

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 # | 14-1562 |
| | 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 checked="" type="checkbox"/> \$450.00 for a lease involving four or more landowners or four or more water rights | Or <input type="checkbox"/> \$300.00 for all other leases |
| <input type="checkbox"/> Check enclosed or | |
| <input checked="" type="checkbox"/> Fee Charged to customer account <u>The Freshwater Trust</u> (Account name) | |

- 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? 10 (# of rights)
List each water right to be leased instream here: 83358, 12528, 13144, 83359, 39602, 86271, 13271, 86907, 86282, 13311

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: 65905, 31213, 86264, 86297, 90805, 86588, GR1596, 13291, 13290, 38660, G15522, 55619, GR3855, 55014, GR3855, 55014, GR4162, 83360

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.

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.

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Part 2 of 4 – District and other party Signature

| | |
|--|---|
| Term of the Lease: The lease is requested to begin in: month <u>June</u> year <u>2016</u> and end: month <u>December</u> year <u>2016</u> . | |
| Public use: Check the public use(s) this lease will serve (as defined by ORS 537.332): <input checked="" type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input type="checkbox"/> Recreation <input type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation | Termination provision (for multiyear leases): The parties to the lease request (choose one): <input type="checkbox"/> 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. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input checked="" type="checkbox"/> 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. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights. If you would like this lease to relate to other instream water rights differently than described above, please check this box. <input type="checkbox"/> 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. An instream lease shall not set a precedent on a future transaction. | |
| Validity of the rights to be leased: <input checked="" type="checkbox"/> 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 <input type="checkbox"/> The water right(s) have not been used for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right is not subject to forfeiture has been provided. | |

SIGNATURES

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



 Signature of Co-Lessor

Date: 6/10/16

Printed name (and title): Teresa Kilmer, District Manager
 Business/Organization name: Walla Walla River Irrigation District
 Mailing Address (with state and zip): PO Box 248, Milton-Freewater, OR 97862
 Phone number (include area code): 541-938-0144 **E-mail address: wwrid@qwestoffice.net

 Signature of Co-Lessor

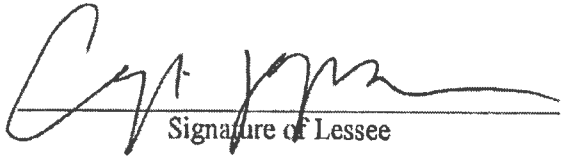
Date: _____

Printed name (and title): _____
 Business/organization name: _____
 Mailing Address (with state and zip): _____
 Phone number (include area code): _____ **E-mail address: _____

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See next page for additional signatures.

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Signature of Lessee

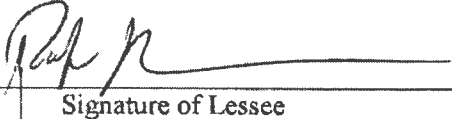
Date: 6/29/2016

Printed name (and title): Caylin Barter, Flow Restoration Director

Business/organization name: The Freshwater Trust

Mailing Address (with state and zip): 700 SW Taylor, Portland, OR 97205

Phone number (include area code): 503-222-9091 x 16 **E-mail address:
caylin@thefreshwatertrust.org


Signature of Lessee

Date: 6/29/16

Printed name (and title): Rob Kirschner, Staff Attorney

Business/organization name: The Freshwater Trust

Mailing Address (with state and zip): 700 SW Taylor, Portland, OR 97205

Phone number (include area code): 503-222-9091 x 50 **E-mail address:
rob@thefreshwatertrust.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 TO THE LESSOR**

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

Table 1

| Irrigation District or other Water Purveyor Name: Walla Walla River Irrigation District | | | | | | | | | | | | | | | |
|--|---------------|-------|-----|---|-----|---|-----|-----|--------|---------|-----------------|-------|-----|--------|------------------|
| 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 # |
| 86282 | 1892 | | 5 | N | 35 | E | 1 | NE | N W | | | 9.0 | IR | | |
| | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| Any additional information about the right: _____ | | | | | | | | | | | | | | | |
| 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:

1. 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
2. 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
3. I/We affirm that the information in this application is true and accurate.

