

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
n by Lessor/Lessee:
eased is located in <u>Deschutes</u> County.
•
District or Other Water Purveyor
Tumalo Irrigation District
64697 Cook Ave.
Bend, OR 97701
541-382-3053
jan@tumalo.org
an Oregon Water Resources Department):
Deschutes River Conservancy
Deschutes River Conservancy 700 NW Hill Street Bend, OR 97701
Bend, OR 97701
541-382-4077
gen@deschutesriver.org LADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE
CALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.
ces Department
S, Suite A
6
•
Water Right Holder and Water Right Information
e (Check one): resentative of <u>Tumalo Irrigation District</u> , the irrigation district, which ster to the subject water rights. rty with an interest in the subject water rights representing

APR 3 0 2014

1.3	For the water right(s) being leased, list all water rights appurtenant to the Indicate if there are any supplemental or overlying rights.	same lands.
<u>74147</u>	Certificate No(s). <u>primary 74146, 76106 (now on living C-74146 with Se AND supplemental 74147, 74148, 74149, 76520, 88894</u>	pt 1900 priority),
1.4	Are some or all of the lands being leased part of a Conservation Reserve Program. Yes No or other Federal Program:	Enhancement
1.5	Water Rights Proposed to be Leased Instream. The first right to be leased identified in Section 1.3 is further described as Certificate No.: 74146 (and what was 76106) (If you need to enter another leased right, please use the additional water riginstream lease.) Priority date: 8/5/1900, 9/1/1900, 5/27/1907 Legal Season of Use: 4/1- 10/31 If an irrigation right, total number of acres to be leased: 18.6 ac 8/5/1900 67.62 ac 9/1/1900 (34 of these acres are from cancelled C-76106) 9.0 ac 5/27/1907 95.22 ac total Total acre-feet of storage to be leased, if applicable: Maximum rate associated with subject water rights (cfs) being leased: 0.266 cfs 8/5/1900 0.966 cfs 9/1/1900 (0.486 of this from cancelled C-76106) 0.129 cfs 5/27/1907 1.360 cfs total If there is more than one rate associated with a water right, describe belo Season 1 (cfs)	ght form for pooled e of use: IRR w:
2.1	 Public use. This lease will increase streamflows that will benefit: ☑ Conservation, maintenance and enhancement of aquatic and fish life and wildlife habitat ☑ Pollution abatement ☑ Recreation and scenic attraction 	, wildlife, and fish
2.2	Instream use created by lease for the water right described in Sept	CENED BY OWR
	In the Tumalo Creek	APR 3 0 2014

Tributary to <u>Deschutes River</u> Basin,	in the <u>Deschutes</u>	
Instream volume in acre-feet (may be up to the	e same as the duty identified i	n Sec 1.5):
33.48 af 8/5/1900		RECEIVED BY O
121.72 af 9/1/1900 (61.20 af from cancelled C	<u>2-76106)</u>	
16.20 af 5/27/1907 = 171.40 af total	diamental and the first of the	APR 3 0 2014
Instream rate in cfs (may be up to the same as 0.101 cfs 8/5/1900		: SALEM, OR
0.366 cfs 9/1/1900 (0.184 cfs from cancelled COMMON COM	<u>2-/6106)</u>	
(If more than one rate, describe the rate associ Rate in CFS: Rate in CFS:		am reach.)
(If not certain of the instream rate or volume, pl on how to fill out this section of the application	ease contact the Department for	more information
Instream use protected at the point of diversity Or within a proposed reach.	rsion (POD).	
Describe the proposed reach (an instream regenerally ends at the mouth of the source of mile): from TID POD #1: Tumalo Feed Cathe mouth of the Deschutes River at river regeneration.	reek/river). If possible list the mal – SWNE, sect 23, T17S, I	e reach by river
Please check this box if you are not su protected within a reach below the POD, if		vant water to be
(If no reach is identified or the above box is no certificate, the lease may be processed to be processed to be processed.)	-	POD listed on the
If the POD is not described on the Certificate certificate, then the specific POD must be des		OD listed on the
Conditions to prevent injury, if any (use the period of use than allowed by the water rig		restrictive
 None The instream flow will be allocated on a from 5/1/2014 through 10/15/2014 Other (describe): 	,	described rate
(Note: The Department may identify additional of	conditions to prevent injury and/o	or enlargement.)
Term of lease. This lease shall terminate on	Oct 31, 2014	
Flow protection. The Trustee will regulate us appropriation and the agency enforcement gus point of diversion, and through the reach pass sufficient to meet the demand under priority. As part of regulation activities the watermast	idance, to assure the water is a junior downstream users, so date of the new instream use (delivered to the long as flow is see Section 2.2).

2.3

2.4

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	Term	ination	provis	ion.

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 then 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.	Pu	ırsuant 1	to Ol	RS	536.050	, the	following	fee	is included	1:

\boxtimes	\$450 for an application with four or more	landowners or fo	our or more v	water rights.
	\$300 for all other applications.			

Lessor #2:	120	Date:	4.23.2014
Tumalo Irrigation District			
1/.	11 0 , -		, ,
Lessee: XMPhui	Student	Date:	4/29/2014
Deschutes River Conservancy	7		

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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Pooled Lease Form / 5

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Additional Water Right Form for Pooled

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 Form. Water Rights Proposed to be Leased Instream. District and water right holo propose to lease the water rights identified in Section 1.3 on the "Pooled Lease"	der(s) e Form."
The next right to be leased is further described as follows: Certificate No.: 74147 (If you need to enter another leased right, please use another additional water right pooled instream lease.) Priority date: 10/29/1913 Type of use: IRR Legal Season of Use (if not listed on the certificate): 4/1-10/31 If an irrigation right, total number of acres to be leased: 56.59 ac IRR Total acre-feet of storage to be leased, if applicable: Maximum rate associated with subject water rights (cfs) being leased: 1.747 cl If there is more than one rate associated with a water right, describe below: Season 1 (cfs) 0.707 IRR Time period: 4/1-5/1 & 10/1-11/1 Season 2 (cfs) 0.943 IRR Time period: 5/1-5/15 & 9/15-10/1 Season 3 (cfs) 1.747 IRRI Time period: 5/15-9/15 Maximum duty associated with subject water rights (ac-ft): 560.81 af IRR	· · · · · · · · · · · · · · · · · · ·
Conditions or other limitations, if any: protected instream from 4/1-10/26	
· ~II~	RECEIVED BY OWRD
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:	APR 3 0 2014 · SALEM, OR
In the <u>Tumalo</u> Creek Tributary to <u>Deschutes River</u> in the <u>Deschutes</u> Basin.	o, 122111, 011
Instream volume in acre-feet (may be up to the same as the duty identified in S Instream rate in cfs (may be up to the same as the rate identified in Sec 1.5):	
Rate in CFS: season 3 - 1,747 cfs IRR, 5/15-9/15	
(If not certain of the instream rate or volume, please contact the Department for a information on how to fill out this section of the application).	nore
☐ 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 PC generally ends at the mouth of the source creek/river). If possible list the	DD and reach by

river mile): TID POD #1 (Tumalo Feed Canal) to the mouth of Tumalo Creek and on
to the mouth of the Deschutes River at river mile 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 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 4/1/2014 through 10/26/2014.
Other (describe):
Note: The Department may identify additional conditions to prevent injury and/or enlargement.)

