

# Application for 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/OWRD/PUBS/forms.shtml.

	n Number (assigned by WRD):
Lease Applicatio	in Number (assigned by WRD).
This Lease is bet	ween:
Lessor #2: Irrig	ation District or Other Water Purveyor
Name	North Unit Irrigation District
Mailing address	2024 NW Beech Street
City, State, Zip C	Code Madras OR 97741
Telephone numb	er (541) 475-3625
Email address	nuid@palmain.com
	be leased is located in <u>Jefferson</u> County.  ent than Oregon Water Resources Department):
Name	Deschutes River Conservancy
Mailing address	PO Box 1560
City, State, Zip C	Code Bend OR 97709
Telephone numb	er (541) 382-4077
Email address	gen@deschutesriver.org
Trustee: Oregon Water Re 725 Summer Stre Salem, OR 9730 (503) 986-0900	
○ Offici	is the (Check one): al representative of North Unit Irrigation District, the irrigation district, which ys water to the subject water rights.
☐ Anoth	er party with an interest in the subject water rights representing oplicable.
☐ Anoth☐ Not ap	

1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. ☐ Yes ☐ No						
1.5	Water Rights Proposed to be Leased Instream.						
1.0	The first right to be leased identified in Section 1.3 is further described as follows:						
	Certificate No.: 72279						
	Priority date: 2/18/13 Type of use: Irrigation						
	Legal Season of Use: April1 thru October 31						
	If an irrigation right, total number of acres to be leased: 246.3						
	Total acre-feet of storage to be leased, if applicable:						
	Maximum rate associated with subject water rights (cfs) being leased: 5.418 cfs						
	If there is more than one rate associated with a water right, describe below:						
	Season 1 (cfs) 5.418 Time period:						
	Season 2 (cfs) Time period:						
	Season 3 (cfs) Time period: Maximum duty associated with subject water rights (ac-ft): 1293.08						
	Waxintum duty associated with subject water rights (ac-it): 1293.08						
	Conditions or other limitations, if any: The District only allows a 2 acre feet per acre						
	minimum before an excess charge is calculated, therefore NUID will only be contributing						
	instream the minimum usage.						
	If you need to enter a day to the land of the land						
	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 that 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 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): North Canal Dam (river mile 164.6) to Mouth of Deschutes						
	@ River Mile 0						
	Maximum volume in acre-feet: 492.6						
	Rate in cfs: 1.787						
	(If more than one rate, describe the rate associated within each time period or instream reach.) Rate in cfs:						
	Rate in cfs:						
	(Use the section below to indicate a more restrictive period of use than allowed by the water right.)  Conditions to prevent injury, if any:						
	□ None						

	∑ The instream flow will be allocated on a daily average basis up to the described rate from May 20, 2008 through October 5, 2008.
	Other (describe):
2.3	Term of lease. This lease shall terminate on October 31, 2008
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) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The 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. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
3.3	<b>Precedent.</b> 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 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 water right holder 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.
3.5	Termination provision.
	For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then 30 days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:  Written notice to the Department with original signatures;  Consent by all parties to the lease; and/or  Written notice to the Watermaster's office.  For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

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.** Pursuant to ORS 536.050, the following fee is included: ☐ \$100 for all other applications. Lessor #2: AU Solon Date: 4-9-08

Date: 4/21/08 North Unit Irrigation District Deschutes River Conservancy Other Attachments as Needed: Attachment 1: Tax Lot Map. (See instructions.) Attachment 2: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. (See instructions.) 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 Water Right Holder Form



## Additional Water Right Form for Pooled

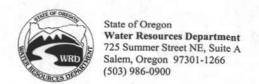
## **Instream Lease**

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

~1~

The right(s) to be leased are fi	urther described as follows:
Certificate No.: 72283	
Priority date: 9/16/68	Type of use: Irrigation
	sted on the certificate): April 1 thru October 31
	aber of acres to be leased: 29.0
Total acre-feet of storage to be	e leased, if applicable:
If there is more than one rate of	n subject water rights (cfs) being leased:
	associated with a water right, describe below:
	Time period:
Season 2 (cfs)	Time period:
Season 3 (cfs)	Time period: h subject water rights (ac-ft): 116.0
4 x.A 12 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	
Conditions or other limitations	s, if any: The District only allows a 1 acre foot per acre
minimum before an excess cha	arge is calculated, therefore we will only be contributi
instream the minimum usage.	~II~
instream the minimum usage.  n 2.2 continued from Pooled I Instream use created by lease	~II~  Lease Form.  e. The instream use to be created is described as follows:
instream the minimum usage.  n 2.2 continued from Pooled I	~II~
instream the minimum usage.  1. 2.2 continued from Pooled I Instream use created by least Crooked  Tributary to Deschutes  Describe the point of diversion being created. If possible list to is only one POD listed on the POD. (If more than one POD reach(es) must be identified):	~II~  Lease Form.  e. The instream use to be created is described as follow. River
instream the minimum usage.  1. 2.2 continued from Pooled I Instream use created by least Crooked  Tributary to Deschutes  Describe the point of diversion being created. If possible list to is only one POD listed on the or POD. (If more than one POD reach(es) must be identified): Chinook  Maximum volume in acre-feet.	~II~  Lease Form.  e. The instream use to be created is described as follow.  River  in the Deschutes  Basin.  (POD) and any associated reach(es) of the instream use the reach by river mile. If no reach is identified, and the certificate, the lease will be processed to be protected as is listed on the certificate, then the POD and any associated River plant (river mile 28) to the Lake Billy
n 2.2 continued from Pooled I Instream use created by least Crooked Tributary to Deschutes  Describe the point of diversion being created. If possible list to is only one POD listed on the of POD. (If more than one POD reach(es) must be identified): Chinook  Maximum volume in acre-feet.  Rate in cfs: .151	~II~  Lease Form.  e. The instream use to be created is described as follow.  River  in the Deschutes  Basin.  (POD) and any associated reach(es) of the instream use the reach by river mile. If no reach is identified, and the certificate, the lease will be processed to be protected as is listed on the certificate, then the POD and any associated reach(es) to the Lake Billy:  29.0
Instream the minimum usage.  In 2.2 continued from Pooled I Instream use created by least Crooked  Tributary to Deschutes  Describe the point of diversion being created. If possible list this only one POD listed on the of POD. (If more than one POD reach(es) must be identified): Chinook  Maximum volume in acre-feet.  Rate in cfs: .151  (If more than one rate, described in the office of the pool of of the poo	~II~  Lease Form.  e. The instream use to be created is described as follow.  River  in the Deschutes  Basin.  (POD) and any associated reach(es) of the instream use the reach by river mile. If no reach is identified, and the certificate, the lease will be processed to be protected as is listed on the certificate, then the POD and any associated on the certificate, then the POD and any associated River plant (river mile 28) to the Lake Billy:  29.0  Tibe the rate associated within each time period or instream reach
n 2.2 continued from Pooled I Instream use created by least Crooked Tributary to Deschutes  Describe the point of diversion being created. If possible list to is only one POD listed on the of POD. (If more than one POD reach(es) must be identified): Chinook  Maximum volume in acre-feet.  Rate in cfs: .151	~II~  Lease Form.  e. The instream use to be created is described as follow.  River  in the Deschutes  Basin.  (POD) and any associated reach(es) of the instream use the reach by river mile. If no reach is identified, and the certificate, the lease will be processed to be protected as is listed on the certificate, then the POD and any associated River plant (river mile 28) to the Lake Billy:  29.0  ribe the rate associated within each time period or instream reach

The instream flow will	be allocated on a daily average basis up to the described rate
from May 20, 2008	through August 25, 2008.
Other (describe):	



## Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

Opt	ional Identification	n by Lessor/Lessee:
Leas	se Application Nu	mber (assigned by WRD):IL-918
This	Lease is with:	
Less	sor #1 (Water Rig	ght Holder):
	ne	
Mail	ling address	33774 SW Bald Peak Road
City	, State, Zip Code	Hillsboro, OR 97123
Tele	phone number	503-628-0677
Ema	il address	
If ad	ditional water righ	nt holders, enter water right holder information below
Appli	cation" form. The "P nation as the "Standa ntial.	ng associated with this form corresponds to that found on the "Standard Instream Lease cooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same of Instream Lease Application" form. Consequently, the numbering on this form is not always water Right Holder and Water Right Information
1.1	Lessor #1 is the	e water right holder, or authorized agent for property described in Section 1.5. In appurtenant to these lands is also appurtenant to lands owned by others who is in this application, then Attachment 1 (tax lot map), needs to be included.
1.3	For the water ri	ght(s) being leased, list all water rights appurtenant to the same lands. Indicat supplemental or overlying rights.
	Certificate No.	72283
1.4	Are some or all Program.	of the lands being leased part of a Conservation Reserve Enhancement  Ves No
1.5	Water rights sho [This information area of water rights	Proposed to be Leased Instream. Water right holder proposes to lease the win on the map attached as Exhibit 5-B and described as follows: may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the being leased. Attached map(s) must identify water right holder, township, range, ax lot number, map orientation and scale.]

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Iden	tify pertin	ent page r	number of	certificate, more	if certificate than one p	is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	11	13	27	NESE	1200	0.6	Irrigation	72283	13	9/16/68
2.				1 3		-1.	1	2 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8	6	1275
3.		7.5		91		W. 150		West A	75	
4.			- 2			77				
5.	4, 7	7	1111				77			

Total number of acres, if for irrigation, by certificate and priority date: 0.6	_
Conditions or other limitations, if any:	

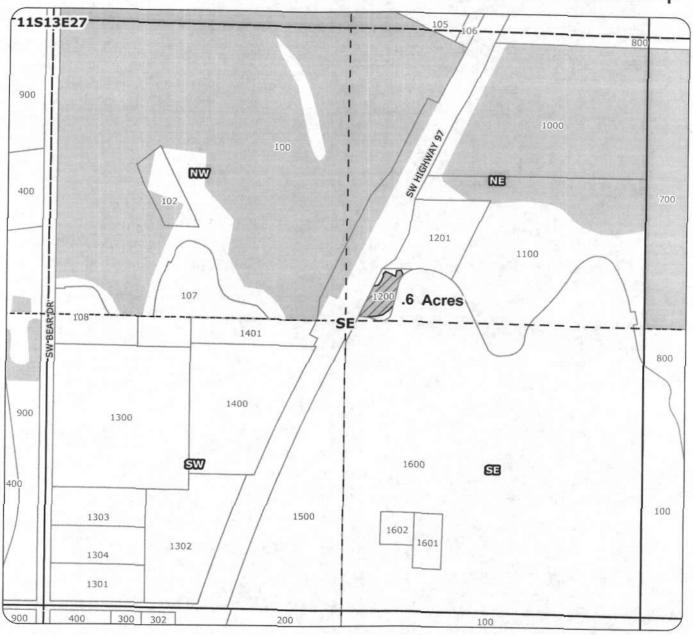
- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
  - ☐ The water has <u>not</u> been used over the past five years according to the terms and conditions of the 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

