



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](http://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-1267

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

This Lease is between:

**Lessor #2: Irrigation District or Other Water Purveyor**

Name Swalley Irrigation District  
Mailing address 64672 Cook Ave., Suite 1  
City, State, Zip Code Bend, OR 97701  
Telephone number 541-388-0658  
E-mail address\*\* kathy@swalley.com

**Lessee (if different than Oregon Water Resources Department):**

Name Deschutes River Conservancy  
Mailing address 700 NW Hill St  
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 Swalley Irrigation Dist, 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). 74145

- 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.: 74145

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

Priority date: 9/1/1899 Type of use: IRR

Legal Season of Use: Apr 1 - Oct 31

If an irrigation right, total number of acres to be leased: 61.7

Total acre-feet of storage to be leased, if applicable: n/a

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

If there is more than one rate associated with a water right, describe below:

Season 1 (cfs) 0.471 Time period: Apr 1-May1/Oct 1-Nov 1

Season 2 (cfs) 0.630 Time period: May 1-15 / Sept 15-Oct 1

Season 3 (cfs) 1.188 Time period: May 15-Sept 15

Maximum duty associated with subject water rights (ac-ft): 408.08

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 Deschute River  
Tributary to Columbia River in the Columbia  
Basin.

Instream volume in acre-feet (may be up to the same as the duty identified in Sec 1.5): 336.40

Instream rate in cfs (may be up to the same as the rate identified in Sec 1.5): 0.424

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

Rate in CFS: 0.567

Rate in CFS: 1.051

(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 the POD at Swalley main canal, T17S, R12E, WM section 29, SENE, 985 feet N and 617 feet W from the E 1/4 corner of section 29 to the mouth of the Deschutes River at RM 0.

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 Apr 1 through Oct 25.  
 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 Nov 1, 2013.

**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: Kathy Ferguson Date: 3-6-13  
Swalley Irrigation District

Lessee: Reverie Hunt Date: 3/6/2013  
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

7/23/2012

**This table will calculate flow rate factors and duty for Swalley Irrigation District  
Instream Leases & Transfers**

Canal Diversion - Enter Total Number of Acres to be Leased Instream Here	61.700
Direct Diversion - Enter Total Number of Acres to be Leased Instream Here	
Starting Point - Direct Diversion total acres	105.310
Starting Point - Canal Diversion total acres	4404.865

LESSOR	AC
Brian RYMILAKA	7.02
MURPHY	36.68
HOLLETT	2.5
SPINK	13.0
	2.5
	61.7 AC

Starting Point	Full Right	Direct Diversion only	Canal Diversion only
	Starting Point - Rate*	Starting Point - Rate	Starting Point - Rate
Season 1	34.384	0.723	33.661
Season 2	45.979	0.968	45.011
Season 3	86.636	1.795	84.841
Duty	29708.640	575.056	29,133.58

\*Approximate starting point

**For Primary Water Right - Certificate 74145  
For Canal Diversion Only**

<b>Rate (CFS) associated with leased rights for Section 1.5 of the Lease Application Form</b>	Rate and duty identified in this section includes the 43% transmission loss allowed by decree		
	<b>Full Rate</b>	<b>Duty (AF) associated with leased right for Section 1.5 of the Lease Application Form</b>	
Season 1*		<b>Duty AF/Acre* = 6.61</b>	
Season 2*			
Season 3*			

\* Note - The rates and duty identified have been proportion to prevent enlargement of the right and to reflect the amount at which the diversion should be reduced. (for example, S3 = starting canal rate divided by 4441.765 canal acres)

<b>Rates and volumes identified in this section do not include the 43% transmission loss</b>	<b>Volume (AF) leased instream for Section 2.2 of the Lease Application Form</b>		
<b>Rate (CFS) leased instream for Section 2.2 of the Lease Application Form</b>	<b>Duty (decree) AF/Acre =</b>		<b>5.46</b>
	<b>Total =</b>		<b>336.92</b>
	<b>Full Rate</b>	<b># of Days in each Season</b>	<b>AF/ Season</b>
Season 1		61	51.30
Season 2		30	33.74
Season 3		123	256.41
			<b>341.45</b>

<b>Additional Conditions to Prevent Injury for Section 2.2 of the Lease Application Form</b>			
	# days	AF/Season	
Season 1*	55	46.25	
Season 2	30	33.74	
Season 3	123	256.41	
Season total =	208		Does not exceed duty
<b>Water protected instream: April 1 through October 25</b>			

\* Note - The number of days that water may be protected instream in Season 1 has been reduced op revent enlargement of the right. The instream rates identified in this section are based upon the face value of the water right minus 43%.



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

Optional Identification by Lessor/Lessee: \_\_\_\_\_  
Lease Application Number (assigned by WRD): IL-1267

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

This Lease is between:

**Lessor #1:**

Name Frank & Carol Brian  
Mailing address 21255 Young Ave.  
City, State, Zip Code Bend, OR 97701  
Telephone number \_\_\_\_\_  
E-mail address\*\* \_\_\_\_\_

**Lessor #2, 3, etc. (provide same information as identified above)**

Name Swalley Irrigation District  
Mailing address 64672 Cook Ave., Ste. 1  
City, State, Zip Code Bend, OR 97701  
Telephone number 541-388-0658  
E-mail address\*\* kathy@swalley.com

**Lessee (if different than Oregon Water Resources Department):**

Name Deschutes River Conservancy  
Mailing address PO Box 1560  
City, State, Zip Code Bend, OR 97709  
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  
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### ~I~ Water Right Holder and Water Right Information

- 1.1 Lessor #1 is the water right holder, or authorized agent for water right holder of the property located at: Township 16 N, Range 12 W, Section 14 and Tax Lot number 00703. If the water right appurtenant to these lands is also

appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.2 Lessor #2 is the (Check one):

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

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

Certificate No(s). 74145

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.: 74145

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

Legal Season of Use: April 1 - November 1

Is the entire water right certificate being leased?  Yes  No

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

	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.	16	12	14	NE/N W	00703	7.02	IRR	5	9-1-1899	IL- 827
2.										IL-
3.										IL-
4.										IL-
5.										IL-

[Attached maps must identify the water right holder, township, range, section, 1/4 1/4, tax lot number, map orientation, and scale.]

Total number of acres being leased, if for irrigation (or other acre equivalent uses): 7.02  
 Acre-feet of storage, if applicable: \_\_\_\_\_ 3.2 Ac XFR off in T-8647, 2000 yr.

Maximum rate associated with the right to be leased (cfs): Season 1: 0.054, Season 2: 0.072, Season 3: 0.135

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

Maximum duty associated with the right to be leased (ac-ft): 46.43

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

Conditions or other limitations, if any: \_\_\_\_\_

1.6 **Validity of rights to be leased as described in Section 1.5 of this form and on any Additional Water Right Form. 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**

**2.1 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 of the water right described in Section 1.5.**

The instream use to be created is described as follows:

In the Deschutes River  
Tributary to Columbia River in the Columbia Basin.

Instream volume in acre-feet (may be up to the same as the duty identified in Sec 1.5): 6.61 ac  
=38.39 af

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

Season 1: 0.048 cfs / Season 2: 0.065 cfs / Season 3: 0.120cfs

(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 the POD at Swalley Main Canal, T17S, R12E, WM Section 29, SE/NE, 985 feet N and 617 feet W from the E 1/4 corner of section 29 to the mouth of the Desthutes River at RM 0.

- 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 April 1 through October 25.
- Other (describe): \_\_\_\_\_

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

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

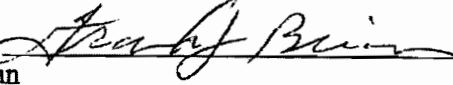


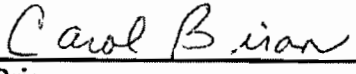
- 2.3 **Term of lease.** This lease shall terminate on November 1, 2013.
- 2.4 **Flow protection.** The Trustee will regulate use of water from the source, subject to prior appropriation and the agency enforcement guidance, to assure the water is delivered to the point of diversion, and through the reach past junior downstream users, so long as flow is sufficient to meet the demand under priority date of the new instream use (see Section 2.2). As part of regulation activities the watermaster or a designee has access to the point of diversion and place of use for the water rights involved in this lease. No party is required to continuously measure the flow of the waterway described in Section 2.2.

