

Instream Lease Renewal Application (Standard or District)



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

Complete the questions below and include any required attachments

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

Instream Lease IL- 1842
Renewal Fee included ☒

The undersigned hereby request Instream Lease Number IL-1842 be renewed.

Fees: ☒ \$150.00 for an instream lease renewal application
☐ Check enclosed or ☐ Fee Charged to customer account _____ (Account name)

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Term of the Lease:

The lease is requested to begin in month October year 2025 and end month September year 2030

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Validity of the Right(s)

(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.
- ☐ If the water right(s) have not been used for the last five years, right(s). Documentation describing why the water right(s) is not subject to forfeiture is provided. ORS 540.610(2).

Termination provision (for multiyear leases):

The parties to the lease request:

- ☒ 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)

☒ 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 CREP)? SOME

The undersigned declare:

- 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
- The Lessor(s) certify that I/we are the holders of the water right(s) involved in this Instream Lease. If not the deeded land owner, I/we have provided documentation demonstrating authorization to pursue the lease application and/or consent from the deeded landowner; and
- All parties affirm that information provided in this lease application is true and accurate. Circumstances have not changed and all matters involved with or affected by the original instream lease remain as they were when the lease was previously approved. We also acknowledge that the terms and conditions of the original lease, referenced herein, are incorporated by reference in their entirety.

Robert S. Johnson
Signature of Lessor

Date: 6-5-2025

Printed name (and title):

Business name, if applicable:

Mailing Address (with state and zip):

Phone number (include area code):

**E-mail address:

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:

See next page for additional signatures.

Note: Lessor
S. Johnson
died on 5-6-2022
Robert S.
Johnson now
is the sole
owner of the
property. TACS
please see enclosed
deed for deed
documentation.

Signature of Co-Lessor

Date: _____

Printed name (and title): _____

District/organization name: _____

Mailing Address (with state and zip): _____

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

Signature of Co-Lessor

Date: _____

Printed name (and title): _____

Business/organization name: _____

Mailing Address (with state and zip): _____

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

Signature of Lessee

Date: _____

Printed name (and title): _____

Business/organization name: _____

Mailing Address (with state and zip): _____

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

**** BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED TO THE LESSOR.**

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I, Brenda Snow Potter, County Clerk for Wheeler
County, Oregon certify that the instrument identified
herein was recorded in the Clerk records
Brenda Snow Potter - County Clerk

After recording return to:
Robert S. Johnson
PO Box 68604
Tucson, AZ 85737
520-548-4992

Until a change is requested, all tax statements must be sent to the following address:
Robert S. Johnson
PO Box 68604
Tucson, AZ 85737

DEED OF PERSONAL REPRESENTATIVE

Robert Shannon Johnson, the duly appointed, qualified, and acting personal representative of the estate of Lenore Jeanne Johnson, deceased, Wheeler County probate number P-1163, Grantor, hereby conveys to Robert S. Johnson, also known as Robert Shannon Johnson, Grantee, all the estate, right and interest of the deceased at the time of decedent's death, and all the right, title and interest that the estate of the deceased by operation of law or otherwise may thereafter acquired, in the following described real property in the County of Wheeler, State of Oregon:

AS SET FORTH IN EXHIBIT A, ATTACHED HERETO AND INCORPORATED
HEREIN BY THIS REFERENCE.

This property is free from encumbrances except for those of record.
The true consideration for this conveyance is \$ None (Estate distribution).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT,
THE PERSON TRANSFERRING FEE TITLE SHOULD
INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER
ORS 195.300, 195.301 AND 195.305 TO 195.336 AND
SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007,
SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS
2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS
2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE
PROPERTY DESCRIBED IN THIS INSTRUMENT IN
VIOLATION OF APPLICABLE LAND USE LAWS AND
REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS
INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO
THE PROPERTY SHOULD CHECK WITH THE
APPROPRIATE CITY OR COUNTY PLANNING
DEPARTMENT TO VERIFY THAT THE UNIT OF LAND

1 – DEED OF PERSONAL REPRESENTATIVE

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BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: June 22, 2023.

ESTATE OF LENORE JEANNE JOHNSON

Robert Shannon Johnson
Robert Shannon Johnson, Personal Representative,
Of the Estate of Lenore Jeanne Johnson, Grantor

STATE OF Oregon)
)
COUNTY OF Wheeler) ss.