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						Acres	by Certifi	Acres by Certificate/Priority	ĺ			WAS INCOME BY THE PROPERTY OF
		-		74146	74146	74146	74146	74146 74146 74147 < 74147 57771907 57771907 5777737 10/29/1	913	7 6106 83571 12/8/1961 1900/0	3571	Large Ferral
Landowner	rease #	Total Ac	es S	over/c/o							T	to to a second and a second se
CIR Ioc	14.04	53.66	IRR			9			4.66			1297, 1223, 1155, 1045, 916, 73 counte duj 17 1115, 101 co
Blach, Lewis	14.06	S	88		5							
Cadwell Eric & Brianna	14.07	6.93	IRR					6.93				
Iveter Trust	14.05	ន	IRR		10						5	991(not under a crust)
Marshall Trust. Margaret	14.02	3.8	IRR							3.8		
Mirzin/Knoproschild, Mark & Krista	14.08	5	IRR						S			
Jours Coats Rev Trust. Fric Coats. Trustee	1	56.6	IR R	18.6	7.8					30.2		1045, 11279, 1155, 1045, 815
Modile Dennis & Cizer Rosanne	ı	1,43	RR.		1.43							
Shepard John (agent)	14.09	939	IR.		9.39							
	The state of the s	Part State of the Control of the Con	- 19	(A) (A) (A) (A)	Service Servic	CONTRACTOR OF STREET	CANADA	ACTION AND ADDRESS.	A VOICE	72	O. T. Sales	
	Total	Total season in the season	313		2			Service Community	Accessor Carlo	100000000000000000000000000000000000000		
			Total IRR	18.6	33.62	Φ	0	6.93	49.66	8	٦	
	•	Total	Total Plus C74106	٥	29.29	0	0	0	٥	7	미	
	_		Total IND	٥	0	0	0	0	0	٥	0	
	•		Total Pond	٥	0	0	0	0	0	0	0	
			Certificate:	74146	74146	74146	74146		74147	76106	83571	
										76106 is no	w cancell	761061s now cancelled and has become 88894
)gitos ou	admin ass	r ac 2014							The live flo	W is now	The live flow is now on C74146
"12/9; Leased land, but not unuer ure same ter militare injuries as the		200	1	bases 4	2014 Joseph Cathor land under different certificates.	der differe	or contifica	¥		C74146 is a "living certificate"	"living a	"tificate"
*1155: Leased certificate 76106 parcel, but different taxiot parcel man	ut differen	r taxiot par	ce man zoī	4. LEASE				į			4000 mg mg	

"1279: Leased land, but not under the same certificate number as 2014
"1155: Leased certificate 76106 parcel, but different taxlot parcel than 2014. Leased other land under different certificates.
"1045: Leased different acenages of same QQ"
"815: Leased land, but not under the same certificate number as 2014

Lease with Sept 1900 priority

This table will calculate flow rate factors and duty for Tumalo Irrigation District Instream Leases

Primary Irrigation TID CERT 74146 (assuming can divert full rate and duty allowed by certificate)

Source = Tumalo Creek

Information highlighted with purple	e font is to b	e entered on to the	ne Instream Le	ont is to be entered on to the Instream Lease Application Form	u	
Enter Total Number of Acres to be Leased Acres to be Leased Acres to be Instituted to Principle Total		Rate (CFS) associated with lea	iated with lease ication Form	Rate (CFS) associated with leased rights for Section 1.5 of the Lease Application Form	3 <u>5</u>	
pri date acres instream		Enter Rates and Rate/acre (CFS) Max Rate (CFS)	Rate/acre (CFS)	Max Rate (CFS)	Duty/acre (AF)	Max Duty (AF
August 5. 1900	18860	August 5. 1900	0:0143	0.266	5 1.8	39
September, 1900	にのが	September, 1900	0.0143	0.966	5 1.8	121
April 28, 1905		April 28, 1905	0.0140	0,000	0 1.8	
May 27, 1907		May 27, 1907	0.0143	0.129	9.1 1.8	
June 1, 1907		June 1, 1907	0.0143	0.00	0 1.8	
total acres	7.7.5		Totals	1,360	C	

3.48

0.00 0.00 0.00 0.00

Enter Instream Rates and Instream Rate	Instream Rate	Instream	
Volumes by Priority Date (CFS) over full	(CFS) over full	Volume	
on Lease Form	Irrigation Season	(AF)	Period Instream
August 5. 1900	6 (5,0)		3-48 April 15 - Oct 15
September, 1900		1. C.	April 15 - Oct 15 🗡
April 28, 1905	1 5 5 6	(2) (8) (8)	9 90 April 15 - Oct 15
May 27, 1907			April 15 - Oct 15
June 1, 1907		(0)(0)(0)	MD April 15 - Oct 15
Totals			

8

Enter Proposed begin and end dates (must fall within Irrigation Season)	d end dates (mus	st fall within Irrigatio	on Season)
begin date		Settle of Days	
end date	4 (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	168	Days
		25-30 E 27-2	
Enter Instream Rates	A Company of the Comp	Instream Rate	
and Volumes by Priority	# Day's	(CFS) over full	Instream
Date on Lease Form	Instream	Irrigation Season	Volume (AF)
August 5. 1900	168		
September, 1900	168	36.5	
	760		
April 20, 1903	80		
May 27, 1907	168		1976 S
June 1, 1907.	168	(1/2 (1/2)) (1/2) (1/2)	3776
Totals		0 6	077.02
		9.7	7

RECEIVED BY OWRD 34.00 ac (of this leave) added Resulting rates may not exceed the max rate identified for Section 1.5

APR 3 0 2014

Cancelloth'or of C-7610le. 67.62 ac 9/1/1900 priority 33.62 ac original to Certy.

SALEM, OR

This table will calculate flow rate factors and duty for Tumalo Irrigation District Instream Leases

Primary Irrigation (See Below Dark Green Line for Supplemental Irrigation Calculator)
TID CERT 74147 (assuming can divert full rate and duty allowed by certificate)

Priority Date = October 29, 1913

Source = Tumalo Creek, Crater Creek, Little Creek and Three Spring Branches

Enler Fold	HENDING TO PAGE	18 1
to be Leas	ed Instreem Her	
	-	

Rate (CFS) associated with Lease Application Form	n leased rights for S	ection 1.5 of the		
Enter Rates and Duty on Lease Form by Season	Rate/acre (CFS)	Max Rate (CFS)	Duty/acre (AF)	Max Duty (AF)
Season 1	0.013	0.707	9.91	560.81
Season 2	0.017	0,943		
Season 3	0.031	1.747		

LONG COLEMAN DECEMBER OF THE COLOR	or compression	acutailenc	nA cia	
Enter Instream Rates and Volumes by Season on Lease	Instream Rate	Days instream	Instream Volume (AF)	
Season 1	(1) 7/(1)//	56	1743 BA	·
Season 2	(8)(1)(8)		MXIV	
Season 3	1574.77	123	er ayanini	•
Totals		Total Instream Vol.		
Anthier Researcher resul			Cara legileriyek	
Water protected instream:	April 1 throug	h October 26		

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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.

