



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

Application for Instream Lease Renewal

February 13, 2012

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

The undersigned entered into Instream Lease Number IL-2 involving Water Right Certificate(s) 38374, 51048, and 51049 on June 1, 2004, which terminated on November 1, 2008.

The undersigned Lessor and Lessee, parties to the original lease, hereby request that Lease Number IL-2 be renewed. Lessor and Lessee warrant that, to the best of their knowledge, circumstances have not changed and all matters involved with or affected by the instream lease and the subject water right(s) remain as they were when the lease was first entered into, including but not limited to water right holder interest, the acres from which the right is leased, and the public instream benefit provided as a result of this instream lease.

The terms and conditions of instream lease IL-2 are hereby incorporated by reference in their entirety, with the following exception(s):

- The term of the lease shall commence on April 1, 2013 (not before execution by the parties) and continue through November 1, 2017.

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

Yes No or other Federal Program: _____

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

\$100 for an instream lease renewal application.

Lessor Signature: _____ Date: _____

Print Name: _____

City, State, Zip: _____

Telephone Number: _____

E-mail address**: _____

Lessor Signature: _____ Date: _____

Print Name: _____

City, State, Zip: _____

Telephone Number: _____

E-mail address**: _____

For additional Lessors, type in space for signature and date.

Lessee Signature: _____ Date: _____

Lessee Organization: The Freshwater Trust

Phone Number: (503) 222-9091

E-mail address**: david@thefreshwatertrust.org

\$100 for an instream lease renewal application.

Lessor Signature: Beverly LaVelle Underhill Date: 4-11-13
Print Name: Beverly LaVelle Underhill
City, State, Zip: Dufur Ore 97021
Telephone Number: 541-467-2280
E-mail address**: _____

Lessor Signature: Martin A Underhill Date: 4/11/13
Print Name: Martin A Underhill
City, State, Zip: Dufur, OR 97021
Telephone Number: 541-467-2280
E-mail address**: underhillfarms@gmail.com

For additional Lessors, type in space for signature and date.

Lessee Signature: David Piltz Date: 4/18/13
David Piltz
Lessee Organization: The Freshwater Trust
Phone Number: (503) 222-9091
E-mail address**: david@thefreshwaterttrust.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.**

Page 1 of 3

**Instructions for the
Instream Leasing Renewal Form**
(Please do not submit these instructions with the application.)

When Do I Use This Form?

This form may be used if you have previously had a lease with the Water Resources Department and want to renew it. A renewal application is subject to the same review process and provisions of the original lease (OAR 690-077-0077(10)). This form may be used to change the term of the lease, update water right holder information, and make other nonsubstantive changes that do not affect the quantity of water being leased. If different rates, certificates or acreage are proposed to be leased, then this form cannot be used. Instead use the "Standard Lease Form" or the "Pooled Lease Form."

Instructions

First Paragraph: The lease number will be the same as the original lease. Standard and Pooled lease application numbers should be preceded with the letter "IL" and Split Season Leases should be preceded with the letter "SL", even if this was not indicated on the original lease application.

Wasco County Official Records 2011-003098
DEED-D
Cnt=1 Str=1 WASCO COUNTY 09/02/2011 01:04 PM
\$15.00 \$11.00 \$15.00 \$10.00 \$15.00 \$66.00



00047855201100030980030039

I, Linda Brown, County Clerk for Wasco County,
Oregon, certify that the instrument identified
herein was recorded in the Clerk records.



**Until a change is requested, all
tax statements should be sent to:**

Buck Hollow, LLC
660 NE Church St.
Dufur, OR 97021

After Recording, return to:

Mr. Vic VanKoten
Annala, Carey, Baker, Thompson & VanKoten, P.C.
305 Cascade St. PO Box 325
Hood River, OR 97031

Tax Account Reference No. 4S 14E 100; 4S 14E 2600

BARGAIN AND SALE DEED

Dolores Rhodig, also known as Delores Rhodig, Grantor, conveys to **Buck Hollow, LLC, Grantee,** the following described real property, described on Exhibit A attached hereto, in the County of Wasco, State of Oregon, together with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, including any interest in grazing rights allocable to said property as determined by the Bureau of Land Management pursuant to its applicable regulations and procedures, and all appurtenant water rights established by Certificate of Water Right No. 38374 issued June 26, 1972 in the names of Ernest O. Webb and Agnes M. Webb and recorded in the State Record of Water Rights Certificates at volume 30 page 38374, Certificate of Water Right No. 51049 issued June 3, 1982 in the name of Agnes M. Webb and recorded at volume 45 page 51049, and Certificate of Water Right No. 51048 issued June 3, 1982 in the names of Agnes M. Webb and the Estate of Ernest O. Webb recorded at volume 45 page 51048.

