



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 #	IL-1423
Fee-	\$ 450. ⁰⁰

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

\$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

Yes

How many water rights are leased? 6 List them here: _____
 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 *not included in the lease* 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

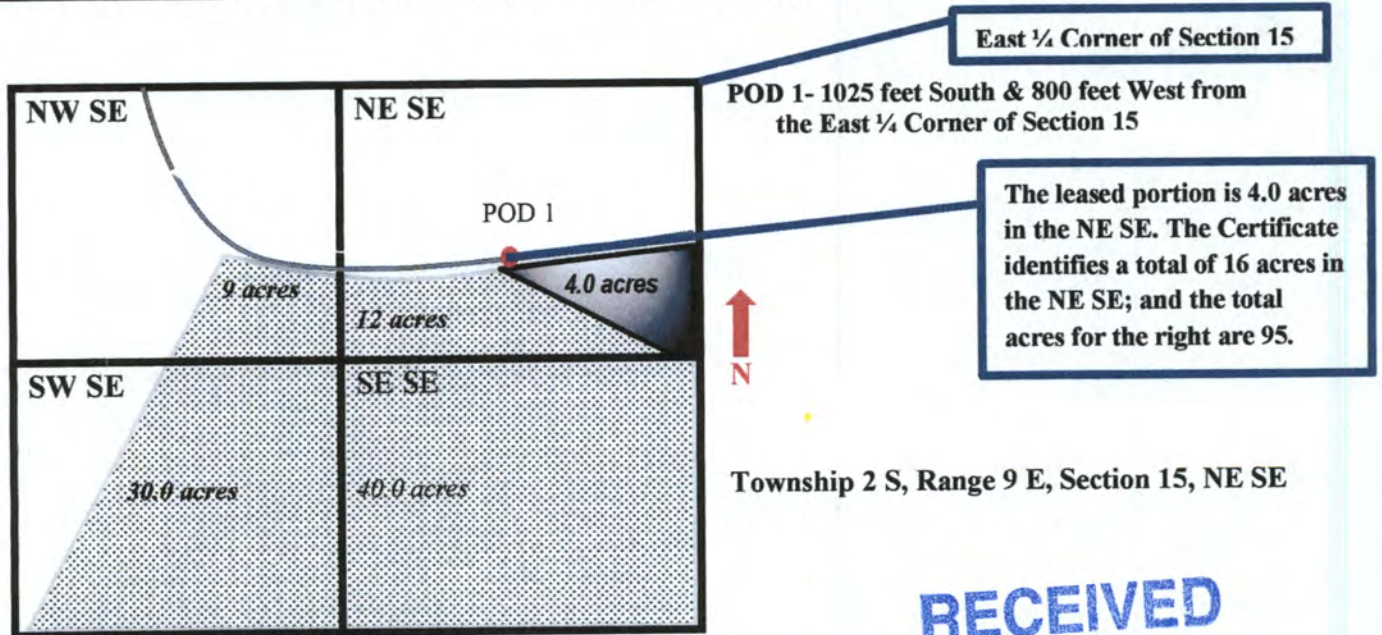
A Map is generally required for each water right not leased in its entirety

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 simple 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.

- N/A A map is required for each 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 quarter-quarter clearly labeled and hachured 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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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 # 44889 1 of 6

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.

<input checked="" type="checkbox"/> If only leasing a portion of the right - complete Table 1 as indicated	<input type="checkbox"/> Entirety - If the entire water right is to be leased, skip to Table 3.
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Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC	Acres	USE	Previous Lease # (if any)
EXAMPLE										
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
5-12-1969	2	9-S	5-W	16	NW-NW		56	6.1	IR	
8-1-1969	2	9-S	5-W	16	NW-NW		56	6.1	IR	
5-12-1969	2	9-S	5-W	16	SW-NW		56	24.3	IR	
8-1-1969	2	9-S	5-W	16	SW-NW		56	24.3	IR	
5-12-1969	2	9-S	5-W	16	NW-SW		56	.3	IR	

Total Acres: _____

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)
5-12-1969	2	IR	46.9			
8-1-1969	2	IR	46.9 <i>af</i>			
Total af from storage, if applicable: _____ AF or <input type="checkbox"/> N/A					<div style="font-size: 2em; color: blue; font-weight: bold; opacity: 0.5;">RECEIVED</div> <div style="color: blue; font-weight: bold;">JUN 27 2014</div>	
Any additional information about the right: _____						

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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")
1	9-S	5-W	16	NW-SW	56	460 feet N and 550 feet W
2	9-S	5-W	17	SW-SE	56	3720 feet S and 460 feet E, 4870 feet S and 1600 feet W

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 # 44889 *286*

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)
EXAMPLE										
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
8-1-1969	2	9-S	5-W	16	NW-SW		56	.3	IR	
5-12-1969	2	9-S	5-W	17	SW-NE		56	14.9	IR	
8-1-1969	2	9-S	5-W	17	SW-NE		56	14.9	IR	
5-12-1969	2	9-S	5-W	17	SE-NW		56	.9	IR	
8-1-1969	2	9-S	5-W	<i>17</i>	SE-NW		56	.9	IR	

ck Total Acres: _____

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)
5-12-1969	<i>1</i>	IR	22.2			
8-1-1969	2	IR	22.2 <i>ck</i>			

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

Any additional information about the right: _____

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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")
1	9-S	5-W	16	NW-SW	56	460 feet N and 550 feet W
2	9-S	5-W	17	SW-SE	56	3720 feet S and 460 feet E, 4870 feet S and 1600 feet W

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 # 44889

3 of 6

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.

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Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC	Acres	USE	Previous Lease # (if any)
EXAMPLE										
12/2/1901	3	2-S	9-E	15	NE-SE	100	47	4.0	IR	IL-1100
8-1-1969	2	9-S	5-W	17	NE-SE		56	.2	IR	
5-12-1969	2	9-S	5-W	17	NE-SE		56	.2	IR	
8-1-1969	2	9-S	5-W	17	NW-SE		56	.2	IR	
5-12-1969	2	9-S	5-W	17	NW-SE		56	.2	IR	
8-1-1969	1	9-S	5-W	9	SW-SW		56	.1	IR	

Total Acres: _____

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)
5-12-1969	<i>1 CA</i>	IR	22.2			
8-1-1969	2	IR	22.2	<i>OK</i>		

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

Any additional information about the right: _____

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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")
1	9-S	5-W	16	NW-SW	56	460 feet N and 550 feet W
2	9-S	5-W	17	SW-SE	56	3720 feet S and 460 feet E, 4870 feet S and 1600 feet W

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 # 44889 *476*

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.

