section	1/4	Tax Lot	Acres	Type of Use	Priority Date	Previous Lease #
*(Identify pertinent page numbers of certificate, if certificate is greater than 10 pages; identify priority date, if there is more than one on the certificate. If any portion of the right proposed to be leased was leased previously, the previous lease number may be identified. Identification of a previous lease is optional.)									
1.	14	11	30	nesw	4701	25.6	IRR	4/1899	11-1004
2.									IL-
3.									IL-
4.									IL-
5.									IL-

Total number of acres, if for irrigation (or other acre equivalent use), by certificate and priority date: 25.6 acres

Conditions or other limitations, if any: _____

1.6 Validity of rights to be leased as described in Section 1.5 of this form and any Additional Water Right Form for Pooled Water Right Holder. Lessor(s) attests (mark one) that:

- 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).

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on November 1, 2012. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~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 short term 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;
 - 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 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.

Lessor #1: Juan E. Hongo Date: 6/20/12
Golfside Investments, LLC

For additional Lessors, type in space for signature and date
Three Sisters Irrigation District

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
- Exhibit 5-C: 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 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

Lot	qQ	Tax lot	Acres	Type	Priority	Owner
NE¼ NE¼		100	6.00	IRR	1895	Kavanagh, Geraldine
NE¼ NE¼		100	1.50	IRR	1904	Kavanagh, Geraldine
NE¼ NE¼		200	15.00	IRR	1895	Helikson, Paul & Sherry
NE¼ NE¼		400	1.50	IRR	1895	Kavanagh, Geraldine
SE¼ NE¼		300	19.80	IRR	1895	Helikson, Paul & Sherry
SW¼ SW¼		1400	6.80	IRR	1899	Burdick, Robert R.
SE¼ SW¼		1200	4.20	IRR	1895	Kelley, William & Mildred
SE¼ SW¼		1300	7.50	IRR	1899	Burdick, Robert R.
NE¼ SE¼		800	8.00	IRR	1895	Vestal, William & Victoria
NW¼ SE¼		400	8.00	IRR	1895	Volz, Charles & Jan
NW¼ SE¼		700	6.50	IRR	1895	Volz, Charles & Jan
SW¼ SE¼		1000	1.80	IRR	1895	Shirazi, Mostafa & Naoko
SW¼ SE¼		1100	5.00	IRR	1895	Burdick, Joyce G.
SW¼ SE¼		1100	5.20	IRR	1899	Burdick, Joyce G.
Section 23						
NE¼ NE¼		100	2.70	IRR	1895	Sanders, Ed & Betty
NW¼ NE¼		100	1.50	IRR	1895	Sanders, Ed & Betty
NW¼ NW¼		400	6.00	IRR	1895	Kavanagh, Geraldine
NW¼ NW¼		500	1.50	IRR	1895	Kavanagh, Geraldine
Section 24						
NW¼ NE¼		300	5.00	IRR	1895	Elmore, Michael
NW¼ NE¼		400	4.00	IRR	1895	Elmore, Michael
Section 27						
SE¼ SW¼		500	6.00	IRR	1895	Jeffers, Donald & Gail
Section 28						
SE¼ SW¼		5800	8.00	IRR	1895	Paulus, Tom
SW¼ SE¼		5802	3.00	IRR	1895	Wilson, Aaron & Helen
SW¼ SE¼		5802	11.00	IRR	1904	Wilson, Aaron & Helen
Section 29						
NE¼ SW¼		4701	40.00	IRR	1899	Leason, Catherine <i>GolfSide</i>
SE¼ SW¼		4800	6.80	IRR	1895	Leason, John
SE¼ SW¼		4800	19.60	IRR	1899	Leason, John
NE¼ SE¼		4700	16.50	IRR	1895	Richardson, Reece & Lorene
NE¼ SE¼		4700	0.50	POND	1895	Richardson, Reece & Lorene
NE¼ SE¼		4704	3.00	IRR	1895	Richardson, Reece & Lorene
SW¼ SE¼		4800	30.90	IRR	1895	Leason, John
SW¼ SE¼		4800	8.60	IRR	1899	Leason, John
SE¼ SE¼		4800	36.70	IRR	1895	Leason, John
Section 30						
NE¼ NE¼		4800	37.30	IRR	1895	Leason, John
NW¼ NE¼		4800	40.00	IRR	1895	Leason, John
SW¼ NE¼		4800	30.40	IRR	1895	Leason, John
SE¼ NE¼		4800	31.90	IRR	1895	Leason, John
NE¼ NW¼		4800	9.70	IRR	1895	Leason, John
SE¼ NW¼		5200	0.70	IRR	1895	Leason, John
3 NW¼ SW¼		1000	4.00	IRR	1895	Hurtley, David & Judy
3 NW¼ SW¼		300	4.00	IRR	1895	Hurtley, David & Judy
3 NW¼ SW¼		500	3.00	IRR	1895	Hurtley, David & Judy
3 NW¼ SW¼		600	2.00	IRR	1895	Hurtley, David & Judy
3 NW¼ SW¼		700	4.00	IRR	1895	Hurtley, David & Judy
3 NW¼ SW¼		800	2.50	IRR	1895	Hurtley, David & Judy
3 NW¼ SW¼		900	2.00	IRR	1895	Hurtley, David & Judy
4 SW¼ SW¼		200	22.00	IRR	1895	Hurtley, David & Judy
4 SW¼ SW¼		201	6.00	IRR	1895	Hurtley, David & Judy
NE¼ SE¼		5300	36.60	IRR	1895	Leason, John
NW¼ SE¼		5300	16.10	IRR	1895	Leason, John