The true consideration for this conveyance is \$12,000 plus good and valuable other consideration, and is pursuant to an IRC 1031 Tax Deferred Exchange on behalf of Grantor.

“BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON’S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930,

AMERITITLE 289407E

Exhibit A

Located in WASCO COUNTY, OREGON:

That portion of the West half of the East half lying West of Buck Hollow Creek, in Section 2 Township 4 South, Range 14, East of the Willamette Meridian, Wasco County, State of Oregon.

Also that portion of the Southwest quarter of the Northeast quarter lying West of Buck Hollow Creek, in Section 11, Township 4 South, Range 14, East of the Willamette Meridian, Wasco County, State of Oregon.

110315

STATE OF OREGON }
County of Sherman } ss.

Until a change is requested, all
tax statements should be sent to:

Buck Hollow, LLC
660 NE Church St.
Dufur, OR 97021

After Recording, return to:

Mr. Vic VanKoten
Annala, Carey, Baker, Thompson & VanKoten, P.C.
305 Cascade St. PO Box 325
Hood River, OR 97031

I hereby certify that this document was
received and recorded
on 09/02/2011 at 1:00 P.M

and assigned No. 110315
in the Microfilm Deeds
Records of said county AH15
A&T LC10 Rec 15 GIS 15

Jenine McDermid, County Clerk

by Rita Wilson

Tax Account Reference No. 3S 14E 900; 4S 14E 500; 4S 15E 1400

BARGAIN AND SALE DEED

Dolores Rhodig, also known as Delores Rhodig, Grantor, conveys to **Buck Hollow, LLC, Grantee**, the following described real property, described on Exhibit A attached hereto, in the County of Sherman, State of Oregon, together with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, including any interest in grazing rights allocable to said property as determined by the Bureau of Land Management pursuant to its applicable regulations and procedures, and all appurtenant water rights established by Certificate of Water Right No. 38374 issued June 26, 1972 in the names of Ernest O. Webb and Agnes M. Webb and recorded in the State Record of Water Rights Certificates at volume 30 page 38374, Certificate of Water Right No. 51049 issued June 3, 1982 in the name of Agnes M. Webb and recorded at volume 45 page 51049, and Certificate of Water Right No. 51048 issued June 3, 1982 in the names of Agnes M. Webb and the Estate of Ernest O. Webb recorded at volume 45 page 51048.

The true consideration for this conveyance is \$588,000 plus good and valuable other consideration, and is pursuant to an IRC 1031 Tax Deferred Exchange on behalf of Grantor.

“BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON’S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930,

AMERITITLE 28940TE

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AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009."

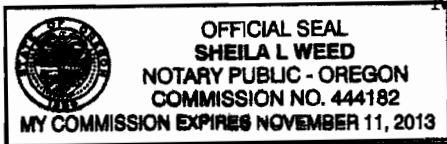
Dated this 24 day of Aug, 2011

Dolores Rhodig
Dolores Rhodig, also known as
Delores Rhodig, Grantor

STATE OF Oregon)
County of Wasco) ss.

The foregoing instrument was acknowledged before me this 24 day of August, 2011 by Dolores Rhodig, also known as Delores Rhodig, Grantor.

Sheila L Weed
Notary Public for Oregon
My commission expires: 11/11/2013



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Exhibit A

Located in SHERMAN COUNTY, OREGON:

Township 3 South, Range 14 East of the Willamette Meridian:

Section 35: West half of the Southeast quarter, Excepting Therefrom that portion conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded August 7, 1942 in Book 27, Page 266, Sherman County Deed Records. Also Excepting Therefrom that portion conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded April 15, 1948 in Book 29, Page 376, Sherman County Deed Records.

Township 4 South, Range 14 East of the Willamette Meridian:

Section 1: South half of the Southwest quarter; Southwest quarter of the Southeast quarter.

Section 2: That portion of Lot 2, the Southwest quarter of the Northeast quarter; Southeast quarter of the Southeast quarter; and West half of the Southeast quarter. Lying within Sherman County, Excepting Therefrom that portion conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded August 7, 1942 in Book 27, page 266, Sherman County Deed Records.

Section 11: That portion of West half of the Northeast quarter and Northeast quarter of the Northeast quarter, lying within Sherman County.

Section 12: North half; North half of the Southeast quarter.

Township 4 South, Range 15 East of the Willamette Meridian:

Section 7: Lot 2.

