

(Ernest)

Application for  
**District Instream Lease**  
Part 1 of 4 – Minimum Requirements Checklist



Oregon Water Resources  
Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.oregon.gov/OWRD

<b>This Application to be used for water rights in the name of or conveyed by an Irrigation District (or similar organization) Complete Parts 1 through 4 and any required attachments</b>	OWRD #	11-1937
	District #	

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

Fee in the amount of:

<input checked="" type="checkbox"/> \$610.00 for a lease involving <b>four or more landowners or four or more water rights</b>	Or <input type="checkbox"/> \$410.00 for all other leases
<input type="checkbox"/> Check enclosed or <input type="checkbox"/> Fee Charged to customer account _____ (Account name)	

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

**Part 1 – Completed Minimum Requirements Checklist**

**Part 2 – Completed District and Other Party Signature Page**

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

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

**How many Water Rights are included in the lease application?** 1 (# of rights) 93735

List each water right to be leased instream here: \_\_\_\_\_

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

List those other water rights here: \_\_\_\_\_

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

**Required Attachments:**

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

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

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

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

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

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**Part 2 of 4 – District and other party Signature**

<b>Term of the Lease:</b> The lease is requested to begin in: month _____ year _____ and end: month _____ year _____.	
<b>Public use:</b> Check the public use(s) this lease will serve (as defined by ORS 537.332): <input type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input type="checkbox"/> Recreation <input type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	<b>Termination provision (for multiyear leases):</b> <b>The parties to the lease request (choose one):</b> <input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
<b>Additive/Replacing Relationship to other instream water rights:</b> Instream leases are generally additive to other existing instream water rights created as a result of instream leases and transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights. If you would like this lease to relate to other instream water rights differently than described above, please check this box. <input type="checkbox"/> And attach an explanation of your intent.	
<b>Precedent:</b> 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.	
<b>Validity of the rights to be leased:</b> <input type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or <input type="checkbox"/> The water right(s) <b>have not been used</b> for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right is not subject to forfeiture has been provided.	

**SIGNATURES**

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

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Michael W Ernst Date: 7-14-22  
 Signature of Co-Lessor  
 Printed name (and title): Michael Ernest Business name, if applicable: None  
 Mailing Address (with state and zip): 7122 Upper Olalla Rd  
 Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

Evan Barnes Date: 7-14-22  
 Signature of Co-Lessor  
 Lookingglass Olalla Water Control District  
 P.O. Roseburg Oregon 97470  
 Printed name (and title): \_\_\_\_\_ e: \_\_\_\_\_  
 Mailing Address (with state and zip): eranchlreb@gmail.com 541-680-6702  
 Phone number (include area code): \_\_\_\_\_ Evan Barnes District Manager

**See next page for additional signatures.**

\_\_\_\_\_ Date: \_\_\_\_\_  
Signature of Lessee

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_

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

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

**Table 1**

**Irrigation District or other Water Purveyor Name:** \_\_\_\_\_

Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.  
If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.  
Any attached table should include reference to the Lessor.

Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
93735	march 17 1981		29	7	21	NW NW NW NW			2.79		RECEIVED	
											JUL 29 2022	

**Any additional information about the right:** **OWRD**

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

The undersigned declare:

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

\_\_\_\_\_  
Signature of Co-Lessor

Date: \_\_\_\_\_

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): \_\_\_\_\_  
Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_  
Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Co-Lessor

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): \_\_\_\_\_  
Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

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Part 4 of 4 – Water Right and Instream Use Information

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

Table 2

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

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

Priority Date	POD #	Use	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)

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

If the POD is not described on the certificate or, if there is more than one POD listed on the certificate, then the specific POD must be described:

Table 3

<b>Instream Use created by the lease</b>	<b>River Basin:</b> _____	<b>River/Stream Name:</b> _____, tributary to _____				
<b>Proposed Instream Reach:</b> <input type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to _____		<b>Or Proposed Instream Point:</b> <input type="checkbox"/> Instream use protected at the POD				
<b>OR</b> <input type="checkbox"/> Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)						
<b>Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)</b>						
Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
<b>OR</b> <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.						
<input type="checkbox"/> Yes <input type="checkbox"/> N/A <b>Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:</b> list here _____						
Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
<b>Any additional information about the proposed instream use:</b>						

