



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

Application for District Instream Lease

Part 1 of 4 – Minimum Requirements Checklist

This Application to be used for water rights in the name of or conveyed by an Irrigation District (or similar organization) Complete Parts 1 through 4 and any required attachments	OWRD #	SL-29
	District #	

Check all items included with this application. (N/A = Not Applicable)

Yes N/A **Pooled Lease**-a lease with more than one **Lessor** (Landowner/water right interest holder)

Fee in the amount of:

<input type="checkbox"/> \$450.00 for a lease involving four or more landowners or four or more water rights	Or <input checked="" type="checkbox"/> \$300.00 for all other leases
<input checked="" type="checkbox"/> Check enclosed or	
<input type="checkbox"/> Fee Charged to customer account _____ (Account name)	

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Part 1 – Completed Minimum Requirements Checklist

Part 2 – Completed District and Other Party Signature Page

Part 3 – Completed Place of Use and Lessor Signature Page
 (Include a separate **Part 3** for each **Lessor**.)

Part 4 – Completed Water Right and Instream Use Information
 (Include a separate **Part 4** for each **Water Right**.)

How many Water Rights are included in the lease application? 1 (# of rights)

List each water right to be leased instream here: Certificate #42581

Yes N/A **Other water rights**, if any, appurtenant to the **lands** involved in the lease application and not proposed to be leased instream.

List those other water rights here: _____

Yes No **Conservation Reserve Enhancement Program CREP** – Are some or all of the lands to be leased part of CREP or another Federal program (list here: _____)?

Required Attachments:

Yes N/A Instream lease application map(s). More than one QQ and property may be included on each map. A map is **not** required if an entire right is being leased or if the right is for use of municipal or quasi-municipal water use. The map should include the following:

- A north arrow and map scale (no smaller than 1" = 1320').
- Label township, range, section and quarter-quarter (QQ).
- If an irrigation right, the numbers of acres to be leased in each quarter-quarter identify and hachure/shade to differentiate between the acreage being leased and any remaining. If the place of use has more than one priority date, source stream, and/or point of diversion you **must identify each with separate hachuring or shading** and label.
- Tax lot lines and numbers must be included on the map and should clearly identify the property(s) involved.

Yes N/A **If the Lessor(s) is not** the deeded land owner, include one of the following:

- A notarized statement from the land owner consenting to the lease and a copy of the recorded deed; or
- A water right conveyance agreement and a copy of the recorded deed for the landowner at the time the water right was conveyed; or
- Other documentation.

Yes N/A If the right has **not** been used in the last five years; provide supporting documentation indicating why a right (or portion thereof) is **not** subject to forfeiture.

Part 2 of 4 – District and other party Signature

Term of the Lease:

The lease is requested to begin in: month 7 year 2015 and end: month 10 year 2016.

Public use: Check the public use(s) this lease will serve (as defined by ORS 537.332):

- Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values.
Recreation
Pollution abatement
Navigation

Termination provision (for multiyear leases):

The parties to the lease request (choose one):

- a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee.
b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease.
c. The parties would not like to include a Termination Provision.

(See instructions for limitations to this provision)

Additive/Replacing Relationship to other instream water rights: Instream leases are generally additive to other existing instream water rights created as a result of instream leases and transfers and/or allocations of conserved water.

If you would like this lease to relate to other instream water rights differently than described above, please check this box. And attach an explanation of your intent.

Precedent: If a right which has been leased is later proposed to be leased again or later transferred or become part of an allocation of conserved water project, a new injury review shall be required.

Validity of the rights to be leased:

- The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or
The water right(s) have not been used for the last five years according to the terms and conditions of the rights.

SIGNATURES

The undersigned declare that the information contained in this application is true and accurate.

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Gerald Hawkins (handwritten signature)

Date: 4/29/15

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Signature of Co-Lessor

SALEM, OR

Printed name (and title): Gerald Hawkins, Partner

Business/Organization name: Hawkins Cattle Company

Mailing Address (with state and zip): PO Box 426, Fort Klamath, OR 97626

Phone number (include area code): 541-381-2211 **E-mail address: jercarhawk@yahoo.com

Thomas J. Hawkins (handwritten signature)

Date: 29/4/15

Signature of Co-Lessor

Printed name (and title): Thomas J Hawkins, Partner

Business/organization name: Ausaymas Cattle Co

Mailing Address (with state and zip): 1180 Comstock Rd, Hollister, CA 95023

Phone number (include area code): 831-637-7526 **E-mail address: hawkeye1938@hotmail.com

See next page for additional signatures.

