



State of Oregon
Water Resources Department
725 Summer Street NE, Suite "A"
Salem, Oregon 97301-1271
(503) 986-0900

Application for Short-Term Instream Lease

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

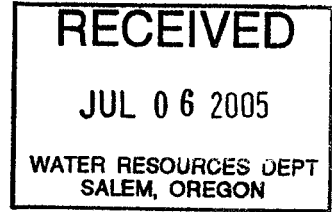
Pursuant to ORS 537.348(2) and OAR 690-077-0077

Optional Identification by Lessor/Lessee: _____
Lease Agreement Number (assigned by WRD): C-682

This Lease Agreement is between:

Lessor #1:

(Name) John von Schlegell / Sevenmile Creek Ranch
(Mailing address) 920 SW 6th Avenue, Suite 1400
(City, State, Zip Code) Portland, OR 97204-1241
(Telephone number) 503-223-2721
(Email address) _____



Lessor #2, 3, etc.

The water right to be leased is located in Klamath County.

Lessee (if different than Oregon Water Resources Department):

(Name) Klamath Basin Rangeland Trust
(Mailing address) 340 A Street #302
(City, State, Zip Code) Ashland, OR 97520
(Telephone number) 541-488-4822
(Email address) shannon.peterson@kbrt.org

Trustee:

Oregon Water Resources Department
725 Summer Street N.E., Suite "A"
Salem, OR 97301-1271
(503) 986-0900

~I~ Ownership and Water Right Information

- 1.1 Lessor #1 is the owner, or authorized agent for owner of property located at: Township 33 _____ S, Range 6 & 7.5 _____ E, Section 25,26,36 & 30,31 _____ and Tax Lot number 500, 400, 900, 5800, 5900, 6100 _____. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.
- 1.2 Lessor #2 is the (Check one):
 - Not applicable
 - Official representative of _____, the irrigation district which conveys water to the subject water rights.

Another party with an interest in the subject water rights representing _____.

1.3 For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.

Certificate No. 10895,10907, 10910, 10918, 10919, 10920, 10921, 10923, 10924, 10926
28201

Supplemental: 7899, 8261, 8262, 10036, 10896, 34998

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 **Subject water rights.** Lessor proposes to lease the water rights listed in 1.3. The right(s) to be leased are further described as follows:

Certificate No.: 10895

Priority date: 1890 Type of use: irrigation and stock water

Legal Season of Use: April 1 - October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres of the subject water right by legal description of township, range, section, and ¼ ¼ which will be dried up as part of this lease, and include a map (Attachment 2) showing the lands which will not receive water.

Place of use: T __, R __, Section __, ¼ ¼ - _____ acres to be leased
Enter additional places of use here, using format above:

Page _____ (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres being leased, if for irrigation: 157.2

Acre-feet of storage, if applicable: 0

Maximum rate associated with subject water rights (cfs): 3.14cfs from 4/1 to 7/20 and
1.97cfs from 7/21 to 10/01

(Use additional lines if there is more than one rate associated with the water right.)

Maximum duty associated with subject water rights (ac-ft): 786 AF

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any: none

If you need to enter another leased right, please use the additional water rights form.

1.6 **Validity of rights.** Lessor(s) attests (mark one) that:

the water has been used over the past five years according to the terms and conditions of the owner's water right certificate or as an instream water right or

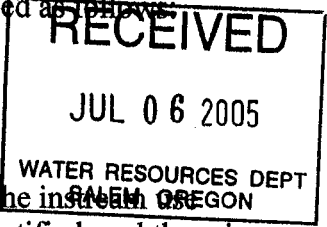
the water has not been used over the past five years according to the terms and conditions of the owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

~II~ Instream Water Right Information

2.1 **Public use.** This lease will increase streamflows which will benefit:

- Conservation, maintenance and enhancement of aquatic and fish life, wildlife, and fish and wildlife habitat
- Pollution abatement
- Recreation and scenic attraction

2.2 Instream use created by lease. The instream use to be created is described as follows:



Sevenmile Creek
Tributary to Agency Lake in the Klamath Basin.

Describe the point of diversion (POD) and any associated reach(es) of the instream use being created. If possible list the reach by river mile. If no reach is identified, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD. (If more than one POD is listed on the certificate, then the POD and any associated reach(es) must be identified): The POD is at R33S, T6W, Sec24 SW1/4 NW1/4. The water will be protected from the POD on Sevenmile Creek down to Agency Lake.

Maximum volume in acre-feet: 786

Rate in cfs: ~~3.14~~ cfs from 4/1 to 7/20 and 1.97 cfs from 7/21 to 10/01

(Use the section below to indicate a more restrictive period of use than allowed by the water right.)

2.29 (LKS)

Conditions to prevent injury, if any:

- None
- The instream flow will be allocated on a daily average basis up to the described rate from _____ through _____.
- Other (describe): _____

If you need to enter more instream uses, please use the additional water rights form.

2.3 Term of lease. This lease shall terminate on October 1, 2005.

2.4 Flow protection. The Trustee will regulate use of water from the source, subject to prior appropriation and the agency enforcement guidance, to assure the water is delivered to the point of diversion, and through the reach past junior downstream users, so long as flow is sufficient to meet the demand under priority date of the new instream use (see section 2.2). As part of regulation activities the watermaster or a designee has access to the point of diversion and place of use for the water rights involved in this lease. No party is required to continuously measure the flow of the waterway described in Section 2.2.

~III~ Other Information

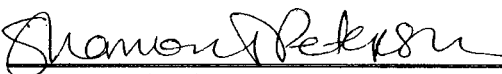
3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.

- 3.3 Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077- 0070 or OAR 690-077-0075 a new injury review shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.
- 3.4 Suspension of original use.** During the period of the lease, the owner agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.
- 3.5 Termination provision.**
 For multiyear leases, lessor *shall* have the option of terminating the lease each year, prior to the lease being exercised (____), with 30 day written notice to the Department.
 For multiyear leases, lessor *shall not* have the option of terminating the lease each year, prior to the lease being exercised, with written notice to the Department.
- 3.6 Modification to prevent injury.** Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.
- 3.7 Fees.** Effective October 1, 2003, pursuant to ORS 536.050 (1)(v) (2003 SB 820), the following fee is included:
 \$200 for an application with four or more landowners or four or more water rights.
 \$100 for all other applications.

Lessor #1:  Date: 7/1/05
John von Schlegel

For additional Lessors, type in space for signature and date
 Lessor #2: _____ Date: _____

Lessee:  Date: June 28, 2005
Klamath Basin Rangeland Trust (Shannon Peterson)

Other Attachments as Needed:

- Attachment 1: Tax Lot Map of Lessor's Property (required if landowner is not the sole landowner to lands for which the subject water rights are appurtenant)
- Attachment 2: Detailed map illustrating lands under subject rights to be leased (required if only part of a right is being leased instream).
- Attachment 3: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 is checked)
- Attachment 4: Split Season Instream Use Form

STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

This is to Certify That THE ESTATE OF GEO. N. BLOOMINGCAMP, by Edw. Bloomingcamp, Admr., and J.W. Siemens, of Klamath Falls, State of Oregon have ~~xxx~~ a right to the use of the waters of Seven Mile Creek

for the purpose of Irrigation of 157.2 acres, and stock purposes,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Klamath County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 269; that the priority of the right thereby confirmed dates from 1890;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/50th of one cubic foot per second per acre irrigated prior to July 20th and 1/80th of one cubic foot per second per acre irrigated thereafter, and shall not exceed 5 acre feet per acre during irrigation season from April 1st to October 1st of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

- 59.5 acres in NE 1/4 NW 1/4,
40.0 acres in NW 1/4 NW 1/4,
59.5 acres in SW 1/4 NW 1/4,
58.6 acres in SE 1/4 NW 1/4,
Section 21,
T. 53 S., R. 7 1/2 East, W.M.

AND said right shall be subject to all other conditions and limitations contained in said Decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

affixed this 1st day

of September, 1984.

CHAS. E. STRICKLIN

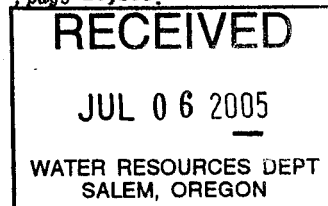
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 10

page 10,895.

POD
33 6 24 SWNW

5



Additional Information

Section 1.4, (Standard Leasing Form) cont.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3. The right(s) to be leased are further described as follows:

Certificate No.: 10907

Priority date: 1890 Type of use: Irrigation

Legal Season of Use (if not listed on the certificate): April 1 to October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 3) showing the lands which will not receive water.