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 Bierly, Lewis & Leslie Mailing address 19293 Tile Flat Road City, State, Zip Code Beaverton, OR 97007 Telephone number <u>541,410.9345</u> Email address If additional water right holders, enter water right holder information below 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 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. 1.1 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. For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate 1.3 if there are any supplemental or overlying rights. Certificate No(s). CT# 74146 Are some or all of the lands being leased part of a Conservation Reserve Enhancement 1.4 No or other Federal program: Program. Yes

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1.5	water [This ir area of section	rights shaformation water right and ¼ ¼,	nown or n may be hts being , tax lot n	the maincluded leased. A umber, m	p attache on Exhibit Attached ma ap orientat	d as Exhi 5-A, or an ap(s) must ion and sca		escribed a may be atta ight holder,	as follows: ached. Crossha township, rang	atch the ge,
	Certif	icate Nu ou need to	mber:				1.3 is further e Additional Wa			
	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	*Page#	*Priority Date	*Previous Lease #
*(Id	lentify per re than one	on the co	ertificate.	If any p	ortion of th	e right prop	greater than 10 posed to be least on of a previous	ed was lease	tify priority dated previously,	te, if there is
1.	16S	11E	24	swnw	00501	5.0	irr	6	9/1/1900	IL-
2.										IL-
3.										IL-
4.										IL-
5.								<u> </u>		IL-
1.6	Validit Water it	y of right Right Fine water the water the water condition	hts to be form for has be right can be right can be right can be right of the cander	e leased r Poole een used ertificat ot been	d Water I over the te or as an used over right certi	ribed in S Right Ho past five instream the past ficate, ho	Section 1.5 of older. Lesson years accord water right of five years accorded to the water the wanclude necess	c(s) attests ling to the or cording to ater right:	terms and control the terms and control the terms and is not subject	that: conditions of and t to
			^	~II~ In	stream \	Water R	ight Inform	ation		
2.3							ctober 15, 20 Form will be the			
					~III~ O	ther Inf	ormation			
3.1	know comp lease lease water	ledge and lete. If order med or order med or	nd belie after the nay be note term on any othe	f, the in e lease nodified of the le erwise b	formation order is si l or terminase. It sh	n containe gned, any nated. The all not be to forfeit	ssee(s) declared in this apply information to lease only construed to ure for nonus lease.	lication is is determ exercises overcom e pursuan	true, correctioned to be father that the true triple and claim	t and alse, the ghts being that the 0.610 during

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- Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for 3.2 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.
- Precedent. If a right which has been leased is later proposed to be leased again or transferred 3.3 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.
- Suspension of original use. During the period of the lease, the water right holder agrees to 3.4 suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

	- PF -
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 then 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	
<u>Lewis</u>	<u>Bierly</u>
<u></u>	Date: 2/13/14
<u>Leslie</u>	Bierry
For ad	litional Lessors, type in space for signature and date

Other Attachments As Needed:

Exhibit 5-A: Tax Lot Map. (See instructions.)

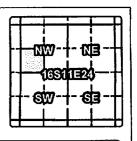
Detailed map illustrating lands under subject rights to be leased; required if only Exhibit 5-B:

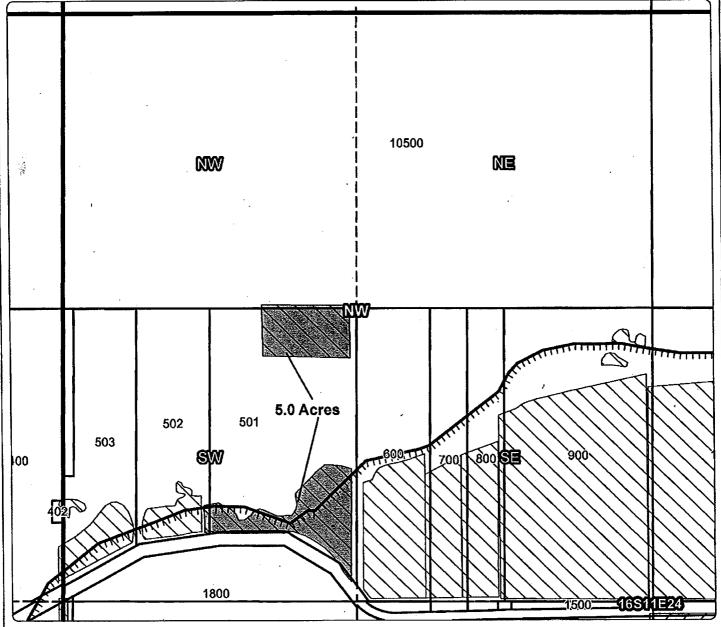
part of a right is being leased instream. Exhibits 5-A and 5-B may be combined

into a single map. (See instructions.)

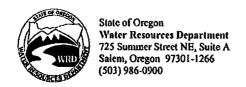
Supporting documentation indicating why a right is valid and not subject to Exhibit 5-C: forfeiture even though the right has not been exercised for five or more RECEIVED BY OWRD

Tumalo Irrigation District Application for Instream Lease Cert #: 74146, 74147 For: Lewis Bierly





1 YEAR INSTREAM LEASE MAP Canals Taxiots Taxlot 501, 16S11E24SWNW: 5.0 Acres Leased (74146, 74147), 0 Acres Remaining Cert 74146, 74147 Cert 76106 RECEIVED BY OWRD All Other Certs 1 inch = 400 feet APR 3 0 2014 **April 2014** SALEM, OR



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/OlYRD/PUBS/forms.shtml.

Pursuant to ORS 537.348(2) and OAR 690-077 Optional Identification by Lessor/Lessee: <u>L14.04</u> Lease Application Number (assigned by WRD): This Lease is with: Lessor #1 (Water Right Holder): Name C.L.R. Inc. Mailing address 703 NW Stone Pine Drive City, State, Zip Code Bend, OR 97701 Telephone number 541,389,6562 Email address If additional water right holders, enter water right holder information below 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). P: 74146, 74147 1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes or other Federal program: ⊠ No

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 ½ ½, 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: 74146

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

	Т	R	Sect	1/4 1/4	Tax Lot		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.	168	12E	30	nwse	02100	3.40	Irr	14	5/27/1907	11-1279	
2,	178	11E	13	nwnw	00817	4.0 V	Irr	14	5/27/1907	IL-1279	
3.	178	11E	13	nwnw	00809	1.60 1	Irr	14	5/27/1907	11-1279	
4.										IL-	
5.										IL-	

		al number of acres, if for irrigation (or other acre equivalent use), by certificate and rity date: 9.0					
	Cor	aditions 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:						
	\boxtimes	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 <u>not</u> 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, 2014. (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

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.

