

Cotton

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 #	1L-2065
	District #	

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

☐ 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: 116603, 90929, 97570, 19875, 93231

☐ 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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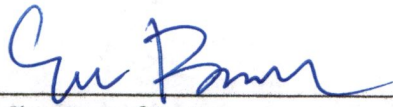
Salem, OR

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 ____.	
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 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: 12-6-24
Signature of Co-Lessor
Printed name (and title): Evan Barring Business name, if applicable: LOWCD
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: _____

See next page for additional signatures.

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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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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 #
16603	11/18/24	15	29		4	SE SW	1100	DLC#41	.6			
16603	11/18/24	15	29		4	NE SE	1100	DLC#41	.1			
16603	11/18/24	15	29		4	NW SE	1100	DLC#41	.2			
16603	11/18/24	15	29		4	SW SE	1100	DLC#41	.6			

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:

- 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
- 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
- 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: _____

7/14/21

District Instream Lease Application

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pg 1 of 4

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 #
16603	11/18/24	15	29		7	4	SE SW	1100	DLC # 0.8			
16603	11/18/24	15	29		7	4	SE SW	1100	DLC # 0.3			
16603	11/18/24	15	29		7	9	NE NW	200	DLC # 0.1			
16603	11/18/24	15	29		7	9	NW NE	200	DLC # 0.4			

Any additional information about the right:

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

The undersigned declare:

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

Signature of 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: _____

Date: _____

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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: _____

7/14/21

District Instream Lease Application

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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 #
16603	11/18/24	15	29		4	NW SE	1100	DLC#4	2.8			
16603	11/18/24	15	29		4	NE SE	1100	DLC#4	0.4			
16603	11/18/24	15	29		4	NW SE	1100	DLC#4	1.2			
16603	11/18/24	15	29		4	SW SE	1100	DLC#4	2.6			
Any additional information about the right:												

Any additional information about the right:

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

The undersigned declare:

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

Signature of Co-Lessor _____ 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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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 #
16603	11/18/24	15	29		9	NW NE	200	DLC#41	0.3			
16603	11/18/24	15	29		4	SW SE	1100	DLC#41	20.8			
16603	11/18/24	15	29		4	SE SE	1100	DLC#41	5.1			
16603	11/18/24	15	29		4	SE SW	1100	DLC#41	4.5			

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:

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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.

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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: _____

District Instream Lease Application

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Rhodes
Part 2 of 4 – District and other party Signature

Term of the Lease: The lease is requested to begin in: month <u>3</u> year <u>25</u> and end: month <u>10</u> year <u>29</u> .	
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 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.

Steve A Rhodes Date: 10/22/24
Signature of Co-Lessor

Printed name (and title): STEVEN A RHODES, CO-LESSOR

Business/Organization name: NA

Mailing Address (with state and zip): 8954 LOOKINGGLASS RD ROSBURG, OR 97471
Phone number (include area code): 541 580-9287 **E-mail address: rhodes55@douglasEast.net

Lisa Rhodes Date: 10/22/24
Signature of Co-Lessor

Printed name (and title): Lisa Rhodes CO-LESSOR

Business/organization name: NA

Mailing Address (with state and zip): 8954 LOOKINGGLASS RD ROSBURG, OR 97471
Phone number (include area code): 541 580-9288 **E-mail address: LISANT61@HOTMAIL.COM

See next page for additional signatures.

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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: LOOKINGGLASS OLLALA WATER CONTROL DISTRICT

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

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

Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
90929	5/8/08		28 S	7 W	1	NE SE	1000		3.0	1224		
90929	5/8/08		28 S	7 W	1	SW SE	1000		7.2	1224		
90929	5/8/08		28 S	7 W	1	SE SE	1000		4.5	1224		

Any additional information about the right: NOT LEASING 28S7W NWS6 11.4 ACRES

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:

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

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Date: 10/22/24

Business name, if applicable: CO-LESSOR

ROSEDALE OR 97471

Printed name (and title): ROSEDALE OR 97471
Mailing Address (with state and zip): ROSEDALE OR 97471
Phone number (include area code): 541-580-9288 **E-mail address: rhodes55@douglasfast.net

Date: 10/22/24

Signature of Co-Lessor

Business name, if applicable:

Printed name (and title): Hisa Rhodes
Mailing Address (with state and zip): 8954 Lookingglass Rd.
Phone number (include area code): 541-580-9288 **E-mail address: hisant61@hotmail

District Instream Lease Application

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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 # 90929

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

Priority Date	POD #	Use	Acre	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)
5/8/08		irrigation	14.7		0.18	22.05

Total af from storage, if applicable: 22.05 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: N/A

Table 3

Instream Use created by the lease		River Basin: <u>Wapona</u>	River/Stream Name: <u>Wapona Creek</u> , tributary to <u>Sagehen Creek</u>			
Proposed Instream Reach: ☐ A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to _____ ☒ Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)						
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2) Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acre	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
5/8/08						

☒ 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:

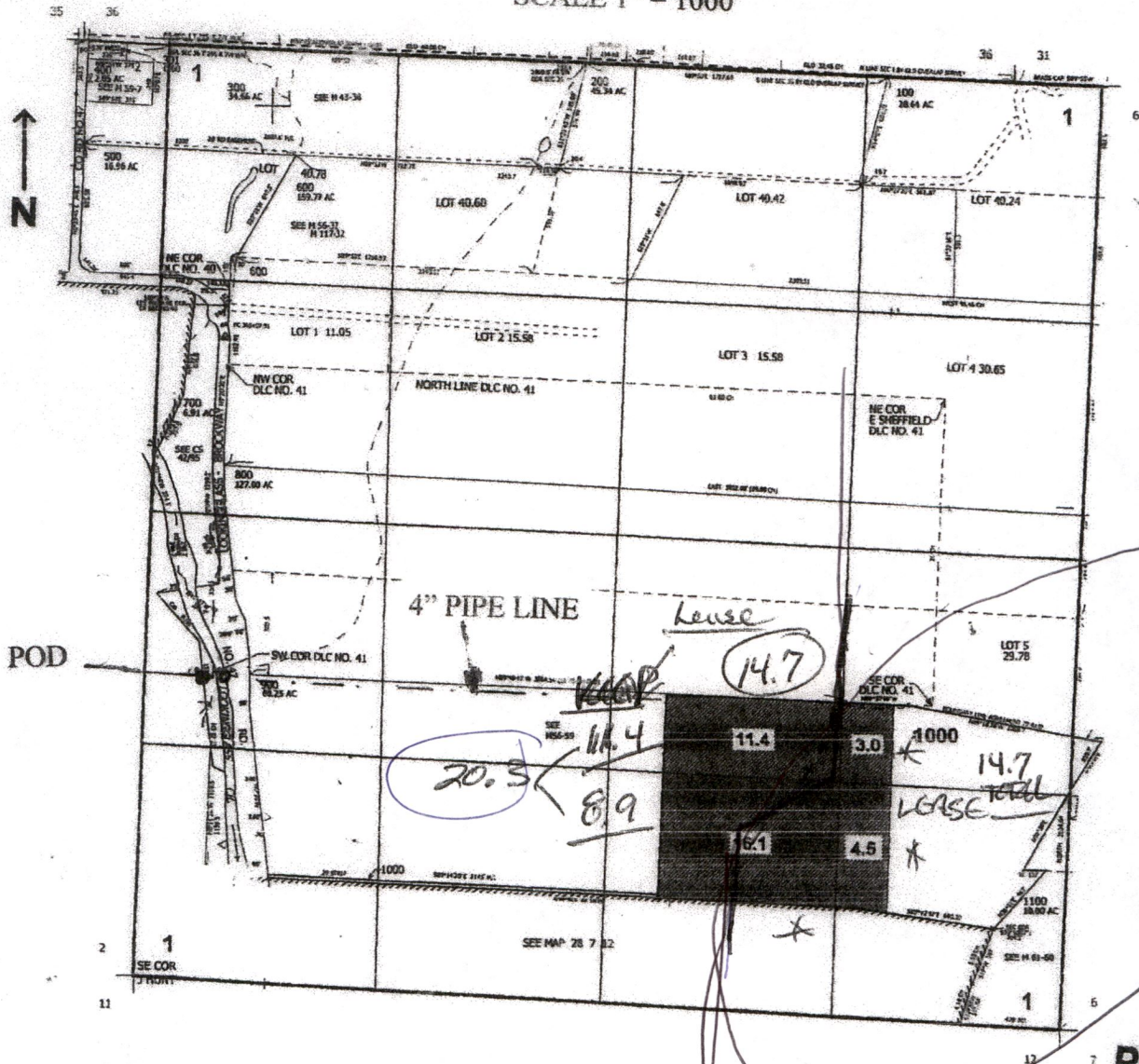
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Salem, OR

CLAIM OF BENEFICIAL USE
 FOR: STEVEN A. RHODES AND LISA A. RHODES
 BY: DUANE W. KIRBY
 T28S, R7W, SEC 1 WM
 DOUGLAS, COUNTY
 PERMIT NO S-54519

FISH SCREEN IS LOCATED AT THE POD
 METER IS LOCATED 15 FEET FROM THE POD

SCALE 1" = 1000'



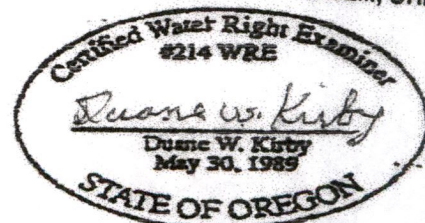
POD IS LOCATED 1700' N AND 440' E FROM SW CORNER SECTION 1

RECEIVED

JUL 28 2009

WATER RESOURCES DEPT
 SALEM, OREGON

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



STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STEVEN A. RHODES
8954 LOOKINGGLASS RD
ROSEBURG OR 97471

confirms the right to use the waters of BEN IRVING RESERVOIR, PERMIT R-8444 for IRRIGATION of 35.0 ACRES.

This right was perfected under Permit S-54519. The date of priority is MAY 8, 2008. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 87.5 ACRE-FEET or its equivalent in case of rotation, measured at the point of diversion.