February 13, 2012



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

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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: _____
Lease Application Number (assigned by WRD): IL-1251

This Lease is with:

Lessor #1 (Water Right Holder):

Name Long Hollow Ranch
Mailing address 71105 Holmes Rd
City, State, Zip Code Sisters, OR 97759
Telephone number 541-923-1901
Email address _____

If additional water right holders, enter water right holder information below

Lessor #2

Three Sisters Irrigation Dist
P.O. Box 2230
Sisters, OR 97759 541-549-8815 manager@tsidonline.org

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

-I- Water Right Holder and Water Right Information

- 1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. 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.
- 1.3 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(s). 74135

- 1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No or other Federal program: _____

1.5 Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:

[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and ¼ ¼, tax lot number, map orientation and scale.]

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

Certificate Number: 74135

(If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.)

	T	R	Sec	Lot	Acres	Type of Use	Priority Date	Previous Lease
*(Identify pertinent page numbers of certificate, if certificate is greater than 10 pages; identify priority date, if there is more than one on the certificate. If any portion of the right proposed to be leased was leased previously, the previous lease number may be identified. Identification of a previous lease is optional.)								
1.	14	11	12	nwne 103	3.9	IRR	3 1895	IL-676
2.	14	11	12	nene 103	14.6	IRR	3 1895	IL-676
3.	14	11	11	nwnw 101(109)	4.0	IRR	3 1895	IL-676
4.	14	11	11	nwne 101(109) nwnw 101(109)	17.5 2.5	IRR IRR	3 1895 1904	IL-676
5.	14	11	11	nene 101(110) nene 101(110)	2.5 1.0	IRR IRR	3 1895 1904	IL-676

Total number of acres, if for irrigation (or other acre equivalent use), by certificate and priority date: 42.5 acres 1895, 3.5 acres 1904, taxlot 101 has been divided as noted by (xxx). All of the taxlots are still under the ownership of Long Hollow Ranch.

Conditions or other limitations, if any: _____

1.6 Validity of rights to be leased as described in Section 1.5 of this form and any Additional Water Right Form for Pooled Water Right Holder. Lessor(s) attests (mark one) that:

- 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).

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on November 1, 2012. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~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 short term 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;
 - 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 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.

Lessor #1: RYB [Signature] Date: 6.14.2012
Long Hollow Ranch

For additional Lessors, type in space for signature and date
Three Sisters Irrigation District

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
- Exhibit 5-C: 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 of this form is checked)

