

Application for **Instream Lease**

Part 1 of 4 - Minimum Requirements Checklist

• FORM	r check boxes as indicated. (N/A= Not Applicable) Fee- 300
	Pursuant to ORS 537.348(2) and OAR 690-077
Check all items	included with this application. $(N/A = Not Applicable)$
⊠Yes	Part 1 - Completed Minimum Requirements Checklist and Application Fee
	Fees \$\Bigcup \$450.00 for a lease involving four or more landowners or four or more water rights \$300.00 for all other leases
	☐ Check enclosed or ☐ Fee Charged to customer account (account name)
⊠ Yes	Part 2 – Completed Instream Lease Application Map Checklist.
⊠ Yes	Part 3 – Completed Water Right and Instream Use Information Include a separate Part 3 for each water right
⊠ Yes	Part 4 – Completed Instream Lease Provisions and Signatures By
⊠ Yes	How many water rights are leased? 3 List them here: 34772, 34775, 34777 Include a separate Part 3 for each water right.
☐ 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: KA658, not yet certified
☐ 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:)?
Attachments:	
Yes □ N/A	Map: Instream Lease map requirements (see Part 2 of this application)
⊠Yes □ N/A	Tax Lot Map: If a portion of the water right <i>not included in the lease</i> is appurtenant to lands owned by others, a tax lot map must be included with the lease application. The tax lot map should clearly show the property involved in the lease.
□Yes ⊠ N/A	Supporting documentation describing why a right (or portion thereof) is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years. This information only needs to be provided if the checkbox has been checked to identify that the water right has not been used in the last five years and is not subject to forfeiture (See Part 4 of 4).
□Yes ⊠ N/A	 If the Lessor (water right holder) is not the deeded landowner - provide one of the following. A notarized statement from the landowner 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 which provides authority to pursue the lease absent consent

of the landowner.

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Part 2 of 4 - Instream Lease Application Map Checklist

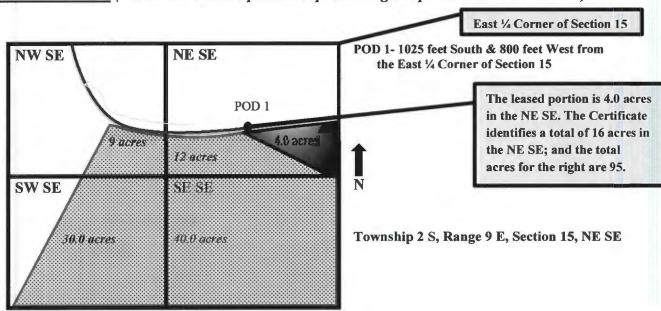
A Map is generally required for each water right not leased in its entirety

The application map (if required) should include all the items listed below and match the existing water right(s) of record. Check all boxes that apply.

This should be a <u>simple</u> map. (See example below). A copy of a final proof survey map with the portion to be leased shaded or hachured in will also suffice.

- A map is required <u>for each</u> water right not leased in its entirety. More than one QQ and property may be included on each map. A map is not required, if leasing the entire right or if the right to be leased is for municipal or quasi-municipal water use.
- The map should be of sufficient quality to be reproducible. Please do not use highlighters to mark items on the map as highlighters do not always copy.
- A North arrow and map scale (no smaller than 1'' = 1320').
- Township, Range, Section, quarter quarter (QQ), and a clearly labeled survey corner.
- For irrigation or other similar use, the number of acres to be leased in each quarterquarter clearly labeled and hatchured to differentiate between the acres being leased and any remaining. If the place of use is broken down by more than one priority date, or source stream, and/or point of diversion you must identify each with separate hachuring and clearly label.
- If available, identify the existing point(s) of diversion.

