



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 Pooled Lease Form

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: (Mitigation Project)
Lease Agreement Number (assigned by WRD): 6-761

This Lease Agreement is between:

Lessor #2: Irrigation District or Other Water Purveyor
(Name) Central Oregon Irrigation District
(Mailing address) 2598 N Hwy 97
(City, State, Zip Code) Redmond, OR 97756
(Telephone number) 541-548-6047
(Email address) lauraw@coid.org

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

Lessee (if different than Oregon Water Resources Department):
(Name) Deschutes Water Exchange Mitigation Bank River Conservancy
(Mailing address) 700 NW Hill
(City, State, Zip Code) Bend, OR 97701
(Telephone number) 541-382-5186
(Email address) _____

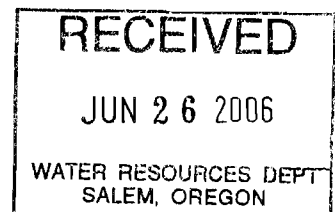
Trustee:
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
(503) 986-0900

~I~ Ownership and Water Right Information

- 1.2 Lessor #2 is the (Check one):
 Official representative of Central Oregon Irrigation District, the irrigation district, which conveys water to the subject water rights.
 Another party with an interest in the subject water rights representing _____.
 Not applicable.

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. 76358



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.: 76358

Priority date: October 31, 1900 & December 2, 1907 Type of use: Irrig.

Legal Season of Use: April 1 to November 1

If an irrigation right, total number of acres to be leased: 34.49 (POD #1: 4.00 ac, POD #11: 30.49 ac)

Total acre-feet of storage to be leased, if applicable: 0

Maximum rate associated with subject water rights (cfs) being leased:

POD #1: Priority 10/31/1900: Season 1: 0.050 Season 2: 0.067 Season 3: 0.088

Priority 12/2/1907: Season 3: 0.035

POD #11: Priority 10/31/1900: Season 1: 0.381 Season 2: 0.508 Season 3: 0.671

Priority 12/2/1907: Season 3: 0.270

If there is more than one rate associated with a water right, describe below:

Season 1 (cfs) _____ Time period: _____

Season 2 (cfs) _____ Time period: _____

Season 3 (cfs) _____ Time period: _____

Maximum duty associated with subject water rights (ac-ft): POD #1: 39.64, POD #11: 302.16

Conditions or other limitations, if any: None

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

~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:

Deschutes River

Tributary to Columbia River in the Deschutes 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 will 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): POD # 1 & 11 to Lake Billy Chinook

Maximum volume in acre-feet: Priority 10/31/1900: POD # 1: 21.80, POD # 11: 166.19

Rate in cfs: Priority 10/31/1900: POD # 1: Season 1: 0.028 Season 2: 0.037

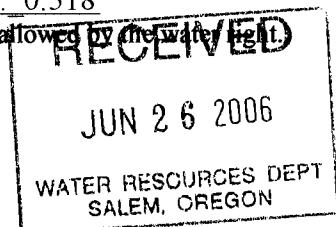
Season 3: 0.068

POD # 11: Season 1: 0.210 Season 2: 0.279 Season 3: 0.518

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

Rate in cfs: _____

Rate in cfs: _____



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 31, 2006.

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.

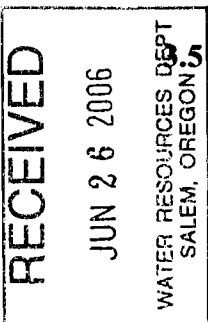
3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.

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.

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:

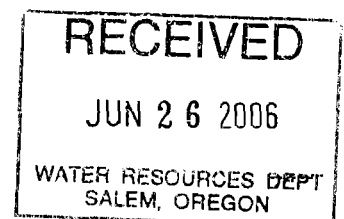
- \$200 for an application with four or more landowners or four or more water rights.
- \$100 for all other applications.