<input checked="" type="checkbox"/> If only leasing a portion of the right - complete Table 1 as indicated					<input type="checkbox"/> 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)
EXAMPLE										
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
5-12-1969	1	9-S	5-W	9	SW-SW		56	.1	IR	
5-12-1969	1	9-S	5-W	16	NW-NW		56	18.4	IR	
8-1-1969	1	9-S	5-W	16	NW-NW		56	18.4	IR	
5-12-1969	1	9-S	5-W	16	SW-NW		56	3.7	IR	
8-1-1969	1	9-S	5-W	16	SW-NW		56	3.7	IR	

Total Acres: _____

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)
5-12-1969	<i>1</i>	IR	22.2			
8-1-1969	2	IR	22.2	<i>ck</i>		
Total af from storage, if applicable: _____ AF or <input type="checkbox"/> N/A					JUN 27 2014	
Any additional information about the right: _____					WATER RESOURCES DEPT SALEM, OREGON	

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")
1	9-S	5-W	16	NW-SW	56	460 feet N and 550 feet W
2	9-S	5-W	17	SW-SE	56	3720 feet S and 460 feet E, 4870 feet S and 1600 feet W

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

Instream Use Created by the Lease						
River/ Stream Name: <u>Luckiamute River and Little Luckiamute River (LM), tributary to Willamette River</u>					River Basin: <u>Willamette</u>	
<p>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.</p> <p>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.</p>						
Priority date	POD #	Use	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
5/12/1969	Luck	IR	46.9	4/1 - 9/30	0.47	
8/1/1969	Luck	IR	46.9 <i>CL</i>	4/1 - 9/30	0.27	
5/12/1969	LM	IR	22.2	4/1 - 9/30	0.71	
<p>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.</p>						
<p>OR <input checked="" 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.</p>						
Instream Reach						
<p>Proposed Instream Reach:</p> <p><input type="checkbox"/> A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream: From the POD to _____</p>				<p>Or Proposed Instream Point:</p> <p><input type="checkbox"/> Instream use protected at the POD</p>		
<p>OR <input checked="" 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 certificate, the lease may be processed to be protected at the POD.)</p>						
Additional Instream Information						
<p><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 _____</p> <p>Note: The Department may identify additional conditions to prevent injury and/or enlargement.</p>						
<p>Any additional information about the proposed instream use: _____</p>					<div style="border: 2px solid blue; padding: 5px; display: inline-block; font-weight: bold; color: blue;">RECEIVED</div>	

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Please check this box if you don't know the location of the POD(e) and want the Department 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: <u>Luckiamute River and Little Luckiamute River (LM), tributary to Willamette River</u>				River Basin: <u>Willamette</u>		
<p>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.</p> <p>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.</p>						
Priority date	POD #	Use	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
8-1-1969	1	IR	22.2	4/1 - 9/30	0.47	
<p>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.</p>						
<p>OR <input checked="" 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.</p>						
Instream Reach						
<p>Proposed Instream Reach:</p> <p><input type="checkbox"/> A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream: From the POD to _____</p>				<p>Or Proposed Instream Point:</p> <p><input type="checkbox"/> Instream use protected at the POD</p>		
<p>OR <input checked="" 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 certificate, the lease may be processed to be protected at the POD.)</p>						
Additional Instream Information						
<p><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 _____</p> <p>Note: The Department may identify additional conditions to prevent injury and/or enlargement.</p>						
<p>Any additional information about the proposed instream use: _____</p>						

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WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That C. A. TWISS

of Rt. 2, Box 32, Monmouth, State of Oregon 97361, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Luckiamute and Little Luckiamute Rivers

a tributary of Willamette River for the purpose of irrigation of 115.8 acres

under Permit No. 34380 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 12, 1969 for 0.47 c.f.s., August 1, 1969 for 0.27 c.f.s. from Luckiamute * that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.45 cubic feet per second, being 0.74 c.f.s. from Luckiamute River and 0.71 c.f.s. from Little Luckiamute River

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW 1/4 SW 1/4 as projected within James Smith DLC 5C, Section 16, SW 1/4 SE 1/4, as projected within James Smith DLC 56, Section 17, SE 1/4 SE 1/4 as projected within James Smith DLC 56, Section 8, T. 9 S., R. 5 W., W. M., Luckiamute River: 3720 feet South and 460 feet East, 4870 feet South and 1600 feet West, Little Luckiamute River: 460 feet North and 550 feet West, all from * The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year,

C.A.

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

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Luckiamute River

- 6.1 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
- 24.3 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
- 0.3 acre NW $\frac{1}{4}$ SW $\frac{1}{4}$

All as projected within Smith DLC 56
Section 16

- 14.9 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
- 12.5 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
- 0.9 acre SE $\frac{1}{4}$ NW $\frac{1}{4}$
- 0.2 acre NE $\frac{1}{4}$ SE $\frac{1}{4}$
- 0.2 acre NW $\frac{1}{4}$ SE $\frac{1}{4}$

All as projected within Smith DLC 56
Section 17
T. 9 S., R. 5 W., W. M.

59.4
- 12.5

46.9

Little Luckiamute River

0.1 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$
As projected within Smith DLC 56
Section 9

- 18.4 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
- 3.7 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$

As projected within Smith DLC 56
Section 16

- 19.9 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
- 14.3 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

Both as projected within Smith DLC 56
Section 17
T. 9 S., R. 5 W., W. M.

56.4
- 34.2

22.2

* River; May 12, 1969 for 0.71 c.f.s. from Little Luckiamute River.

** the SW Corner, Lot 5 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 8.

This certificate describes that portion of the water right confirmed by prior certificate 39691, NOT modified by the provisions of an order entered on August 3, 1977, approving transfer application No. 3550.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

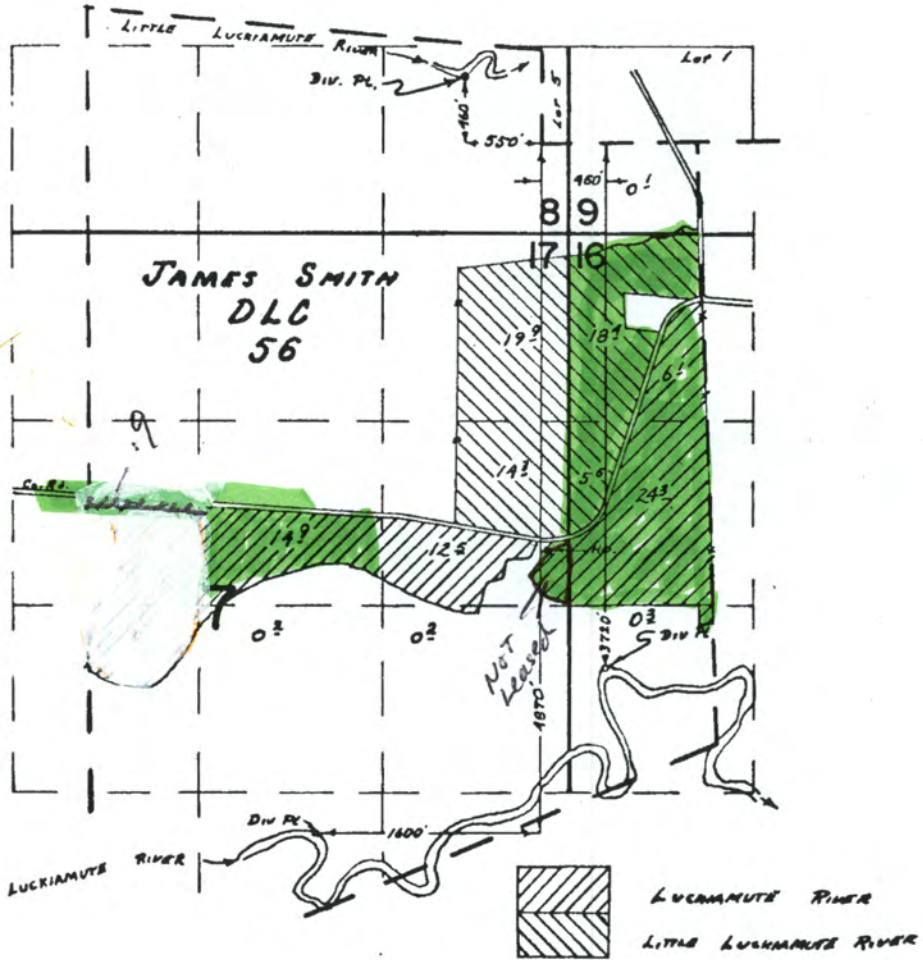
WITNESS the signature of the Water Resources Director, affixed