This instrument was acknowledged before me on June 22, 2023, by Robert Shannon Johnson personal representative.

/s/ Brenda Lee Snow Potter
Notary Public for Oregon
My commission expires: 11-7-2026

PERSONAL REPRESENTATIVE:

Robert Shannon Johnson
PO Box 68604, Tucson, AZ 85737
Telephone: 520-548-4992

Prepared by: LAWYER FOR PERSONAL REPRESENTATIVE:

Robert Shannon Johnson
OSB#: 890647
PO Box 68604, Tucson, AZ 85737
Telephone: 520-548-4992
Fax number: n/a
E-mail address:

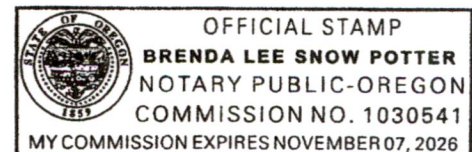


EXHIBIT "A"

Bald Mountain Pasture

Township 7 South – Range 21 East, W.M. (Tax lots 600 and 1000)

Section 2: SW1/4SE1/4; SW1/4; S1/2NW1/4; Lot 4 (40.49 acres), Excepting Therefrom, a tract of land deeded from Ira Hartzell and Josie Hartzell, husband and wife to the State of Oregon, recorded in Volume 21, Page 298 of the Wheeler County Deed records and containing 1.31 acres, more or less;

SWNE; N1/2SE1/4; SESE, all of which lies South and West of the John Day Highway

Section 3: SE1/4; S1/2NE; Lot 1 (40.54 acres), Lot 2 (40.61 acres).

Section 10: NENE; S1/2NE1/4; SE1/4; E1/2SW1/4

Section 11: N1/2N1/2; SWNW

Section 15: NENW; N1/2NE1/4, Save and Except a tract of land more particularly described as the N1/2NE1/4NW1/4NE1/4 in that certain Warranty Deed from Floyd S. Johnson to Fossil Telephone Company, recorded in Volume 34, Page 983 of the Wheeler County, Oregon Deed Records, containing 5.0 acres, more or less, including the right of reversion as set forth in Warranty Deed 34-983 which takes effect if the Fossil Telephone Company abandons the property for three years.

Township 6 South – Range 21 East, W.M.

Section 34: SWSE, except a parcel of land conveyed by Warranty Deed dated March 26, 1962, and recorded at Book 30, Page 276 of the Wheeler County Deed Records from Floyd S. Johnson & Lenore Jeanne Johnson, husband and wife, to F.B. Reese & Mary Reese, husband and wife, which is described as follows:

Beginning at the NW corner of the SW1/4SE1/4 of Section 34, Township 6 South, Range 21 East, WM; running thence to the NE corner of said forty; thence South along said Eastern boundary of said forty 660 ft.; thence in a Northwesterly direction directly to the point of beginning.

Section 34: A parcel of land in the SE1/4SE1/4 of Section 34 conveyed by Warranty Deed dated March 25, 1962, and recorded at Book 30, Page 275 of the Wheeler County Deed Records from F.B. Reese & Mary Reese, husband and wife to Floyd S. Johnson & Lenore Johnson, husband and wife, which is described as follows:

Beginning at the SE corner of the SE1/4SE1/4 Section 34, Township 6 South, Range 21 East, WM; running thence in the Northwesterly direction to a point 660 ft. South of the Northwest corner of the SE1/4SE1/4 of said section; thence South to the South boundary of said section; thence East directly to the point of beginning.

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Timber Pasture

Township 7 South – Range 22 East, WM (tax lot 400)

Section 4: W1/2W1/2; SESW

Section 5: Lot 1; E1/2 Lot2; S1/2NE1/4; SENW; NESW; SE1/4

Section 8: NE1/4; N1/2SW1/4; NWSE

Section 9: N1/2NW1/4

Fossil Home Place

Township 7 South – Range 21 East, WM (Tax lots 1900 and 2100)

Section 5: Lot 4 (Tax lot 1900)

Section 6: Lots 1, 2, and 3; Excepting Therefrom, a tract of land containing 0.23 acres, conveyed to the Fossil Telephone Exchange from F.S. Johnson by that certain Deed recorded in Volume 35, Page 343, of the Wheeler County Deed Records (Tax lot 2100).