# District Lease Application Information and Instructions

Helpful Links	If you are unsure or need assistance with your Application Contact us at 503-986-0900 or the Watermaster for your District
Watermasters in Oregon	<a href="https://www.oregon.gov/owrd/aboutus/contactus/Pages/RegionalOfficesandWatermastersDirectory.a">https://www.oregon.gov/owrd/aboutus/contactus/Pages/RegionalOfficesandWatermastersDirectory.a</a>
Instream Leasing Forms	<a href="https://www.oregon.gov/owrd/Forms/Pages/default.aspx?wp1278=se:%22instream+lease%22">https://www.oregon.gov/owrd/Forms/Pages/default.aspx?wp1278=se:%22instream+lease%22</a>
Fee Schedule	<a href="https://www.oregon.gov/owrd/WRDFormsPDF/fee_schedule.pdf">https://www.oregon.gov/owrd/WRDFormsPDF/fee_schedule.pdf</a>
Water Rights Information	<a href="https://apps.wrd.state.or.us/apps/wr/wrinfo/">https://apps.wrd.state.or.us/apps/wr/wrinfo/</a>
Additional Water Rights	<a href="https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_platcard.aspx">https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_platcard.aspx</a>
Water Rights Public	<a href="https://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21">https://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21</a>
OAR: Chapter 690 Division	<a href="https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3169">https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3169</a>

## Eligible Water Rights

Surface and Storage water rights subject to Instream Lease include:

1. Certificated rights.
2. Adjudicated rights evidenced by a court decree.
3. Permits or transferred rights upon which satisfactory proof has been made.
4. Conserver's portion of conserved water allocation under ORS 537.445 to 537.500.
5. Secondary water rights for the use of stored water.
6. A Determined Claim in the Upper Klamath Basin determined and established in an order of determination certified by the Water Resources Director under ORS 539.130.

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A water right that has not been used for five or more years may no longer be valid under Oregon law. If the Department reasonably suspects the right may no longer be valid, an affidavit attesting to the use and supporting documentation may be required or the lease may be denied as incomplete. An irrigation district or other water purveyor may provide evidence for water right holders, verifying the delivery of water for the lands appurtenant to the rights to be leased. Municipal water rights, in general, are not subject to forfeiture. However, if you have any questions, please contact the Department for additional information and/or clarification.

## Deadline for Submittal

A lease involving a water right with a seasonal use must be received prior to July 1. A lease involving a water right with a year round use must be received prior to October 1.

## Other Water Rights

It is important to provide an inventory of *all water rights appurtenant* to the same lands involved in the lease application. These are rights that are not being included in the lease application. This includes other primary and supplemental rights, even if the rights are still in permit status.

## Conservation Reserve Enhancement Program (CREP)

Indicate if some or all of the lands involved in the lease application are enrolled in the CREP program (or other similar Federal Program). The Department will send a copy of the order approving the lease to the Farm Services Administration and other associated parties. If lands involved in the lease are enrolled in another Federal Program, please provide the name of that program in the space provided in Part 1 of 4.

## Term of the lease

The term of the lease can be no less than one calendar year and no more than five calendar years.

**Note:** A lease may be renewed many times. See the link to Instream Leasing Forms above.

## District Lease Application Information and Instructions

### Termination provision

For multiyear leases, this provision gives the Lessor(s) and any Lessee an opportunity to request or prohibit an Instream Lease to terminate prior to the scheduled termination date. Unless otherwise specified, the Lessee, if there is one, has the same standing as the Lessor for management of the instream lease.

For instream leases submitted as Mitigation Projects in the Deschutes Groundwater Study Area, termination will be required by all parties to the lease and must be submitted to both the Salem and Bend OWRD offices.

Requests to terminate a lease, may be submitted by e-mail from the appropriate parties identified in the Final Order approving the lease application.

### Additive / Replacing

- Water rights that are leased instream generally have senior priority dates. Instream rights created by an instream lease are then additive to other instream rights with senior priority dates created as a result of instream lease, transfer and/or allocation of conserved water.
- If there is an existing junior instream right created as a result of a state agency application process or conversion of minimum flows, the instream right created as a result of a lease will generally replace a portion of that existing right with an earlier (senior) priority date.
- However, applicants may request a different relationship to other instream rights than described above. For example, under certain conditions, if the priority date of the instream right to be created by the lease is junior to an existing instream right (created as a result of a state agency application process or minimum flow conversion), the new instream use could be additive to those existing instream rights. In this example, the applicant may need to submit additional information (such as a letter from ODFW, DEQ, or OPRD) describing the instream benefits of making the rights additive.