The period of use is March 1 through October 31.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
28 S	7 W	WM	1	NW SW	41	1700 FEET NORTH AND 440 FEET EAST FROM SW CORNER, SECTION 1

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 a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above propose is restricted to beneficial use on the lands or place of use described.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
28 S	7 W	WM	1	NE SE		3.0
28 S	7 W	WM	1	NW SE	38	11.4
28 S	7 W	WM	1	SW SE		16.1
28 S	7 W	WM	1	SE SE		4.5

LEASE 3.0
Φ
LEASE 7.2
LEASE 4.5

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Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device at each point of diversion as approved by the Director in good working order.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Bowen Saylor

Part 2 of 4 – District and other party Signature

Term of the Lease: The lease is requested to begin in: month <u>3</u> year <u>25</u> and end: month <u>10</u> year <u>29</u> .	
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 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: 10/18/24
Signature of Co-Lessor

Printed name (and title): Jason Saylor

Business/Organization name: Saylor Farms

Mailing Address (with state and zip): 1210 Strickland S Hwy Rd Roseburg OR 97471

Phone number (include area code): 541-671-3105 **E-mail address: _____

Signature of Co-Lessor

Printed name (and title): _____

Business/organization name: _____

Mailing Address (with state and zip): _____

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

See next page for additional signatures.

Received by OWRD
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Salem, OR

G. Bonn

Date: 12-6-24

Signature of Lessee

Printed name (and title):

Evan Barnes

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**

Received by OWRD

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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: Lookingglass OLLALA Water Control Dist.												
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 #
97570	3-17-81	34	28	7	11	NW SW			5.43	irrigation		NO
			28	7	11	SW NW			14.15			NO
			28	7	11	SW NW			2.93			NO
			28	7	11	SE NW			4.16			NO

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: 11-17-24

Signature of Lessor

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

Mailing Address (with state and zip): _____

Phone number (include area code): 541.111.5105 **E-mail address: Jason.Saylor@ollala.com

Date: _____

Signature of Lessor

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

Mailing Address (with state and zip): _____

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

7/14/21

District Instream Lease Application

Page 4

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Part 4 of 4 – Water Right and Instream Use Information

		Use a <u>separate</u> 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		River Basin:	River/Stream Name:
		<u>Lumpkin Co.</u>	<u>South Lumpkin Co.</u>
Instream Use created by the lease			
Proposed Instream Reach:			
☐ A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to _____.			
OR ☒ Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)			
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)			
Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.			
Priority date	POD #	Use	Acrees
		Proposed Instream Period	Total instream volume (af)
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:			

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 #
97570	3-17-81	34	28	7	11				6.76	Instream		NO
			28	7	11				7.42			NO
			28	7	11				3.33			NO

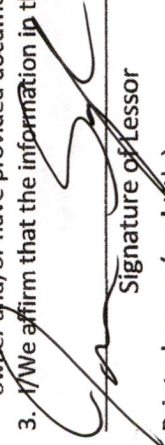
Any additional information about the right: _____

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.