### ~III~ Other Information

- 3.1 **Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 **Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 3.3 **Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior lease shall not set a precedent for the amount of water to be leased or transferred instream.
- 3.4 **Suspension of original use.** During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.
- 3.5 **Termination provision.**
- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
    - Written notice to the Department;
    - 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.

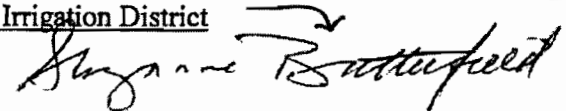
- 3.7 Fees. Pursuant to ORS 536.050, the following fee is included:  
 \$400 for an application with four or more landowners or four or more water rights.  
 \$250 for all other applications.

Lessor #1: Frank Brian  Date: 2-20-13

Carol Brian  Date: 2-20-13  
Carol Brian

For additional Lessors, type in space for signature and date

Lessor #2: \_\_\_\_\_ Date: 2-20-13

Swalley Irrigation District   
Suzanne Butterfield

Lessee: \_\_\_\_\_ Date: \_\_\_\_\_  
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.)

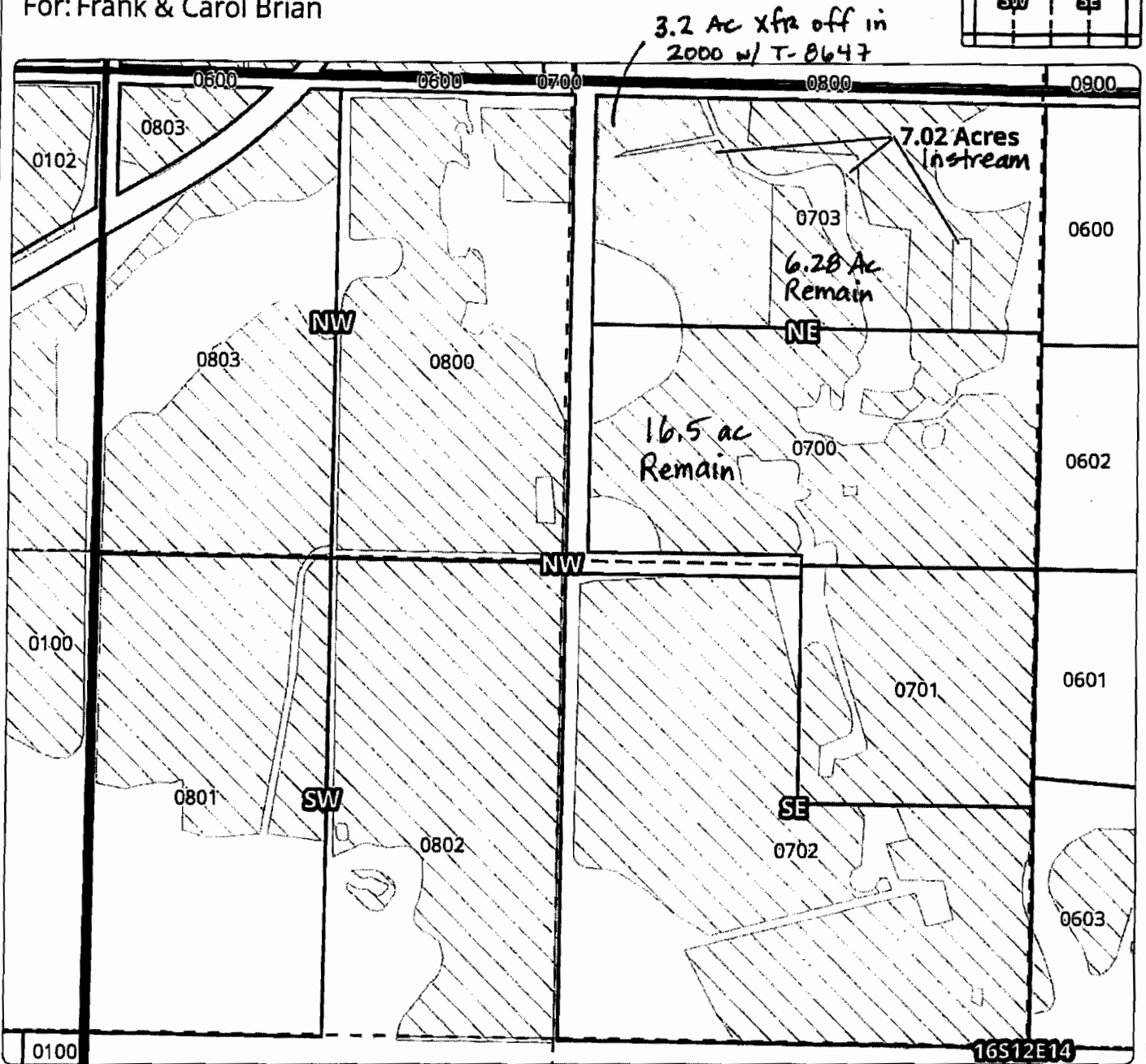
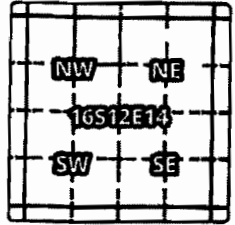
Attachment 3: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 is checked).

Attachment 4: Split Season Instream Use Form

# Swalley Irrigation District Application for Instream Lease

Cert #: 74145

For: Frank & Carol Brian



## 1 YEAR INSTREAM LEASE MAP

Taxlot 703, 16S12E14NENW: 7.02 Acres OFF, 6.28 Acres Remaining  
3.2 ac transferred off in T-8647, yr 2000

Taxlot 700, 16S12E14NENW: 16.5 Ac Remain

- Point of Diversion
- ▬ Canals
- ▭ Taxlots
- ▭ Lease
- ▭ Cert 74145





State of Oregon  
Water Resources Department  
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# 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](http://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): \_\_\_\_\_

This Lease is with:

**Lessor #1 (Water Right Holder):**

Name Verne and Andrea Hollett  
Mailing address 20620 Bemis Lane  
City, State, Zip Code Bend, OR 97701  
Telephone number \_\_\_\_\_  
Email address \_\_\_\_\_

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

Swalley Irrigation District  
64672 Cook Ave., Suite 1  
Bend, OR 97701 kathy@swalley.com

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). 74145

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: 74145

(If you need to enter another leased right, please use the 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.	16	12	16	sesw	1701	13.0	IRR	6	9/1/1899	IL-SL-11
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: Previously leased as a split season lease SL-11 that started the process as L-914 (previously leased under name - Heath) T. 7463 moved 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 Nov 1, 2013. (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: Verne Hollett Date: Feb 22/13  
Verne Hollett

Andrea Hollett Date: Feb 22/13  
Andrea Hollett

For additional Lessors, type in space for signature and date  
Swalley Irrigation District - pooled form