this date. October 17, 1977

James E. Sexson

Water Resources Director

T. 9 S. R. 5 W. W.M.



FINAL PROOF SURVEY
UNDER

Application No. 46036 Permit No. 34380
IN NAME OF
C. A. TWISS

Surveyed MAR. 16 1973, by R. B. MUCKEN

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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 # 65744

Table 1

183

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.

<input type="checkbox"/> If only leasing a portion of the right - complete Table 1 as indicated	<input checked="" type="checkbox"/> Entirety - If the entire water right is to be leased, skip to Table 3.
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Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC	Acres	USE	Previous Lease # (if any)
EXAMPLE										
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
		-	-		-		0			
		-	-		-					
		-	-		-					
		-	-		-					

Total Acres: _____

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 storage, if applicable: _____ AF or <input type="checkbox"/> N/A					<div style="font-size: 2em; color: blue; opacity: 0.5;">RECEIVED</div> <div style="font-size: 1.2em; color: blue;">JUN 27 2014</div>	
Any additional information about the right: _____					<div style="font-size: 0.8em; color: blue;">WATER RESOURCES DEPT SALEM, OREGON</div>	

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")
2	9-S	5-W	16	NW-SW	56	630 feet N and 1090 feet W from the SE corner of Sec 17
	-	-		-		

65744

65744 283

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

Instream Use Created by the Lease						
River/ Stream Name: <u>Luckiamute River</u> , tributary to <u>Willamette River</u>				River Basin: <u>Willamette</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	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
10-26-1950	Luck	IR	50	50 ac		
10-26-1950	Luck	IR	20	CR		
10-26-1950	Luck	IR	19.6			
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 <input checked="" 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.						
Instream Reach						
Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream: From the POD to <u>Mouth of Luckiamute</u>				Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD		
OR <input checked="" 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 certificate, the lease may be processed to be protected at the POD.)						
Additional Instream Information						
<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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JUN 27 2014

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALAN L. and JANICE L. FROST
6707 N.W. NIAGARA PLACE
CORVALLIS, OREGON 97330

confirms the right to use the waters of LUCKIAMUTE RIVER, a tributary of the WILLAMETTE RIVER, for the purpose of IRRIGATING 50.0 ACRES.

This right was perfected under Permit 19639. The date of priority is OCTOBER 26, 1950. THE QUANTITY OF WATER AVAILABLE AT THE NEW POINT OF DIVERSION, TOGETHER WITH THAT DIVERTED AT THE ORIGINAL DIVERSION SHALL NOT EXCEED 0.62 CUBIC FOOT PER SECOND or its equivalent in case of rotation, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION: SW 1/4 SE 1/4, SECTION 17, T 9 S, R 5 W, W.M.; 730 FEET SOUTH AND 3370 FEET WEST FROM THE SE CORNER OF DLC 56, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SE 1/4, AS PROJECTED WITHIN DLC 69, SECTION 17, T 9 S, R 5 W, W.M.; 630 FEET NORTH AND 1090 FEET WEST FROM THE SE CORNER OF SECTION 17.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the place of use under this right, and to which this right is appurtenant, is as follows:

NW 1/4 SW 1/4 5.0 ACRES
AS PROJECTED WITHIN DLC 56
SECTION 16
TOWNSHIP 9 SOUTH, RANGE 5 WEST, W.M.

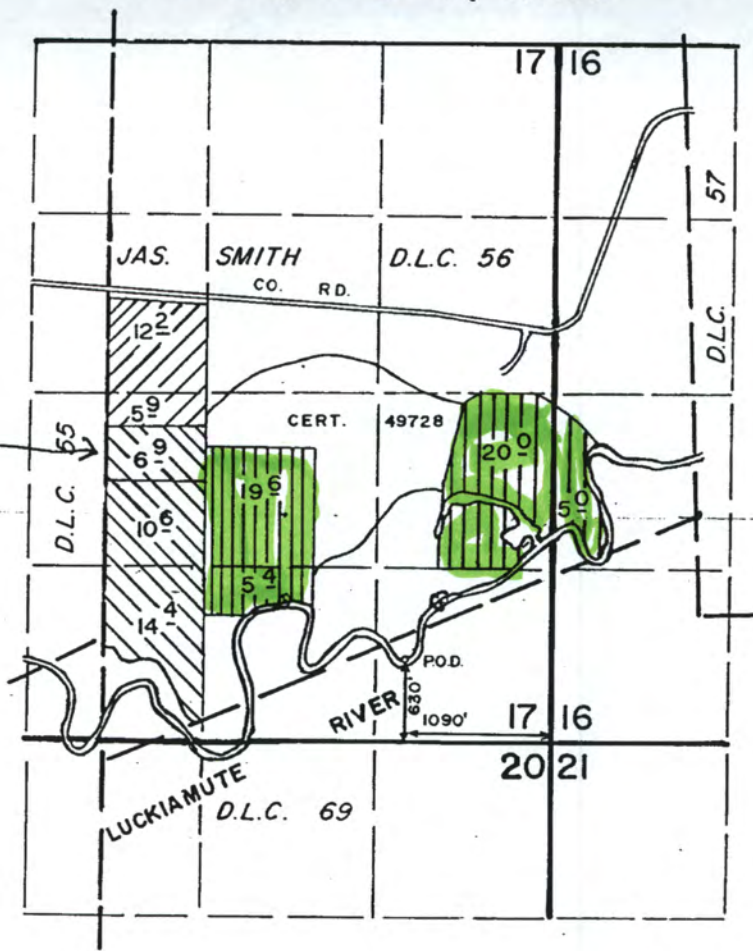
SEE NEXT PAGE

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WATER RESOURCES DEPT
SALEM, OREGON




T. 9 S., R. 5 W., W.M.



T 4507A



1" = 1320'

-  T 4506 priority 5-12-69
-  T 4507 T 4505 priority 1-27-65
-  T 4504 priority 10-26-50

FINAL PROOF SURVEY UNDER

TRANSFER NO. 4504, 4505, 4506, 4507

Application No. Permit No.
IN NAME OF

DESSERT SEED CO.