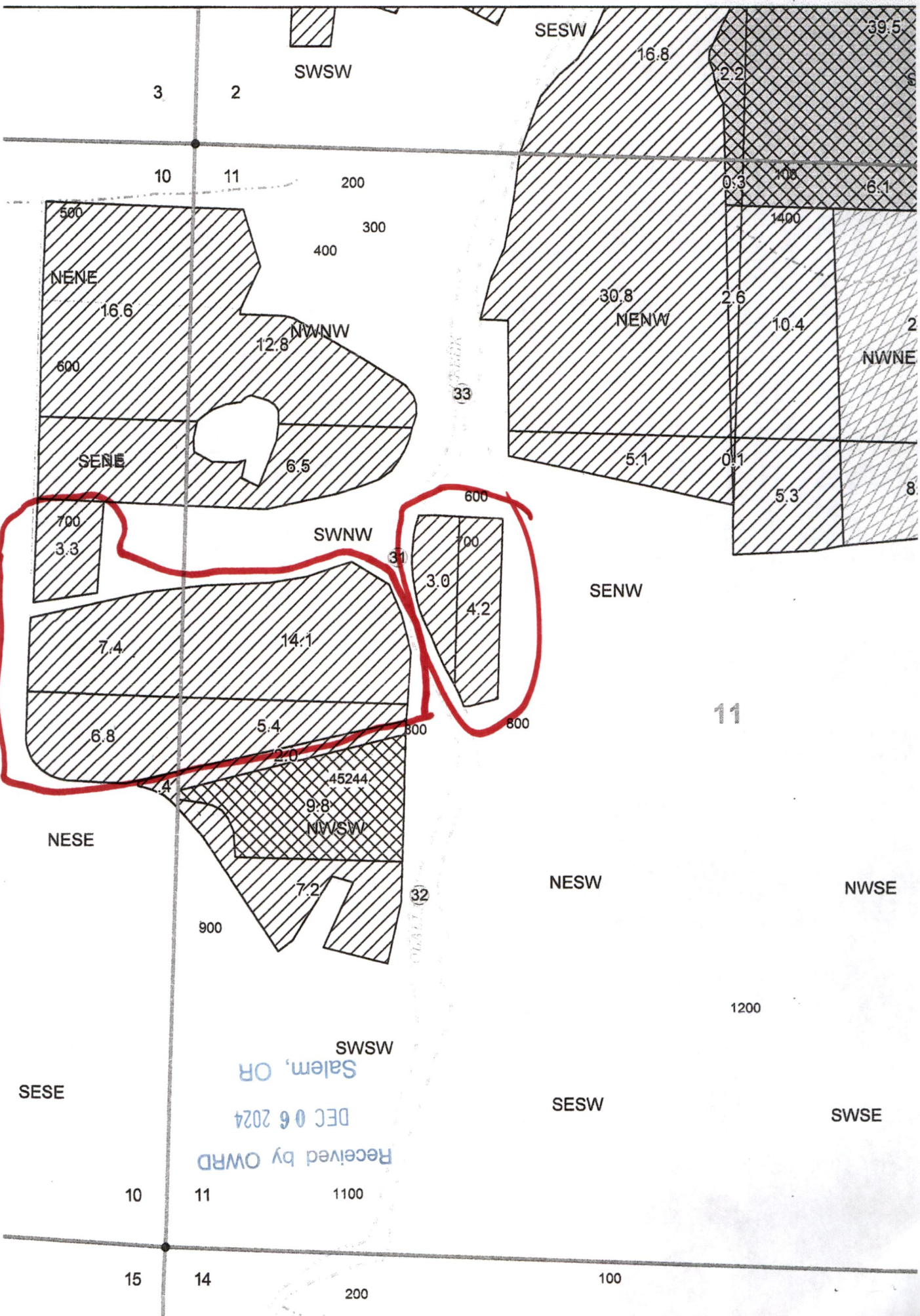
Date: 11-19-24


Signature of 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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Date: _____


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



R. Wamboldt

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:

☐ \$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

☐ 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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Part 2 of 4 – District and other party Signature

Term of the Lease: The lease is requested to begin in: month <u>3</u> year <u>25</u> and end: month <u>10</u> year <u>29</u>	
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 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.

Lynn H. Quam

Date: Nov 20, 2024

Signature of Co-Lessor

Printed name (and title): Lynn Quam Business name, if applicable: _____
Mailing Address (with state and zip): P.O. Box 1450, Winston OR 97496
Phone number (include area code): 541-679-1459 **E-mail address: _____

Marsha Jo Hannah

Date: 11/20/2024

Signature of Co-Lessor

Printed name (and title): Marsha Jo Hannah Business name, if applicable: _____
Mailing Address (with state and zip): P.O. Box 1450, Winston OR 97496
Phone number (include area code): 541-679-1459 **E-mail address: _____

See next page for additional signatures.

Received by OWRD

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Salem, OR

G. Barnes
Signature of Lessee

Date: 12-6-24

Printed name (and title): Evan Barnes Business name, if applicable: LOWCD

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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DEC 06 2024
Salem, OR

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: Lookingsglass Olalla Water Control District

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

If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.

Any attached table should include reference to the Lessor.

Page 1

Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
19875	10/4/50	17	29	7	4	NW SE	00900		0.83	Irrigation		
19875	10/4/50	17	29	7	4	SE NE	00900		1.81	"		
19875	10/4/50	17	29	7	4	NE SE	00900		3.52	"		
97570	3/17/81	17	29	7	4	SE SE	00900		0.66	"		

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: _____

7/14/21

District Instream Lease Application

Page 4

Received by OWRD
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Salem, OR

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: Lookingglass Della Water Control District												
Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.												
If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.												
Any attached table should include reference to the Lessor.												
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
97570	3/17/81	17	29	7	3	NW SW	00900		0.21	Irrigation		
97570	3/17/81	17	29	7	4	NE SE	00900		3.22	"		
97570	3/17/81	17	29	7	4	NE SE	00900		10.77	"		
97570	3/17/81	17	29	7	3	NW NW	00900		0.42	"		

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: _____

Received by OWRD

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Salem, OR

Part 4 of 4 – Water Right and Instream Use Information

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

Table 2

Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4) **Water Right #** 97570

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

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

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

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

Table 3

Instream Use created by the lease	River Basin: <u>Umpqua</u>	River/Stream Name: <u>Salt Lake</u> tributary to <u>South Umpqua</u>				
Proposed Instream Reach: ☐ A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u> </u> to <u> </u>		Or Proposed Instream Point: ☐ Instream use protected at the POD				
OR ☒ Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)						
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2) Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acre	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)

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.