### Parties to the Lease

**Lessor:** This is generally the landowner(s) and is referred to as the water right holder. All water right holders must sign the lease application. The lessor may also be someone that holds interest in the water right or another party that has been granted authorization by the landowner to leases the water right. If the Lessor is not the deeded landowner, additional information must be provided as specified in the application checklist (Minimum Requirements Checklist Part 1 of 4).

**Co-Lessor:** Irrigation districts (or other similar organizations) as defined in ORS Chapters 545, 547, 552, 553, or 554, which delivers water to the subject lands must be a party to the lease. If the source of water for the subject lands is stored water, then the owner/operator of the reservoir must also be party to the lease as Co-lessor.

**Lessee:** Individuals or organizations, which may provide compensation to the Lessor for the leasing of the subject water right instream. The Lessee may have, unless otherwise indicated, the same standing as the Lessor for all purposes regarding management and enforcement of the instream water right. 690-077-0076 (12)

**Trustee:** The Trustee is the Oregon Water Resources Department. If a person leases a right to the State without third party involvement, the Department will also be considered the Lessee.

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## District Lease Application Information and Instructions

### Tables 1, 2 and 3

If needed, you may attach a table and label with appropriate table #.

- Include all the information from the given table(s). For Table 1 include the specific Lessor information. The Lessor signatures and certification language should still be on Part 3. However, on Part 3 you may reference an attached table for the specific Lessor.

### Editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 3 & 4 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

#### Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click

#### **Stop Protect**

- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

#### Microsoft Word 2010

- Unlock the document by clicking the **Review** tab, toggle the **Restrict Editing icon** at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "**Allow only this type of editing in the document: Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

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(Stutzman)

Application for
District Instream Lease
Part 1 of 4 - Minimum Requirements Checklist



Oregon Water Resources
Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
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This Application to be used for water rights in the name of or conveyed by
an Irrigation District (or similar organization)
Complete Parts 1 through 4 and any required attachments
OWRD #
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Check all items included with this application. (N/A = Not Applicable)

Fee in the amount of:
\$610.00 for a lease involving four or more landowners or four or more water rights
Or \$410.00 for all other leases
Check enclosed or
Fee Charged to customer account (Account name)

- Yes N/A Pooled Lease-a lease with more than one Lessor(Landowner/water right interest holder)
Part 1 - Completed Minimum Requirements Checklist
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How many Water Rights are included in the lease application? (# of rights)
List each water right to be leased instream here:
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:
Conservation Reserve Enhancement Program CREP - Are some or all of the lands to be leased part of CREP or another Federal program (list here:)?

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Required Attachments:

- Yes N/A Instream lease application map(s). More than one QQ and property may be included on each map. A map is not required if an entire right is being leased or if the right is for use of municipal or quasi-municipal water use. The map should include the following:
- A north arrow and map scale (no smaller than 1" = 1320').
- Label township, range, section and quarter-quarter (QQ).
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- Tax lot lines and numbers must be included on the map and should clearly identify the property(s) involved.
Yes N/A If the Lessor(s) is not the deeded land owner, include one of the following:
- A notarized statement from the land owner consenting to the lease and a copy of the recorded deed; or
- A water right conveyance agreement and a copy of the recorded deed for the landowner at the time the water right was conveyed; or
- Other documentation.
Yes N/A If the right has not been used in the last five years; provide supporting documentation indicating why a right (or portion thereof) is not subject to forfeiture.

## Part 2 of 4 – District and other party Signature

<b>Term of the Lease:</b> The lease is requested to begin in: month ____ year ____ and end: month ____ year ____	
<b>Public use:</b> Check the public use(s) this lease will serve (as defined by ORS 537.332): <input type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input type="checkbox"/> Recreation <input type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	<b>Termination provision (for multiyear leases):</b> <b>The parties to the lease request (choose one):</b> <input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
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<b>Validity of the rights to be leased:</b> <input type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or <input type="checkbox"/> The water right(s) <b>have not been used</b> for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right is not subject to forfeiture has been provided.	