EXAMPLE MAP (the darker shaded portion representing the portion leased instream)



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LEM, OR By_____

Part 3 of 4 - Water Right and Instream Use Information

Use a separate Part 3 for each water right to be leased instream

Water Right Information

Water right # <u>34772</u>

Table 1

your tax lot i	number(s) ersion (Po you may). Fill in OD) but add add	all app they'r ditional	olicab e not l row:	ole informumber	mation. I ed, you o	or exam	ple, if yo	our wate	e leased. Also include er right has multiple number. If not enough (matching Table 1).
If only lea				ht -	Ent Tab		the entire	water ri	ght is to	be leased, skip to
Priority Date	POD#	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC	Acres	USE	Previous Lease # (if any)
					E	XAMPLE				
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
05/31/1960	1	36-S	12-E	10	NW-NE	3300	2	11.89	IR	
05/31/1960	1	36-S	12-E	10	NW-NE	3300	7	0.65	IR	
		-	-		-					
		-	-		-					

Total Acres: 12.54

Table 2

1	To illustra	te the to	tals for	the water right proposed to be lea	sed instream	
leased. If not en	nough roo	m below	, you ma	D, use and acreage as appropriate copy add additional rows (see instruction attachments. (cfs = cubic feet per	ons) or attach	spreadsheet
Priority Date	POD#	Use	Total Acres	Other Information (such as conditions/limitations on the right)	Total Rate (cfs)	Total Volume (af)
05/31/1960	1	IR	12.54		0.3135	37.62
Total af from sto	rage, if app	licable: _	AF o	or 🛛 N/A		
Any additional in	formation	about the	right: _			

Table 3

Point of Diversion (POD) description: 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(s) involved in the lease must be described. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 3). Please clearly label any attachments.

POD#	Twp	Rng				Sec	Q-Q	DLC/ Gov't lot	Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")
				NW-		Located 320ft south and 2,075 feet west from the NE corner of			
1	36-S	12-E	3	NE		Section 3, T36S, R12E (W.M.)			
						D. C.			

SALEM, OR

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Instream Lease Application (revised 2-12-2014)

_				
	Places check this boy if you	don't know the location of the	DOD(c) and want the	Dangetment to identify the

Part 3 of 4 cont. – Water Right and Instream Use Information

Instream Use Information

Table 4

		I	netroam	Use Created by the L	0250						
River/ Stream	Name: S			tary to Sprague River	River Basin:	Klamath					
Instream Port	ion: Use T	able 4 t	o illustra	te the instream rate, vo e than one), and acreag	lume and instream	period by priority					
				dditional rows (see inst Please clearly label any		a spreadsheet					
Priority date	POD#	Use	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)					
05/31/1960	1	IR	12.54	04/01 to 10/1	0.103	37.6					
contact I maximum Certifica irrigation OR Please As part of its re	Note: If not certain of the instream rate, volume and/or instream period, see the instructions and/or contact Department Staff for assistance. The instream rate and volume may be up to the maximum rate and duty/volume allowed by the right, as described in Table 2 or on your Certificate if leasing the entire right. The proposed instream period may be no longer than the irrigation season or the authorized period of allowed use. 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.										
				Instream Reach							
(POD) and end	pically b s at the m	egins a	the source		Proposed Instreat Instream use prote						
protected withi	n a reach bere is only	elow th	e POD, i	ot sure of the proposed f possible. (If no reach on the certificate, the l	is identified or the	above box is not					
			Addition	nal Instream Informat	tion						
limitations: lis	t here	_		rgement or injury to o							
Note: The Depart	artment ma	ay ident	ify additi	onal conditions to prev	ent injury and/or e	nlargement.					
Any additional	informatio	n about	the prop	osed instream use:							
				DROGE							

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Part 3 of 4 - Water Right and Instream Use Information

Use a separate Part 3 for each water right to be leased instream

Water Right Information

Water right # <u>34775</u>

Table 1

Water Right Information: Provide a description of the originating water right to be leased. Also include your tax lot number(s). Fill in all applicable information. For example, if your water right has multiple points of diversion (POD) but they're not numbered, you do not need to include a number. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 1). Please clearly label any attachments.

If only lea complete T	-	Entirety - If the entire water right is to be leased, skip to Table 3.								
Priority Date	POD#	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC	Acres	USE	Previous Lease # (if any)
					E	XAMPLE				
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	1L-1100
04/09/1962	1	36-S	12-E	3	NW-SE	500		35.05	IR	
04/09/1962	1	36-S	12-E	3	SW-SE	500		38.63	IR	
04/09/1962	1	36-S	12-E	3	SE-SE	500		2.81	IR	
		-			-					
		-	-		-					

Total Acres: 76.49

Table 2

To illustrate the totals for the water right proposed to be leased instream

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 additional rows (see instructions) or attach spreadsheet (matching Table 2). Please clearly label any attachments. (cfs = cubic feet per second and af = acre-feet)

Priority Date	POD#	Use	Total Acres	Other Information (such as conditions/limitations on the right)	Total Rate (cfs)	Total Volume (af)
04/09/1962	1	IR	76.49		1.91	229.47
				_		

Total af from storage, if applicable: _____ AF or \(\sum \) N/A

Any additional information about the right: _____

Table 3

Point of Diversion (POD) description: 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(s) involved in the lease must be described. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 3). Please clearly label any attachments.