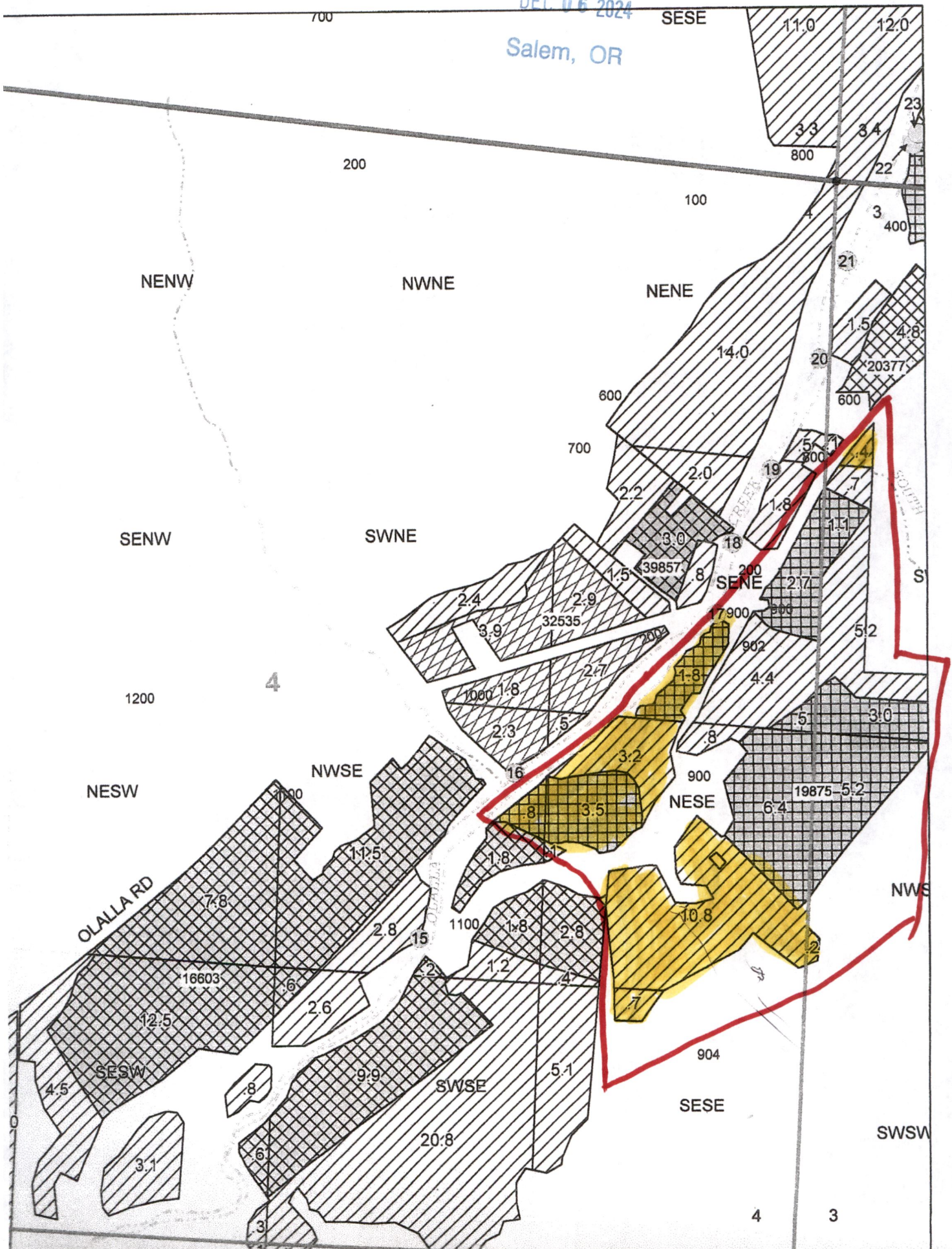
Any additional information about the proposed instream use:

Received by OWAD

Received by Quam

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Salem, OR



Quam

Information on irrigation rights that we went to "in-stream lease"

Section	QQ	Acreage	Permit	Status	Tax Lot
29-7-4	NW SE	0.83	19875	Lease	4-00900
29-7-4	SE NE	1.81	19875	Lease	4-00900 + 4-00902 (about half each)
29-7-3	SW NW	1.15	19875	Keep	3-00900
29-7-4	NE SE	3.52	19875	Lease	4-00900
29-7-3	SW NW	2.99	19875	Keep	3-00900
29-7-3	NW SW	5.18	19875	Keep	3-00900
29-7-4	SE NE	2.73	19875	Keep	4-00900
29-7-4	SE NE	0.45	19875	Keep	4-00900
29-7-4	NE SE	6.35	19875	Keep	4-00900
29-7-4	SE SE	0.66	*	Lease	4-00900
29-7-3	NW SW	0.21	*	Lease	3-00900
29-7-4	NE SE	3.22	*	Lease	4-00900
29-7-4	NE SE	10.77	*	Lease	4-00900
29-7-4	NE SE	0.78	*	Keep	4-00900
29-7-3	SW NW	0.74	*	Keep	3-00900
29-7-3	SW NW	5.18	*	Keep	3-00900
29-7-4	SE NE	4.83	*	Keep	4-00902 + 3-00902
29-7-3	NW NW	0.42	*	Lease	3-00900

Original 1950 water right = permit 19875

Added acreage (permit number and date unknown) *

We own 2 properties, bought from:

Dale Bowman = tax lots 29-07W-04-00900 and 29-07W-03-00900

Jeff Jones = mostly tax lot 29-07W-04-00902 (0.15 acre in 29-07W-03-00902)

Received by OWRD

DEC 06 2024

Salem, OR

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:

☐ \$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

☐ 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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Salem, OR

Part 2 of 4 – District and other party Signature

Term of the Lease: The lease is requested to begin in: month <u>3</u> year <u>25</u> and end: month <u>10</u> year <u>29</u>	
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 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.

Lynn H. Quam

Signature of Co-Lessor

Date: Nov 20, 2024

Printed name (and title): Lynn Quam Business name, if applicable: _____
Mailing Address (with state and zip): P.O. Box 1450, Winston OR 97496
Phone number (include area code): 541-679-1459 **E-mail address: _____

Marsha Jo Hannah

Signature of Co-Lessor

Date: 11/20/2024

Printed name (and title): Marsha Jo Hannah Business name, if applicable: _____
Mailing Address (with state and zip): P.O. Box 1450, Winston OR 97496
Phone number (include area code): 541-679-1459 **E-mail address: _____

See next page for additional signatures.

