

Optional Identification by Lessor/Lessee:

#### Application for Short-Term

#### Instream Lease

Pooled Lease Form

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

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

Lease	Agreement Number (assigned by WRD):	
This L	ease Agreement is between:	
	r #2: Irrigation District or Other Water Purveyor	
	e) <u>Tumalo Irrigation District</u>	-
•	ng address) 64697 Cook Ave	-
	State, Zip Code) Bend, OR 97701	
` *	hone number) <u>541-382-3053</u>	
(Emai	address) tid@tumalo.org	-
The w	ater right to be leased is located in <u>Deschutes</u> County.	
	e (if different than Oregon Water Resources Department):	
	e) Deschutes River Conservancy	
	ng address) PO Box 1560	
	State, Zip Code) Bend, OR 97709	-
	hone number) <u>541-382-4077</u> , ext 16	
(Emai	address) gen@deschutesrc.org	-
Trust	201	RECEIVED
	n Water Resources Department	1100 0 000
	immer Street NE, Suite A	APR 2 8 2006
	OR 97301-1271	WATER RESOURCES DEP
	986-0900	SALEM, OREGON
(303)		
	~I~ Ownership and Water Right Information	11
1.2	Lessor #2 is the (Check one):	
1.2	☐ Official representative of <u>Tumalo Irrigation District</u> , the irr	igation district, which
	conveys water to the subject water rights.	
	Another party with an interest in the subject water rights represe	enting
	☐ Not applicable.	
1.3	For the lands being leased, list all water rights appurtenant to the lease	ssor's property. Indicate
	if there are any supplemental or overlying rights.	
	Contisports No. 74146, 74147, 76106, 76259 (all primary) and 7671	A 74147 74140 74140
76530	Certificate No. <u>74146, 74147, 76106, 76358 (all primary)</u> and <del>7671</del>	7, /414/, /4148, /4149,
10320	(all supplemental) * primary	

1.4	Are some or all of the lands being leased part of a Conservation Res Program. ☐ Yes ☐ No	erve Enhancement		
1.5	<b>Subject water rights.</b> Lessor proposes to lease the water rights list. The right(s) to be leased are further described as follows: Certificate No.: 74146	ed in 1.3.		
		Type of use: <u>Irrigation</u>		
	Legal Season of Use: April 15 through October 15			
	If an irrigation right, total number of acres to be leased:	-		
	8/5/1900 - 32.00 ac			
	<u>9/1/1900 - 52.36 ac</u> 5/27/1907 - 10.20 ac			
	6/1/1907 - 28.27 ac			
	Total acre-feet of storage to be leased, if applicable: N/A			
	Maximum rate associated with subject water rights (cfs) being lease	d:		
	Certificate 74146 with priorities:			
	8/5/1900 - 0.457 cfs 9/1/1900 - 0.748 cfs			
	5/27/1907 - 0.146 cfs			
	6/1/1907 - 0.404 cfs			
	If there is more than one rate associated with a water right, describe			
	Season 1 (cfs) Time period:	_		
	Season 2 (cfs) Time period: Season 3 (cfs) Time period:			
	Maximum duty associated with subject water rights (ac-ft):			
	8/5/1900 - 57.60 AF	RECEIVED		
	9/1/1900 - 94.25 AF	2000 - 2000		
	<u>5/27/1907 - 18.36 AF</u> 6/1/1907 - 50.89 AF	APR 2 8 2006		
	6/1/1907 - 30.89 AF	-WATER RESOURCES DEP SALEM, OREGON		
	Conditions or other limitations, if any:			
	If you need to enter another leased right, please use the additional water rights form.			
	~II~ Instream Water Right Information			
2.1	<ul> <li>Public use. This lease will increase streamflows, which will benefit:</li> <li>☑ Conservation, maintenance and enhancement of aquatic and fish and wildlife habitat</li> </ul>			
	<ul> <li>☑ Pollution abatement</li> <li>☑ Recreation and scenic attraction</li> </ul>			
2.2	Instream use created by lease. The instream use to be created is de Tumalo  Creek	escribed as follows:		
	Tributary to Deschutes River in the Deschutes Basin.			
	Describe the point of diversion (POD) and any associated reach(es) of being created. If possible list the reach by river mile. If no reach is			

only one POD listed on the certificate, the lease will be processed to be protected at the POD. (If more than one POD is listed on the certificate, then the POD and any associated reach(es) must be identified): TID POD #1 (Tumalo Feed Canal) and 1713' from S 1/4 corner, sect 2, T18S, R10E, W.M., to the mouth and to Lake Billy Chinook Maximum volume in acre-feet: 5/1/2006 through 10/15/2006 8/5/1900 - 57.60 9/1/1900 - 94.25 5/27/1907 - 18.36 RECEIVED 6/1/1907 - 50.89 Rate in cfs: APR 28 2006 8/5/1900 - 0.173 cfs WATER RESOURCES DEPT 9/1/1900 - 0.283 cfs SALEM, OREGON 5/27/1907 - 0.055 cfs 6/1/1907 - 0.153 cfs (Use the section below to indicate a more restrictive period of use than allowed by the water right.) Rate in cfs: Rate in cfs: Conditions to prevent injury, if any: The instream flow will be allocated on a daily average basis up to the described rate from 5/01/2006 through 10/15/2006. Other (describe): If you need to enter more instream uses, please use the additional water rights form.

2.3 Term of lease. This lease shall terminate on October 31, 2006.

2.4 Flow protection. The Trustee will regulate use of water from the source, subject to prior appropriation and the agency enforcement guidance, to assure the water is delivered to the point of diversion, and through the reach past junior downstream users, so long as flow is sufficient to meet the demand under priority date of the new instream use (see section 2.2). As part of regulation activities the watermaster or a designee has access to the point of diversion and place of use for the water rights involved in this lease. No party is required to continuously measure the flow of the waterway described in Section 2.2.

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.

3.3	Precedent. If a right which has been leased is later proposed to be leased transferred to an instream use under ORS 537.348 and OAR 690-077-007 077-0075 a new injury review shall be required, and a prior short term leased precedent for the amount of water to be leased or transferred instream.	70 or OAR 690-
3.4	Suspension of original use. During the period of the lease, the owner agr of water allowed under the subject water rights and under any water right supplemental to the subject water rights. In the event that a supplemental part of this lease, it may be subject to forfeiture.	that is
3.5	<ul> <li>Termination provision.</li> <li>□ For multiyear leases, lessor shall have the option of terminating the le prior to the lease being exercised (), with 30 day written Department.</li> <li>□ For multiyear leases, lessor shall not have the option of terminating the prior to the lease being exercised, with written notice to the Department.</li> </ul>	n notice to the se lease each year,
3.6	<b>Modification to prevent injury.</b> Allocation of water to the instream use Section 2.2 during the term of this lease is not reasonably expected to caurights to use water from the same source. If injury is found after this leas lease may be modified or terminated to prevent injury.	se injury to other
3.7	Fees. Effective October 1, 2003, pursuant to ORS 536.050 (1)(v) (2003 Stollowing fee is included:	
Lesson Tumal	or #2: Elments Frateanils Date: 4-	37.06
Lessee <u>Desch</u>	ee: Amenice Aubert Date: April	24,2006
Attach Attach Attach Attach	er Attachments as Needed: chment 1: Tax Lot Map of Lessor's Property (required if landowner is not the to lands for which the subject water rights are appurtenant) chment 2: Detailed map illustrating lands under subject rights to be leased (repart of a right is being leased instream). chment 3: Supporting documentation indicating why a right is valid and not forfeiture even though the right has not been exercised for five or years (required if the second box in Section 1.6 is checked) chment 4: Split Season Instream Use Form	equired if only subject to more consecutive
Attach	chment 5: Pooled Lease Landowner Form	RECEIVED

APR 2 8 2006 WATER RESOURCES DEPT SALEM, OREGON<sub>FSD</sub>

# This table will calculate flow rate factors and duty for Tumalo Irrigation District Instream Leases

# Primary Irrigation

TID CERT 74146 (assuming can divert full rate and duty allowed by certificate)

Source = Tumalo Creek

0 6	The state of the s		ווס וווסמים בפת	200
Enter Total Number of Acres to be Leased		Rate (CFS) associated with lead	Rate (CFS) associated with leased rig	rig
	acres instream	Enter Rates and	Enter Rates and Rate/acre (CFS) Max	۱
August 5. 1900	32.00	August 5. 1900	0.0143	
September, 1900	52.36	September, 1900	0.0143	
April 28, 1905		April 28, 1905	0.0140	
May 27, 1907	10.20	May 27, 1907	0.0143	
June 1, 1907	28.27	June 1, 1907	0.0143	
total acresi	122.83		Totals	

94.25

0.748

0.457

x Rate (CFS)

**Application Form** 

115 for Section 1.5

57.60

Duty/acre (AF) Max Duty (AF)

18.36

1.8

0.000

0.00

Section 31 man Control				
221.09		1.755	Totals	
50.89	1.8	0.404	0.0143	1, 1907

Rate (CFS) leased instream for Section 2.2 of the Lease Application	am for Section 2.2	of the Leas	se Application
Form	· · · · · · · · · · · · · · · · · · ·		
Enter Instream Rates and Instream Rate	Instream Rate	Instream	
Volumes by Priority Date	(CFS) over full	Volume	
on Lease Form	Irrigation Season	(AF)	Period Instream
August 5, 1900	0.158		57.50 April 15 - Oct 15
September, 1900	0.259		94.25 April 15 - Oct 15
April 28, 1905	0.000		0.00 April 15 - Oct 15
May 27, 1907	0.050		18.36 April 15 - Oct 15
June 1, 1907	0.140		50.89 April 15 - Oct 15
Totals	0.607	221.09	

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	700	
	_	
	뜻	
	U	

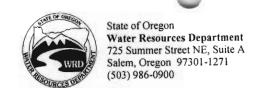
Optional - for alternative instream periods including the full irrigation season (for Section 2.2)	e instream perio	ods including the	IIII
Enter Proposed begin and end dates (must fall within Irrigation Season)	d end dates (mus	st fall within Irrigatic	on Season)
begin date	5/1/2006	5/1/2006 Number of Days	
end date	10/15/2006		168 Days
Rate (CFS) leased instream for Section 2.2 of the Lease Application Form	eam for Section	2.2 of the Lease	Application
Enter Instream Rates		Instream Rate	
and Volumes by Priority	# Day's	(CFS) over full	Instream
Date on Lease Form	Instream	Irrigation Season	Volume (AF)
August 5, 1900	168	0.173	57.60
September, 1900	168	0.283	94.25
April 28, 1905	168	0.000	0.00
May 27, 1907	168	0.055	18.36
June 1, 1907	168	0.153	50.89
Totals		99'0	221.09

<sup>\*</sup>Resulting rates may not exceed the max rate identified for Section 1.5 of the Lease Application

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WATER RESOURCES DEPT SALEM, OREGON



#### Additional Water Right Form for Pooled

#### **Instream Lease**

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

~ <b>I</b> ~	
Section 1.2 continued from Pooled District Form.  Subject Water Rights. District and Landowners propose to lease the water ri in Attachment 5.	ghts listed
The right(s) to be leased are further described as follows:  Certificate No.: 74147	
Priority date: 10/29/1913 Type of use: IRR  Legal Season of Use (if not listed on the certificate): April 1 through Novemb  If an irrigation right, total number of acres to be leased: 89.76 IRR, 2.0 Indust  Total acre-feet of storage to be leased, if applicable: 889.52 IRR, 19.82 IND  (909.34 total)	
Rate associated with leased rights (cfs): Season 1: April 1 to May 1 and Octol October 26 (1.122 cfs IRR, 0.025 cfs IND)	ber 1 to
(Use additional lines if there is more than one rate associated with the water right.) Rate associated with leased rights (cfs): Season 2: May 1 to May 15 and 15 to October 1 (1.496 cfs IRR, 0.033 cfs IND)	
Rate associated with leased rights (cfs): <u>Season 3: May 15 to September cfs IRR</u> , 0.062 cfs IND)	: 15 (2.77
Duty associated with leased rights (AF): 889.52 AF of IRR, 19.82 AF of IND (Use additional lines if there is more than one duty associated with the water right.)  Duty associated with leased rights (AF):  Duty associated with leased rights (AF):	
Conditions or other limitations, if any: None	
~II~	
Section 2.2 continued from Pooled District Form.  Instream use created by lease. The instream use to be created is described as  Tumalo  Creek  Tributary to Deschutes River  In the Deschutes  Basin	
Describe the point of diversion and any associated reach(es) of the instream u created. If possible list the reach by river mile, if no reach is identified, the le processed to be protected at the point of diversion): <u>TID POD #1 (Tumalo Femouth and to Lake Billy Chinook</u>	ase may be
Total volume (AF): Season 1: 124.63 AF - IRR, and 2.78 AF - IND  (Use additional lines if there is more than one rate associated with the water right.)  Total volume (AF): Season 2: 89.02 AF-IRR, 1.98 AF - IND  Total volume (AF): Season 3: 675.88 AF - IRR, 15.06 AF - IND  Rate in cfs: Season 1: 1.122 cfs IRR, 0.025 cfs IND	
(Use additional lines if there is more than one rate associated with the water right.)  Rate in cfs: Season 2: 1.496 cfs IRR, 0.033 cfs IND	ADD O 2000

Rate in cfs: Season 3: 2.770 cfs IRR, 0.062 cfs IND

Conditions to preent in	jury, if any:	
☐ None		
	be allocated on a daily average	ge basis up to the described rate
from 4/1/2006	through 10/26/2006	The state of the s
Other (describe):		

460

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# This table will calculate flow rate factors and duty for Turnalo Irrigation District Instream Leases

Primary Irrigation (See Below Dark Green Line for Supplemental Irrigation Calculator)

TID CERT 74147 (assuming can divert full rate and duty allowed by certificate)

Priority Date = October 29, 1913

Source = Tumalo Creek, Crater Creek, Little Creek and Three Spring Branches

Enter Total Number of Acres	0.00
to be Leased Instream Here	
	89.760

Rate (CFS) associated with Lease Application Form	n leased rights for S	Section 1.5 of the		
Enter Rates and Duty on Lease Form by Season	Rate/acre (CFS)	Max Rate (CFS)	Duty/acre (AF)	Max Duty (AF)
Season 1	0.013	1.122	9.91	889.52
Season 2	0.017	1.496		
Season 3	0.031	2.770		

Volumes by Season on Lease	Instream Rate (CFS) over full Irrigation Season	Days instream	Instream Volume (AF)	
Season 1	1.122			
Season 2	1.496	30	89.02	
Season 3	2.770	123	675.88	
Totals		Total Instream Vol.	889.52	
Additional Conditions to Pre	vent Inury for Sec	tion 2.2 of the Leas	e Application Form	1
Water protected instream:				

