

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.

I distant to OK	337.340(2) and Order 070 077
Optional Identification by Lessor/Lessee: Lease Application Number (assigned by V	Combined IL-2008-01 VRD):
This Lease is between:	
Lessor #2: Irrigation District or Other Name Central Oregon Irrigation District Mailing address 1055 SW Lake Ct City, State, Zip Code Redmond, OR 9775 Telephone number 541-504-7577 Email address lauraw@coid.org The water right to be leased is located in I	56
Lessee (if different than Oregon Water Name Deschutes Water Exchange Mitigat Mailing address PO Box 1560 City, State, Zip Code Bend, OR 97709 Telephone number 541-382-5186	ion Bank River Conservancy
Email address gen@deschutesriver.org	RECEIVED
Trustee: Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1266 (503) 986-0900	APR 0 4 2008 WATER RESOURCES DEPT SALEM OREGON
~I~ Water Right Hol	der and Water Right Information
which conveys water to the sul	ral Oregon Irrigation District , the irrigation district, bject water rights. in the subject water rights representing
1.3 For the water right(s) being leased Indicate if there are any supplement	, list all water rights appurtenant to the same lands. ntal or overlying rights.
Certificate No. <u>83571 & 76714</u>	

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. The first right to be leased identified in Section 1.3 is further described as follows: Certificate No.: 83571 Priority date: October 31, 1900 & December 2, 1907 Legal Season of Use: April 1 to November 1 If an irrigation right, total number of acres to be leased: 277.65 (232.64 POD #1) Total acre-feet of storage to be leased, if applicable: 0 (45.01 POD#11) Maximum rate associated with subject water rights (cfs) being leased: POD #1: Priority 10/31/1900: Season 1: 2.896, Season 2: 3.862, Season 3: 5.106 Priority 12/02/1907: Season 3: 2.046 POD #11: Priority 10/31/1900: Season 1: 0.561, Season 2: 0.748, Season 3: 0.989 Priority 12/02/1907: Season 3: 0.397 If there is more than one rate associated with a water right, describe below: Season 1 (cfs) Time period: Season 2 (cfs) Time period: Season 3 (cfs) Time period: Season 3 (cfs) Time period: Maximum duty associated with subject water rights (ac-ft): POD #1: 2295.40 POD #11: 444.94
	Conditions or other limitations, if any: None RECEIVED If you need to enter another leased right, please use the additional water rights faper 0 4 2008
	~II~ Instream Water Right Information WATER RESOURCES DEPT
2.1	~II~ Instream Water Right Information 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
2.1	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

	(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 through ☐ 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	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 determined 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:
	r #2 Sauce Stables Date: 03-31-08 al Oregon Irrigation District
Lecce	e. Some were to be t
Desch	e: <u>Senencie Hubert</u> Date: <u>04/02/08</u> nutes Water Exchange Mitigation Bank River Conservancy
	Attachments as Needed:
	hment 1: Tax Lot Map. (See instructions.)
Attacl	hment 2: Detailed map illustrating lands under subject rights to be leased; required if only
	part of a right is being leased instream. (See instructions.)
Attacl	hment 3: Supporting documentation indicating why a right is valid and not subject to
	forfeiture even though the right has not been exercised for five or more consecutive
	years (required if the second box in Section 1.6 is checked).
	hment 4: Split Season Instream Use Form
Attacl	hment 5: Pooled Lease Water Right Holder Form

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APR 0 4 2008 WATER RESUURCES DEPT SALEM OREGON



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 Lease	Application Number (assigned by WRD):
This L	ease is with:
Name Mailin City, S Teleph Email	r #1 (Water Right Holder): Leslie Clautice Living Trust ng address 4374 NW Arrowood State, Zip Code Corvallis, OR 97330 none number address water right holders, enter water right holder information below
Applica informa	The section numbering associated with this form corresponds to that found on the "Standard Instream Lease ation" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same ation as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not sequential. ~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. <u>83571 & 76714</u>
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 ¼¼, tax lot number, map orientation and scale.]

	T	R	Sect	V ₁ V ₁	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page n	umber of	f certificate,	if certificate	e is greater than ler certificate)	0 pages; identify	priority date	if there is
1.	17 S	12 E	34	SW SE	1400	2.35	Irrigation	83571	45	10/31/190 0
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 2.35 acres
Conditions or other limitations, if any: None
If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.
1 (Walidity of wights I accounts) attents (manus and) that

- **1.6** Validity of rights. Lessor(s) attests (mark one) that:
 - Matter 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 documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documents and the subject to forfeiture under OR

APR 0 4 2008

~II~ Instream Water Right Information

WATER RESOURCES DEPT SALEM OREGON

2.3 Term of lease. This lease shall terminate on October 31, 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

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.