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- 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 then 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:

C.L.R. Inc, Jerry Curl

Date: 2/4/2014

For additional Lessors, type in space for signature and date

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



14, tax lot number, map orientation and scale.]

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/OIYRD/PUBS/forms.shtml..

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: 1This 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

The next right to be leased is further described as follows: Certificate Number: 74147 (If you need to enter another leased right, please use another Additional Water Right Form for Pooled Water Right Holder.)

	Т	R	Sect	44	Tax Lot	Aeres	Type of Use	*Page#	*Priority Date	*Previous Lease #	
*(Ide	*(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.	16S	12E	30	nwse	02100	.70	Irr	14	10/29/1913	IL 1279	
2.	16S	12E	30	nese	02100	1.90	Irr	14	10/29/1913	IL-)	
3.	168	12E	30	nese	02000	5.0	Irr	14	10/29/1913	IL-	
4.	168	12E	30	nese	00100	16.0	Irr	14	10/29/1913	IL-	
5.	168	12E	30	sene	00100	13.20	Irr	14	10/29/1913	IL-	
6.	178	11E	13	nwnw	00817	1.36	Irr	17	10/29/1913	IL-	
7.	178	11E	13	nwnw	00809	3.0	Irr	17	10/29/1913	IL-	
8	178	11E	14	nene	00817	3.50	Irr	17	10/29/1913	IL-	
9.										IL-	
10.										IL-	

Total number of acres, if for irrigation (or other acre equivalent use), by certificate ar	nd priority date
44,66	
Conditions or other limitations, if any:	

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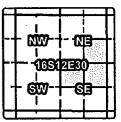
Tumalo Irrigation District Application for Instream Lease

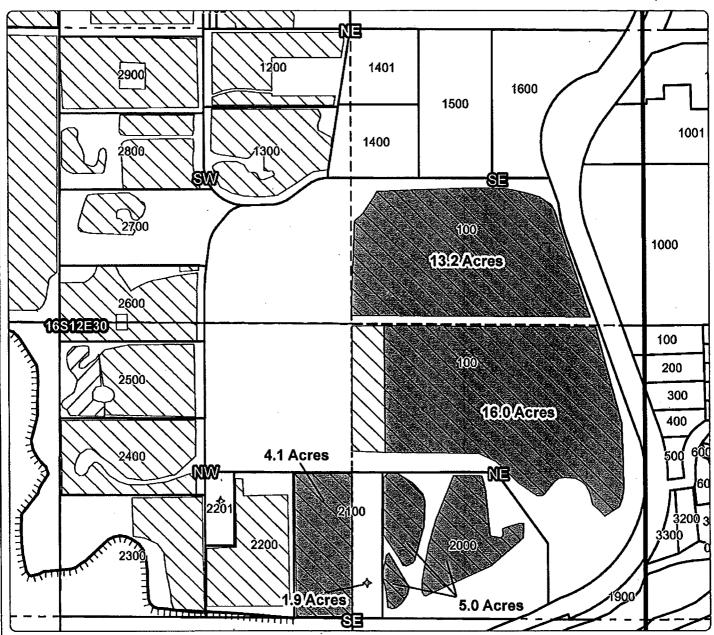
Cert #: 74146, 74147 For: C.L.R. Jerry Curl

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APR 3 0 2014

SALEM, OR





1 YEAR INSTREAM LEASE MAP

Taxlot 100, 16S12E30SENE: 13.2 Acres Leased (74146, 74147), 0 Acres Remaining Taxlot 100, 16S12E30NESE: 16.0 Acres Leased (74146, 74147), 2 Acres Remaining Taxlot 2000, 16S12E30NESE: 5.0 Acres Leased (74146, 74147), 0 Acres Remaining Taxlot 2100, 16S12E30NESE: 1.9 Acres Leased (74146, 74147), 0 Acres Remaining Taxlot 2100, 16S12E30NWSE: 5.0 Acres Leased (74146, 74147), 0 Acres Remaining

Canals
Taxlots
Lease
Cert 74146, 74147

Cert 76106

All Other Certs

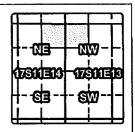
1 inch = 400 feet April 2014

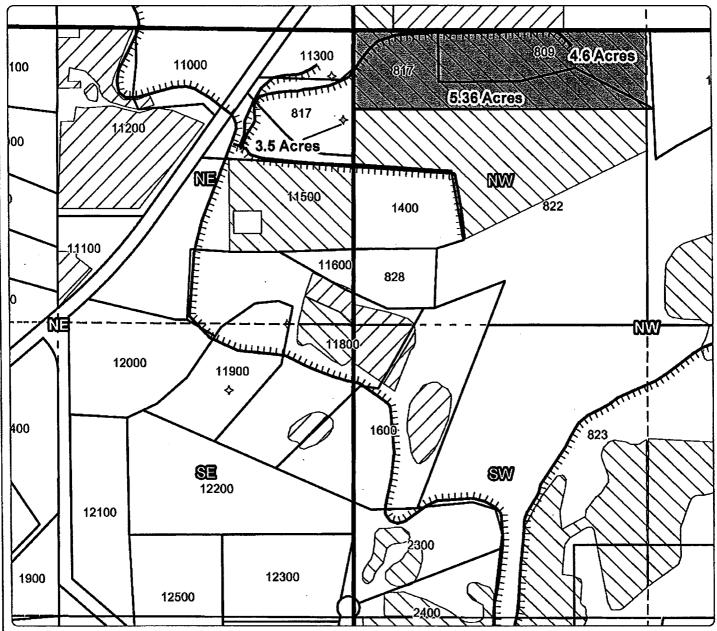




Tumalo Irrigation District Application for Instream Lease

Cert #: 74146, 74147 For: C.L.R. Jerry Curl





1 YEAR INSTREAM LEASE MAP

geo-spatialsolutions

Taxlot 809, 17S11E13NWNW: 4.6 Acres Leased (74146, 74147), 0 Acres Remaining Taxlot 817, 17S11E13NWNW: 5.36 Acres Leased (74146, 74147), 0 Acres Remaining Taxlot 817, 17S11E14NENE: 3.5 Acres Leased (74146, 74147), 0 Acres Remaining

Canals
Taxlots

Lease

Fease

Cert 74146, 74147

Cert 76106
All Other Certs

1 inch = 400 feet April 2014



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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.

