

Application for Instream Lease

OREGON



WATER RESOURCES
DEPARTMENT

Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, Oregon 97301-1266

(503) 986-0900

www.oregon.gov/OWRD

Part 1 of 4 – Minimum Requirements Checklist

Complete Part 1 through 4 and include the required attachments

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

OWRD # 1L-2080

Fee- _____

Pursuant to ORS 537.348(2) and OAR 690-077

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

☒ Yes

Part 1 – Completed Minimum Requirements Checklist and Application Fee

Fees

☐ \$610.00 for a lease involving four or more landowners or four or more water rights

☒ \$410.00 for all other leases

☒ Check enclosed or

☐ Fee Charged to customer account _____ (account name)

☒ Yes

Part 2 – Completed Instream Lease Application Map Checklist.

☒ Yes

Part 3 – Completed Water Right and Instream Use Information
Include a separate Part 3 for each water right

☒ Yes

Part 4 – Completed Instream Lease Provisions and Signatures

☒ Yes

How many water rights are leased? One List them here: #89563

Include a separate Part 3 for each water right.

☐ Yes

☒ N/A

Other Water Rights, if any, appurtenant to the lands involved in the lease application and not proposed to be leased instream?

List those other water rights here: _____

☐ Yes

☒ No

Conservation Reserve Enhancement Program (CREP). Are some or all of the lands to be leased part of CREP or another Federal program (list here: _____)?

Attachments:

☐ Yes

☒ N/A

Map: Instream Lease map requirements (see Part 2 of this application)

☐ Yes

☒ N/A

Tax Lot Map: If a portion of the water right *not included in the lease* is appurtenant to lands owned by others, a tax lot map must be included with the lease application. The tax lot map should clearly show the property involved in the lease.

☐ Yes

☒ N/A

Supporting documentation describing why a right (or portion thereof) is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years. This information only needs to be provided if the checkbox has been checked to identify that the water right has not been used in the last five years and is not subject to forfeiture (See Part 4 of 4).

☐ Yes

☒ N/A

If the Lessor (water right holder) is not the deeded landowner - provide one of the following.

- A notarized statement from the landowner consenting to the lease and a copy of the recorded deed; or.
- A water right conveyance agreement and a copy of the recorded deed for the landowner at the time the water right was conveyed; or
- Other documentation which provides authority to pursue the lease absent consent of the landowner.

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Part 2 of 4 – Instream Lease Application Map Checklist

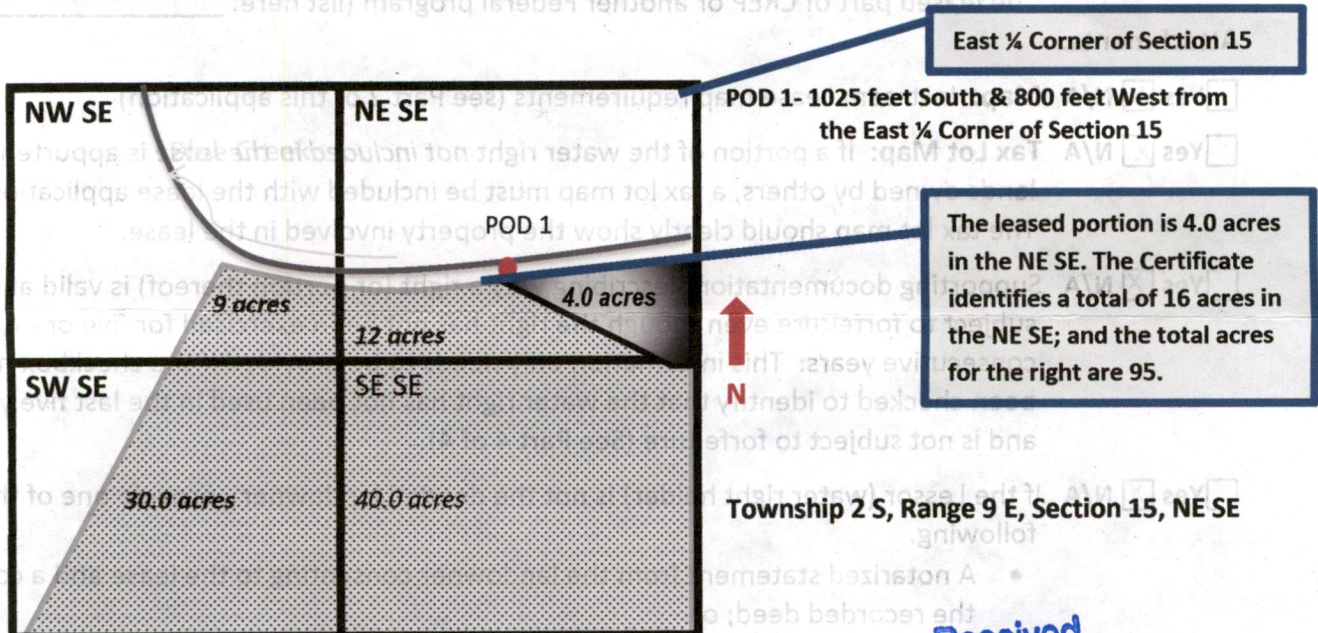
A Map is generally required for each water right not leased in its entirety

The application map (if required) should include all the items listed below and match the existing water right(s) of record. Check all boxes that apply.