Susan Davis
Signature of Lessor

June 13, 2016

Printed name (and title): Susan Davis Business name, if applicable: _____
 Mailing Address (with state and zip): 54211 Turbyne Road, Milton-Freewater, OR 97862
 Phone number (include area code): _____ **E-mail address: _____

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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 # 86282

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 | Acres | Other Information (such as conditions/limitations on the right) | Rate (cfs) | Volume (af) |
|---------------|-------|-----|-------|---|------------|-------------|
| 1892 | | IR | 9.0 | | 0.225 | 49.98 |
| | | | | | | |
| | | | | | | |

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: <u>Umatilla</u> | River/Stream Name: <u>Walla Walla River, tributary to Columbia River</u> | | | | |
| Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to <u>mouth of the Walla Walla River</u> | Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD | | | | | |
| OR <input type="checkbox"/> 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 | Acres | Proposed Instream Period | Instream Rate (cfs) | Total instream volume (af) |
| 1892 | | IR | 9.0 | 6/25 - 10/14 | 0.225 | 49.98 |
| | | | | | | |
| | | | | | | |

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: _____

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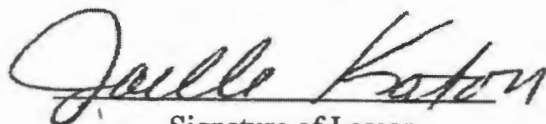
Part 3 of 4 – Place of Use – Lessor Information and Signatures


Table 1

| Irrigation District or other Water Purveyor Name: Walla Walla River Irrigation District | | | | | | | | | | | | |
|--|---------------|-------|-----|------|-----|-------|---------|-----------------|-------|-----|--------|------------------|
| 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 # |
| 13311 | 1887 | | 6 N | 35 E | 35 | NE NW | | | 6.0 | IR | | |
| 13311 | 1894 | | 6 N | 35 E | 35 | NE NW | | | 2.8 | IR | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| Any additional information about the right: | | | | | | | | | | | | |
| 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:

1. 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
2. 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
3. I/We affirm that the information in this application is true and accurate.


Signature of Lessor


Date

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Printed name (and title): Joelle Katon Business name, if applicable: _____
Mailing Address (with state and zip): 84220 Hwy 339 Milton-Freewater, OR 97862
Phone number (include area code): _____ **E-mail address: _____

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SALEM, OR

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 # 13311

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 | Acres | Other Information (such as conditions/limitations on the right) | Rate (cfs) | Volume (af) |
|---------------|-------|-----|-------|---|------------|-------------|
| 1887 | | IR | 6.0 | | 0.23 | 49.98 |
| 1894 | | IR | 3.5 | | 0.13 | 29.16 |
| | | | | | | |

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: <u>Umatilla</u> | River/Stream Name: <u>E. Fork Branch of the Walla Walla River, tributary to Walla Walla River</u> | | | | |
| Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to <u>mouth of the E. Fork Branch of the Walla Walla River and extending downstream from the mouth as far as the watermaster deems measurable</u> | | Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD | | | | |
| OR <input type="checkbox"/> 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 | Acres | Proposed Instream Period | Instream Rate (cfs) | Total instream volume (af) |
| 1887 | | IR | 6.0 | 6/25 - 10/14 | 0.23 | 49.98 |
| 1894 | | IR | 3.5 | 6/25 - 10/14 | 0.13 | 29.16 |
| | | | | | | |
| OR <input type="checkbox"/> 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. | | | | | | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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: _____ | | | | | | |

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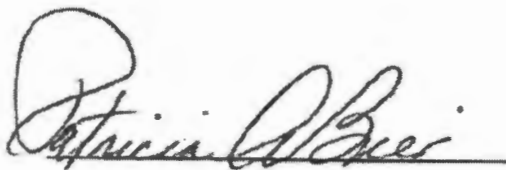
Part 3 of 4 – Place of Use – Lessor Information and Signatures