	Pursuant to ORS 537.348(2) and OAR 690-077
Optio	onal Identification by Lessor/Lessee: <u>L14.07</u>
Leas	e Application Number (assigned by WRD):
This	Lease is with:
Less	or #1 (Water Right Holder):
Nam	e Cadwell, Eric & Brianna
Mail	ing address 63560 Johnson Road
City,	State, Zip Code Bend, OR 97701
Telej	phone number <u>541.639.5200</u>
Emai	l address ecadwell@gmail.com
If add	ditional water right holders, enter water right holder information below
Appli	The section numbering associated with this form corresponds to that found on the "Standard Instream Lease cation" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same nation as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always natial.
	~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). CT# 74147
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No or other Federal program:

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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.]									
	Certif	icate Nu ou need to	mber: (CT#741	47		1.3 is further e Additional Wa			l Water Right
	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	*Page#	*Priority Date	*Previous Lease#
*(Id	entify per e than one	on the co	ertificate.	If any p	ortion of th	e right prop	greater than 10 p posed to be lease on of a previous	d was lease	ify priority dat d previously, t	e, if there is
1.	17S	11E	13	nenw	00819	6.93	irr	\7	-5/ 27/1907-	IL-
2.					(00817 p	rev)			10/29/13	IL-
3.										IL-
4.										IL-
5.										IL-
1.6	Conditions or other limitations, if any:									
			^	-II~ In	stream \	Water R	ight Inform	ation		
2.3							ctober 15, 201 Form will be the			
					~III~ O	ther Inf	ormation			
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. RECEIVED BY OWRD									

- 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	Ter	mination provision.	11.1	
	Ш	For multiyear leases, the Lessor(s) s	iall have the option of termina	iting the lease each
		year with written notice to the Depart	tment. The lease may be term	inated at any time
		during the calendar year. However,	if the termination request is re	ceived less then 30-
		days prior to the period of allowed in	istream use or after the period	of allowed use has
		begun for the water right(s) being le	ised, water may not be used u	nder the right(s) leased
		until the following calendar year, un		nat enlargement would
		not occur. The Department may also	-	
		Written notice to the Department		
		Consent by all parties to the lease		
	_	 Written notice to the Watermaste 		at it title and
	Ш	For multiyear leases, the lessor shall	not have the option of termin	ating the lease, without
		consent by all parties to the lease.		
		1167 (1 4 4	ion of water to the instructor w	an described in Section
3.6	IVIO	dification to prevent injury. Alloca	ion of water to the histicali u	ury to other rights to
	2.2	during the term of this lease is not re- water from the same source. If injur	isonatily expected to cause my	med the lease may be
				giled, the lease may be
	mo	dified or terminated to prevent injury		1
_	114		Date: 2/2.5	114
Lesson			Date: <u>2/2</u>	77.1
Eric C	adw			
b	<u> </u>	Ceul	Date: 2.23	-14
Brians	7		Date: 2 23	
KRAN	43 L S	aawen		

For additional Lessors, type in space for signature and date

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

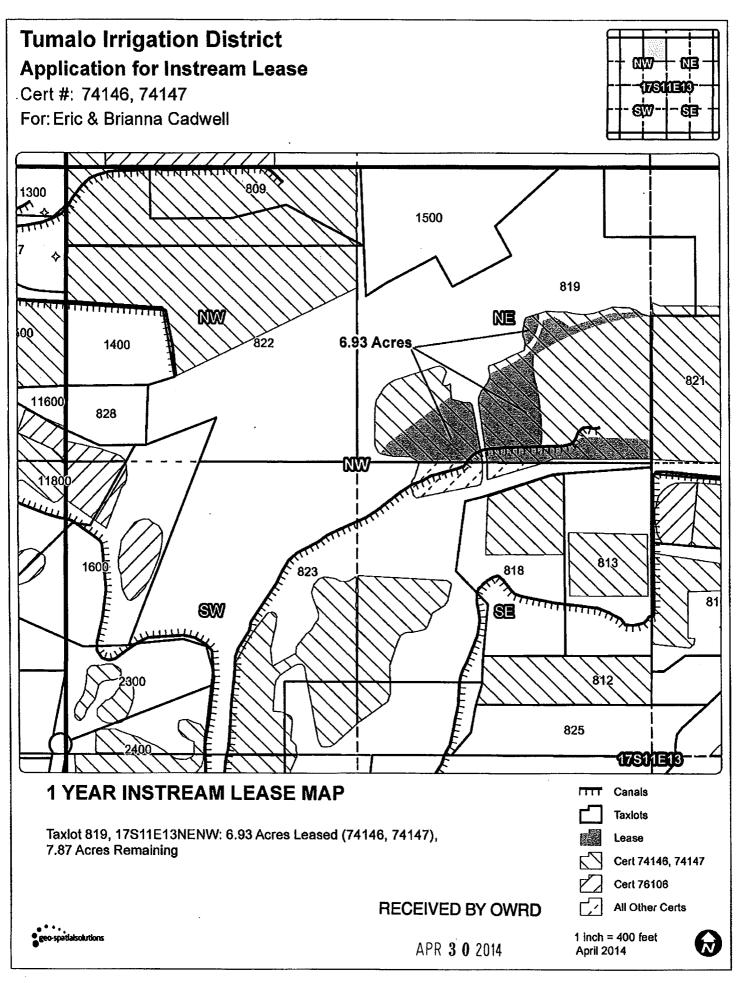
part of a right is being leased instream. Exhibits 5-A and 5-B may be combined

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



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
Ontion	nal Identification by Lessor/Lessee:
Lease	Application Number (assigned by WRD):
This L	ease is with:
Lesso	r #1 (Water Right Holder):
Name	Lyster Living Trust
Mailir	ng address PO Box 28
City, S	State, Zip Code Bend, OR 97709
	hone number <u>541.410.1833</u>
	address
If add	itional water right holders, enter water right holder information below
A1:	The section numbering associated with this form corresponds to that found on the "Standard Instream Lease ation" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same ation as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always tial.
	~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). P; 74146
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No or other Federal program:

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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: (If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.)									
	Т	R	Sect	<i>4 4</i>	Tax Lot	Acres	Type of Use	*Page#	*Priority	*Previous
		inent pag	e numbe ertificate.	rs of certi	ificate, if ce ortion of th	rtificate is e right prop	greater than 10 posed to be lease	pages; iden ed was leas	ed previously,	
1.	178	11E	11	nesw	01600	10.0	on of a previous	12	9/1/1900	IL-991
2.										IL-
3.										IL-
4.										IL-
5.										IL-
	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: \[\text{\text{\text{\text{Mark one}}}}\] 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).							that: conditions of and ct to		
			•	~II~ In	stream \	Water R	ight Inform	ation		
2.3							ctober 31, 20 Form will be the			
					~III~ O	ther Inf	ormation			
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 purpose 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 then 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

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.