Township 6 South – Range 21 East, WM (Tax lots 100, 1700, 2500, 2900 and 3000)

Section 31: SE1/4SW1/4; SE1/4 (Tax lot 2500)

Section 32: a part of the SWNE bounded on the South by the Western continuation of First Street of the City of Fossil, Oregon, to a point where said First Street intersects the former right-of-way of the Fossil to Condon, road; and thence North along said right-of-way to a point where said right-of-way intersects the present right-of-way of the John Day Highway, and thence Southeast along the right of way of the John Day Highway to the point of beginning and containing approximately 3.40 acres, (Tax lot 1700).

Also, part of the NW1/4SE1/4 of Section 32 described as follows: Commencing at the center of Section 32 Tp. 6 S.R. 21 E.W.M., thence South to the South edge of the County road which is an extension West of First Street of Fossil, Oregon and the starting point of this description; Thence South to the Center of Stone Cabin Creek; thence Northerly following the center of Stone Cabin Creek to the Center of Butte Creek; thence down the center of Butte Creek Northerly to the Southern edge of the road right of way which is a West extension of First Street of Fossil, Oregon; thence West along said southerly edge of said right of way to the point of beginning, containing 5.0 acres more or less; and generally described as being bounded on the North by 1st Street of Fossil, Oregon extended West; on the West by the property line of C.A. Johnson, Sr.; and on the East and South by Stone Cabin and Butte Creek.

Less the following tract of land conveyed by Warranty Deed dated, May 18, 1961, by Floyd S. Johnson and Lenore J. Johnson, husband and wife to L.J. Marks and Alice Marks, husband and wife, and recorded on May 19, 1961 at Book 30, page 152 and described as follows: A parcel of land lying in the W1/2E1/2 of Section 32, Township 6 South, Range 21 East, W.M.; the said parcel being more particularly described as follows: Beginning at a point opposite and 50 feet Northeasterly of Station 377+50 on

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the center line of the relocated John Day Highway; thence Northeasterly at right angles to said center line of its intersection with the West extension of the South line of First Street in the Town of Fossil; thence East along said extended South line to its intersection with that certain roadway used by Grantees herein for ingress and egress to their barn; thence South along the West side of said road to the center line of Butte Creek; thence down the center line of Butte Creek to its intersection with the center line of Stone Cabin Creek; thence up the center line of Stone Cabin Creek to its intersection with the North line of said relocated John Day Highway; thence West on the North line of said highway to the point of beginning.

The center line of the relocated John Day highway herein referred to being described as follows: Beginning at Engineer's center line Station 374+19.85, said Station being 131.15 ft. North and 2667.09 ft. West of the East quarter corner of said Section 32; thence on a spiral curve left (the long chord of which bears S. 43 degrees 04' E.) 400 ft.; thence on a 2864.79 ft. radius curve left (the long chord of which bears S. 52 degrees 53' 45" E.) 716.25 ft. to Station 385+36.10. (Tax lot 100)

Also, all that part of the Southeast quarter of Northwest quarter of Section 32, Township 6 South, Range 21 East of the Willamette Meridian; in Wheeler County, Oregon bounded and described as follows: Commencing at a point 7.0175 chains East and 400 feet 6 inches North of the center of said Section 32, running thence South 400 feet 6 inches; thence West 324 feet; thence in a northeasterly direction 513 feet more or less to place of beginning.

Also, the Southwest quarter of Section 32 and all that part of the Southeast quarter of the Northwest quarter of said Section 32 bounded as follows: Commencing at the center of Section 32; running thence North along the quarter section line 14.25 chains to the County Road; thence along said County Road North 64 degrees West 7.88 chains; thence South to quarter section line 18 chains; thence East on one quarter section line 7.0175 chains to place of beginning, containing 11.36 acres, more or less of said 40. All in Township 6 South, Range 21 East of the Willamette Meridian.

Less the following conveyed Nov. 24, 1961 by Matty D. Johnson et al to Morris E. Wilson et ux, deeds 30 page 228 as follows: Township 6 South, Range 21 East, WM, Section 32: That part of a certain tract described in deed, George T. Angell et ux to Charles A. Johnson, recorded in Deed Book 12, Page 39, records of said county and state, lying North of the old John Day Highway. An exact description of said highway being set forth in that certain deed, Charles A. Johnson et ux to Wheeler County, Oregon, recorded in Deed Book 13, page 511, records of said county and state. (Tax lot 2900)

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