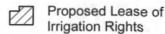
2.3 Term of lease. This lease shall terminate on October 30, 2008. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The 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. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 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 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.

until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:  Written notice to the Department with original signatures;  Consent by all parties to the lease; and/or  Written notice to the Watermaster's office.  For multiyear leases, the lessor shall not have the option of terminating the lease, withou consent by all parties to the lease.  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: Prack Broad Date: 3/24/D8  For additional Lessors, type in space for signature and date  Other Attachments As Needed:  Exhibit 5-A: Tax Lot Map. (See instructions.)  Detailed map illustrating lands under subject rights to be leased; required if only	susp	<b>Dension of original use.</b> During the period of the lease, the water right holder agrees to end use of water allowed under the subject water rights and under any water right that is demental to the subject water rights.
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: Prack Broand Date: 3/24/D8  For additional Lessors, type in space for signature and date  Other Attachments As Needed: Exhibit 5-A: Tax Lot Map. (See instructions.) Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only		For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:  Written notice to the Department with original signatures;  Consent by all parties to the lease; and/or  Written notice to the Watermaster's office.  For multiyear leases, the lessor shall not have the option of terminating the lease, without
Lessor #1: PEARL BESOND Date: 3/24/D8  For additional Lessors, type in space for signature and date  Other Attachments As Needed: Exhibit 5-A: Tax Lot Map. (See instructions.) Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only	2.2 duse w	uring the term of this lease is not reasonably expected to cause injury to other rights to vater from the same source. If injury is found after this lease is signed, the lease may be
Other Attachments As Needed:  Exhibit 5-A: Tax Lot Map. (See instructions.)  Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only	Lessor #1:	PEarl BEsand Date: 3/24/08
Exhibit 5-A: Tax Lot Map. (See instructions.)  Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only	For additiona	al Lessors, type in space for signature and date
Exhibit 5-A: Tax Lot Map. (See instructions.)  Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only	Other Attach	ments As Needed:
Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only		Tax Lot Map. (See instructions.)
part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)	Exhibit 5-B:	Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined
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-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	Exhibit 5-D:	Split Season Instream Use Form



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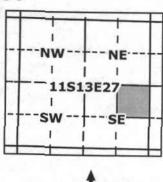
for Pearl Besand taxlot 1200- .6 acres in 111327NESE Total Lease of .6 Acres



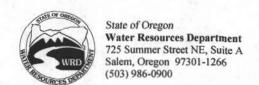
Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

Date Created: March 2008







## Instream Lease

Attachment 5: Pooled Water Right Holder Form

A summary of review criterià and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

Optio	onal Identification	by Lessor/Lessee:
Leas	e Application Nu	mber (assigned by WRD):IL-918
This	Lease is with:	
	or #1 (Water Rig	
		Estate of William H Burk
	ing address	
		Culver, OR 97734
	hone number ll address	541-546-2853
If add	ditional water righ	nt holders, enter water right holder information below
Applie	cation" form. The "P nation as the "Standa ntial.	ng associated with this form corresponds to that found on the "Standard Instream Lease cooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same rd Instream Lease Application" form. Consequently, the numbering on this form is not always—Water Right Holder and Water Right Information
		water Right Holder and water Right Information
1.1	If the water rig	e water right holder, or authorized agent for property described in Section 1.5. In the appurtenant to these lands is also appurtenant to lands owned by others who in this application, then Attachment 1 (tax lot map), needs to be included.
1.3		ght(s) being leased, list all water rights appurtenant to the same lands. Indicat supplemental or overlying rights.
	Certificate No.	72279
1.4	Are some or all Program.	of the lands being leased part of a Conservation Reserve Enhancement Yes No
1.5	water rights sho [This information area of water right	Proposed to be Leased Instream. Water right holder proposes to lease the own on the map attached as Exhibit 5-B and described as follows: may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the s being leased. Attached map(s) must identify water right holder, township, range, ax lot number, map orientation and scale.]

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
180	*(Ident	tify pertin	ent page n	umber of			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	12	12	34	NW NE	200	7.3	Irrigation	72279	36	2/28/1913
2.		5.6	1 1			14	March 1			
3.						Se 5 14		33 Ar 1		
4.	1	77 6	12/4/2	E 100						
5.	1 3 1			199				- 20 1 1 1	215	

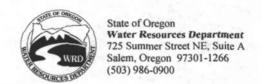
Total number of acres, if for irrigation, by certificate and priority date: 7.3	_
Conditions or other limitations, if any:	

- 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 water right certificate or as an instream water right or
  - □ The water has <u>not</u> been used over the past five years according to the terms and conditions of the 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 30, 2008. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The 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. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 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 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.



## Additional Water Right Form For Pooled Water Right Holder

### **Instream Lease**

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

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#### Section 1.5 continued from Pooled Leasing Water Right Holder Form.

Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:

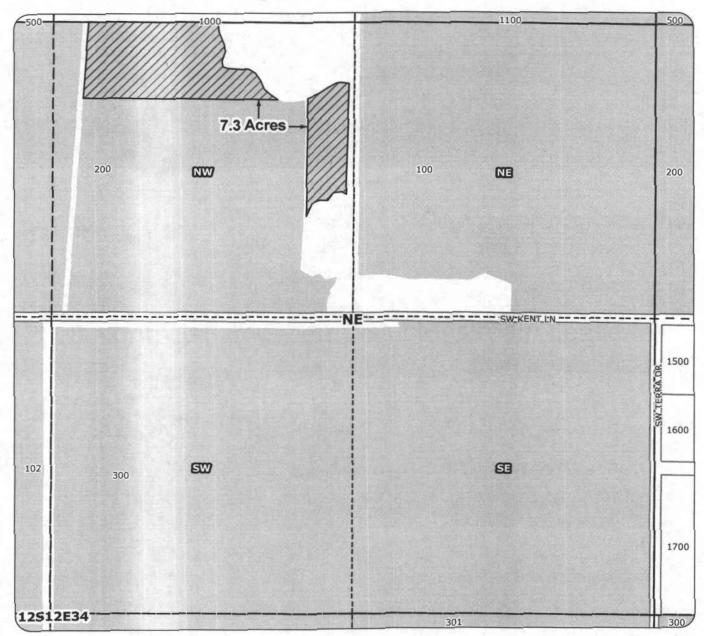
[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4, tax lot number, map orientation and scale.]

	T	R	Sect	44	Tax Lot	Acres	Type of Use	Certificate #	Page(s)#	Priority*
	*(Ident	ify pertin	ent page i	number o	f certificate,	if certificate	e is greater than ler certificate)	0 pages; identify	priority date	e if there is
1.	12	12	34	NW NW	200	5.3	Irrigation	72283	17	9/16/68
2.	A STATE		1200			1		151 8	4.1	
3.	426					. W. C.		180		
4.	- 2		124	16.5		1	1200		25	
5.				134			9-1	1111		
6.					3 3-2	5.4	1000	1.000		
7.						1739		77.50	7	
8.				1 18		1977	1 3			
9.			385		1.454.14		33.			1
10.			17.8		- 2	136.7	F777		VA C	

[Attached map(s) must identify water right holder, township, range, section and 1/4 1/4, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation,	by certificate and	priority date:	5.3
---	--------------------	----------------	-----

3.4	Suspension of original use. During the period of the lease, the water right holder 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.
3.5	Termination provision.  For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:  Written notice to the Department with original signatures;  Consent by all parties to the lease; and/or  Written notice to the Watermaster's office.  For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.
Lesso Title	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.  THI: Dark Date: 3/19/08
For ac	dditional Lessors, type in space for signature and date
Other	Attachments As Needed:
Exhib	it 5-A: Tax Lot Map. (See instructions.)
Exhib	Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
Exhib	it 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)
Exhib	it 5-D: Split Season Instream Use Form



Application for 1-year Instream Lease Primary: Permit 23196 Certificate 72279 Supplemental: Permit 25921 Certificate 72281



Proposed Lease of Irrigation Rights



Water Rights

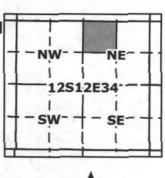
for Estate of William H. Burk taxlot 200- 7.3 acres in 121234NWNE Total Lease of 7.3 Acres



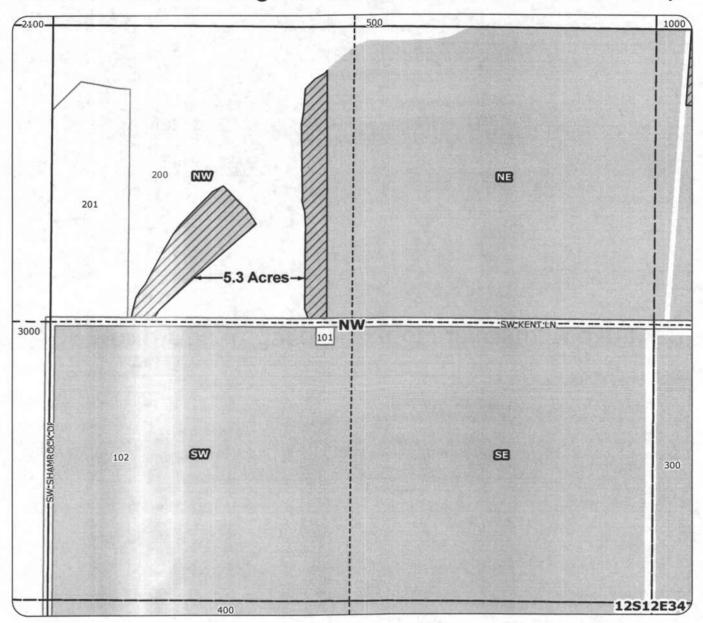
Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

Date Created: March 2008









Proposed Lease of Irrigation Rights



Water Rights

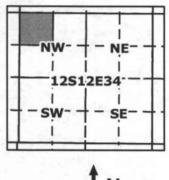
for Estate of William H. Burk taxlot 200- 5.3 acres in 121234NWNW Total Lease of 5.3 Acres



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Date Created: March 2008



IN



## Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

Optio	nal Identificatio	on by Lessor/Lessee:		
Lease	Application Nu	umber (assigned by WRD):	IL-918	
This l	Lease is with:			
Lesso	or #1 (Water Ri	ight Holder):		
		John & Judy Crisp		
	ng address			
		Madras, OR 97741		
	hone number			
_	Part of the second	ght holders, enter water right h		
Applic	ation" form. The " ation as the "Stand	ring associated with this form corres 'Pooled Lease" form and "Pooled Wallard Instream Lease Application" for	ater Right Holder" form(s	) are used to provide the same
	~	I~ Water Right Holder and	d Water Right Info	rmation
1.1	If the water rig	he water right holder, or author ght appurtenant to these lands ed in this application, then Att	is also appurtenant to	lands owned by others who
1.3		right(s) being leased, list all w y supplemental or overlying ri		t to the same lands. Indicat
	Certificate No	o. <u>72279</u>		
1.4		all of the lands being leased par Yes No	rt of a Conservation R	eserve Enhancement
1.5	water rights sh [This information area of water right	(s) Proposed to be Leased Insthum on the map attached as En may be included on Exhibit 5-A, ohts being leased. Attached map(s) m, tax lot number, map orientation and	Exhibit 5-B and descri or an additional map may be must identify water right ho	bed as follows: be attached. Crosshatch the