Lessor #1:

Leslie Clautice Living Trust

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

WSTRS Date: 013/08

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

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WATER RESUURCES DEPT SALEM OREGON



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.

	Pursuant to ORS 537.348(2) and OAR 690-077	
_	onal Identification by Lessor/Lessee: 203 e Application Number (assigned by WRD):	
This	Lease is with:	
	or #1 (Water Right Holder):	
	e George & Constance Hood ing address 1016 Merrill Ct	
City,	State, Zip Code Bullhead City, AZ \$2442	RECEIVED
Tele	phone number	APR 0 4 2008
Ema	phone number	WATER RESUURCES DE
	ditional water right holders, enter water right holder information below	SALEM OREGON
Appli inforn	The section numbering associated with this form corresponds to that found on the "Station" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are nation as the "Standard Instream Lease Application" form. Consequently, the numbers sequential. ~I~ Water Right Holder and Water Right Information.	e used to provide the same ring on this form is not
1.1	Lessor #1 is the water right holder, or authorized agent for property of 1.5. If the water right appurtenant to these lands is also appurtenant others who are not included in this application, then Attachment 1 (taincluded.	to lands owned by
1.3	For the water right(s) being leased, list all water rights appurtenant to Indicate if there are any supplemental or overlying rights.	the same lands.
	Certificate No. <u>83571 & 76714</u>	
1.4	Are some or all of the lands being leased part of a Conservation Reservation. Yes No	erve Enhancement
1.5	Water Right(s) Proposed to be Leased Instream. Water right hold water rights shown on the map attached as Exhibit 5-B and described [This information may be included on Exhibit 5-A, or an additional map may be at the area of water rights being leased. Attached map(s) must identify water right hosection and 1/4 1/4, tax lot number, map orientation and scale.]	l as follows: ttached. Crosshatch

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page n	umber of			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	17 S	12 E	35	NE SE	1402	1.50	Irrigation	83571	45	10/31/190 0
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: <u>Cert #83571, Oct.</u> 31, 1900 - 1.50

Conditions or other limitations, if any: None	RECEIVED

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

WATER RESUURCES DEPT SALEM OREGON

- **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 <u>October 31, 2008</u>. (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

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 =	783 · · · · ·	
3.5	Termination	provision.
	_ +1 11111111111	P. C

- 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.

Lessor #1: Se	orge to	ood	Date:	2/28/08
George/Hood		West 1		
Houstonce	Hook	2-28	-08 Date:	
Constance Hood				

For additional Lessors, type in space for signature and date

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APR 0 4 2008

WATER RESUURCES DEPT SALEM OREGON

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



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.

	Pursuant to ORS 537.348(2) and OAR 690-077	
Optio Lease	onal Identification by Lessor/Lessee: 2891 e Application Number (assigned by WRD):	
This	Lease is with:	
	or #1 (Water Right Holder): e McQueen Partners	
City,	State, Zip Code Bend, OR 97701 phone number 541-915-5669	RECEIVED
	il address adam@adambledsoe.com	APR 0 4 2008
If add	ditional water right holders, enter water right holder information below	
Applic inform	The section numbering associated with this form corresponds to that found on the "Statication" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are nation as the "Standard Instream Lease Application" form. Consequently, the numbering sequential.	used to provide the same
	~I~ Water Right Holder and Water Right Informa	tion
1.1	Lessor #1 is the water right holder, or authorized agent for property de 1.5. If the water right appurtenant to these lands is also appurtenant to others who are not included in this application, then Attachment 1 (tax included.	lands owned by
1.3	For the water right(s) being leased, list all water rights appurtenant to Indicate if there are any supplemental or overlying rights.	the same lands.
	Certificate No. <u>83571 & 76714</u>	
1.4	Are some or all of the lands being leased part of a Conservation Reser Program. Yes No	ve Enhancement
1.5	Water Right(s) Proposed to be Leased Instream. Water right holder water rights shown on the map attached as Exhibit 5-B and described a [This information may be included on Exhibit 5-A, or an additional map may be attached area of water rights being leased. Attached map(s) must identify water right hold section and 1/4 1/4, tax lot number, map orientation and scale.]	as follows: uched. Crosshatch