Place of use: T N, R W., Section , 1/4 1/4 - acres to be leased
Enter additional places of use here, using format above:

Page (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres, if for irrigation: 79.3

Acre-feet of storage, if applicable:

Rate associated with leased rights (cfs): 1.59cfs from 4/1 to 7/20 and 0.99cfs from 7/21 to 10/01
(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 396.5 AF
(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any: none

Section 2.2, cont.

Instream use created by lease. The instream use to be created is described as follows:

Sevenmile Creek
Tributary to Agency Lake in the Klamath Basin.

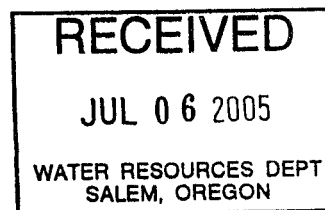
Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease will be processed to be protected at the point of diversion): The POD is at R33S T6W Sec25 NE1/4 SW1/4. The water will be protected from the POD on Sevenmile Creek down to Agency Lake.

Total volume in acre-feet: 396.5

Rate in cfs: 1.59cfs from 4/1 to 7/20 and 0.99cfs from 7/21 to 10/01
1.15 (LKS)

Conditions to prevent injury, if any:

- None
- The instream flow will be allocated on a daily average basis up to the described rate from through .
- Other (describe):



STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

This is to Certify, That CARY V. LOOSLEY

of Fort Klamath, State of Oregon, has a right to the use of the waters of Seven Mile Creek,

for the purpose of Irrigation of 79.5 acres,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Klamath County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 269; that the priority of the right thereby confirmed dates from 1890;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/50th of one cubic foot per second per acre irrigated prior to July 20th and 1/80th of one cubic foot per second per acre irrigated thereafter, and shall not exceed 5-acre feet per acre during irrigation season from April 1st to October 1st of each year. A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

40 acres in NE 1/4 NW 1/4,
59.5 acres in SE 1/4 NW 1/4,
Section 36,
T. 35 S., R. 6 E., W.M.

AND said right shall be subject to all other conditions and limitations contained in said Decree. The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,
affixed this 1st day
of September, 1934.

CHAS. E. STRICKLIN
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 10, page 10,907

POD
33 6 25 NESW

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SALEM, OREGON

Additional Information

Section 1.4, (Standard Leasing Form) cont.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.

The right(s) to be leased are further described as follows:

Certificate No.: 10910

Priority date: 1890 Type of use: irrigation

Legal Season of Use (if not listed on the certificate): April 1- October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and ¼ ¼ which will be dried up as part of this lease, and include a map (Attachment 3) showing the lands which will not receive water.

Place of use: T N, R W, Section , ¼ ¼ - acres to be leased

Enter additional places of use here, using format above:

Page (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres, if for irrigation: 158.6

Acre-feet of storage, if applicable:

Rate associated with leased rights (cfs): 3.17cfs from 04/01 to 07/20 and 1.98cfs from 07/21 to 10/01

(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 793

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any:

Section 2.2, cont.

Instream use created by lease. The instream use to be created is described as follows:

Sevenmile Creek

Tributary to Agency Lake in the Klamath Basin.

Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease will be processed to be protected at the point of diversion): OD is 33.0S-6.0E-25-NESW. The water will be protected from the POD in Sevenmile Creek, down to Agency Lake

Total volume in acre-feet: 793

Rate in cfs: ~~3.17~~ cfs from 04/01 to 07/20 and ~~1.98~~ cfs from 07/21 to 10/01

2.37

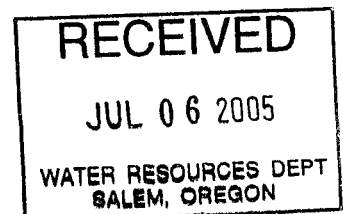
1.97

Conditions to prevent injury, if any:

None

The instream flow will be allocated on a daily average basis up to the described rate from through .

Other (describe):



STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

This is to Certify, That **EMEA T. LOOSLEY**

of **Fort Klamath**, State of **Oregon**, has a right to the use of
the waters of **Seven Mile Creek**,
for the purpose of **Irrigation of 158.6 acres**,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Klamath County, and the said decree entered of record at Salem, in the Order
Record of the STATE ENGINEER, in Volume **12**, at page **269**; that the priority
of the right thereby confirmed dates from **1890**;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed **1/50th** of one cubic
foot per second per acre irrigated prior to July 20th and **1/80th** of one cubic
foot per second per acre irrigated thereafter, and shall not exceed **5 acre feet**
per acre during irrigation season from April 1st to October 1st of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant
(or, if for other purposes, the place where such water is put to beneficial use), is as follows:

40.0 acres in ~~NE 1/4~~
40.0 acres in ~~NW 1/4~~
59.5 acres in ~~SW 1/4~~
59.5 acres in ~~SE 1/4~~,
Section 36,
T. 55 S., R. 6 E., W. 4.

AND said right shall be subject to all other conditions and limitations
contained in said Decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place
of use herein described.

WITNESS the signature of the State Engineer,

affixed this **1st** day
of **September**, 193 **4**.

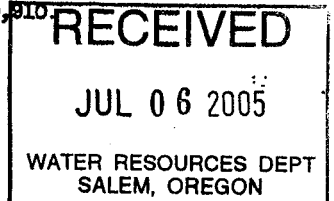
CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 10, page 10, 910.

33' 6 25 NESW

9



Additional Information

Section 1.4, (Standard Leasing Form) cont.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3. The right(s) to be leased are further described as follows:

Certificate No.: 10918

Priority date: 1891 Type of use: Irrigation and stock

Legal Season of Use (if not listed on the certificate): April 1 - October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and ¼ ¼ which will be dried up as part of this lease, and include a map (Attachment 3) showing the lands which will not receive water.

Place of use: T N, R W., Section , ¼ ¼ - acres to be leased
Enter additional places of use here, using format above:

Page (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres, if for irrigation: 226.2

Acre-feet of storage, if applicable:

Rate associated with leased rights (cfs): 4.52cfs from 04/01 to 07/20 and 2.83cfs from 07/21 to 10/01

(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 1131

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any:

Section 2.2, cont.

Instream use created by lease. The instream use to be created is described as follows:

Short Creek

Tributary to Sevenmile Creek, Agency Lake in the Klamath Basin.

Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease will be processed to be protected at the point of diversion): 33.0S-6.0E-26-NENE. The water will be protected from the POD in Short Creek, through Sevenmile Creek down to Agency Lake

Total volume in acre-feet: ~~430~~ 1131.0 UKS

Rate in cfs: ~~4.52~~ 3.85 cfs from 04/01 to 07/20 and ~~2.83~~ 1.98 cfs from 07/21 to 10/01

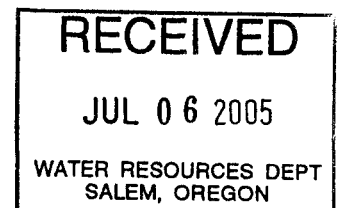
UKS

Conditions to prevent injury, if any:

None

The instream flow will be allocated on a daily average basis up to the described rate from through .

Other (describe):



STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

This is to Certify, That S. C. MILLER

of Dillard, State of Oregon, has a right to the use of the waters of Short Creek, tributary of Seven Mile Creek, for the purpose of Irrigation of 226.2 acres, and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Klamath County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 269; that the priority of the right thereby confirmed dates from 1891;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/50th of one cubic foot per second per acre irrigated prior to July 20th and 1/80th of one cubic foot per second per acre irrigated thereafter, and shall not exceed 5 acre feet per acre during irrigation season April 1st to October 1st of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

- 55.6 acres in SW 1/4 NW 1/4
- 2.4 acres in SE 1/4 NW 1/4
- 40.0 acres in NW 1/4 SW 1/4
- 40.0 acres in SW 1/4 SW 1/4
- Section 25,
- 57.2 acres in SE 1/4 NE 1/4
- 40.0 acres in NE 1/4 SE 1/4
- 2.0 acres in SW 1/4 SE 1/4
- 29.0 acres in SE 1/4 SE 1/4,
- Section 26,
- T. 35 S., R. 6 East, W.N.

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 WATER RESOURCES DEPT
 SALEM, OREGON

AND said right shall be subject to all other conditions and limitations contained in said Decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

affixed this 1st day of September, 1934.

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 10, page 10,918.