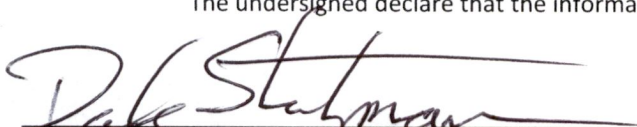
### SIGNATURES

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

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 \_\_\_\_\_ Date: 7-18-22  
 Signature of Co-Lessor

Printed name (and title): Stutzman Business name, if applicable: The Stutzman Ranch LLC  
 Mailing Address (with state and zip): 1432 6th st. Springfield OR 97477  
 Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_


 \_\_\_\_\_ 7-18-22

\_\_\_\_\_ Lookingglass Olalla Water Control  
 Signature of Co-Le: District  
 P.O. Roseburg Oregon 97470  
 Printed name (and title): \_\_\_\_\_ brranchlreb@gmail.com 541-680-6702 applicable: \_\_\_\_\_  
 Mailing Address (with state and \_\_\_\_\_ Evan Barnes District Manager  
 Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

**See next page for additional signatures.**

\_\_\_\_\_  
Signature of Lessee Date: \_\_\_\_\_

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_

Mailing Address (with state and zip): \_\_\_\_\_

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

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

**Table 1**

Irrigation District or other Water Purveyor Name: \_\_\_\_\_

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

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

Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres
93735	March 17 1981		28	7	23	NW SE SE SW NE SW SW SE			

Any additional information about the right: \_\_\_\_\_

23.16

**Farm Deferral Tax Status:** Counties make the determination of whether a property qualifies for the farm use assessment the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment county assessor. You should contact your County for any weed ordinance and management requirements.

The undersigned declare:

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

\_\_\_\_\_  
Signature of Co-Lessor Date: \_\_\_\_\_

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): \_\_\_\_\_  
Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_  
\_\_\_\_\_  
Signature of Co-Lessor Date: \_\_\_\_\_

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Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): \_\_\_\_\_  
Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

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

**Table 2**

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

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

Priority Date	POD #	Use	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)

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

If the POD is not described on the certificate or, if there is more than one POD listed on the certificate, then the specific POD must be described.

**Table 3**

<b>Instream Use created by the lease</b>	River Basin: _____	River/Stream Name: _____, tributary
--	--------------------	-------------------------------------

<b>Proposed Instream Reach</b> <input type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to _____	<b>Or Proposed Instream Point:</b> <input type="checkbox"/> 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 the above box is not checked, and there is only one POD listed on the water right, the lease may be protected at the POD.)

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

Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 2).

Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)

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

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

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

**Any additional information about the proposed instream use:**

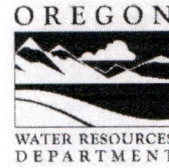
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**JUL 29 2022**

**OWRD**

( Snyder )

Application for  
**District Instream Lease**  
Part 1 of 4 – Minimum Requirements Checklist



Oregon Water Resources  
Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.oregon.gov/OWRD

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

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

Fee in the amount of:

<input type="checkbox"/> \$610.00 for a lease involving <b>four or more landowners</b> or <b>four or more water rights</b>	Or <input type="checkbox"/> \$410.00 for all other leases
<input type="checkbox"/> Check enclosed <u>or</u> <input type="checkbox"/> Fee Charged to customer account _____ (Account name)	

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

**Part 1 – Completed Minimum Requirements Checklist**

**Part 2 – Completed District and Other Party Signature Page**

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

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

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

List each water right to be leased instream here: \_\_\_\_\_

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

List those other water rights here: \_\_\_\_\_

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

**Required Attachments:**

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

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

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

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

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

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OWRD

**Part 2 of 4 – District and other party Signature**

<b>Term of the Lease:</b> The lease is requested to begin in: month ____ year ____ and end: month ____ year ____.	
<b>Public use:</b> Check the public use(s) this lease will serve (as defined by ORS 537.332): <input type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input type="checkbox"/> Recreation <input type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	<b>Termination provision (for multiyear leases):</b> <b>The parties to the lease request (choose one):</b> <input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
<b>Additive/Replacing Relationship to other instream water rights:</b> Instream leases are generally additive to other existing instream water rights created as a result of instream leases and transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights. If you would like this lease to relate to other instream water rights differently than described above, please check this box. <input type="checkbox"/> And attach an explanation of your intent.	
<b>Precedent:</b> 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.	
<b>Validity of the rights to be leased:</b> <input type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or <input type="checkbox"/> The water right(s) <b>have not been used</b> for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right is not subject to forfeiture has been provided.	

