

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

Application for Instream Lease

Part 1 of 4 - Minimum Requirements Checklist

Complete Part 1 through 4 and include the required attachments

Fill in or check boxes as indicated. (N/A= Not Applicable)

OWRD # 11 - 1681

Fee- 52000

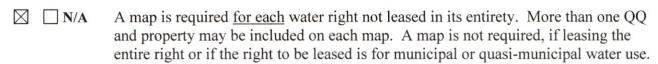
	Pursuant to ORS 537.348(2) and OAR 690-077
Check all items	included with this application. ($N/A = Not Applicable$)
⊠Yes	Part 1 - Completed Minimum Requirements Checklist and Application Fee
(Fees S520.00 for a lease involving four or more landowners or four or more water rights S550.00 for all other leases
	☐ Check enclosed <u>or</u> ☐ 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
⊠ Yes	How many water rights are leased? 4 List them here: 93051, 93052, 93053, 93054 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:
☐ 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.

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.



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.

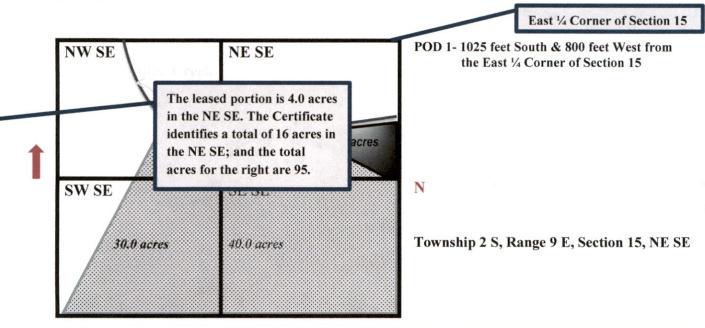
 \triangle A North arrow and map scale (no smaller than 1" = 1320').

☐ 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 quarter-quarter 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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APR 2 7 2018

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

Water Right Information

Water right # <u>93051</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 leasing a portion of the right - complete Table 1 as indicated						☐ 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	IL-1100	
1872	1	32-S	6-W	27	NW-NE	400		8.8	IR		
1872	2	32-S	6-W	27	NW-NE	400			IR		
		-	-		-						

Total Acres: 8.8

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)
Total af from sto	rage, if app	licable: _	AF o	or N/A		2 7 2018

Table 3

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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-		
1	32-S	6-W	27	NE		834 ft. South and 622 ft. East from N 1/4 corner, Section 27
				NW-		
2	32-S	6-W	27	NE		831 ft. South and 230 ft. East from N 1/4 corner, Section 27

Please check this box if you don't know the location of the POD(s) and want the Denartment to identify the

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

Instream Use Information

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1 able 4							
				Use Created by			••
				utary to Windy Cr		River Basin:	
date, POD (if n right to be lease If not enough re	nore than ed.	one), Use w, you m	e (if mor	re than one), and additional rows (se	creage e instr	as appropriate couctions) or attach	
(matching the b	elow port	tion of 1a	able 4).	Please clearly labe			Totalinatusam
Priority date	POD#	Use	Acres	Proposed Instrea Period	m	Total instream rate (cfs)	Total instream volume (af)
4/12/1918	1&2	IR	8.8	5/1 - 10/31			()
contact I maximum Certifica irrigation OR Please As part of its re	Department of rate and te if leasing season of check this eview products.	nt Staff for I duty/voing the enter the authors box if years, the	or assistation alletire right horized prou are no Departm	olume and/or instrance. The instream owed by the right, t. The proposed in period of allowed to sure of the proposed intent will identify the	rate a as des stream use.	nd volume may be cribed in Table 2 period may be not ate, volume and it ropriate instream	or on your o longer than the instream period.
period consider	ing the w	ater right	(s) being	g leased and instre	am be	nefits.	
				Instream Reach			
	cally begi	ins at the		diversion (POD) a: From the POD		roposed Instream enstream use prote	
protected within	n a reach ere is onl	below the	e POD, i	ot sure of the prop of possible. (If no r on the certificate,	each is	s identified or the	above box is not
		1	Addition	nal Instream Info	rmati	on	
limitations: lis	t here			rgement or injury			
Any additional	informatic	n about	the prop	osed instream use:			
Any additional	mioi matic	on about	the brob	oscu mstream use:		RECEIVE	- D
						" LOLIVE	U
						APR 2720	18