Surveyed MAY 11 1987, by B.W. BISHOP

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JUN 27 2014

WATER RESOURCES DEPT
SALEM, OREGON

10-3-90
DFP-2P-7
41053-178-203D

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 # 65745

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.

<input type="checkbox"/> If only leasing a portion of the right - complete Table 1 as indicated					<input checked="" type="checkbox"/> 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)
EXAMPLE										
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
		-	-		-					
		-	-		-					
		-	-		-					
		-	-		-					

Total Acres: _____

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 storage, if applicable: _____ AF or <input type="checkbox"/> N/A					RECEIVED JUN 27 2014	
Any additional information about the right: _____						

Table 3

WATER RESOURCES DEPT
SALEM, OREGON

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")
2	9-S	5-W	17	SW-SE	56	630 feet S and 3090 feet W from the SE corner of DLC 56
	-	-		-		

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

65745

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: <u>Luckiamute River, tributary to Willamette River</u>				River Basin: <u>Willamette</u>		
<p>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.</p> <p>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.</p>						
Priority date	POD #	Use	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
1-27-1965	2	IR	25	4/1 - 9/30	0.47	
<p>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.</p>						
<p>OR <input checked="" 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.</p>						
Instream Reach						
<p>Proposed Instream Reach:</p> <p><input type="checkbox"/> A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream: From the POD to _____</p>				<p>Or Proposed Instream Point:</p> <p><input type="checkbox"/> Instream use protected at the POD</p>		
<p>OR <input checked="" 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 certificate, the lease may be processed to be protected at the POD.)</p>						
Additional Instream Information						
<p><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 _____</p>						
<p>Note: The Department may identify additional conditions to prevent injury and/or enlargement.</p>						
<p>Any additional information about the proposed instream use: _____</p>						

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WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

RECEIVED

JUN 27 2014

WATER RESOURCES DEPT
SALEM, OREGON

THIS CERTIFICATE ISSUED TO

ALAN L. and JANICE L. FROST
6707 N.W. NIAGARA PLACE
CORVALLIS, OREGON 97330

confirms the right to use the waters of LUCKIAMUTE RIVER, a tributary of the WILLAMETTE RIVER, for the purpose of IRRIGATING 25.0 ACRES.

This right was perfected under Permit 30218. The date of priority is JANUARY 27, 1965. This right is limited to 0.31 CUBIC FOOT PER SECOND or its equivalent in case of rotation, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION: SW 1/4 SE 1/4, SECTION 17, T 9 S, R 5 W, W.M.; 630 FEET SOUTH AND 3090 FEET WEST FROM THE SE CORNER OF DLC 56, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SE 1/4, AS PROJECTED WITHIN DLC 69, SECTION 17, T 9 S, R 5 W, W.M.; 630 FEET NORTH AND 1090 FEET WEST FROM THE SE CORNER OF SECTION 17.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the place of use under this right, and to which this right is appurtenant, is as follows:

NE 1/4 SW 1/4 10.6 ACRES
SE 1/4 SW 1/4 14.4 ACRES
BOTH AS PROJECTED WITHIN DLC 56
SECTION 17
TOWNSHIP 9 SOUTH, RANGE 5 WEST, W.M.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 25, 1980, and together with certificate 49728, supersedes certificate 44890, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

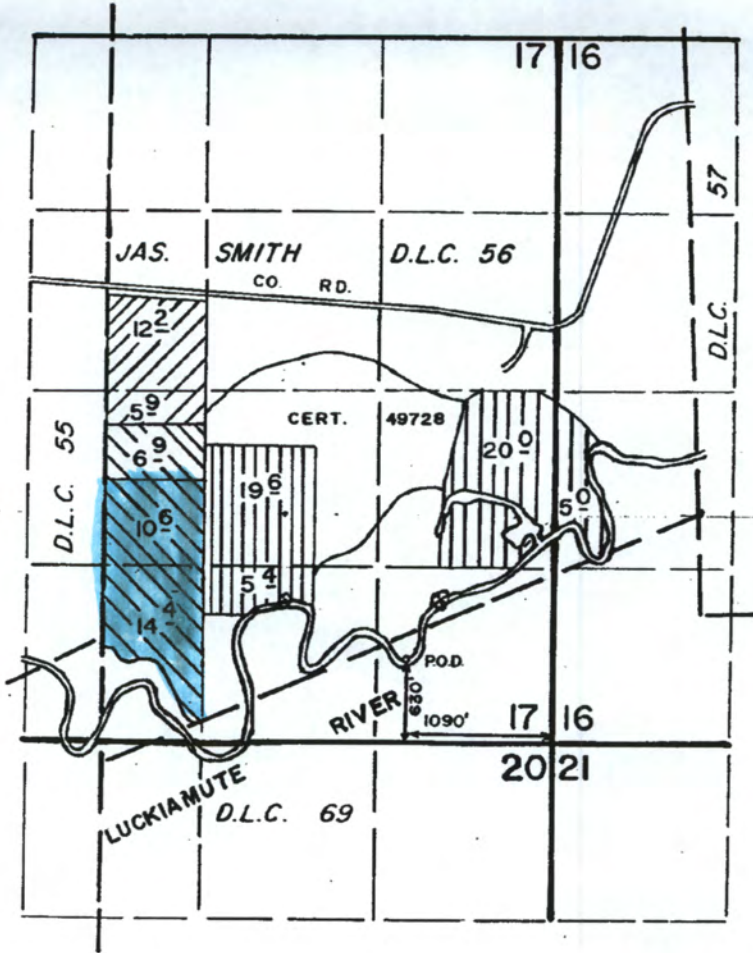
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed MAY 6, 1991.





/s/ WILLIAM H. YOUNG
William H. Young

Recorded in State Record of Water Right Certificates numbered 65745.
T-4505.DSM

T. 9 S., R. 5 W., W.M.



1" = 1320'

-  T 4506 priority 5-12-69
-  T 4507
-  T 4505 priority 1-27-65
-  T 4504 priority 10-26-50

FINAL PROOF SURVEY UNDER

TRANSFER NO. 4504, 4505, 4506, 4507

Application No. Permit No.
IN NAME OF

DESSERT SEED CO.

Surveyed **MAY 11** 19**87**, by **B.W. BISHOP**

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**WATER RESOURCES DEPT
SALEM, OREGON**

10-3-90
DFP-2P-7
41053-178-203D

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 # 65746

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.

<input type="checkbox"/> If only leasing a portion of the right - complete Table 1 as indicated					<input checked="" type="checkbox"/> 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)
EXAMPLE										
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
		-	-		-		0			
		-	-		-					
		-	-		-					
		-	-		-					

Total Acres: _____

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)

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WATER RESOURCES DEPT
SALEM, OREGON

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.