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Iden	tify pertin	ent page r	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	12	13	03	NE NW	202	16.3	Irrigation	72279	37	2/28/13
2.					1 22					
3.					201	36 14	100		4.0	
4.			1 1			100	Total .			
5.					37 6			1836		321

Total number of acres, if for irrigation, by certificate and priority date: 16.3	111
Conditions or other limitations, if any:	

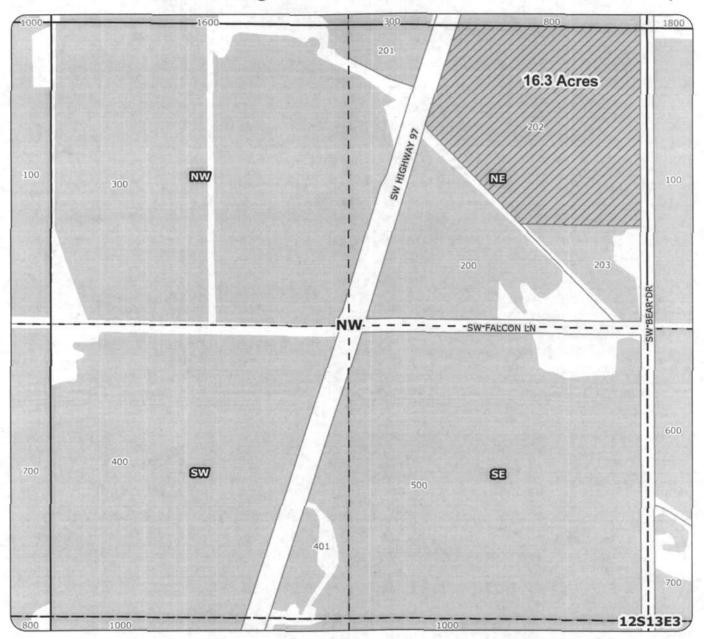
- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
  - The water has <u>not</u> been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 30, 2008. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The 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. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 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 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	suspend u	se of water allo	use. During the period of the wed under the subject water rights.			
3.5	For n year y durin days begun until not on which we will be with the work of the will be with the will be will	with written not g the calendar y prior to the peri n for the water r the following ca ccur. The Depa ritten notice to to meant by all par ritten notice to	the Lessor(s) shall have the tice to the Department. The year. However, if the termined of allowed instream use right(s) being leased, water alendar year, unless the Direction of the Department with original ties to the lease; and/or the Watermaster's office.  The the tessor shall not have the sto the lease.	e lease may nation req or after the may not be ector deternal al signatur	y be terminated at an uest is received less as period of allowed as used under the rig rmines that enlarger res;	ny time then 30- use has tht(s) leased ment would
3.6	2.2 during use water modified or pr #1:	the term of this from the same sor terminated to	s lease is not reasonably exposurce. If injury is found at prevent injury.	pected to defter this les	cause injury to other	rights to ase may be
For a	John o	ssors type in sp	page for signature and date	Date:	3-28-08	
Exhib Exhib Exhib		Tax Lot Map. Detailed map part of a right into a single m Supporting do forfeiture ever consecutive ye checked)	(See instructions.) illustrating lands under subj is being leased instream. E nap. (See instructions.) cumentation indicating why n though the right has not be ears (required if the second	xhibits 5- y a right is een exerci	A and 5-B may be c valid and not subje- sed for five or more	combined ct to



Application for 1- year Instream Lease Primary: Permit 23196 Certificate 72279 Supplemental: Permit 25921 Certificate 72281



Proposed Lease of Irrigation Rights



Water Rights

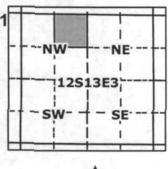
for
John and Judy Crisp
taxlot 202- 16.3 acres
in 121303NENW
Total Lease of 16.3 Acres



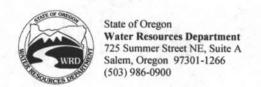
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www.geospatialsolutions.com

Date Created: March 2008







## Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

Opti	onal Identification	on by Lessor/Lessee:						
	Lease Application Number (assigned by WRD):IL-918							
This	Lease is with:							
Less	or #1 (Water R	ght Holder):						
		The Drummond Family Partnership LP						
Mail	ing address	96978 Windy Springs Road						
		Inyokern, CA 93527						
		760-377-5011						
If ad	ditional water rig	ght holders, enter water right holder information below						
Appli	cation" form. The " nation as the "Stand ntial.	ring associated with this form corresponds to that found on the "Standard Instream Lease Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same ard Instream Lease Application" form. Consequently, the numbering on this form is not always I~ Water Right Holder and Water Right Information						
1.1	If the water rig	ne water right holder, or authorized agent for property described in Section 1.5. ght appurtenant to these lands is also appurtenant to lands owned by others who ed in this application, then Attachment 1 (tax lot map), needs to be included.						
1.3	For the water if there are an	right(s) being leased, list all water rights appurtenant to the same lands. Indicate y supplemental or overlying rights.						
	Certificate No	. 72279						
1.4	Are some or a Program.	ll of the lands being leased part of a Conservation Reserve Enhancement Yes No						
1.5	water rights sh [This information area of water right	s) Proposed to be Leased Instream. Water right holder proposes to lease the nown on the map attached as Exhibit 5-B and described as follows: a may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the ats being leased. Attached map(s) must identify water right holder, township, range, tax lot number, map orientation and scale.]						

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Iden	tify pertin	ent page r	number of	f certificate, more	if certificate	e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	13	13	29	NE SW	1000	5.6	Irrigation	72279	48	2/28/1913
2.						1				
3.					2.74	17.3			7, 17	
4.	13.1	7		1 1 1		15 5	D. There			
5.		1 3		To the		77.		Texts 70		

Total number of acres, if for irrigation, by certificate and priority date: 5.6	
Conditions or other limitations, if any:	

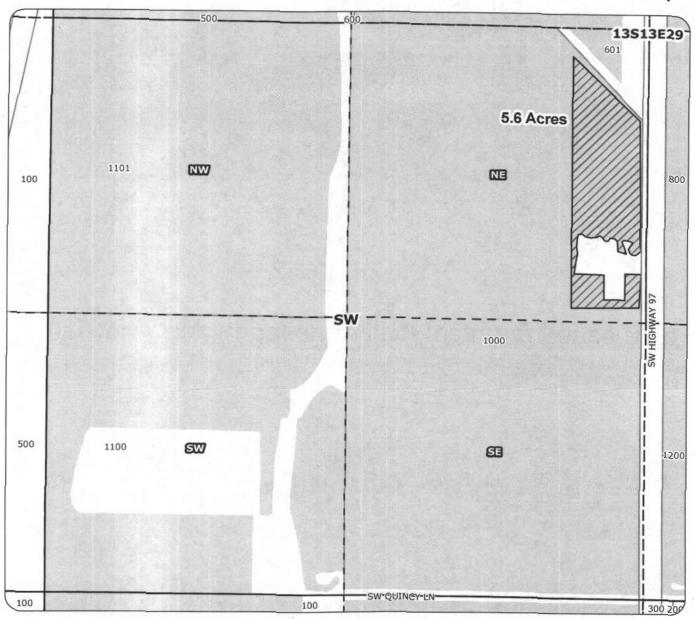
- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
  - The water has <u>not</u> been used over the past five years according to the terms and conditions of the 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 30, 2008. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The 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. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 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 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 water right holder 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.
3.5	Termination provision,
	For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
	<ul> <li>Written notice to the Department with original signatures;</li> </ul>
	Consent by all parties to the lease; and/or
	Written notice to the Watermaster's office.
	For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.
DIS Lesso	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.  Thomas A. Dummed Date: 3-24-08
	Print Name: Thomas A. Drummond Title: Trustee, General Hart Drummond Family Partnership, C.f.
For ad	ditional Lessors, type in space for signature and date
_	
Other	Attachments As Needed:
Exhib	it 5-A: Tax Lot Map. (See instructions.)
Exhib	Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
Exhibi	
Exhibi	



Application for 1-year Instream Lease Primary: Permit 23196 Certificate 72279 Supplemental: Permit 25921 Certificate 72281



Proposed Lease of Irrigation Rights



Water Rights

for

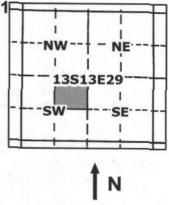
Drummond Family Partnership, LP taxlot 1000-5.6 acres in 131329NESW Total Lease of 5.6 Acres

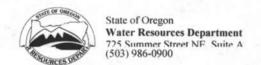


Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

Date Created: April 2008





## Attachment 5: Pooled Water Right Holder Form

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

Optio	onal Identification by Lessor/Lessee:
Leas	e Application Number (assigned by WRD):IL-918
This	Lease is with:
Less	or #1 (Water Right Holder):
	e Gisler Family Trust
	ing address 1470 NE 1 <sup>st</sup> Street, Suite 150
	State, Zip Code Bend, OR 97701
	phone number 541-317-8717
	il address
If add	ditional water right holders, enter water right holder information below
Note:	The section numbering associated with this form corresponds to that found on the "Standard Instream Lease
Appli	cation" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same
seque	nation as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not alway
seque	itiai.
	~I~ Water Right Holder and Water Right Information
1.1	Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5.
	If the water right appurtenant to these lands is also appurtenant to lands owned by others who
	are not included in this application, then Attachment 1 (tax lot map), needs to be included.
1.3	For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicat
	if there are any supplemental or overlying rights.
	Certificate No. 72283
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement
	Program.  Yes No
1.5	Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the
	water rights shown on the map attached as Exhibit 5-B and described as follows:
	[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 water right holder, township, range,
	section and 1/4 1/4, tax lot number, map orientation and scale.]