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use			Priority*
	*(Identi	fy pertine	nt page r	number of	f certificate,	if certificate	e is greater than 1 per certificate)	10 pages; identify	priority date	
1.	17 S	12 E	23	SW NE	401	5.10	Irrigation	83571	43	10/31/190
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: <u>Cert #83571</u>, <u>Oct.</u> 31, 1900 - 5.10 acres

Conditions or other limitations, if any: None

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If you need to enter another leased right, please use the Additional Water Right Form for Pooled WATER RESURCES DEP

- **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 <u>October 31, 2008</u>. (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.
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- **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

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	ı.
	For multiviour loos	

- 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.

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Lessor #1:	(les	21	Sil_	 Date:	7/	19	108	
McQueen Partners	:				((

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

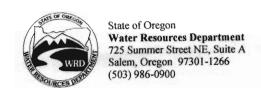
checked)

Exhibit 5-D: Split Season Instream Use Form

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WATER RESUURCES DEPT SALEM OREGON



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 Lease	e Application Number (assigned by WRD):	
0	This	Lease is with:	
EARN A		or #1 (Water Right Holder): e Biarne & Cheryl Tronson	
,		ing address 21075 Scottsdale Dr	
		State, Zip Code Bend, OR 97701-9819	DEAPH/PD
		phone number 541-330-0800	RECEIVED
		l address	4 100 A 2000
			APR 0 4 2008
	If add	ditional water right holders, enter water right holder information below	WATER RESUURCES DEF SALEM OREGON
	Applic inform	The section numbering associated with this form corresponds to that found on the "Scation" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) an action as the "Standard Instream Lease Application" form. Consequently, the numbers sequential.	re used to provide the same
		~I~ Water Right Holder and Water Right Inform	ation
	1.1	Lessor #1 is the water right holder, or authorized agent for property 1.5. If the water right appurtenant to these lands is also appurtenant others who are not included in this application, then Attachment 1 (tincluded.	to lands owned by
	1.3	For the water right(s) being leased, list all water rights appurtenant t Indicate if there are any supplemental or overlying rights.	to the same lands.
		Certificate No. <u>83571 & 76714</u>	
	1.4	Are some or all of the lands being leased part of a Conservation Res Program. Yes No	erve Enhancement
	1.5	Water Right(s) Proposed to be Leased Instream. Water right hold water rights shown on the map attached as Exhibit 5-B and describe [This information may be included on Exhibit 5-A, or an additional map may be at the area of water rights being leased. Attached map(s) must identify water right be section and 1/4 1/4, tax lot number, map orientation and scale.]	ed as follows: attached. Crosshatch

	T	R	Sect	V4 V4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
4	*(Ident	ify pertine	ent page r	number of	f certificate,	if certificate than one r	e is greater than 1 per certificate)	0 pages; identify	priority date	if there is
1.	17 S	12 E	15	SE NE	900	0.45	Irrigation	83571	43	10/31/190 0
2.	17 S	12 E	15	SW NE	900	0.50	Irrigation	83571	43	10/31/190 0
3.										
4.										
5.										

	tal number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 0.95 acres (Since HB 3111, a partition has been done on original tax lot 204 creating
	x lots including this tax lot 900)
Со	nditions or other limitations, if any: None
If you nee Water Rig	d to enter another leased right, please use the Additional Water Right Form for Pooled ht Holder.
1.6 Vali	dity of rights. Lessor(s) attests (mark one) that:
\boxtimes	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 not been used over the past five years according to the terms and

~II~ Instream Water Right Information

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

2.3 Term of lease. This lease shall terminate on October 31, 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.)

Attachment 3).

~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.