POD#	Twp	Rng	Sec	Q-Q	DLC/ Gov't lot	Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")
				NW-		Located 5000ft north and 310 feet east from the SW corner of SE
1	36-S	12-E	3	NE		quadrant of Section 3, T36S, R12E (W.M.)
	-	-		-		DECEMED DV CIMED

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Please check this how if you don't know the location of the POD(s) and want the Denartment to	identify	the
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Part 3 of 4 cont. – Water Right and Instream Use Information

Instream Use Information

Table 4

		I	nstream	Use Created by	the Lea	se				
River/ Stream	Name: S	ycan Ri	<u>ver,</u> tribu	tary to Sprague R	iver	River Basin:	Klamath			
date, POD (if n right to be lease If not enough re	nore than orded.	one), Us v, you m	e (if more	te the instream rate than one), and a dditional rows (se Please clearly labe	creage a	s appropriate co				
Priority date	POD#	Use	Acres	Proposed Instrea		Fotal instream rate (cfs)	Total instream volume (af)			
04/09/1962	1	IR	76.49	04/01 to 10/1		0.632	229.4			
Note: If not certain of the instream rate, volume and/or instream period, see the instructions and/or contact Department Staff for assistance. The instream rate and volume may be up to the maximum rate and duty/volume allowed by the right, as described in Table 2 or on your Certificate if leasing the entire right. The proposed instream period may be no longer than the irrigation season or the authorized period of allowed use. 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.										
				Instream Reach						
(POD) and end	pically b s at the m	egins atouth of	the sourc	int of diversion be stream: From E Sprague River		pposed Instream stream use prote	m Point: cted at the POD			
protected within	n a reach bere is only	elow th	e POD, i	ot sure of the prop f possible. (If no r on the certificate,	each is	identified or the	above box is not			
			Addition	al Instream Info	rmatio	1				
limitations: lis	t here	_		gement or injury						
Note: The Depa	irtment ma	ay identi	ry additi	onal conditions to	preven	injury and/or e	niargement.			
Any additional	informatio	n about	the prop	osed instream use:						



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Part 3 of 4 - Water Right and Instream Use Information

Use a separate Part 3 for each water right to be leased instream

Water Right Information

Water right # <u>34777</u>

Table 1

your tax lot r points of div	number(s) ersion (Po you may). Fill in OD) but add add	all app they'r litional	olicab e not l rows	le informumber	nation. F ed, you d	or exam	ple, if yo	our wate clude a r	e leased. Also include er right has multiple number. If not enough (matching Table 1).
If only lea complete T				ht –	Ent Tabl		the entire	water ri	ght is to	be leased, skip to
Priority Date	POD#	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC	Acres	USE	Previous Lease # (if any)
					EX	XAMPLE				
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	1L-1100
11/04/1964	1	36-S	12-E	3	NW-NE	100		12.26	IR	
11/04/1964	1	36-S	12-E	3	SW-NE	100		19.09	IR	

100

100

100

SW-SE

SE-NE

SE-NE

Total Acres: 39.24

5.62

1.92

0.35

IR

IR

IR

Table 2

11/04/1964

11/04/1964

11/04/1964

2

1

2

36-S

36-S

36-S

12-E

12-E

12-E

3

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 additional rows (see instructions) or attach spreadsheet (matching Table 2). Please clearly label any attachments. (cfs = cubic feet per second and af = acre-feet) Total Other Information (such as

Priority Date	POD#	Use	Total Acres	Other Information (such as conditions/limitations on the right)	Total Rate (cfs)	Total Volume (af)
11/04/1964	1	IR	33.27	All acreage to the west of the Sycan R.	0.832	99.81
11/04/1964	2	IR	5.97	All acreage to the east of the Sycan R.	0.150	17.91

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

Any additional information about the right: _____

Table 3

Point of Diversion (POD) description: 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(s) involved in the lease must be described. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 3). Please clearly label any attachments.