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# This table will calculate flow rate factors and duty for Translo Irrigation District Instream Leases

Primary Irrigation (See Below Dark Green Line for Supplemental Irrigation Calculator)

TID CERT 74147 (assuming can divert full rate and duty allowed by certificate)

Priority Date = October 29, 1913

Source = Tumalo Creek, Crater Creek, Little Creek and Three Spring Branches

Enter Total Number of Acres	
to be Leased Instream Here	
	2.000
SESSION DE LA CONTRACTION DEL CONTRACTION DE LA	2.000

Rate (CFS) associated with Lease Application Form	ate (CFS) associated with leased rights for Section 1.5 of the ease Application Form			
Enter Rates and Duty on Lease Form by Season	Rate/acre (CFS)	Max Rate (CFS)	Duty/acre (AF)	Max Duty (AF)
Season 1	0.013	0.025	9.91	19.82
Season 2	0.017	0.033	French Services	
Season 3	0.031	0.062	Both and	

Volumes by Season on Lease	Instream Rate (CFS) over full Irrigation Season		Instream Volume (AF)	22
Season 1	0.025		THE RESERVE OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAMED IN COL	1971-
Season 2	0.033	30	1,98	
Season 3	0.062	123	15.06	
Totals		Total Instream Vol.	19.82	
Additional Conditions to Pre	vent Inury for Sec			
Water protected instream:			1/4-5	

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# This table will calculate flow rate factors and duty for Typialo Irrigation District Instream Leases

Primary Irrigation (See Below Dark Green Line for Supplemental Irrigation Calculator)

TID CERT 74147 (assuming can divert full rate and duty allowed by certificate)

Priority Date = October 29, 1913

Source = Tumalo Creek, Crater Creek, Little Creek and Three Spring Branches

Enter Total Number of Acres	
to be Leased Instream Here	
	91.760

Rate (CFS) associated with Lease Application Form	leased rights for S	ection 1.5 of the		
Enter Rates and Duty on Lease Form by Season	Rate/acre (CFS)	Max Rate (CFS)	Duty/acre (AF)	Max Duty (AF)
Season 1	0.013	1.147	9.91	909.34
Season 2	0.017	1.529		
Season 3	0.031	2.832		

Enter Instream Rates and Volumes by Season on Lease Form	Instream Rate (CFS) over full Irrigation Season	Days instream	Instream Volume (AF)	
Season 1	1.147	56	127.40	
Season 2	1.529	30	91.00	Na T
Season 3	2.832	123	690.94	ATT.
Totals		Total Instream Vol.	909.34	Danie
Additional Conditions to Pre	vent Inury for Sec	tion 2.2 of the Leas	e Application Forn	n
Water protected instream:	April 1 throug	h October 26		

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# Additional Water Right Form for Pooled

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#### **Instream Lease**

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.

~I~

<ul> <li>n 1.2 continued from Pooled District Form.</li> <li>Subject Water Rights. District and Landowners propose to lease in Attachment 5.</li> </ul>	se the water rights listed
(Use additional lines if there is more than one rate associated with the Rate associated with leased rights (cfs):  Rate associated with leased rights (cfs):  Duty associated with leased rights (AF): 465  (Use additional lines if there is more than one duty associated with the	water right.)
Duty associated with leased rights (AF):  Duty associated with leased rights (AF):  Conditions or other limitations, if any: max portion from storage	
~II~ n 2.2 continued from Pooled District Form.	
n 2.2 continued from Pooled District Form.  Instream use created by lease. The instream use to be created in	
n 2.2 continued from Pooled District Form.	Basin.  the instream use being entified, the lease may be vr: SE 1/4 SW 1/4, Sect
Instream use created by lease. The instream use to be created in Tumalo  Creek  Tributary to Deschutes River  Describe the point of diversion and any associated reach(es) of the created. If possible list the reach by river mile, if no reach is identified processed to be protected at the point of diversion): Tumalo Resection 33, T16S, R11E, W.M.; Tumalo Creek: SE 1/4 NE 1/4, sect 23, Lake Billy Chinook  Total volume (AF): May 1 through October 15, 2006 (465.00 Algorithm) (Use additional lines if there is more than one rate associated with the Total volume (AF):  Total volume (AF):  Total volume (AF):  Rate in cfs: May 1 through October 15, 2006 (1.40 cfs)  (Use additional lines if there is more than one rate associated with the Rate in cfs: May 1 through October 15, 2006 (1.40 cfs)	Basin.  the instream use being entified, the lease may be vr: SE 1/4 SW 1/4, Sect T17S, R11E, W.M. to  F)  the water right.)
Instream use created by lease. The instream use to be created in Tumalo  Creek  Tributary to Deschutes River  Describe the point of diversion and any associated reach(es) of the created. If possible list the reach by river mile, if no reach is idea processed to be protected at the point of diversion): Tumalo Resection 33, T16S, R11E, W.M.; Tumalo Creek: SE 1/4 NE 1/4, sect 23, Lake Billy Chinook  Total volume (AF): May 1 through October 15, 2006 (465.00 Algorithm) (Use additional lines if there is more than one rate associated with the Total volume (AF):  Total volume (AF):  Total volume (AF):  Total volume (AF):  (Use additional lines if there is more than one rate associated with the Total volume (AF):  Total volume (AF):  Total volume (AF):  Total volume (AF):	Basin.  the instream use being entified, the lease may be vr: SE 1/4 SW 1/4, Sect T17S, R11E, W.M. to  F)  the water right.)

$\triangleright$	The instream i	will be allocated o	n a daily	average	bass u	p to t	the desc	ribed	rate
	from 5/1/2006	through <u>10/1:</u>	5/2006						
	Other (describe):								

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### This table will calculate flow rate factors and duty for Tumalo Irrigation District Instream Leases

#### **Primary Water Use**

1 4 . 23

TID CERT 76106 (assuming can divert full rate and duty allowed by certificate)
Priority Date = December 8, 1961

source = Tumalo Creek and Upper Tumalo Reservoir, constructed under permit R-2743, tributaries of the Deschutes River (live flow and stored water)

Enter Total Number of	THE RESIDENCE OF THE PARTY OF T
Acres to be Leased	
Instream Here	186.000

Rate (CFS) associated wi the Lease Application Fo		ection 1.5 of		
Enter Rates and Duty on Lease Form	Rate/acre (CFS)	Rate (CFS)	Duty/acre (AF)	Max Duty (AF)
	0.014	2.66	2.50	465.00
				max portion from stortage
				258.79

Enter Instream Rates and Volumes on Lease Form		Days instream	Instream Volume (AF)	Period Instream
	1.10	214	465.00	April 1 - Oct 31
		177 51.68	max portion from	storage
			258.79	

			Maria and American State of the Control of the Cont
			Reference of the second
end dates (must fall wit	thin Irrigation Se	ason)	
5/1/2006	Number of Day	S	
10/15/2006	168	Days	
m for Section 2.2 of t	he Lease Applic	cation Form	
Instream Rate (CFS)	Days instream	Instream Volume (AF)	Period Instream
1.40	168	465.00	April 1 - Oct 31
		max portion from	storage
Late Manager of the second		258.79	
	end dates (must fall wit 5/1/2006 10/15/2006 m for Section 2.2 of t Instream Rate (CFS)	end dates (must fall within Irrigation Se 5/1/2006 Number of Day 10/15/2006 168 m for Section 2.2 of the Lease Applia Instream Rate (CFS) Days instream	10/15/2006 168 Days  m for Section 2.2 of the Lease Application Form Instream Rate (CFS) Days instream Volume (AF)  1.40 168 465.00  max portion from

<sup>\*</sup>Resulting rates may not exceed the max rate identified for Section 1.5 of the Lease Application

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#### Application for Short-Term

#### Instream Lease

Attachment 5: Pooled Landowner Form

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

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

	Agreement Number (assigned by WRD):
This L	ease Agreement is between:
(Name (Maili (City, (Telep	r #1 (Landowner): c) Schlueter Trust, James A. Schlueter, Trustee ng address) 18820 Tumalo Reservoir Rd. State, Zip Code) Bend, OR 97701 hone number) (541)388-4575
If addi	tional landowners, enter landowner information below
form. T	the numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.
	~I~ Ownership and Water Right Information
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16, Range 11, Section 35 and Tax Lot number 01900. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.
	Certificate No. Primary 74146, 74147, 76106, Supplemental 74147, 74148, 74149, 76520
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.

Pooled Landowner Form / 1

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Field Code Changed Field Code Changed

	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	if there is
1.	168	11E	35	ne/sw	01900	6.40	IRR	74146	8	9/1/1900
2.	168	11E	35	nesw	01900	6.40	IRR	74146	16	6/1/1907
3.							部"种质。	2 11 20		
4.							198			
5.										

Total number of acres, if for irrigation, by certificate and priority date: 12.80  Acre-feet of storage, if applicable:
Conditions or other limitations, if any:

If you need to enter another leased right, please use the Additional Landowner Water Rights Form.

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

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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3.4	Suspension of original use. During the period of the lease, the owner agrees to suspend use of water allowed under the subject water rights and under any water right that is supplement to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.								
3.5	For m to the Depa differ Purve the le	ion provision.  nultiyear leases, lessor shall have the option of terminating the lease each year, prior lease being exercised (							
3.6	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 of terminated to prevent injury.								
Lessor James		Trustee Schlueter Trust  Date: 1-2-2006							
		ssors, type in space for signature and date							
Lessor	#2.	Date:							
	o Irrigation								
Lessee	:	Date:							
Deschu	utes River (	Conservancy							
Other 2	Attachment	s As Needed:							
Exhibi	t 5-A:	Tax Lot Map of Landowner's Property							
Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-									
Exhibi	may be combined into a single map] 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									

Pooled Landowner Form / 3

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# Additional Water Right Form For Pooled Landowner

#### **Instream Lease**

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.

~[~

#### Section 1.1 continued from Pooled Leasing Landowner Form.

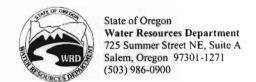
**Subject Water Rights.** Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased).

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertin	ent page i	number o			e is greater than ler certificate)	0 pages; identify	priority date	e if there is
1.	16S	11E	35	nesw	01900	2.60	ir	74147	9	10/29/191
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										-

[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation,	by certificate and priority date: 2.60
Acre-feet of storage, if applicable:	

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# Additional Water Right Form For Pooled Landowner

#### **Instream Lease**

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.

~1~

#### Section 1.1 continued from Pooled Leasing Landowner Form.

**Subject Water Rights.** Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased).

	Т	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page i	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16S	11E	35	nesw	01900	20	ir	76106	2	12/8/1961
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										

[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation, by certificate and priority date: 20	
Acre-feet of storage, if applicable:	

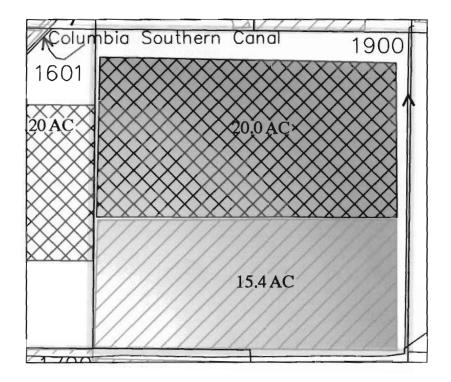
RECEIVED

#### EXHIBIT 5-A & 5-B L06.01

# TUMALO IRRIGATION DISTRICT LO IN-STREAM LEASED WATER RIGHTS SURVEY

FOR Schlueter, James A. & Patricia J.

SCHLUETER TRUST



#### RECEIVED

APR 2 8 2006 WATER RESOURCES DEPT SALEM, OREGON





Certificate #'s 74146, and 74147





In-Stream Lease

INITIAL:

1/4

LOCATED IN THE SE and NE 1/4's OF THE SW 1/4
OF SECTION 16, T35 S., R.11 E., W.M.
TAX LOTS # 1900, 1700, 1900
DESCHUTES COUNTY, OREGON

Prepared By: Tumalo Irrigation District, 64697 Cook Ave, Bend. Oregon 97701 541-382-3053

Nov 2004



#### Application for Short-Term

#### Instream Lease

Attachment 5: Pooled Landowner Form

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

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

Pooled Landowner Form / 1

	Agreement Number (assigned by WRD):
This L	ease Agreement is between:
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): e) Wiseman, Gordon & Claudia ng address) 134 Wekiva Pointe Circle State, Zip Code) Apopka, FL 32712 shone number) (407)886-1082 I address) itional landowners, enter landowner information below
form.	the numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16, Range 12, Section 19 and Tax Lot number 01700. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.
	Certificate No. Primary 74146, Supplemental 74147,74148,74149,76520
1.4	And some on all of the lends haire lessed ment of a Concernation Becomes Enhancement
	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No

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	T	R	Sect	<b>% %</b>	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(ldent	ify pertine	ent page n	umber of			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	168	12E	19	sene	01700	5.0	irr	74146	10	9/1/1900
2.										
3.							-			
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 5.0  Acre-feet of storage, if applicable:
Conditions or other limitations, if any:

If you need to enter another leased right, please use the Additional Landowner Water Rights Form.

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

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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3.4	Suspension of original use. During the period of the lease, the owner agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.								
3.5	<ul> <li>Termination provision.</li> <li>For multiyear leases, lessor shall have the option of terminating the lease each year, prior to the lease being exercised (</li></ul>								
3.6	<b>Modification to prevent injury.</b> Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.								
Gordo Glá Claudi	#1: Date: 2.15.06  n R. Wiseman  Compared to the second of								
Lessor	#2: Date:								
	o Irrigation District								
Lessee Deschi	ttes River Conservancy								
Other	Attachments As Needed:								
Exhibi									
Exhibi	· · · · · · · · · · · · · · · · · · ·								
Exhibi	may be combined into a single map]								
Exhibi	,								

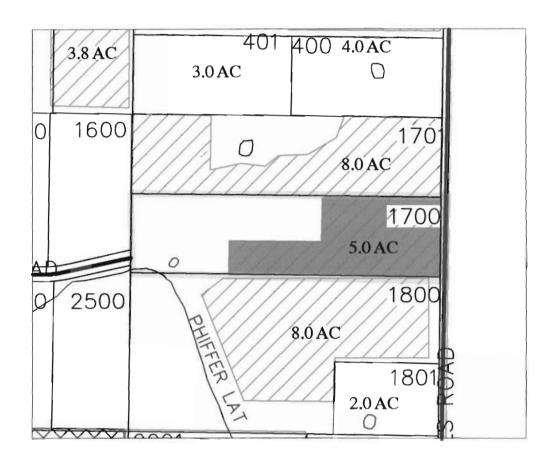
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EXHIBIT 5-A & 5-B L 06.11

#### TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

Gordon R. & Claudia S. Wiseman



#### RECEIVED

APR 28 2006 WATER RESOURCES DEPT SALEM, OREGON















Cux INITIAL: 4

LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 19, T.16 S., R.12 E., W.M. TAX LOTS # 01700 **DESCHUTES COUNTY, OREGON** 



SCALE: 1" = 400'

Prepared By: Tumalo Irrigation District, 64697 Cook Ave, Bend. Oregon 97701 541-382-3053



#### Application for Short-Term

#### Instream Lease

Attachment 5: Pooled Landowner Form

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

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

	Agreement Number (assigned by WRD):
This I	ease Agreement is between:
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): e) John & Carol Page ng address) 11851 Presilla Rd. State, Zip Code) Camarillo, CA 93012 shone number) (805)531-9592 I address)
	itional landowners, enter landowner information below
form.	The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.
	~I~ Ownership and Water Right Information
1.1	Range 11, Section 24 and Tax Lot number 00501. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.
	Certificate No. Primary 74146, Supplemental 74147,74148,74149,76520
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.