This should be a simple map. (See example below). A copy of a final proof survey map with the portion to be leased shaded or hachured in will also suffice.

- ☐ ☒ **N/A** A map is required for each water right not leased in its entirety. More than one QQ and property may be included on each map. A map is not required, if leasing the entire right or if the right to be leased is for municipal or quasi-municipal water use.
- ☐ The map should be of sufficient quality to be reproducible. Please do not use highlighters to mark items on the map as highlighters do not always copy.
- ☐ A North arrow and map scale (no smaller than 1" = 1320').
- ☐ Township, Range, Section, quarter quarter (QQ), and a clearly labeled survey corner.
- ☐ For irrigation or other similar use, the number of acres to be leased in each quarter-quarter clearly labeled and hachured to differentiate between the acres being leased and any remaining. If the place of use is broken down by more than one priority date, or source stream, and/or point of diversion you must identify each with separate hachuring and clearly label.
- ☐ If available, identify the existing point(s) of diversion.

EXAMPLE MAP (the darker shaded portion representing the portion leased instream)



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Part 3 of 4 – Water Right and Instream Use Information

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

Water Right Information

Water right # 89563

Table 1

Water Right Information: Provide a description of the originating water right to be leased. Also include your tax lot number(s). Fill in all applicable information. For example, if your water right has multiple points of diversion (POD) but they're not numbered, you do not need to include a number. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 1). Please clearly label any attachments.

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

Total Acres: _____

Table 2

To illustrate the totals for the water right proposed to be leased instream

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

Priority Date	POD #	Use	Total Acres	Other Information (such as conditions/limitations on the right)	Total Rate (cfs)	Total Volume (af)
06/06/1991	1		7.37	Rate/Acre 1/80	0.0921	

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

Any additional information about the right: _____

Table 3

Point of Diversion (POD) description: If the POD is not described on the certificate or if there is more than one POD listed on the certificate, then the **specific POD(s)** involved in the lease must be described. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 3). Please clearly label any attachments.

POD #	Twp	Rng	Sec	Q-Q	DLC/ Gov't lot	Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")
1	-	-	-	-	DLC	26.00S-6.00W-27-NE NE; DLC: 43

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

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FEB 24 2025

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Instream Use Information**Table 4**

Instream Use Created by the Lease						
River/ Stream Name: <u>North Umpqua River</u> , tributary to <u>Umpqua River</u>				River Basin: <u>Umpqua</u>		
Instream Portion: Use Table 4 to illustrate the instream rate, volume and instream period by priority date, POD (if more than one), Use (if more than one), and acreage as appropriate considering the right to be leased. If not enough room below, you may add additional rows (see instructions) or attach a spreadsheet (matching the below portion of Table 4). Please clearly label any attachments.						
Priority date	POD #	Use	Acreage	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
06/06/1991	1		7.37		0.0921	
Note: If not certain of the instream rate, volume and/or instream period, see the instructions and/or contact Department Staff for assistance. The instream rate and volume may be up to the maximum rate and duty/volume allowed by the right, as described in Table 2 or on your Certificate if leasing the entire right. The proposed instream period may be no longer than the irrigation season or the authorized period of allowed use.						
OR <input checked="" type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.						
Instream Reach						
Proposed Instream Reach: <input type="checkbox"/> A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream: From the POD to _____				Or Proposed Instream Point: <input checked="" type="checkbox"/> Instream use protected at the POD		
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. (If no reach is identified or the above box is not checked, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.)						
Additional Instream Information						
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A Conditions to avoid enlargement or injury to other water rights, if any, or other limitations: list here _____						
Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
Any additional information about the proposed instream use: _____						

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Part 4 of 4 – Lease Provisions and Party Signatures

Term of the Lease (may be from 1 year up to 5 years):

The lease is requested to begin in: month 03 year 2025 and end: month 10 year 2029

Note: The begin month is generally the first month of the irrigation season and the end month is the last month in the irrigation season. If not an irrigation right, this would be the first and last month of your authorized period of allowed use.