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Salem, OR

Page 2

Evan Burre

Date: 12-4-24

Signature of Lessee

Printed name (and title): Evan Burre Business name, if applicable: LOWCP

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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Salem, OR

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: Lookingglass Olalla Water Control District												
Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.												
If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.												
Any attached table should include reference to the Lessor.												
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
19875	10/4/50	17	29	7	4	NW SE	00900		0.83	Irrigation		
19875	10/4/50	17	29	7	4	SE NE	00900		1.81	"		
19875	10/4/50	17	29	7	4	NE SE	00900		3.52	"		
97570	3/17/81	17	29	7	4	SE SE	00900		0.66	"		

Any additional information about the right:

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

The undersigned declare:

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

Signature of Co-Lessor _____ 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: _____

7/14/21

District Instream Lease Application

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DEC 06 2024

Salem, OR

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: Lookingglass Della Water Control District												
Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.												
If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.												
Any attached table should include reference to the Lessor.												
Page 2												
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
97570	3/17/81	17	29	7	3	NW SW	00900		0.24	Irrigation		
97570	3/17/81	17	29	7	4	NE SE	00900		3.22	"		
97570	3/17/81	17	29	7	4	NE SE	00900		10.77	"		
97570	3/17/81	17	29	7	3	NW NW	00900		0.42	"		

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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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 # 97570**

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

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

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

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

Table 3

Instream Use created by the lease	River Basin: <u>Unpqua</u>	River/Stream Name: <u>Salt</u> , tributary to <u>Salt Unpqua</u>				
Proposed Instream Reach: ☐ A reach typically begins at the 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 water right, the lease may be processed to be protected at the POD.)						
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2) Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acre	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)

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.

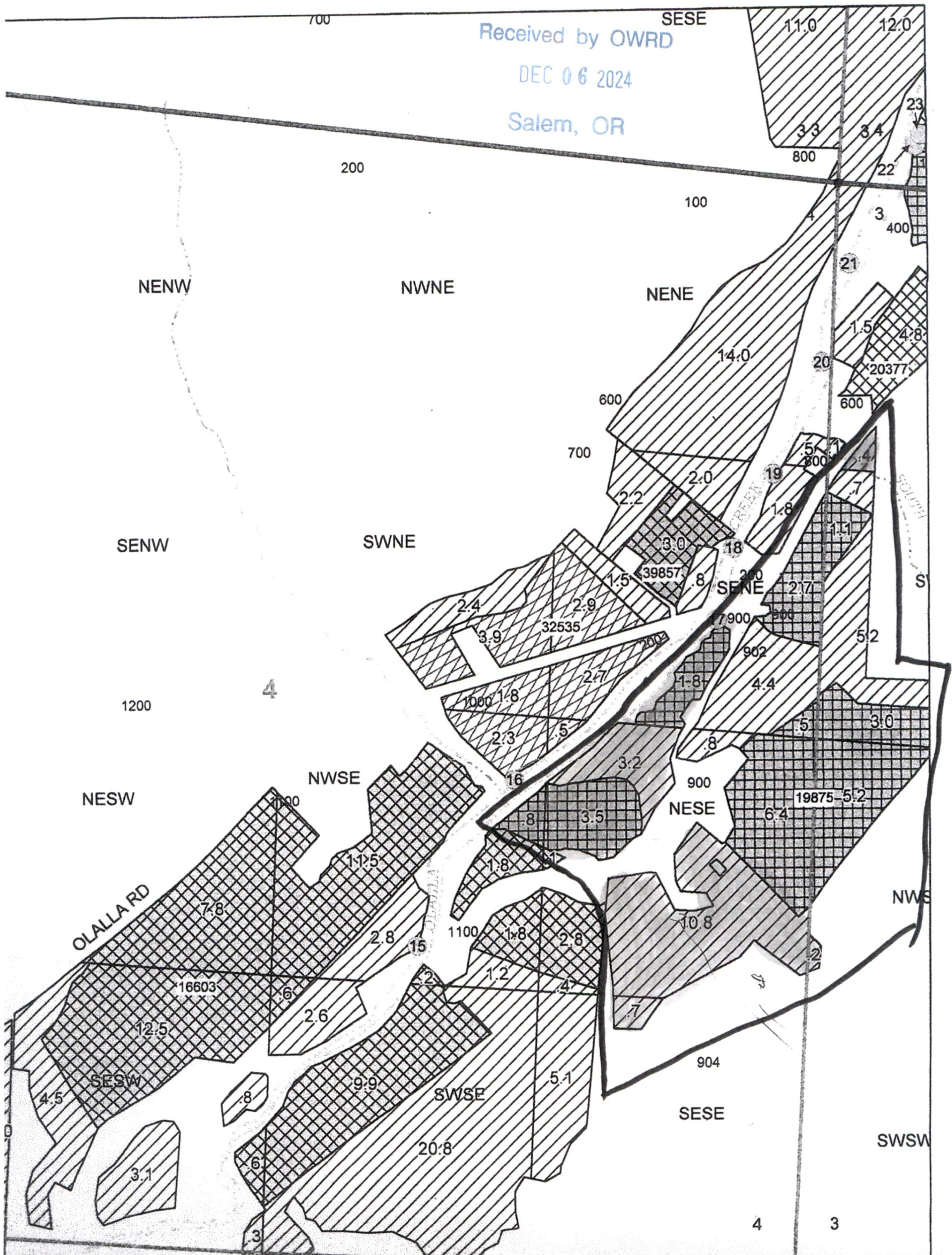
Any additional information about the proposed instream use:

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Quam

Salem, OR



Quam

Information on irrigation rights that we went to "in-stream lease"

Section	QQ	Acreage	Permit	Status	Tax Lot
29-7-4	NW SE	0.83	19875	Lease	4-00900
29-7-4	SE NE	1.81	19875	Lease	4-00900 + 4-00902 (about half each)
29-7-3	SW NW	1.15	19875	Keep	3-00900
29-7-4	NE SE	3.52	19875	Lease	4-00900
29-7-3	SW NW	2.99	19875	Keep	3-00900
29-7-3	NW SW	5.18	19875	Keep	3-00900
29-7-4	SE NE	2.73	19875	Keep	4-00900
29-7-4	SE NE	0.45	19875	Keep	4-00900
29-7-4	NE SE	6.35	19875	Keep	4-00900
29-7-4	SE SE	0.66	*	Lease	4-00900
29-7-3	NW SW	0.21	*	Lease	3-00900
29-7-4	NE SE	3.22	*	Lease	4-00900
29-7-4	NE SE	10.77	*	Lease	4-00900
29-7-4	NE SE	0.78	*	Keep	4-00900
29-7-3	SW NW	0.74	*	Keep	3-00900
29-7-3	SW NW	5.18	*	Keep	3-00900
29-7-4	SE NE	4.83	*	Keep	4-00902 + 3-00902
29-7-3	NW NW	0.42	*	Lease	3-00900

Original 1950 water right = permit 19875

Added acreage (permit number and date unknown) *

We own 2 properties, bought from:

Dale Bowman = tax lots 29-07W-04-00900 and 29-07W-03-00900

Jeff Jones = mostly tax lot 29-07W-04-00902 (0.15 acre in 29-07W-03-00902)

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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:

☐ \$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**

☐ **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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Salem, OR

Part 2 of 4 – District and other party Signature

Term of the Lease:

The lease is requested to begin in: month 3 year 25 and end: month 10 year 29.

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 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.

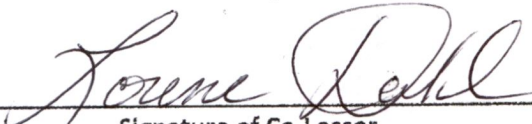
Precedent: If a right which has been leased is later proposed to be leased again or later transferred or become part of an allocation of conserved water project, a new injury review shall be required. An instream lease shall not set a precedent on a future transaction.

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.

X  Date: 11-24-24
Signature of Co-Lessor

Printed name (and title): Lorene Dahl Business name, if applicable: _____

Mailing Address (with state and zip): 2206 Ballard Winston Dr 97486

Phone number (include area code): 541-474-9533 **E-mail address: lorenedahl12@gmail.com

 Date: 12-6-24
Signature of Co-Lessor

Printed name (and title): Evan Barnes Business name, if applicable: UAWCD

Mailing Address (with state and zip): _____

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

See next page for additional signatures.

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Salem, OR

Sam Barnes
Signature of Lessee

Date: 12-6-24

Printed name (and title): Sam Barnes

Business/organization name: _____

Mailing Address (with state and zip): Lownd

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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Salem, OR

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: <u>Lookingsglas Okalla Water Control District</u>												
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 #
93231	3-17-81		29	8S	7	W	3	NE NW	45	10	IRRIG	
93231	3-17-81		29	S	7	W	3	SW NW	45	5	IRRIG	
93231	3-17-81		29	S	7	W	3	SE NW	45	10	IRRIG	

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: 11-24-24

Signature of Co-Lessor

Printed name (and title): Lorene Dahl Business name, if applicable: _____

Mailing Address (with state and zip): 2100 Okalla

Phone number (include area code): 541-629-9533 E-mail address: lorene.dahl@okallawater.com

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: _____

Received by OWRD

DEC 06 2024

7/14/21

District Instream Lease Application

Salem, OR

Part 4 of 4 – Water Right and Instream Use Information

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

Table 2

Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4)					Water Right # <u>93231</u>	
Priority Date	POD #	Use	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)
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)						
Total af from storage, if applicable: ☐ AF or ☐ N/A						
If the POD is not described on the certificate or, if there is more than one POD listed on the certificate, then the specific POD must be described:						