Date: _____

Signature of Co-Lessor

Printed name (and title): Gerald Hawkins, Board Member

Business/Organization name: Meadows Drainage District

Mailing Address (with state and zip): PO Box 426, Fort Klamath, OR 97626

Phone number (include area code): 541-381-2211 **E-mail address: jercarhawk@yahoo.com



Date: 4-29-15

Signature of Lessee

Printed name (and title): Randall Kizer

Business/organization name: Upper Klamath Landowner Improvement District

Mailing Address (with state and zip): 421 Commercial Street, Klamath Falls OR 97601

Phone number (include area code): 541-891-2137 **E-mail address: andrea@rabeconsulting.com

**** 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 TO THE LESSOR**

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Gerald Hawkins

Date: 4/29/15

Signature of Co-Lessor

Printed name (and title): Gerald Hawkins, Board Member

Business/Organization name: Meadows Drainage District

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Part 3 of 4 – Place of Use – Lessor Information and Signatures

**Complete Table 1 Identify water right(s) proposed to be leased instream
Provide a separate Part 3 for each Lessor (water right interest holder/landowner)**

Table 1

Irrigation District or other Water Purveyor Name: Meadows Drainage District (Hawkins Cattle Company and Ausaymas Cattle Co)

Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.

If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.
Any attached table should include reference to the Lessor.

Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
42581	1/26/1910	See attached										

Any additional information about the right: See attached table.

Farm Deferral Tax Status: Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local county assessor. You should contact your County for any weed ordinance and management requirements.

The undersigned declare:

- I/We agree during the term of this lease to suspend use of water allowed under the water right(s) involved in the lease as well as and any other appurtenant primary or supplemental water right(s); and
- I/We certify are the lessor(s) (water right interest holder) of the water right(s) in Table 1. If not the deeded land owner, I/we have obtained consent from the deeded land owner and/or have provided documentation of authorization to pursue the instream lease; and
- I/We affirm that the information in this application is true and accurate.

Gerald Hawkins Date: 4/29/15

Signature of Co-Lessor

Printed name (and title): Gerald Hawkins, Partner

Business/Organization name: Hawkins Cattle Company

Mailing Address (with state and zip): PO Box 426, Fort Klamath, OR 97626

Phone number (include area code): 541-381-2211 **E-mail address: jercarhawk@yahoo.com

See next page for additional signatures.

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Thomas J. Hawkins Date: 4/29/15
Signature of Co-Lessor

Printed name (and title): Thomas J Hawkins, Partner
Business/organization name: Ausaymas Cattle Co
Mailing Address (with state and zip): 1180 Comstock Rd, Hollister, CA 95023
Phone number (include area code): 831-637-7526 **E-mail address: hawkeye1938@hotmail.com

Gerald Hawkins Date: 4/29/15
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Printed name (and title): Gerald Hawkins, Board Member
Business/Organization name: Meadows Drainage District
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Phone number (include area code): 541-381-2211 **E-mail address: jercarhawk@yahoo.com

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Part 4 of 4 – Water Right and Instream Use Information

Use a separate Part 4 for each water right to be leased instream

Table 2

Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4) Water Right # 42581

Total rate and volume by priority date, POD, use and acreage as appropriate considering the right to be leased. If not enough room below, you may add rows (see instructions) or create a spreadsheet (matching Table 2 and clearly labeled) and attach.
(cfs = cubic feet per second and af = acre-feet)

Priority Date	POD #	Use	Acre	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)
1/26/1910	1	irrig	1573	1/80	19.66	5966.2

Total af from storage, if applicable: _____ AF or N/A

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:

Table 3

Instream Use created by the lease River Basin: Wood River River/Stream Name: Wood River, tributary to Agency Lake

Proposed Instream Reach:
 A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to _____
 Instream use protected at the POD

OR 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 water right, the lease may be processed to be protected at the POD.)

Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)

Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.

Priority date	POD #	Use	Acre	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
1/26/1910	1	IS	1573	7/1-10/1 each year (2015 and 2016)	19.66	3587.5

OR Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.