Pooled Landowner Form / 1

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	T	R	Sect	44	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.	168	HE	24	swnw	00501	5.0	іл	74146	6	9/1/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 5.0  Acre-feet of storage, if applicable:
Conditions or other limitations, if any:
the state of the land of the Additional Forms Wester Dielse Forms

If you need to enter another leased right, please use the Additional Landowner Water Rights Form.

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

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

FSD



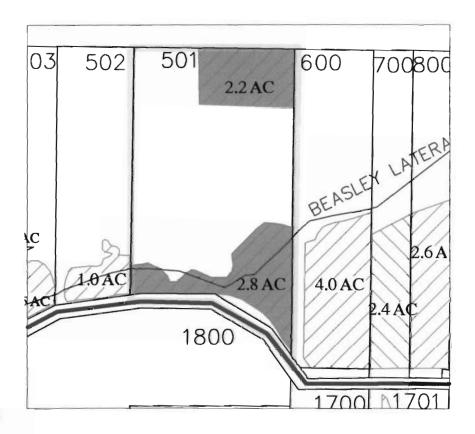
	of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.									
3.5	Termination provision.  For multiyear leases, lessor shall have the option of terminating the lease each year, prior to the lease being exercised (									
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 John F										
<u> </u>	Caul a Page Date: 2-14-06									
Caron	Page									
	Page tional Lessors, type in space for signature and date									
For ad	tional Lessors, type in space for signature and date  2: Date:									
For ad	tional Lessors, type in space for signature and date									
For ad	tional Lessors, type in space for signature and date  2: Date:									
For ad  Lessor Tumal	2: Date:  Irrigation District									
For ad  Lessor Tumal  Lessee Desch	2: Date:  Irrigation District  Date:  Page River Conservancy  stachments As Needed:									
For ad Lesson Tumal Lessee Desch	2: Date:  Irrigation District  Date:  Page River Conservancy  stachments As Needed:  5-A: Tax Lot Map of Landowner's Property									
Lessee Desch	2: Date:    Date:   Date:     Date:     Date:     Date:     Date:   Da									
Lesser Tumal Lesser Desch	2: Date:    Date:     Date:									

EXHIBIT 5A & 5B L06.10

# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

Page, John R. & Carol A.



#### RECEIVED

APR 28 2006

WATER RESOURCES DEPT SALEM, OREGON















LOCATED IN THE SW 1/4 OF THE NW 1/4
OF SECTION 24, T.16 S., R.11 E., W.M.
TAX LOTS # 0501
DESCHUTES COUNTY, OREGON

SCALE: 1" = 400'



Prepared By: Tumalo Irrigation District, 64697 Cook Ave, Bend. Oregon 97701 541-382-3053

Nov 2004



#### Application for Short-Term

#### Instream Lease

Attachment 5: Pooled Landowner Form

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

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

Option Lease	al Identification by Lessor/Lessee: L06.03  Agreement Number (assigned by WRD):
This L	ease Agreement is between:
(Name (Mailin (City, (Telep	#1 (Landowner): ) Cynthia Ingman ng address) 18650 Couch Market Road State, Zip Code) Bend, OR 97701 hone number) (541)385-8013 address)
If addi	tional landowners, enter landowner information below
form. T	ne numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" he "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the rd Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16, Range 11, Section 22 and Tax Lot number 2505. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.
	Certificate No. Primary 74146, Supplemental 74147,74148,74149,76520
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.

Pooled Landowner Form / 1

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FSD

	T	R	Sect	44	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(ldent	ify pertine	ent page n	umber of			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16S	11E	22	swse	2505	1.96	ir	74146	5	9/1/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 1.96	
Conditions or other limitations, if any:	
Conditions of other initiations, if any.	

If you need to enter another leased right, please use the Additional Landowner Water Rights Form.

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

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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3,4	of water allowed under the subject water rights and under any water right that is supplement to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.								
3.5	<ul> <li>Termination provision.</li> <li>For multiyear leases, lessor shall have the option of terminating the lease each year, to the lease being exercised (</li></ul>								
	3.6 Modification to prevent injury. Allocation of water to the instream use described in S 2.2 during the term of this lease is not reasonably expected to cause injury to other righ use water from the same source. If injury is found after this lease is signed, the lease m modified or terminated to prevent injury.  Lessor #1:  Cynthia Ingman  Date: Z - 10 - 0								
For ad	dditional Lessors, type in space for signature and date								
Lessor	or #2:	Date:							
Tumal	alo Irrigation District								
Lessee	ee: hutes River Conservancy	Date:							
Descri	nutes River Conservancy								
	r Attachments As Needed:								
	bit 5-A: Tax Lot Map of Landowner's Property								
Exhibi	bit 5-B: Detailed map illustrating lands under sub may be combined into a single map]	pject rights to be leased [Exhibits 5-A and 5-B							
Exhibi	bit 5-C: Supporting documentation indicating wh forfeiture even though the right has not be consecutive years (required if the second checked)	been exercised for five or more							
Exhibi	bit 5-D: Split Season Instream Use Form								

Pooled Landowner Form / 3

FSD

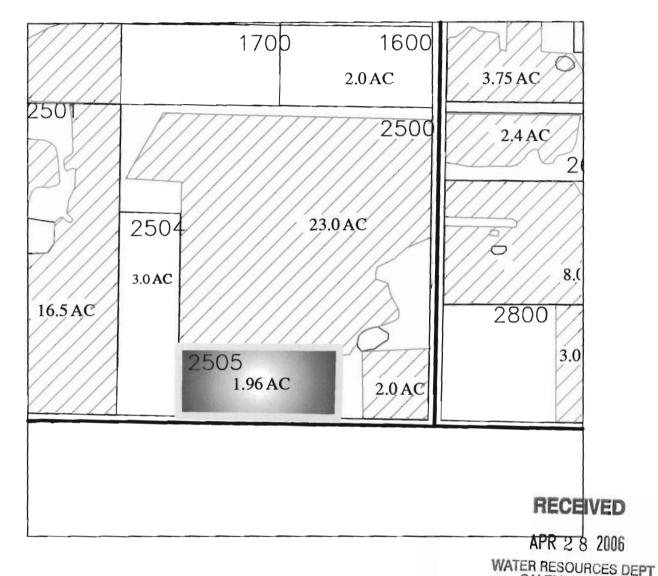
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EXHIBIT 5-A & 5-B L 06.03

# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

FOR

Ingman, Cynthia





Certificate #'s 74146, and 74147









INITIAL:

LOCATED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 22, T.16 S., R.11 E., W.M. TAX LOTS # 2505 DESCHUTES COUNTY, OREGON

SCALE: 1" =400'

. . .



SALEM, OREGON

Prepared By: Tumalo Irrigation District, 64697 Cook Ave, Bend. Oregon 97701 541-382-3053

Nov 2004



#### Application for Short-Term

#### Instream Lease

Attachment 5: Pooled Landowner Form

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

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

Pooled Landowner Form / 1

	Agreement Number (assigned by WRD):
This I	Lease Agreement is between:
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): e) Patrick J. Galloway ing address) 65870 Twin Bridges Road State, Zip Code) Bend, OR 97701 shone number) (541)388-0663 I address) itional landowners, enter landowner information below
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application"  The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16,  Range 12, Section 17 and Tax Lot number 00602. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.
	Certificate No. Primary 74146, Supplemental 74147, 74148, 74149, 76520
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.

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	T	R	Sect	44	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	ify pertine	nt page n	umber of			is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	168	12E	17	swne	00602	4.0	ir	74146	17	6/1/1907
2.										
3.								_		_
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 4.0
Acre-feet of storage, if applicable:
Conditions or other limitations, if any:

If you need to enter another leased right, please use the Additional Landowner Water Rights Form.

- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the owner's water right certificate or as an instream water right or
  - The water has <u>not</u> been used over the past five years according to the terms and conditions of the owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(\_)(include necessary supporting documentation as Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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3.4	Suspension of original use. During the period of the lease, the owner agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.			
3.5	Termination provision.  For multiyear leases, lessor shall have the option of terminating the lease each year, prio to the lease being exercised (			
3.6	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: Jalloway Date: 1-24-06  Patrick J. Galloway				
For additional Lessors, type in space for signature and date				
Lessor				
Tumal	Irrigation District			
Lessee				
Deschi	Deschutes River Conservancy			
Other	attachments As Needed:			
Exhibi	5-A: Tax Lot Map of Landowner's Property			
Exhibi	1			
Exhibi	bit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)			
Exhibi	5-D: Split Season Instream Use Form			

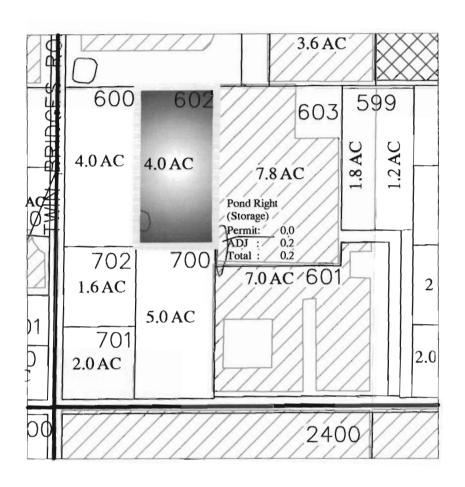
Pooled Landowner Form / 3

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# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

Galloway, Patrick J.



#### RECEIVED

APR 28 2006

WATER RESOURCES DEPT SALEM, OREGON



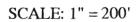




INITIAL:\_\_\_\_

LOCATED IN THE SW 1/4 OF THE NE 1/4 OF SECTION 17, T.16 S., R.12 E., W.M. TAX LOTS # 00602 DESCHUTES COUNTY, OREGON





Prepared By: Tumalo Irrigation District, 64697 Cook Ave, Bend. Oregon 97701 541-382-3053



#### Application for Short-Term

#### Instream Lease

Attachment 5: Pooled Landowner Form

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

	Pursuant to ORS 537.348(2) and OAR 690-077-0077	amended
Optional Identification by Lessor/Lessee: L06.20		4 reduced acres leased
Lease	Agreement Number (assigned by WRD):	acroslas
This I	Lease Agreement is between:	10 14.5 (1907 pvi) (-1.0 ac) See nevised map
Lesso	r #1 (Landowner):	(1907 pvi)
	e) Frick, Charles & Linda	(-1.0ae)
	ng address) PO Box 901	See no 1 1
(City,	State, Zip Code) Mendenhall, PA 19357	acrisect
	bhone number) (610)388-6849	map
(Lina	1 additess)	
If add	itional landowners, enter landowner information below	
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information  Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16,	Field Code Changed
	Range 11, Section 26 and Tax Lot number 00700. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.	Field Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.	
	Certificate No. Primary 74146, Supplemental 74147, 74148, 74149, 76520	
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No	
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map	

Pooled Landowner Form / 1

Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.

attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner,

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	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	if there is
1.	16S	11E	26	sese	00700	15.50	IRR	74146	15	6/1/1907
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 15.50
Acre-feet of storage, if applicable:
Conditions or other limitations, if any:

- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the owner's 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 owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(\_)(include necessary supporting documentation as Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

FSD



3.4	of water allowed under the subject water rights and under any water right that is supplementa to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.								
3.5	Termination provision.  For multiyear leases, lessor shall have the option of terminating the lease each year, prior to the lease being exercised (								
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: Chamb June Date: 3/9/06								
<u>Charle</u>	#1:								
Linda									
For ad	ditional Lessors, type in space for signature and date								
Lessor									
<u>Tumal</u>	o Irrigation District								
Lessee									
Desch	utes River Conservancy								
Other	Attachments As Needed:								
Exhibi									
Exhibi									
Exhibi	may be combined into a single map]  t 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)								
Exhibi	,								

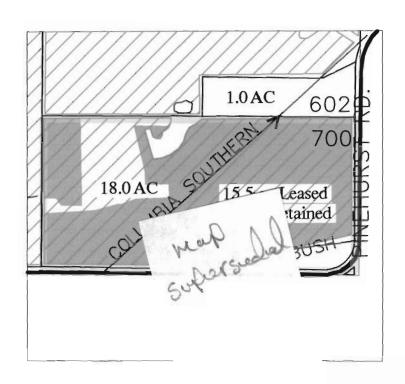
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Pooled Landowner Form / 3

# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

Frick, Charles J. & Linda B.