SQUAW CREEK IRRIGATION DISTRICT

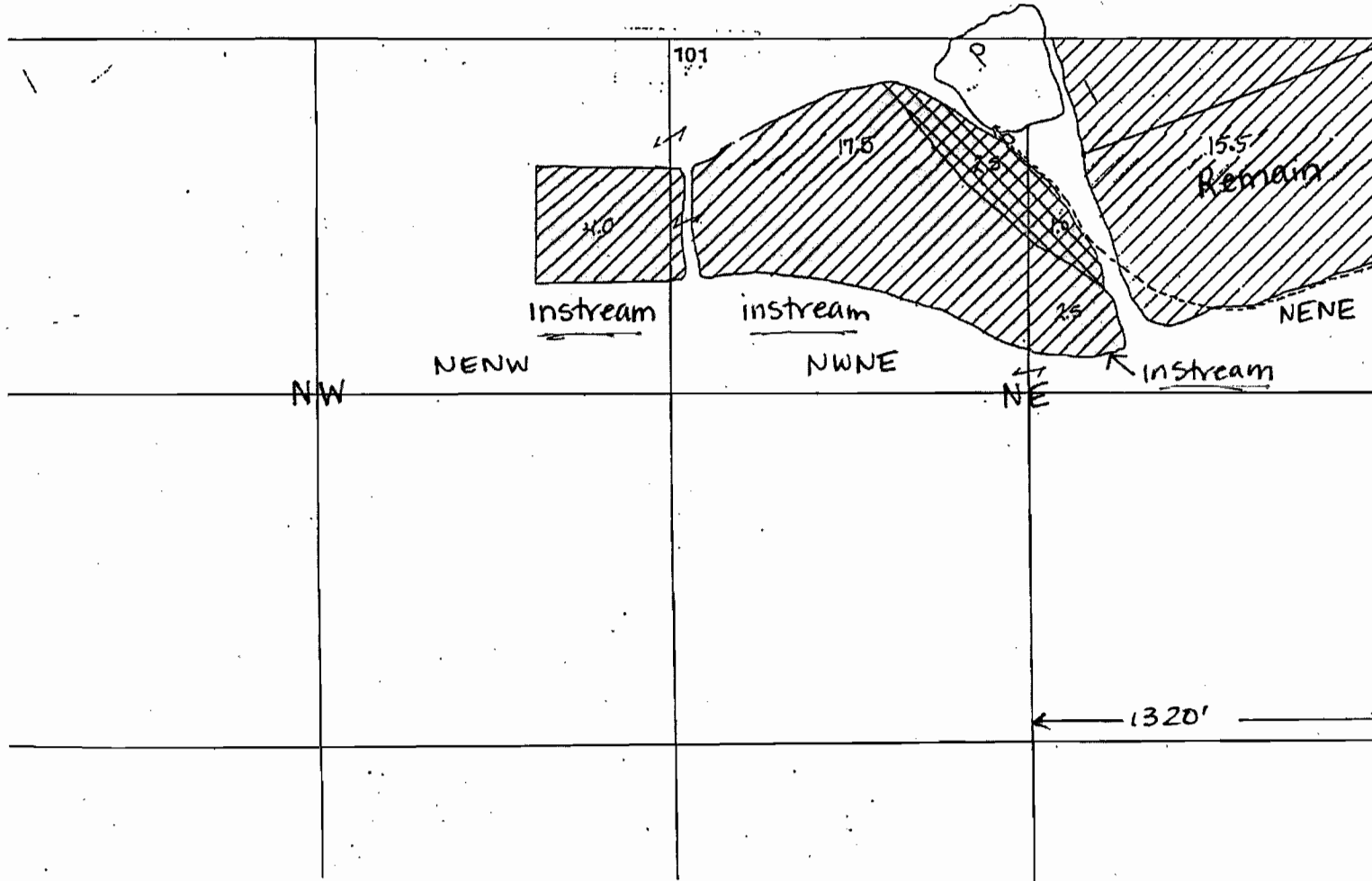
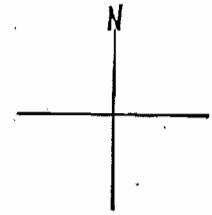
SECTION 11 T. 14S. R. 11E. W.M.

DESCHUTES COUNTY

1" = 400'