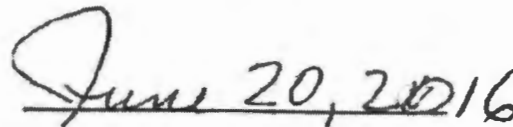
Table 1

| Irrigation District or other Water Purveyor Name: Walla Walla River Irrigation District | | | | | | | | | | | | | |
|--|---------------|-------|-----|------|-----|-------|---------|-----------------|-------|-----|--------|------------------|--|
| 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 # | |
| 86271 | 1891 | | 5 N | 35 E | 1 | NE NW | | | 8.28 | IR | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| Any additional information about the right: _____ | | | | | | | | | | | | | |
| 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:

1. 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
2. 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
3. I/We affirm that the information in this application is true and accurate.


Signature of Lessor


Date

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SALEM, OR

Printed name (and title): Patricia Bier Business name, if applicable: _____
 Mailing Address (with state and zip): 53959 Bier Lane, Milton-Freewater, OR 97862
 Phone number (include area code): 541-558-3807 **E-mail address: _____

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 # 86271

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) |
|---------------|-------|-----|------|---|------------|-------------|
| 1891 | | IR | 8.28 | | 0.31 | 68.87 |
| | | | | | | |
| | | | | | | |

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: <u>Umatilla</u> | River/Stream Name: <u>Walla Walla River, tributary to Columbia River</u> | | | | |
|--|-------------------------------------|--|------|--------------------------|---------------------|----------------------------|
| Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to <u>mouth of Walla Walla River</u> | | Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD | | | | |
| OR <input type="checkbox"/> 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) |
| 1891 | | IR | 8.28 | 6/25 - 10/14 | 0.31 | 68.87 |
| | | | | | | |
| | | | | | | |

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: _____

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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: Walla Walla River Irrigation District
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 # |
|---------------|---------------|-------|-----|------|-----|-------|---------|-----------------|-------|-----|--------|------------------|
| 86907 | 1900 | | 5 N | 35 E | 1 | NE NW | | | 4.5 | IR | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |

Any additional information about the right: _____
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:

1. 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
2. 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
3. I/We affirm that the information in this application is true and accurate.
- 4.

Melissa Peterson

Signature of Lessor

6.16.2016

Date

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Printed name (and title): Melissa Peterson Business name, if applicable: _____
Mailing Address (with state and zip): 83670 Winesap Rd, Milton-Freewater, OR 97862
Phone number (include area code): 541-938-3349 **E-mail address: _____

SALEM, OR

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 # 86907

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) |
|---------------|-------|-----|------|---|------------|-------------|
| 1900 | | IR | 4.5 | | 0.17 | 37.77 |
| | | | | | | |
| | | | | | | |

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: Umatilla River/Stream Name: Walla Walla River, tributary to Columbia River

Proposed Instream Reach:
 A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to mouth of the Walla Walla River
Or Proposed Instream Point:
 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) |
|---------------|-------|-----|------|--------------------------|---------------------|----------------------------|
| 1900 | | IR | 4.5 | 6/25 - 10/14 | 0.17 | 37.77 |
| | | | | | | |
| | | | | | | |

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: _____

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

Table 1

| Irrigation District or other Water Purveyor Name: Walla Walla River Irrigation District | | | | | | | | | | | | | |
|--|---------------|-------|-----|-----|-----|-----|---------|-----------------|-------|-----|--------|------------------|--|
| 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 # | |
| 13271 | 1886 | | 6 | N | 35 | E | 26 | NE SW | 4.0 | IR | | | |
| 13271 | 1908 | | 6 | N | 35 | E | 26 | NE SW | 0.5 | IR | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| Any additional information about the right: _____ | | | | | | | | | | | | | |
| 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:

1. 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
2. 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
3. I/We affirm that the information in this application is true and accurate.
- 4.