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

Water Right Information

Water right # 93052

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	24	n	e	

your tax lot r	number(s) ersion (Po you may). Fill in OD) but add add	all app they'r litional	olicab e not rows	le informumber	mation. F	or example not need	ole, if yo	our wate	e leased. Also include er right has multiple number. If not enough matching Table 1).
If only lea				ht -	The second second second second second	tirety - If le 3.	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
		-	_		-					
		-	-		-					
			-		-					
			-		-					

TT		
Intal	Acres:	

Table 2

1	Γο illustra	te the to	tals for	the water right proposed to be leas	sed instream	
leased. If not en	nough room	m below	, you ma	D, use and acreage as appropriate copy add additional rows (see instruction at 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)
Total af from sto	rage, if app	licable:	AF c	or N/A	APR 2	
Any additional in	nformation	about the	right:		OW	RD

Table 3

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-		
1	32-S	6-W	27	NE		834' South and 622' East From N 1/4 Corner, Section 27
				NW-		
2	32-S	6-W	27	NE		831' South and 230" East from N 1/4 Corner, Section 27

Please check this box if you don't know the location of the POD(s) and want the Department to identify the

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

Instream Use Information

Table 4

		I	nstream	Use Created by	the Leas	e			
River/ Stream	Name: V	Vood Cr	<u>eek</u> , tribu	utary to Windy Cr	<u>eek</u>	River Basin:	<u>Umpqua</u>		
Instream Portion: Use Table 4 to illustrate the instream rate, volume and instream period by priority date, POD (if more than one), Use (if more than one), and acreage as appropriate considering the right to be leased. If not enough room below, you may add additional rows (see instructions) or attach a spreadsheet (matching the below portion of Table 4). Please clearly label any attachments.									
Priority date	POD#	Use		Proposed Instrea		otal instream	Total instream		
1872	1&2	IR	Acres 11.8	May 1 - Oct. 31		rate (cfs)	volume (af)		
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					
	cally begi	ns at the	•	diversion (POD) : From the POD		posed Instream tream use prote	m Point: ceted 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 certificate, the lease may be processed to be protected at the POD.)									
			Addition	al Instream Info	rmation				
limitations: list	here			rgement or injury					
Note: The Depa	rtment ma	ay identi	fy additi	onal conditions to	prevent	injury and/or e	nlargement.		
Any additional i	nformatio	n about	the prop	osed instream use:		RE	CEIVED		
						AD	D 0 W		

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

Water Right Information

Water right # <u>93053</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	Control of the second	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	IL-1100
		-	-		-					
		-	-		-					
		-	-		-					RECEIVED
		-	-		-					
		-	-		-					APR 2 7 2018

I	otal	Acres:		
			-	

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Table 2

· · · · · · · · · · · · · · · · · · ·	o mustra	te the to	otals for	the water right proposed to be lea	sed instream	
Total rate and v	olume by	priority	date, PC	DD, use and acreage as appropriate co	onsidering the	e right to be
				y add additional rows (see instruction		
(matching Tabl	e 2). Pleas	se clearly	y label ar	ny attachments. (cfs = cubic feet per	second and a	f = acre-feet
Priority Date	POD#	Use	Total	Other Information (such as	Total	Total

Thornty Date	1 OD #	USC	ACICS	conditions/minitations on the right)	Nate (CIS)	volume (ai)
	-		-			
Total af from sto	rage, if app	licable:	AF c	or N/A		
Any additional in	formation	about the	right:			

Table 3

POD#	Twp	Rng	Sec	Q-Q	DLC/ Measured Distances, latitude/longitude coordinates, or river mile (Gov't lot unknown you may indicate "unknown")	
				NW-		
1	32-S	6-W	27	NE	834' South and 622' East From N 1/4 Corner, Section 27	
				NW-		
2	32-S	6-W	27	NE		831' South and 230" East from N 1/4 Corner, Section 27

Please check this box if you don't know the location of the POD(s) and want the Denartment to identify the