33 6 26 MEME

STATE OF OREGON

COUNTY OF KLANATH

CERTIFICATE OF WATER RIGHT

This is to Certify, That S. C. MILLER

of Dillard, State of Oregon, has a right to the use of the waters of Unnamed Springs, tributary of Short Creek, tributary of Seven Hills Creek, for the purpose of Irrigation of 31 acres, and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Klamath County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 269; that the priority of the right thereby confirmed dates from 1891;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/50th of one cubic foot per second per acre irrigated prior to July 20th and 1/80th of one cubic foot per second per acre irrigated thereafter, and shall not exceed 5 acre feet per acre during irrigation season from April 1st to October 1st of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

20.0 acres in SW 1/4 SE 1/4
11.0 acres in SE 1/4 SE 1/4
Section 26,
T. 55 S., R. 6 East, W.M.

AND said right shall be subject to all other conditions and limitations contained in said Decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

affixed this 1st day

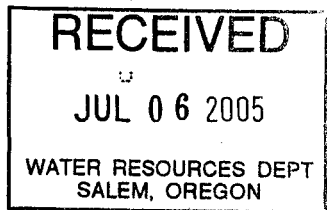
of September, 1934.

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 10, page 10,919

33 626



Additional Information

Section 1.4, (Standard Leasing Form) cont.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3. The right(s) to be leased are further described as follows:

Certificate No.: 10920

Priority date: 1891 Type of use: irrigation and stock

Legal Season of Use (if not listed on the certificate): April 1 - October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and ¼ ¼ which will be dried up as part of this lease, and include a map (Attachment 3) showing the lands which will not receive water.

Place of use: T N, R W, Section , ¼ ¼ - acres to be leased
Enter additional places of use here, using format above:

Page (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres, if for irrigation: 112

Acre-feet of storage, if applicable:

Rate associated with leased rights (cfs): 2.24cfs from 04/01 to 07/20 and 1.40cfs from 07/21 to 10/01

(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 560 AF

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any:

Section 2.2, cont.

Instream use created by lease. The instream use to be created is described as follows:

Bluesprings and unnamed springs, tributary to Sevenmile Creek
Tributary to Agency Lake in the Klamath Basin.

Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease will be processed to be protected at the point of diversion): POD is 33.0S-6.0E-23. The water will be protected from the POD in Blue Springs, through Sevenmile Creek down to Agency Lake.

Total volume in acre-feet: 560 AF

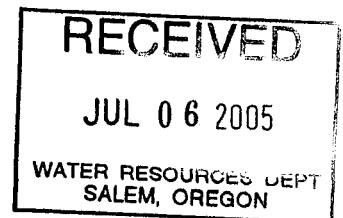
Rate in cfs: 2.24cfs from 04/01 to 07/20 and 1.40cfs from 07/21 to 10/01
1.49 1.0

Conditions to prevent injury, if any:

None

The instream flow will be allocated on a daily average basis up to the described rate from through .

Other (describe):



STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

This is to Certify, That S. C. MILLER

of Dillard, State of Oregon, has a right to the use of the waters of Blue Springs and unnamed springs, tributary to Seven Mile Creek, for the purpose of Irrigation of 112 acres and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Klamath County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 269; that the priority of the right thereby confirmed dates from 1891;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/50th of one cubic foot per second per acre irrigated prior to July 20th, and 1/80th of one cubic foot per second per acre irrigated thereafter, and shall not exceed 5 acre feet per acre during irrigation season from April 1st to October 1st of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

50.0 acres in SE 1/4 Section 25;
 12.0 acres in NE 1/4 Section 25;
 40.0 acres in NW 1/4 Section 25;
 50.0 acres in NE 1/4 Section 26;
 T. 55 S., R. 6 E., W.M.

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 SALEM, OREGON

AND said right shall be subject to all other conditions and limitations contained in said decrees.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

affixed this 1st day of September, 1934.

CHAS. E. STRICKLIN
 State Engineer.

Recorded in State Record of Water Right Certificates, Volume 10, page 10,920.

33 6 23

Additional Information

Section 1.4, (Standard Leasing Form) cont.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3. The right(s) to be leased are further described as follows:

Certificate No.: 10921

Priority date: 1898 Type of use: irrigation and stock

Legal Season of Use (if not listed on the certificate): April 1 - October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 3) showing the lands which will not receive water.

Place of use: T N, R W, Section , 1/4 1/4 - acres to be leased
Enter additional places of use here, using format above:

Page (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres, if for irrigation: 150

Acre-feet of storage, if applicable:

Rate associated with leased rights (cfs): 3.00cfs from 04/01 to 07/20 and 1.88cfs from 07/21 to 10/01

(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 750

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any:

Section 2.2, cont.

Instream use created by lease. The instream use to be created is described as follows:

Sevenmile Creek

Tributary to Agency Lake in the Klamath Basin Basin.

Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease will be processed to be protected at the point of diversion): POD is 33.0S-6.0E-24-SWNW. The water will be protected from the POD on Sevenmile Creek down to Agency Lake.

Total volume in acre-feet: 750

Rate in cfs: ~~3.00~~cfs from 04/01 to 07/20 and ~~1.88~~cfs from 07/21 to 10/01

2.46

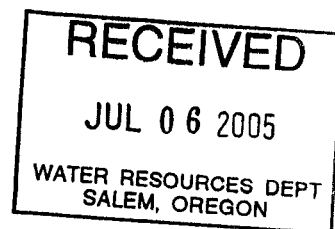
1.45 (LKS)

Conditions to prevent injury, if any:

None

The instream flow will be allocated on a daily average basis up to the described rate from through .

Other (describe):



STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

This is to Certify, That S. C. MILLER

of Millard, State of Oregon, has a right to the use of the waters of Seven Mile Creek,

for the purpose of Irrigation of 150.0 acres, and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Klamath County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 269; that the priority of the right thereby confirmed dates from 1898;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/50th of one cubic foot per second per acre irrigated prior to July 20th, and 1/80th of one cubic foot per second per acre irrigated thereafter, and shall not exceed 5 acre feet per acre during irrigation season from April 1st to October 1st of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

- 40.0 acres in NE 1/4 NE 1/4
 - 40.0 acres in NW 1/4 NE 1/4
 - 28.0 acres in NE 1/4 NW 1/4
 - 4.4 acres in SW 1/4 NW 1/4
 - 37.6 acres in SE 1/4 NW 1/4,
- Section 25;
T. 53 S., R. 6 East, W.M.

AND said right shall be subject to all other conditions and limitations contained in said Decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

affixed this 1st day

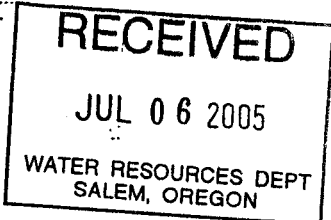
of September, 1934.

CHAS. E. STRICKLEN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 10, page 10,921

33 6 24 SWNW



Additional Information

Section 1.4, (Standard Leasing Form) cont.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3. The right(s) to be leased are further described as follows:

Certificate No.: 10923

Priority date: 1890 Type of use: Irrigation, domestic, and stock

Legal Season of Use (if not listed on the certificate): April 1 - October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 3) showing the lands which will not receive water.

Place of use: T N, R W, Section , 1/4 1/4 - acres to be leased
Enter additional places of use here, using format above:

Page (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres, if for irrigation: 140.8

Acre-feet of storage, if applicable:

Rate associated with leased rights (cfs): 2.82cfs from 04/01 to 07/20 and 1.76cfs from 07/21 to 10/0
(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 704
(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any:

Section 2.2, cont.

Instream use created by lease. The instream use to be created is described as follows:

Sevenmile Creek

Tributary to Agency Lake in the Klamath Basin.

Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease will be processed to be protected at the point of diversion): POD is 33.0S-6.0E-25-NESW. The water will be protected from the POD on Sevenmile Creek down to Agency Lake..

Total volume in acre-feet: 704

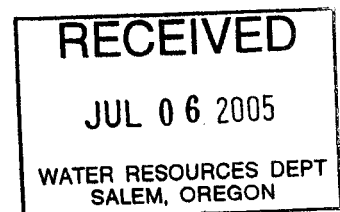
Rate in cfs: 2.82cfs from 04/01 to 07/20 and 1.76cfs from 07/21 to 10/01
2.38 1.26

Conditions to prevent injury, if any:

None

The instream flow will be allocated on a daily average basis up to the described rate from through .