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STATE OF OREGON }
County of Sherman } ss.

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I hereby certify that this document was received and recorded on 09/02/2011 at 1:00 P.M

and assigned No. 110314 in the Microfilm Deeds

Records of said county AH15
A&T LC10 - Rec 15 GIS 15

Jenine McDermid, County Clerk

by Rita Wilson

Until a change is requested, all tax statements should be sent to:

Buck Hollow, LLC
660 NE Church St.
Dufur, OR 97021

After Recording, return to:

Mr. Vic VanKoten
Annala, Carey, Baker, Thompson & VanKoten, P.C.
305 Cascade St. PO Box 325
Hood River, OR 97031

Tax Account Reference No. 3S 14E 200; 3S 15E 3100; 4S 14E 200; 4S 14E 300

BARGAIN AND SALE DEED

Wayne L. Webb and Jana Webb, husband and wife, Grantors, convey to Buck Hollow, LLC, Grantee, the following described real property, described on Exhibit A attached hereto, in the County of Sherman, State of Oregon, together with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, including any interest in grazing rights allocable to said property as determined by the Bureau of Land Management pursuant to its applicable regulations and procedures, and all appurtenant water rights established by Certificate of Water Right No. 38374 issued June 26, 1972 in the names of Ernest O. Webb and Agnes M. Webb and recorded in the State Record of Water Rights Certificates at volume 30 page 38374, Certificate of Water Right No. 51049 issued June 3, 1982 in the name of Agnes M. Webb and recorded at volume 45 page 51049, and Certificate of Water Right No. 51048 issued June 3, 1982 in the names of Agnes M. Webb and the Estate of Ernest O. Webb recorded at volume 45 page 51048.

The true consideration for this conveyance is \$1,200,000, plus good and valuable other consideration, and is pursuant to an IRC 1031 Tax Deferred Exchange on behalf of Grantor.

“BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON’S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON

AMERITITLE 28940 JE

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Exhibit A

Located in SHERMAN COUNTY, OREGON:

Township 3 South, Range 14 East of the Willamette Meridian:

Section 13: Southwest quarter of the Southwest quarter.

Section 23: Southeast quarter of the Southeast quarter.

Section 24: North half; North half of the Southeast quarter; Northwest quarter of the Southwest quarter; South half of the Southwest quarter; and the Southwest quarter of the Southeast quarter.

Section 25: All, EXCEPTING THEREFROM the Southeast quarter.

Section 26: Those portions of the Southeast quarter; the East half of the Northeast quarter and Southwest quarter of the Northeast quarter, lying East of the Deschutes River.

Section 36: All excepting that portion lying South of the Old Shearer's Toll Road.

Also Excepting therefrom that portion conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded August 7, 1942 in Book 27, page 266, Sherman County Deed Records.

Also Excepting therefrom that portion conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded October 26, 1946 in Book 29, page 83, Sherman County Deed Records.

Also Excepting therefrom that portion described as follows: Beginning at the Northeast corner of the Southeast quarter of the Southeast quarter of Section 36, Township 3 South, Range 14, East of the Willamette Meridian; thence due North along the Section line 64 rods; thence South 45° West to the point of intersection with a line drawn due West from the East Section line of said Section 36 at a distance of 200 rods West of said Section line to a rock marker; thence South to the point of intersection with the South line of said Section 36; thence East along the section line to the point of intersection with the Northwestern boundary line of the State Highway; thence meandering Northeasterly along said boundary line of said State Highway to the point of intersection with the old Shearer's Toll Road; thence Northeasterly along the North boundary line of said road to the East section line of said Section 36; thence North on said section line to the Place of Beginning.

Township 3 South, Range 15 East of the Willamette Meridian:

Section 30: Lots 1 and 2.

Township 4 South, Range 14 East of the Willamette Meridian:

Section 1: South half of the Northwest quarter; Lots 1 and 2 and Lots 3 and 4 and the South half of the Northeast quarter. Excepting Therefrom that portion conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded August 7, 1942 in Book 27, page 266, Sherman County Deed Records. Also Excepting Therefrom that portion conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded October 26, 1946 in Book 29, page 83, Sherman County Deed Records. Also Excepting Therefrom that portion conveyed to the State of Oregon, by deed recorded March 11, 1950 in Book 30, page 27, Sherman County Deed Records. Also Excepting Therefrom Lots 1 and 2 and ~~North~~ ^{South} half of the Northeast quarter all that portion lying Northerly and Easterly of the State Highway. Also Excepting Therefrom Lots 3 and 4 and the South half of the Northwest quarter lying Northerly and Westerly of the State Highway.

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