Lessor #2: *Laura Holman* Date: *Dec-21-2006*
Central Oregon Irrigation District

Lessee: *Minervere Hubert* Date: *6/22/2006*
~~Deschutes Water Exchange Mitigation Bank~~
River Conservancy

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
- Attachment 5: Pooled Lease Landowner Form





State of Oregon
Water Resources Department
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Application for Short-Term Instream Lease

Attachment 5: Pooled Landowner Form

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: 2515
Lease Agreement Number (assigned by WRD): L-761

This Lease Agreement is between:

Lessor #1 (Landowner):

(Name) Bret Cromwell
(Mailing address) 63043 Yampa Place
(City, State, Zip Code) Bend, OR 97701
(Telephone number) 541-389-7454
(Email address) _____

If additional landowners, enter landowner information below

Note: The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Ownership and Water Right Information

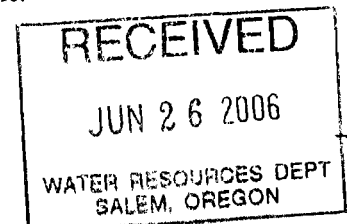
1.1 Lessor #1 is the owner, or authorized agent for owner of property located at: Township 17, Range 12, Section 11 and Tax Lot number 302. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.

1.3 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. 76358 & 76714

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.** Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and 1/4 1/4, tax lot number, map orientation and scale.



T	R	Sect	1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority *	
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	17	12	11	SW NE	302	18.76	Irrigation	76358	62	10/31/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert#76358 Oct. 31, 1900 - 18.76 Acres

Acre-feet of storage, if applicable: 0

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Landowner 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

2.3 Term of lease. This lease shall terminate on October 31, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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

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 SALEM, OREGON

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 provided by the Irrigation District, Other Water Purveyor or Lessee (if different than Department). The lessor must contact the Irrigation District, Other Water Purveyor, or Lessee (if different than Department) to indicate their interest in terminating the lease agreement.
- 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.

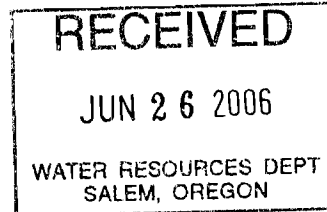
Lessor #1: Bret Cromwell Date: 2-13-06
Bret Cromwell

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

Lessee: _____ Date: _____

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map of Landowner's Property
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B may be combined into a single map]
- Exhibit 5-C: 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 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

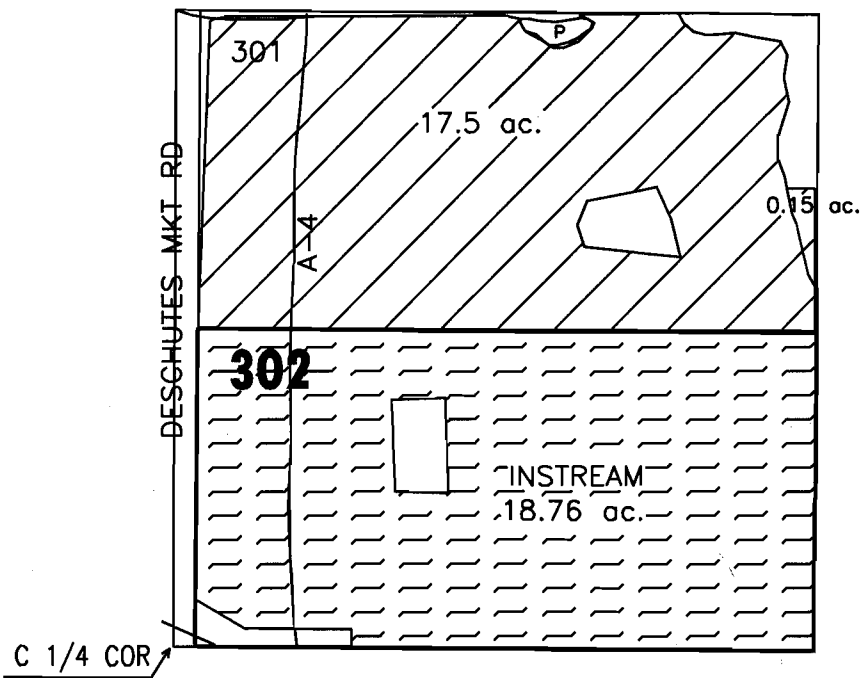


**DESCHUTES COUNTY
SEC.11 T17S. R12E. W.M.**

SCALE - 1" = 400'



SW 1/4 OF THE NE 1/4



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SALEM, OREGON

	'INSTREAM' LANDS
	EXISTING WATER RIGHTS



APPLICATION FOR 1YR INSTREAM LEASE

NAME: BRET CROMWELL

TAXLOT #: 302

18.76 ACRES INSTREAM

DATE: 2-28-06

FILE NO: E:\TRANSFER\INSTREAM\INSTRM06\1YR\CROMWELL



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
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Application for Short-Term Instream Lease