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APR 2 8 2006 WATER RESOURCES DEPT SALEM, OREGON







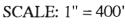






INITIAL: 486/1

LOCATED IN THE SE 1/4 OF THE SE 1/4
OF SECTION 26, T.16 S., R.11 E., W.M.
TAX LOTS # 0700
DESCHUTES COUNTY, OREGON







## Application for Short-Term

# Instream Lease

#### Attachment 5: Pooled Landowner Form

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

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

	onal Identification by Lessor/Lessee: L06.08  Agreement Number (assigned by WRD):	
This L	Lease Agreement is between:	
(Name (Maili (City, (Telep (Emai	or #1 (Landowner):  ne) Cascade Materials  ing address) PO Box 1087  State, Zip Code) Bend, OR 97709  phone number) (541)382-2051  il address)  ditional landowners, enter landowner information below	
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the lard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information	
1.1	2 11 6 11 11 11 11 11 11 11 11 11 11 11 1	Field Code Changed Field Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.  Certificate No. Primary 74146, Supplemental 74147, 74148, 74149, 76520	
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No	
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	

Pooled Landowner Form / 1

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	T	R	Sect	<b>¼¼</b>	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.	168	11E	35	swse	2100	5.0	irr	74146	8	9/1/1900
2.										
3.										
4.										
5.				-						

Total number of acres, if for irrigation, by certificate and priority date: 5.0  Acre-feet of storage, if applicable:
Conditions or other limitations, if any:

- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the owner's 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 owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(\_)(include necessary supporting documentation as Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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3.4	Suspension of original use. During the period of the lease, the owner agrees to suspend use of water allowed under the subject water rights and under any water right that is supplement to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.							
3.5	Termination provision.  For multiyear leases, lessor shall have the option of terminating the lease each year, provided by the Irrigation District, Other Water Purveyor or Lessee (if different than Department). The lessor must contact the Irrigation District, Other Water Purveyor, or Lessee (if different than Department) to indicate their interest in terminating the lease agreement.  For multiyear leases, lessor shall not have the option of terminating the lease each ye prior to the lease being exercised, with written notice to the Department.							
3.6	Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.							
	#1: Dusan Cascade Pres Date: 2 - 2 4 - 2006 Pearsall, President Cascade Materials							
For ad	ditional Lessors, type in space for signature and date							
Lessor	#2: <u>Date:</u>							
Tuma!	o Irrigation District							
Lessee								
Desch	utes River Conservancy							
Other	Attachments As Needed:							
Exhibi	t 5-A: Tax Lot Map of Landowner's Property							
Exhibi	t 5-B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-E may be combined into a single map]							
Exhibi	nibit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)							
Exhib	t 5-D: Split Season Instream Use Form							

Pooled Landowner Form / 3

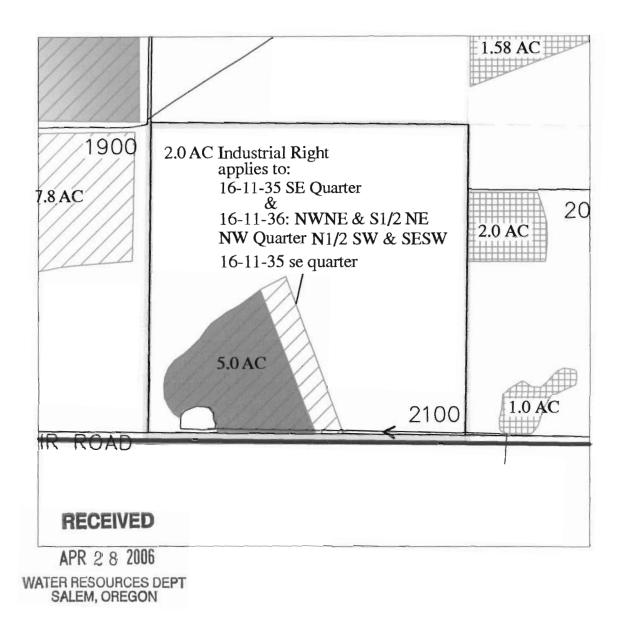
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# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

Cascade Materials





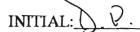




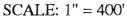








LOCATED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 35, T.16 S., R.11 E., W.M. TAX LOTS # 02100 DESCHUTES COUNTY, OREGON



41 200 2052

Nov 2004



#### Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

Pooled Landowner Form / 1

Lease	al Identification by Lessor/Lessee: L06.12  Agreement Number (assigned by WRD):	
This I	ease Agreement is between:	
	#1 (Landowner):	
	) Coyote Properties, LLC	
	ng address) PO Box 5787	
	State, Zip Code) <u>Bend, OR 97708</u> hone number) (541)317-0592	
٠ .	address)	
(Ellia	address)	
If add	tional landowners, enter landowner information below	
form.	the numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" the "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the rd Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.	
	~I~ Ownership and Water Right Information	
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16,	
1.1	Range 11, Section 23 and Tax Lot number 00520. If the water right appurtenant to these	
1.1	Range 11, Section 23 and Tax Lot number 00520. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of	
1.1	Range 11, Section 23 and Tax Lot number 00520. If the water right appurtenant to these	
1.1	Range 11, Section 23 and Tax Lot number 00520. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.	
9	Range 11, Section 23 and Tax Lot number 00520. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of	
9	Range 11, Section 23 and Tax Lot number 00520. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.	
9	Range 11, Section 23 and Tax Lot number 00520. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if	
9	Range 11, Section 23 and Tax Lot number 00520. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.	
1.3	Range 11, Section 23 and Tax Lot number 00520. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.  Certificate No. Primary 74146, 74147, 74148, 74149, 76520	
1.3	Range 11, Section 23 and Tax Lot number 00520. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.  Certificate No. Primary 74146, 74147, 74148, 74149, 76520  Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No	
1.3	Range 11, Section 23 and Tax Lot number 00520. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.  Certificate No. Primary 74146, 74147, 74148, 74149, 76520  Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No  Subject Water Rights. Landowner proposes to lease the water rights shown on the map	
1.3	Range 11, Section 23 and Tax Lot number 00520. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.  Certificate No. Primary 74146, 74147, 74148, 74149, 76520  Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No  Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be	
1.3	Range 11, Section 23 and Tax Lot number 00520. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.  Certificate No. Primary 74146, 74147, 74148, 74149, 76520  Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No  Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner,	
1.3	Range 11, Section 23 and Tax Lot number 00520. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.  Certificate No. Primary 74146, 74147, 74148, 74149, 76520  Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No  Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be	

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	Т	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	if there is
1.	168	HE	23	swsw	00520	.80	IRR	74146	15	6/1/1907
2.	168	HE	23	sesw	00523	1.57	IRR	74146	15	6/1/1907
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and Acre-feet of storage, if applicable:	priority date: 2.37
Conditions or other limitations, if any:	

- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - ☐ The water has been used over the past five years according to the terms and conditions of the owner's 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 owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(\_)(include necessary supporting documentation as Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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3.4	Suspension of original use. During the period of the lease, the owner agrees to suspend use of water allowed under the subject water rights and under any water right that is supplementa to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.									
3.5	Termination provision.  For multiyear leases, lessor shall have the option of terminating the lease each year, pri to the lease being exercised (									
3.6 Lesson	Modification to prevent injury. Allocation of water to the instream use described in Sect 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 modified or terminated to prevent injury.  Pate: Date: 2-22-06									
Coyot	e Propertie	s, LLC								
For ad	ditional Le	ssors, type in space for signature and date								
Lesson		Date:								
Tumal	o Irrigation	<u>n District</u>								
Lessee		Date:								
<u>Desch</u>	utes River	Conservancy								
Other Exhibit	it 5-A:	ts As Needed: Tax Lot Map of Landowner's Property Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B								
Exhibi	may be combined into a single map]  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									
Exhibi	checked) Exhibit 5-D: Split Season Instream Use Form									

5 x y

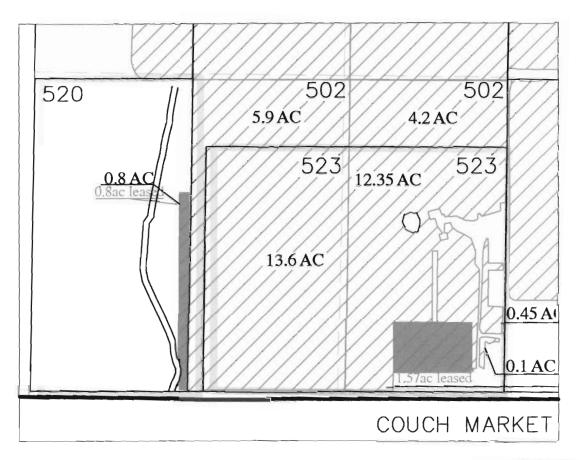
Pooled Landowner Form / 3

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EXHIBIT 5-A & 5-B

# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY FOR

Coyote Properties, LLC



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APR 2 8 2006 WATER RESCURCES DEPT SALEM, DIREGON



Certificate #'s 74146, and 74147



IP-199





LOCATED IN THE SW 1/4 OF THE SW 1/4 OF SECTION 23, T.16 S., R.11 E., W.M. TAX LOTS # 0520 & SE/SE 0523 DESCHUTES COUNTY, OREGON 10

SCALE: 1" = 400'



#### Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

Pooled Landowner Form / 1

	Agreement Number (assigned by WRD):
This L	ease Agreement is between:
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): c) Callaghan, Mark & Shelly ng address) 3174 David Avenue State, Zip Code) Palo Alto, CA 94303 shone number) I address)  stional landowners, enter landowner information below
form.	the numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16,  Range 11, Section 34 and Tax Lot number 00403. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.
	Certificate No. Primary 74146, Supplemental 74147, 74148, 74149, 76520
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes   No
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.

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	T	R	Sect	<b>¼¼</b>	Tax 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.	16S	HE	34	nenw	00403	12.0	IRR	74146	2	8/5/1900
2.										
3.										
4.							1			
5.										

Total number of acres, if for irrigation, by certificate and priority date: 12.0  Acre-feet of storage, if applicable:	
Conditions or other limitations, if any:	

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

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

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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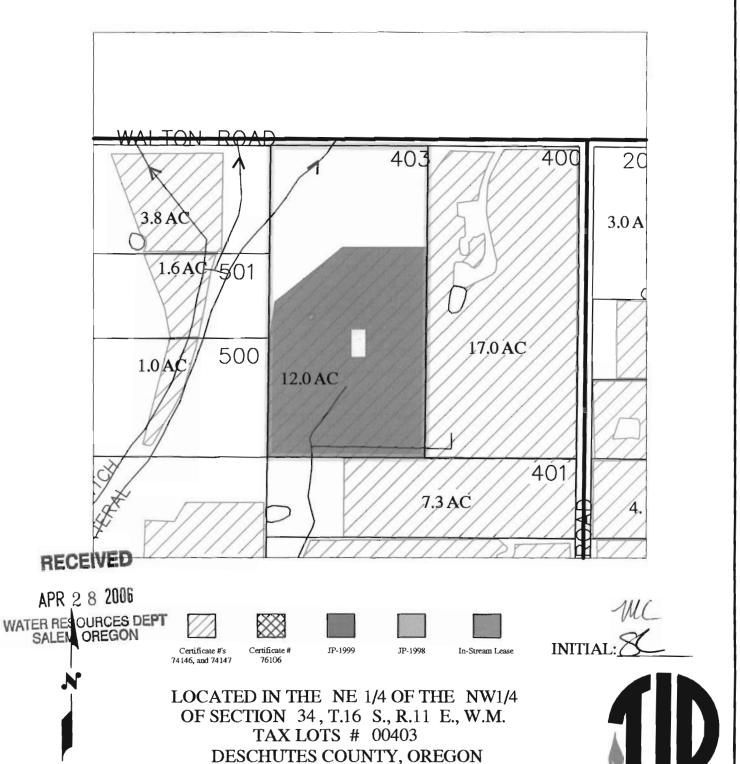
3.4	of water al	on of original use. During the period of the lease, the owner agrees to suspend ullowed under the subject water rights and under any water right that is supplemented water rights. In the event that a supplemental water right is not part of this ay be subject to forfeiture.	
3.5	For m to the Depart differ Purve the le	ion provision.  nultiyear leases, lessor shall have the option of terminating the lease each year, provided by the Irrigation District, Other Water Purveyor or Lessee (if ent than Department). The lessor must contact the Irrigation District, Other Water veyor, or Lessee (if different than Department) to indicate their interest in terminal asse agreement.  nultiyear leases, lessor shall not have the option of terminating the lease each ye to the lease being exercised, with written notice to the Department.	iter ating
Sally V Shell	2.2 during use water modified of #1:	W. Callaghan Date: 3.7.06	to be
Lessor	-#2: o Irrigation	Date:	_
Lessee	: :	Date:	-
Exhibit Exhibit	it 5-A: it 5-B: it 5-C:	Tax Lot Map of Landowner's Property  Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A an may be combined into a single map]  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)	id 5-E
Exhib	it 5-D:	Split Season Instream Use Form	

Pooled Landowner Form / 3

FSD

# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY FOR

Callaghan, Mark D. & Shelly W.



SCALE: 1'' = 400'



# Application for Short-Term

# Instream Lease

#### Attachment 5: Pooled Landowner Form

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

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

Pooled Landowner Form / 1

Option Lease	e Agreement Number (assigned by WRD):	
This I	Lease Agreement is between:	
(Name (Maili (City, (Telep (Emai	or #1 (Landowner): ne) C.L.R. Inc. ling address) 703 NW Stone Pine Drive v, State, Zip Code) Bend, OR 97701 ephone number) (541)389-6562 ail address) ditional landowners, enter landowner information below	
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the dard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information	
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16,	l Code Changed
	7 10 0 1 00 1 T Y 1 00100 701	Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.	
	Certificate No. Primary 74146, 74147, Supplemental 74147, 74148, 74149, 76520	
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No	
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	

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	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	if there is
1.	168	12E	30	nwse	02100	3.40	IRR	74146	14	5/27/1907
2.	17S	HE	13	nwnw	00817	4.0	IRR	74146	14	5/27/1907
3.	178	HE	13	nwnw	00809	1.60	IRR	74146	14	5/27/1907
4.										
5.										

Acre-feet of storage, if applicable:	-
Conditions or other limitations, if any:	-

- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - ☐ The water has been used over the past five years according to the terms and conditions of the owner's 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 owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(\_)(include necessary supporting documentation as Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

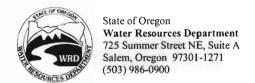
#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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of wa	Suspension of original use. During the period of the lease, the owner agrees to suspend us of water allowed under the subject water rights and under any water right that is supplement to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.								
	For multiyear leases, lessor shall have the option of terminating the lease each year, prior to the lease being exercised (								
2.2 d use v modi	ification to prevent injury. Allocation of water to the instream use described in Section uring the term of this lease is not reasonably expected to cause injury to other rights to vater from the same source. If injury is found after this lease is signed, the lease may be fied or terminated to prevent injury.  Date: 2/28/06								
Lessor #1: _ C.L.R. Inc.,	Jerry Curl								
For addition	al Lessors, type in space for signature and date								
Lessor #2:	Date:								
Tumalo Irrig	nation District								
Lessee: _	Date:								
Deschutes R	iver Conservancy								
Other Attach	nments As Needed:								
Exhibit 5-A:	1 1								
Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased [Exhibit 5-B:									
Exhibit 5-C:	may be combined into a single map] 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								



# Additional Water Right Form For Pooled Landowner

#### **Instream Lease**

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.

~I~

#### Section 1.1 continued from Pooled Leasing Landowner Form.

Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased).

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertin	ent page	number of			e is greater than l er certificate)	0 pages; identify	priority date	e if there is
1.	16S	12E	30	nwse	02100	.70	IRR	74147	14	10/29/191
2.	16S	12E	30	nese	02100	1.90	IRR	74147	14	10/29/191
3.	16S	12E	30	nese	02000	5.0	IRR	74147	14	10/29/191
4.	16S	12E	30	nese	00100	16.0	IRR	74147	14	10/29/191
5.	16S	12E	30	nese	00100	2.0	IND	74147	14	10/29/191
6.	16S	12E	30	sene	00100	13.20	IRR	74147	14	10/29/191
7.	17S	11E	13	nwnw	00817	1.36	IRR	74147	17	10/29/191
8.	17S	11E	13	nwnw	00809	3.0	IRR	74147	17	10/29/191
9.	17S	11E	14	nene	00817	3.50	IRR	74147	17	10/29/191
10.										