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- 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.
- **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.

a

Lessor #1: Blend Just

Date: 2-21-03

Biarne Tronson BIARNA

Cheryl Tronson

J-11-08 Date:

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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

Jan 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 Lease	al Identification by Lessor/Lessee: 3192 Application Number (assigned by WRD):	
This L	ease is with:	
Name :	*#1 (Water Right Holder): NNP IV-NCR, LLC g address 16701 SE McGillivray Blvd Ste 150	DEAE!\/ED
City, S	tate, Zip Code Vancouver, WA 98683	RECEIVED
	one number <u>541-389-0700</u>	APR 0 4 2008
Email	address	APR U 4 ZUUU
If addi	tional water right holders, enter water right holder information below	WATER RESUURCES DEPT SALEM OREGON
Applica informa	the section numbering associated with this form corresponds to that found on the "Startion" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are unition as the "Standard Instream Lease Application" form. Consequently, the number is sequential.	used to provide the same
	~I~ Water Right Holder and Water Right Information	tion
1.1	Lessor #1 is the water right holder, or authorized agent for property de 1.5. If the water right appurtenant to these lands is also appurtenant to others who are not included in this application, then Attachment 1 (tax included.	lands owned by
1.3	For the water right(s) being leased, list all water rights appurtenant to Indicate if there are any supplemental or overlying rights.	the same lands.
	Certificate No. <u>83571 & 76714</u>	
1.4	Are some or all of the lands being leased part of a Conservation Reser Program. Yes No	ve Enhancement
1.5	Water Right(s) Proposed to be Leased Instream. Water right holder water rights shown on the map attached as Exhibit 5-B and described a [This information may be included on Exhibit 5-A, or an additional map may be attathed area of water rights being leased. Attached map(s) must identify water right hold section and ½ ½, tax lot number, map orientation and scale.]	as follows: ached. Crosshatch

	Т	R	Sect	1/4 1/4	Tax Lot			Certificate #		Priority*
	*(Identi	fy pertine	nt page m	umber of	certificate, if	certificate than one pe	is greater than 1 r certificate)	0 pages; identify	priority date	if there is
1.										
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 68.50 (See attached Exhibit A)

Conditions or other limitations, if any: None

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If you need to enter another leased right, please use the Additional Water Right Form ARP & Ido 2011

Water Right Holder.

WATER RESURCES DEPT

- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
 - Matter 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 31, 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

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.

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3.5	erm	iination	provision.
2.0	T ~ X X X	****	DX 0 1 202021

- 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.

Modification to prevent injury. Allocation of water to the instream use described in 3.6 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.

(1) Vice president Date: 3/4/08 Lessor #1: NNP IV-NCR, LLC

For additional Lessors, type in space for signature and date

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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

Jan 2007

State of Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1266 (503) 986-0900

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.

Pursuant to ORS 537.348(2) and OAR 690-077 Optional Identification by Lessor/Lessee: 1095 Lease Application Number (assigned by WRD): This Lease is with: Lessor #1 (Water Right Holder): Name Lori Durant & Helen Durant Mailing address 5917 SW Quarry Ave City, State, Zip Code Redmond, OR 97756 RECEIVED Telephone number 541-598-4329 Email address APR 0 4 2008 If additional water right holders, enter water right holder information below WATER RESUURCES DEPT SALEM OREGON Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential. ~I~ 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. 83571 & 76714 Are some or all of the lands being leased part of a Conservation Reserve Enhancement 1.4 Program. Yes 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

section and 1/4 1/4, tax lot number, map orientation and scale.]

the area of water rights being leased. Attached map(s) must identify water right holder, township, range,

	T	R	Sect	1/4 1/4	Tay Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	ify pertine	ent page n	umber of			e is greater than 1 per certificate)	0 pages; identify	priority date	if there is
1.	16 S	12 E	01	SE SW	1202	2.30	Irrigation	83571	36	10/31/190 0
2.	16 S	12 E	01	SW SW	1202	3.10	Irrigation	83571	36	10/31/190 0
3.										
4.										
5.										

	Lot	al number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct.
31.	1900 -	5.40 acres
211		nditions or other limitations, if any: None
-		to enter another leased right, please use the Additional Water Right Form for Pooled at Holder.
1.6	Valid	lity of rights. Lessor(s) attests (mark one) that:
	\boxtimes	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

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2.3 Term of lease. This lease shall terminate on October 31, 2008. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official teachers.)

~III~ Other Information

WATER RESUURCES DEPT SALEM OREGON

- 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

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.

2 =	mm + 4*	
3.5	Termination	provision
J.J	I CI MIMATION	DI O I IBIOLI

- 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.
- Modification to prevent injury. Allocation of water to the instream use described in 3.6 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.

Lori Durant

Date: 3/7/08

Date: 3/7/08

Helen Durant

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.)

Supporting documentation indicating why a right is valid and not subject to Exhibit 5-C:

> 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

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WATER RESUURCES DEPT SALEM OREGON



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.

