

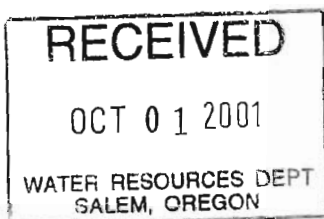
Lease Agreement Number 253

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

**Short-Term Water Right Lease Agreement
for Lease of Existing Water Rights Within an *Irrigation District*
in the *Deschutes Basin* for *Instream Use***

This Lease Agreement is between the North Unit Irrigation District (lessor), and Oregon Water Resources Department (lessee and trustee).

- 1.1.1 Lessor (the Irrigation District) is authorized by the property owners identified in the attachment to lease the identified portions of their water rights to the Water Resources Department (lessee and trustee) for instream flow purposes during the 2001 irrigation season. The irrigation season extends from April 1 to October 31.
- 1.2 List water right certificates, permits, or transfers eligible for transfer, that are affected by this lease:
- | certificate # | source | priority date(s) |
|---------------------|---------------|--------------------|
| 72283 (95.2 acres) | Crooked River | September 18, 1968 |
| 72284 (204.8 acres) | Crooked River | September 18, 1968 |
- 1.3 Lessor proposes to lease those portions of the rights identified in 1.2, as listed in the attachments to instream purposes.
- 1.4 Lessor attests that the subject water rights are legally valid rights of record and have been beneficially exercised within the last five years on the lands identified in the attachments.
- 1.5 During the period of this lease, the Irrigation District agrees that water for the lands identified in the attachments shall be neither diverted nor delivered.
- 1.6 The Trustee agrees to fulfill legal obligations related to water use reporting on instream water rights.



2.1 **Purpose of Lease.** The public use served by the amount, timing and location of the instream use provided for under this lease is mitigation of a deficiency in water supply identified in Instream Water Right Application #70354, located from the Crooked River Pumping Plant (East of Smith Rock State Park) to Round Butte Dam (Lake Billy Chinook).


2.2 Instream Use created by this lease:

For certificate 72283 an instream flow of .26 cubic feet per second with a total volume of 95.2 acre feet and for certificate 72284 an instream flow of .57 cubic feet per second with total volume of 204.8 acre feet in the Crooked River from the Crooked River pumping plant (river mile 28) to Lake Billy Chinook (river mile 6) during the 2001 irrigation season, from April 1 to October 31. The District is experiencing a water shortage this season and can't deliver the full water duty. So as not to injure other rights to use water from the Crooked River the instream flow is not for the full water duty.


3.0 **Flow protection.** The Trustee will regulate use of water from the source, subject to prior appropriation, to assure the water is delivered to and through the reach identified.

4.0 **Watermaster Review.** By signature below, the Watermaster for the Deschutes Basin verifies that the rights identified in the attachments are entitled to appropriate water under the rights listed in 1.2, and that during the term of this lease, use of said water for instream flow purposes is not reasonably expected to cause injury to other rights to use water from the Crooked River.

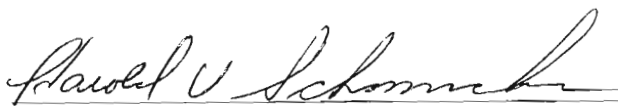
(The rate was determined over a 182 day period. The duty is limited to 1 AF/acre to be fair to other district lands.)

Watermaster:  Watermaster District 11
Kyle Gorman

Date: 9-28-01

 October 23, 2001

I, Harold V. Schonnek, Manager of the North Unit Irrigation District, declare that, to the best of my knowledge and belief, the information contained in this lease is true, correct and complete.


Harold V. Schonnek
North Unit Irrigation District

Date 9-28-01
RESUBMITTED