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

Instream Use Information

Table 4

Instream Use Created by the Lease									
River/ Stream	River/ Stream Name: Wood Creek, tributary to Windy Creek River Basin: Umpqua								
Instream Portion: Use Table 4 to illustrate the instream rate, volume and instream period by priority date, POD (if more than one), Use (if more than one), and acreage as appropriate considering the right to be leased. If not enough room below, you may add additional rows (see instructions) or attach a spreadsheet (matching the below portion of Table 4). Please clearly label any attachments.									
Proposed Instream Total instream Total instr					Total instream				
Priority date 4/12/1918	POD # 1&2	Use IR	Acres 2.7	Period May 1 - Oct. 31		rate (cfs)	volume (af)		
				· · · · · · · · · · · · · · · · · · ·					
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					
Proposed Instr	eam Rea	ch:			Or Pro	posed Instream	m Point:		
				diversion (POD) : From the POD	_ Ins	tream use prote	cted 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 certificate, the lease may be processed to be protected at the POD.)									
			Addition	al Instream Info	rmation				
Yes N/A limitations: list			oid enlar	rgement or injury	y to oth	er water rights	, if any, or other		
Note: The Depa	rtment ma	ay identi	ify additi	onal conditions to	prevent	injury and/or e	nlargement.		
Any additional i	nformatio	n about	the prop	osed instream use:					
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Use a separate Part 3 for each water right to be leased instream

Water Right Information

Water right # 93054

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 leasing a portion of the right - complete Table 1 as indicated						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	IL-1100	
		_	-		-						
		-	-		-						
		-	-		-						
		-	-		-						
		-	_		_						

Total Acres:

Table 2

T	o illustra	te the to	otals 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)
					RECEIVE	D
Total af from sto	rage, if app	licable:	AF c	or N/A	APR 2 7 20	118
Any additional in	formation	about the	right:			

Table 3

OWRD

POD#	Twp	Rng	Sec	Q-Q	DLC/ Measured Distances, latitude/longitude coordinates, or river m unknown you may indicate "unknown")	
				NW-		
1	32-S	6-W	27	NE		834' South and 622' East From N 1/4 Corner, Section 27
				NW-		
2	32-S	6-W	27	NE		831' South and 230" East from N 1/4 Gorner, Section 27

Please check this box if you don't know the location of the POD(s) and want the Denartment to identify the

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

Instream Use Information

Table 4

Instream Use Created by the Lease								
River/ Stream Name: Wood Creek, tributary to Windy Creek River Basin: Umpqua								
Instream Portion: Use Table 4 to illustrate the instream rate, volume and instream period by priority date, POD (if more than one), Use (if more than one), and acreage as appropriate considering the right to be leased. If not enough room below, you may add additional rows (see instructions) or attach a spreadsheet								
(matching the below portion of Table 4). Please clearly label any attachments.								
	POD#	Use	Acres	Proposed Instrea Period		Total instream volume (af)		
1872	1&2	IR	2.8	May 1 - Oct. 31				
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.								
	6 •22 • 1 • 1		(0) 00	Instream Reach				
Proposed Instreating A reach typical and ends at the moto	lly begin	ns at the		diversion (POD)	Or Proposed Instrea			
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 certificate, the lease may be processed to be protected at the POD.)								
			Addition	nal Instream Info	rmation			
☐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 int	formatio	n about	the prop	osed instream use:	R	ECEIVED		