Pursuant to ORS 537.348(2) and OAR 690-077 Optional Identification by Lessor/Lessee: 901693 This Lease is with: Lessor #1 (Water Right Holder): Name Michael Emery Mailing address 3075 NE Georginia Ct RECEIVED City, State, Zip Code Bend, OR 97701 Telephone number APR 0 4 2008 Email address WATER RESUURCES DEPT If additional water right holders, enter water right holder information below SALEM OREGON Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential. ~I~ 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. 83571 & 76714 Are some or all of the lands being leased part of a Conservation Reserve Enhancement 1.4 Program. Yes X 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:

section and 1/4 1/4, tax lot number, map orientation and scale.]

[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,

	T	R	Sect	1/4 1/4	Tax Lot	Aeres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	ify pertine	ent page r	number of	f certificate,	if certificate	e is greater than leer certificate)	0 pages; identify	priority date	if there is
1.	17 S	12 E	15	NE SE	1100	0.50	Irrigation	83571	43	10/31/190 0
2.								RECE	IVED	
3.								MEGE		
4.								APR 0	4 2008	
5.								WATER RESUL	RCES DE	T
								SALEM C	REGON	

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct.
1, 1900 - 0.50 acres
Conditions or other limitations, if any: None

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 31, 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

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.

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3.5	Termination	provision.
	TOTHUM	DI O I IDIOM

- 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.

Lessor #1: _

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

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WATER RESUURCES DEPT SALEM OREGON



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.

Pursuant to ORS 537.348(2) and OAR 690-077 Optional Identification by Lessor/Lessee: 271590 This Lease is with: Lessor #1 (Water Right Holder): Name John & Joann Gunzner Mailing address PO Box 623 RECEIVED City, State, Zip Code Terrebonne, OR 97760-0623 Telephone number 541-923-0463 APR 0 4 2008 Email address WATER RESUURCES DEPT SALEM OREGON If additional 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 Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential. ~I~ 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. 83571 & 76714 Are some or all of the lands being leased part of a Conservation Reserve Enhancement 1.4 Program. Yes 1.5 Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the

section and 1/4 1/4, tax lot number, map orientation and scale.]

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,

	Т	R	Sect	44	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page n	umber o			e is greater than 1 er certificate)	0 pages; identify	priority dat	e if there is
1.	14 S	13 E	18	NE SE	400	3.40	Irrigation	83571	13	10/31/190 0
2.									ECE	VED
3.								87	LOL	
4.									APR 04	2008
5.								WATE	RRESUUF	CES DEPT
									SALEM OF	REGON

Total number of acres, if for irrigation, by certificate and priority date: <u>Cert #83571, Oct.</u> 31, 1900 - 3.40	
Conditions or other limitations, if any: None	-

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 31, 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

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.

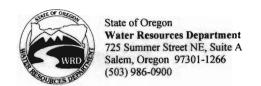
3.5	For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then 30-days prior to the period of allowed instream 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.
s	dification to prevent injury. Allocation of water to the instream use described in tion 2.2 during the term of this lease is not reasonably expected to cause injury to other ts to use water from the same source. If injury is found after this lease is signed, the e may be diffed or terminated to prevent injury.
Lessor #	Date: 2-28-08
John Gu	ner (E. Runnel Date: 3-21-08
Joann G	0
For addi	nal Lessors, type in space for signature and date RECEIVED
	APR 0 4 2006
Ot <u>her A</u> Exhibit	chments As Needed: Tax Lot Map. (See instructions.) WATER RESURCES DEPT SALEM OREGON
Exhibit	1 1
Exhibit	

checked)

Exhibit 5-D:

Split Season Instream Use Form

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



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.