POD #	Twp	Rng	Sec	Q-Q	DLC/ Gov't lot	Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")
2	9-S	5-W	16	SE-NW	56	630 feet N and 1090 feet W from the SE corner of Sec 17
2	9-S	5-W	17	SE-NE-SESW	69-56	630 feet N and 1090 feet W from the SE corner of Sec 17

65746

65746

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

Instream Use Created by the Lease						
River/ Stream Name: <u>Luckiamute River</u> , tributary to <u>Willamette River</u>				River Basin: <u>Willamette River</u>		
<p>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.</p> <p>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.</p>						
Priority date	POD #	Use	Acreage	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
5/12/1969	Luck	IR	18.1			
<p>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.</p>						
<p>OR <input checked="" 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.</p>						
Instream Reach						
<p>Proposed Instream Reach: <input type="checkbox"/> A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream: From the POD to _____</p>				<p>Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD</p>		
<p>OR <input checked="" 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 certificate, the lease may be processed to be protected at the POD.)</p>						
Additional Instream Information						
<p><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 _____</p>						
<p>Note: The Department may identify additional conditions to prevent injury and/or enlargement.</p>						
<p>Any additional information about the proposed instream use: _____</p>						

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STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

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JUN 27 2014

WATER RESOURCES DEPT
SALEM, OREGON

THIS CERTIFICATE ISSUED TO

ALAN L. and JANICE L. FROST
6707 N.W. NIAGARA PLACE
CORVALLIS, OREGON 97330

confirms the right to use the waters of LUCKIAMUTE RIVER, a tributary of the WILLAMETTE RIVER, for the purpose of IRRIGATING 18.1 ACRES.

This right was perfected under Permit 34380. The date of priority is MAY 12, 1969. This right is limited to 0.23 CUBIC FOOT PER SECOND or its equivalent in case of rotation, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION: NW 1/4 SW 1/4, SECTION 16, T 9 S, R 5 W, W.M.; 550 FEET NORTH AND 730 FEET WEST FROM THE SE CORNER OF DLC 56, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SE 1/4, AS PROJECTED WITHIN DLC 69, SECTION 17, T 9 S, R 5 W, W.M.; 630 FEET NORTH AND 1090 FEET WEST FROM THE SE CORNER OF SECTION 17.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the place of use under this right, and to which this right is appurtenant, is as follows:

SE 1/4 NW 1/4 12.2 ACRES
NE 1/4 SW 1/4 5.9 ACRES
BOTH AS PROJECTED WITHIN DLC 56
SECTION 17
TOWNSHIP 9 SOUTH, RANGE 5 WEST, W.M.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 25, 1980 and together with certificates 44889 and 65747 supersedes certificate 39691, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

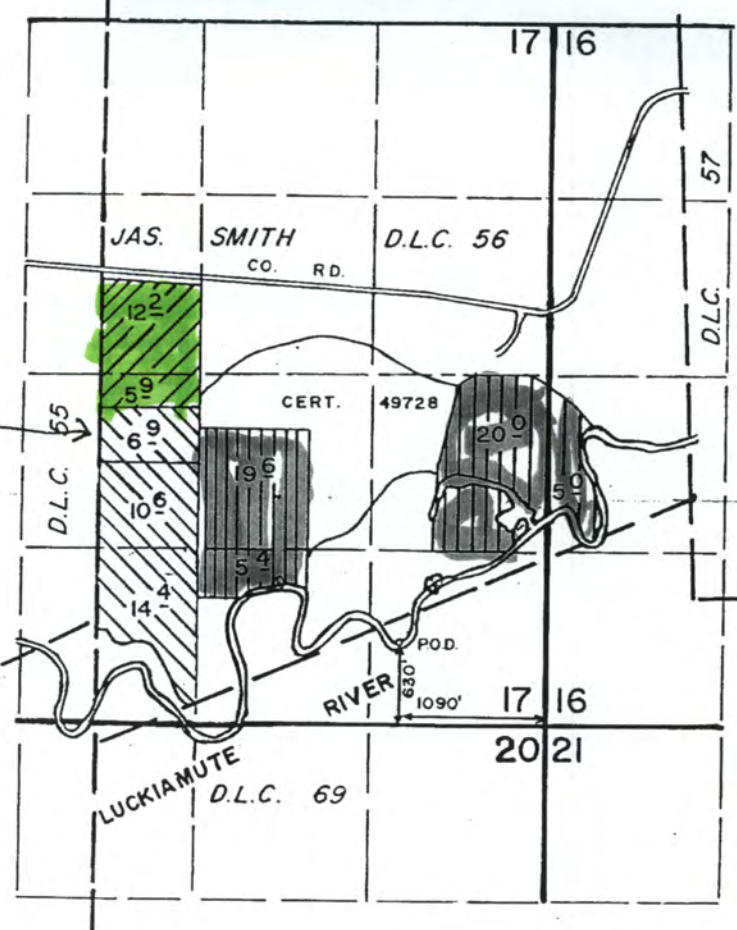
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed MAY 6, 1991.

/s/ WILLIAM H. YOUNG
William H. Young

Recorded in State Record of Water Right Certificates numbered 65746.
T-4506A.DSM

T. 9 S., R. 5 W., W.M.






T 4507A



1" = 1320'

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 WATER RESOURCES DEPT
 SALEM, OREGON

-  T 4506 priority 5-12-69
-  T 4507
T 4505 priority 1-27-65
-  T 4504 priority 10-26-50

**FINAL PROOF SURVEY
 UNDER**

TRANSFER NO. 4504, 4505, 4506, 4507
 Application No. Permit No.
 IN NAME OF
 DESSERT SEED CO.
 Surveyed MAY 11 19 87, by B.W. BISHOP

10-3-90
 DFP-2P-7
 41053-178-203D

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 # 49728

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.

<input type="checkbox"/> If only leasing a portion of the right - complete Table 1 as indicated					<input checked="" type="checkbox"/> 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)
EXAMPLE										
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
		-	-		-					
		-	-		-					
		-	-		-					
		-	-		-					

Total Acres: _____

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 storage, if applicable: _____ AF or N/A

Any additional information about the right: _____

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WATER RESOURCES DEPT
SALEM, OREGON

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")
1	9-S	5-W	8-17	SW-SE	56	4610 feet N and 1830 feet W in SE corner of DLC 56
2	9-S	5-W	17	SW-SE	56	630 feet S and 3090 feet W in SE corner of DLC 56

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

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: <u>Little Luckiamute River</u> , tributary to <u>Luckiamute River and Luckiamute tributary to Willamette River</u>				River Basin: <u>Willamette</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	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
1-27-1965	1	IR	23.2			
1-27-1965	2	IR	40.5			
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 <input checked="" 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.						
Instream Reach						
Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream: From the POD to <u>Mouth of Luckiamute and Mouth of Willamette</u>				Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD		
OR <input checked="" 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 certificate, the lease may be processed to be protected at the POD.)						
Additional Instream Information						
<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: _____						

RECEIVED
 JUN 27 2014
 WATER RESOURCES DEPT
 SALEM, OREGON

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That C. A. TWISS

of Route 2, Box 32, Monmouth, State of Oregon 97361, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Little Luckiamute River and Luckiamute River

a tributary of Willamette River for the purpose of irrigation of 63.7 acres

under Permit No. 30218 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 27, 1965

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.80 cubic foot per second, being 0.29 c.f.s. from Little Luckiamute River and 0.51 c.f.s. from Luckiamute River

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE 1/4 SE 1/4, as projected within James Smith DLC 56, Section 8; SW 1/4 SE 1/4, as projected within James Smith DLC 56, Section 17, T. 9 S., R. 5 W., W.M., Little Luckiamute River: 4610 feet North and 1830 feet West; Luckiamute River: 630 feet South and 3090 feet West; both from the SE Corner, James Smith DLC 56.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

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WATER RESOURCES DEPT
SALEM, OREGON

Little Luckiamute River

2.0 acres SW $\frac{1}{2}$ SW $\frac{1}{2}$
Section 9

16.4 acres SE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 8

0.7 acre NW $\frac{1}{2}$ NW $\frac{1}{2}$
Section 16

4.1 acres NE $\frac{1}{2}$ NE $\frac{1}{2}$
Section 17

all as projected within James Smith DLC 56
T. 9 S., R. 5 W., W.M.