Table 3

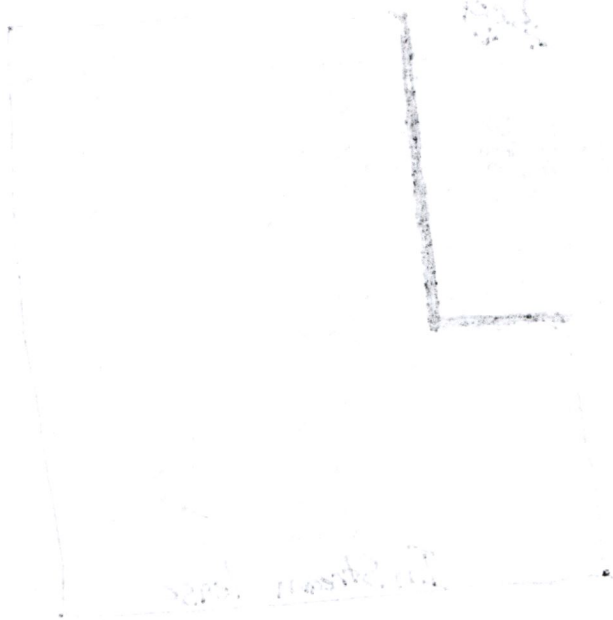
Instream Use created by the lease			River Basin: <u>Umpqua</u>		River/Stream Name: <u>Olalla Ck</u> tributary to <u>South Umpqua</u>	
Proposed Instream Reach:						
☐ A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to _____						
OR ☐ Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.						
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)						
Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
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:						
Received by OWRD						

DEC 06 2024

APPLICATION NO. S-83749
PERMIT NO. S-53514
FISH SCREEN LOCATED AT POD
METER IS LOCATED 10 FEET FROM PUMP
SCALE 1" = 400'



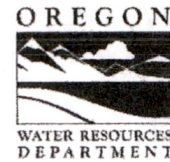
Certified Water Right Examiner
#214 WRE
Duane W. Kirby
Duane W. Kirby
May 30, 1985
STATE OF OREGON



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:

☐ \$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 <u>or</u>	
☐ 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.

Denny

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District Instream Lease Application

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Part 2 of 4 – District and other party Signature

Term of the Lease:

The lease is requested to begin in: month 3 year 25 and end: month 10 year 29.

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 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.

Dennis I Wambolt

Date: 11-19-24

Signature of Co-Lessor

Printed name (and title): Dennis I Wambolt Business name, if applicable: _____
Mailing Address (with state and zip): 2873 Clalla Rd Winston OR 97496
Phone number (include area code): 541-679-9946 E-mail address: DennisWambolt@gmail.com

X H Wambolt

Date: 11/23/24

Signature of Co-Lessor

Printed name (and title): Haren Wambolt Business name, if applicable: _____
Mailing Address (with state and zip): 2873 Clalla Rd Winston OR 97496
Phone number (include area code): 541-679-9946 **E-mail address: _____

See next page for additional signatures.

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Evan Barnes

Signature of Lessee

Date: 12-6-24

Printed name (and title): Evan Barnes Business name, if applicable: LOWCD

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: <u>Lookglass Falls Water Control District</u>												
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 #
97570	3-17-81	21	28	S	33	SE	SE		11.01	IRRIG		
97570	3-17-81	21	28	S	34	SW	SW		12.00	IRRIG		
97570	3-17-81	21	28	S	34	NW	SW		5.1	IRRIG		
97570	3-17-81	21	28	S	33	NE	SE		1.8	IRRIG		

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.

Dennis J. Wambolt

Date: 11-19-24

Signature of Co-Lessor

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Printed name (and title): Dennis J. Wambolt Business name, if applicable:

Mailing Address (with state and zip): 2873 Ocala Rd Winston OR 97496

Phone number (include area code): 541-679-9946 E-mail address: Dennis.Wambolt@gmail.com Salem, OR

Date: 11-23-24

Signature of Co-Lessor

Printed name (and title): Dennis J. Wambolt Business name, if applicable:

Mailing Address (with state and zip): 2873 Ocala Rd Winston OR 97496

Phone number (include area code): 541-679-9946 **E-mail address: _____

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District Instream Lease Application

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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: Looking Glass Creek Water Control District												
Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.												
If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.												
Any attached table should include reference to the Lessor.												
Water Right #	Priority Date	POD #	Twp	Range	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
97570	3-17-81	21	29 S	7 W	3	NW NW			4.88	IRRI		
97570	3-17-81	21	29 S	7 W	4	SE NE			2.0	IRRI		

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.

Dennis J. Wambolt

Signature of Co-Lessor

Date: 11-19-24

Signature of Co-Lessor

Printed name (and title): Dennis J. Wambolt Business name, if applicable: _____

Mailing Address (with state and zip): 2973 Otella Rd Winston OR 97496

Phone number (include area code): 541-679-9946 E-mail address: Dennis.Wambolt@ymail.com

Date: 11-23-24

Signature of Co-Lessor

Printed name (and title): Dennis J. Wambolt Business name, if applicable: _____

Mailing Address (with state and zip): 2973 Otella Rd Winston OR 97496

Phone number (include area code): 541-679-9946 **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	
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Table 2

Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4) Water Right # 92570

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

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

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

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

Table 3

Instream Use created by the lease	River Basin: <u>West Umpqua</u>	River/Stream Name: <u>Delta</u> tributary to <u>South Umpqua</u>				
Proposed Instream Reach: ☐ A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u> </u> to <u> </u>	Or Proposed Instream Point: ☐ Instream use protected at the POD					
OR ☒ Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)						
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)						
Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acre	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)

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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