Lyster Living Trust, Ted Lyster Trustee

Date: Feb 12, 2014

For additional Lessors, type in space for signature and date

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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Tumalo Irrigation District Application for Instream Lease Cert #: 74146, 74147 For: Lyster Trust 1601 10.0 Acres 1600 NW 1603 1603 1602 1901 SW SE 1900 Canals 1 YEAR INSTREAM LEASE MAP

1 YEAR INSTREAM LEASE MAP Taxlots Taxlot 1600, 17S11E11NESW: 10.0 Acres Leased (74146, 74147), 0 Acres Remaining Lease Cert 74146, 74147 Cert 76106 All Other Certs APR 3 0 2014 1 inch = 400 feet

April 2014



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: <u>L14.03</u> Lease Application Number (assigned by WRD): This Lease is with: Lessor #1 (Water Right Holder): Name Joyce Coats Trust Eric Coats, Trustee Mailing address 63285 Skyline Ranch Road City, State, Zip Code Bend, OR 97701 Telephone number 541480.6335 Email address If additional water right holders, enter water right holder information below 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 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. 1.1 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. For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate 1.3 if there are any supplemental or overlying rights. Certificate No(s). P: 74146, 76106 > NOW 741410 9/1/1900 Are some or all of the lands being leased part of a Conservation Reserve Enhancement 1.4 Program. Yes No or other Federal program:

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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: P: 74146

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

	Т	R	Sect	1/4 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.	178	11E	11	swnw	00500	14.60	irr	3	8/5/1900	IL-
2,	178	11E	11	swnw	00500	7.80	irr	12	9/1/1900	IL-
3.	178	11E	11	senw	00600	4.0	irr	3	8/5/1900	IL-
4.										IL
5.										IL-

Total number of acres, if for irrigation (or other priority date: 26.40	her acre equivalent use), by certificate and
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 <u>not</u> 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, 2014. (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 then 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. #1:
Lessor	#1: \ rve \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
Joyce (Coats Trust, Eric Coats, Trustee

Other Attachments As Needed:

Exhibit 5-A: Tax Lot Map. (See instructions.)

For additional Lessors, type in space for signature and date

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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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
ights 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
f water rights being leased. Attached map(s) must identify water right holder, township, range, section and ¼
4, tax lot number, map orientation and scale.]
living certificate
The next right to be leased is further described as follows:
σ and σ and σ

Certificate Number: P: 76106 - previous, now C-74146, 9/1/1900 priority. (If you need to enter another leased right, please use another Additional Water Right Form for Pooled Water Right Holder.)

	T	R	Sect	44	Tax Lot	Acres	Type of Use	*Page#	*Priority Date	*Previous Lease #
		e on the c	ertificate.	If any p	ortion of th	e right prop	greater than 10 posed to be lease on of a previous	ed was lease	d previously, t	
1.	17s	11E	11	senw	00600	30.20	IRR	4	12/8/1961	IL-
2.									9/1/1900	IL-
3.										IL-
4.										IL-
5,										IL-
6.										IL-
7.										IL-
8										IL-
9.										IL-
10.										IL-

Total number of acres, if for irrigation (c 30.20	or other acre equivalent use), by certificate and priority date
Conditions or other limitations, if any: _	

Tumalo Irrigation District Application for Instream Lease Cert #: 74146, 74147, 76106 For: Joyce Coats Trust 301 30.2 Acres 22.4 Acres 600 500 4.0 Acres 601 **17511311** Canals 1 YEAR INSTREAM LEASE MAP **Taxiots** Taxlot 500, 17S11E11SWNW: 22.4 Acres Leased (74146, 74147), 0 Acres Remaining Lease Taxlot 600, 17S11E11SENW: 4.0 Acres Leased (74146, 74147), 0 Acres Remaining Taxlot 600, 17S11E11SENW: 30.2 Acres Leased (76106), 0 Acres Remaining Cert 74146, 74147 Cert 76106 All Other Certs RECEIVED BY OWRD 1 inch = 400 feet April 2014 APR 3 0 2014



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
Option	nal Identification by Lessor/Lessee: <u>L14.02</u>
	Application Number (assigned by WRD):
This L	ease is with:
	#1 (Water Right Holder):
	Marshall Trust, Margaret
Mailin	g address 20355 Marsh Road
City, S	itate, Zip Code Bend, OR 97701
	none number <u>503,720,2756</u>
Eman	address
If addi	tional water right holders, enter water right holder information below
Applica	he section numbering associated with this form corresponds to that found on the "Standard Instream Lease tion" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same tion as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always ial.
	~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). P 76106 -> Now C. 74146 9/1/1900
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No or other Federal program:

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 ½ ½, 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: P 76106 previous, Now C. 74146, priority 9/1/1900

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

	\mathbf{T}	\mathbf{R}	Sect	¼ ¼	Tax Lot	Acres	Type of Use	*Page#		lority ate	*Previous Lease#
		e on the c	ertificate.	If any p	ortion of th	e right prop	greater than 10 posed to be lease on of a previous	d was lease	d prev	iously, t	
1.	16	12	17	nene	100	3.80	irr	3	12/8/	1961	IL-
2.									9/,	1900	IL-
3.										1	ΙL-
4.											IL- ·
5.											此

priority date: 3.80	
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:
 - Mater 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 <u>not</u> 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, 2014. (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 then 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.
- 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: Mulle Margaret Marshall, Trustee Date: 1-15-2014

For additional Lessors, type in space for signature and date

Other Attachments As N	eec	led	l.
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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

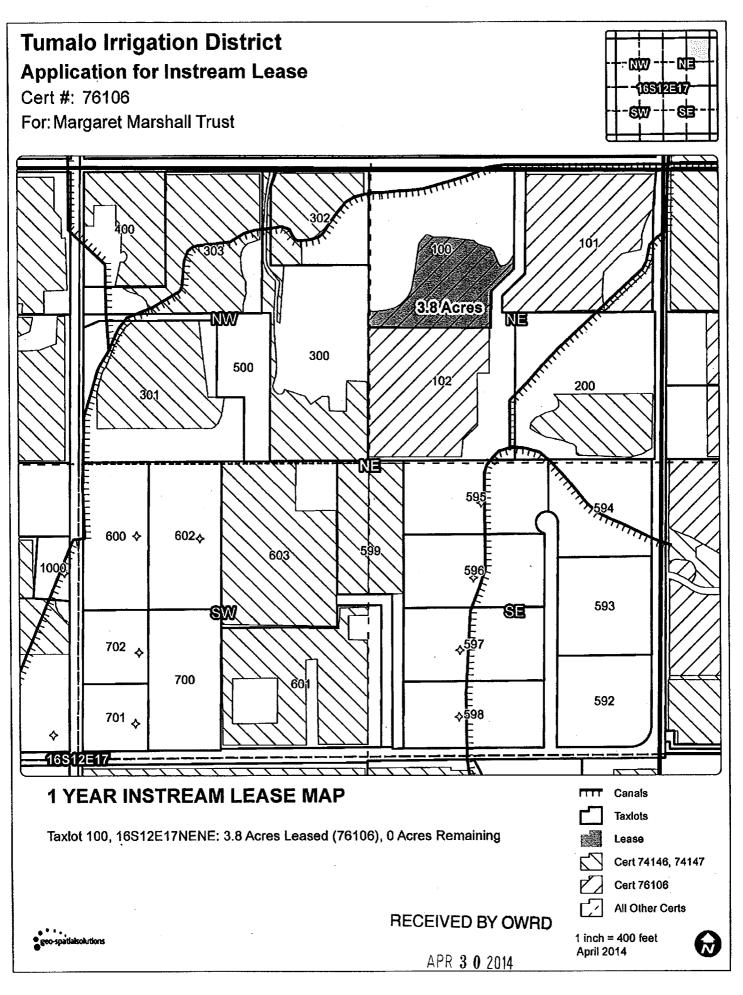
into a single map. (See instructions.)