Lisa Burks

Signature of Lessor

6-9-16

Date

Printed name (and title): Lisa Burks Business name, if applicable: _____
 Mailing Address (with state and zip): PO Box 217, Milton-Freewater, OR 97862
 Phone number (include area code): 509-8520-0686 **E-mail address: _____

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SALEM, OR

Part 4 of 4 – Water Right and Instream Use Information

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 # 13271

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 | Acres | Other Information (such as conditions/limitations on the right) | Rate (cfs) | Volume (af) |
|---------------|-------|-----|-------|---|------------|-------------|
| 1886 | | IR | 4.0 | | 0.15 | 33.32 |
| 1908 | | IR | 1 | | 0.038 | 8.33 |
| | | | | | | |

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: <u>Umatilla</u> | River/Stream Name: <u>West Crockett Branch</u> , tributary to <u>Little Walla Walla River</u> | | | | |
| Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to <u>mouth of West Crockett Branch and extending downstream from the mouth as far as the watermaster deems measurable</u> | | Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD | | | | |
| OR <input type="checkbox"/> 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 | Acres | Proposed Instream Period | Instream Rate (cfs) | Total instream volume (af) |
| 1886 | | IR | 4.0 | 6/25 - 10/14 | 0.15 | 33.32 |
| 1908 | | IR | 1 | 6/25 - 10/14 | 0.038 | 8.33 |
| | | | | | | |
| OR <input type="checkbox"/> 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. | | | | | | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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: _____ | | | | | | |

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

Table 1

| Irrigation District or other Water Purveyor Name: Walla Walla River Irrigation District | | | | | | | | | | | | | |
|--|---------------|-------|-----|------|-----|--------|---------|-----------------|-------|-----|--------|------------------|--|
| 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 # | |
| 83358 | 1885 | | 6 N | 35 E | 35 | N W | | | 1.16 | IR | | | |
| 12528 | 1885 | | 6 N | 35 E | 35 | NE N W | | | 3.0 | IR | | | |
| 12528 | 1894 | | 6 N | 35 E | 35 | NE N W | | | 3.0 | IR | | | |
| 13144 | 1887 | | 6 N | 35 E | 35 | NE N W | | | 9.0 | IR | | | |
| 83359 | 1879 | | 6 N | 35 E | 35 | N W | | | 6.0 | IR | | | |
| 39602 | 1885 | | 6 N | 35 E | 35 | NE N W | | | 2.76 | IR | | | |
| Any additional information about the right: _____ | | | | | | | | | | | | | |
| 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:

1. 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
2. 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
3. I/We affirm that the information in this application is true and accurate.

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Eileen Leibbrand

Signature of Lessor

6-15-16

Date

JUN 30 2016

SALEM, OR

Printed name (and title): Eileen Leibbrand Business name, if applicable: _____

Mailing Address (with state and zip): 84262 Hwy 339, Milton-Freewater, OR 97862

Phone number (include area code): 541-938-7233 **E-mail address: _____

Part 4 of 4 – Water Right and Instream Use Information

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 # 83358 | |
|--|-------|-----|-------|---|------------|----------------------------|--|
| 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 | Acres | Other Information (such as conditions/limitations on the right) | Rate (cfs) | Volume (af) | |
| 1885 | | IR | 1.16 | | 0.029 | 6.44 | |
| | | | | | | | |
| Total af from storage, if applicable: _____ AF or <input checked="" type="checkbox"/> 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: <u>Umatilla</u> | River/Stream Name: <u>West Branch of West Crockett, tributary to Little Walla Walla</u> | | | | | |
|---|------------------------------|--|-------|--------------------------|---------------------|----------------------------|--|
| Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to <u>mouth of West Branch of West Crockett and extending downstream from the mouth as far as the watermaster deems measurable</u> | | Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD | | | | | |
| OR <input type="checkbox"/> 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 | Acres | Proposed Instream Period | Instream Rate (cfs) | Total instream volume (af) | |
| 1885 | | IR | 1.16 | 6/25 - 10/14 | 0.029 | 6.44 | |
| | | | | | | | |
| OR <input type="checkbox"/> 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. | | | | | | | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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: _____ | | | | | | | |

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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 # 12528