Attachment 5: Pooled Landowner Form

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

Optional Identification by Lessor/Lessee: 171250
 Lease Agreement Number (assigned by WRD): 5-761

This Lease Agreement is between:

Lessor #1 (Landowner):

(Name) Peter & Laura Deubel, cotrustees of Laura I Deubel Revocable Trust
 (Mailing address) 21565 Dale Rd
 (City, State, Zip Code) Bend, OR 97701
 (Telephone number) 541-382-8117
 (Email address) _____

If additional landowners, enter landowner information below

Note: The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Ownership and Water Right Information

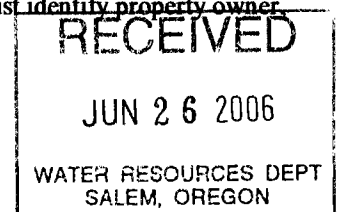
1.1 Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16, Range 12, Section 35 and Tax Lot number 502. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.

1.3 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. 76358 & 76714

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.** Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.



	I	R	Sect	1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority *
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	16 S	12 E	35	SE NE	502	5.20	Irrigation	76358	58	10/31/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert#76358 Oct. 31, 1900 - 5.20 Acres

Acre-feet of storage, if applicable: 0

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Landowner 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

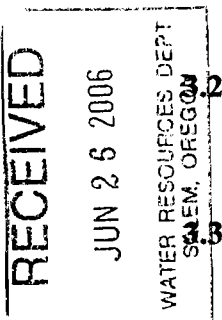
2.3 Term of lease. This lease shall terminate on October 31, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

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.

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-



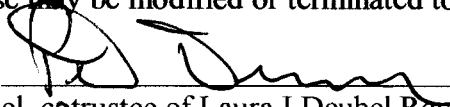
077-0075 a new injury review shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.


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- 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 provided by the Irrigation District, Other Water Purveyor or Lessee (if different than Department). The lessor must contact the Irrigation District, Other Water Purveyor, or Lessee (if different than Department) to indicate their interest in terminating the lease agreement.
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Lessor #1:  Date: 3-13-06
Peter Deubel, cotrustee of Laura I Deubel Revocable Trust

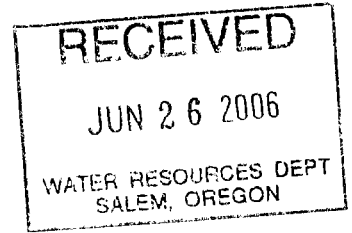
 Date: 3-14-06
Laura Deubel, cotrustee of Laura I Deubel Revocable Trust

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

Lessee: _____ Date: _____

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map of Landowner's Property
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B may be combined into a single map]
- Exhibit 5-C: 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 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

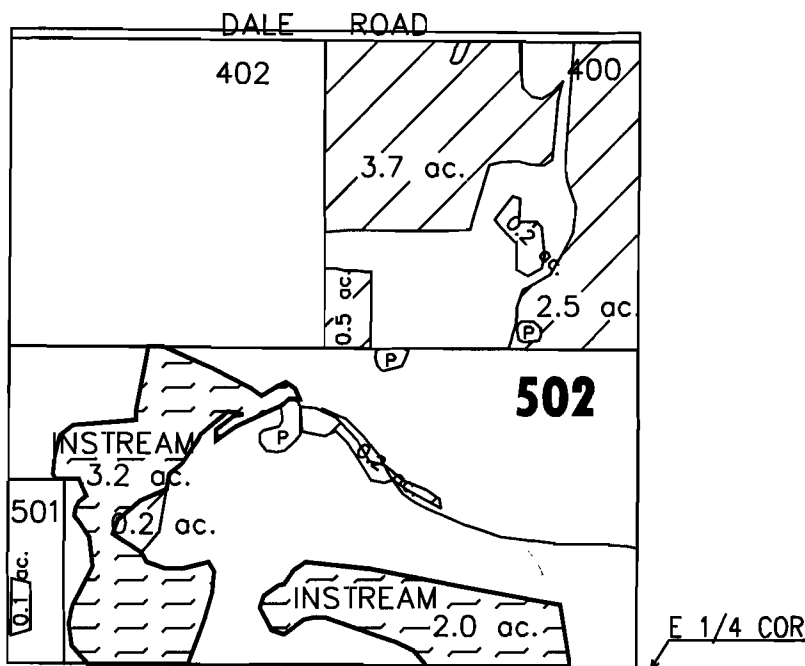


**DESCHUTES COUNTY
SEC.35 T16S. R12E. W.M.**

SCALE - 1" = 400'