Other (describe):



STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

This is to Certify, That NORTHWESTERN NATIONAL BANK OF PORTLAND, a corporation, of Portland, State of Oregon, has a right to the use of the waters of Seven Mile Creek,

for the purpose of Irrigation of 140.8 acres, domestic and stock use, and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Klamath County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 269; that the priority of the right thereby confirmed dates from 1890;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/50th of one cubic foot per second per acre irrigated prior to July 20th and 1/80th of one cubic foot per second per acre irrigated thereafter, and shall not exceed 5 acre feet per acre during irrigation season from April 1st to October 1st of each year. A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

- 59.2 acres in SE 1/4 SW 1/4
0.6 acre in NW 1/4 SE 1/4
40.0 acres in SW 1/4 SE 1/4
25.0 acres in SE 1/4 SE 1/4
Section 25;
T. 53 S., R. 6 East, W.M.
18.0 acres in SW 1/4 SW 1/4
18.0 acres in SE 1/4 SW 1/4,
Section 50;
T. 53 S., R. 7 1/2 East, W.M.

AND said right shall be subject to all other conditions and limitations contained in said Decree. The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

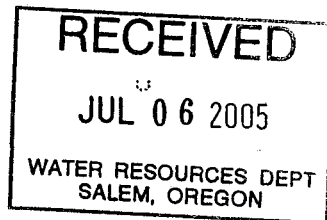
affixed this 1st day of September, 1904.

CHAS. E. STRICKLIN
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 10, page 10,925

33 6 25 NESW

19



Additional Information

Section 1.4, (Standard Leasing Form) cont.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.

The right(s) to be leased are further described as follows:

Certificate No.: 10924

Priority date: 1898 Type of use: Irrigation, domestic, and stock

Legal Season of Use (if not listed on the certificate): April 1 - October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 3) showing the lands which will not receive water.

Place of use: T N, R W., Section , 1/4 1/4 - acres to be leased

Enter additional places of use here, using format above:

Page (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres, if for irrigation: 377

Acre-feet of storage, if applicable:

Rate associated with leased rights (cfs): 7.54cfs from 04/01 to 07/20 and 4.71cfs from 07/21 to 10/01

(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): ~~1884~~ 1885.0 (CKS)

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any:

Section 2.2, cont.

Instream use created by lease. The instream use to be created is described as follows:

Sevenmile Creek

Tributary to Agency Lake in the Klamath Basin.

Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease will be processed to be protected at the point of diversion): POD is 33.0S-6.0E-25-NESW. The water will be protected from the POD on Sevenmile Creek down to Agency Lake..

Total volume in acre-feet: ~~1884~~ 1885.0 (CKS)

Rate in cfs: ~~7.54cfs from 04/01 to 07/20 and 4.71cfs from 07/21 to 10/01~~

6.32

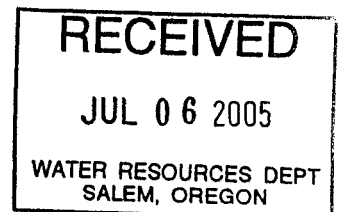
3.45

Conditions to prevent injury, if any:

None

The instream flow will be allocated on a daily average basis up to the described rate from through .

Other (describe):



STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

This is to Certify, That NORTHWESTERN NATIONAL BANK OF PORTLAND, a corporation, of Portland, State of Oregon, has a right to the use of the waters of Seven Mile Creek, for the purpose of Irrigation of 377.0 acres, and domestic and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Klamath County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 269; that the priority of the right thereby confirmed dates from 1898;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/50th of one cubic foot per second per acre irrigated prior to July 20th and 1/80th of one cubic foot per second per acre irrigated thereafter, and shall not exceed 5 acre feet per acre during irrigation season from April 1st to October 1st of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

40.0 acres in SW 1/4 NE 1/4
40.0 acres in SE 1/4 NE 1/4
40.0 acres in NE 1/4 SE 1/4
59.4 acres in NW 1/4 SE 1/4
15.0 acres in SE 1/4 SE 1/4
Section 25,
T. 55 S., R. 6 East, W.M.

40.0 acres in SW 1/4 NW 1/4
39.3 acres in SE 1/4 NW 1/4
39.3 acres in NE 1/4 SW 1/4
40.0 acres in NW 1/4 SW 1/4
22.0 acres in SW 1/4 SW 1/4
22.0 acres in SE 1/4 SW 1/4
Section 30,
T. 55 S., R. 7 1/2 East, W.M.

AND said right shall be subject to all other conditions and limitations contained in said Decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

affixed this 1st day of September, 1934.

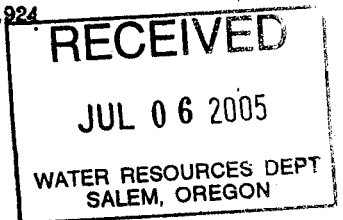
CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 10, page 10,924

33 6 25 NESW

21



Additional Information

Section 1.4, (Standard Leasing Form) cont.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3. The right(s) to be leased are further described as follows:

Certificate No.: 10926

Priority date: 1891 Type of use: irrigation

Legal Season of Use (if not listed on the certificate): April 1 - October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 3) showing the lands which will not receive water.

Place of use: T N, R W., Section , 1/4 1/4 - acres to be leased

Enter additional places of use here, using format above:

T 33S, R 7.5W, Section 30, NE1/4 NW1/4 - 39.3 acres to be leased

T 33S, R 7.5W, Section 30, NW1/4 NW1/4 - 40 acres to be leased

Page (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres, if for irrigation: 79.3

Acre-feet of storage, if applicable: 1.59 (LKS)

Rate associated with leased rights (cfs): ~~1.58~~ cfs from 04/01 - 07/20 and 0.99 cfs from 07/21 - 10/01

(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 396.5

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any:

Section 2.2, cont.

Instream use created by lease. The instream use to be created is described as follows:

Sevenmile Creek

Tributary to Agency Lake in the Klamath Basin.

Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease will be processed to be protected at the point of diversion): POD is R33S, T6W, Sec14 NE1/4 NE1/4. The water will be protected from the POD in Short Creek, through Sevenmile Creek, down to Agency Lake

Total volume in acre-feet: 396.5

Rate in cfs: ~~1.58~~ cfs from 04/01 - 07/20 and 0.99 cfs from 07/21 - 10/01

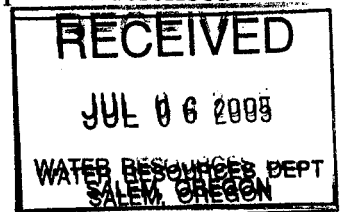
1.52 0.74 (LKS)

Conditions to prevent injury, if any:

None

The instream flow will be allocated on a daily average basis up to the described rate from through .

Other (describe):



STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

This is to Certify, That E. S. TURNER

of Fort Klamath, State of Oregon, has a right to the use of the waters of Seven Mile Creek, for the purpose of Irrigation of 397.8 acres,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Klamath County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 269; that the priority of the right thereby confirmed dates from 1891;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/50th of one cubic foot per second per acre irrigated prior to July 20th and 1/80th of one cubic foot per second per acre irrigated thereafter, and shall not exceed 5 acre feet per acre during irrigation season from April 1st to October 1st of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

- 40.0 acres in NE 1/4 SE 1/4
- 39.5 acres in NW 1/4 SE 1/4
- 39.3 acres in SW 1/4 SE 1/4
- 40.0 acres in SE 1/4 SE 1/4
- Section 19;
- 40.0 acres in NE 1/4 SW 1/4
- 40.0 acres in NW 1/4 SW 1/4
- Section 20,
- 40.0 acres in NE 1/4 NE 1/4
- 39.9 acres in NW 1/4 NE 1/4
- 39.3 acres in NE 1/4 NW 1/4
- 40.0 acres in Lot 1, (NW 1/4 NW 1/4)
- Section 30,
- T. 35 S., R. 7 1/2 East, W.M.

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AND said right shall be subject to all other conditions and limitations contained in said Decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

affixed this 1st day of September, 1934.

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 10, page 10,926.