Yes N/A **Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:** list here _____

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

Any additional information about the proposed instream use: only a portion of cert #42581 is transferred for split season in stream. **RECEIVED BY OWRD**

POD #1: located at lot 3, Sec 3 T34 R7.5E W.M. 2470 feet south and 940 feet east from NW corner, Section 3 in the County Klamath. Known as Weed Ditch.

Portion of water right to be leased is T34S R7.5E Portions of Section 5,6,8 Klamath County Tax lots 300, 700 and 1400 described as:

- T34S R7.5E Section 5 40.0 acres NE 1/4 SW 1/4
- T34S R7.5E Section 5 40.0 acres NW 1/4 SW 1/4
- T34S R7.5E Section 5 40.0 acres SE 1/4 SW 1/4
- T34S R7.5E Section 5 36.2 acres SW 1/4 SW 1/4
- T34S R7.5E Section 5 37.2 acres NW 1/4 SE 1/4
- T34S R7.5E Section 5 37.7 acres SW 1/4 SE 1/4
- T34S R7.5E Section 5 10.0 acres lot 5
- T34S R7.5E Section 5 17.5 acres lot 12
- T34S R7.5E Section 5 10.0 acres lot 11
- T34S R7.5E Section 5 10.0 acres lot 10
- T34S R7.5E Section 5 37.3 acres lot 15
- T34S R7.5E Section 5 40.0 acres lot 14
- T34S R7.5E Section 5 40.0 acres lot 13
- T34S R7.5E Section 5 37.2 acres lot 18
- T34S R7.5E Section 5 40.0 acres lot 19
- T34S R7.5E Section 5 40.0 acres lot 20
- T34S R7.5E Section 5 40.0 acres lot 21
- T34S R7.5E Section 5 40.0 acres lot 22

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T34S R7.5E Section 5 37.2 acres lot 23
 T34S R7.5E Section 6 37.6 acres lot 5
 T34S R7.5E Section 6 40.0 acres lot 6
 T34S R7.5E Section 6 40.0 acres lot 7
 T34S R7.5E Section 6 40.0 acres lot 8
 T34S R7.5E Section 6 40.0 acres lot 9
 T34S R7.5E Section 6 40.0 acres lot 10
 T34S R7.5E Section 6 40.0 acres lot 11
 T34S R7.5E Section 6 37.8 acres lot 12
 T34S R7.5E Section 6 38.0 acres lot 13
 T34S R7.5E Section 6 40.0 acres lot 14
 T34S R7.5E Section 6 40.0 acres lot 15
 T34S R7.5E Section 6 40.0 acres lot 16
 T34S R7.5E Section 6 40.0 acres lot 17
 T34S R7.5E Section 6 40.0 acres lot 18
 T34S R7.5E Section 6 40.0 acres lot 19
 T34S R7.5E Section 6 33.0 acres lot 20
 T34S R7.5E Section 6 2.0 acres lot 21
 T34S R7.5E Section 6 34.5 acres lot 22
 T34S R7.5E Section 6 40.0 acres lot 23
 T34S R7.5E Section 6 40.0 acres lot 24
 T34S R7.5E Section 6 10.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
 T34S R7.5E Section 6 37.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
 T34S R7.5E Section 6 5.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$

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T34S R7.5E Section 8 35.3 acres NW 1/4 NE 1/4
T34S R7.5E Section 8 35.3 acres SW 1/4 NE 1/4
T34S R7.5E Section 8 30.5 acres NW 1/4 SE 1/4
T34S R7.5E Section 8 2.0 acres NW 1/4 NW 1/4
T34S R7.5E Section 8 35.4 acres NE 1/4 NW 1/4
T34S R7.5E Section 8 9.0 acres SE 1/4 NW 1/4

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Application for Split Season 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.

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Attachment 4 (Standard Leasing Form).
Attachment 5-D (Pooled Leasing Form).

The standard instream water right form or for pooled leases, the appropriate pooled lease forms, pursuant to ORS 537.348(2) and OAR 690-077 must also be filled out before a Split Season Use Instream Lease Application can be processed.

Note: Split season use lease applications must be submitted to the Department two weeks prior to water being used either for the existing purpose or for the proposed instream purpose. (OAR 690-077-0079)

1. Existing and Instream Use Periods

For the water right being leased instream, as described in Section 1.5, include monthly or partial season rate or duty limitations, if appropriate.