Suzanne Battagel 2-12-13

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

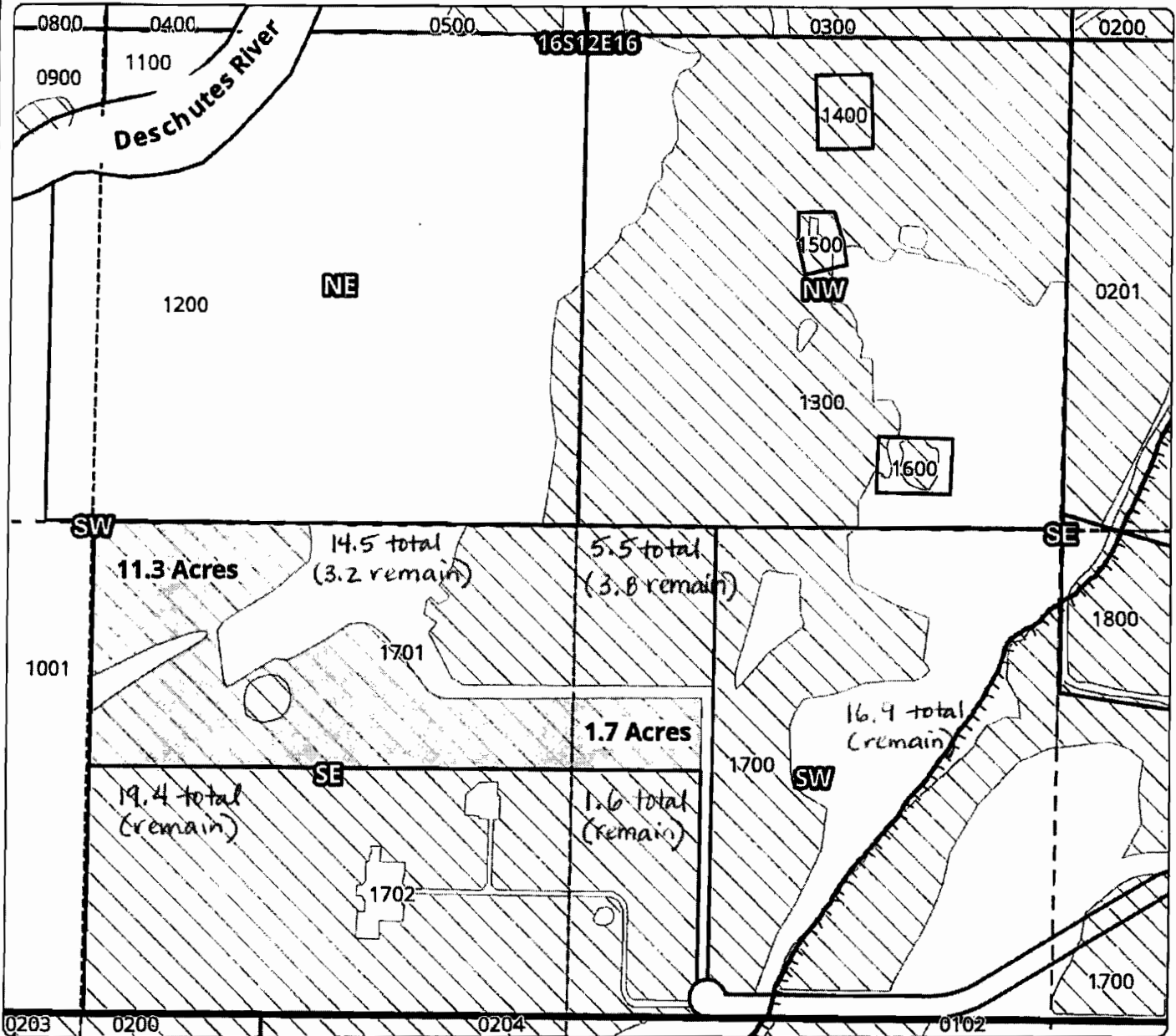
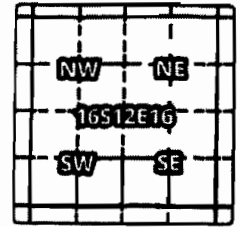
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# Swalley Irrigation District

## Application for Instream Lease

Cert #: 74145

For: Verne & Andrea Hollett



### 1 YEAR INSTREAM LEASE MAP

Taxlot 1701, 16S12E16SESW: 11.3 Acres OFF, ~~3.3~~ 3.2 Acres Remaining  
 Taxlot 1701, 16S12E16SWSE: 1.7 Acres OFF, ~~3.3~~ 3.8 Acres Remaining

T. 7463  
 Shuffled Acres  
 in taxlots 1701, 1702



- Point of Diversion
- ▬ Canals
- ▭ Taxlots
- ▨ Lease
- ▩ Cert 74145

1 inch = 400 feet  
 March 2014





**SID Hollett Lease - WR History:**

CERTIFICATED (74145)				T-7463			Total
TRS	QQ	TL	Acres	Off	On	Remaining	
161216	SESW	1701	14.3	-0.3	0.5	14.5	Hollett
161216	SESW	1702	18.9	-0.7	1.2	19.4	Pozzi
			33.2			33.9	added 0.7

CERTIFICATED (74145)				T-7463			Total
TRS	QQ	TL	Acres	Off	On	Remaining	
161216	SWSE	1701	5.7	-0.2	0	5.5	Hollett
161216	SWSE	1702	2.1	-0.8	0.3	1.6	Pozzi
161216	SWSE	1700	16.9	0	0	16.9	Cobb
			24.7			24	lost 0.7

Certificate 29054 was affected by T-7463  
 Certificate 74145 supersedes 29054 and was signed in 1997  
 C-29054 was not cancelled until 10/31/1997....

\* This sheet is from  
SID

**SID Jeffery Heath Water**

T 16 S, R 12 E, Sect 16, TL 1701, SESW & SWSE

Heath - TL 1701	161216 SESW TL 1701	161216 SWSE TL 1701	Totals
1997 paper Cert	14.3	5.7	20.0
2000 SID letter	14.5	5.1	19.6
2008 digital Cert	14.0	5.5	19.5
2008 digital Cert (see notes)	0.5	5.5	0.5

NOTES\*: Digital Cert also lists: 161216 SESW TL 1701 & 1702 Patrick, n/a 1.7 ac (should be 0.5 ac Heath)

Bemis (Pozzi) - TL 1702	161216 SESW TL 1702	161216 SWSE TL 1702	Totals
1997 paper Cert	18.9	2.1	21.0
2000 SID letter	19.4	5.0	24.4
2008 digital Cert	18.2	1.3	19.5
2008 digital Cert (see notes)	1.2	0.3	1.5

NOTES\*: Digital Cert 161216 SESW TL 1701 & 1702 Patrick, n/a 1.7 ac (should be 1.2 ac Bemis-Pozzi)  
Digital Cert 161216 SWSE TL 1702 Pozzi, n/a 0.3 ac

Bemis - TL 1700	161216 SESW TL 1700	161216 SWSE TL 1700	Totals
1997 paper Cert	0.0	16.9	16.9
2000 SID letter	0.0	13.9	13.9
2008 digital Cert	0.0	16.9	16.9

NOTES: Digital Cert - also listed for TL 1700 161216SESE TL 1700 4.1 ac

Totals	161216 SESW	161216 SWSE	Totals
1997 paper Cert	33.2	24.7	57.9
2000 SID letter	33.9	24.0	57.9
2008 digital Cert	32.2	23.7	55.9
Plus notes* on digital Cert	1.7	0.3	2.0
Subtotal digital Cert	33.9	24.0	57.9

SID letter/correcting acres	161216 SESW	161216 SWSE	Totals
off	1.0	1.0	2.0
on	1.7	0.3	2.0



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

# Application for Instream Lease

A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://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-1267

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

This Lease is between:

**Lessor #1:**

Name Jane Splnk  
Mailing address 300 SE Lacreole Dr. # 277  
City, State, Zip Code Dallas, OR 97338  
Telephone number \_\_\_\_\_  
E-mail address\*\* \_\_\_\_\_

**Lessor #2, 3, etc. (provide same information as identified above)**

Name Swalley Irrigation District  
Mailing address 64672 Cook Ave., Ste. 1  
City, State, Zip Code Bend, OR 97701  
Telephone number 541-388-0658  
E-mail address\*\* kathy@swalley.com

**Lessee (if different than Oregon Water Resources Department):**

Name Deschutes River Conservancy  
Mailing address PO Box 1560  
City, State, Zip Code Bend, OR 97709  
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

- 1.1 Lessor #1 is the water right holder, or authorized agent for water right holder of the property located at: Township 17 N, Range 12 \_\_\_\_\_ W, Section 09 and Tax Lot number 02000, 02001 \_\_\_\_\_. If the water right appurtenant to these lands is also

appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.2 Lessor #2 is the (Check one):

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

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

Certificate No(s). 74145

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.: 74145

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

Legal Season of Use: April 1 - November 1

Is the entire water right certificate being leased?  Yes  No

If no, list below the acres of the subject water right by legal description of township, range, section, and ¼ ¼ which will be dried up as part of this lease, and include a map (Attachment 2) showing the lands which will not receive water.