SE 1/4 OF THE NE 1/4



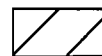
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WATER RESOURCES DEPT
SALEM, OREGON



'INSTREAM' LANDS



EXISTING WATER RIGHTS

CENTRAL OREGON



IRRIGATION DISTRICT

APPLICATION FOR 1 YR INSTREAM LEASE

NAME: PETER & LAURA DEUBEL

TAXLOT #: 502

5.2 ACRES INSTREAM

DATE: 03-07-06

FILE NO: E:\TRANSFER\INSTREAM\INSTRM06\1YR\DEUBEL



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

Attachment 5: Pooled Landowner Form

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: 254420
 Lease Agreement Number (assigned by WRD): L-761

This Lease Agreement is between:

Lessor #1 (Landowner):

(Name) Walter Gnagy
 (Mailing address) 1483 NE 11th
 (City, State, Zip Code) Redmond, OR 97756
 (Telephone number) 541-923-7197
 (Email address) _____

If additional landowners, enter landowner information below

Note: The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Ownership and Water Right Information

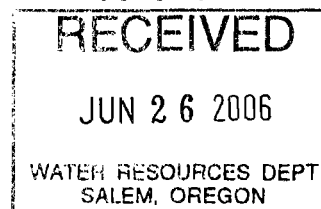
1.1 Lessor #1 is the owner, or authorized agent for owner of property located at: Township 15, Range 13, Section 10 and Tax Lot number 200. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.

1.3 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. 76358 & 76714

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.** Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and $\frac{1}{4}$ $\frac{1}{4}$, tax lot number, map orientation and scale.



F	R	Sect	1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority *	
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	15 S	13 E	10	NW NE	200	3.65	Irrigation	76358	36	10/31/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert#76358 Oct. 31, 1900 - 3.65 Acres (Since HB3111 0.55 acres of water rights were quitclaimed to ODOT)

Acre-feet of storage, if applicable: 0

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Landowner 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

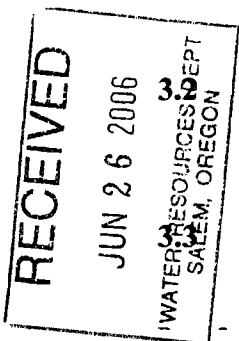
2.3 Term of lease. This lease shall terminate on October 31, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

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.

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 provided by the Irrigation District, Other Water Purveyor or Lessee (if different than Department). The lessor must contact the Irrigation District, Other Water Purveyor, or Lessee (if different than Department) to indicate their interest in terminating the lease agreement.

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.

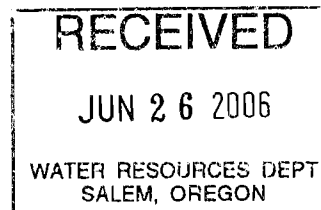
Lessor #1: Walter L. Gnagy Date: 3-9-06
Walter Gnagy

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

Lessee: _____ Date: _____

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map of Landowner's Property
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B may be combined into a single map]
- Exhibit 5-C: 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 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