Twp	Rng	Sec	Q-Q	DLC/ Gov't lot	Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")
			NW-		Located 5000ft north and 310 feet east from the SW corner of SE
36-S	12-E	3	NE		quadrant of Section 3, T36S, R12E (W.M.)
					Located 4,770 feet north and 1,370 feet east from the SW corner of
36-S	12-E	3	NE-NE		SE quadraant of Section 3, T36S, R12E, (W.M.)
	36-S	36-S 12-E	36-S 12-E 3	36-S 12-E 3 NW-NE	Twp Rng Sec Q-Q Gov't lot 36-S 12-E 3 NE

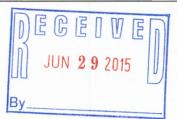
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- 1	Please check this	DOY IT VO	III don't knov	Withe Incation	1 AT THE PLU NCL	and Want the	I Jenamment to	IMPRITTY THE

Part 3 of 4 cont. - Water Right and Instream Use Information

Instream Use Information

Table 4

		I	nstream	Use Created by the	e Lease		
River/ Stream	Name: S	ycan Ri	<u>ver</u> , tribu	tary to Sprague Rive	River Basin:	Klamath	
date, POD (if m right to be lease If not enough ro	ore than ord.	one), Us	e (if mor	e than one), and acre dditional rows (see i	volume and instream eage as appropriate constructions) or attach	onsidering the	
(matching the b	(matching the below portion of Table 4). Please clearly label any attachments. Proposed Instream Total instream Total instream						
Priority date	POD#	Use	Acres	Period	rate (cfs)	volume (af)	
11/04/1964	1	IR	33.27	04/01 to 10/1	0.275	99.8	
11/04/1964	2	IR	5.97	04/01 to 10/1	.049	17.8	
Certification OR Please As part of its re	n rate and te if leasing season of check this view proceing the wa	duty/vo g the en the aut box if y ess, the iter righ	lume allo tire right horized p you are n Departm	owed by the right, as i. The proposed instr- period of allowed use ot sure of the propos- tent will identify the g leased and instream Instream Reach	sed rate, volume and appropriate instream	or on your o longer than the instream period. rate, volume and	
A reach ty (POD) and end the POD to Carrague River OR Please protected within	rpically best at the maconfluence check this a reach beer is only	egins a outh of cof the box if yoelow th	the source Sycan You are note POD, i	int of diversion ce stream: From River with the ot sure of the propose f possible. (If no rea	Instream use prote	ater to be above box is not	
			Addition	nal Instream Inforn	nation		
Yes N/A limitations: list		ns to av	oid enla	rgement or injury t	o other water rights	s, if any, or other	
Note: The Depa	rtment ma	ay identi	ify additi	onal conditions to pr	revent injury and/or e	enlargement.	
Any additional i	nformatio	n about	the prop	osed instream use: _			



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Part 4 of 4 – Lease Provisions and Party Signatures