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.	17	12	09	NE/NE	02001	1.20	IRR	9-1-1899	IL-
2.	17	12	09	NW/N E	02000	1.30	IRR	9-1-1899	IL-
3.									IL-
4.									IL-
5.									IL-

[Attached maps must identify the water right holder, township, range, section, ¼ ¼, tax lot number, map orientation, and scale.]

Total number of acres being leased, if for irrigation (or other acre equivalent uses): 2.50

Acre-feet of storage, if applicable: \_\_\_\_\_

Maximum rate associated with the right to be leased (cfs): Season 1: 0.019 Season 2: 0.026, Season 3: 0.048

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

Maximum duty associated with the right to be leased (ac-ft): 16.53

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

Conditions or other limitations, if any: \_\_\_\_\_

1.6 **Validity of rights to be leased as described in Section 1.5 of this form and on any Additional Water Right Form.** 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**

**2.1 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 of the water right described in Section 1.5.**

The instream use to be created is described as follows:

In the Deschutes River  
Tributary to Columbia River in the Columbia Basin.

Instream volume in acre-feet (may be up to the same as the duty identified in Sec 1.5): 6.61ac  
=13.71 af

Instream rate in cfs (may be up to the same as the rate identified in Sec 1.5):  
Season 1: 0.017 cfs / Season 2: 0.023cfs / Season 3: 0.043cfs

(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 the POD at Swalley Main Canal, T17S, R12E, WM Section 29, SE/NE, 985 feet N and 617 feet W from the E 1/4 corner of section 29 to the mouth of the Desthutes River at RM 0.

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 April 1 through October 25.
- Other (describe): \_\_\_\_\_

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

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

- 2.3 **Term of lease.** This lease shall terminate on November 1, 2013.
- 2.4 **Flow protection.** The Trustee will regulate use of water from the source, subject to prior appropriation and the agency enforcement guidance, to assure the water is delivered to the point of diversion, and through the reach past junior downstream users, so long as flow is sufficient to meet the demand under priority date of the new instream use (see Section 2.2). As part of regulation activities the watermaster or a designee has access to the point of diversion and place of use for the water rights involved in this lease. No party is required to continuously measure the flow of the waterway described in Section 2.2.

~III~ Other Information

- 3.1 **Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 **Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 3.3 **Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior lease shall not set a precedent for the amount of water to be leased or transferred instream.
- 3.4 **Suspension of original use.** During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.
- 3.5 **Termination provision.**
- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
    - Written notice to the Department;
    - 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 #1: Jane Spink (503) 623-2877 Date: 2/27/2013  
Jane Spink

Date: \_\_\_\_\_

For additional Lessors, type in space for signature and date

Lessor #2: Suzanne Butterfield Date: 3/4/2013  
Swalley Irrigation District

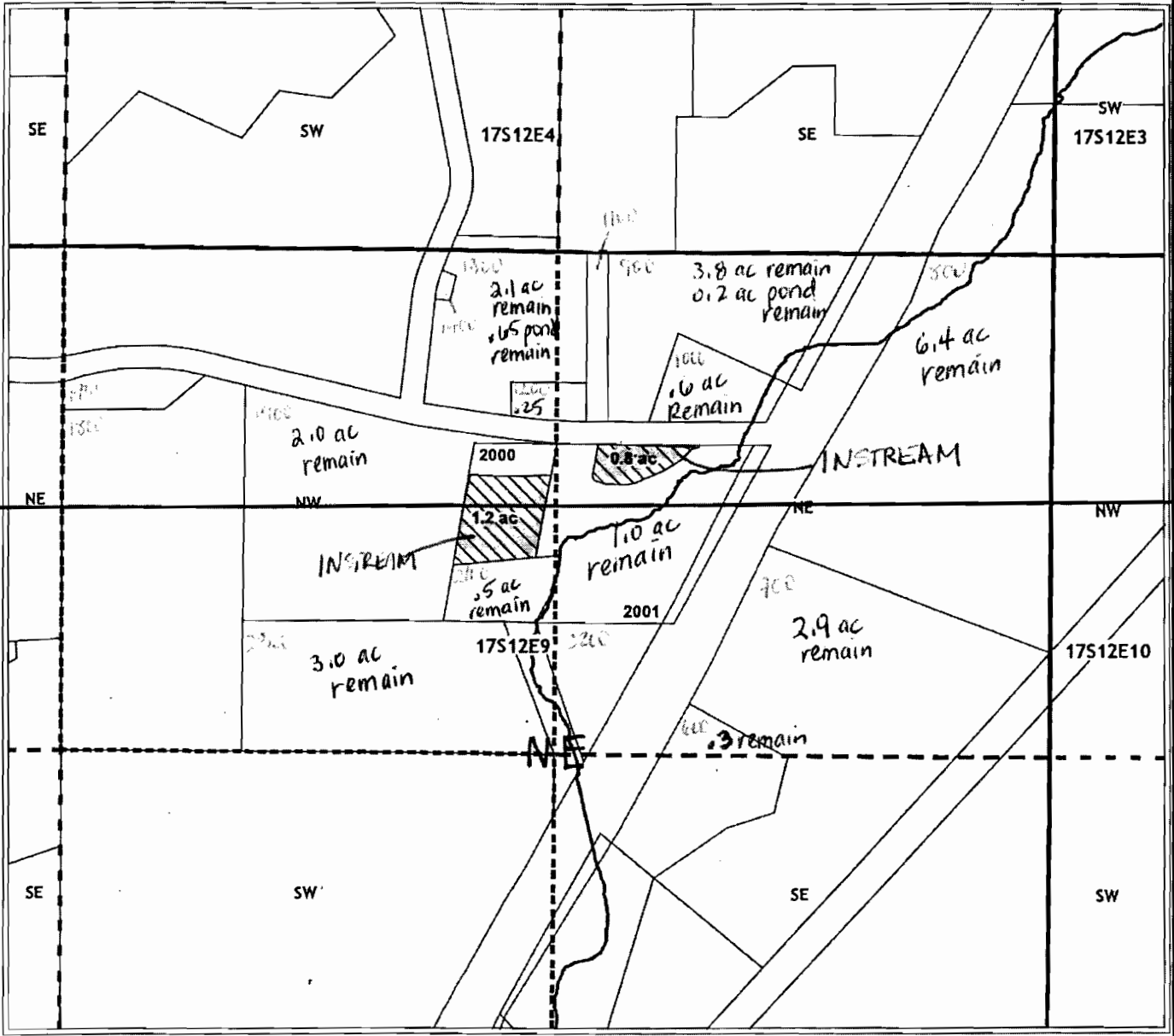
Lessee: \_\_\_\_\_ Date: \_\_\_\_\_  
Deschutes River Conservancy

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

# INSTREAM LEASE MAP

## T17S. R12E. SECTION 09



**APPLICATION FOR INSTREAM LEASE**  
 for  
**Spink, Jane**  
**Tax Lot 2000 & 2001 - 2.0 Acres**



**Geo-Spatial Solutions, Inc.**  
[www.geospatialolutions.com](http://www.geospatialolutions.com)

Date Created: April 1, 2004



1 inch equals 400 feet





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](http://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): \_\_\_\_\_

This Lease is with:

**Lessor #1 (Water Right Holder):**

Name Patrick Murphy  
Mailing address 10521 SW 11<sup>th</sup> Drive  
City, State, Zip Code Portland, OR 97219  
Telephone number 503-246-2240  
Email address pat@pacwestlunber.com