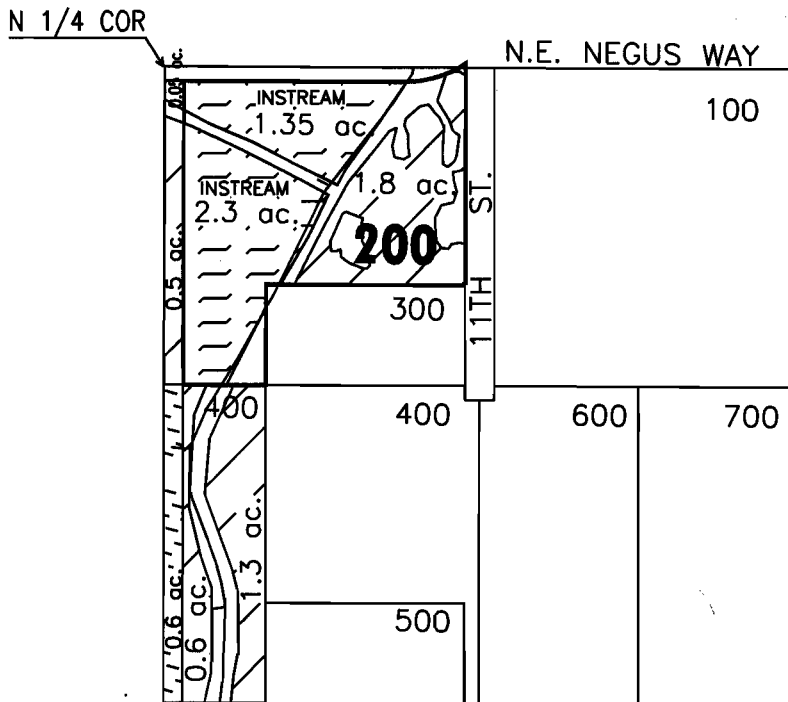


**DESCHUTES COUNTY
SEC. 10 T15S. R13E. W.M.**

SCALE - 1" = 400'



NW 1/4 OF THE NE 1/4



RECEIVED
JUN 26 2006
WATER RESOURCES DEPT
SALEM, OREGON

	'INSTREAM' LANDS
	EXISTING WATER RIGHTS



APPLICATION FOR 1YR INSTREAM LEASE

NAME: WALTER GNAGY

TAXLOT #: 200

3.65 ACRES INSTREAM

DATE: 03-21-06

FILE NO: E:\TRANSFER\INSTREAM\INSTRM06\1YR\GNAGY



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

Attachment 5: Pooled Landowner Form

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: 58

Lease Agreement Number (assigned by WRD): C-761

This Lease Agreement is between:

Lessor #1 (Landowner):

(Name) Connie Graves

(Mailing address) 7725 Stack Rock Dr

(City, State, Zip Code) Boise, ID 83703

(Telephone number) 208-939-6588

(Email address) _____

If additional landowners, enter landowner information below

Note: The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Ownership and Water Right Information

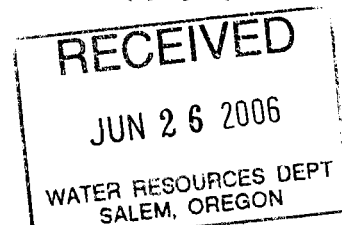
1.1 Lessor #1 is the owner, or authorized agent for owner of property located at: Township 15, Range 13, Section 16 and Tax Lot number 1100. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.

1.3 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. 76358 & 76714

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.** Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and $\frac{1}{4}$ $\frac{1}{4}$, tax lot number, map orientation and scale.



F	R	Sect	1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority *	
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	15 S	13 E	16	NW NW	1100	2.50	Irrigation	76358	36	10/31/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert#76358 Oct. 31, 1900 - 2.50 Acres

Acre-feet of storage, if applicable: 0

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Landowner 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

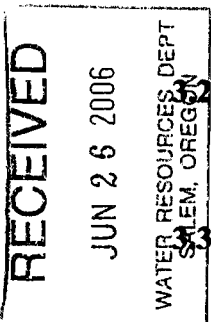
2.3 Term of lease. This lease shall terminate on October 31, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

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.

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 provided by the Irrigation District, Other Water Purveyor or Lessee (if different than Department). The lessor must contact the Irrigation District, Other Water Purveyor, or Lessee (if different than Department) to indicate their interest in terminating the lease agreement.

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.

Lessor #1: _____

Connie Graves

Date: _____

March 2, 2006

For additional Lessors, type in space for signature and date

Date: _____

Lessee: _____

Date: _____

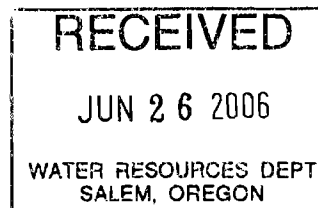
Other Attachments As Needed:

Exhibit 5-A: Tax Lot Map of Landowner's Property

Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B may be combined into a single map]

Exhibit 5-C: 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 of this form is checked)