Public use: Check the public use(s) this lease will serve (as defined by ORS 537.332):

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

Termination provision (for multiyear leases):

The parties to the lease request (choose one):

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

(See instructions for limitations to this provision)

Additive/Replacing Relationship to other instream water rights: Instream leases are generally additive to other existing instream water rights created as a result of instream leases, transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights.

If you would like this lease to relate to other instream water rights differently, please check this box. ☐
And attach an explanation of your intent.

Validity of the Right(s) to be leased (check the appropriate box):

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

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

The undersigned declare:

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

Abigail McEnroe

Date: 02/04/2025

Signature of Lessor

Printed name (and title): Abigail McEnroe (HOA President) Business name, if applicable: _____

Mailing Address (with state and zip): 295 Rio Verde Ln Roseburg, OR 97471

Phone number (include area code): 541-680-0111 **E-mail address: mcenroeabby@gmail.com

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See next page for additional signatures.

Elizabeth M. Wright
Signature of Co-Lessor

Date: 02/05/2025

Printed name (and title): Elizabeth M. Wright, Trustee,

Business name, if applicable:

Mailing Address (with state and zip):

3145 Farwig Rd. Hood River, OR 97031

Phone number (include area code): 503-791-1259

**E-mail address: croweelizab@yaho.com

Lea M. Larson
Signature of Lessee Co-Lessor

Date: 02/14/2025

Printed name (and title):

Lea Larson

Business name, if applicable:

Mailing Address (with state and zip): 286 Rio Verde Ln, Roseburg, OR 97471

Phone number (include area code): 5419683993

**E-mail address: larson.lea7@gmail.com

**** 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.**

Christine A. Crowe
Signature of Co-Lessor

Date: 02/08/2025

Printed name and title: Christine A. Crowe, Trustee, Christine Swist Crowe Trust

Mailing Address: 215 Rio Verde Ln, Roseburg, OR 97471

Phone number: 541-680-3372

E-mail address: csvcrowe@gmail.com

Bruce A. Lewsadder
Signature of Co-Lessor

Date: 02/10/2025

Printed name and title: Bruce A. Lewsadder

Mailing Address: 260 Rio Verde Ln, Roseburg, OR 97471

Phone number: 541-226-7653

E-mail address: promosaes@sunset.net

Diane C. Smith-Lewsadder
Signature of Co-Lessor

Date: 02/10/2025

Printed name and title: Diane C. Smith-Lewsadder

Mailing Address: 260 Rio Verde Ln, Roseburg, OR 97471

Phone number: 267-968-4324

E-mail address: dcs010910@gmail.com

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FEB 24 2025

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FEB 24 2025

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**CHRISTINE SWIST CROWE TRUST
CERTIFICATION OF TRUST - (ORS 130.860)**

1. **Date of Existence and Execution of Trust.** The trust was executed on the 19th day of September, 2019, under the laws of Oregon, and is currently in existence.
2. **Trustor/Trustees.**
 - 2.1. The Trustor is Christine A. Crowe.
 - 2.2. The currently acting Trustees are Christine A. Crowe and Elizabeth M Wright.
 - 2.3. Trustee's mailing address is 215 Rio Verde Lane, Roseburg, OR 97471.
3. **Trust Powers.** The Trustee has all those powers described in ORS 130.650 – 130.730.
4. **Revocability.** The trust is revocable and may be amended or revoked by the Trustor during the Trustor's lifetime.
5. **Co-trustees.** The trust has two co-Trustees. The signature of one Trustee is required to exercise the powers of the trust.
6. **Trust Taxpayer Identification Number.** The Taxpayer Identification number is the Trustor's Social Security number.
7. **Title to Trust Assets.** Title to trust assets should be taken in the name of Christine A. Crowe and Elizabeth M. Wright, Trustees of the Christine Swist Crowe Trust dated September 19, 2019.
8. **Statement of Current Status.** As of this date, the trust has not been revoked, modified or amended in any manner that would cause the representations contained in this Certification to be incorrect.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

The above is certified to be true and accurate this 19 day of AUGUST, 2021.

Christine A. Crowe
Christine A. Crowe, Trustee

Elizabeth M. Wright
Elizabeth M. Wright, Trustee

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FEB 24 2025

State of OREGON
County of Douglas

Signed and sworn to (or affirmed) before me on August 19, 2021, by Christine A. Crowe.

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Sarah C. Subias
Notary Public — State of Oregon



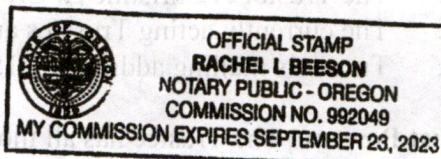
State of OREGON

County of Hood River

Signed and sworn to (or affirmed) before me on September 1, 2021, by Elizabeth M. Wright.

Rachel Beeson

Notary Public — State of Oregon



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