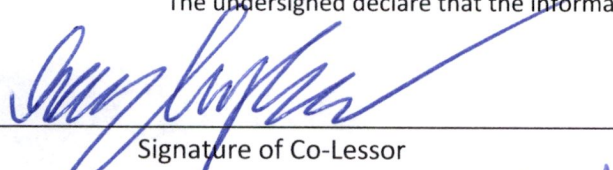
**SIGNATURES**

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

**RECEIVED**

**JUL 29 2022**

**OWRD**

 Date: 07/18/2022

Signature of Co-Lessor

Printed name (and title): Jamie Snyder Business name, if applicable: \_\_\_\_\_  
 Mailing Address (with state and zip): 40485 Lookingglass Rd. Roseburg OR 97471  
 Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

 7-18-22

Signature of Co-Lessor Lookingglass Olalla Water Control District

Printed name (and title): branchlreb@gmail.com 541-680-6702 Business name, if applicable: \_\_\_\_\_  
 Mailing Address (with state and zip): Evan Barnes District Manager  
 Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

**See next page for additional signatures.**

\_\_\_\_\_  
Signature of Lessee Date: \_\_\_\_\_

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_

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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**JUL 29 2022**

**OWRD**



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

**Table 1**

Irrigation District or other Water Purveyor Name: \_\_\_\_\_

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

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

Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres
93735	march 17 1981		28	7	1	NW SW SW NW			6.88

**Any additional information about the right:**

**Farm Deferral Tax Status:** Counties make the determination of whether a property qualifies for the farm use assessment the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessme county assessor. You should contact your County for any weed ordinance and management requirements.

The undersigned declare:

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

**RECEIVED  
JUL 29 2022**

\_\_\_\_\_  
Signature of Co-Lessor Date: \_\_\_\_\_

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): \_\_\_\_\_  
Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_  
\_\_\_\_\_  
Signature of Co-Lessor Date: \_\_\_\_\_

**OWRD**

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): \_\_\_\_\_  
Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

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

**Table 2**

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

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

Priority Date	POD #	Use	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)

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

If the POD is not described on the certificate or, if there is more than one POD listed on the certificate, then the specific POD must be described.

**Table 3**

**Instream Use created by the lease**      River Basin: \_\_\_\_\_      River/Stream Name: \_\_\_\_\_, tributary

<p><b>Proposed Instream Reach</b></p> <p><input type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to _____</p>	<p><b>Or Proposed Instream Point:</b></p> <p><input type="checkbox"/> Instream use protected at the POD</p>
---	---

**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 the reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be limited to that POD.)

**Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)**  
Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 2)

Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)

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

Yes     N/A **Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:** list here \_\_\_\_\_  
Note: The Department may identify additional conditions to prevent injury and/or enlargement.

**Any additional information about the proposed instream use:**

7/14/21

District Instream Lease Application

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JUL 29 2022

OWRD

(Svikhson)

Application for  
**District Instream Lease**  
Part 1 of 4 – Minimum Requirements Checklist



Oregon Water Resources  
Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.oregon.gov/OWRD

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

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

Fee in the amount of:

<input type="checkbox"/> \$610.00 for a lease involving <b>four or more landowners</b> or <b>four or more water rights</b>	Or <input type="checkbox"/> \$410.00 for all other leases
<input type="checkbox"/> Check enclosed <u>or</u> <input type="checkbox"/> Fee Charged to customer account _____ ( <b>Account name</b> )	

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

**Part 1 – Completed Minimum Requirements Checklist**

**Part 2 – Completed District and Other Party Signature Page**

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

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

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

**List each water right to be leased instream here:** \_\_\_\_\_

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

**List those other water rights here:** \_\_\_\_\_

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

**Required Attachments:**

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

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

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

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

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

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JUL 29 2022

OWRD

### Part 2 of 4 – District and other party Signature

**Term of the Lease:**  
The lease is requested to begin in: month \_\_\_\_\_ year \_\_\_\_\_ and end: month \_\_\_\_\_ year \_\_\_\_\_.

<b>Public use:</b> Check the public use(s) this lease will serve (as defined by ORS 537.332): <input type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input type="checkbox"/> Recreation <input type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	<b>Termination provision (for multiyear leases):</b> <b>The parties to the lease request (choose one):</b> <input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
---	--

**Additive/Replacing Relationship to other instream water rights:** Instream leases are generally additive to other existing instream water rights created as a result of instream leases and transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights.  
If you would like this lease to relate to other instream water rights differently than described above, please check this box.  
 And attach an explanation of your intent.