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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 5/1 year 2018 a	and end: month 10/31 year 2022							
	Note: The begin month is generally the first month of the irrigation season and the end month is the last month								
	in the irrigation season. If not an irrigation right, this would be the first and last month of your authorized period of allowed use.								
	Public use: Check the public use(s) this lease will serve Termination provision (for multiyear leases):								
	(as defined by ORS 537.332):	The parties to the lease request (choose one):							
	Conservation, maintenance and enhancement of	a. The option of terminating the lease prior to							
	aquatic, fish and wildlife, fish and wildlife habitat and	expiration of the full term with written notice							
	any other ecological values. Recreation	to the Department by the Lessor(s) and/or Lessee.							
	Pollution abatement RECEIVED	b. The option of terminating the lease prior to							
	Navigation	expiration of the full term, with consent by all							
	APR 27 2018	parties to the lease.							
		c. The parties would not like to include a Termination Provision.							
	OWRD	(See instructions for limitations to this provision)							
	Additive/Replacing Relationship to other instream wat								
	other existing instream water rights created as a result of it	nstream leases, transfers and/or allocations of							
	conserved water. Since instream leases are also generally								
	agency process or conversion of minimum flows, they genrights.	ierally replace a portion of these junior instream							
		er rights differently, please check this hoy							
	If you would like this lease to relate to other instream water rights differently, please check this box. And attach an explanation of your intent.								
	Validity of the Right(s) to be leased (check the appropriate box):								
	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 right(s). However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation								
	describing why the water right(s) is not subject to for								
D	recedent: If a right which has been leased is later pro	nosed to be leased again or later transferred or							
1		water project, a new injury review shall be required							
	An instream lease shall not set a precedent								
T	he undersigned declare:								
	The Lessor(s) agree during the term of this lease, to su	ispend use of water allowed under the subject water							
	right(s) and under any appurtenant primary or supplen	nental water right(s) not involved in the lease							
	application; and								
	The Lessor(s) certify that I/we are the water right hold								
	lease application. If not the deeded landowner, I/we happlication that I/we have authorization to pursue the								
	from the deeded landowner; and	lease application and of have obtained consent							
	All parties affirm that information provided in this lea	se application is true and accurate.							
		,							
1	Jany Othing D	Pate: 4.23.2018							
	Signature of Lessor	,							
	Printed name (and title): Business name,	DECEIVED							
	Mailing Address (with state and zip): **E-mail	address:							
	I none number (merude area code)	AP 2 2 7 618							
	See next page for additional signatures.								
		OVVRO							
	Instream Lease Application (revised 7-27-2017)	Page 5							

Instream Lease Application (revised 7-27-2017)

ADMENDED CLAIM OF BENEFICIAL USE MAP

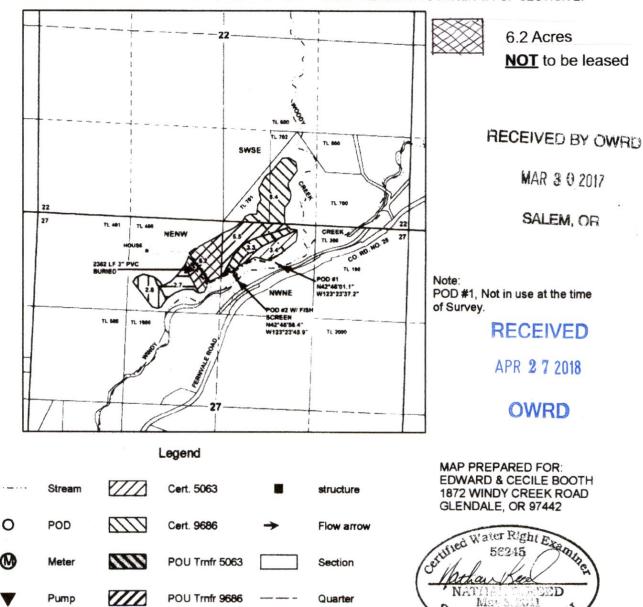
FOR: EDWARD & CECILE BOOTH
BY: NATHAN R. REED, CWRE
T32S, R6W, W.M. SECTION 22 & 27
TRANSFER NO. T9168
ALLOCATION OF CONSERVED WATER C-22



SCALE: 1" = 1320"

DATE SURVEYED: MAY 20, 2014

POD#1 IS LOCATED 834 FEET SOUTH AND 622 FEET EAST FROM THE NORTH CORNER 1/4 OF SECTION 27 POD#2 IS LOCATED 831 FEET SOUTH AND 230 FEET EAST FROM THE NORTH CORNER 1/4 OF SECTION 27



Sixteenth

Parcels

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

CW-22 5063

CW-22 9686

Driveway

Pipeline

MAP PREPARED BY: NATHAN R. REED, P.E., CWRE 1113 SE CASS AV ROSEBURG, OR 97470

ATE OF ORE

Expires Dec. 31, 2018