If additional water right holders, enter water right holder information below  
Swalley Irrigation District  
64672 Cook Ave., Suite 1  
Bend, OR 97701 kathy@swalley.com

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). 74145

- 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: 74145

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

	T	R	Sec	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.	17	12	9	ncnw	1100	0.5	IRR	17	9/1/1899	IL-SL-10
2.	17	12	9	senw	1100	2.0	IRR	18	9/1/1899	IL-SL-10
3.										IL-
4.										IL-
5.										IL-

Total number of acres, if for irrigation (or other acre equivalent use), by certificate and priority date: Previously leased as a split season lease SL-10 that started the process as L-951  
2.5 ac IRR

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 Nov 1, 2013. (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: \_\_\_\_\_

Patrick Murphy

Date: \_\_\_\_\_

2/27/13

For additional Lessors, type in space for signature and date

Swalley Irrigation District - pooled form

Suzanne Butterfield 3/4/13

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

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**Exhibit 5-D: Split Season Instream Use Form**

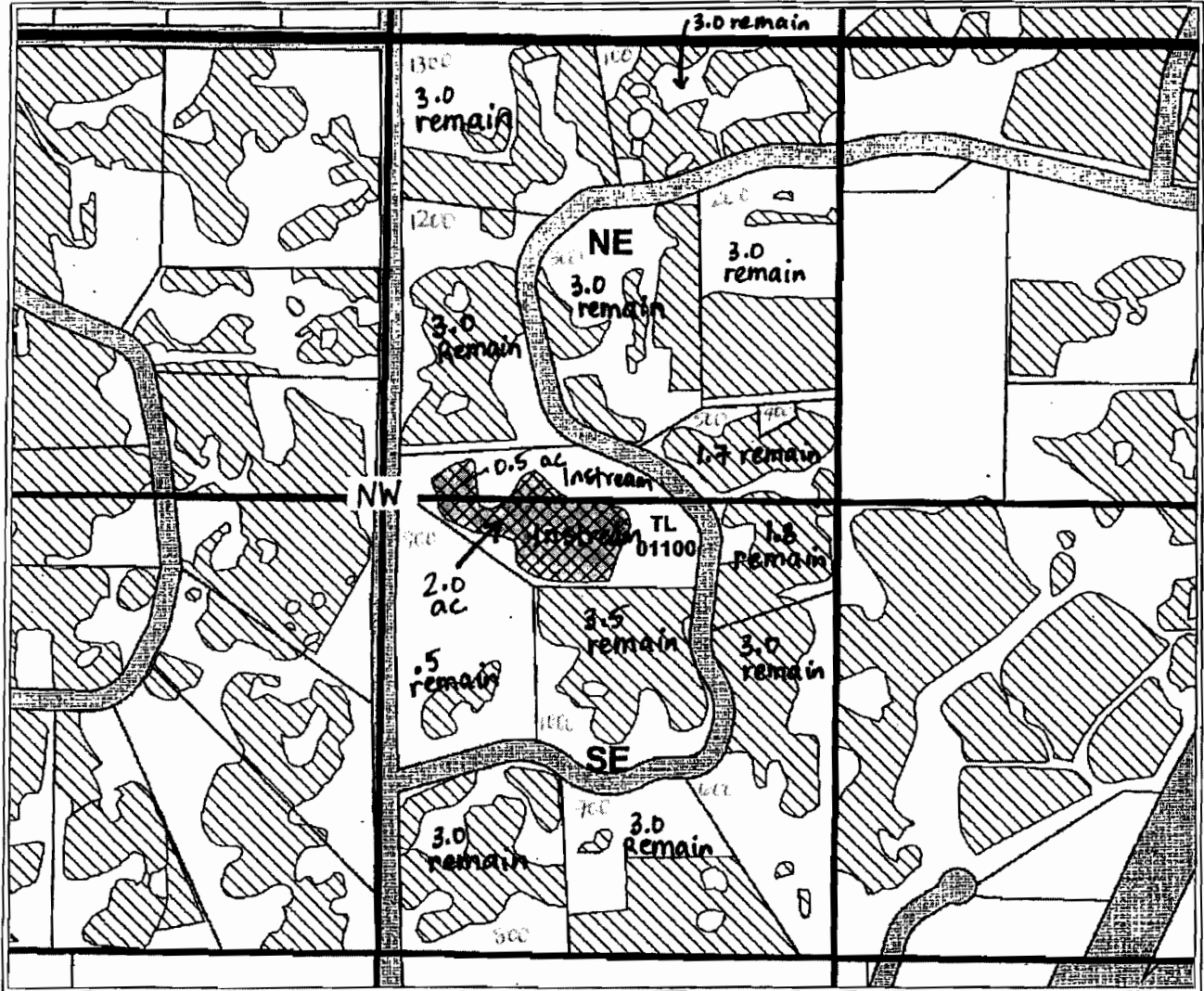
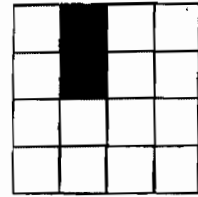
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*Pooled Water Right Holder Form / 4*

TACS

# SWALLEY IRRIGATION DISTRICT INSTREAM LEASE MAP

17S12E09NENW & 17S12E09SENW



APPLICATION FOR INSTREAM LEASE  
FOR

PATRICK MURPHY - 2.50 ACRES  $\left\{ \begin{array}{l} 0.5 \text{ ac NENW} \\ 2.0 \text{ ac SENW} \end{array} \right.$

- PROPOSED LEASE WATER
- EXISTING WATER

geo-spatialSolutions  
Professional GIS Consulting

1" = 450'

Date: 05/23/03

**Geo-Spatial Solutions, Inc.**  
www.geospatialsolutions.com



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](http://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): \_\_\_\_\_

This Lease is with:

**Lessor #1 (Water Right Holder):**

Name RYMILAKA, LLC and East Slope Investments, LLC  
Mailing address P.O. Box 6195  
City, State, Zip Code Bend, OR 97708  
Telephone number 541-915-2950 contact: Randy Thornton  
Email address \_\_\_\_\_

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

Swalley Irrigation District  
64672 Cook Ave., Suite 1  
Bend, OR 97701 kathy@swalley.com

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). 74145

- 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: 74145

(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.	16	12	27	sese	1100	29.95	IRR	8	9/1/1899	IL-SL-10
2.	16	12	27	sese	1100	0.5	pond	8	9/1/1899	IL-SL-10
3.	16	12	27	sese	1300	6.73	IRR	8	9/1/1899	IL-SL-10
4.										IL-
5.										IL-

Total number of acres, if for irrigation (or other acre equivalent use), by certificate and priority date: 36.68 acres IRR, 0.5 ac Pond, lot line adjustments made in 2008 (see attachment), Previously leased as a split season lease SL-10 that started the process as L-951

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 Nov 1, 2013. (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]* *for Rymlaka LLC* Date: 2/14/13  
RYMLAKA, LLC