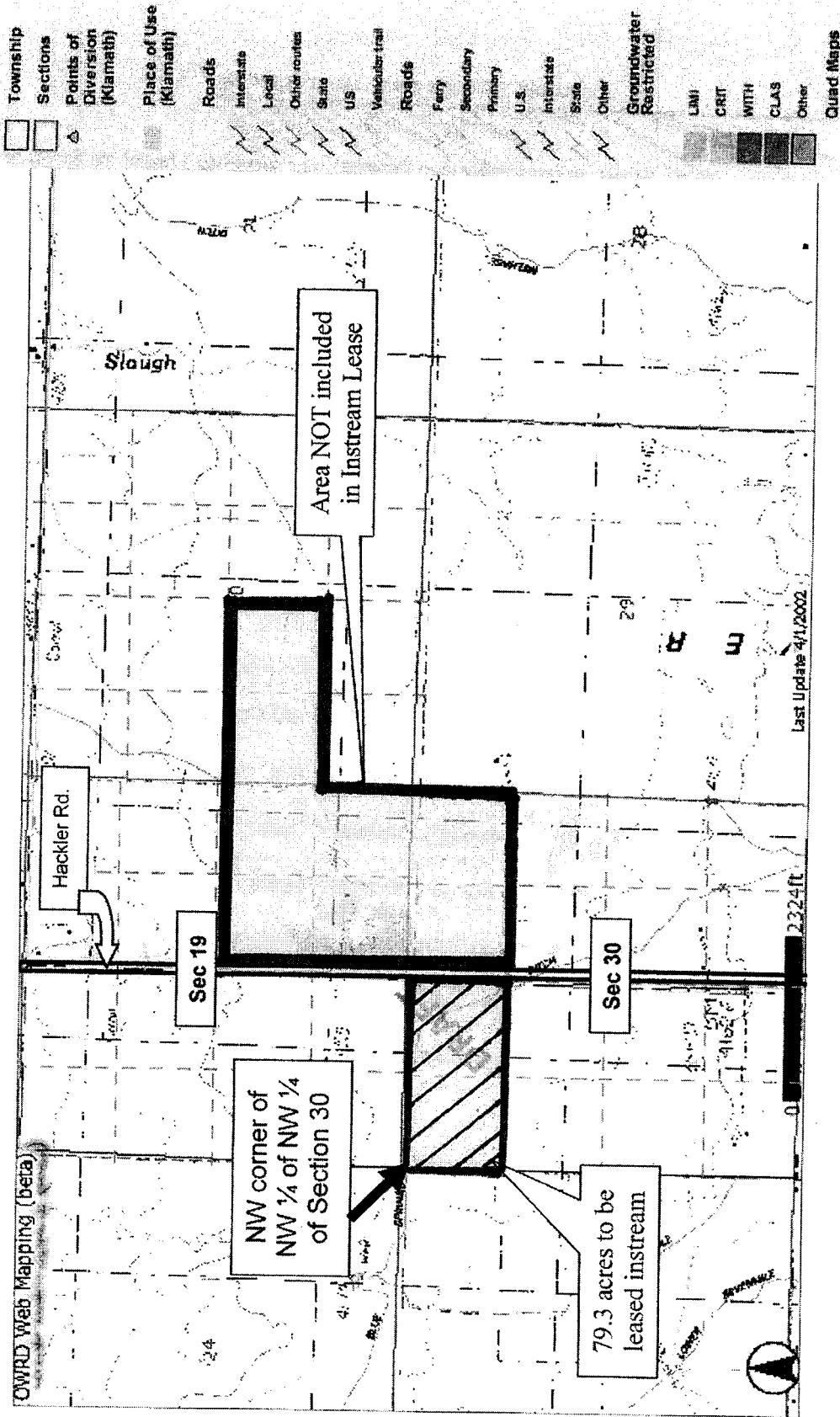
336 14 NENE

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WATER RESOURCES DEPT
SALEM, OREGON

Certificate 10926

To Be Leased:
T 33S, R 7.5E, Section 30
NE 1/4 NW 1/4 - 39.3 acres
NW 1/4 NW 1/4 - 40 acres



STATE OF OREGON
COUNTY OF Klamath
CERTIFICATE OF WATER RIGHT

This Is to Certify, That LOREN MILLER COMPANY

of Fort Klamath, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Blue Springs and Seven Mile Creek a tributary of Upper Klamath Lake and Klamath River for the purpose of irrigation of 21.2 acres

under Permit No. 23668 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from February 1, 1954

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.38 cubic foot per second; being 0.25 c.f.s. from Seven Mile Creek and 0.13 c.f.s. from Blue Springs,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE 1/4 SW 1/4, Section 24, T. 33 S., R. 6 E., W.M. NE 1/4 SW 1/4, Section 25, T. 33 S., R. 6 E., W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fourtieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.
 A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

| | | |
|--------------|------------------|-------------------------|
| Blue Springs | Seven Mile Creek | |
| 5.2 | 16.0 | acres NE 1/4 SW 1/4 |
| | | Section 25 |
| | | T. 33 S., R. 6 E., W.M. |

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SALEM, OREGON

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed
 this date. February 24, 1961

.....
 LEWIS A. STANLEY
 State Engineer

Recorded in State Record of Water Right Certificates, Volume 20, page 28201

33624 NWSW

Additional Information

Section 1.4, (Standard Leasing Form) cont.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.

The right(s) to be leased are further described as follows:

Certificate No.: 7899

Priority date: July 21, 1928 Type of use: Supp & pri

Legal Season of Use (if not listed on the certificate): April 1 - October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 3) showing the lands which will not receive water.

Place of use: T N, R W., Section , 1/4 1/4 - acres to be leased
Enter additional places of use here, using format above:

Page (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres, if for irrigation: 80 (79.3 ac of supp IR & 0.7 ac of primary IR)

Acre-feet of storage, if applicable:

Rate associated with leased rights (cfs): 1.0 cfs (0.991 cfs supp & 0.009 cfs pri)

(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 303.47 400 af (396.5 af supp & 35 af pri)

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any:

Section 2.2, cont.

Instream use created by lease. The instream use to be created is described as follows:

Blue Springs a tributary of Sevenmile Creek
Tributary to Agency Lake in the Klamath Basin.

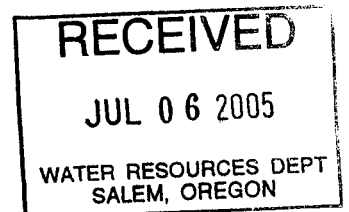
Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease will be processed to be protected at the point of diversion): POD is 33.0S-6.0E-24, NWSW. The water will be protected from the POD at the springs through Sevenmile Creek down to Agency Lake.

Total volume in acre-feet: 303.47 400 af

Rate in cfs: 1 cfs (0.991 cfs supp & 0.009 cfs pri)

Conditions to prevent injury, if any:

- None
- The instream flow will be allocated on a daily average basis up to the described rate from through .
- Other (describe):



STATE OF OREGON
COUNTY OF KLAMATH
CERTIFICATE OF WATER RIGHT

This is to Certify, That **E. S. Turner**
of **Fort Klamath**, State of **Oregon**, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Blud Spring
a tributary of **Seven Mile Creek** for the purpose of
Irrigation
under Permit No **565** of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from **July 21, 1928**;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
1.0 cubic foot per second;

The point of diversion is located in the **NW 1/4** of Section **24**, Township **33S**, Range **6E**, W. M.
The use hereunder for irrigation shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eighth of one cubic foot per second per
acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such
right is appurtenant (if for irrigation or any other purpose), is as follows: **40 acres in the**
NE 1/4 and **40 acres in NW 1/4 (Lot 1) Section 30, Township 33 South, Range 7E**
East of the Willamette Meridian in Klamath County, Oregon.

40
40
80

The right to the use of the water for any purpose is restricted to the lands or place of use
herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of
any federal power license issued in connection with this right, and after not less than two years
notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have
the right to take over the dams, plants and other structures and all appurtenances thereto which have
been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon
condition that before taking possession the State or municipality shall pay not to exceed the fair
value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and
dependable property of the holder of this certificate, not taken over, as may be caused by the
severance therefrom of the property taken in accordance with the provisions of section 5728,
Oregon Laws.

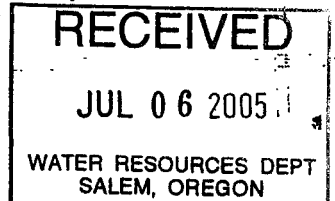
WITNESS the signature of the State Engineer,

affixed this **12th** day
of **January**, 19 **29**

.....
Rhea Luper
State Engineer.

Recorded in State Record of Water Right Certificates, Volume **8**, page **7899**

33 06 24 NWSW



Additional Information

Section 1.4, (Standard Leasing Form) cont.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.
The right(s) to be leased are further described as follows:

Certificate No.: 8261

Priority date: September 25, 1928 Type of use: Irrigation, domestic, and stock (supplemental to Cert #10921)

Legal Season of Use (if not listed on the certificate): April 1 - October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 3) showing the lands which will not receive water.