Term of the Lease (may be from 1 year up to 5 years):		
The lease is requested to begin in: month March year 201		
Note: The begin month is generally the first month of the in the irrigation season. If not an irrigation right, this wou		
period of allowed use.		
Public use: Check the public use(s) this lease will serve	Termination provision (for multiyear lea	
(as defined by ORS 537.332):	The parties to the lease request (choose	
Conservation, maintenance and enhancement of	a. The option of terminating the lease p	
aquatic, fish and wildlife, fish and wildlife habitat and	expiration of the full term with writte	
any other ecological values.	the Department by the Lessor(s) and	
Recreation	b. The option of terminating the lease p	rior to
Pollution abatement	expiration of the full term, with cons	ent by all
☐ Navigation	parties to the lease.	
	c. The parties would not like to include	a
	Termination Provision.	
	(See instructions for limitations to this pro-	vision)
Additive/Replacing Relationship to other instream wat		
other existing instream water rights created as a result of it		
conserved water. Since instream leases are also generally		
agency process or conversion of minimum flows, they genrights.	nerally replace a portion of these junior instre	am
If you would like this lease to relate to other instream water	er rights differently, please check this box.	
And attach an explanation of your intent.		
Validity of the Right(s) to be leased (check the appropriate to the second seco		
The water right(s) to be leased have been used under t	the terms and conditions of the right(s) during	g the last
five years or have been leased instream; or		
The water right(s) have not been used for the last five		
right(s). However, the water right(s) is not subject to		tation
describing why the water right(s) is not subject to fort	feiture is provided.	
become part of an allocation of conserved An instream lease shall not set a precedent. The undersigned declare: The Lessor(s) agree during the term of this lease, to signification; and application; and application; and application. If not the deeded landowner, I/we application that I/we have authorization to pursue the from the deeded landowner; and application that I/we have authorization to pursue the from the deeded landowner; and application that information provided in this lease application to pursue the from the deeded landowner; and application that information provided in this lease application (and title): Signature of Lessor Printed name (and title): Business name, Mailing Address (with state and zip): Phone number (include area code): **E-mailing Address (with state and zip): See next page for additional signatures.	suspend use of water allowed under the suspend use of water allowed under the suspend water right(s) not involved in the lder(s) of the right(s) described in this ins have provided documentation with the lesse application and/or have obtained consequents.	abject water lease tream ase onsent
Mailing Address (with state and zin):	10 tax	0.1
Phone number (include area code): **E-ma	il address: (h.log)	in OR
541-891-<9<0		07171
See next page for additional signatures.	VIA 1 1 D. Maclens	7/6-6-4
F-8	RE	CEIVED BY OWF
International Application (control 2 12 2014)	JUN 2 9 2015	
Instream Lease Application (revised 2-12-2014)		JUL 2 2 2015
	JUN 2 9 2015	2 2 2010
	2013	
		SALEM, OR

Signature of Co-Lessor

Printed name (and title): TAYLIZ HYDE COUNTY

Business/organization name: Your Plans Prozy

Mailing Address (with state and zip): Bx 874 97624

Phone number (include area code): *E-mail address: Ravehing Fuy & Gracil Com

Sull 841.5828

Date: 6 22/1/5

Signature of Lessee

Printed name (and title): Randall Kizer, Board President

Business/organization name: <u>Upper Klamath Landowner Improvement District</u>
Mailing Address (with state and zip): <u>421 Commercial St., Klamath Falls, OR 97601</u>

Phone number (include area code): 541-912-3387 **E-mail address: randall.kzr@gmail.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.