Exhibit 5-D: Split Season Instream Use Form

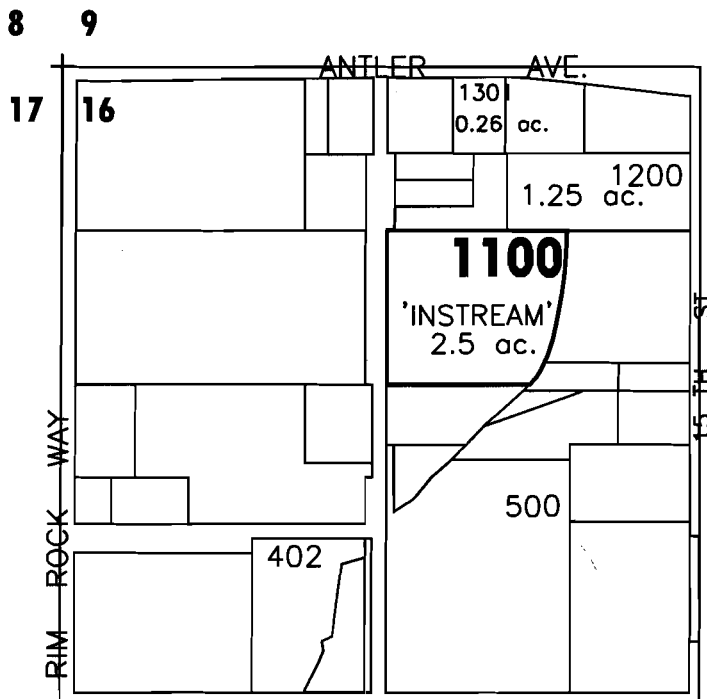


**DESCHUTES COUNTY
SEC.16 T15S. R13E. W.M.**

SCALE - 1" = 400'



NW 1/4 OF THE NW 1/4



RECEIVED
JUN 26 2006
WATER RESOURCES DEPT
SALEM, OREGON

# ac.	PARCELS W/ WATER RIGHTS
# ac.	'INSTREAM' LAND PARCELS



APPLICATION FOR 1YR INSTREAM LEASE

NAME: CONNIE GRAVES

TAXLOT #: 1100

2.5 ACRES INSTREAM

DATE: 4-7-2006

FILE NO: E:\TRANSFER\INSTREAM\INSTRM06\1YR\GRAVES



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

Attachment 5: Pooled Landowner Form

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: 1695 (~~MITIGATION PROJECT~~)
 Lease Agreement Number (assigned by WRD): L-7C1

This Lease Agreement is between:

Lessor #1 (Landowner):

(Name) Hospice of Redmond
 (Mailing address) 732 SW 23rd
 (City, State, Zip Code) Redmond, OR 97756
 (Telephone number) 541-548-7483
 (Email address) _____

If additional landowners, enter landowner information below

Note: The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Ownership and Water Right Information

1.1 Lessor #1 is the owner, or authorized agent for owner of property located at: Township 15, Range 13, Section 17 and Tax Lot number 1600. 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.

1.3 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. 76358 & 76714

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. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and $\frac{1}{4}$ $\frac{1}{4}$, tax lot number, map orientation and scale.

RECEIVED

JUN 26 2006

WATER RESOURCES DEPT
 SALEM, OREGON

I	R	Sect	1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*	
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	15 S	13 E	17	SE NE	1600	0.38	Irrigation	76358	37	10/31/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Oct. 31, 1900 & Dec. 2, 1907 0.38 Acres

Acre-feet of storage, if applicable: 0

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Landowner 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).

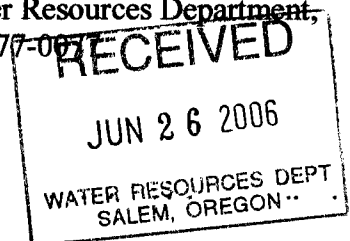
~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 31, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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 690-077-001.



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 provided by the Irrigation District, Other Water Purveyor or Lessee (if different than Department). The lessor must contact the Irrigation District, Other Water Purveyor, or Lessee (if different than Department) to indicate their interest in terminating the lease agreement.
- 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.