[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

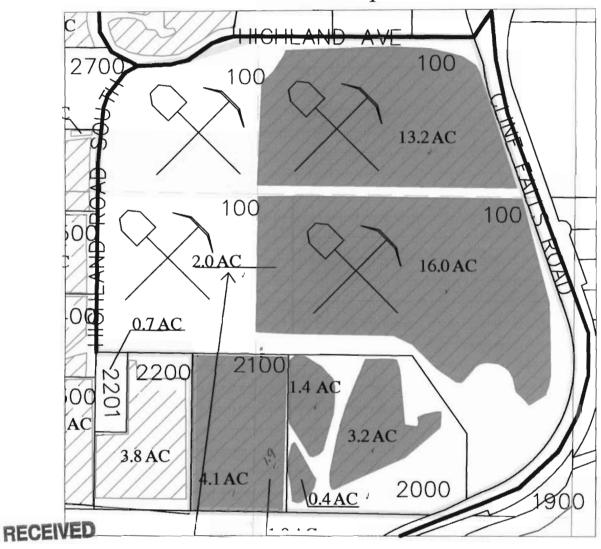
Total number of acres, if for irrigation	, by certificate and priority date: 46.66
Acre-feet of storage, if applicable:	

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# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

C.L.R. Corp



APR 28 2006

WATER RESOURCES DEPT SALEM, OREGON



SCALE: 1" = 400'













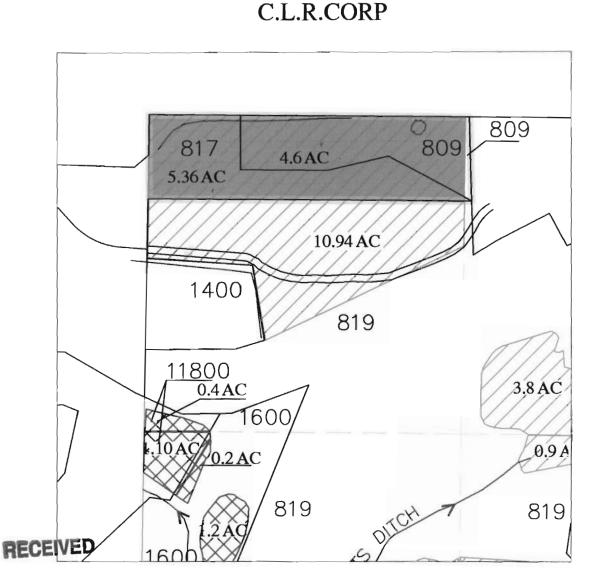
INITIAL:

LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 30, T16 S., R.12 E., W.M. TAX LOTS # 100

**DESCHUTES COUNTY, OREGON** 

and SE/NE 100, NE/SE 2000, NE/SE 2100, NW/SE 2100

# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY **FOR**



APR 28 2006 WATER RESOURCES DEPT SALEM, OREGON













LOCATED IN THE NW 1/4 OF THE NW 1/4

SCALE: 1" =400'

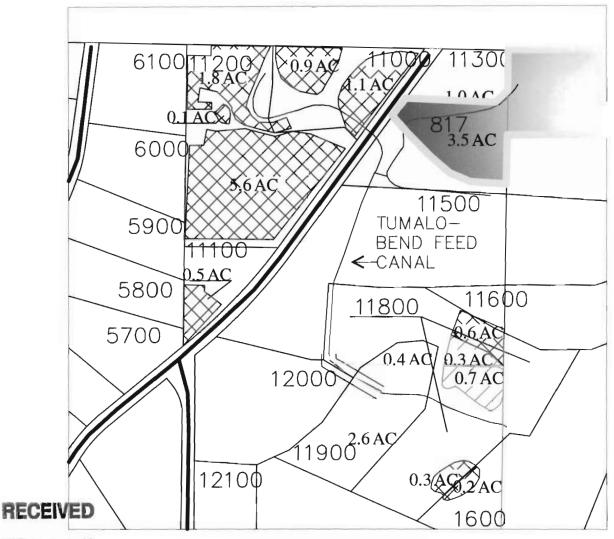
OF SECTION 13, T.17 S., R.11 E., W.M. TAX LOTS # 817 & 809 DESCHUTES COUNTY, OREGON



# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

C.L.R. Corp



APR 28 2006

WATER RESOURCES DEPT SALEM, OREGON













INITIAL:

LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 14, T.17 S., R.11 E., W.M. TAX LOTS # 817 **DESCHUTES COUNTY, OREGON** 

SCALE: 1" = 400'



#### Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

Optional Identification by Lessor/Lessee: L06.13  Lease Agreement Number (assigned by WRD):									
This L	Lease Agreement is between:								
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): e) Bishop, Edwin J. ng address) 64979 Highway 20 West State, Zip Code) Bend, OR 97701 shone number) (541)312-8244 I address) itional landowners, enter landowner information below								
form.	the numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.								
	~I~ Ownership and Water Right Information								
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16, Range 11, Section 25 and Tax Lot number 00911. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.								
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.								
	Certificate No. Primary 74147, Supplemental 74148, 74149, 76520								
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No								
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.								

Pooled Landowner Form / 1

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Field Code Changed Field Code Changed

	T	R	Sect	<b>¼¼</b>	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page n	umber of			e is greater than l per certificate)	0 pages; identify	priority date	if there is
1.	168	HE	25	ne/sw	00911	3.50	ігт	74147	6	10/29/191
2.	168	HE	25	nw/se	00911	2.80	irr	74147	6	10/29/191
3.	168	HE	25	ne/sw	000913	.70	irr	74147	6	10/29/191
4.										
5.										

Acre-feet of storage, if applicable:	
Conditions or other limitations, if any:	

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

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

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a

Pooled Landowner Form / 2

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	to the subj	lowed under the subject water rights and under any water right that is supplemental ect water rights. In the event that a supplemental water right is not part of this ay be subject to forfeiture.						
3.5	For m to the Depart differ Purve the le	ion provision.  nultiyear leases, lessor shall have the option of terminating the lease each year, prior lease being exercised (						
3.6	2.2 during use water	to prevent injury. Allocation of water to the instream use described in Section the term of this lease is not reasonably expected to cause injury to other rights to from the same source. If injury is found after this lease is signed, the lease may be a terminated to brevent injury						
Lessor Edwin	#1: J. Dishop	Date: 2-13-06						
For ad	ditional Les	ssors, type in space for signature and date						
Lessor		Date:						
<u>Tumal</u>	o Irrigation	District						
Lessee Desch		Date:						
Other Exhibi Exhibi	it 5-A: it 5-B:	S As Needed: Tax Lot Map of Landowner's Property Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B may be combined into a single map] 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

new injury review shall be required, and a prior short term lease shall not set a precedent for

Suspension of original use. During the period of the lease, the owner agrees to suspend use

the amount of water to be leased or transferred instream.

3.4

Pooled Landowner Form / 3

checked)

Split Season Instream Use Form

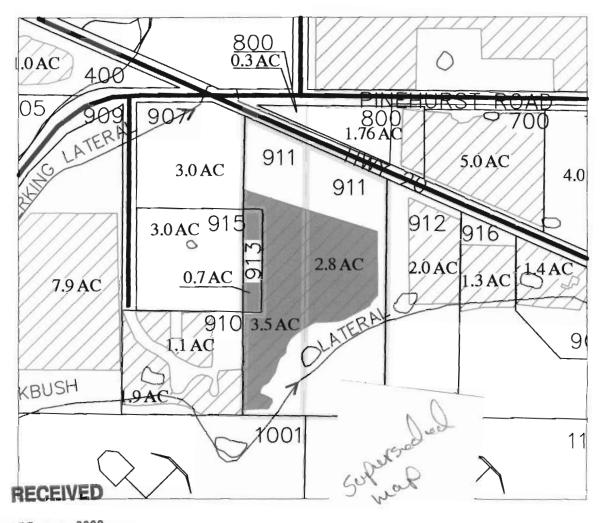
Exhibit 5-D:

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# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

Bishop, Edwin J.



APR 28 2006

WATER RESOURCES DEPT SALEM, OREGON







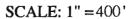








LOCATED IN THE SW 1/4 OF THE NE 1/4
OF SECTION 25, T.16 S., R.11 E., W.M.
TAX LOTS # 0911 & 913 & NW / SE 911
DESCHUTES COUNTY, OREGON





# Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

	` '
	Agreement Number (assigned by WRD):
This L	ease Agreement is between:
(Name (Mailin (City, (Telep	r #1 (Landowner): b) Braun Trust, Jean-Pierre & Rose-Marie Braun, Trustees ng address) 18840 Tumalo Reservoir Road State, Zip Code) Bend, OR 97701 hone number) (541)388-4564 address)
If addi	tional landowners, enter landowner information below
form. T	the numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the rd Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16,  Range 11, Section 35 and Tax Lot number 01600. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  Field Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.
	Certificate No. Primary 74147, Supplemental 74148, 74149, 76520
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.

Pooled Landowner Form / 1

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	T	R	Sect	<b>¼¼</b>	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page n	number of			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1,	168	HE	35	nwsw	01600	4.90	IRR	74147	10	10/29/191
2.					-					
3.										
4.									_	
5.										

Total number of acres, if for irrigation, by certificate and priority date: 4.90	
Acre-feet of storage, if applicable:	
Conditions or other limitations, if any:	

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

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

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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3.4	Suspension of original use. During the period of the lease, the owner agrees to suspend use of water allowed under the subject water rights and under any water right that is supplementate to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.							
3.5	For m to the Depar differ Purve the le.	tion provision.  The lease being exercised (	h 30 day written notice to the her Water Purveyor or Lessee (if ct the Irrigation District, Other Water to indicate their interest in terminating on of terminating the lease each year,					
3.6	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		Lean Brown'	Date: 3-6-86					
Braun	Trust, dean	Pierre Braun, Trustee						
Braun	Trust, Rose	-Marie Braun, Trustee	Date: 3-6-66					
For ad	ditional Les	ssors, type in space for signature and date						
Lessor	#2:		Date:					
Tumal	o Irrigation	District						
Lessee	:		Date:					
Deschi	utes River (	Conservancy						
Other .	Attachment	s As Needed:						
Exhibi	t 5-A:	Tax Lot Map of Landowner's Property						
Exhibi	t 5-B:	Detailed map illustrating lands under subject	t rights to be leased [Exhibits 5-A and 5-B					
Exhibi	hibit 5-C:  may be combined into a single map]  Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)							
Exhibi								

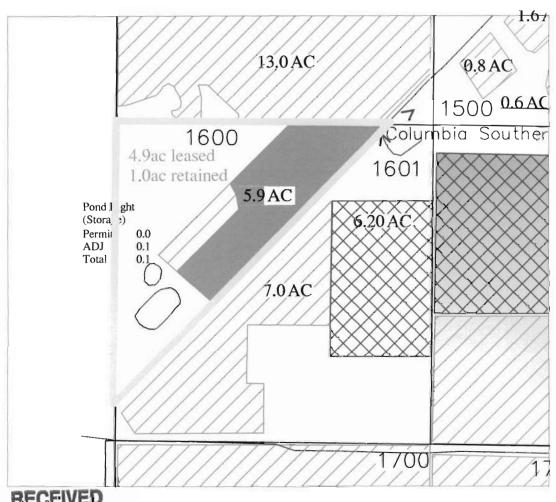
Pooled Landowner Form / 3

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# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY **FOR**

**Braun Trust** 



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APR 2 8 2006 WATER RESOURCES DEPT

SALEM, OREGON

















LOCATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 35, T.16 S., R.11 E., W.M. TAX LOTS # 01600 DESCHUTES COUNTY, OREGON



SCALE: 1'' = 400'

Nov 2004



#### Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

	Tarsume to OAS 3575 10(2) and Grik 050 077 0077
	Agreement Number (assigned by WRD):
This I	Lease Agreement is between:
(Name (Maili (City, (Telep	r #1 (Landowner): e) Richard & Marsha Briggs ing address) PO Box 7617 State, Zip Code) Bend, OR 97708 bhone number) (541)815-5494 l address)
If add	itional landowners, enter landowner information below
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application"  The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16,  Range 11, Section 25 and Tax Lot number 00905. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  Field Code Changed  Field Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.
	Certificate No. Primary 74147, Supplemental 74148, 74149, 76520
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.

Pooled Landowner Form / 1

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	T	R	Sect	4 4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	nt page n	umber of			e is greater than l	0 pages; identify	priority date	if there is
I.	16S	11E	25	nwsw	00905	8.0	irr	74147	6	10/29/191
2.										
3.										
4.										_
5.										