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s)#	Priority*
	*(Iden	tify pertin	ent page r	number of			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	11	13	2	NESE	1700DA	5.4	Irrigation	72283	10	9/18/68
2.	- 6-			-	1 - 1	1 3.				
3.								3		
4.					× 4					
5.				1		ALC: N			1.5	

Total number of acres, if for irrigation, by certificate and priority date: 5.4	
Conditions or other limitations, if any:	

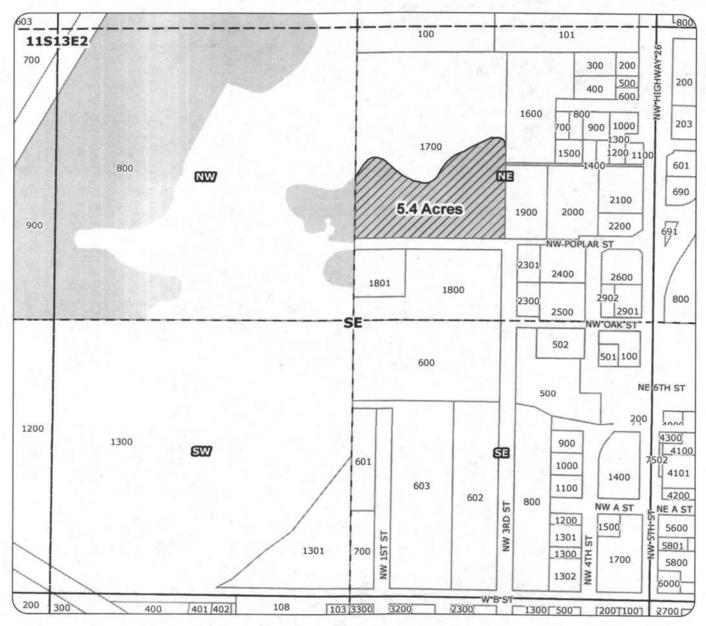
- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
  - The water has <u>not</u> been used over the past five years according to the terms and conditions of the 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 30, 2008. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The 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. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 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 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	suspend u	on of original use of water allowed to the subject	wed under the subject v	of the lease, the water rights and	water right holder agrees to I under any water right that is
3.5 NA	For myear water during days begun until not on water w	with written not g the calendar y prior to the perion of for the water rethe following can cour. The Department of the pristen notice to the course of the partment of the calendar with the cal	ice to the Department. ear. However, if the to od of allowed instream ight(s) being leased, w illendar year, unless the rtment may also requir the Department with or ties to the lease; and/or the Watermaster's office the lessor shall not have	The lease may ermination requires or after the ater may not be Director determine: iginal signature receive.	terminating the lease each be terminated at any time lest is received less then 30-e period of allowed use has a used under the right(s) leased mines that enlargement would es;
3.6	2.2 during use water	the term of this	s lease is not reasonable source. If injury is four	y expected to ca	tream use described in Section ause injury to other rights to se is signed, the lease may be
Lesson	r#1:	all /	WI	Date:	3-29-08
Y 12	Jøel G	isler Trustee			
For ad	lditional Le	ssors type in sp	ace for signature and c	late	
1 or ac	aditional Ec	ssors, type in sp	Jacob Signature and C		
_(	1	650	-	Date:	3-29-08
	Julia	Gisler Trustee			
	/				
Other	Attachment	s As Needed:			
4.0	it 5-A:		(See instructions.)		
	it 5-B:	Detailed map i	llustrating lands under	n. Exhibits 5-A	to be leased; required if only A and 5-B may be combined
Exhib	it 5-C:	Supporting do forfeiture even	cumentation indicating though the right has n	why a right is not been exercis	valid and not subject to sed for five or more tion 1.6 of this form is
Exhib	it 5-D:		nstream Use Form		



## Application for 1- year Instream Lease Permit 33954 Certificate 72283



Proposed Lease of Irrigation Rights



Water Rights

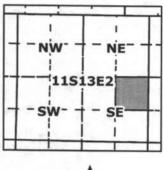
for Gisler Family Trust taxlot 1700DA- 5.4 acres in 111302NESE Total Lease of 5.4 Acres



Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

Date Created: March 2008



N



## Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

		ion by Lessor/Lessee: Number (assigned by WRD):	IL-918	
Louis	o rippiication r	tumber (assigned by Wite)	142	
This	Lease is with:			
Less	or #1 (Water F	Right Holder):		
		Janet Mendez & Erik Cook		
Mail	ing address	PO Box 1019		
		e Madras, OR 97741		
		541-475-7004		
	475 NO 138			
If ad	ditional water ri	ight holders, enter water right l	policy information pelow	
Appli	cation" form. The nation as the "Stan- ntial.	"Pooled Lease" form and "Pooled Ward Instream Lease Application" for	esponds to that found on the "Standard Instream Leas Water Right Holder" form(s) are used to provide the sorm. Consequently, the numbering on this form is not and Water Right Information	same "
1.1	If the water r	right appurtenant to these lands	orized agent for property described in Sections is also appurtenant to lands owned by othe trachment 1 (tax lot map), needs to be included	rs who
1.3	For the water if there are ar	ny supplemental or overlying r	water rights appurtenant to the same lands. I	ndicat
	Certificate N	o. <u>72279</u>	make and the particular and a second of	
1.4	Are some or a Program.	Yes X No	art of a Conservation Reserve Enhancement	
1.5	water rights s [This information	shown on the map attached as I on may be included on Exhibit 5-A, or	Istream. Water right holder proposes to least Exhibit 5-B and described as follows: or an additional map may be attached. Crosshatch the	se the
	area of water rig	ghts being leased. Attached map(s) n 4, tax lot number, map orientation and	must identify water right holder, township, range.	

	Т	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Iden	tify pertin	ent page i	number of	f certificate, i	f certificate than one p	e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	11	13	23	SE NW	2300	2.5	Irrigation	72279	27	2/28/13
2.						Tipe yo		4		
3.			110			948 _ S		Mark and	1000	
4.						77	The second second			4 5 5
5.			14.8			Towns of the last				

Total number of acres, if for irrigation, by certificate and priority date: 2.5	
Conditions or other limitations, if any:	

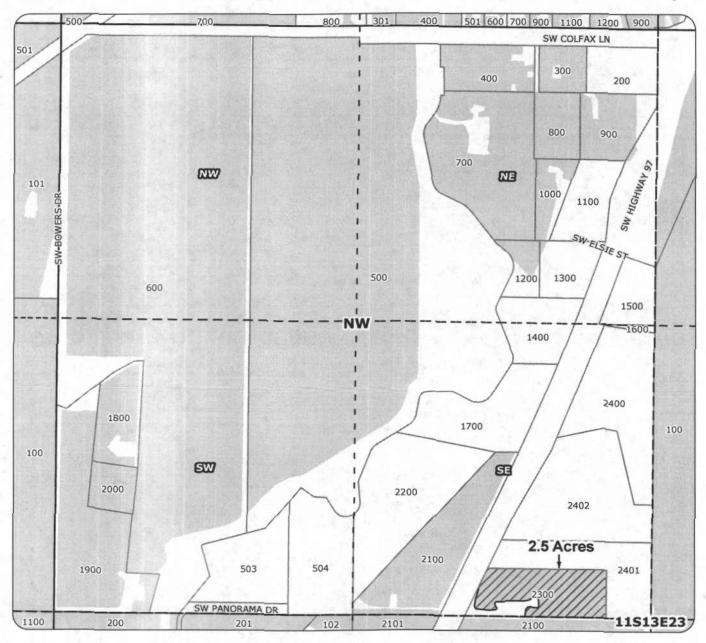
- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
  - The water has <u>not</u> been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to Attachment 3).

### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 30, 2008. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The 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. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 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 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 water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that supplemental to the subject water rights.						
3.5	For year during day beg until not	multiyear leases, the Lessor(s) shall have the option of terminating the lease each r with written notice to the Department. The lease may be terminated at any time ing the calendar year. However, if the termination request is received less then 30-s prior to the period of allowed instream use or after the period of allowed use has un for the water right(s) being leased, water may not be used under the right(s) leased all the following calendar year, unless the Director determines that enlargement would occur. The Department may also require:  Written notice to the Department with original signatures; Consent by all parties to the lease; and/or Written notice to the Watermaster's office.  multiyear leases, the lessor shall not have the option of terminating the lease, without sent by all parties to the lease.					
3.6	2.2 during use water modified	ation to prevent injury. Allocation of water to the instream use described in Section age the term of this lease is not reasonably expected to cause injury to other rights to be from the same source. If injury is found after this lease is signed, the lease may be don't erminated to prevent injury.					
Lesso	or #1:	et Mendez  Date: 2-21-01					
	dditional I	essors, type in space for signature and date  Date: 3/3/08					
	3. 77.7	<u>c Cook</u>					
		nts As Needed:					
	oit 5-A:	Tax Lot Map. (See instructions.)					
Exhib	oit 5-B:	Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)					
Exhib	oit 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)					
Exhib	oit 5-D:	Split Season Instream Use Form					
	-						



Application for 1- year Instream Lease Primary: Permit 23196 Certificate 72279 Supplemental: Permit 25921 Certificate 72281



Proposed Lease of Irrigation Rights



Water Rights

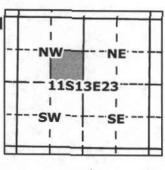
for
Janet Mendez and Eric Cook
taxlot 2300- 2.5 acres
in 111323SENW
Total Lease of 2.5 Acres



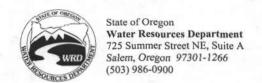
Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

Date Created: March 2008







# Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

Optio	onal Identification by Lessor/Lessee:
Leas	e Application Number (assigned by WRD):IL-918
This	Lease is with:
Less	or #1 (Water Right Holder):
	e Gary & Nancy Popp
	ing address PO Box 1318 (CRR)
	State, Zip Code Terrebonne, OR 97760
	phone number (541) 420-8342
	il address
TC - 1	12 1
If ad	ditional water right holders, enter water right holder information below
Appli	The section numbering associated with this form corresponds to that found on the "Standard Instream Lease cation" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same nation as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not alway ntial.  ~I~ Water Right Holder and Water Right Information
	The region of the second of th
1.1	Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment I (tax lot map), needs to be included.
1.3	For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.
	Certificate No. 72279
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No
1.5	Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows: [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 water right holder, township, range, section and 1/4 1/4, tax lot number, map orientation and scale.]