23.2

Luckiamute River

5.5 acres SW $\frac{1}{2}$ NE $\frac{1}{2}$

1.1 acres SE $\frac{1}{2}$ NE $\frac{1}{2}$

10.1 acres NE $\frac{1}{2}$ SE $\frac{1}{2}$

18.8 acres NW $\frac{1}{2}$ SE $\frac{1}{2}$

5.0 acres SW $\frac{1}{2}$ SE $\frac{1}{2}$

Section 17

all as projected within James Smith DLC 56
T. 9 S., R. 5 W., W.M.

40.5

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 44890, Volume 36, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on July 25, 1980, approving transfer application No. 4505.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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JUN 27 2014

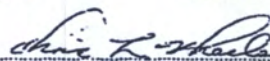
WATER RESOURCES DEPT
SALEM, OREGON

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date.

October 28, 1980

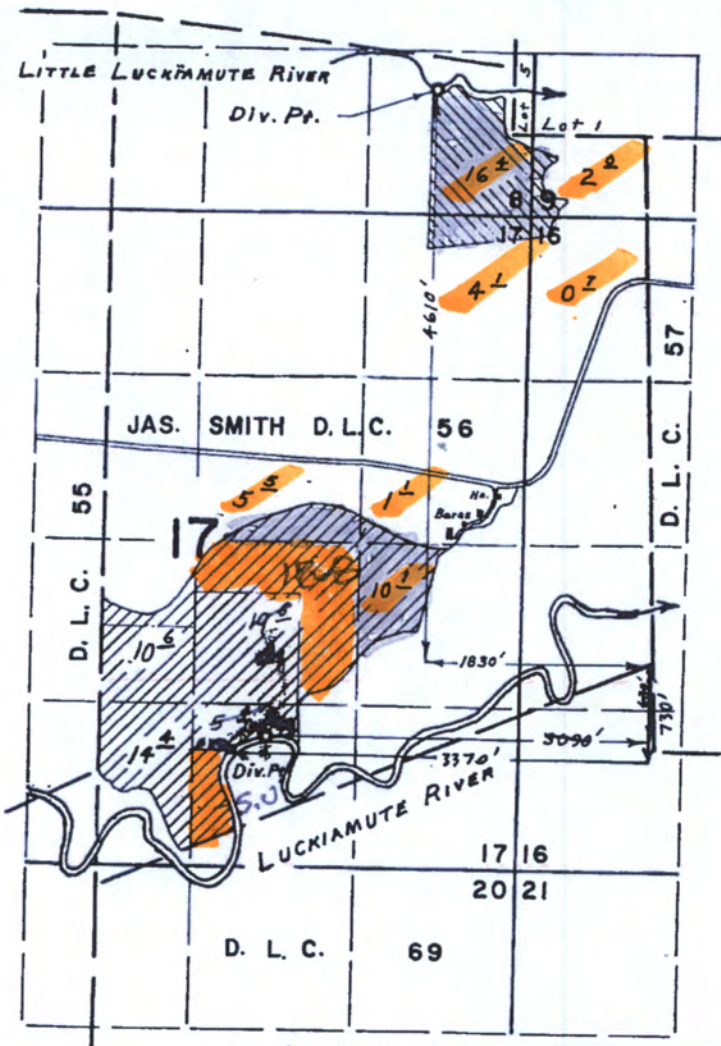


Deputy Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 43, page 49728

T-4505

T. 9 S. R. 5 W. W.M.



FROM
TO

Luckiamute River 
 Little Luckiamute River 

RECEIVED

JUN 27 2014

WATER RESOURCES DEPT
SALEM, OREGON

FINAL PROOF SURVEY UNDER

Application No. 40546. Permit No. 30218...
IN NAME OF

C. A. TWISS

Surveyed March 21, 1969, by L. E. Gould.



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 # 65747

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.

<input type="checkbox"/> If only leasing a portion of the right - complete Table 1 as indicated					<input checked="" type="checkbox"/> 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)	
EXAMPLE											
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100	
		-	-		-						
		-	-		-						
		-	-		-						
		-	-		-						
		-	-		-						

Total Acres: _____

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 storage, if applicable: _____ AF or <input type="checkbox"/> N/A				RECEIVED		
Any additional information about the right: _____				JUN 27 2014		

Table 3

<p style="text-align: right; color: blue; font-weight: bold;">WATER RESOURCES DEPT SALEM, OREGON</p> <p>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.</p>						
POD #	Twp	Rng	Sec	Q-Q	DLC/ Gov't lot	Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")
2	9-S	5-W	16	NW-SW	56	500 feet N and 730 feet W from the SE corner of DLC 56
	-	-		-		

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

Instream Use Created by the Lease						
River/ Stream Name: <u>Luckiamute River</u> , tributary to <u>Willamette River</u>				River Basin: <u>Willamette</u>		
<p>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.</p> <p>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.</p>						
Priority date	POD #	Use	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
5-12-1969	2	IR	3.5	4/1 - 9/30	0.47	
<p>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.</p>						
<p>OR <input checked="" 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.</p>						
Instream Reach						
<p>Proposed Instream Reach:</p> <p><input type="checkbox"/> A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream: From the POD to _____</p>				<p>Or Proposed Instream Point:</p> <p><input type="checkbox"/> Instream use protected at the POD</p>		
<p>OR <input checked="" 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 certificate, the lease may be processed to be protected at the POD.)</p>						
Additional Instream Information						
<p><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 _____</p>						
<p>Note: The Department may identify additional conditions to prevent injury and/or enlargement.</p>						
<p>Any additional information about the proposed instream use: _____</p>					<div style="border: 2px solid blue; padding: 5px; display: inline-block;"> <p style="margin: 0;">RECEIVED</p> <p style="margin: 0;">JUN 27 2014</p> <p style="margin: 0; font-size: small;">WATER RESOURCES DEPT SALEM, OREGON</p> </div>	

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

RECEIVED

JUN 27 2014

THIS CERTIFICATE ISSUED TO

ALAN L. and JANICE L. FROST
6707 N.W. NIAGARA PLACE
CORVALLIS, OREGON 97330

WATER RESOURCES DEPT
SALEM, OREGON

confirms the right to use the waters of LUCKIAMUTE RIVER, a tributary of the WILLAMETTE RIVER, for the purpose of IRRIGATING 3.5 ACRES.