Total number of acres, if for irrigation, by certificate and priority date: 8.0
Conditions or other limitations, if any:

- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the owner's 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 owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(\_)(include necessary supporting documentation as Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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3.4	of water a	llowed under the subject water rights and ur ject water rights. In the event that a supplentage be subject to forfeiture.	nder any water right that is supplementa						
3.5	For n to the Depa differ Purve the le	tion provision.  nultiyear leases, lessor shall have the option e lease being exercised (	ith 30 day written notice to the other Water Purveyor or Lessee (if eact the Irrigation District, Other Water to indicate their interest in terminating the lease each year,						
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 of terminated to prevent injury.								
	r#1: <u> </u>	whood Muzze							
<u>Lessor</u> Marsh	r # 2:	Marsha Briggs	Date: 2-05-06						
For ad	lditional Le	ssors, type in space for signature and date							
Lesson	r #2:		Date:						
Tumal	o Irrigation	District							
Lessee	••		Date:						
		Conservancy							
Othor	Attachman	ta As Naadad:							
	it 5-A:	ts As Needed: Tax Lot Map of Landowner's Property							
	it 5-B:	Detailed map illustrating lands under subjection may be combined into a single map]	ect rights to be leased [Exhibits 5-A and 5-						
Exhibi	Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)								
Exhib	it 5-D:	Split Season Instream Use Form							

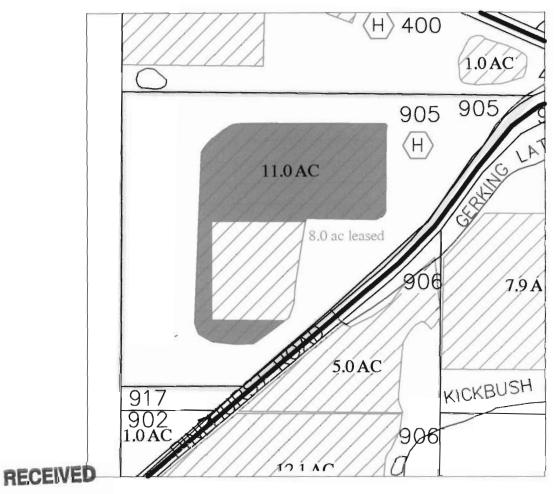
Pooled Landowner Form / 3

FSD

# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

Briggs, Richard & Marsha



APR 28 2006 WATER RESOURCES DEPT SALEM, OREGON















LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 25, T.16 S., R.11 E., W.M. TAX LOTS # 0905 DESCHUTES COUNTY, OREGON



SCALE: 1" = 400'

Nov 2004



## Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

Pooled Landowner Form / 1

	nal Identification by Lessor/Lessee: L06.22  Agreement Number (assigned by WRD):	
This I	Lease Agreement is between:	
(Nam (Mail (City, (Teleg (Email	r #1 (Landowner): e) Nancy Coleman ing address) 18770 Tumalo Reservoir Road State, Zip Code) Bend, OR 97701 bhone number) (541)382-5357 l address) itional landowners, enter landowner information below	
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information	
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16.	Field Code Changed
	Range 11, Section 34 and Tax Lot number 1000. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.	Field Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.	
	Certificate No. Primary 74147, Supplemental 74148, 74149, 76520	
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No	
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	

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	T	R	Sect	<b>¼¼</b>	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.	168	HE	34	sene	01000	13.0	IRR	74147	8	10/29/191
2.		1								
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 13.0  Acre-feet of storage, if applicable:
Conditions or other limitations, if any:

- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the owner's 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 owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(\_)(include necessary supporting documentation as Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

FSD

to the	ter allowed under the subject water rights and under any water right that is supplemental subject water rights. In the event that a supplemental water right is not part of this it may be subject to forfeiture.
	Gor multiyear leases, lessor shall have the option of terminating the lease each year, prior of the lease being exercised (
2.2 de use w	dification to prevent injury. Allocation of water to the instream use described in Section uring the term of this lease is not reasonably expected to cause injury to other rights to vater from the same source. If injury is found after this lease is signed, the lease may be fired or terminated to prevent injury.
Lessor #1:	Many Colema Date: March 7, 200 6
Nancy D. Co	pleman
ivancy D. Cc	<u>Istriuii</u>
For additiona	al Lessors, type in space for signature and date
Lessor #2:	
Tumalo Irrig	ation District
Lessee: _	Date:
Deschutes R	iver Conservancy
0.1	
Exhibit 5-A:	ments As Needed:
Exhibit 5-A:	
EXHIBIT 3-B.	may be combined into a single map]
Exhibit 5-C:	Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
Exhibit 5-D:	Split Season Instream Use Form

Suspension of original use. During the period of the lease, the owner agrees to suspend use

3.4

Pooled Landowner Form / 3

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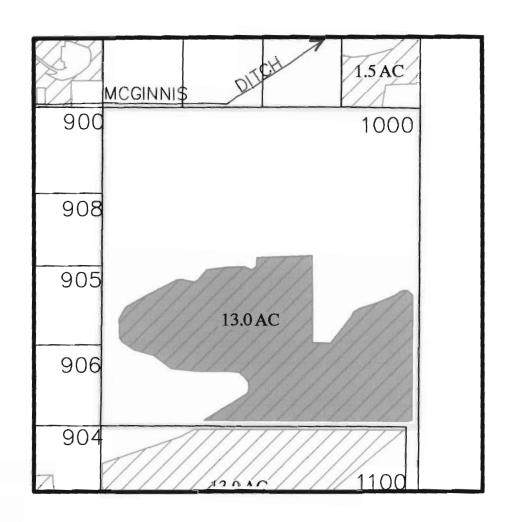
EXHIBIT 5-A & B

L06.22

# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

Coleman, Nancy D.



# RECEIVED

APR 2 8 2006

WATER RESOURCES DEPT SALEM, OREGON



SCALE: 1" = 400'













LOCATED IN THE SE 1/4 OF THE NE 1/4
OF SECTION 34, T.16 S., R.11 E., W.M.
TAX LOTS # 01000
DESCHUTES COUNTY, OREGON





# Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

	nal Identification by Lessor/Lessee: L06.18 Agreement Number (assigned by WRD): L=73C
This I	Lease Agreement is between:
(Name (Maili (City, (Telep	er #1 (Landowner): e) Trout, Robert & Linda ing address) 1241 West Highland State, Zip Code) Redmond, OR 97756 chone number) (541)548-8158 il address)
If add	itional landowners, enter landowner information below
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16,
	Range 12, Section 16 and Tax Lot number 00702. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.
	Certificate No. Primary 74147, 76106, Supplemental 74148, 74149, 76520
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.

Pooled Landowner Form / 1

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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*			
	*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)												
1.	168	12E	16	nwnw	00702	.60	IRR	74147	11	10/29/191			
2.													
3.													
4.													
5.													

Total number of acres, if for irrigation, by certificate and priority date: <u>.60</u>
Acre-feet of storage, if applicable:
Conditions or other limitations, if any:
Conditions of other initiations, if any.

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

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

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006 (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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3.4	of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.
3.5	<ul> <li>Termination provision.</li> <li>For multiyear leases, lessor shall have the option of terminating the lease each year, prior to the lease being exercised (</li></ul>
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
Rober Linda	Linda Jont Date: 3-6-06
For ad	ditional Lessors, type in space for signature and date
Lesson	#2: Date:
Lessee	
Other Exhibit Exhibit	5-B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B may be combined into a single map]
Exhibi	



# Additional Water Right Form For Pooled Landowner

# **Instream Lease**

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.

~I~

#### Section 1.1 continued from Pooled Leasing Landowner Form.

Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased).

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page r	number of			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16S	12E	16	nwnw	00702	5,0	IRR	76106	3	12/8/1961
2.										
3.									_	
4.										
5.										
6.										
7.						_				
8.										
9.										
10.										

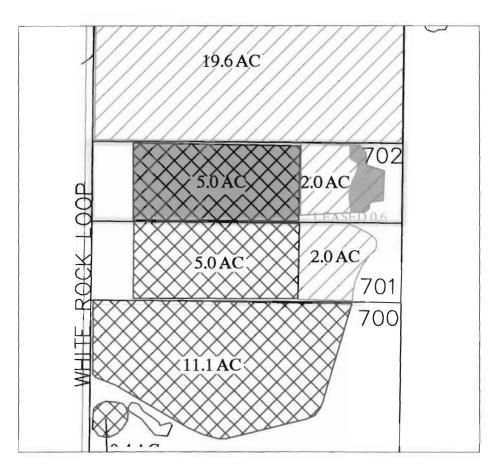
[Attached map(s) must identify property owner, Township, Range, Section and 1/4 1/4, tax lot number, map orientation and scale.]

Total	number of	f acres,	if for irrigat	ion, by	certificate ar	id priority	date:	5.0	
Acre-	feet of sto	rage, if	applicable:						

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# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY FOR

Trout, Robert L. & Linda C.



# RECEIVED

APR 28 2006

WATER RESOURCES DEPT SALEM, OREGON















LOCATED IN THE NW1/4 OF THE NW1/4 OF SECTION 16, T.16 S., R.12 E., W.M. TAX LOTS # 0702 DESCHUTES COUNTY, OREGON

SCALE: 1'' = 400'

INITIAL: NOTE OF THE PARTY OF T

Nov 2004



# Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

	nal Identification by Lessor/Lessee: L06.14  Agreement Number (assigned by WRD):
This L	Lease Agreement is between:
(Name (Maili (City, (Telep	r #1 (Landowner): e) Joyce E Coats Rev Trust, Joyce Coats, Trustee & Eric Coats, Trustee ng address) 63285 Skyline Ranch State, Zip Code) Bend, OR 97701 shone number) (541)383-8826 l address)
If add	itional landowners, enter landowner information below
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application"  The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.
	~I~ Ownership and Water Right Information
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 17, Range 11, Section 11 and Tax Lot number 00500. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.
	Certificate No. Primary 74146, 76106, Supplemental 74147, 74148, 74149, 76520
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes  No
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.

Pooled Landowner Form / 1

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:	T	R	Sect	<b>% %</b>	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*		
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)												
1.	17S	11E	11	swnw	00500	14.6	IRR	74146	3	8/5/1900 ~		
2.	17S	HE	11	swnw	00500	12.6	IRR	74146	12	9/1/1900 °		
3.	17S	11E	1]	swnw	00500	1.20	IRR	74146	14	5/27/1907		
4.	17S	11E	11	senw	00600	5.40	IRR	74146	3	8/5/1900		
5.	17S	11E	12	swsw	00800	4.40	IRR	74146	12	9/1/1900		

Total number of acres, if for irrigation, by certificate and priority date: 38.20Acre-feet of storage, if applicable:
Conditions or other limitations, if any:

- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the owner's 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 owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(\_)(include necessary supporting documentation as Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

FSD



3.4	of water a to the subj	on of original use. During the period of the lease, the owner agrees to suspend use llowed under the subject water rights and under any water right that is supplemental ject water rights. In the event that a supplemental water right is not part of this may be subject to forfeiture.
3.5	For m to the Depa differ Purve the le	tion provision.  multiyear leases, lessor shall have the option of terminating the lease each year, prior to lease being exercised (
3.6	2.2 during use water	tion to prevent injury. Allocation of water to the instream use described in Section to the term of this lease is not reasonably expected to cause injury to other rights to from the same source. If injury is found after this lease is signed, the lease may be or terminated to prevent injury.
Lesson Joyce		Trust, Jovee E Coats, Trustee  Date: FCb 2/ CC
Joyce	E Coats Re	rv Trust, Eric W Coats, Trustee
For ad	ditional Le	ssors, type in space for signature and date
Lessor		Date:
Tumal	o Irrigation	<u>District</u>
Lessee	e:	Date:
Desch	utes River (	Conservancy
		ts As Needed:
	it 5-A: it 5-B:	Tax Lot Map of Landowner's Property  Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B]
Exhibi		may be combined into a single map] 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
Exhibi	it 5-D:	checked) Split Season Instream Use Form

Pooled Landowner Form / 3

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# Additional Water Right Form For Pooled Landowner

# **Instream Lease**

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.

~[~

#### Section 1.1 continued from Pooled Leasing Landowner Form.

**Subject Water Rights.** Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased).

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*		
	*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)											
1	170	115	12					76106		12/0/1061		
1.	17S	11E	13	nese	00100	14.5	IRR	76106	4	12/8/1961		
2.	17S	11E	13	nwse	00100	18.20	IRR	76106	4	12/8/1961		
3.	17S	11E	13	sene	00100	25.6	IRR	76106	4	12/8/1961 -		
4.	17S	11E	13	swne	00100	13.7	IRR	76106	4	12/8/1961		
5.	17S	11E	11	senw	00600	32.80	IRR	76106	4	12/8/1961		
6.	178	11E	12	swsw	00800	26.60	IRR	76106	4	12/8/1961		
7.												
8.												
9.												
10.												

[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

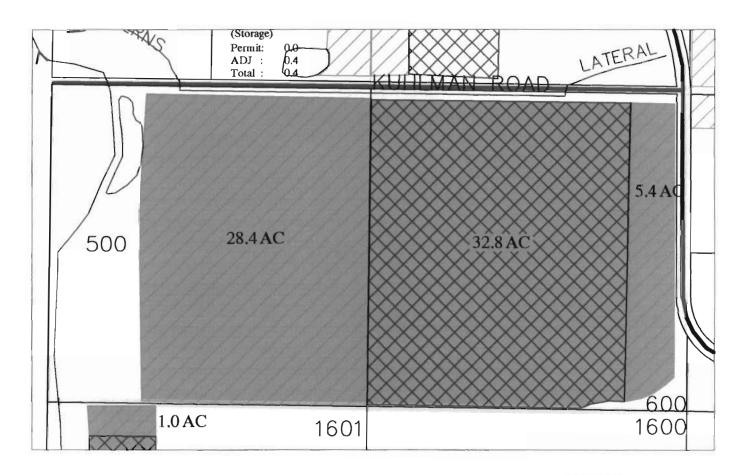
Total number of acres, if for irrigation, by certificate and p	oriority date: <u>131.40</u>
Acre-feet of storage, if applicable:	

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EXHIBIT 5-A & B L0.14 L06, 14

# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

FOR COATS, JOYCE



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APR 2 8 2006 WATER RESOURCES DEPT SALEM, OREGON













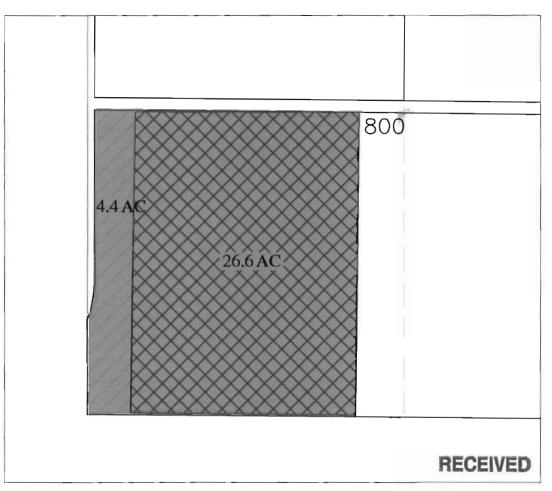


LOCATED IN THE SE 1/4 OF THE NW 1/4
OF SECTION 11, T.17 S., R.11 E., W.M.
TAX LOTS # 00600 AND SW/NW-00500
DESCHUTES COUNTY, OREGON



SCALE: 1" = 400'

# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY FOR COATS, JOYCE



APR 2 8 2006 WATER RESOURCES DEPT SALEM, OREGON











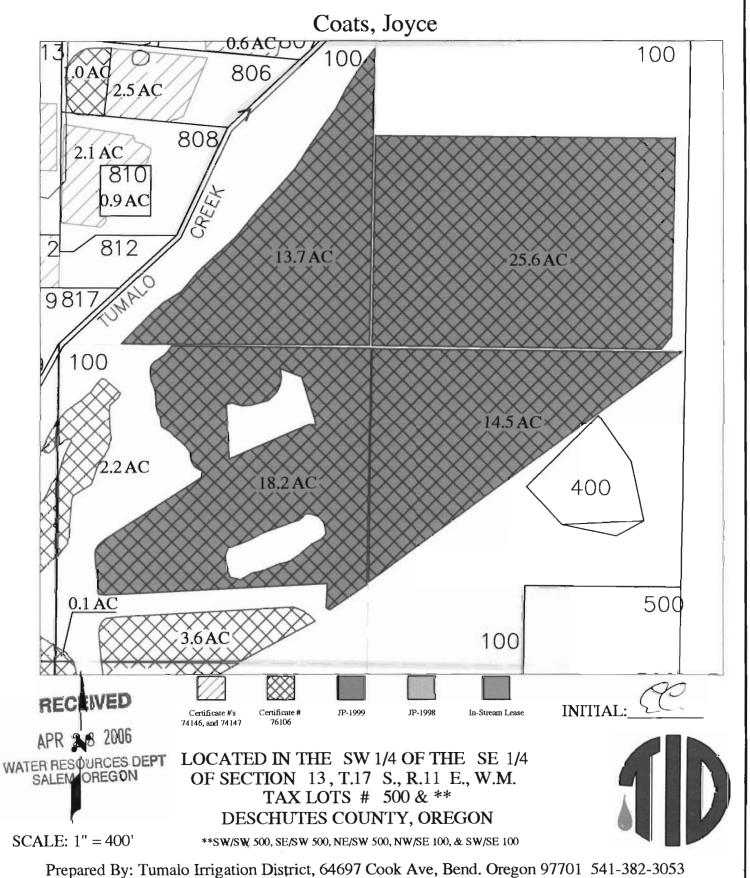


LOCATED IN THE SW 1/4 OF THE SW 1/4 OF SECTION 12, T.17 S., R.11 E., W.M. TAX LOTS # 00800 DESCHUTES COUNTY, OREGON 10

**SCALE:** 1" = 400'

# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 





### Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

Pooled Landowner Form / 1

	nal Identification by Lessor/Lessee: L06.07  Agreement Number (assigned by WRD):			
This L	Lease Agreement is between:			
(Name (Maili (City, (Telep	r #1 (Landowner): e) Melvin & Marsha Stout, Gordon Pennock ing address) 20375 Marsh Road State, Zip Code) Bend, OR 97701 bhone number) (541)617-1182			
If addi	itional landowners, enter landowner information below			
form. 1	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information			
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16, Range 12, Section 17 and Tax Lot number 00100. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.	>	Field Code Changed Field Code Changed	
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.			
	Certificate No. Primary 76106, Supplemental 74149, 76520			
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No			
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.			