*[Signature]* *for Eastslope LLC* Date: 2/14/13  
Eastslope Investments, LLC

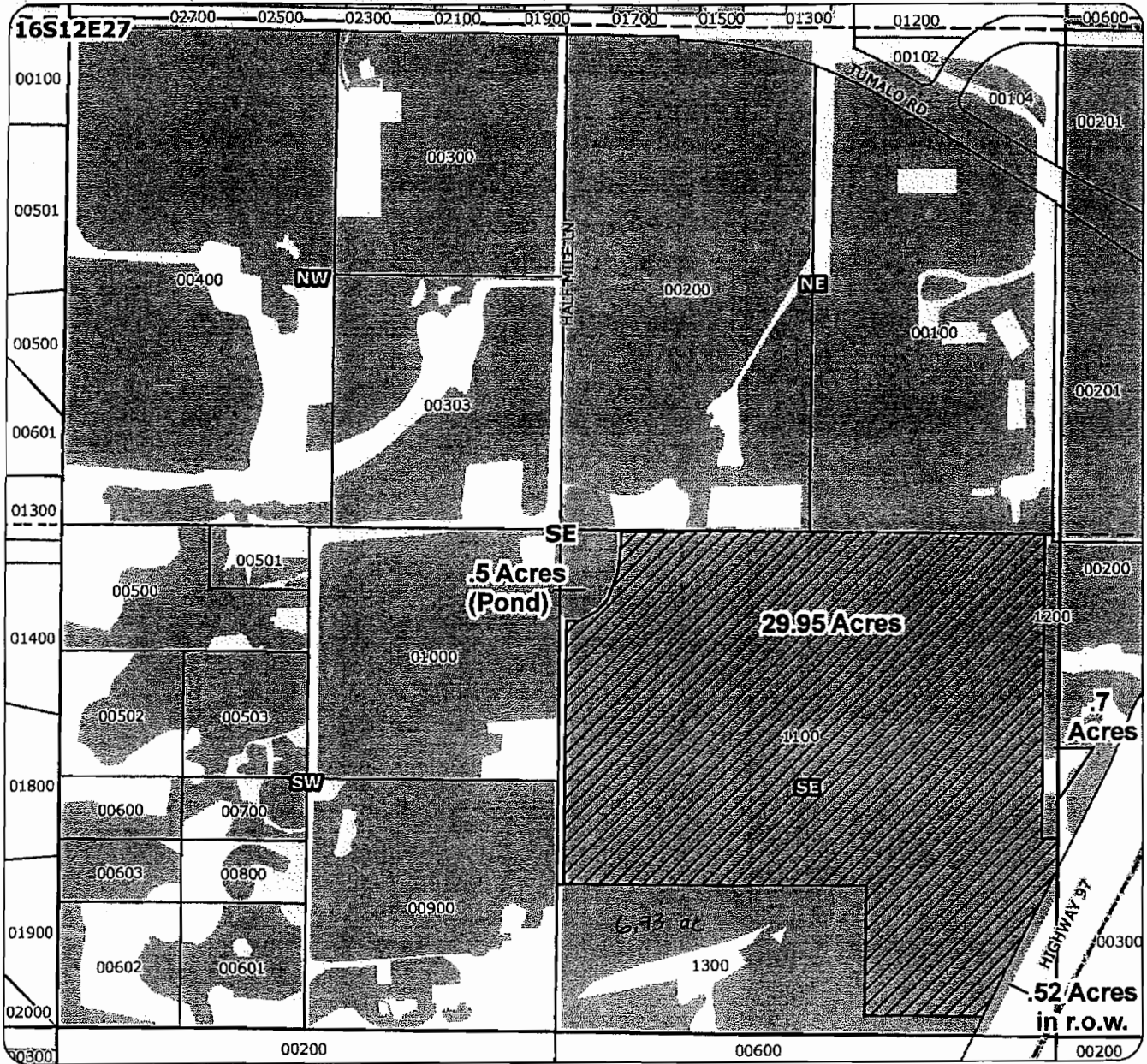
For additional Lessors, type in space for signature and date  
Swalley Irrigation District - pooled form

*Suzanne Butterfield* 2-12-13



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.)

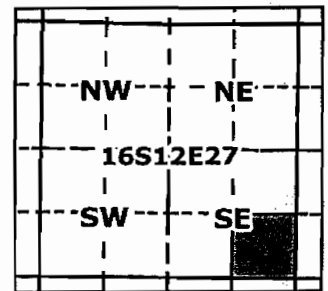
# 2013 Swalley Irrigation District Instream Lease Map



## Application for Instream Lease

-  Proposed Lease of Irrigation Rights
-  Water Rights

for  
 Rymilaka, LLC  
 taxlot 1100- 29.95 acres  
 in 161227SESE  
 .5 acres of pond rights remaining in taxlot  
 Total Lease of 29.95 Acres IRR  
 + Lease of 0.5 Acres POND



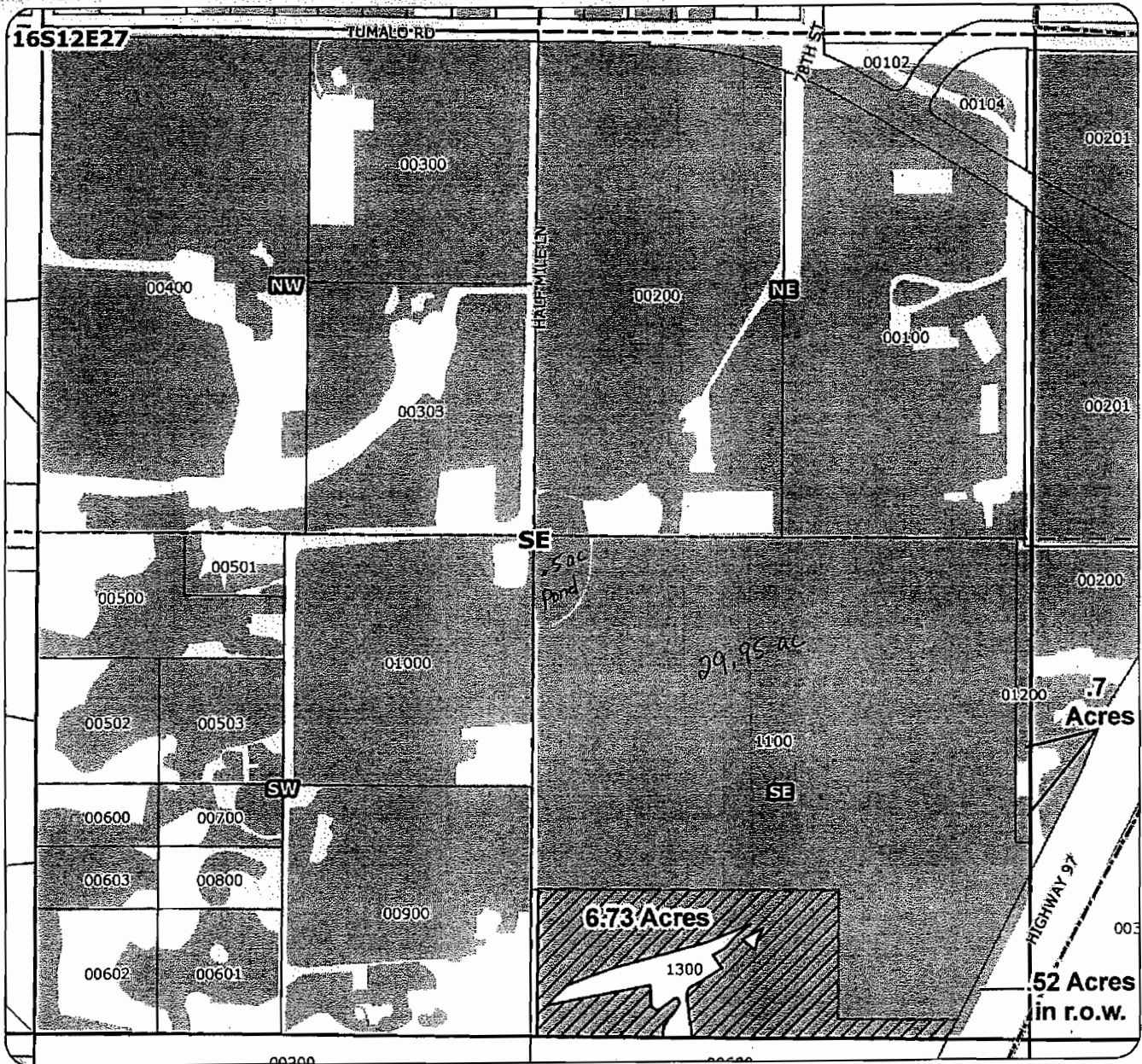
1 inch equals 400 feet



**Geo-Spatial Solutions, Inc.**  
[www.geospatialolutions.com](http://www.geospatialolutions.com)



Date Created: June 2008

# 2013 Swalley Irrigation District Instream Lease Map



## Application for Instream Lease

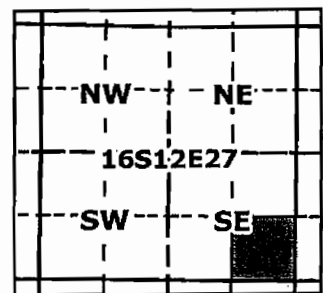
for  
 East Slope, LLC  
 taxlot 1300- 6.73 acres  
 in 161227SESE  
 0 acres remaining in taxlot  
 Total Lease of 6.73 Acres