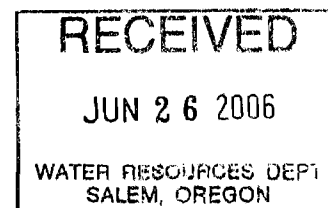
Lessor #1: Rebecca Bryan Date: 6/13/06
Hospice of Redmond

For additional Lessors, type in space for signature and date
Jose Clark Date: 6-20-06
Central Oregon Irrigation District

Lessee: _____ Date: _____
Deschutes Water Exchange

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map of Landowner's Property
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B may be combined into a single map]
- Exhibit 5-C: 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 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

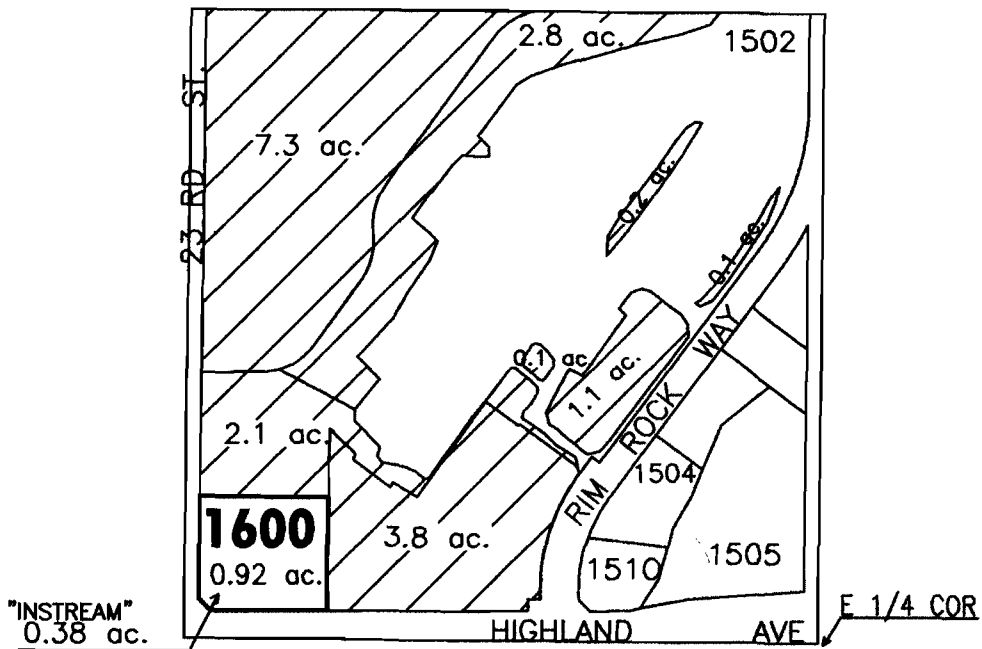


**DESCHUTES COUNTY
SEC 17 T15S. R13E. W.M.**

SCALE - 1" = 400'



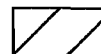
SE 1/4 OF THE NE 1/4



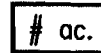
RECEIVED

JUN 26 2006

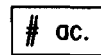
WATER RESOURCES DEPT
SALEM, OREGON



EXISTING WATER RIGHTS



'INSTREAM' LAND PARCELS



PARCELS W/ WATER RIGHTS

CENTRAL OREGON



IRRIGATION DISTRICT

APPLICATION FOR 1YR INSTREAM LEASE

NAME: HOSPICE OF REDMOND

TAXLOT #: 1600

0.38 ACRES INSTREAM

DATE: 6-05-06

FILE NO: E:\TRANSFER\INSTREAM\INSTRM06\1YR\HOSPICE_OF_REDMOND



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

Attachment 5: Pooled Landowner Form

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: (MITIGATION PROJECT)
Lease Agreement Number (assigned by WRD): L-76(

This Lease Agreement is between:

Lessor #1 (Landowner):

(Name) Central Oregon Irrigation District (Quitclaim)
(Mailing address) 1055 SW Lake Court
(City, State, Zip Code) Redmond, OR 97756
(Telephone number) 541-548-6047
(Email address) transfers@coid.org

If additional landowners, enter landowner information below

Note: The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Ownership and Water Right Information

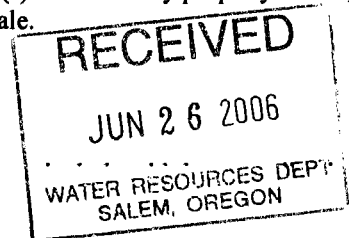
1.1 Lessor #1 is the owner, or authorized agent for owner of property located at: Township 18, Range 12, Section 03 and Tax Lot number 1401 & 1700. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.