Lease L-676

14 11 11



Long Hollow Ranch

14-11-11

INSTREAM
24.0 acres 1895

3.5 acres 1904

REMAIN
15.5 acres 1895

SQUAW CREEK IRRIGATION DISTRICT

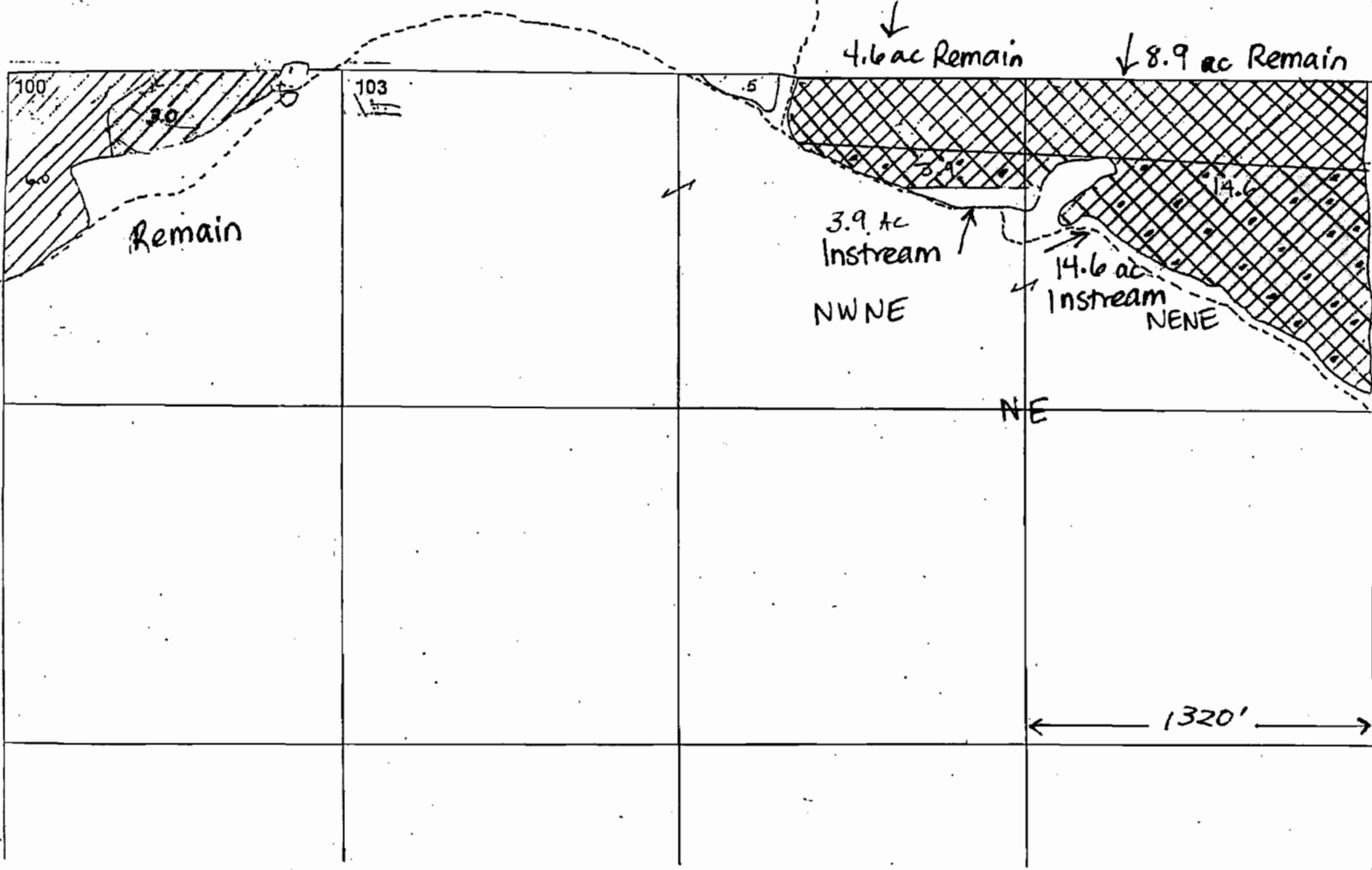
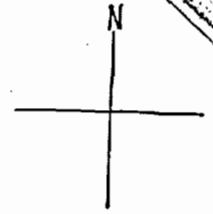
SECTION 12 T.14S. R.11E. W.M.

DESCHUTES COUNTY

1" = 400'