-  Proposed Lease of Irrigation Rights
-  Water Rights



Geo-Spatial Solutions, Inc.  
[www.geospatialolutions.com](http://www.geospatialolutions.com)

Date Created: June 2008



1 inch equals 400 feet

Lot line Adjustments

TL 1100

DESCHUTES COUNTY ASSESSOR'S NAME LEDGER

5/29/2008 2:49:30 PM

Account ID 133173 Township 16 Range 12 Section 1/4 1/16 Taxlot 27 Special Interest 01100

Effective Date 10-Apr-1995 12:00 AM Transaction ID -159925 Entry Date 10-Apr-1995 Recorded Date 10-Apr-1995 Sale Price \$186,480 Sale Date 10-Apr-1995

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
3	-195094	1995	CLERK - BOR		1995	3701611	1			NAME CHANGE	

Size Totals Code Acres Sqft Alternate Size

Effective Date 15-May-2003 12:00 AM Transaction ID -47641 Entry Date 15-May-2003 Recorded Date 15-May-2003 Sale Date 15-May-2003

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	-47641	2003	ASSESSOR'S FILE		2003	133173	1	ASSESSOR'S FILE:CONVERSION:133173		CONVERSION	

Name Changes	Status	Name	Name Type	Ownership Type	Ownership %
A		BARRETT, GARY	OWNER	OWNER	
A		BARRETT, BRUCE	OWNER	OWNER	

Size Changes	Code	+/- Size	Alternate Size	Code Area Deleted	Move to Acct	Move To Code
2007		28.57 Acres				

Action Subdivision Block Lot Direction Part Part Type Add:

Effective Date 23-Sep-2005 9:20 AM Transaction ID 882824 Entry Date 23-Sep-2005 Recorded Date 16-Sep-2005 Sale Price \$700,000 Sale Date 16-Sep-2005

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
2	928047	2005	CLERK - BOR	WD	2005	62517	1			NAME CHANGE	

Name Changes	Status	Name	Name Type	Ownership Type	Ownership %
D		BARRETT, BRUCE	OWNER	OWNER	
D		BARRETT, GARY	OWNER	OWNER	
A		EAST SLOPE INVESTMENT LLC	OWNER	OWNER	100.0000

Size Totals Code Acres Sqft Alternate Size

TL 1100

5/29/2008 2:49:30 PM

Account ID 133173 Township 16 Range 12 Section 27 1/4 D 0 1/16 Taxlot 01100 Special Interest

Effective Date 12-May-2006 9:25 AM Transaction ID 1158123 Entry Date 10-May-2006 Recorded Date 21-Mar-2006 Sale Date 21-Mar-2006

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	1221262	2006	CLERK - BOR	WD	2006	19495	1			PT	SIZE CHANGE
ACREAGE ADJUSTMENT (-0.52 AC)											
<b>Size Changes</b>		<b>Code</b>	<b>+/- Size</b>	<b>Alternate Size</b>	<b>Code Area Deleted</b>	<b>Move to Acct</b>	<b>Move To Code</b>				
<b>Size Totals</b>		<b>Code</b>	<b>Acres</b>	<b>Sqft</b>	<b>Alternate Size</b>						
		2007	-0.52	Acres							
2	1221264	2006	CLERK - BOR	WD	2006	19495	1			PT	SIZE CHANGE
LLA WITH TAX LOT 1300 (+2.40 AC)											
<b>Size Changes</b>		<b>Code</b>	<b>+/- Size</b>	<b>Alternate Size</b>	<b>Code Area Deleted</b>	<b>Move to Acct</b>	<b>Move To Code</b>				
<b>Size Totals</b>		<b>Code</b>	<b>Acres</b>	<b>Sqft</b>	<b>Alternate Size</b>						
		2007	2.40	Acres							

Notes: NEW LEGAL DESCRIPTION

Action Subdivision Delete:

Action Metes and Bounds Add: SEE WD 2006-19495

Effective Date 30-Oct-2006 3:40 PM Transaction ID 1503028 Entry Date 23-Oct-2006 Recorded Date 20-Oct-2006 Sale Price \$328,302 Sale Date 20-Oct-2006

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	1615857	2007	CLERK - BOR	WD	2006	70241	1			NAME CHANGE	
Name Changes Status Name Name Type Ownership %											
		D	EAST SLOPE INVESTMENT LLC		OWNER					OWNER	100.0000
		A	BOSSERT, J SCOTT		OWNER					OWNER	100.0000
<b>Size Totals</b>		<b>Code</b>	<b>Acres</b>	<b>Sqft</b>	<b>Alternate Size</b>						

Effective Date 06-Nov-2006 7:17 AM Transaction ID 1503132 Entry Date 24-Oct-2006 Recorded Date 23-Oct-2006 Sale Price \$329,338 Sale Date 20-Oct-2006

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	1617152	2007	CLERK - BOR	WD	2006	70608	1			NAME CHANGE	

TL1100

5/29/2008 2:49:30 PM

Account ID 133173 Township 16 Range 12 Section 27 1/4 D 1/16 Taxlot 01100 Special Interest

Name Changes	Status	Name	Name Type	Ownership Type	Ownership %
D	BOSSERT, J SCOTT	OWNER	OWNER	100.0000	
A	MCDUGAL, MELVIN L	OWNER	OWNER	100.0000	

Size Totals	Code	Acres	Sqft	Alternate Size

Effective Date 27-Jun-2007 7:56 AM Transaction ID 1628313 Entry Date 20-Jun-2007 Recorded Date 18-Jun-2007 Sale Date 31-Dec-2006

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	1809937	2007	CLERK - BOR	WD	2007	34055	1			NAME CHANGE	

VESTING: T/C

Name Changes	Status	Name	Name Type	Ownership Type	Ownership %
D	MCDUGAL, MELVIN L	OWNER	OWNER	100.0000	
A	MCDUGAL, MELVIN L	OWNER	OWNER	60.0000	
A	ROGERS, KELLY	OWNER	OWNER	50.0000	
A	ROGERS, GAYLA	OWNER	OWNER	50.0000	
A	ROGERS, KAMI	OWNER	OWNER	50.0000	
A	THORNTON, RANDALL	OWNER	OWNER	50.0000	
A	THORNTON, JAN	OWNER	OWNER	50.0000	
A	ROGERS, LANDON	OWNER	PROTECTED PERSON	50.0000	
A	ROGERS, GAYLA CUSTODIAN	REPRESENTATIVE	OWNER AS TRUSTEE	50.0000	
A	THORNTON, MINDY	OWNER	PROTECTED PERSON	50.0000	
A	THORNTON, RYAN	OWNER	PROTECTED PERSON	50.0000	
A	THORNTON, JAN CUSTODIAN	REPRESENTATIVE	OWNER AS TRUSTEE	50.0000	

Size Totals	Code	Acres	Sqft	Alternate Size

Effective Date 27-Jun-2007 8:00 AM Transaction ID 1628314 Entry Date 20-Jun-2007 Recorded Date 18-Jun-2007 Sale Date 04-Jun-2007

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	1809938	2007	CLERK - BOR	WD	2007	34056	1			NAME CHANGE	

VESTING: T/C

TU 1100

5/29/2008 2:49:30 PM

Account ID 133173 Township Range 16 12 Section 27 1/4 1/16 Taxlot 0 01100 Special Interest