	Application Number (assigned by WRD): \(\sum \frac{1}{2} \cdot \f						
This L	ease is with:						
Name Mailin City, S Teleph	r #1 (Water Right Holder): Halligan Ranch, Inc ig address 9020 S Hwy 97 State, Zip Code Redmond, OR 97756 inone number 541-389-6855 address halliganranch@hughes.net	RECEIVED APR 0 4 2008 WATER RESUURCES DEF					
If addi	itional water right holders, enter water right holder information below						
Applica informa	The section numbering associated with this form corresponds to that found on the "Station" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) at a station as the "Standard Instream Lease Application" form. Consequently, the number sequential. ~I~ Water Right Holder and Water Right Inform	re used to provide the same ering on this form is not					
1.1	Lessor #1 is the water right holder, or authorized agent for property 1.5. If the water right appurtenant to these lands is also appurtenant others who are not included in this application, then Attachment 1 (tincluded.	described in Section to lands owned by					
1.3	Indicate if there are any supplemental or overlying rights.						
1.4	Certificate No. <u>83571 & 76714</u> Are some or all of the lands being leased part of a Conservation Res Program. ☐ Yes ☒ No	serve Enhancement					
1.5	Water Right(s) Proposed to be Leased Instream. Water right hold water rights shown on the map attached as Exhibit 5-B and describe [This information may be included on Exhibit 5-A, or an additional map may be at the area of water rights being leased. Attached map(s) must identify water right be section and 1/4 1/4, tax lot number, map orientation and scale.]	d as follows: attached. Crosshatch					

	T	R	Sect	<i>1</i> / ₄ 1/ ₄	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page r	number of	f certificate, i	f certificate	e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 S	13 E	18	NW SW	700	15.20	Irrigation	83571	39	10/31/190 0
2.	16 S	13 E	18	SW SW	700	11.56	Irrigation	83571	46 39	10/31/190 0
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct.
31, 1900 - 26.76 acres
Conditions or other limitations, if any: None
If you need to enter another leased right, please use the Additional Water Right Form for Pooled

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

Water Right Holder.

- 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

APR 0 4 2008

2.3 Term of lease. This lease shall terminate on October 31, 2008. (If the AFER RESUURCES DEPT between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term SALENE OREGON

- 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

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.

2 5	TT	• 4 •	
3.5	1 erm	ination	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 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 multivear 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: Date: 2-13-08
Halligan Ranch, Inc

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For additional Lessors, type in space for signature and date

APR 0 4 2008

WATER RESUURCES DEPT

SALEM OREGON

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.)

Supporting documentation indicating why a right is valid and not subject to Exhibit 5-C:

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



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.

	Pursuant to ORS 537.348(2) and OAR 690-077	
Optio Leas	onal Identification by Lessor/Lessee: 295 e Application Number (assigned by WRD):	
	Lease is with:	
	or #1 (Water Right Holder):	
	e Roman Catholic Bishop of the Diocese of Baker, Inc	RECEIVED
	ing address PO Box 5999	1/PAPEL A MAIN
	State, Zip Code Bend, OR 97708	APR 0 4 2008
Fma	phone number 541-388-4004	WATER RESUURCES DE
Lilla	ii addiess	SALEM OREGON
If ad	ditional water right holders, enter water right holder information below	
Appli inform	The section numbering associated with this form corresponds to that found on the "Scation" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) a nation as the "Standard Instream Lease Application" form. Consequently, the numbers sequential.	re used to provide the same
	~I~ Water Right Holder and Water Right Inform	ation
1.1	Lessor #1 is the water right holder, or authorized agent for property 1.5. If the water right appurtenant to these lands is also appurtenant others who are not included in this application, then Attachment 1 (included.	to lands owned by
1.3	For the water right(s) being leased, list all water rights appurtenant t Indicate if there are any supplemental or overlying rights.	to the same lands.
	Certificate No. <u>83571 & 76714</u>	
1.4	Are some or all of the lands being leased part of a Conservation Res Program. Yes No	erve Enhancement
1.5	Water Right(s) Proposed to be Leased Instream. Water right hold water rights shown on the map attached as Exhibit 5-B and describe [This information may be included on Exhibit 5-A, or an additional map may be at the area of water rights being leased. Attached map(s) must identify water right be section and ¼ ¼, tax lot number, map orientation and scale.]	d as follows: attached. Crosshatch

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.

2.5	Termination	neovicion
3.5	1 ermination	DLOAISIOH.

- 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.

Lessor #1: HOLDML	_Date:	2/	19/08	
Roman Catholic Bishop of the Diocese of Baker, Inc	_	,	,	

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

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WATER RESUURCES DEPT SALEM OREGON

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WATER RESOURCES DEPT

	T	R	Sect	1/4 ta	Tay Lot	Aeres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	ify pertine	ent page r	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16 S	12 E	26	SW NW	600	3.00	Irrigation	83571	38	10/31/190 0
2.										
3.								F	RECE	VED
4.										
5.									APR 04	2008
				-				WAT	FR REQUIE	POER NED

Total number of acres, if for irrigation, by certificate and priority date: Ceratem OREGON 31, 1900 - 3.00 acres (Since HB3111, there has been a lot line adjustment.)