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 | Acres | Other Information (such as conditions/limitations on the right) | Rate (cfs) | Volume (af) |
|---------------|-------|-----|-------|---|------------|-------------|
| 1885 | | IR | 3.0 | | 0.048 | 10.66 |
| 1894 | | IR | 3.0 | | 0.048 | 10.66 |
| | | | | | | |

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: <u>Umatilla</u> | River/Stream Name: <u>Ford Branch of Little Walla Walla River, tributary to Little Walla Walla River</u> | | | | |
| Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to <u>mouth of Ford Branch of Little Walla Walla River and extending downstream from the mouth as far as watermaster deems measurable</u> | | Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD | | | | |
| OR <input type="checkbox"/> 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 | Acres | Proposed Instream Period | Instream Rate (cfs) | Total instream volume (af) |
| 1885 | | IR | 3.0 | 6/25 - 10/14 | 0.048 | 10.66 |
| 1894 | | IR | 3.0 | 6/25 - 10/14 | 0.048 | 10.66 |
| | | | | | | |
| OR <input type="checkbox"/> 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. | | | | | | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A Conditions to avoid enlargement or injury to other water rights, if any, or other limitations: list here _____ RECEIVED BY OWRD Note: The Department may identify additional conditions to prevent injury and/or enlargement. | | | | | | |
| Any additional information about the proposed instream use: _____ | | | | | | |

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 # 13144

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 | Acres | Other Information (such as conditions/limitations on the right) | Rate (cfs) | Volume (af) |
|---------------|-------|-----------|-------|---|------------|-------------|
| 1887 | | IR, Stock | 9.0 | | 0.144 | 31.99 |
| | | | | | | |
| | | | | | | |

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: <u>Umatilla</u> | River/Stream Name: <u>West Branch of Crockett Branch, tributary to Little Walla Walla River</u> | | | | |
|--|-------------------------------------|--|-------|--------------------------|---------------------|----------------------------|
| Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to <u>mouth of West Branch of Crockett Branch and extending downstream from the mouth as far as watermaster deems measurable</u> | | Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD | | | | |
| OR <input type="checkbox"/> 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 | Acres | Proposed Instream Period | Instream Rate (cfs) | Total instream volume (af) |
| 1887 | | IR, Stock | 9.0 | 6/25 - 10/14 | 0.144 | 31.99 |
| | | | | | | |
| | | | | | | |

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: _____

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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 # 83359

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 | Acres | Other Information (such as conditions/limitations on the right) | Rate (cfs) | Volume (af) |
|---------------|-------|-----|-------|---|------------|-------------|
| 1879 | | IR | 6.0 | | 0.15 | 33.32 |
| | | | | | | |
| | | | | | | |

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: <u>Umatilla</u> | River/Stream Name: <u>West Branch of West Crockett, tributary to Little Walla Walla River</u> | | | | |
|--|-------------------------------------|--|-------|--------------------------|---------------------|----------------------------|
| Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to <u>mouth of West Branch of West Crockett and extending downstream from the mouth as far as the watermaster deems measurable</u> | | Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD | | | | |
| OR <input type="checkbox"/> 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 | Acres | Proposed Instream Period | Instream Rate (cfs) | Total instream volume (af) |
| 1879 | | IR | 6.0 | 6/25 - 10/14 | 0.15 | 33.32 |
| | | | | | | |
| | | | | | | |

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: _____

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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 # 39602

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 | Acres | Other Information (such as conditions/limitations on the right) | Rate (cfs) | Volume (af) |
|---------------|-------|-----|-------|---|------------|-------------|
| 1885 | | IR | 2.76 | | 0.044 | 9.77 |
| | | | | | | |
| | | | | | | |

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: <u>Umatilla</u> | River/Stream Name: <u>West Branch of West Branch of Crockett, tributary to Little Walla Walla River</u> | | | | |
| Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to _____ | Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD | | | | | |
| OR <input type="checkbox"/> 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 | Acres | Proposed Instream Period | Instream Rate (cfs) | Total instream volume (af) |
| 1885 | | IR | 2.76 | 6/25 - 10/14 | 0.044 | 9.77 |
| | | | | | | |
| | | | | | | |

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: _____

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