Place of use: T ___ N, R ___ W., Section __, ___ 1/4 ___ 1/4 - _____ acres to be leased
Enter additional places of use here, using format above:

Page _____ (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres, if for irrigation: 150

Acre-feet of storage, if applicable: _____

Rate associated with leased rights (cfs): 2.0 cfs (~~1.88 cfs to remain under max duty limit~~) (LKS)
(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 569 750
(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any: Limited in accordance with the stipulation between the permittee and the Oregon State Game Commission, the provision of which are in incorporated in permit 9179.

Section 2.2, cont.

Instream use created by lease. The instream use to be created is described as follows:

Blue Springs a tributary of Sevenmile Creek
Tributary to Agency Lake in the Klamath Basin.

Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease will be processed to be protected at the point of diversion): POD is 33.0S-6.0E-24, NWSW. The water will be protected from the POD at the springs through Sevenmile Creek down to Agency Lake.

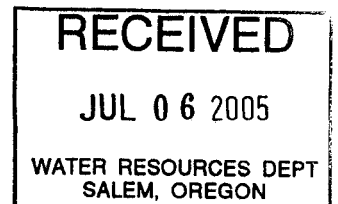
Total volume in acre-feet: 569 750

Rate in cfs: ~~1.88 cfs~~
2.0

Conditions to prevent injury, if any:

None

The instream flow will be allocated on a daily average basis up to the described rate from _____ through _____.



STATE OF OREGON
COUNTY OF KLAMATH
CERTIFICATE OF WATER RIGHT

This is to Certify, That S. C. Miller

of Dillard, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Blue Springs a tributary of Seven Mile Creek Irrigation, Domestic and Stock for the purpose of under Permit No. 9179 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 25, 1928;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 2.0 cubic feet per second;

The point of diversion is located in the NW¹/₄ of Section 24, Township 33S, Range 6E, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: 40 acres in the NE¹/₄NE¹/₄, 40 acres in the NW¹/₄NE¹/₄, 28 acres in the NE¹/₄NW¹/₄, 4.4 acres in the SW¹/₄NW¹/₄, 37.6 acres in the SE¹/₄NW¹/₄, Section 25, Township 33 South, Range 6 East of the Willamette Meridian in Klamath County, Oregon.

The right hereunder is specifically limited in accordance with the stipulation between the Permittee and the Oregon State Game Commission, the provisions of which stipulation are incorporated in said permit.

The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5728, Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this 25th day of October, 19 29

Rhea Luper
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 8, page 8261

33 06 24 NW8W

30

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WATER RESOURCES DEPT
SALEM, OREGON

Additional Information

Section 1.4, (Standard Leasing Form) cont.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3. The right(s) to be leased are further described as follows:

Certificate No.: 8262

Priority date: October 24, 1928 Type of use: Irrigation (supplemental to Cert #10895)

Legal Season of Use (if not listed on the certificate): April 1 - October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 3) showing the lands which will not receive water.

Place of use: T N, R W, Section , 1/4 1/4 - acres to be leased
Enter additional places of use here, using format above:

Page (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres, if for irrigation: 157.2

Acre-feet of storage, if applicable:

Rate associated with leased rights (cfs): 2.0 cfs (~~1.97 cfs to remain under max duty limit~~) (CRS)
(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 596.32 786.0
(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any: Limited in accordance with the stipulation between the permittee and the Oregon State Game Commission, the provision of which are incorporated in permit 9131.

Section 2.2, cont.

Instream use created by lease. The instream use to be created is described as follows:

Blue Springs a tributary of Sevenmile Creek
Tributary to Agency Lake in the Klamath Basin.

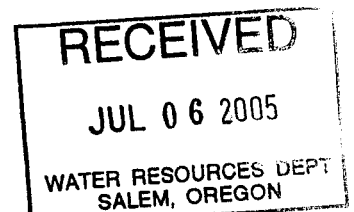
Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease will be processed to be protected at the point of diversion): POD is 33.0S-6.0E-24, NWSW. The water will be protected from the POD at the springs through Sevenmile Creek down to Agency Lake.

Total volume in acre-feet: 596.32 786.0

Rate in cfs: 1.97 cfs
2.0

Conditions to prevent injury, if any:

- None
- The instream flow will be allocated on a daily average basis up to the described rate from through .
- Other (describe):



STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

This is to Certify, That Edward Bloomingcamp & J. W. Siemens

of Klamath Falls, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Blue Springs

a tributary of Seven Mile Creek for the purpose of Irrigation under Permit No. 9151 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from October 24, 1928;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 2.0 cubic feet per second;

The point of diversion is located in the NW 1/4 of Section 24, Township 33S, Range 6E, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: 40 acres in the NW 1/4, 39.3 acres in the NE 1/4, 39.3 acres in the SW 1/4 and 39.6 acres in the SE 1/4, Section 21, Township 33 South, Range 7 1/2 East of the Willamette Meridian in Klamath County, Oregon.

The right hereunder is specifically limited in accordance with the stipulation between the Permittee and the Oregon State Game Commission, the provisions of which stipulation are incorporated in said permit.

The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5722, Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this 25th day of October, 19 28

Rhea Luper

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 8, page 8262

3306 24 NWSW



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WATER RESOURCES DEPT SALEM, OREGON

Additional Information

Section 1.4, (Standard Leasing Form) cont.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3. The right(s) to be leased are further described as follows:

Certificate No.: 10036

Priority date: Aug 31, 1928 and Jan 15, 1929 Type of use: Irrigation (supplemental to Cert #10924)

Legal Season of Use (if not listed on the certificate): May 11 - October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 3) showing the lands which will not receive water.

Place of use: T N, R W,, Section , 1/4 1/4 - acres to be leased
Enter additional places of use here, using format above:

Page (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres, if for irrigation: 377

Acre-feet of storage, if applicable:

Rate associated with leased rights (cfs): 2.25 cfs from 1928 and 2.49 cfs from 1929
(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 1335.93 (1885.0 (LKS))
(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any:

Section 2.2, cont.

Instream use created by lease. The instream use to be created is described as follows:

Blue Springs a tributary of Sevenmile Creek
Tributary to Agency Lake in the Klamath Basin.

Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease will be processed to be protected at the point of diversion): POD is 33.0S-6.0E-24, NWSW. The water will be protected from the POD at the springs through Sevenmile Creek down to Agency Lake.

Total volume in acre-feet: 638.18 (minimum ... based on 1928 right)

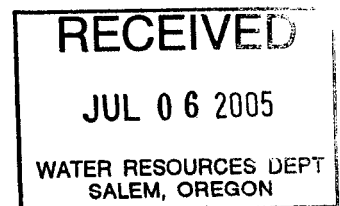
Rate in cfs: 4.74 cfs (2.25 cfs from 1928 + 2.49 from 1929) (LKS)
1344.45 (638.19 from 1928 + 706.26 from 1929)

Conditions to prevent injury, if any:

None

The instream flow will be allocated on a daily average basis up to the described rate from through .

Other (describe):



STATE OF OREGON
COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, That CARY V. LOOSLEY of Ft. Klamath, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Blue Springs, a tributary of Seven Mile Creek, for the purpose of supplemental irrigation under Permit No. 9122 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from August 31, 1928, for 2.25 cubic feet per second, and from January 15, 1929, for 2.49 cubic feet per second; that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 4.74 cubic feet per second. The point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 33 South, Range 6 East, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eighth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation, or any other purpose), is as follows:

40 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
40 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
40 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
39.4 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
15 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 25,
Township 33 South, Range 6 East, W. M.

40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
39.5 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
39.3 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
40 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
22 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
22 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 30,
Township 33 South, Range 7 $\frac{1}{2}$ East, W. M.

This right is specifically limited to a period of use extending from May 11th to October 1st of each year unless permission is given by the Oregon State Game Commission or the State Engineer to divert water for irrigation earlier than May 11th, and such permission shall not be given by the State Engineer in any case unless it is found by him that the diversion before May 11th will not deprive the Oregon State Game Commission of sufficient water for the proper maintenance and operation of its present egg-taking station on Seven Mile Creek.

The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of Section 47-503, Oregon Code 1920.

WITNESS the signature of the State Engineer,
affixed this 1st day of June, 1933.

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 9, page 10036.