Lease L-676

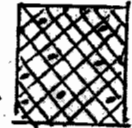
14 11 12



Long hollow
Ranch

14-11-12

18.5 acres
1895
Instream



Denotes Place of
Use to be Leased

Lot	qQ	Tax lot	Acres	Type	Priority	Owner
SE¼ SE¼		2501	4.00	IRR	1895	Hurtley, David & Judy
SE¼ SE¼		2502	5.00	IRR	1895	Hurtley, David & Judy
SE¼ SE¼		2503	3.00	IRR	1895	Hurtley, David & Judy
SE¼ SE¼		2504	4.00	IRR	1895	Hurtley, David & Judy
Section 36						
Township 14 South, Range 10 East, W.M.						
NE¼ SW¼		101	5.00	IRR	1895	Long Hollow Ranch
SW¼ SW¼		101	18.00	IRR	1895	Long Hollow Ranch
SW¼ SW¼		101	4.00	IRR	1904	Long Hollow Ranch
SE¼ SW¼		101	32.00	IRR	1895	Long Hollow Ranch
SE¼ SW¼		101	2.00	IRR	1904	Long Hollow Ranch
NW¼ SE¼		101	16.00	IRR	1895	Long Hollow Ranch
SW¼ SE¼		101	36.50	IRR	1895	Long Hollow Ranch
SE¼ SE¼		101	26.00	IRR	1895	Long Hollow Ranch
Section 1						
SE¼ SE¼		101	11.00	IRR	1895	Long Hollow Ranch
Section 2						
NE¼ NE¼		101	25.50	IRR	1895	Long Hollow Ranch
NE¼ NE¼		101	1.00	IRR	1904	Long Hollow Ranch
NW¼ NE¼		101	17.50	IRR	1895	Long Hollow Ranch
NW¼ NE¼		101	2.50	IRR	1904	Long Hollow Ranch
NE¼ NW¼		101	4.00	IRR	1895	Long Hollow Ranch
Section 11						
NE¼ NE¼		103	23.50	IRR	1895	Long Hollow Ranch
NW¼ NE¼		103	8.50	IRR	1895	Long Hollow Ranch
NW¼ NW¼		100	6.00	IRR	1895	Long Hollow Ranch
NW¼ NW¼		100	3.00	IRR	1904	Long Hollow Ranch
Section 12						
NW¼ NE¼		200	5.00	IRR	1895	Simon, Jim
SW¼ NE¼		300	0.68	IRR	1895	Friend, Chester & Pamela
SE¼ NE¼		401	14.00	IRR	1895	Friend, Chester & Pamela
NE¼ NW¼		200	19.50	IRR	1904	Simon, Jim
SW¼ NW¼		500	13.50	IRR	1895	Simon, Jim
SE¼ NW¼		500	5.50	IRR	1895	Simon, Jim
NE¼ SW¼		500	8.00	IRR	1895	Simon, Jim
NW¼ SW¼		500	33.00	IRR	1895	Simon, Jim
SW¼ SW¼		700	21.50	IRR	1895	Kavanagh, Geraldine
SW¼ SW¼		700	0.50	IRR	1904	Kavanagh, Geraldine
SW¼ SW¼		800	4.00	IRR	1895	Kavanagh, Geraldine
SE¼ SW¼		600	5.87	IRR	1895	Sanders, Ed & Betty
NE¼ SE¼		401	37.00	IRR	1895	Friend, Chester & Pamela
NW¼ SE¼		300	1.50	IRR	1895	Friend, Chester & Pamela
SW¼ SE¼		400	22.00	IRR	1895	Sanders, Ed & Betty
SE¼ SE¼		400	12.00	IRR	1895	Sanders, Ed & Betty
SE¼ SE¼		401	12.00	IRR	1895	Friend, Chester & Pamela
Section 13						
SE¼ SE¼		700	3.50	IRR	1895	Kavanagh, Geraldine
SE¼ SE¼		700	3.10	IRR	1904	Kavanagh, Geraldine
SE¼ SE¼		800	2.00	IRR	1895	Kavanagh, Geraldine
Section 14						
NE¼ SW¼		600	2.10	IRR	1895	Elmore, Michael
NE¼ SW¼		700	2.10	IRR	1895	Elmore, Michael
SE¼ SW¼		600	2.90	IRR	1895	Elmore, Michael
SE¼ SW¼		900	9.00	IRR	1895	Elmore, Michael
NW¼ SE¼		700	2.90	IRR	1895	Elmore, Michael
Section 22						



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

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/QWRD/PUBS/forms.shtml.

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

Optional Identification by Lessor/Lessee: _____
Lease Application Number (assigned by WRD): IL-125

This Lease is with:

Lessor #1 (Water Right Holder):

Name Marcene Burns
Mailing address P.O. Box 1011
City, State, Zip Code Sisters, OR 97759
Telephone number 541-548-1709
Email address _____

If additional water right holders, enter water right holder information below

Lessor #2

Three Sisters Irrigation Dist
P.O. Box 2230
Sisters, OR 97759 541-549-8815 manager@tsidonline.org

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Water Right Holder and Water Right Information

- 1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. 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.
- 1.3 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(s). 74135

- 1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No or other Federal program: _____

- 1.5 Water Right(s) Proposed to be Leased Instream.** Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:
 [This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and ¼ ¼, tax lot number, map orientation and scale.]

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

Certificate Number: 74135

(If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.)

