



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

Application for Short-Term Instream Lease Renewal

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

The undersigned entered into Instream Lease Number L-235 involving Water Right Certificate(s) 44012 on September 31, 2001, which expired on September 30, 2001.

21 ac

The undersigned Lessor and Lessee, parties to the original lease, hereby request that Lease Number L-235 be renewed. Lessor and Lessee warrant that, to the best of their knowledge, circumstances have not changed and all matters involved with or affected by the instream lease and the subject water right(s) remain as they were when the lease was first entered into, including but not limited to ownership of the lands to which the water right(s) is/are appurtenant, the acres from which the right is leased, and the public instream benefit provided as a result of this instream lease.

The terms and conditions of instream lease L-235 are hereby incorporated by reference in their entirety, with the following exception(s):

- The term of the lease shall commence on April 1, 2008 (not before execution by the parties) and continue through September 30, 2010.
- The Lessor and Lessee have changed since the original lease. The new lessor is: Ann Carroll, Personal Representative; Estate of Magdelene Lackner; P.O. Box 22786; Milwaukie, Oregon 97269. The lessee is the Oregon Water Resources Department.
- 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 than 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.
- Lessor(s) attests 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.

CREP. Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program?

- Yes
 No

Fees. Effective October 1, 2003, pursuant to ORS 536.050 (1)(w) (2003 SB 820), the following fee is included:

- \$50 for examining an application for an instream lease renewal.

Lessor: Ann M. Carroll, Personal Representative
Estate of Magdelene Lackner Date: June 12, 2008
Email address: ACarroll@perkinscoie.com
Ann Carroll

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JUN 13 2008

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