Conditions or other limitations, if any: None

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 31, 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



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 Lease	onal Identification by Lessor/Lessee: 2194 e Application Number (assigned by WRD): エレータンと	
	Lease is with:	
	or #1 (Water Right Holder): e Fiserv ISS & Co % Mark Neuman & Brian Stevens	
	ing address 1567 SW Chandler Ste 101	
City	State, Zip Code Bend, OR 97702	RECEIVED
Teler	phone number	
Emai	l address	APR 0 4 2008
	ditional water right holders, enter water right holder information below	WATER RESUURCES DEF SALEM OREGON
Applio inform	The section numbering associated with this form corresponds to that found on the "Station" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are nation as the "Standard Instream Lease Application" form. Consequently, the number is sequential.	used to provide the same
	~I~ Water Right Holder and Water Right Informa	tion
1.1	Lessor #1 is the water right holder, or authorized agent for property de 1.5. If the water right appurtenant to these lands is also appurtenant to others who are not included in this application, then Attachment 1 (tax included.	lands owned by
1.3	For the water right(s) being leased, list all water rights appurtenant to Indicate if there are any supplemental or overlying rights.	the same lands.
	Certificate No. <u>83571 & 76714</u>	
1.4	Are some or all of the lands being leased part of a Conservation Reser Program. Yes No	ve Enhancement
1.5	Water Right(s) Proposed to be Leased Instream. Water right holde water rights shown on the map attached as Exhibit 5-B and described [This information may be included on Exhibit 5-A, or an additional map may be attathe area of water rights being leased. Attached map(s) must identify water right holdsection and 1/4 1/4, tax lot number, map orientation and scale.]	as follows: ached. Crosshatch

			T	Lor	more	e than one p	er certificate)			10/31/190
1.	17 S	12 E	23	SE NW	702	5.00	Irrigation	83571	43	0
2.										
3									REC	EIVE
4.									ADD-A	4 2008
5.									AFR U	4 ZUUU

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:

Conditions or other limitations, if any: None

- 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

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- 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

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,

- 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.

Lessor	#1		
LC22OI	$TT \perp$	٠	

Date: _

Mark Neuman

Date

Brian Stevens

For additional Lessors, type in space for signature and date

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WATER RESUURCES DEPT SALEM OREGON

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

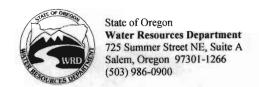
into a single map. (See instructions.)

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



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.

	Application Number (assigned by WRD):
This L	ease is with:
Name Mailin City, S Teleph Email	#1 (Water Right Holder): Clifford Jr & Dianna Broussard g address 63290 Johnson Ranch Rd tate, Zip Code Bend, OR 97701 tone number 541-389-9844 address tional water right holders, enter water right holder information below **RECEIVED** APR 0 4 2008 WATER RESUURCES DEPT SALEM OREGON
Application of the second of t	the section numbering associated with this form corresponds to that found on the "Standard Instream Lease tion" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same tion as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not sequential.
1.1	~I~ Water Right Holder and Water Right Information 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. <u>83571 & 76714</u>
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 ¼ ¼, tax lot number, map orientation and scale.]

	T	R	Sect	44	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page n	number of			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	17 S	14 E	14	SW SW	700	2.20	Irrigation	83571	50	10/31/190 0
2.										
3.										
4.										
5.										

Total number of a 31, 1900 - 2.20 acres	acres, if for irrigation, by certificate and priority date: Cert #83571, Oct.
Conditions or oth	er limitations, if any: None
If you need to enter anoth Water Right Holder.	ner leased right, please use the Additional Water Right Form for Pooled

- 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 31, 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 appropriate transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury EVEL.

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 = 1	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-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:
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- For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.
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Lessor #1: Clifford Browssard fr. Date: 2/23/08

Dianna Broussard

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APR 0 4 2008
WATER RESOURCES DEPT

SALEM OREGON

Other Attachments As Needed:

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

For additional Lessors, type in space for signature and date

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

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Exhibit 5-D: Split Season Instream Use Form



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.