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





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

O4!-	and Manati Greation has Lorsen / NE 09
	onal Identification by Lessor/Lessee: <u>L\4.08</u> Application Number (assigned by WRD):
This :	Lease is with:
Lesso	or #1 (Water Right Holder):
Name	e Murzin/Knoernschild, Mark & Krista
Maili	ing address 70 SW Century Drive Suite 100 - 457
City,	State, Zip Code Bend, OR 97701
Telep	phone number <u>541.410.2799</u>
Emai	l address Oaktree@bendcable.com
Note:	ditional water right holders, enter water right holder information below The section numbering associated with this form corresponds to that found on the "Standard Instream Lease cation" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same nation as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always
seque	
	~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). CT# 74147
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No or other Federal program:

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Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the 1.5 water rights shown on the map attached as Exhibit 5-B and described as follows: IThis 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: CT# 74147 (If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.) Priority *Previous Т R Sect 1/4 1/4 Tax Lot Acres Type of Use *Page # Date 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.) **16S** 23 1. 11E nwsw 00516 2.0 Irr 10/29/1913 IL-2. 16S 23 4 HE 00516 3.0 Irr 10/29/1913 nesw 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 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 15, 2014 . (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.

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- 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 then 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.
Lesso	#1: MAD Date: 2/18/14
Mark	sta (nounocles) Date: 2/18/14
Krista	Knoernschild

Other Attachments As Needed:

Exhibit 5-A:

Tax Lot Map. (See instructions.)

For additional Lessors, type in space for signature and date

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

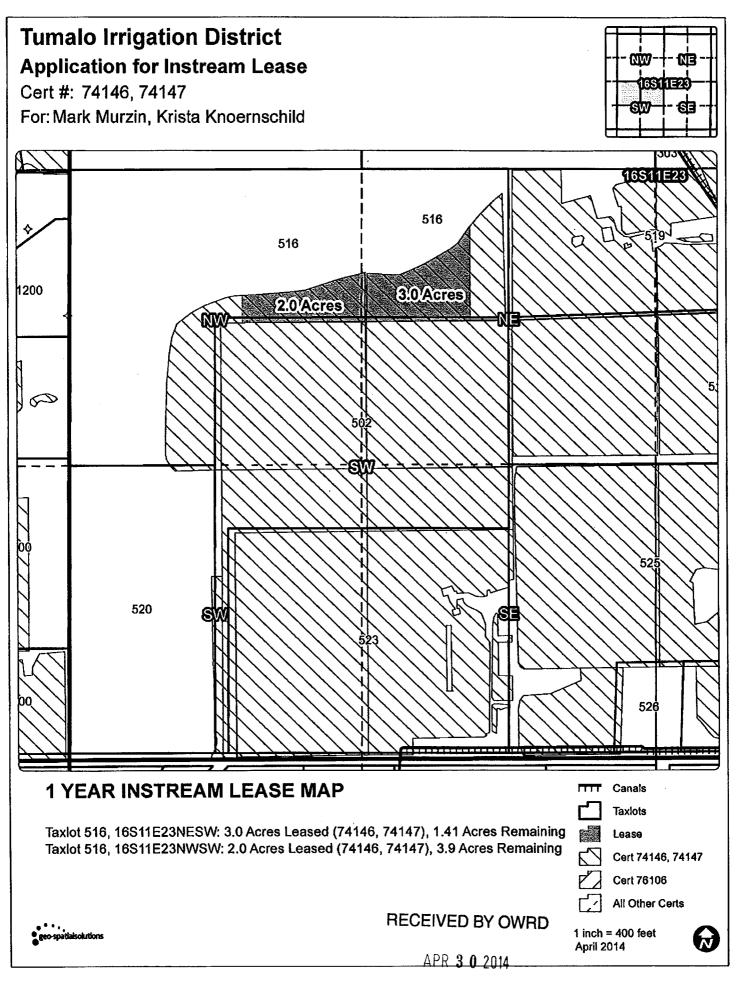
into a single map. (See instructions.)

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

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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.

Pursuant to ORS 537.348(2) and OAR 690-077 Optional Identification by Lessor/Lessee: <u>L14.01</u> Lease Application Number (assigned by WRD): This Lease is with: Lessor #1 (Water Right Holder): Name Noelle, Dennis & Sizer, Rosanne Mailing address 20480 Harper Road City, State, Zip Code Bend, OR 97701 Telephone number <u>503.919.1686</u> Email address If additional water right holders, enter water right holder information below 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). P 74146, S 74147, 74148, 74149, 76520 Are some or all of the lands being leased part of a Conservation Reserve Enhancement 1.4 Program, Yes ⊠ No or other Federal program:

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APR **3 0** 2014

Pooled Water Right Holder Form / 1

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.]									
	Cert (If	ificate N	umber: <u>]</u>	74146	!		1.3 is further			
	Т	R	Sect	44	Tax Lot	Acres	Type of Use	*Page#	*Priority Date	*Previous Lease#
		ne on the c	ertificate.	If any p	ortion of th	e right pro	greater than 10 posed to be leas on of a previou	ed was lease	ed previously,	ate, if there is
1.	16	12	09	swnw	00500	1.43	irr	9	9/1/1900	IL-
2.										IL-
3.										IL-
4.										IL-
5.										IL-
1.6	 Conditions or other limitations, if any: 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). 									
							ight Inforn			
2,3							ctober 31, 20 Form will be th			onflict between e.)
					~III~ O	ther Inf	Cormation			
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. RECEIVED BY OWRD									

- 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.