This right was perfected under Permit 34380. The date of priority is MAY 12, 1969. This right is limited to 0.04 CUBIC FOOT PER SECOND or its equivalent in case of rotation, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION: SW 1/4 SE 1/4, AS PROJECTED WITHIN DLC 56, SECTION 17, T 9 S, R 5 W, W.M.; 4870 FEET SOUTH AND 1600 FEET WEST FROM THE SW CORNER OF LOT 5 (SE 1/4 SE 1/4, SECTION 8), measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 SW 1/4, AS PROJECTED WITHIN DLC 56, SECTION 16, T 9 S, R 5 W, W.M.; 500 FEET NORTH AND 730 FEET WEST FROM THE SE CORNER OF DLC 56.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the place of use under this right, and to which this right is appurtenant, is as follows:

NW 1/4 SW 1/4 3.5 ACRES
AS PROJECTED WITHIN DLC 56
SECTION 16
TOWNSHIP 9 SOUTH, RANGE 5 WEST, W.M.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered August 3, 1977 approving transfer 3550 NOT modified by an order entered July 25, 1980 approving transfer 4506, and together with certificates 44889 and 65746 supersedes certificate 39691, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed
MAY 6, 1991.

/s/ WILLIAM H. YOUNG
William H. Young

Recorded in State Record of Water Right Certificates numbered 65747.
T-4506B.DSM

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 # 65748

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)
EXAMPLE										
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
		-	-		-		0			
		-	-		-					
		-	-		-					
		-	-		-					

Total Acres: _____

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 storage, if applicable: _____ AF or N/A

Any additional information about the right: _____

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WATER RESOURCES
SALEM, OREGON

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")
2	9-S	5-W	17	SE-SW	67 56	630 feet N and 1090 feet W from the SE corner of Sec 17
	-	-		-		

Please check this box if you don't know the location of the POD(e) and want the Department 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: Luckiamute River, tributary to Willamette River **River Basin:** Willamette

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	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
1-27-1965	Luck	IR	6.9			

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 Instream Reach:
 A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream: From the POD to _____

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 certificate, the lease may be processed to be protected at the POD.)

Additional Instream Information

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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JUN 27 2014

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

RECEIVED

JUN 27 2014

THIS CERTIFICATE ISSUED TO

ALAN L. and JANICE L. FROST
6707 N.W. NIAGARA PLACE
CORVALLIS, OREGON 97330

WATER RESOURCES DEPT
SALEM, OREGON

confirms the right to use the waters of LUCKIAMUTE RIVER, a tributary of the WILLAMETTE RIVER, for the purpose of IRRIGATING 6.9 ACRES.

This right was perfected under Permit 30218. The date of priority is JANUARY 27, 1965. This right is limited to 0.09 CUBIC FOOT PER SECOND or its equivalent in case of rotation, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION: SE 1/4 SE 1/4, AS PROJECTED WITHIN DLC 69, SECTION 17, T 9 S, R 5 W, W.M.; 600 FEET SOUTH AND 1900 FEET WEST FROM THE SE CORNER OF DLC 56, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SE 1/4, AS PROJECTED WITHIN DLC 69, SECTION 17, T 9 S, R 5 W, W.M.; 630 FEET NORTH AND 1090 FEET WEST FROM THE SE CORNER OF SECTION 17.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the place of use under this right, and to which this right is appurtenant, is as follows:

NE 1/4 SW 1/4 6.9 ACRES
AS PROJECTED WITHIN DLC 56
SECTION 17
TOWNSHIP 9 SOUTH, RANGE 5 WEST, W.M.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 25, 1980, and together with certificates 49728, 65745, AND 65749 supersedes certificate 39601, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

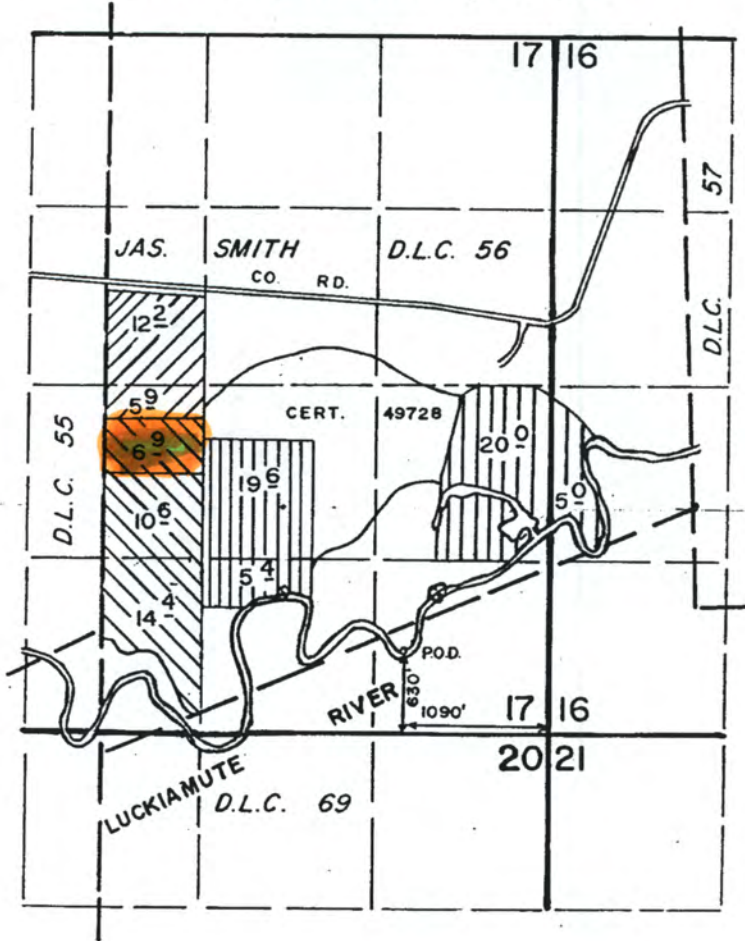
WITNESS the signature of the Water Resources Director, affixed MAY 6, 1991.

/s/ WILLIAM H. YOUNG




William H. Young

Recorded in State Record of Water Right Certificates numbered 65748.
T-4507A.DSM

T. 9 S., R. 5 W., W.M.



1" = 1320'

-  T 4506 priority 5-12-69
-  T 4507
T 4505 priority 1-27-65
-  T 4504 priority 10-26-50

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JUN 27 2014

WATER RESOURCES DEPT
SALEM, OREGON

**FINAL PROOF SURVEY
UNDER**

TRANSFER NO. 4504, 4505, 4506, 4507

Application No. Permit No.
IN NAME OF

DESSERT SEED CO.

Surveyed MAY 11 1987, by B.W. BISHOP

10-3-90
DFP-2P-7
41053-178-203 D

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 # 65749

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.