	T	R	Sec	1/4	Tax Lot	Acres	Type of Use	Page #	Priority Date	Previous Lease #
*(Identify pertinent page numbers of certificate, if certificate is greater than 10 pages; identify priority date, if there is more than one on the certificate. If any portion of the right proposed to be leased was leased previously, the previous lease number may be identified. Identification of a previous lease is optional.)										
1.	15	11	06	new	800	2.0	IRR	9	1895	IL-1185
2.										IL-
3.										IL-
4.										IL-
5.										IL-

Total number of acres, if for irrigation (or other acre equivalent use), by certificate and priority date: 2.0 ac IRR, C74135, priority 1895

Conditions or other limitations, if any: _____

- 1.6 Validity of rights to be leased as described in Section 1.5 of this form and any Additional Water Right Form for Pooled Water Right Holder.** Lessor(s) attests (mark one) that:

- 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).

~II~ Instream Water Right Information

- 2.3 Term of lease.** This lease shall terminate on October 31, 2012. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~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.

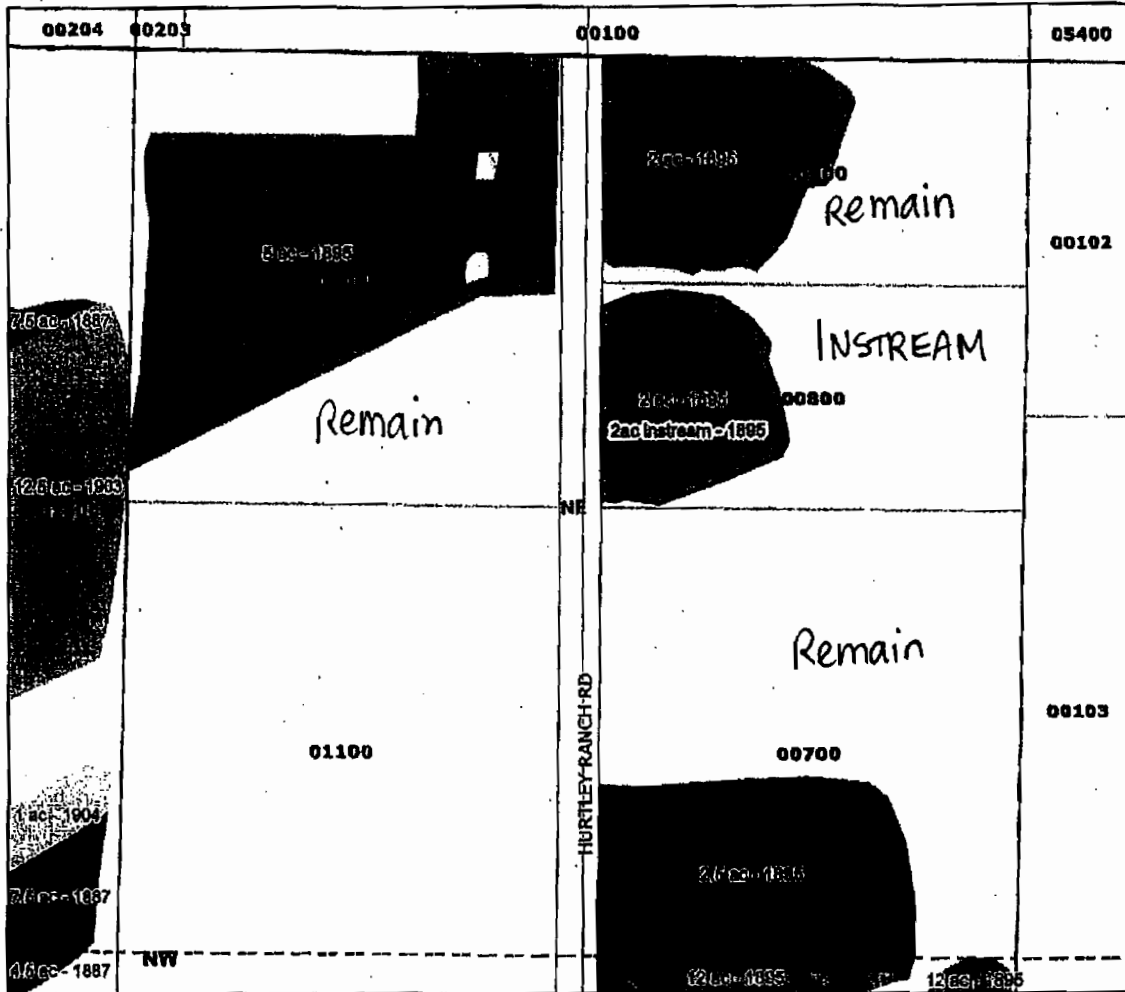
- 3.2 Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 3.3 Precedent.** If a right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

Lessor #1: Marcene Burns Date: 6-7-12
Marcene Burns

For additional Lessors, type in space for signature and date
Three Sisters Irrigation District


Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
- Exhibit 5-C: 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 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form



Three Sisters Irrigation District

Legend

 1895 Leased Instream


Primary

Priority_Date

 1887


 1895

 1903

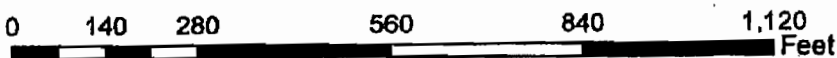
 1904

 Township Range

 Quarter Quarters

 Taxlots

Marcene Burns
 2 acres Instream - 1895
 Certificate 74135
 T15S R11E S6 Taxlot 800
 NENW
 2 acres instream 1895



February 13, 2012



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 946-0900

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OHRD/P1:BS/forms.shtml.

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

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

This Lease is with:

Lessor #1 (Water Right Holder):

Name Tumalo Farms
Mailing address 61475 West Ridge Ave
City, State, Zip Code Bend, OR 97702
Telephone number 541-382-3489
Email address _____

If additional water right holders, enter water right holder information below

Lessor #2

Three Sisters Irrigation Dist
P.O. Box 2230
Sisters, OR 97759 541-549-8815 manager@tsidonline.org

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Water Right Holder and Water Right Information

- 1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. 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.
- 1.3 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(s). 74135

- 1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No or other Federal program: _____

7.0

1.5 Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:

[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4, tax lot number, map orientation and scale.]

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

Certificate Number: 74135

(If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.)

*(Identify pertinent page numbers of certificate, if certificate is greater than 10 pages; identify priority date, if there is more than one on the certificate. If any portion of the right proposed to be leased was leased previously, the previous lease number may be identified. Identification of a previous lease is optional.)										
1.	15	11	08	nwnw	200	29	IRR	11	1895	IL-S-6
2.	15	11	08	swnw	200	17.5	IRR	11	1895	IL-S-6
3.	15	11	08	ncnw	200	17	IRR	11	1895	IL-S-6
4.	15	11	08	nwne	100	3	IRR	11	1895	IL-S-6
5.										IL-

Total number of acres, if for irrigation (or other acre equivalent use), by certificate and priority date: 66.5 acres 1895. All previously leased in split season lease S-6 and used after. Digitally, the map is aligning a little off... reference original 3111.

Conditions or other limitations, if any: _____

1.6 Validity of rights to be leased as described in Section 1.5 of this form and any Additional Water Right Form for Pooled Water Right Holder. Lessor(s) attests (mark one) that:

- 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).

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on November 1, 2012. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~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

Pooled Water Right Holder Form / 2

[Handwritten Signature]

TACS

1.5 Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:

[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and ¼ ¼, tax lot number, map orientation and scale.]

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

Certificate Number: 74135

(If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.)

T	R	Sect	¼ ¼	Tax Lot	Acres	Type of Use	*Page #	*Priority Date	*Previous Lease #	
*(Identify pertinent page numbers of certificate, if certificate is greater than 10 pages; identify priority date, if there is more than one on the certificate. If any portion of the right proposed to be leased was leased previously, the previous lease number may be identified. Identification of a previous lease is optional.)										
1.	15	11	08	nwnw	200	29	IRR	11	1895	IL-S-6
2.	15	11	08	swnw	200	17.5	IRR	11	1895	IL-S-6
3.	15	11	08	nenw	200	17	IRR	11	1895	IL-S-6
4.	15	11	08	nwne	100	3	IRR	11	1895	IL-S-6
5.										IL-

more legible page

Total number of acres, if for irrigation (or other acre equivalent use), by certificate and priority date: 66.5 acres 1895. All previously leased in split season lease S-6 and used after. Digitally, the map is aligning a little off... reference original 3111.

Conditions or other limitations, if any: _____

1.6 Validity of rights to be leased as described in Section 1.5 of this form and any Additional Water Right Form for Pooled Water Right Holder. Lessor(s) attests (mark one) that:

- 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).

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on November 1, 2012. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~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 short term 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;
 - 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 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.