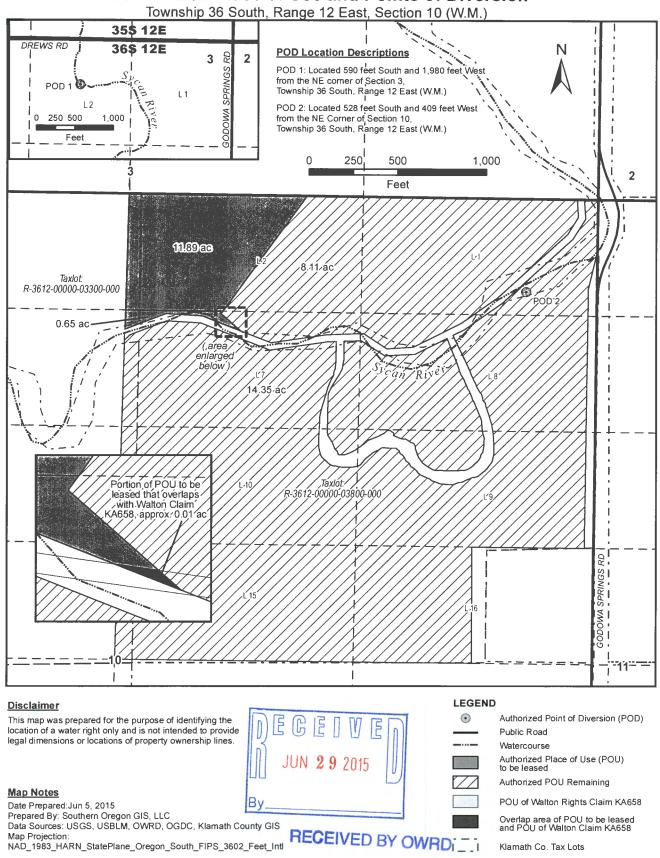


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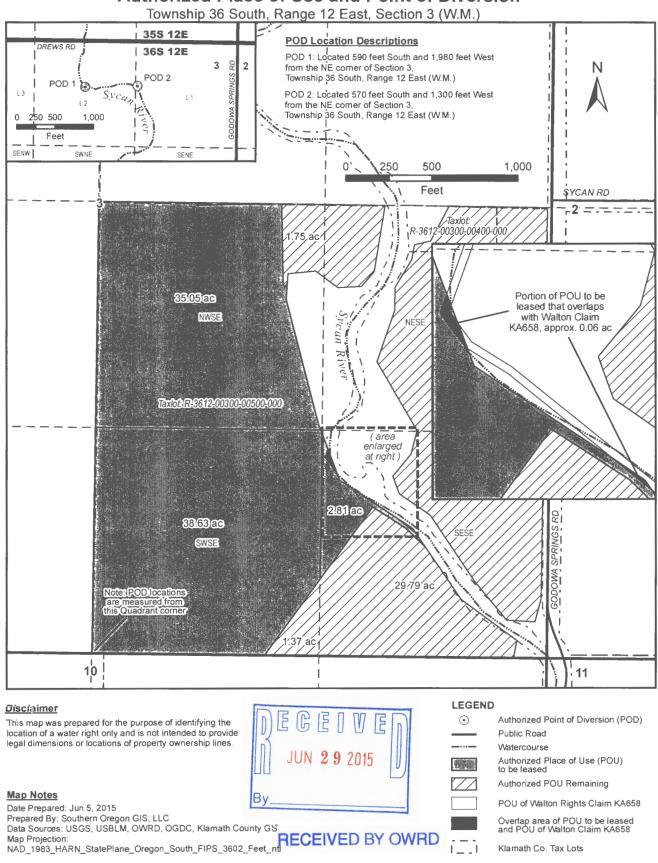
SALEM, OR Page 6

Instream Lease Application Map - Certificate 34772 Authorized Place of Use and Points of Diversion

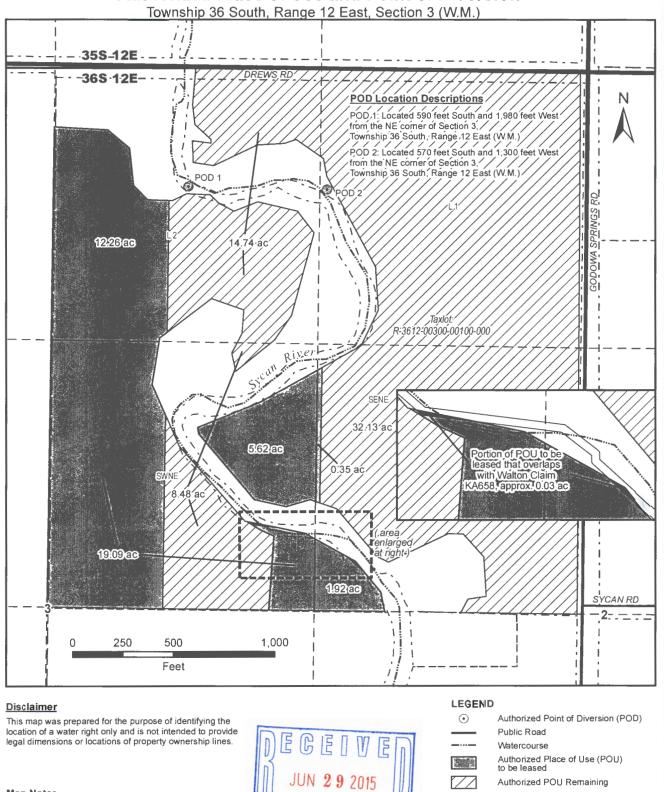


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Instream Lease Application Map - Certificate 34775 Authorized Place of Use and Point of Diversion



Instream Lease Application Map - Certificate 34777 Authorized Place of Use and Point of Diversion



Map Notes

Date Prepared: Jun 8, 2015 Prepared By: Southern Oregon GIS, LLC
Data Sources: USGS, USBLM, OWRD, OGDC, Klamath County GIS Map Projection: NAD_1983_HARN_StatePlane_Oregon_South_FIPS_3602_Feet_into

Authorized POU Remaining POU of Walton Rights Claim KA658 Overlap area of POU to be leased and POU of Walton Claim KA658

Klamath Co. Fax Lots EIVED BY OWRD

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