2	2	Townshipston	. muardalan
3.	3	Termination	I DLOAISIOH

- 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 then 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: Date: 13/4

Dennis Noelle

Date: 13/4

Rosanne Sizer

For additional Lessors, type in space for signature and date

Other Attachments As Needed:

Exhibit 5-A: T

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

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consecutive years (required if the second box in Section 1.6 of this form is checked)

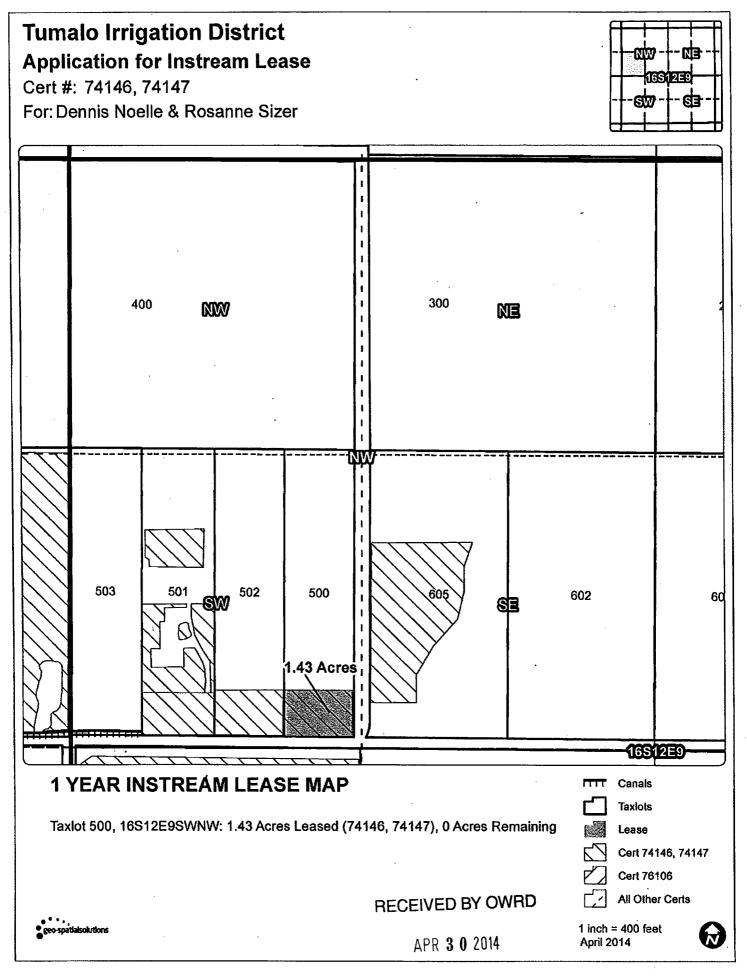
Exhibit 5-D:

Split Season Instream Use Form

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APR 3 0 2014

TACS





Application for

Instream Lease

Attachment 5: Pooled Water Right Holder Form

APR 3 0 2014

SALEM, OR

TACS

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.shim.

	Pursuant to	ORS 537.348(2) and OAR 690-077
Òptio	mal Identification by Lessor/Lesso	e: L14.09
		y WRD):
This	Lease is with:	
Name	or #1 (Water Right Holder): Shepard, John	
Maili	ng address <u>64299 High Mowing</u> I	ane
City,	State, Zip Code Bend, OR 97701	· · · · · · · · · · · · · · · · · · ·
Telep	hone number	
Emai	l address	
If add	litional water right holders, enter	vater right holder information below
Annlie	ation" form. The "Pooled Lease" form a ation as the "Standard Instream Lease A	is form corresponds to that found on the "Standard Instream Lease and "Pooled Water Right Holder" form(s) are used to provide the same pplication" form. Consequently, the numbering on this form is not always
	~I~ Water Right	Holder and Water Right Information
1.1	If the water right appurtenant to	ter, or authorized agent for property described in Section 1.5. these lands is also appurtenant to lands owned by others who ion, then Attachment 1 (tax lot map), needs to be included.
1,3	For the water right(s) being leasif there are any supplemental or	ed, list all water rights appurtenant to the same lands. Indicate overlying rights.
	Certificate No(s). CT# 74146	
1.4		ng leased part of a Conservation Reserve Enhancement or other Rederal program:
		RECEIVED BY OWRD

Pooled Water Right Holder Form / 1

1.5	water [This la area of	rights s nformatio water rig	hown o n may be hts being	n the ma included leased.	ap attache I on Exhibi Attached m	ed as Exh t 5-A, or ar	ibit 5-B and additional m identify wate	l described ao may be au	er proposes as follows: ached. Crossi , township, rai	natch the
	Certif	icate Nu ou need to	ımber: 🧐	CT# 741	146	_			ed as follows Form for Pool	s: ed Water Right
	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Us	ie - ↑Page#	*Priority Date	"Previous Lease #
*(I) mo	dentify per re than one	on the co	ertificate.	. If any p	ortion of th	e right pro	greater than I posed to be le on of a previo	ased was leas	tify priority di	ate, if there is
1.	178	11E	01	senv	00406	9.39	irr	11	9/1/1900	IL
2.									†	IL-
3.										IL
4.										IL-
5.										IL
1.6	Conditions or other limitations, if any: 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: 1 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 1 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).							that: conditions of and ct to		
2.3	Term	of lease	. This l	ease sha	all termin	ate on <u>O</u>	ight Infori ctober 31, 2	014 .	(If there is a co	onflict between
	the Poo	led Lease	Form an	ıd this for	m the Poo	led Lease I	form will be t	ne official ter	m of the lease	.)
				•	~JH~ O	ther Info	ormation			
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. RECEIVED BY OWRD								t and alse, the this being that the 0.610 during	

Pooled Water Right Holder Form / 2

TACS

3.2	instrenn t	ise for the term of thi	agree to lease the water rights listed in Section(s) 1.5 for s lease through Lessee to the Trustee, the Oregon Water at to the provisions of ORS 537.348(2) and OAR 690-077.
3.3	to an instruction required, a	eam use under ORS :	been leased is later proposed to be leased again or transferred 37.348 and OAR 690-077 a new injury review shall be lease shall not set a precedent for the amount of water to be
3,4	suspend us	on of original use. Do se of water allowed un atal to the subject wa	uring the period of the lease, the water right holder agrees to inder the subject water rights and under any water right that is er rights.
3,5	For myear vector during days probegument of the control of the con	vith written notice to g the calendar year. I prior to the period of a for the water right(s	partment; the lease; and/or
	For m		ssor shall not have the option of terminating the lease, without
3.6 Lessor	2.2 during use water I modified o	the term of this lease from the same source or terminated to prev	/ / / / / / / / / / / / / / / / / / / /
For add	litional Les	sors, type in space f	or signature and date
Other / Exhibit Exhibit	5-A:	part of a right is bei	ating lands under subject rights to be leased; required if only ng leased instream. Exhibits 5-A and 5-B may be combined
Exhibit 5-C:		forfeiture even thou consecutive years (See instructions.) Intation indicating why a right is valid and not subject to ghood the right has not been exercised for five or more equired if the second box in Section 1.6 of this form is
Exhibit	5-D:	checked) Split Season Instrea	m Use Form RECEIVED BY OWRD

Pooled Water Right Holder Form 13

APR 3 0 2014

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Tumalo Irrigation District Application for Instream Lease Cert #: 74146, 74147 For: John Shepard 100 MM 400 NWs 9:39/Acres 407 406 408 **1 YEAR INSTREAM LEASE MAP** Canals **Taxiots** Taxlot 406, 17S11E1SENW: 9.39 Acres Leased (74146, 74147), Lease 25.61 Acres Remaining Cert 74146, 74147

Cert 76106 All Other Certs

geo-spatialsolutions

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1 inch = 400 feet April 2014