Lessor #1: [Signature]

Date: 6/24/17

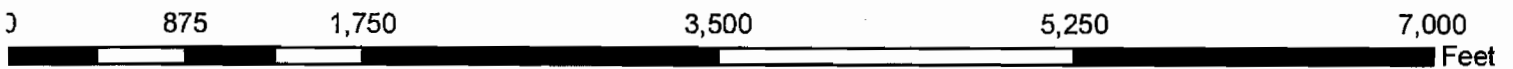
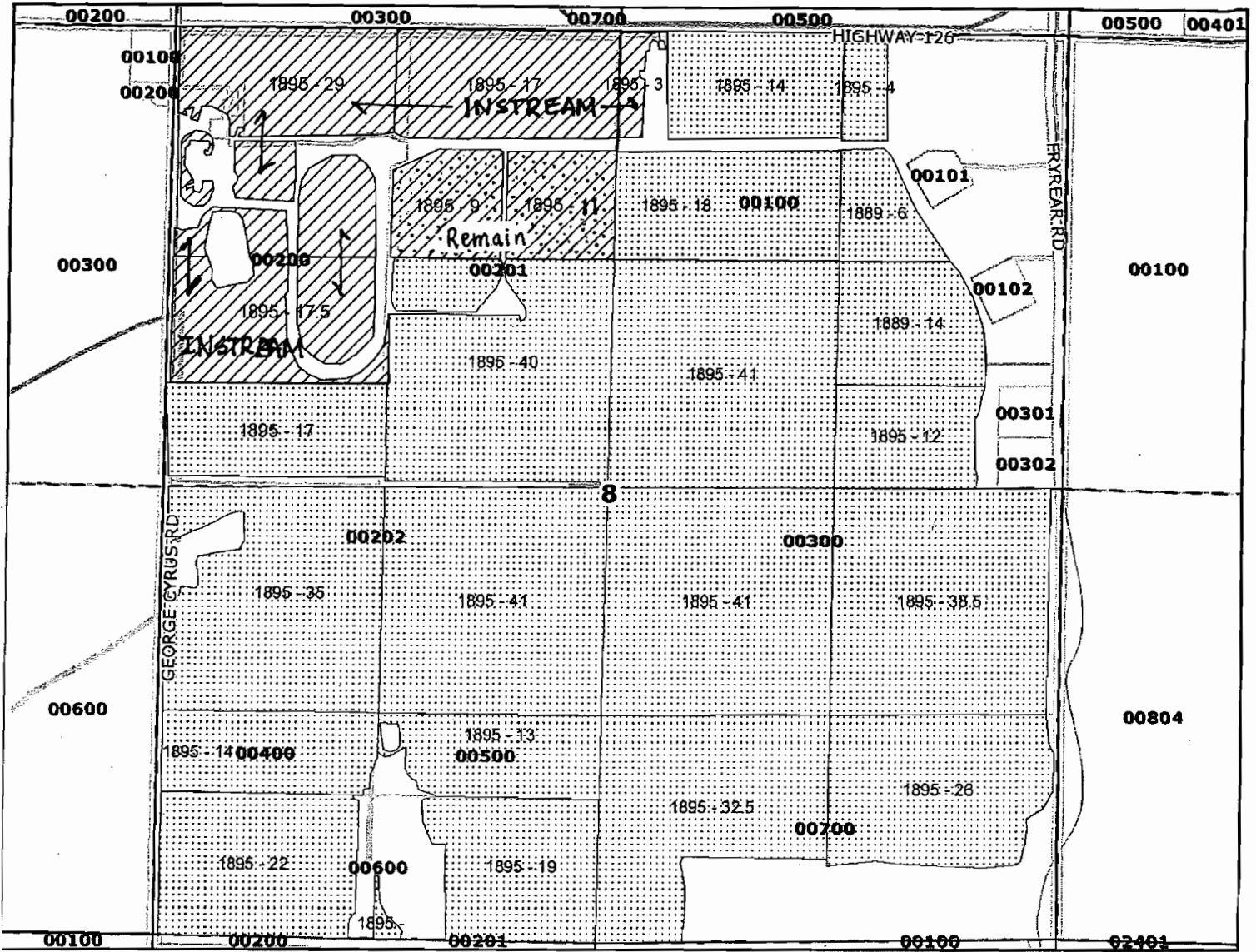
Tumalo Farms



For additional Lessors, type in space for signature and date
Three Sisters Irrigation District

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
- Exhibit 5-C: 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 of this form is checked)

Three Sisters Irrigation District
2012 Lease - Tumalo Farms



-  Leased Instream
-  Not Leased Instream

Certificate 74135

T15S R11E S8

Taxlot 200

NWNW - 29 acres instream 1895

SWNW - 17.5 acres instream 1895

SWNW - 17 acres remaining 1895

Taxlot 201

NENW - 17 acres instream 1895

NENW - 20 acres remaining 1895

SENW - 40 acres remaining 1895

Taxlot 100

NWNE - 3 acres instream 1895

NWNE - 32 acres remaining 1895