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
IET.	*(Iden	tify pertin	ent page r	number of			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	12	12	12	NWS E	1300	16.8	Irrigation	72279	34	2/18/13
2.						- 246	Pilled			- 1
3.	W.	44.4	100			466		andien value		
4.					16	1				The second
5.		2					1	- N- N-		

Total number of acres, if for irrigation, by certificate and priority date: 16.8	_
Conditions or other limitations, if any:	

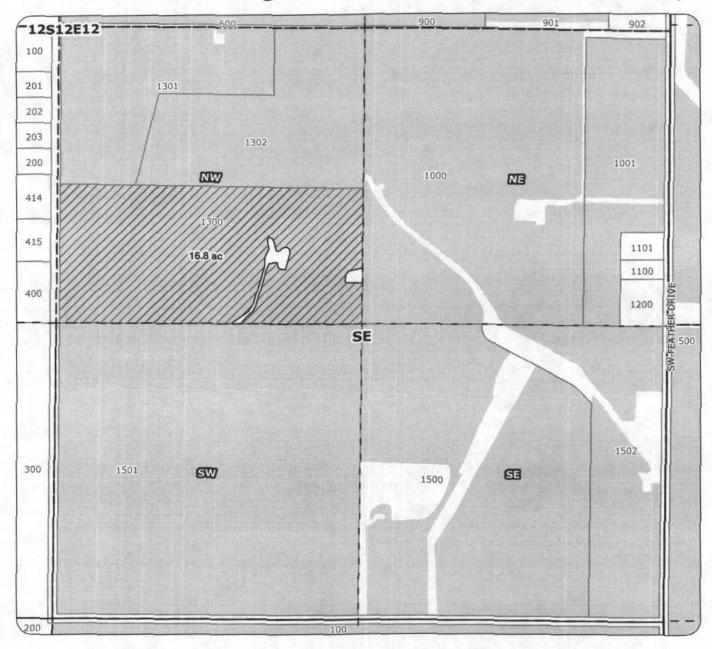
- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - ∑ The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
  - The water has <u>not</u> been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 30, 2008. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The 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. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 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 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 water right holder 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.
3.5	<ul> <li>Termination provision.</li> <li>☐ For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:</li> <li>■ Written notice to the Department with original signatures;</li> <li>■ Consent by all parties to the lease; and/or</li> <li>■ Written notice to the Watermaster's office.</li> <li>☐ For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.</li> </ul>
3.6 Lesso	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.  Date: 3-12-08
	Gary Popp  Idditional Lessors, type in space for signature and date  Date: 5/12/09  Nancy Popp
Exhil Exhil Exhil	bit 5-A: Tax Lot Map. (See instructions.) bit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.) bit 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) bit 5-D: Split Season Instream Use Form
_	



Application for 1 year Instream Lease
Permit 23196 Cert 72279



Proposed Lease of Irrigation Rights



Water Rights

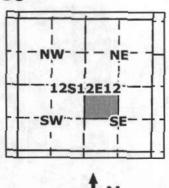
for Gary and Nancy Popp taxlot 1300 16.8 acres in 121212NWSE



Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

Date Created: May 2007







## Application for

# Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

Onti	anal Idantificati	on by Laggar/Laggary		
		on by Lessor/Lessee: lumber (assigned by WRD):	IL-918	
Leas	e Application N	uniber (assigned by WKD).		
This	Lease is with:			
Less	or #1 (Water R	tight Holder):		
Nam	e	Scott Teeny	Charles A. A.	
Mail	ing address	PO Box 1126		
City,	State, Zip Code	e Sisters, OR 97759	Mary Physics	
Telep	phone number _	541-410-3006		
Emai	il address			
If add	ditional water ri	ight holders, enter water right h	older information belo	ow_
Appli	cation" form. The nation as the "Stand	ering associated with this form corres "Pooled Lease" form and "Pooled W dard Instream Lease Application" for	ater Right Holder" form(s)	are used to provide the same
		~I~ Water Right Holder an	d Water Right Info	rmation
1.1	If the water r	the water right holder, or authoright appurtenant to these lands ded in this application, then Att	is also appurtenant to	lands owned by others who
1.3		r right(s) being leased, list all w ny supplemental or overlying ri		t to the same lands. Indicate
	Certificate N	o. <u>72279</u>		
1.4	Are some or Program.	all of the lands being leased pa  Yes No	rt of a Conservation R	eserve Enhancement
1.5	water rights s [This information area of water rights]	shown on the map attached as I on may be included on Exhibit 5-A, of ghts being leased. Attached map(s) not at the state of the state o	Exhibit 5-B and describ or an additional map may b must identify water right ho	bed as follows: e attached. Crosshatch the

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Iden	tify pertin	ent page n	umber of			is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	11	13	22	SW SW	1400	5.0	Irrigation	72279	27	2/28/1913
2.	11	13	22	SW SW	1401	1.4	Irrigation	72279	27	2/18/1913
3.	1			120	145					
4.				15.		34 3				
5.					NPT ST			1971		

Total	numb	er of a	cres, if	for irr	igat	ion, by	certi	ficate an	nd p	riority date: 6.4	
TL	1400	has	split	and	18	now	TL	1400	5	1402	
Cond	itions	or othe	er limit	ations,	if a	ny:					3.

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

- 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 water right certificate or as an instream water right or
  - ☐ The water has <u>not</u> been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(\_)(include necessary supporting documentation as Attachment 3).

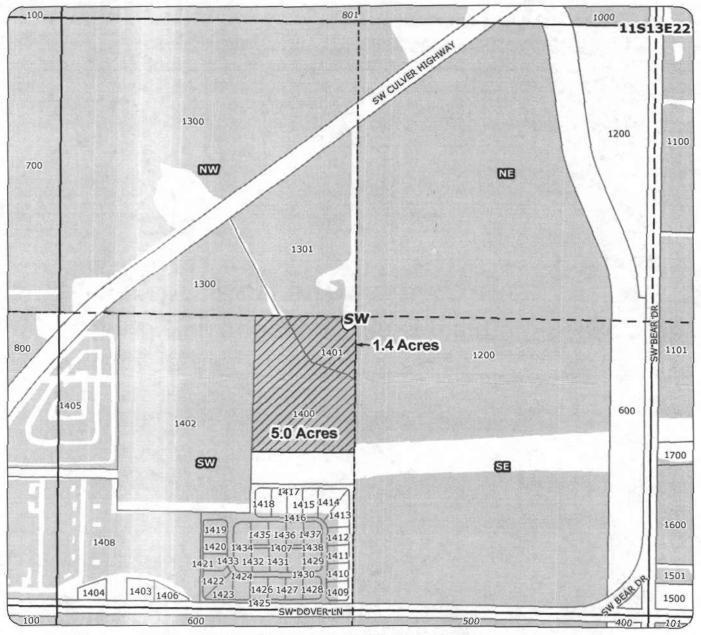
## ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 30, 2008. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The 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. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 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 a new injury review shall be

3.4	Suspension of original use. During the period of the lease, the water right holder 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.
3.5	Termination provision.
	For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
	<ul> <li>Written notice to the Department with original signatures;</li> <li>Consent by all parties to the lease; and/or</li> </ul>
	<ul> <li>Written notice to the Watermaster's office.</li> </ul>
	For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.
3.6	<b>Modification to prevent injury.</b> 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.
Lesso	or #1: Scott Teems Date: 3-27-08
	Scott Teeny
For a	dditional Lessors, type in space for signature and date
Othe	r Attachments As Needed:
Exhi	bit 5-A: Tax Lot Map. (See instructions.)
Exhil	bit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
Exhil	bit 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)
Exhil	bit 5-D: Split Season Instream Use Form
	er Bullet 16 18 18 18 18 18 18 18 18 18 18 18 18 18



Application for 1-year Instream Lease Primary: Permit 23196 Certificate 72279

Supplemental: Permit 25921 Certificate 72281



Proposed Lease of Irrigation Rights



Water Rights



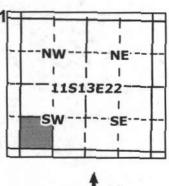
Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

for Scott Teeny taxlot 1400 - 5.0 acres in 111322SWSW taxlot 1401- 1.4 acres

in 111322SWSW Total Lease of 6.4 Acres









# Application for

# Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

Op	otional Identificat	ion by Lessor/Lessee:
Le	ase Application N	Number (assigned by WRD):
Th	is Lease is with:	
Les	ssor #1 (Water F	Right Holder):
Nai	me	Waldorf Trust
Ma	iling address	2565 SW Bear Drive
CIL	y, State, Zip Cod	e Madras OR 97741
Tel	ephone number	541-475-3992
Em	ail address	
		ght holders, enter water right holder information below
	mation as the "Standential.	ring associated with this form corresponds to that found on the "Standard Instream Lease "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same lard Instream Lease Application" form. Consequently, the numbering on this form is not always.
	~	I~ Water Right Holder and Water Right Information
1.1	II the water if	he water right holder, or authorized agent for property described in Section 1.5. ght appurtenant to these lands is also appurtenant to lands owned by others who ed in this application, then Attachment 1 (tax lot map), needs to be included.
1.3	For the water if there are an	right(s) being leased, list all water rights appurtenant to the same lands. Indicate y supplemental or overlying rights.
	Certificate No	. <u>72279 &amp; 72283</u>
1.4	Are some or a Program.	ll of the lands being leased part of a Conservation Reserve Enhancement Yes No
1.5	[This information area of water righ	s) Proposed to be Leased Instream. Water right holder proposes to lease the own on the map attached as Exhibit 5-B and described as follows: may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the ts being leased. Attached map(s) must identify water right holder, township, range, tax lot number, map orientation and scale.]

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Iden	tify pertin	ent page r	umber of	certificate,	if certificate than one p	is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	11	13	22	NW SE	1100	23.6	Irrigation	72279	27	2/18/13
2.	11	13	22	NESE	1100	20.5	Irrigation	72279	27	2/18/13
3.					1222					
4.							Military.	3		
5.	5					1000		106		

1	otal number of acres, if for irrigation, by certificate and priority date: 44.1
C	Conditions or other limitations, if any:
	ed to enter another leased right, please use the Additional Water Right Form for Pooled ight Holder.

- 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 water right certificate or as an instream water right or
  - The water has <u>not</u> been used over the past five years according to the terms and conditions of the 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 30, 2008. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

#### ~III~ Other Information

3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The 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.

instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

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 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.



# Additional Water Right Form For Pooled Water Right Holder

## **Instream Lease**

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

~I~

## Section 1.5 continued from Pooled Leasing Water Right Holder Form.

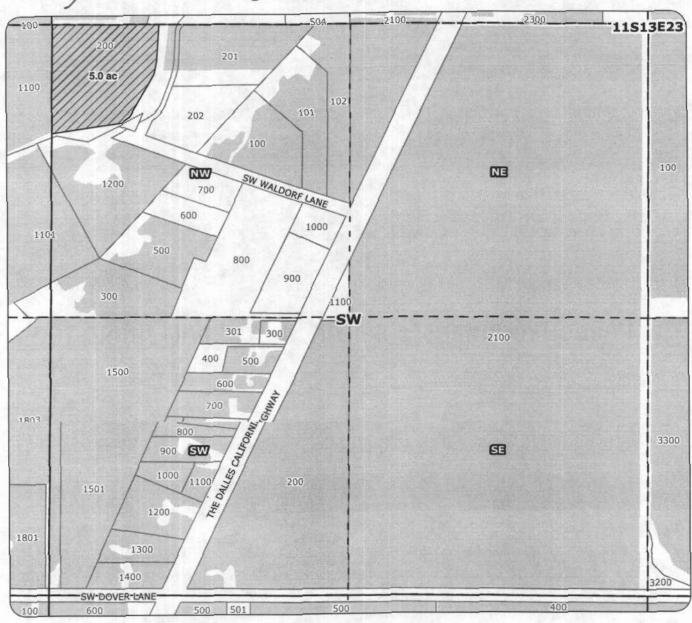
Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows: [This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4 1/4, tax lot number, map orientation and scale.]