33 06 24 NWSW

3A

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JUL 06 2005

WATER RESOURCES DEPT
SALEM, OREGON

Additional Information

Section 1.4, (Standard Leasing Form) cont.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3. The right(s) to be leased are further described as follows:

Certificate No.: 10896

Priority date: 1898 Type of use: Irrigation (supplemental to Cert #10895) and stock water

Legal Season of Use (if not listed on the certificate): April 1 - October 1

Is the entire water right certificate being leased? [X] Yes [] No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 3) showing the lands which will not receive water.

Place of use: T N, R W, Section , 1/4 1/4 - acres to be leased
Enter additional places of use here, using format above:

Page (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres, if for irrigation: 157.2

Acre-feet of storage, if applicable:

Rate associated with leased rights (cfs): 3.14cfs from 4/1 to 7/20 and 1.97cfs from 7/21 to 10/01
(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 786 AF
(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any:

Section 2.2, cont.

Instream use created by lease. The instream use to be created is described as follows:

Sevenmile Creek
Tributary to Agency Lake in the Klamath Basin.

Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease will be processed to be protected at the point of diversion: POD is 33.0S-6.0E-24, SWNW. The water will be protected from the POD through Sevenmile Creek down to Agency Lake.

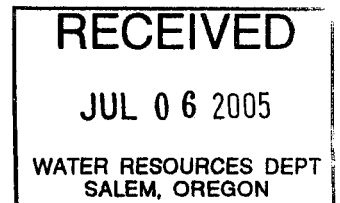
Total volume in acre-feet: 786 AF

Rate in cfs: 3.14cfs from 4/1 to 7/20 and 1.97cfs from 7/21 to 10/01

2.29 (LKS)

Conditions to prevent injury, if any:

- [X] None
[] The instream flow will be allocated on a daily average basis up to the described rate from through.
[] Other (describe):



STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

This is to Certify, That THE ESTATE OF GEO. W. BLOOMINGCAMP, by Edward Bloomingcamp, Admr., and J. W. Siemens, of Klamath Falls, State of Oregon, have ~~for~~ a right to the use of the waters of Seven Mile Creek

for the purpose of Supplemental Irrigation of 157.2 acres, and Stock purposes,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Klamath County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 289; that the priority of the right thereby confirmed dates from 1898;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/50th of one cubic foot per second per acre irrigated prior to July 20th and 1/80th of one cubic foot per second per acre irrigated thereafter, and shall not exceed 5 acre feet per acre during irrigation season from April 1st to October 1st of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

59.5 acres in NE 1/4 NW 1/4
40.0 acres in NW 1/4 NW 1/4
59.5 acres in SW 1/4 NW 1/4
58.6 acres in SE 1/4 NW 1/4
Section 51,
T. 55 S., R. 7 1/2 East, W.M.

AND said right shall be subject to all other conditions and limitations contained in said Decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

affixed this 1st day
of September, 1924

CHAS. E. STRICKLIN
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 10, page 10,896

33 6 24 SW 1/4

26

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WATER RESOURCES DEPT
SALEM, OREGON

Additional Information

Section 1.4, (Standard Leasing Form) cont.

Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.
The right(s) to be leased are further described as follows:

Certificate No.: 34998

Priority date: September 28, 1962 Type of use: Irrigation (supplemental to Cert #10895, 10910)

Legal Season of Use (if not listed on the certificate): April 1 - October 1

Is the entire water right certificate being leased? Yes No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 3) showing the lands which will not receive water.

Place of use: T N, R W, Section , 1/4 1/4 - acres to be leased
Enter additional places of use here, using format above:

Page (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres, if for irrigation: 126.3

Acre-feet of storage, if applicable:

Rate associated with leased rights (cfs): 2.53 cfs (~~2.08 cfs to remain below max duty limit~~) (LKS)
(Use additional lines if there is more than one rate associated with the water right.)

Duty associated with leased rights (AF): 631.50

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any:

Section 2.2, cont.

Instream use created by lease. The instream use to be created is described as follows:

Unnamed drain, tributary to Sevenmile Creek
Tributary to Agency Lake in the Klamath Basin.

Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease will be processed to be protected at the point of diversion): POD is 33.0S-6.0E-36, NE1/4 NE1/4, located 10 ft south and 10 ft west from NE corner of Section 36. The water will be protected from the POD through Sevenmile Creek down to Agency Lake.

Total volume in acre-feet: 631.50 AF

Rate in cfs: 2.08 cfs
(.74)

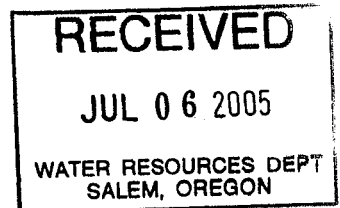
Conditions to prevent injury, if any:

None

The instream flow will be allocated on a daily average basis up to the described rate from through .

Other (describe):

37



STATE OF OREGON
COUNTY OF KLAMATH
CERTIFICATE OF WATER RIGHT

This Is to Certify, That WILLIAM S. and DONNA L. NICHOLSON

of Fort Klamath, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of an unnamed drain

a tributary of Seven Mile Creek and Upper Klamath Lake for the purpose of supplemental irrigation of 126.3 acres

under Permit No. 29502 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 28, 1962

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 2.53 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE 1/4 NE 1/4, Section 36, T. 33 S., R. 6 E., W. M. Diversion point located 10 feet South and 10 feet West from NE Corner, Section 36.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fiftieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 5 acre feet per acre for each acre irrigated during the irrigation season of each year;

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

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

- 25.8 acres NE 1/4 NE 1/4
- 25.2 acres SE 1/4 NE 1/4
- Section 36
- T. 33 S., R. 6 E., W. M.
- 20.2 acres NE 1/4 NW 1/4
- 39.7 acres Lot 1 (NW 1/4 NW 1/4)
- 12.6 acres Lot 2 (SW 1/4 NW 1/4)
- 2.8 acres SE 1/4 NW 1/4
- Section 31
- T. 33 S., R. 7 1/2 E., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed this date. June 28, 1968

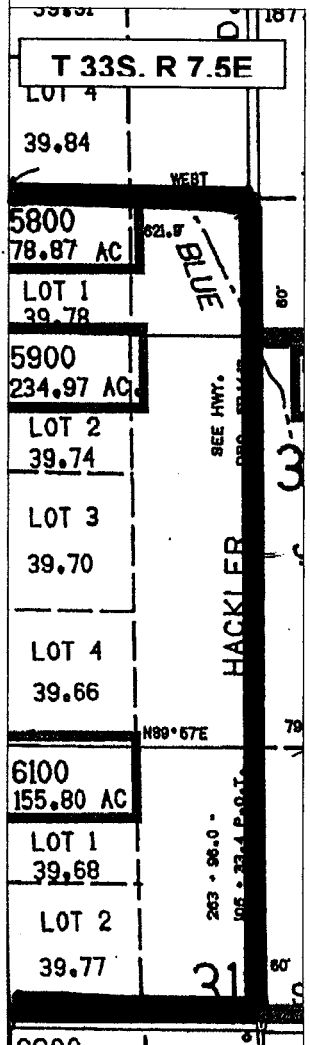
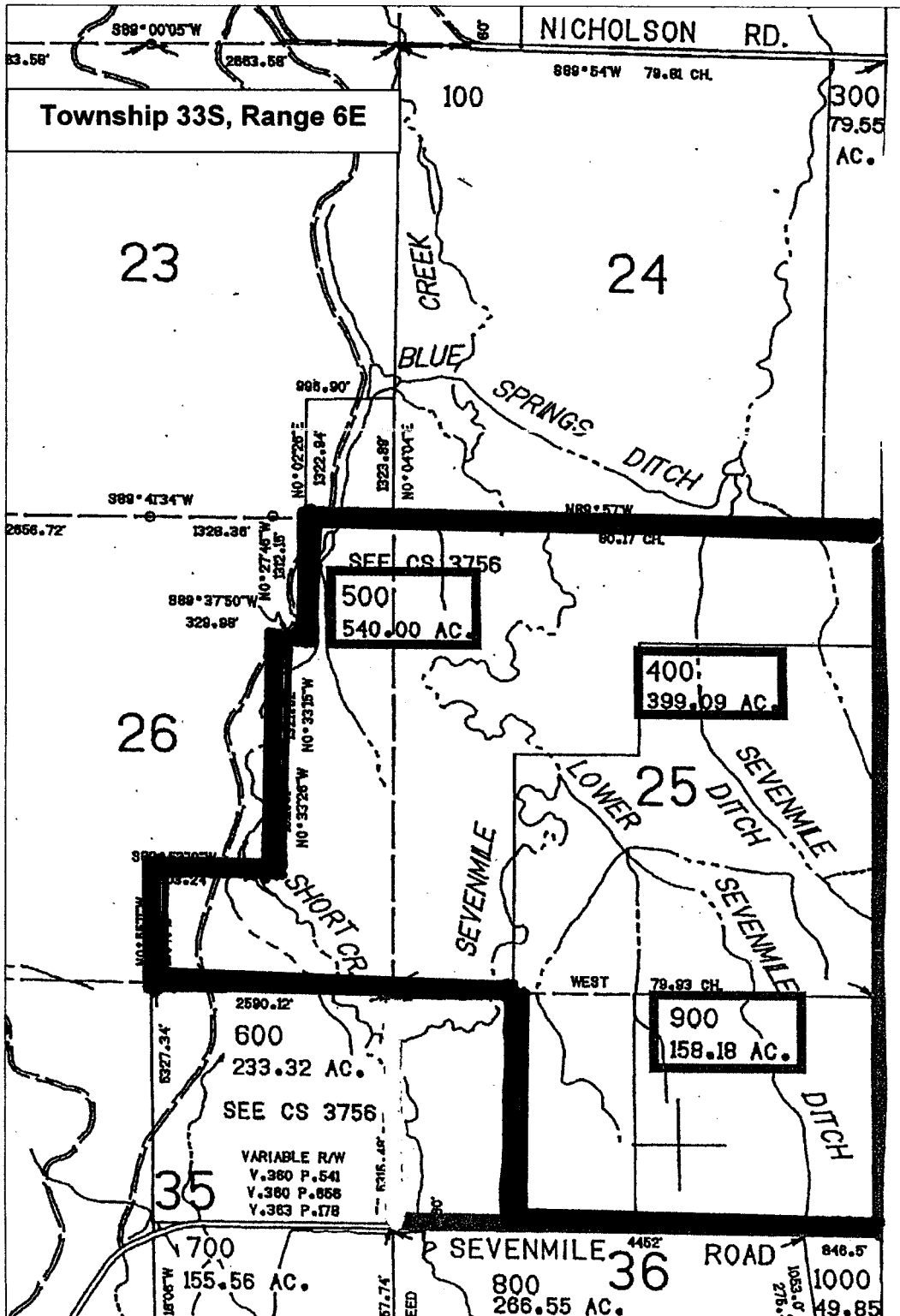
CHRIS L. WHEELER
State Engineer