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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page n	number of			is greater than 1 er certificate)	0 pages; identify	priority date	if there is
١.	168	12E	17	nene	00100	1.80	irr	76106	3	12/8/1961
2.										
3.										
4.										
5.										

Acre-feet of storage, if applicable:
Conditions or other limitations, if any:

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

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

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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3.4	<b>Suspension of original use.</b> During the period of the lease, the owner agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.
3.5	<ul> <li>Termination provision.</li> <li>For multiyear leases, lessor shall have the option of terminating the lease each year, prior to the lease being exercised (</li></ul>
3.6 Lessor	
U	arsua Stout Date: 2/18/04
Marsh	Date: 2-18-06
	n Pennock
For ad	litional Lessors, type in space for signature and date
Lessor	
<u>Tumal</u>	o Irrigation District
Lessee	
Desch	ates River Conservancy
Other . Exhibi	Attachments As Needed:  5-A: Tax Lot Map of Landowner's Property
Exhibi	5-B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B
Exhibi	may be combined into a single map]  Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
Exhibi	5-D: Split Season Instream Use Form

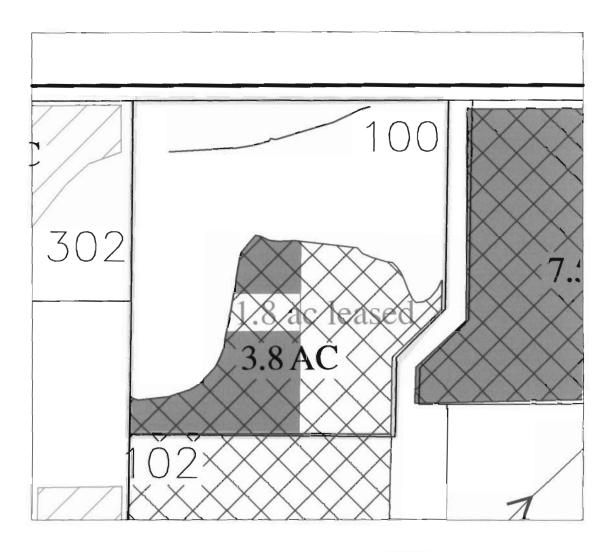
Pooled Landowner Form / 3

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# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY FOR

Stout/Pennock



# RECEIVED

APR 28 2006

WATER RESOURCES DEPT

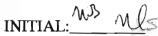




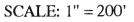


76106

In-Stream Lease



LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 17, T.16 S., R.12 E., W.M. TAX LOTS # 00100 DESCHUTES COUNTY, OREGON





Nov 2004



### Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

Pooled Landowner Form / 1

	nal Identification by Lessor/Lessee: L06.06  Agreement Number (assigned by WRD):
This L	ease Agreement is between:
(Name (Mailin (City, (Telep (Email	r #1 (Landowner): b) Melvin & Marsha Stout ng address) 10667 SW Lancaster Rd. State, Zip Code) Portland, OR 97219 hone number) (503)246-0897 l address) tional landowners, enter landowner information below
form. T	the numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the rd Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16, Range 12, Section 17 and Tax Lot number 00101. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.
	Certificate No. Primary 76106, Supplemental 74149, 76520
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ½ ¼, tax lot number, map orientation and scale.

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	T	R	Sect	<b>¼</b> ¼	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	nt page n	umber of	certificate, i	f certificate than one p	e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
J.	16S	12E	17	nene	00101	7.50	irr	76106	3	12/8/1961
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: /.su
Acre-feet of storage, if applicable:
Conditions or other limitations, if any:

- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - ☐ The water has been used over the past five years according to the terms and conditions of the owner's 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 owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(\_)(include necessary supporting documentation as Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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3.4	of wate	nsion of original use. During the period of the lease, the owner agrees to suspend use or allowed under the subject water rights and under any water right that is supplemental subject water rights. In the event that a supplemental water right is not part of this t may be subject to forfeiture.
3.5	For to to di Pu th	mation provision.  or multiyear leases, lessor shall have the option of terminating the lease each year, prior the lease being exercised (
Lessor Melvir	2.2 dur use wa modifi	cation to prevent injury. Allocation of water to the instream use described in Section ing the term of this lease is not reasonably expected to cause injury to other rights to ter from the same source. If injury is found after this lease is signed, the lease may be end exterminated to prevent injury.  Date: 2/15/2006
	a L. Sto	ut
For ad	ditional	Lessors, type in space for signature and date
Lessor		Date:
Tumai	o Irrigat	ion District
Lessee		Date:
<u>Desch</u>	ut <u>es R</u> iv	er Conservancy
Other .	Attachm	nents As Needed:
Exhibi		Tax Lot Map of Landowner's Property
Exhibi	t 5-B:	Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B
Exhibi	t 5-C:	may be combined into a single map] Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
Exhibi	t 5-D:	Split Season Instream Use Form

Pooled Landowner Form / 3

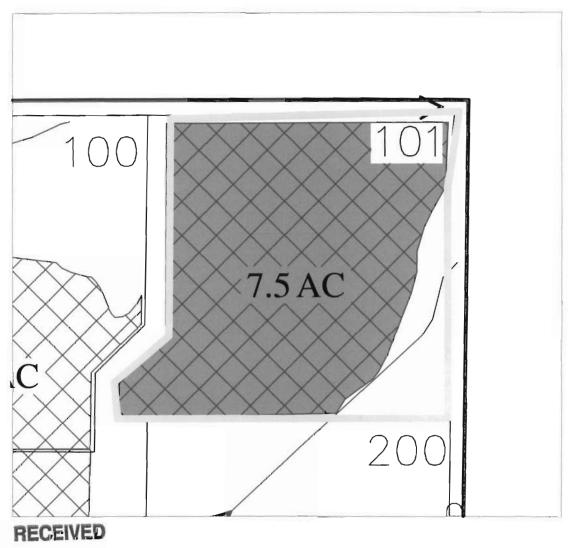
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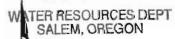
# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

Stout, Melvin J. & Marsha L.



APR 2.8 2006





74146, and 74147







INITIAL: MB MUS

LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 17, T16 S., R.12 E., W.M. TAX LOTS # 00101 DESCHUTES COUNTY, OREGON

SCALE: 1'' = 200'



### Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

Pooled Landowner Form / 1

	Agreement Number (assigned by WRD):			
This L	ease Agreement is between:			
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): e) Roger & Therese Nichols ng address) 354 NE DeKalb State, Zip Code) Bend, OR 97701 hone number) (541)410-7146 l address) tional landowners, enter landowner information below			
form.	the numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the urd Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information			
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16,	Field Code Changed		
	Range 12, Section 08 and Tax Lot number 00402. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.	Field Code Changed		
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.			
	Certificate No. Primary 76106, Supplemental 74149, 76520			
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No			
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.			

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APR 2 8 2006 WATER RESOURCES DEPT SALEM, OREGON

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	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 I er certificate)	0 pages; identify	priority date	if there is
1.	168	12E	08	nwnw	00402	3.30	IRR	76106	3	12/8/1961
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 3.30	
Acre-feet of storage, if applicable:	
Conditions or other limitations, if any:	

- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the owner's 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 owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(\_)(include necessary supporting documentation as Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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3.4	Suspension of original use. During the period of the lease, the owner agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.  Termination provision.									
3.5	<ul> <li>Termination provision.</li> <li>For multiyear leases, lessor shall have the option of terminating the lease each year, prior to the lease being exercised (</li></ul>									
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										
Roger	S Nichols /									
<	Therese M Lates Date:									
Theres	M. Nichols									
For ad	litional Lessors, type in space for signature and date									
Lessor										
Tumal	Irrigation District									
Lessee	Date:									
	tes River Conservancy									
Other A Exhibi	Attachments As Needed:									
Exhibi										
	may be combined into a single map]									
Exhibi	may be combined into a single map]  Chibit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)									
Exhibi										

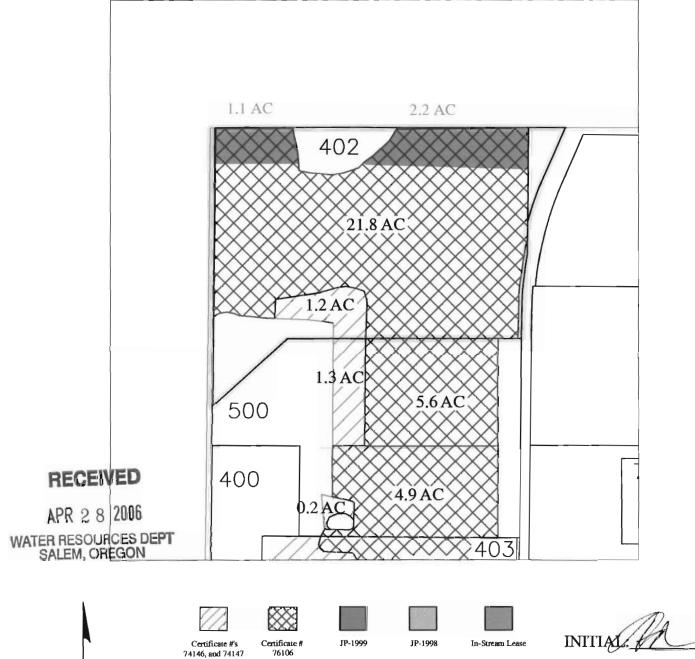
Pooled Landowner Form / 3

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# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY **FOR**

Nichols, Roger S. & Therese M.





LOCATED IN THE NW1/4 OF THE NW1/4 OF SECTION 08, T.16 S., R.12 E., W.M. TAX LOTS # 0402

SCALE: 1'' = 400'

DESCHUTES COUNTY, OREGON

	 _
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PA	 

							,
16	12	7	NE 1/4 NE 1/4	102	13.6	GOBEILLE, D& C	
16	12	7	SE 1/4 NE 1/4	101	1.5	GOBEILLE, D & C	
16	12	7	SE 1/4 NE 1/4	102	1.4	GOBEILLE, D & C	
16	12	7	SE 1/4 NE 1/4	103	22.0	GOBEILLE, D & C	
16	12	7	NE 1/4 NW 1/4	402	8.8	DUNTLEY, C	
16	12	7	NE 1/4 NW 1/4	403	4.4	DUNTLEY, C	
16	12	7	NW 1/4 NW 1/4	401	8.3	VANDERBEEK, R & L	
16	12	7	NW 1/4 NW 1/4	403	2.8	DUNTLEY, C	
16	12	7	NW 1/4 NW 1/4	500	2.7	CHANCE, W	
16	12	7	NW 1/4 NW 1/4	600	1.0	CAMPAGNA, D & S	
16	12	8	NW 1/4 NW 1/4	402	30.0	CRYSTAL RIVER PROPERTIES,	2002 LLA 26.67 T-10052
16	12	8	SW 1/4 NW 1/4	400	4.0	CRYSTAL RIVER PROPERTIES, LLC	NDS.006
16	12	8	SW 1/4 NW 1/4	402	6.0	CRYSTAL RIVER PROPERTIES, LLC	
16	12	8	NW 1/4 SW 1/4	1707	0.5	HAMMACK, P & C	
16	12	9	SW 1/4 SW 1/4	900	15.0	PACIFIC NW DEVELOPMENT CORP.	
16	12	16	NW 1/4 NW 1/4	701	5.0	KHALSA, J & J	
16	12	16	NW 1/4 NW 1/4	702	5.0	TROUT, R & L	
16	12	16	SW 1/4 NW 1/4	700	15.0	BALDWIN/TROUT/KHALSA	
16	12	17	NE 1/4 NE 1/4	100	20.0	I STOUT / PRININCLA	octition a6.22 cition Hat
16	12	19	SE 1/4 SW 1/4	1900	10.0	KLOBY, J & M	1996-35
	-					the state of the s	-



### Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

	nal Identification by Lessor/Lessee: L06.15 Agreement Number (assigned by WRD):	
This L	ease Agreement is between:	
(Name (Maili (City, (Telep	r #1 (Landowner): e) Miller/Jiles, Wesley & Vonda ng address) 61310 Parrell Road # 20 State, Zip Code) Bend, OR 97702 chone number) (541)318-0621 l address)	
If add	itional landowners, enter landowner information below	
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information	
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 17, Range 11, Section 11 and Tax Lot number 00302. If the water right appurtenant to these	Field Code Changed
	lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.	ried Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.	
	Certificate No. Primary 74147, 76106, Supplemental 74148, 74149, 76520	
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes  No	
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	

Pooled Landowner Form / 1

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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	nt page n	umber of			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	178	HE	11	nwnw	00302	5.0	IRR	74147	16	10/29/191
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 5.0  Acre-feet of storage, if applicable:
Conditions or other limitations, if any:

- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the owner's 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 owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(\_)(include necessary supporting documentation as Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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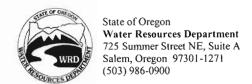
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3.4	of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.								
3.5	Termination provision.  For multiyear leases, lessor shall have the option of terminating the lease each year, pri to the lease being exercised (), with 30 day written notice to the Department provided by the Irrigation District, Other Water Purveyor or Lessee (if different than Department). The lessor must contact the Irrigation District, Other Water Purveyor, or Lessee (if different than Department) to indicate their interest in terminating the lease agreement.  For multiyear leases, lessor shall not have the option of terminating the lease each year prior to the lease being exercised, with written notice to the Department.								
3.6	Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.								
Wesley Vonda	Date: 2-23-06	-							
For ad	tional Lessors, type in space for signature and date								
Lessor		_							
Tumal	Irrigation District								
Lessee	Date:								
Deschi	es River Conservancy	_							
	tachments As Needed:								
Exhibi Exhibi									
CXIIIOI	may be combined into a single map]	а 5-В							
Exhibi	may be combined into a single map]  bit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)								
Exhibi	5-D: Split Season Instream Use Form								

Pooled Landowner Form / 3

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# Additional Water Right Form For Pooled Landowner

### **Instream Lease**

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.