<input type="checkbox"/> If only leasing a portion of the right - complete Table 1 as indicated					<input checked="" type="checkbox"/> 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)
EXAMPLE										
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
		-	-		-					
		-	-		-					
		-	-		-					
		-	-		-					
		-	-		-					

Total Acres: _____

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 storage, if applicable: _____ AF or <input type="checkbox"/> N/A					RECEIVED JUN 27 2014	
Any additional information about the right: _____					WATER RESOURCES DEPT SALEM, OREGON	

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")
2	9-S	5-W	17	SE-SE	5669	600 feet S and 3090 feet W from the SE corner DLC 56
	-	-		SE		1900 CR

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

65749

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: <u>Luckiamute, tributary to Willamette River</u>				River Basin: <u>Willamette</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	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
1-27-1965	2	IR	21.5			
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 <input checked="" 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.						
Instream Reach						
Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream: From the POD to <u>Mouth of Willamette River</u>				Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD		
OR <input checked="" 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 certificate, the lease may be processed to be protected at the POD.)						
Additional Instream Information						
<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: _____						

RECEIVED

JUN 27 2014

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALAN L. and JANICE L. FROST
6707 N.W. NIAGARA PLACE
CORVALLIS, OREGON 97330

confirms the right to use the waters of LUCKIAMUTE RIVER, a tributary of the WILLAMETTE RIVER, for the purpose of IRRIGATING 21.5 ACRES.

This right was perfected under Permit 30218. The date of priority is JANUARY 27, 1965. This right is limited to 0.26 CUBIC FOOT PER SECOND or its equivalent in case of rotation, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION: SW 1/4 SE 1/4, AS PROJECTED WITHIN DLC 56, SECTION 17, T 9 S, R 5 W, W.M.; 630 FEET SOUTH AND 3090 FEET WEST FROM THE SE CORNER OF DLC 56, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SE 1/4, AS PROJECTED WITHIN DLC 69, SECTION 17, T 9 S, R 5 W, W.M.; 600 FEET SOUTH AND 1900 FEET WEST FROM THE SE CORNER OF DLC 56.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the place of use under this right, and to which this right is appurtenant, is as follows:

~~NE 1/4 SE 1/4 6.3 ACRES~~
NW 1/4 SE 1/4 1.3 ACRES
SW 1/4 SE 1/4 6.6 ACRES
SE 1/4 SE 1/4 7.0 ACRES
ALL AS PROJECTED WITHIN DLC 56
SE 1/4 SE 1/4 0.3 ACRE
AS PROJECTED WITHIN DLC 69
SECTION 17
TOWNSHIP 9 SOUTH, RANGE 5 WEST, W.M.

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This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered August 3, 1977 approving transfer 3551 NOT modified by the order entered JULY 25, 1980 approving transfer 4507, and together with certificates 49728, 65745, AND 65748 supersedes certificate 39601, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed MAY 6, 1991.

/s/ WILLIAM H. YOUNG.
William H. Young

Recorded in State Record of Water Right Certificates numbered 65749.

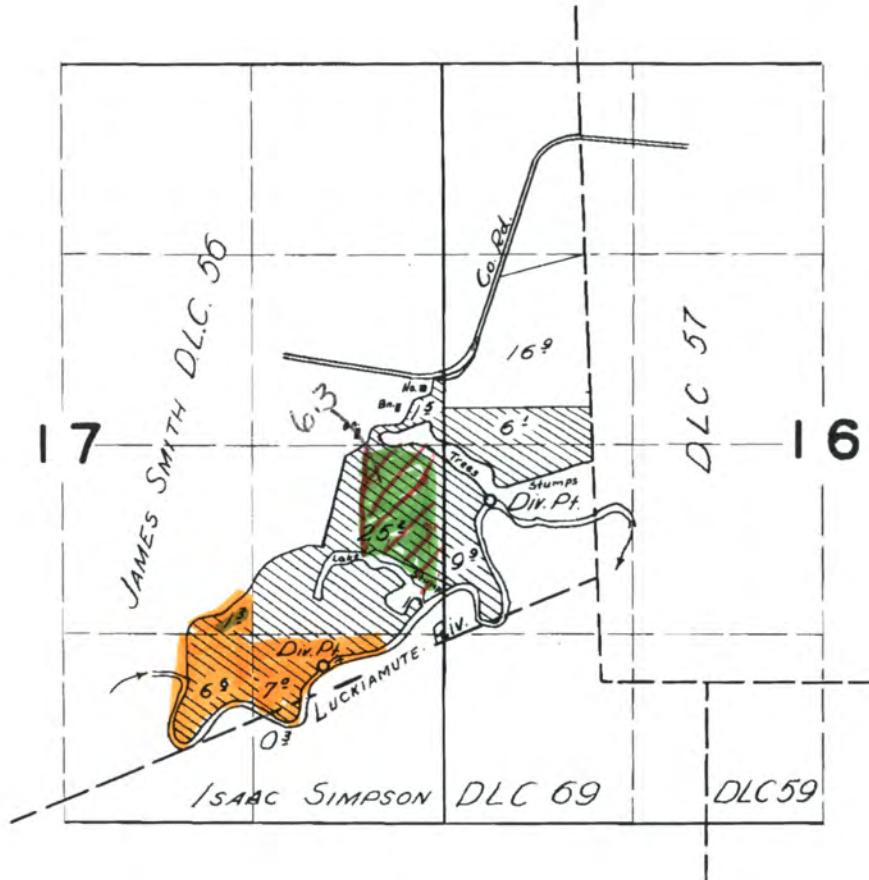
T-4507B.DSM

T. 9 S. R. 5 W. W. M.

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FINAL PROOF SURVEY

UNDER

Application No. 24190 Permit No. 19639

IN NAME OF

VERN C. OSBORN

Surveyed 27 Mar. 1957, by *[Signature]*

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 April year 2014 and end: month September year 2014

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 (as defined by ORS 537.332):

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

Termination provision (for multiyear leases):

The parties to the lease request (choose one):

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

(See instructions for limitations to this provision)

Additive/Replacing Relationship to other instream water rights: Instream leases are generally additive to other existing instream water rights created as a result of instream leases, 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, 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 forfeiture is provided.

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.

The undersigned declare:

1. The Lessor(s) agree during the term of this lease, to suspend use of water allowed under the subject water right(s) and under any appurtenant primary or supplemental water right(s) not involved in the lease application; and
2. The Lessor(s) certify that I/we are the water right holder(s) of the right(s) described in this instream lease application. If not the deeded landowner, I/we have provided documentation with the lease application that I/we have authorization to pursue the lease application and/or have obtained consent from the deeded landowner; and
3. All parties affirm that information provided in this lease application is true and accurate.

Alan L. Frost
Signature of Lessor

Date: 6-27-2014

Printed name (and title): Alan L. Frost Business name, if applicable: _____
Mailing Address (with state and zip): 14060 Elkins Rd, Monmouth, OR 97361
Phone number (include area code): 503-838-5056 **E-mail address: _____

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See next page for additional signatures.



Date: 6-27-2014

Signature of Co-Lessor

Printed name (and title): Janice L. Frost

Business/organization name: _____

Mailing Address (with state and zip): 14060 Elkins Rd, Monmouth, OR 97361

Phone number (include area code): 503-838-5056 **E-mail address: _____

Date: _____

Signature of Lessee

Printed name (and title): _____

Business/organization name: _____

Mailing Address (with state and zip): _____

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

**** 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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