Recorded in State Record of Water Right Certificates, Volume 27, page 34990

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JUL-06-2005
WATER RESOURCES DEPT
SALEM, OREGON

33636 NENE 28

Sevenmile Creek Ranch / John von Schlegell
 None of the property outlined below will be irrigated in the 2005 season



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 JUL 06 2005
 WATER RESOURCES DEPT
 SALEM, OREGON



July 27, 2005

Laura Snedaker
Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301-1271

RECEIVED
JUL 27 2005
WATER RESOURCES DEPT
SALEM, OREGON

RE: Instream Lease for von Schlegell, Sevenmile Creek Ranch

Dear Laura,

I am writing to clarify some points regarding the Instream Lease application for the von Schlegell (Sevenmile Creek Ranch.) water rights in Klamath County for the 2005 season. Upon review of our lease application (at your request) there were some evident errors on our application regarding the amount of water to be leased instream.

Sevenmile Creek Ranch, represented by John von Schlegell, wishes to lease instream their **entire water rights**, for the **entire season appurtenant to each Certificate**, for the following Certificates:

| | | | | | |
|---------------------|-------|-------|-------|-------|-------|
| Certificates | 10985 | 10907 | 10910 | 10918 | 10919 |
| 10920 | 10921 | 10923 | 10924 | 10926 | 28201 |
| 7899 | 8261 | 8262 | 10036 | 10896 | 34998 |

Please note that the full Certificate for all but Certificate #10926 is to be leased instream. Certificate #10926 is for 397.8 acres, but only 79.3 of those acres are owned by Sevenmile Creek Ranch. The attached water right map displays the acreage in Certificate #10926 to be included in the Instream Lease.

The attached chart outlines the amendments requested for the Instream Lease filed by KBRT for the Sevenmile Creek Ranch (von Schlegell) property. Please note that the

changes were necessary either due to typographical errors, or to make certain that the rate leased instream could be leased for the entire season, while not exceeding the associated duty. All items in the chart that differ from the original application are in bold and shaded.

Please do not hesitate to contact me if you need further information.

Thank You,

Shannon Peterson

Attached: Water Right map for Certificate #10926
Chart outlining requested amendments to instream lease application

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| Cert # | Acres | Sec 1.1 Rate | Sec 1.1 Duty | Sec 2.2 Rate | Sec 2.2 Volume |
|--------|---|--|--------------|--|---|
| 10895 | 157.2 | 3.14 cfs 1 st part of season 1.97 cfs 2 nd part of season | 786 AF | 2.29 cfs 1 st part of season 1.97 cfs 2 nd part of season | 786 AF |
| 10907 | 79.3 | 1.59 cfs 1 st part of season 0.99 cfs 2 nd part of season | 396.5 AF | 1.15 cfs 1 st part of season 0.99 cfs 2 nd part of season | 394.60 AF |
| 10910 | 158.6 | 3.17 cfs 1 st part of season 1.98 cfs 2 nd part of season | 793 AF | 2.32 cfs 1 st part of season 1.97 cfs 2 nd part of season | 792.13 AF |
| 10918 | 226.2 | 4.52 cfs 1 st part of season 2.83 cfs 2 nd part of season | 1131 AF | 3.85 cfs 1 st part of season 1.98 cfs 2 nd part of season | 1130.42 AF |
| 10919 | 31 | 0.62 cfs 1 st part of season 0.39 cfs 2 nd part of season | 155 AF | 0.50 cfs 1 st part of season 0.31 cfs 2 nd part of season | 154.35 AF |
| 10920 | 112 | 2.24 cfs 1 st part of season 1.40 cfs 2 nd part of season | 560 AF | 1.89 cfs 1 st part of season 1 cfs 2 nd part of season | 558.93 AF |
| 10921 | 150 | 3.00 cfs 1 st part of season 1.88 cfs 2 nd part of season | 750 AF | 2.46 cfs 1 st part of season 1.45 cfs 2 nd part of season | 748.69 AF |
| 10923 | 140.8 | 2.82 cfs 1 st part of season 1.76 cfs 2 nd part of season | 704 AF | 2.38 cfs 1 st part of season 1.26 cfs 2 nd part of season | 703.94 AF |
| 10924 | 377 | 7.54 cfs 1 st part of season 4.71 cfs 2 nd part of season | 1885 AF | 6.32 cfs 1 st part of season 3.45 cfs 2 nd part of season | 1884.17 AF |
| 10926 | 79.3 (Certificate is 397.8 acres) | 1.59 cfs 1 st part of season 0.99 cfs 2 nd part of season | 396.5 AF | 1.32 cfs 1 st part of season 0.74 cfs 2 nd part of season | 396.30 AF |
| 28201 | 21.2 | 0.38 cfs = 0.25 cfs from Sevenmile 0.13 cfs from Bluespring | 63.6 AF | 0.18 CFS = 0.12 CFS from Sevenmile 0.06 CFS from Bluespring | 63.60 AF = 48.00 from Sevenmile 15.60 from Bluespring |
| 7899 | 0.7 primary, 79.3 supp | 1 cfs | 400 AF | 1 cfs | 362.98 AF |
| 8261 | 150 supp | 2.0 cfs | 750 AF | 2.0 cfs | 567.28 AF |
| 8262 | 157.2 supp | 2.0 cfs | 786 AF | 2.0 cfs | 567.28 AF |
| 10036 | 377 supp | 4.74 cfs = 2.25 cfs from 1928 2.49 cfs from 1929 | 1885 AF | 4.74 cfs = 2.25 cfs from 1928 2.49 cfs from 1929 | 1344.45 AF = 638.19 from 1928 706.26 from 1929 |
| 10896 | 157.2 supp | 3.14 cfs 1 st part of season 1.97 cfs 2 nd part of season | 786 AF | 2.29 cfs 1 st part of season 1.97 cfs 2 nd part of season | 786 AF |
| 34998 | 126.3 supp | 2.53 cfs | 631.5 AF | 1.74 cfs | 631.50 AF |

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Handwritten notes and checkmarks at the bottom of the page, including "10895", "10907", "10910", "10918", "10919", "10920", "10921", "10923", "10924", "10926", "28201", "7899", "8261", "8262", "10036", "10896", "34998".