1.3 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. 76358 & 76714

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. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and 1/4 1/4, tax lot number, map orientation and scale.



I	R	Sect	1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority #	
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	18 S	12 E	03	NE NE	1401*	2.0	Irrigation	76358	92	10/31/1900
2.	18 S	12 E	03	NE NE	1700*	2.0	Irrigation	76358	92	10/31/1900
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Oct. 31, 1900 & Dec. 2, 1907 4.0 Acres

*Since HB3111, tax lot 1400 was partitioned. Tax lot 1400 now has 0.0 water, tax lot 1401 has 2.23 0.17 transferred onto 1700 (total of 2.17 acres) and 0.10 was transferred off on T-9983
~~Certificate #76714 Pg #95~~

Acre-feet of storage, if applicable: 0

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Landowner 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).

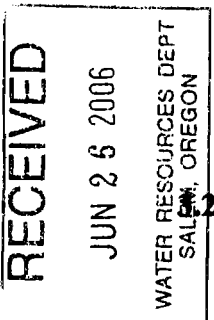
~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 31, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

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.

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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 provided by the Irrigation District, Other Water Purveyor or Lessee (if different than Department). The lessor must contact the Irrigation District, Other Water Purveyor, or Lessee (if different than Department) to indicate their interest in terminating the lease agreement.

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.

Lessor #1: _____
Central Oregon Irrigation District

Date: 6-05-2006

For additional Lessors, type in space for signature and date

Central Oregon Irrigation District

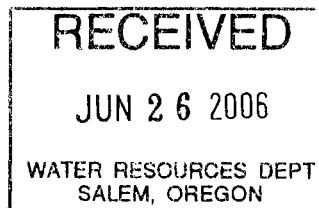
Date: _____

Lessee: _____
Deschutes Water Exchange

Date: _____

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map of Landowner's Property
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B may be combined into a single map]
- Exhibit 5-C: 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 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

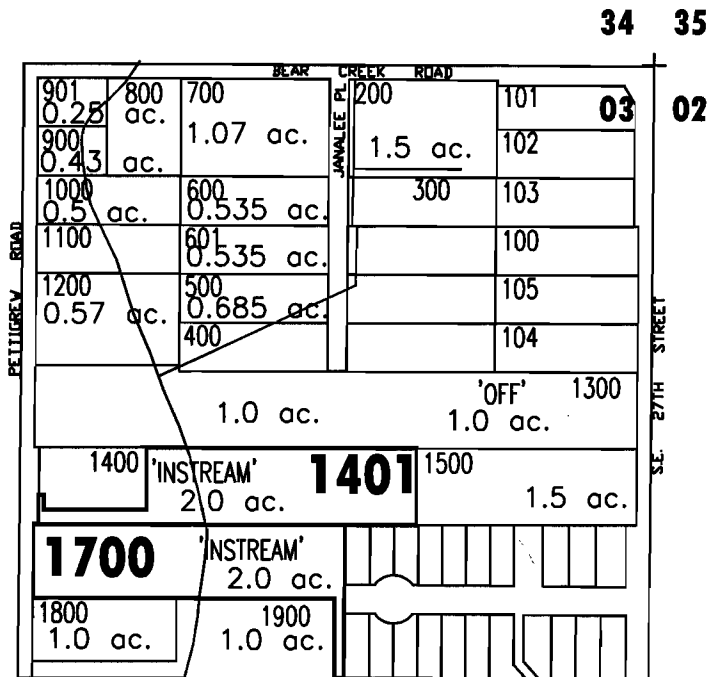


DESCHUTES COUNTY SEC.03 T18S. R12E. W.M.

SCALE - 1" = 400'



NE 1/4 OF THE NE 1/4



RECEIVED

JUN 26 2006

WATER RESOURCES DEPT
SALEM, OREGON

ac. PARCELS W/ WATER RIGHTS

ac. 'INSTREAM' LAND PARCELS



APPLICATION FOR 1YR INSTREAM LEASE

NAME: CENTRAL OREGON IRRIGATION DISTRICT

TAXLOT #: 1401, 1700

4.0 ACRES INSTREAM

DATE: 6-08-06

FILE NO: E:\TRANSFER\INSTREAM\INSTRM06\C0ID\C0ID_181203C