**Precedent:** If a right which has been leased is later proposed to be leased again or later transferred or become part of an allocation of conserved water project, a new injury review shall be required. An instream lease shall not set a precedent on a future transaction.

**Validity of the rights to be leased:**  
 The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or  
 The water right(s) **have not been used** for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right is not subject to forfeiture has been provided.

#### SIGNATURES

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

Date: 7-20-22

Signature of Co-Lessor

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JUL 29 2022

OWRD

Printed name (and title): \_\_\_\_\_ Lookingglass Olalla Water Control                                 Applicable: \_\_\_\_\_  
District  
Mailing Address (with state and zip): P.O. Roseburg Oregon 97470  
Phone number (include area code): brranchlreb@gmail.com 541-680-6702  
Evan Barnes District Manager

Date: 7-20-2022

Signature of Co-Lessor

Printed name (and title): Shelley Erickson Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): 1023 Dairy Loop Rd. Roseburg, OR 97471  
Phone number (include area code): 541-670-1481 \*\*E-mail address: Shelley@TTS@ljaboo.com

See next page for additional signatures.

\_\_\_\_\_ Date: \_\_\_\_\_  
Signature of Lessee

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_

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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**JUL 29 2022**  
**OWRD**

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

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

**Table 1**

**Irrigation District or other Water Purveyor Name:** \_\_\_\_\_

Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.  
If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.  
Any attached table should include reference to the Lessor.

Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
93735	3-17-81		20	7	2	SE NW NE SW			14.89			

**Any additional information about the right:**

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

The undersigned declare:

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

\_\_\_\_\_ Date: \_\_\_\_\_  
Signature of Co-Lessor

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): \_\_\_\_\_  
Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

Signature of Co-Lessor

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): \_\_\_\_\_  
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**RECEIVED**

**JUL 29 2022**

**OWRD**

(Brundige)

Application for  
**District Instream Lease**  
Part 1 of 4 – Minimum Requirements Checklist



Oregon Water Resources  
Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
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	District #	

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- Part 1 – Completed Minimum Requirements Checklist**
- Part 2 – Completed District and Other Party Signature Page**
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**RECEIVED**  
**JUL 29 2022**  
**OWRD**

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List each water right to be leased instream here: \_\_\_\_\_

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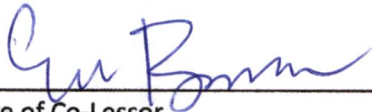
Yes  N/A If the right has **not** been used in the last five years; provide supporting documentation indicating why a right (or portion thereof) **is not** subject to forfeiture.

## Part 2 of 4 – District and other party Signature

<b>Term of the Lease:</b> The lease is requested to begin in: month _____ year _____ and end: month _____ year _____.	
<b>Public use:</b> Check the public use(s) this lease will serve (as defined by ORS 537.332): <input type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input type="checkbox"/> Recreation <input type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	<b>Termination provision (for multiyear leases):</b> <b>The parties to the lease request (choose one):</b> <input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
<b>Additive/Replacing Relationship to other instream water rights:</b> Instream leases are generally additive to other existing instream water rights created as a result of instream leases and transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights. If you would like this lease to relate to other instream water rights differently than described above, please check this box. <input type="checkbox"/> And attach an explanation of your intent.	
<b>Precedent:</b> 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.	
<b>Validity of the rights to be leased:</b> <input type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or <input type="checkbox"/> The water right(s) <b>have not been used</b> for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right is not subject to forfeiture has been provided.	

### SIGNATURES

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



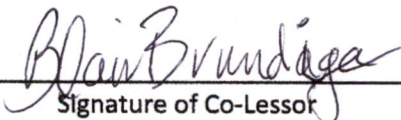
Date: 7-20-22

Signature of Co-Lessor

RECEIVED  
JUL 29 2022

Printed name (and title): \_\_\_\_\_ applicable: \_\_\_\_\_  
 Mailing Address (with state and zip): Lookingglass Olalla Water Control District \_\_\_\_\_  
 Phone number (include area code): P.O. Roseburg Oregon 97470 \_\_\_\_\_  
[bbranchreb@gmail.com](mailto:bbranchreb@gmail.com) 541-680-6702 \_\_\_\_\_  
 Evan Barnes District Manager