	Т	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page n	umber o	f certificate, more	if certificate than one p	e is greater than ler certificate)	0 pages; identify	priority dat	e if there is
1.	11	13	230%	NW SW	200 CB	5.0	Irrigation	72283	13	9/16/68
2.	1					18,14		Photos and		3119
3.		27.13	36		17 A		A Table		100	Lake
4.	3-1-1	THE STATE OF				100			1 m	- 340
5.		9 7		1797					1	1
6.										
7.				4 4		200				
8.								2 11 3		
9.			.1		1 12	The same		No. of the letter of the lette		
10.			7.77			Signal of the second				

[Attached map(s) must identify water right holder, township, range, section and 1/4 1/4, tax lot number, map orientation and scale.]

Total	number o	f acres.	if for	irrigation,	by certificate and	priority date:	5.0
-------	----------	----------	--------	-------------	--------------------	----------------	-----

3.4	suspend	ion of original use. During the period of the lease, the water right holder agrees to use of water allowed under the subject water rights and under any water right that is ental to the subject water rights.
3.5	For year duri days begunnti not e	multiyear leases, the Lessor(s) shall have the option of terminating the lease each with written notice to the Department. The lease may be terminated at any time ing the calendar year. However, if the termination request is received less then 30-sprior to the period of allowed instream use or after the period of allowed use has an for the water right(s) being leased, water may not be used under the right(s) leased the following calendar year, unless the Director determines that enlargement would occur. The Department may also require:  Written notice to the Department with original signatures; Consent by all parties to the lease; and/or Written notice to the Watermaster's office.  multiyear leases, the lessor shall not have the option of terminating the lease, without sent by all parties to the lease.
Less	2.2 during use water modified or #1:	ation to prevent injury. Allocation of water to the instream use described in Section age the term of this lease is not reasonably expected to cause injury to other rights to r from the same source. If injury is found after this lease is signed, the lease may be don't terminated to prevent injury.  Date: 3/21/08
For a	additional L	essors, type in space for signature and date
G	tarle	Ropelard Date: Mar 21, 2008
	Darl	a Waldorf Trustee
Othe	r Attachme	ents As Needed:
Exh	ibit 5-A:	Tax Lot Map. (See instructions.)
Exhi	ibit 5-B:	Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
Exh	ibit 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)
Exh	ibit 5-D:	Split Season Instream Use Form
	_	



Application for 1 year Instream Lease Permit 33954 Cert 72283



Proposed Lease of Irrigation Rights



Water Rights

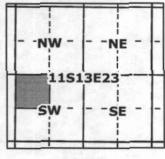
for Waldorf Trust taxlot 200 5.0 acres in 111323NWSW



Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

Date Created: May 2007







Application for 1 year Instream Lease Permit 23196 Cert 72279



Proposed Lease of Irrigation Rights



Water Rights

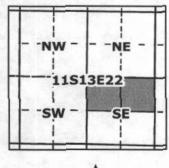
for Waldorf Trust taxlot 1100 23.6 acres in 111322NWSE 20.5 acres in 111322NESE Total Lease= 44.1 acres



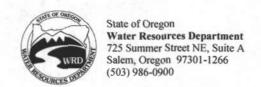
Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

Date Created: May 2007







## Application for

# Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

Option	nal Identification by Lessor/Lessee:
Lease	Application Number (assigned by WRD):IL-918
This I	Lease is with:
Lesso	r #1 (Water Right Holder):
Name	Leona F Waldow Revocable Living Trust
Maili	ng address 6701 NE Quaale Road
City,	State, Zip Code Madras, OR 97741
Telep	hone number 503-799-4594
	address
If add	itional water right holders, enter water right holder information below
Applica	
	~I~ Water Right Holder and Water Right Information
1.1	Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.
1.3	For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.
	Certificate No. 72279
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No
1.5	Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows: [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 water right holder, township, range, section and ½ ½, tax lot number, map orientation and scale.]

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Iden	tify pertin	ent page r	number of	certificate,	if certificate	is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	10	14	5	NE NE	100	32.2	Irrigation	72279	15	2/28/1913
2.	10	14	5	NW NE	100	35.9	Irrigation	72279	15	2/28/1913
3.	10	14	5	SW NE	100	32.8	Irrigation	72279	15	2/28/1913
1.	10	14	5	SENE	100	38.5	Irrigation	72279	15	2/28/1913
5.				137		-8-				

Total number of acres, if for irrigation, by certificate and priority date: 139.4	
Conditions or other limitations, if any: n/a	

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

- 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 water right certificate or as an instream water right or
  - ☐ The water has <u>not</u> been used over the past five years according to the terms and conditions of the 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 30, 2008 . (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The 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. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 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 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 water right holder 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.

25	T	
3.5	Termination	provision.

- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then 30-begun for the water right(s) being leased, water may flow the assirting allowed like head until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
  - Written notice to the Department with original signatures;
  - Consent by all parties to the lease; and/or
  - Written notice to the Watermaster's office.
- For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

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:

Robert Harris - Successor Trustee

Date:

3-13-08

For additional Lessors, type in space for signature and date

#### Other Attachments As Needed:

Exhibit 5-A: Tax Lot Map. (See instructions.)

Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only

part of a right is being leased instream. Exhibits 5-A and 5-B may be combined

into a single map. (See instructions.)

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

## REVOCABLE LIVING TRUST AGREEMENT

DATE:

January 15, 2006

TRUSTOR: Leona F. Waldow, individually (herein "Trustor)

TRUSTEE: Leona F. Waldow and Lee Waldow, as Co-Trustees

(herein "Trustee)

#### ARTICLE 1

#### TRUST

- DECLARATION OF TRUST. I, Leona F. Waldow, as trustor, establish a trust with Leona F. Waldow and Lee Waldow ("my trustee"), as trustee. All property which is made subject to this trust shall be held, administered, and distributed in accordance with this agreement.
- NAME OF TRUST. This trust may be called the Leona F. Waldow 1.2 Revocable Living Trust.
- TRUST PROPERTY. I have transferred and delivered to my trustee the property described on Schedule A, and my trustee acknowledges receipt of this property.
- ADDITIONS TO TRUST. My trustee may receive other property that is transferred by will or otherwise to my trustee by me or by any other person. My trustee shall have the sole discretion to accept additions to the trust.
- REVOCATION OR WITHDRAWAL. I reserve the right to revoke this agreement or to withdraw all or any portion of the trust property. Revocation or withdrawal shall be made only by a written instrument signed by me as trustor and filed with my trustee.
- AMENDMENT. I reserve the right to amend this agreement by a written 1.6 instrument signed by me as trustor and accepted by my trustee.
- PERSONAL POWERS. The rights of revocation, withdrawal, and amendment reserved by me must be exercised solely by me and may not be exercised by any other person, including any agent, guardian, or conservator.

REVOCABLE LIVING TRUST: SINGLE (RLT2) - page 1

1.8 SUCCESSOR TRUSTEE. If I die, resign, or become incapacitated, I name Robert Harris, of Madras, Oregon, as successor trustee.

#### 1.9 INCAPACITY.

1/41/4000 11.00

- 1.9(a) DEFINITION. For purposes of this instrument, I shall be considered incapacitated if I become unable to manage my own financial affairs or the financial affairs of the trust.
- 1.9(b) WRITTEN DETERMINATION. The determination that I am incapacitated shall be in writing and signed by the person or persons making the determination.
- 1.9(c) PROCEDURE FOR DETERMINING INCAPACITY. The fact of incapacity shall be determined by my successor trustee upon consultation with any treating physician.
- 1.9(d) WAIVER OF PRIVILEGE. If necessary in order to obtain the opinion of a physician or other specialist regarding my incapacity, I waive any physician-patient privilege or other privilege which otherwise would protect me against the disclosure of confidential information and authorize the release of medical information to the extent reasonably necessary for this purpose.
- 1.9(e) COURT DETERMINATION. I shall also be considered incapacitated if a court determines that I am unable to manage my property or financial affairs, provided that I have received actual notice and had an opportunity to be present at any hearing. My trustee or any person having access to this instrument may bring it to the attention of the court, any guardian ad litem, or an attorney acting as my individual counsel for the purpose of protecting my interests. If a guardianship or conservatorship proceeding is contemplated or instituted, I express my strong desire that any court order be limited to its finding regarding incapacity and that my financial affairs be managed without court supervision under the terms of this instrument.
- 1.9(f) NONLIABILITY OF TRUSTEE. My trustee or successor trustee who relies in good faith on a determination of incapacity shall not be liable for any acts or omissions resulting from that determination.
- 1.9(g) CONTESTING INCAPACITY. If I object to a determination or proposed determination of incapacity, I reserve the right to contest the question of incapacity. The costs of any contest, including attorney fees, mediation, and arbitration, shall be paid from the trust estate.

REVOCABLE LIVING TRUST: SINGLE (RLT2) - page 2

be determined under Oregon law in effect on the date this instrument is signed.

9.9 CAPTIONS. The captions are inserted for convenience only. They are not a part of this instrument and do not limit the scope of the section to which each refers.

This agreement is executed on this 8 day of may , 2006

TRUSTOR:

LEONA F WALFOW

TRUSTEE

LEONA F. WALDOW

TRUSTEE

Lee Waldow
LEE WALDOW

STATE OF OREGON

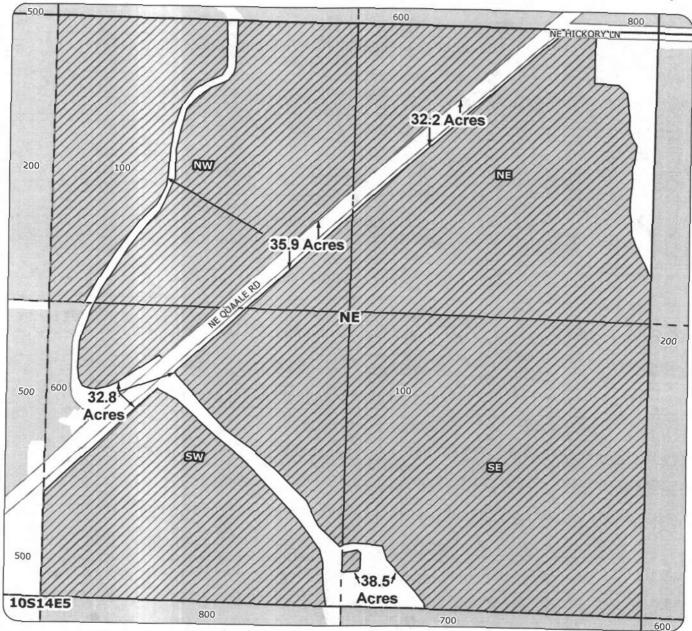
) \$5,

COUNTY OF JEFFERSON

Personally appeared the above-named LEONA F. WALDOW AND LEE WALDOW who acknowledged the foregoing to be their voluntary act and date.