This section replaces the "Total volume, Rate in cfs, and Allowed period of use" portions of Section 2.2 on the standard or pooled instream leasing forms.

The water right will be used for its existing purpose from 5/1/2015 to 6/30/2015 and from 5/1/2016 to 6/30/2016.

The water right will be used for instream use period is from 7/1/2015 to 10/1/2015 and from 7/1/2016 to 10/1/2016.

	Rate (cfs)		Conversion Factor 1 cfs = 1.983471 ac-ft/day		Number of days	=	Duty (ac-ft)
Existing Use	19.66	*	1.983471	*	61.00	=	2378.7
use if needed		*	1.983471	*		=	0.00
use if needed		*	1.983471	*		=	0.00
Instream Use	19.66	*	1.983471	*	92	=	3587.5
use if needed		*	1.983471	*		=	0.00
use if needed		*	1.983471	*		=	0.00
Total	n/a		n/a		n/a		5966.2

2. Measurement and Reporting

The water right lessor or lessee shall contact the watermaster to determine the necessary measurement and reporting requirements associated with leasing a water right.

The holders of the water rights shall measure and report the use of the existing water right and instream water right to the satisfaction of the Director, or provide for third party measurement and reporting to the satisfaction of the Director. Pursuant to ORS 537.332(3), the Department holds instream water rights in trust for the benefit of the people of the State of Oregon.

- (a) Location(s) and type(s) of measuring device(s): Measure at POD with headgate
- (b) Frequency of measurement: before and after transition of use as needed thereafter
- (c) Parties responsible for the respective measurements: Watermaster (OWRD)

PORTION OF CERT# 42581 to be leased.

William L. Wales, a Registered Professional Engineer, of Malheur Falls, Oregon, and also being duly appointed and Acting Watermaster for District No. 19, of the State of Oregon do hereby certify that the entire area shown shaded on the accompanying map has been irrigated with water diverted through the canals shown from Wood River under Application No. 488, Permit No. 309, in the name of the Meadows Drainage District, prior to this date, January 5th, 1954.

William L. Wales

Registered Professional Engineer
Oregon No. 1347 Date of Registration, Aug. 4, 1927.