OWRD



Date: 7-20-22

Signature of Co-Lessor

Printed name (and title): Blair Brundige Business name, if applicable: B2B Roads  
 Mailing Address (with state and zip): 1046 Dairy Loop Rd 97471  
 Phone number (include area code): 541-643-2761 \*\*E-mail address: bbroads@douglasfast.net

**See next page for additional signatures.**



\_\_\_\_\_  
Signature of Lessee Date: \_\_\_\_\_

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_

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**

**RECEIVED**  
**JUL 29 2022**  
**OWRD**

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

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

**Table 1**

**Irrigation District or other Water Purveyor Name:** \_\_\_\_\_

Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.  
If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.  
Any attached table should include reference to the Lessor.

Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
99735	3-17-81		28	7	2	SW SW			4.35			
						SE SW						
						SW SW						
						SE SW						

**Any additional information about the right:**

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

The undersigned declare:

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

\_\_\_\_\_ Date: \_\_\_\_\_  
Signature of Co-Lessor

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): \_\_\_\_\_  
Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_  
Signature of Co-Lessor

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): \_\_\_\_\_  
Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

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**JUL 29 2022**

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9eyer

Application for  
**District Instream Lease**  
Part 1 of 4 – Minimum Requirements Checklist



Oregon Water Resources  
Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.oregon.gov/OWRD

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

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

Fee in the amount of:

<input checked="" type="checkbox"/> \$610.00 for a lease involving <b>four or more</b> landowners or <b>four or more</b> water rights	Or <input type="checkbox"/> \$410.00 for all other leases
<input type="checkbox"/> Check enclosed <u>or</u>	
<input type="checkbox"/> Fee Charged to customer account _____ (Account name)	

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

**Part 1 – Completed Minimum Requirements Checklist**

**Part 2 – Completed District and Other Party Signature Page**

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

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

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

List each water right to be leased instream here: \_\_\_\_\_

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

List those other water rights here: \_\_\_\_\_

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

**Required Attachments:**

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

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

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

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

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

**RECEIVED**  
**JUL 29 2022**  
**OWRD**

## Part 2 of 4 – District and other party Signature

<b>Term of the Lease:</b> The lease is requested to begin in: month ____ year ____ and end: month ____ year ____	
<b>Public use:</b> Check the public use(s) this lease will serve (as defined by ORS 537.332): <input type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input type="checkbox"/> Recreation <input type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	<b>Termination provision (for multiyear leases):</b> <b>The parties to the lease request (choose one):</b> <input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
<b>Additive/Replacing Relationship to other instream water rights:</b> Instream leases are generally additive to other existing instream water rights created as a result of instream leases and transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights.  If you would like this lease to relate to other instream water rights differently than described above, please check this box. <input type="checkbox"/> And attach an explanation of your intent.	
<b>Precedent:</b> 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.	
<b>Validity of the rights to be leased:</b> <input type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or <input type="checkbox"/> The water right(s) <b>have not been used</b> for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right is not subject to forfeiture has been provided.	

### SIGNATURES

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

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JUL 29 2022

OWRD

\_\_\_\_\_ Date: 7-26-22  
 Signature of Co-Lessor

Printed name (and title): Robert Geyer Business name, if applicable: \_\_\_\_\_  
 Mailing Address (with state and zip): 640 Strickland Canyon Rd Roseburg OR 97471  
 Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_  
 Signature of Co-Lessor

Lookingglass Olalla Water Control  
 Printed name (and title): \_\_\_\_\_ District \_\_\_\_\_ applicable: \_\_\_\_\_  
 Mailing Address (with state and zip): P.O. Roseburg Oregon 97470 \_\_\_\_\_  
 Phone number (include area code): brranchlreb@gmail.com 541-680-6702 \_\_\_\_\_  
 Evan Barnes District Manager

**See next page for additional signatures.**

\_\_\_\_\_ Date: \_\_\_\_\_  
Signature of Lessee

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_

Mailing Address (with state and zip): \_\_\_\_\_

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

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**OWRD**

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

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

**Table 1**

**Irrigation District or other Water Purveyor Name:** \_\_\_\_\_

Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.  
If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.  
Any attached table should include reference to the Lessor.

Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #

**Any additional information about the right:**

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

The undersigned declare:

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

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Co-Lessor

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
 Mailing Address (with state and zip): \_\_\_\_\_  
 Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_  
 Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Co-Lessor

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
 Mailing Address (with state and zip): \_\_\_\_\_  
 Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

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**JUL 29 2022**  
**OWRD**

Part 4 of 4 – Water Right and Instream Use Information

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

**Table 2**

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

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

Priority Date	POD #	Use	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)

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

If the POD is not described on the certificate or, if there is more than one POD listed on the certificate, then the specific POD must be described:

**Table 3**

<b>Instream Use created by the lease</b>	River Basin: _____	River/Stream Name: _____, tributary to _____				
<b>Proposed Instream Reach:</b> <input type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to _____		<b>Or Proposed Instream Point:</b> <input type="checkbox"/> Instream use protected at the POD				
<b>OR</b> <input type="checkbox"/> Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)						
<b>Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)</b> Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
<b>OR</b> <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.						
<input type="checkbox"/> Yes <input type="checkbox"/> N/A <b>Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:</b> list here _____ Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
<b>Any additional information about the proposed instream use:</b>						

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Jensen (Outney)

Application for
District Instream Lease
Part 1 of 4 - Minimum Requirements Checklist



Oregon Water Resources
Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

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

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

Fee in the amount of:

Form for fee selection: \$610.00 for a lease involving four or more landowners or four or more water rights, or \$410.00 for all other leases. Includes checkboxes for 'Check enclosed or' and 'Fee Charged to customer account'.

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

- Part 1 - Completed Minimum Requirements Checklist
Part 2 - Completed District and Other Party Signature Page
Part 3 - Completed Place of Use and Lessor Signature Page
(Include a separate Part 3 for each Lessor.)

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

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

List each water right to be leased instream here:

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:

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Required Attachments:

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Label township, range, section and quarter-quarter (QQ).
If an irrigation right, the numbers of acres to be leased in each quarter-quarter identify and hachure/shade to differentiate between the acreage being leased and any remaining. If the place of use has more than one priority date, source stream, and/or point of diversion you must identify each with separate hachuring or shading and label.
Tax lot lines and numbers must be included on the map and should clearly identify the property(s) involved.

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

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

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

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## Part 2 of 4 – District and other party Signature

<b>Term of the Lease:</b> The lease is requested to begin in: month ____ year ____ and end: month ____ year ____	
<b>Public use:</b> Check the public use(s) this lease will serve (as defined by ORS 537.332): <input type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input type="checkbox"/> Recreation <input type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	<b>Termination provision (for multiyear leases):</b> <b>The parties to the lease request (choose one):</b> <input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
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### SIGNATURES

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

RECEIVED

JUL 29 2022

OWRD

\_\_\_\_\_ Date: 7-26-22  
 Signature of Co-Lessor

Printed name (and title): Erik Jensen Business name, if applicable: \_\_\_\_\_  
 Mailing Address (with state and zip): 6700 Upper Olalla Rd Roseburg  
 Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: Winston 97496

\_\_\_\_\_ Date: \_\_\_\_\_  
 Signature of Co-Lessor

Printed name (and title): \_\_\_\_\_ Lookingglass Olalla Water Control District  
 Mailing Address (with state and zip): \_\_\_\_\_ P.O. Roseburg Oregon 97470  
 Phone number (include area code): \_\_\_\_\_ brranchlreb@gmail.com 541-680-6702  
 \_\_\_\_\_ Evan Barnes District Manager

See next page for additional signatures.

\_\_\_\_\_  
Signature of Lessee Date: \_\_\_\_\_

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_

Mailing Address (with state and zip): \_\_\_\_\_

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

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**JUL 29 2022**

**OWRD**

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

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

**Table 1**

**Irrigation District or other Water Purveyor Name:** \_\_\_\_\_

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

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

Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
93775	3-17-81		29	7	17	NW NE			13.43			
					17	SW NE						
					17	SW NE						
					8	SW SE						

**Any additional information about the right:**

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

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2. I/We certify are the lessor(s) (water right interest holder) of the water right(s) in Table 1. If not the deeded land owner, I/we have obtained consent from the deeded land owner and/or have provided documentation of authorization to pursue the instream lease; and
3. I/We affirm that the information in this application is true and accurate.

\_\_\_\_\_  
Signature of Co-Lessor

\_\_\_\_\_  
Date:

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): \_\_\_\_\_  
Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

\_\_\_\_\_  
Signature of Co-Lessor

\_\_\_\_\_  
Date:

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): \_\_\_\_\_  
Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

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**JUL 29 2022**

**OWRD**