OFFICIAL SEAL
SHARON A RODGERS
NOTARY PUBLIC-OREGON
COMMISSION NO. 399394
MY COMMISSION EXPIRES DEC. 11, 2009

NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES: 12-11-2009



Application for 1-year Instream Lease Primary: Permit 23196 Certificate 72279

Supplemental: Permit 25921 Certificate 72281



Proposed Lease of Irrigation Rights



Water Rights



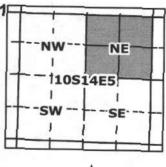
Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

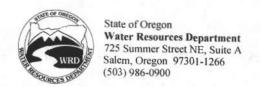
for
The Waldow Revocable Trust
taxlot 100- 38.5 acres
in 101405SENE
taxlot 100- 32.2 acres
in 101405NENE
taxlot 100- 35.9 acres
in 101405NWNE
taxlot100- 32.8
in 101405SWNE

Total Lease of 139.4 Acres

Date Created: March 2008







## Application for

# Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

Opt	ional Identification by Lessor/Lessee:
Lea	se Application Number (assigned by WRD):IL-918
This	s Lease is with:
Les	sor #1 (Water Right Holder):
	Satterlee Family Trust (Doyle & Dee Satterlee Trustees)
Mai	ling address 720 NW Glass Drive
	C 7' C 1 1/ 1 CF CFF.
Tele	mhana mumhau (541) 475 2426
Ema	il address
If ad	ditional water right holders, enter water right holder information below
Appl	The section numbering associated with this form corresponds to that found on the "Standard Instream Lease ication" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same nation as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not alway ntial.  ~I~ Water Right Holder and Water Right Information
1.1	Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.
1.3	For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.
	Certificate No. 72279 & 72283
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No
1.5	Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows: [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 water right holder, township, range, section and 1/4 1/4 tay lot number map orientation and seeds.]

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Iden	tify pertin	ent page r	number of	certificate,	if certificate	is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	11	13	03	SW NE	112	2.9	Irrigation	72279	22	2/18/13
2.	11	13	03	SENE	112	3.1	Irrigation	72279	22	2/18/13
3.	11	13	03	SENE	300	0.9	Irrigation	72279	22	2/18/13
4.	150	7 32		Mary.		3.3				
5.				The same of					3.43	

Total number of acres, if for irrigation, by certificate and priority date: 6.9	_
Conditions or other limitations, if any:	

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

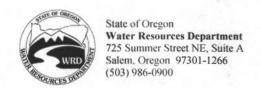
- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - □ The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
  - The water has <u>not</u> been used over the past five years according to the terms and conditions of the 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 30, 2008. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The 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. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 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 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.



## Additional Water Right Form For Pooled Water Right Holder

## **Instream Lease**

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

~I~

#### Section 1.5 continued from Pooled Leasing Water Right Holder Form.

Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:

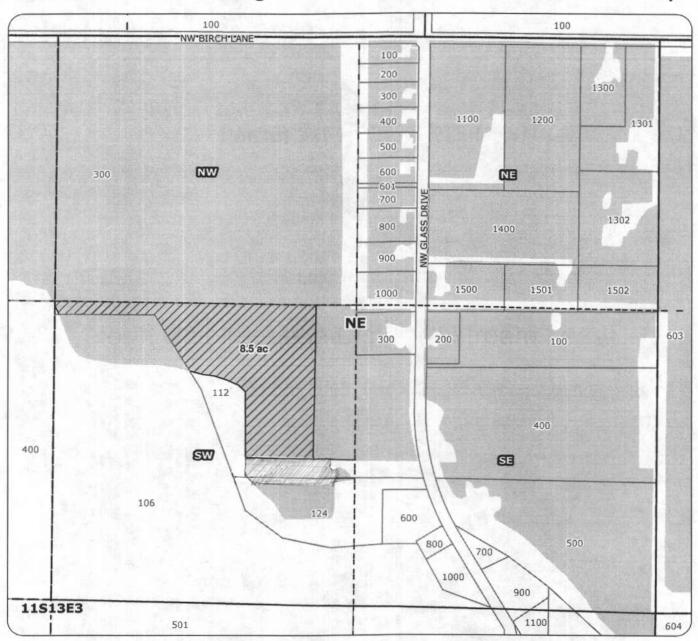
[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and ½ ¼, tax lot number, map orientation and scale.]

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertin	ent page i	number o			e is greater than ler certificate)	0 pages; identify	priority date	e if there is
1.	11	13	03	SW NE	112	8.5	Irrigation	72283	10	9/16/68
2.						100				
3.						4				
4.		3				10.12				
5.				7 74		100			12	
6.				- 3						
7.										
8.										
9.										
10.					-					

[Attached map(s) must identify water right holder, township, range, section and 1/4 1/4, tax lot number, map orientation and scale.]

Total number of acre	s, if for irrigation	by certificate and	priority date:	8.5
----------------------	----------------------	--------------------	----------------	-----

3.4	suspend	use of water allowed under the subject water rights and under any water right that is sental to the subject water rights.
3.5	For yea dur day beg unti	ation provision.  multiyear leases, the Lessor(s) shall have the option of terminating the lease each r with written notice to the Department. The lease may be terminated at any time ing the calendar year. However, if the termination request is received less then 30-s prior to the period of allowed instream use or after the period of allowed use has un for the water right(s) being leased, water may not be used under the right(s) leased if the following calendar year, unless the Director determines that enlargement would occur. The Department may also require:
		Written notice to the Department with original signatures; Consent by all parties to the lease; and/or
		Written notice to the Watermaster's office.
		multiyear leases, the lessor shall not have the option of terminating the lease, without sent by all parties to the lease.
3.6	2.2 during use water modified or #1:	ration to prevent injury. Allocation of water to the instream use described in Section and the term of this lease is not reasonably expected to cause injury to other rights to the from the same source. If injury is found after this lease is signed, the lease may be don't reminated to prevent injury.  Date: 3/18/08
For a		Dessors, type in space for signature and date
	Dee S	Satterlee Trustee
		ents As Needed: Tax Lot Map. (See instructions.)
	oit 5-A.	Detailed map illustrating lands under subject rights to be leased; required if only
Lame	ж э Б.	part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
Exhib	oit 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)
Exhib	oit 5-D:	Split Season Instream Use Form
	- 1	



Application for 1 year Instream Lease
Permit 33954 Cert 72283



Proposed Lease of Irrigation Rights



Water Rights

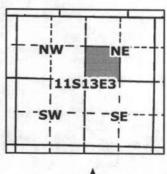
for Satterlee Family Trust taxlot 112 8.5 acres in 111303SWNE



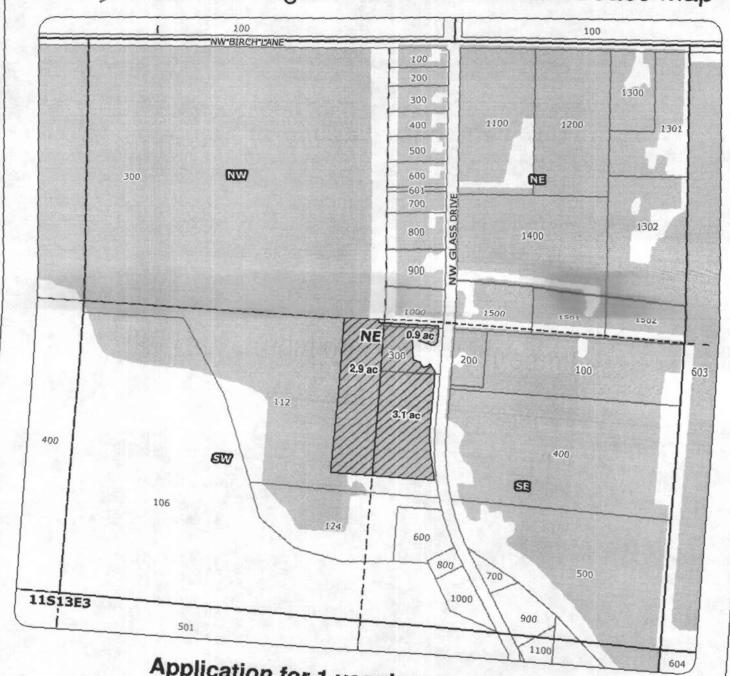
Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

Date Created: May 2007







Application for 1 year Instream Lease Permit 23196 Cert 72279



Proposed Lease of Irrigation Rights



Water Rights



Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

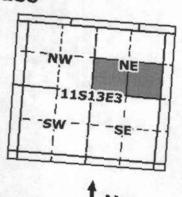
for Satterlee Family Trust taxlot 112

2.9 acres in 111303SWNE

3.1 acres in 111303SENE taxlot 300

0.9 acres in 111303SENE Total Lease= 6.9 acres

Date Created: May 2007





Application for 1 year Instream Lease Permit 23196 Cert 72279



Proposed Lease of Irrigation Rights



Water Rights



Geo-Spatial Solutions, Inc.

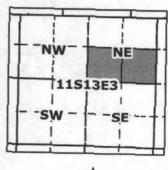
www.geospatialsolutions.com

for Satterlee Family Trust taxlot 112 2.9 acres in 111303SWNE

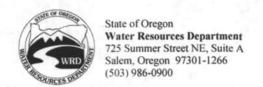
3.1 acres in 111303SENE taxlot 300

0.9 acres in 111303SENE Total Lease= 6.9 acres

Date Created: May 2007



N



# Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

Optio	nal Identification	n by Lessor/Lessee:
		mber (assigned by WRD):IL-918
This I	Lease is with:	
Lesso	r #1 (Water Rig	ght Holder):
		Ronald J Robinson Jr
	ng address	
		Bend, OR 97708
		541-382-8182
	address	
If add	itional water rigi	ht holders, enter water right holder information below
Applica	ation" form. The "I ation as the "Standa tial.	ing associated with this form corresponds to that found on the "Standard Instream Lease Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same and Instream Lease Application" form. Consequently, the numbering on this form is not always.
	~1	~ Water Right Holder and Water Right Information
1.1	If the water rig	the water right holder, or authorized agent for property described in Section 1.5 ght appurtenant to these lands is also appurtenant to lands owned by others where in this application, then Attachment 1 (tax lot map), needs to be included.
1.3		right(s) being leased, list all water rights appurtenant to the same lands. Indica supplemental or overlying rights.
	Certificate No.	72283
1.4	Are some or al Program.	ll of the lands being leased part of a Conservation Reserve Enhancement Yes No
1.5	water rights she [This information area of water right	s) Proposed to be Leased Instream. Water right holder proposes to lease the own on the map attached as Exhibit 5-B and described as follows: may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the its being leased. Attached map(s) must identify water right holder, township, range, tax lot number, map orientation and scale.]