~[~

#### Section 1.1 continued from Pooled Leasing Landowner Form.

**Subject Water Rights.** Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased).

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page i	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	17S	11E	11	nenw	00302	5.0	IRR	76106	4	12/8/1961
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.	-					-				

[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, i	f for irrigation, by	certificate and	priority date:	5.0
Acre-feet of storage, if a	applicable:			

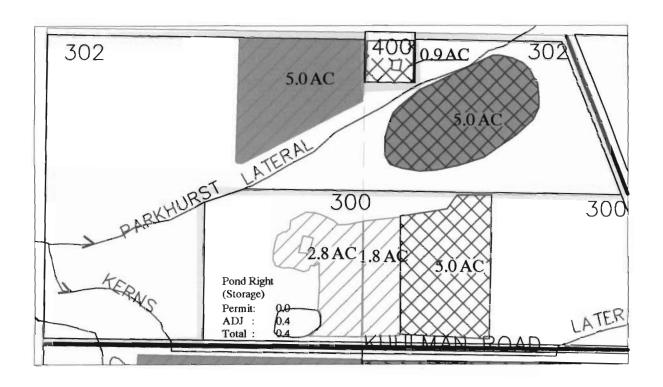
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EXHIBIT 5-A & B L06.15

# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

Miller, Wesley/Jiles, Vonda



# RECEIVED

APR 2 8 2006 WATER RESOURCES DEPT SALEM, OREGON















INITIAL:

LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 11, T.17 S., R.11 E., W.M. TAX LOTS # 00302 AND NE/NW-00302 DESCHUTES COUNTY, OREGON

**SCALE:** 1'' = 400'



# Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

	- <del> </del>	
	nal Identification by Lessor/Lessee: L06.19 Agreement Number (assigned by WRD):	
This I	Lease Agreement is between:	
(Name (Mail) (City, (Telept (Email)	or #1 (Landowner):  e) Khalsa, Jai Hari S. & Jai Hari K.  ing address) 65914 White Rock Loop  State, Zip Code) Bend, OR 97701  phone number) (541)382-2047  il address)  litional landowners, enter landowner information below	
	<u> </u>	
	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application"	
	The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.	
	~I~ Ownership and Water Right Information  Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16,	Field Code Changed
"Stand	ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information	Field Code Changed Field Code Changed
"Stand	~I~ Ownership and Water Right Information  Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16, Range 12, Section 16 and Tax Lot number 00701. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of	>
"Stand	ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information  Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16, Range 12, Section 16 and Tax Lot number 00701. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if	>
"Stand	~I~ Ownership and Water Right Information  Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16, Range 12, Section 16 and Tax Lot number 00701. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.	>

Pooled Landowner Form / 1

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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(ldent	ify pertine	ent page n	umber of			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16S	12E	16	nwnw	00701	5.0	IRR	76106	3	12/8/1961
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 5.0  Acre-feet of storage, if applicable:
Conditions or other limitations, if any:

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

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

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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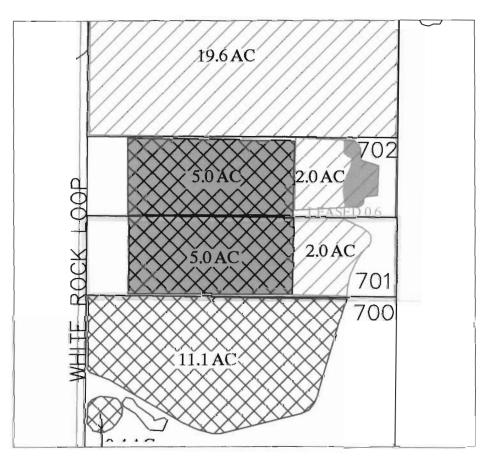
	3.4	of v	vater all he subje	owed under the	subject water in the event the	rights and und	der any v	owner agrees to vater right that is ter right is not pa	s supplemental
	3.5	Ter	For my to the Depart differe Purvey the lear For my	lease being exement provided ont than Departryor, or Lessee (ase agreement.	by the Irrigation that the less of different than the less of shall not the less of	), with the properties of the	th 30 day ther Wate act the In ) to indiction of ter	nating the lease experiment of the varieties of the varie	o the essee (if , Other Water in terminating
	3.6	2.2 use	during water f	the term of this	lease is not rea ource. If injury	sonably expe	ected to c er this lea	stream use descriteause injury to ot ase is signed, the	her rights to lease may be
	1	ri S.	Khalsa Khalsa	when	X hal	20		3/1/0	
(				sors, type in spa	ace for signatur	e and date		,	
	Lesson	- #2:					Date:		
			igation	District					
	Lessee Desch		River C	Conservancy			_ Date:		
	Other Exhibi			s As Needed: Tax Lot Map o	f Landowner's	Property			
	Exhibi	it 5-E	3:	Detailed map i	llustrating land	s under subjec	ct rights	to be leased [Ext	nibits 5-A and 5-B
	Exhibi	it 5-0	C:	forfeiture even	cumentation inc though the righ	licating why a	n exercis	valid and not su sed for five or m ction 1.6 of this f	ore
	Exhibi	it 5-I		Split Season In	stream Use For	rm			

EXHIBIT 5-A & 5-B L 06.19

# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

Khalsa, Jai Hari S. & Jai Hari K.



# RECEIVED

APR 2 8 2006 WATER RESOURCES DEPT SALEM, OREGON

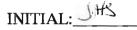




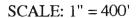








LOCATED IN THE NW1/4 OF THE NW1/4 OF SECTION 16, T.16 S., R.12 E., W.M. TAX LOTS # 0701 DESCHUTES COUNTY, OREGON 1





### Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

	Agreement Number (assigned by WRD):
This I	Lease Agreement is between:
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): e) Peter N McCook & Jacqueline K.H. McCook ing address) 10305 SW 64 <sup>th</sup> Avenue State, Zip Code) Miami, FL 33156 chone number) (305)663-5450 l address) itional landowners, enter landowner information below
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application"  The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 17.
	Range 11, Section 11 and Tax Lot number 1601. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.
	Certificate No. Primary 74146, 76106, Supplemental 74147, 74148, 74149, 76520
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.

Pooled Landowner Form / 1

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	T	R	Sect	44	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page n	number of			is greater than I er certificate)	0 pages; identify	priority date	if there is
1.	178	HE	11	nwsw	01601	1.0	irr	74146	12	9/1/1900 -
2.										
3.										
4.										
5.										

Acre-feet of storage, if applicable:
Conditions or other limitations, if any:

- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the owner's 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 owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(\_)(include necessary supporting documentation as Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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3.4	of water a to the subj	llowed under the subject water rights and under any water right that is supplemental ect water rights. In the event that a supplemental water right is not part of this ay be subject to forfeiture.
3.5	For n to the Depa differ Purve the le	ion provision.  nultiyear leases, lessor shall have the option of terminating the lease each year, prior lease being exercised (
3.6	2.2 during use water	tion to prevent injury. Allocation of water to the instream use described in Section the term of this lease is not reasonably expected to cause injury to other rights to from the same source. If injury is found after this lease is signed, the lease may be erminated to prevent injury.
Lessor		Date: 2-1-06
Lessor		Date: 7 Feb. 2006
Jacque	Kine K.H. N	
Forad		ssors, type in space for signature and date
Lessor		Date:
Tumal	o Irrigation	District
Lessee	::	Date:
Deschi	ites River	Conservancy
Other 2 Exhibi		ts As Needed:
Exhibi		Tax Lot Map of Landowner's Property  Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B
		may be combined into a single map]
Exhibi	t 5-C:	Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
Exhibi	t 5-D:	Split Season Instream Use Form

Pooled Landowner Form / 3

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# Additional Water Right Form For Pooled Landowner

# **Instream Lease**

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.

~I~

#### Section 1.1 continued from Pooled Leasing Landowner Form.

**Subject Water Rights.** Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased).

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page i	number of			is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	17S	11E	11	nwsw	01601	2.0	irr	76106	4	12/8/1961
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										

[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

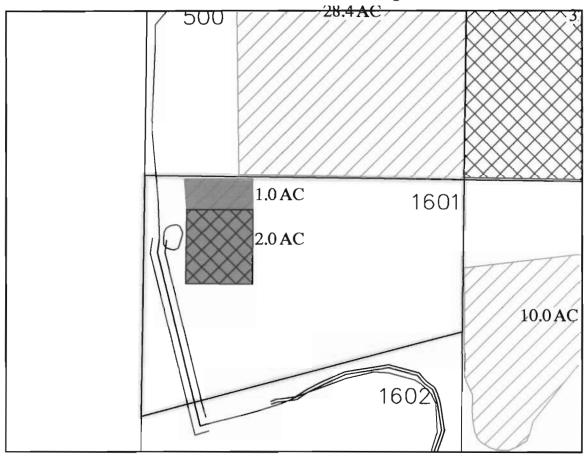
Total number of acres, if for irrigation, by certificate and priority date: 2.0	
Acre-feet of storage, if applicable:	

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# TUMALO IRRIGATION DISTRICT L06.05 IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

McCook, Peter Nevins & Jacqueline K



# RECEIVED

APR 2 8 2006

WATER RESOURCES DEPT SALEM, OREGON

















LOCATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 11, T.17 S., R.11 E., W.M. TAX LOTS # 01601 DESCHUTES COUNTY, OREGON

**SCALE**: 1'' = 400'

Nov 2004



### Application for Short-Term

# Instream Lease

Attachment 5: Pooled Landowner Form

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

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

	nal Identification by Lessor/Lessee: L06.09 Agreement Number (assigned by WRD):	
This I	Lease Agreement is between:	
(Name (Mail) (City, (Telep (Email	r #1 (Landowner): e) Keith & Patricia Shipman ing address) 65325 Cline Falls Road State, Zip Code) Bend, OR 97701 shone number) (541)382-3717 il address) itional landowners, enter landowner information below	
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.  ~I~ Ownership and Water Right Information	
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16,	Field Code Changed
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16, Range 12, Section 19 and Tax Lot number 02000. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.	Field Code Changed Field Code Changed
1.1	Range 12, Section 19 and Tax Lot number 02000. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of	
	Range 12, Section 19 and Tax Lot number 02000. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if	
	Range 12, Section 19 and Tax Lot number 02000. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.  For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.	

Pooled Landowner Form / 1

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	T	R	Sect	<b>% %</b>	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.	168	12E	19	nese	02000	11	irr	74146	11	9/1/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 11.0  Acre-feet of storage, if applicable:	
Conditions or other limitations, if any:	

- 1.6 Validity of rights. Lessor(s) attests (mark one) that:
  - The water has been used over the past five years according to the terms and conditions of the owner's 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 owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(\_)(include necessary supporting documentation as Attachment 3).

#### ~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 2006. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated. This lease only exercises the water rights being leased; for the term of the lease; it shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a 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.

Pooled Landowner Form / 2

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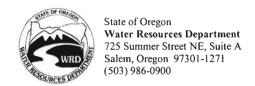


3.4	of water a	on of original use. During the period of the lead lowed under the subject water rights and under twater rights. In the event that a supplemary be subject to forfeiture.	der any water right that is supplemental
3.5	For m to the Depa differ Purve the le	ion provision.  nultiyear leases, lessor shall have the option of lease being exercised (	h 30 day written notice to the her Water Purveyor or Lessee (if het the Irrigation District, Other Water to indicate their interest in terminating on of terminating the lease each year,
3.6	2.2 during use water	the term of this lease is not reasonably expection the same source. If injury is found after the terminated to prevent injury.	cted to cause injury to other rights to r this lease is signed, the lease may be
	·#1: / L	EITH A ShipMAN	Date: 2-8-06
Patrici	a Shipman		Date: 2-8-06
For ad	ditional Le	ssors, type in space for signature and date	
Lessor			Date:
<u>Tumal</u>	o Irrigation	District	
Lessee	):		Date:
Deschi	utes River (	Conservancy	
		s As Needed:	
Exhibi		Tax Lot Map of Landowner's Property	Author to be been directly to the page
Exhibi	it 2-B:	Detailed map illustrating lands under subject may be combined into a single map]	ct rights to be leased [Exhibits 5-A and 5-B
Exhibi	t 5-C:	Supporting documentation indicating why a forfeiture even though the right has not been consecutive years (required if the second bo checked)	n exercised for five or more
Exhibi	it 5-D:	Split Season Instream Use Form	

Pooled Landowner Form / 3

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# Additional Water Right Form For Pooled Landowner

# **Instream Lease**

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.

~I~

#### Section 1.1 continued from Pooled Leasing Landowner Form.

**Subject Water Rights.** Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased).

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page i	number o			is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16S	12E	19	nese	02000	4.0	irr	74147	13	10/29/191 3
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										

[Attached map(s) must identify property owner, Township, Range, Section and 1/4 1/4, tax lot number, map orientation and scale.]

Total number of acres,	, if for irrigation, by certificate and priority date: 4.0	
Acre-feet of storage, it	f applicable:	

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# Additional Water Right Form For Pooled Landowner

### **Instream Lease**

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.

~[~

#### Section 1.1 continued from Pooled Leasing Landowner Form.

**Subject Water Rights.** Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased).

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page i	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16S	12E	19	nese	02000	5.0	irr	76106	3	12/8/1961
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										

[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation, by certificate and priority date: <u>5.0</u>	
Acre-feet of storage, if applicable:	

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EXHIBIT 5-A & 5-B L 06.09

# TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

**FOR** 

Shipman, Keith & Patricia 8.0 AC 180 2.0 AC 2001 1900 2100 4.7 AC 3.7 AC 14.1 AC 2000 17.0AC 15 ac leased 2.0 ac Retained 2200 5.0 AC 2.3002400 2400 28.1 AC RECEIVED APR 2 8 2006

WATER RESOURCES DEPT SALEM, OREGON













LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 19, T.16 S., R.12 E., W.M. TAX LOTS # 02000 DESCHUTES COUNTY, OREGON

SCALE: 1" =400'