Name Changes	Status	Name	Name Type	Ownership Type	Ownership %
D		MCDUGAL, MELVIN I	OWNER	OWNER	50.0000
D		ROGERS, KELLY	OWNER	OWNER	50.0000
D		ROGERS, GAYLA	OWNER	OWNER	50.0000
D		ROGERS, KAMI	OWNER	OWNER	50.0000
D		THORNTON, RANDALL	OWNER	OWNER	50.0000
D		THORNTON, JAN	OWNER	OWNER	50.0000
D		ROGERS, LANDON	OWNER	OWNER	50.0000
D		ROGERS, GAYLA CUSTODIAN	REPRESENTATIVE	PROTECTED PERSON	50.0000
D		THORNTON, MINDY	OWNER	OWNER AS TRUSTEE	50.0000
D		THORNTON, RYAN	OWNER	PROTECTED PERSON	50.0000
D		THORNTON, JAN CUSTODIAN	REPRESENTATIVE	PROTECTED PERSON	50.0000
A		ROGERS, KELLY	OWNER	OWNER AS TRUSTEE	100.0000
A		ROGERS, GAYLA	OWNER	OWNER	100.0000
A		ROGERS, KAMI	OWNER	OWNER	100.0000
A		THORNTON, RANDALL	OWNER	OWNER	100.0000
A		THORNTON, JAN	OWNER	OWNER	100.0000
A		ROGERS, LANDON	OWNER	OWNER	100.0000
A		ROGERS, GAYLA CUSTODIAN	REPRESENTATIVE	PROTECTED PERSON	100.0000
A		THORNTON, MINDY	OWNER	OWNER AS TRUSTEE	100.0000
A		THORNTON, RYAN	OWNER	PROTECTED PERSON	100.0000
A		THORNTON, JAN CUSTODIAN	REPRESENTATIVE	PROTECTED PERSON	100.0000

Size Totals Code Acres Sqft Alternate Size

Effective Date 27-Jun-2007 8:01 AM Transaction ID 1628315 Entry Date 20-Jun-2007 Recorded Date 18-Jun-2007 Sale Date 07-Jun-2007

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	1809939	2007	CLERK - BOR	WD	2007	34057	1			NAME CHANGE	

Name Changes	Status	Name	Name Type	Ownership Type	Ownership %
D		ROGERS, KELLY	OWNER	OWNER	100.0000
D		ROGERS, GAYLA	OWNER	OWNER	100.0000
D		ROGERS, KAMI	OWNER	OWNER	100.0000
D		THORNTON, RANDALL	OWNER	OWNER	100.0000
D		THORNTON, JAN	OWNER	OWNER	100.0000
D		ROGERS, LANDON	OWNER	OWNER	100.0000
D		ROGERS, GAYLA CUSTODIAN	REPRESENTATIVE	PROTECTED PERSON	100.0000
D		THORNTON, MINDY	OWNER	OWNER AS TRUSTEE	100.0000
D		THORNTON, RYAN	OWNER	PROTECTED PERSON	100.0000
D		THORNTON, JAN CUSTODIAN	REPRESENTATIVE	PROTECTED PERSON	100.0000
A		RYMILAKA LLC	OWNER	OWNER AS TRUSTEE	100.0000

Size Totals Code Acres Sqft Alternate Size

*Lot Line Adjustments*  
**DESCHUTES COUNTY ASSESSOR'S NAME LEDGER**

TL 1300

5/30/2008 9:46:49 AM

Account ID 133171    Township 16    Range 12    Section 27    1/4 D    1/16    Taxlot 0    Special Interest 01300

Effective Date 10-Apr-1995 12:00 AM    Transaction ID -159925    Entry Date 10-Apr-1995    Recorded Date 10-Apr-1995    Sale Price \$186,480    Sale Date 10-Apr-1995

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
2	-195095	1995	CLERK - BOR		1995	3701611	1			NAME CHANGE	

Size Totals    Code    Acres    Sqft    Alternate Size

Effective Date 02-Jul-2001 12:00 AM    Transaction ID -131123    Entry Date 02-Jul-2001    Recorded Date 02-Jul-2001    Sale Price \$0    Sale Date 02-Jul-2001

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	-160731	2001	CLERK - BOR		2001	34395	1			NAME CHANGE	

Size Totals    Code    Acres    Sqft    Alternate Size

Effective Date 15-May-2003 12:00 AM    Transaction ID -47643    Entry Date 15-May-2003    Recorded Date 15-May-2003    Sale Date 15-May-2003

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	-47643	2003	ASSESSOR'S FILE		2003	133171	1	ASSESSOR'S FILE:CONVERSION:133171		CONVERSION	

Name Changes    Status    Name    Name Type    Ownership Type    Ownership %

A    BARRETT, REBECCA L    OWNER    OWNER

A    BARRETT, BRUCE G    OWNER    OWNER

Size Changes    Code    +/- Size    Alternate Size    Code Area Deleted    Move to Acct    Move To Code

2007    10.00 Acres

Size Totals    Code    Acres    Sqft    Alternate Size

Action    Subdivision    Block    Lot    Direction    Part    Part Type

Add:

Effective Date 21-Sep-2003 12:00 AM    Transaction ID 229306    Entry Date 21-Sep-2003    Recorded Date 29-Jul-0203    Sale Price \$0    Sale Date 10-Jun-2003

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	234847	2003	CLERK - BOR	B&S	2003	50963	1			NAME CHANGE	



TL 1300  
5/30/2008 9:46:49 AM

Account ID 133171    Township 16    Range 12    Section 27    1/4 D    1/16 D    0    Taxlot 01300    Special Interest

Name Changes	Status	Name	Name Type	Ownership Type	Ownership %
D		BARRETT, BRUCE G	OWNER	OWNER	
D		BARRETT, REBECCA L	OWNER	OWNER	
A		BARRETT, BRUCE G	OWNER	OWNER	50.0000
A		RIGHT OF SURVIVORSHIP--BARRETT, GARY W	OWNER	OWNER	50.0000
A		BARRETT, GARY W	OWNER	OWNER	
A		RIGHT OF SURVIVORSHIP--BARRETT, BRUCE G	OWNER	OWNER	

Size Totals    Code    Acres    Sqft    Alternate Size

Effective Date 23-Sep-2005 9:20 AM    Transaction ID 882824    Entry Date 23-Sep-2005    Recorded Date 16-Sep-2005    Sale Price \$700,000    Sale Date 16-Sep-2005

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
1	929045	2005	CLERK - BOR	WD	2005	62517	1		PT	NAME CHANGE	

Name Changes	Status	Name	Name Type	Ownership Type	Ownership %
D		BARRETT, BRUCE G	OWNER	OWNER	50.0000
D		RIGHT OF SURVIVORSHIP--BARRETT, GARY W	OWNER	OWNER	50.0000
A		BARRETT, GARY W	OWNER	OWNER	
A		RIGHT OF SURVIVORSHIP--BARRETT, BRUCE G	OWNER	OWNER	100.0000
A		EAST SLOPE INVESTMENT LLC	OWNER	OWNER	

Size Totals    Code    Acres    Sqft    Alternate Size

Effective Date 12-May-2006 9:25 AM    Transaction ID 1158123    Entry Date 10-May-2006    Recorded Date 21-Mar-2006    Sale Date 21-Mar-2006

Seq	Voucher ID	Tax Year	Document Source	Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map
3	1221265	2006	CLERK - BOR	WD	2006	19496	1		PT	SIZE CHANGE	

LLA WITH TAX LOT 1100 (-2.40 AC)

Size Changes    Code    +/- Size    Alternate Size    Code Area Deleted    Move to Acct    Move To Code

Size Totals    Code    Acres    Sqft    Alternate Size

Notes: NEW LEGAL DESCRIPTION

Action    Subdivision    Block    Lot    Direction    Part    Part Type

Delete:  
Action    Metes and Bounds  
Add:    SEE WD 2006-19496