	Application Number (assigned by WRD):					
This L	ease is with:					
Lessor #1 (Water Right Holder): Name Fred & Lauretta Buchanan Mailing address 22245 Erickson Rd City, State, Zip Code Bend, OR 97701 Telephone number 541-382-3735 Email address Email address Email address						
If addi	tional water right holders, enter water right holder information below					
Applica informa	he section numbering associated with this form corresponds to that found on the "Station" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are ation as the "Standard Instream Lease Application" form. Consequently, the number sequential.	used to provide the same				
	~I~ Water Right Holder and Water Right Informa	ntion				
1.1	Lessor #1 is the water right holder, or authorized agent for property d 1.5. If the water right appurtenant to these lands is also appurtenant t others who are not included in this application, then Attachment 1 (taincluded.	o lands owned by				
1.3	For the water right(s) being leased, list all water rights appurtenant to Indicate if there are any supplemental or overlying rights.	the same lands.				
	Certificate No. <u>83571 & 76714</u>					
1.4	Are some or all of the lands being leased part of a Conservation Rese Program. Yes No	rve Enhancement				
1.5	Water Right(s) Proposed to be Leased Instream. Water right holds water rights shown on the map attached as Exhibit 5-B and described [This information may be included on Exhibit 5-A, or an additional map may be att the area of water rights being leased. Attached map(s) must identify water right ho section and ½ ¼, tax lot number, map orientation and scale.]	as follows: cached. Crosshatch				

	Т	R	Sect	1/4 1/4	Tax Lot	Aeres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	ify pertine	ent page r	number of			e is greater than ler certificate)	0 pages; identify	priority date	e if there is
1.	17 S	13 E	30	NW NE	101	6.00	Irrigation	83571	47	10/31/190 0
2.										
3.										
4.										
5.										

31, 1900 - 6.00 acres
Conditions or other limitations, if any: None
If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

Total work of the first initial bounding and mississ date Cont #82571 Oct

- **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).

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~II~ Instream Water Right Information

APR 2.3 2008
Term of lease. This lease shall terminate on October 31, 2008
. (If there is a conflict WATER RESUURCES DEPT the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)
SALEM OREGON

- 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

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.

Lessor #1:

Fred Buchanan

Lauretta Buchanan

3/2/2008

Date:

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

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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 Lease	Application Number (assigned by WRD):					
This L	ease is with:					
Name Mailir City, S Teleph	Lessor #1 (Water Right Holder): Name Jack & Sherrie Cornell Mailing address 2850 NE 27 th St City, State, Zip Code Bend, OR 97701 Telephone number 541-389-6161 Email address RECEIVED APR 0 4 2008 WATER RESOURCES DEPT SALEM OREGON					
If add	itional water right holders, enter water right holder information below					
Applica informa	The section numbering associated with this form corresponds to that found on the "Standard Instream Lease ation" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same ation as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not sequential.					
	~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 b 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. <u>83571 & 76714</u>					
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 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 pertine	ent page n	umber of			is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	17 S	12 E	26	NW NW	2600	1.50	Irrigation	83571	44	10/31/190 0
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct.
31, 1900 - 1.50 acres
Conditions or other limitations, if any: None

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

RECENTED Perm of lease. This lease shall terminate on October 31, 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.)

APR 0 4 2008

~III~ Other Information

WATER RESOURCES DEPT

SALEM OREGON 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

	water to be leased or transferred instream.	
3.4		od of the lease, the water right holder agrees to
	•	ect 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 year with written notice to the Departm	have the option of terminating the lease each ent. The lease may be terminated at any time
		he termination request is received less then 30- eam use or after the period of allowed use has
		d, water may not be used under the right(s)
	leased until the following calendar year enlargement would not occur. The Dep	
	 Written notice to the Department with 	
	 Consent by all parties to the lease; ar 	
	■ Written notice to the Watermaster's	office. t have the option of terminating the lease,
	without consent by all parties to the lea	•
3.6	rights to use water from the same source. If lease may be modified or terminated to prev	ot reasonably expected to cause injury to other injury is found after this lease is signed, the ent injury.
Γ	Jack out at tou	
	or #1:Cornell	Date:
Juck		
	A Comile 2/27/0	8Date:
Sherr	rie Cornell	
For a	dditional Lessors, type in space for signature a	nd date
	_	
Other	r Attachments As Needed:	
Exhil	bit 5-A: Tax Lot Map. (See instructions.)	

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

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.)

Supporting documentation indicating why a right is valid and not subject to Exhibit 5-C:

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)

Split Season Instream Use Form Exhibit 5-D:

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