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate#	Page(s) #	Priority*
	*(Iden	tify pertine	ent page n	umber of			is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	11	13	03	SW NE	124	1.8	Irrigation	72283	10	9/18/1968
2.	11	13	03	SW NE	106	2.4	Irrigation	72283	10	9/18/1968
3.								A STATE		
4.						7	Jan 50 1-12	TO YELL THE		
5.				1000		Section 1			. 77	- 5

	Tax	al number of acres, if for irrigation, by certificate and priority date: 4.2  Lot 10le was port of Taxlot 112, Taxlot 124 actually encompasses
	Car	editions on other limitations if any
If yo	ou need	to enter another leased right, please use the Additional Water Right Form for Pooled appear
Wat	er Righ	to be off, but really is not.
1.6	Valid	lity of rights. Lessor(s) attests (mark one) that:  See G55 notes on
		The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
		The water has <u>not</u> been used over the past five years according to the terms and conditions of the 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 30, 2008 . (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The 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. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for 3.2 instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 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 a new injury review shall be

leased or transferred instream. Suspension of original use. During the period of the lease, the water right holder agrees to 3.4 suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights. Termination provision. 3.5 For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then 30days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require: Written notice to the Department with original signatures; Consent by all parties to the lease; and/or Written notice to the Watermaster's office. For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease. 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: Genado J. Golinson La Date: 3-19-08 For additional Lessors, type in space for signature and date Other Attachments As Needed: Exhibit 5-A: Tax Lot Map. (See instructions.) Detailed map illustrating lands under subject rights to be leased; required if only Exhibit 5-B: part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.) 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

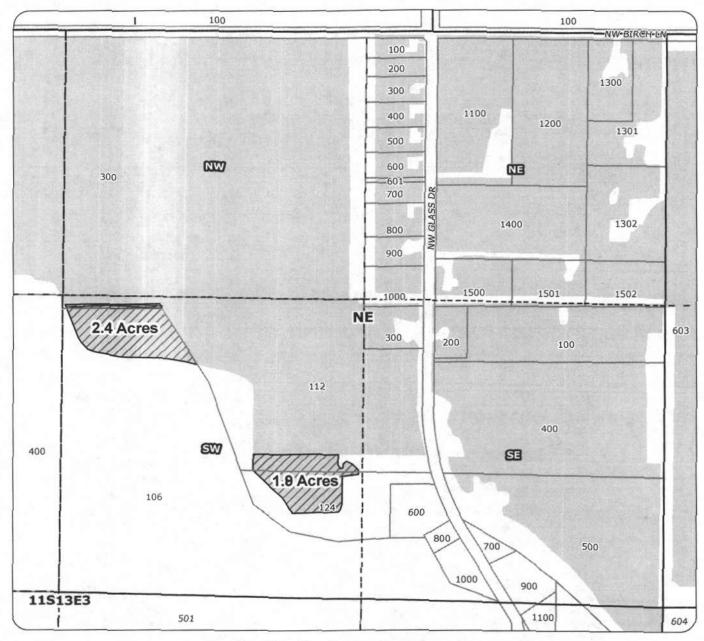
consecutive years (required if the second box in Section 1.6 of this form is

required, and a prior short term lease shall not set a precedent for the amount of water to be

checked)

Exhibit 5-D:

Split Season Instream Use Form



#### Application for 1-year Instream Lease Permit 33954 Certificate 72283



Proposed Lease of Irrigation Rights



Water Rights

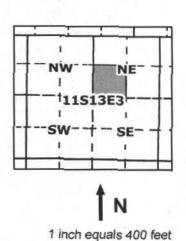


Geo-Spatial Solutions, Inc.

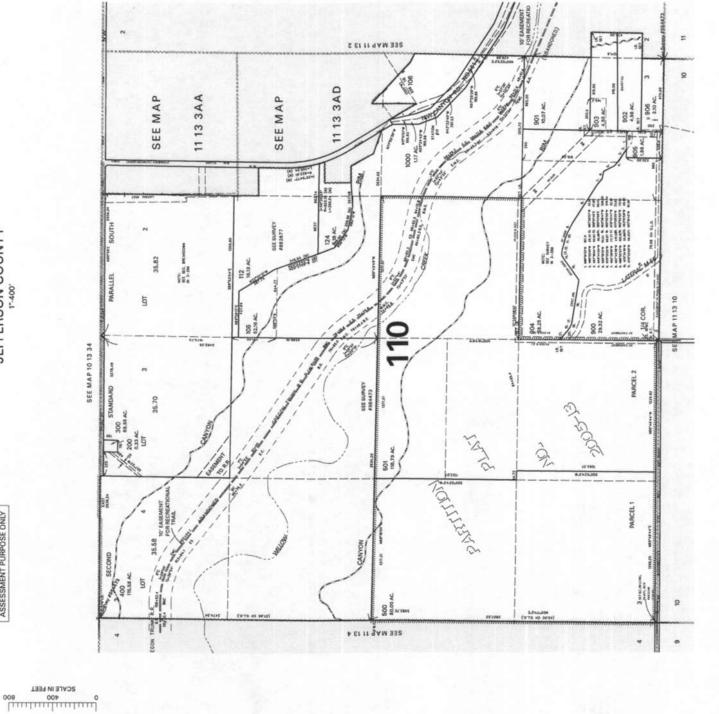
www.geospatialsolutions.com

for
Ronald R. Robinson Jr.
taxlot 106\*- 2.4 acres
in 111303\$WNE
taxlot 124\*- 1.9 acres
in 111303\$WNE
Total Lease of 4.2 Acres
\*Mapped from 3111 water right
representations of taxlot
106 and 124.

Date Created: March 2008



11133





## Application for

# Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

Optio	Il Identification by Lessor/Lessee:
	pplication Number (assigned by WRD):IL-918
This	ase is with:
Lesso	#1 (Water Right Holder):
	Charles Kenneth & Durene A Cantrell
	address PO Box 759
	ate, Zip Code Madras, OR 97741
	one number 541-475-4234
	ddress
If add	onal water right holders, enter water right holder information below
Applic	e section numbering associated with this form corresponds to that found on the "Standard Instream Lease on" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same on as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always.  -I~ Water Right Holder and Water Right Information
1.1	Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5 if the water right appurtenant to these lands is also appurtenant to lands owned by others where not included in this application, then Attachment 1 (tax lot map), needs to be included.
1.3	For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate f there are any supplemental or overlying rights.
	Certificate No. 72279
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.  Yes No
1.5	Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows: This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the trea of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4 1/4, tax lot number, map orientation and scale.]

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Iden	tify pertin	ent page r	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	10	14	31 DC	SW SE	900	1.0	Irrigation	72279	20	2/28/13
2.			11.57	M.		West !		Spines -		145
3.		Y .	1 11	5000		-	A DESCRIPTION OF THE PERSON OF		100	42.4
4.						1.04				0.5
5.	15				- 15			507,355- JE 1	7	1.17

	1.0
Total number of acres, if for irrigation, by certificate and priority date:  Taxlot 900 was originally part of Taxlot 2400.	
	divided into multiple
If you need to enter another leased right, please use the Additional Water Right Water Right Holder.	tax lots. See GSS'

- 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 water right certificate or as an instream water right or
  - The water has <u>not</u> been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to Attachment 3).

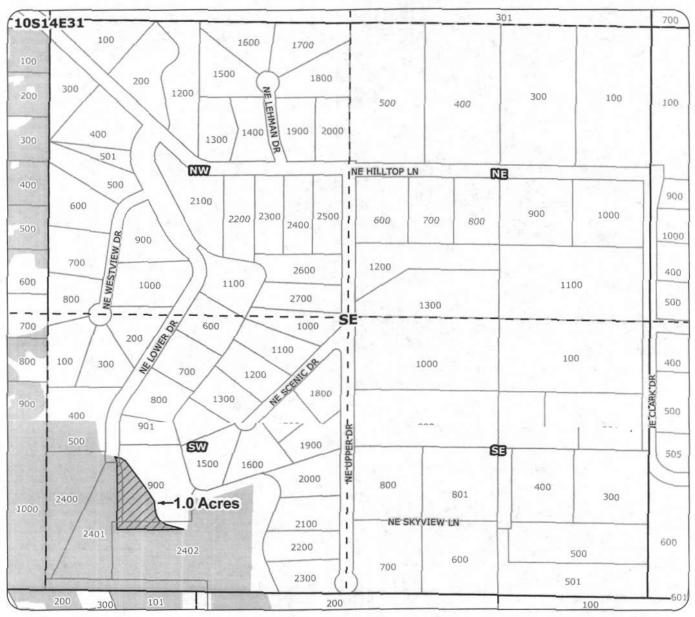
## ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 30, 2008. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The 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. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 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 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 water right holder 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.							
3.5	Termination provision.							
3.3	For multiyear leases, the Lessor(s) shall have the option of terminating the lease ear year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then days prior to the period of allowed instream use or after the period of allowed use he begun for the water right(s) being leased, water may not be used under the right(s) until the following calendar year, unless the Director determines that enlargement venot occur. The Department may also require:  Written notice to the Department with original signatures;  Consent by all parties to the lease; and/or  Written notice to the Watermaster's office.  For multiyear leases, the lessor shall not have the option of terminating the lease we	ne 30- has leased would						
	consent by all parties to the lease.	ittiout						
Lesso	Modification to prevent injury. Allocation of water to the instream use described in Sec. 2.2 during the term of this lease is not reasonably expected to cause injury to other rights use water from the same source. If injury is found after this lease is signed, the lease material or terminated to prevent injury.  #1:							
For ac	itional I assess to a construction of							
TOT ac	itional Lessors, type in space for signature and date							
0	Turine a Fantrell Date: 11/26/07							
	Durene A Cantrell	-						
Other	ttachments As Needed:							
Exhibi								
Exhibi	(See mott detroils)							
	5-B: Detailed map illustrating lands under subject rights to be leased; required if or part of a right is being leased instream. Exhibits 5-A and 5-B may be combin	nly						
	into a single map. (See instructions.)	ea						
Exhibi	bit 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)							
Exhibi								
	A COUNTY OF A COUN							



Application for 1-year Instream Lease Primary:Permit 23196 Certificate 72279

Supplemental: Permit 25921 Certificate 72281



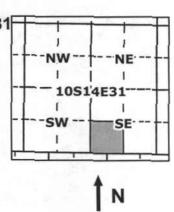
Proposed Lease of Irrigation Rights



Water Rights



Charles and Durene Cantrall taxlot 900\*- 1.0 acres in 101431SWSE Total Lease of 1.0 Acres \*Mapped from 3111 water right representation of taxlot 900.





Geo-Spatial Solutions, Inc.

www.geospatialsolutions.com

Date Created: March 2008

1 inch equals 400 feet