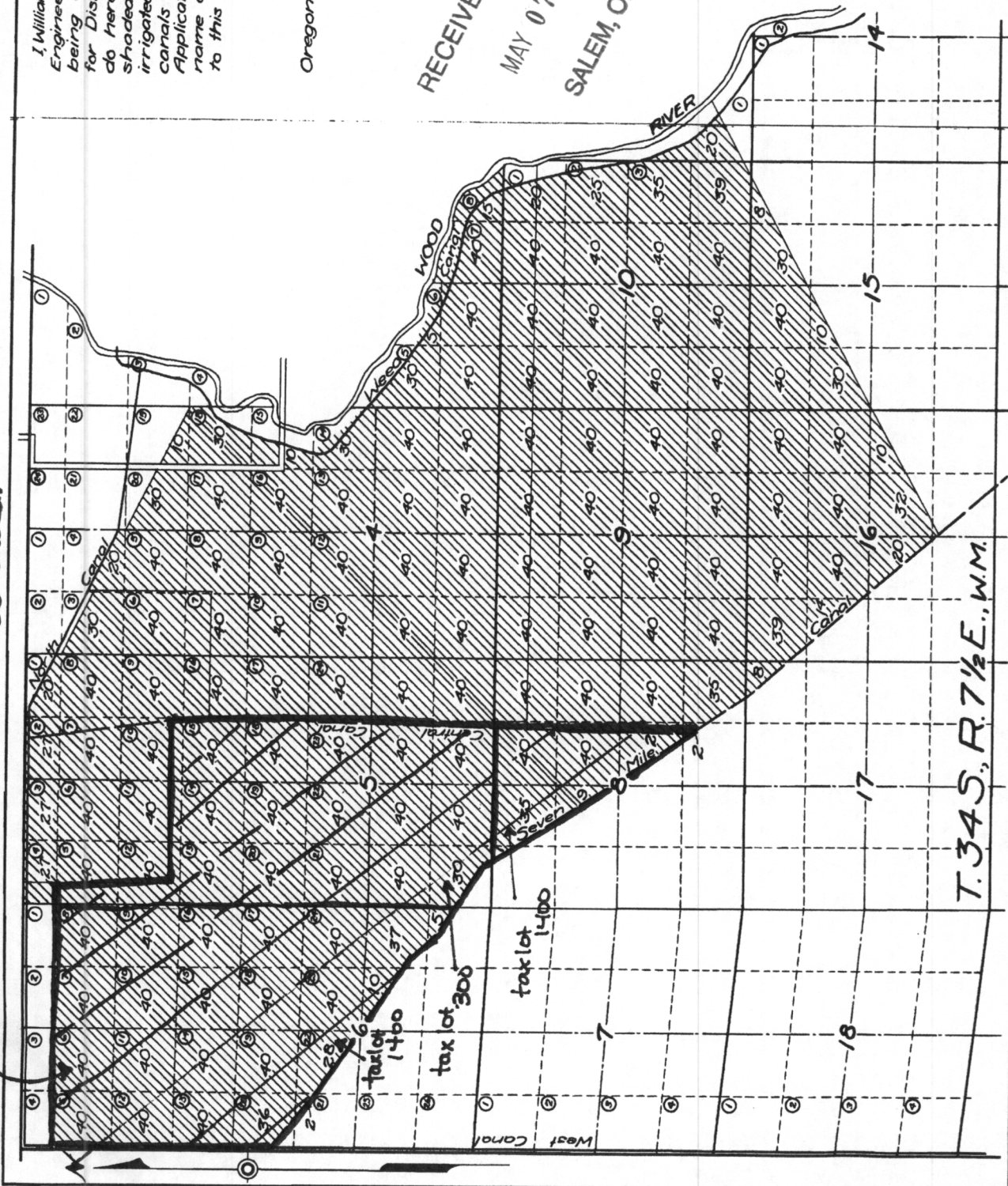
Oregon No. 1347

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William L. Wales

MAP SHOWING IN
LANDS IRRIGATED IN
MEADOWS DRAINAGE
DISTRICT
MALHEUR COUNTY OREGON
Scale: 1" = 2000'

Map Prepared By: William L. Wales
Civil & Hydraulic Eng'r
Malheur Falls, Oregon.



T. 34 S., R. 7 1/2 E., W.M.



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Application for Split Season Instream Lease

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The water right will be used for its existing purpose from 5/1/2015 to 6/30/2015.

The water right will be used for instream use period is from 7/1/2015 to 10/1/2015.

	Rate (cfs)		Conversion Factor 1 cfs = 1.983471 ac-ft/day		Number of days		Duty (ac-ft)
Existing Use	19.59	*	1.983471	*	61	=	2359.34
use if needed		*	1.983471	*		=	
use if needed		*	1.983471	*		=	
Instream Use	19.59	*	1.983471	*	92	=	*1802.28
use if needed		*	1.983471	*		=	
use if needed		*	1.983471	*		=	
Total					153		4161

*Note: based on NetCu calculation the instream use is 760 ac ft.

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The holders of the water rights shall measure and report the use of the existing water right and instream water right to the satisfaction of the Director, or provide for third party measurement and reporting to the satisfaction of the Director. Pursuant to ORS 537.332(3), the Department holds instream water rights in trust for the benefit of the people of the State of Oregon.

(a) Location(s) and type(s) of measuring device(s): Flow measurement at POD head gate

(b) Frequency of measurement: Weekly measurements starting 6/20/2015 by Watermaster

(c) Parties responsible for the respective measurements: OWRD (Watermaster)

C. N. HAWKINS TRUST
c/o 1180 COMSTOCK RD.
HOLLISTER CA 95023

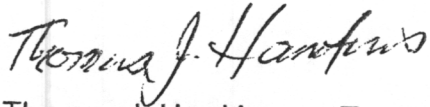
June 15, 2014

FSA
Klamath Falls, OR

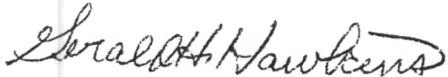
RE: C. N. Hawkins Trust Property, Ft. Klamath OR

This letter is to confirm that the property in Ft. Klamath, Klamath County OR, held in title by the C. N. Hawkins Trust, is leased to Hawkins Cattle Company and Ausaymas Cattle Company, each leasing 50% of the 100%, undivided.

Sincerely,



Thomas J. Hawkins, co-Trustee
C. N. Hawkins Trust



Gerald H. Hawkins, co-Trustee
C. N. Hawkins Trust

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