

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.

Optio	nal Identification by Lessor/Lessee: 01-PB-05	
Lease	Agreement Number (assigned by WRD):	
This 1	Lease Agreement is between:	
	or #2: Irrigation District or Other Water Purveyor	
`	e) Central Oregon Irrigation District	
`	ing address) 2598 N Hwy 97	
	State, Zip Code) Redmond, OR 97756	
(Tele	phone number) <u>541-548-6047</u>	
(Ema	il address) transfers@coid.org	
The v	vater right to be leased is located in Deschutes_County.	
_		RECEIVE
	e (if different than Oregon Water Resources Department):	
`	e) Deschutes River Conservancy	APR 2 2 200
	ing address) 700 NW Hill	
	State, Zip Code) Bend, OR 97701	WATER RESOURCES SALEM, OREGO
(Tele	phone number) (541) 382-4077 ext 14	SALEM, OREGO
(Ema	il address) laura@deschutesrc.org	
Trust	tana	
	on Water Resources Department	
_	•	
	fummer Street NE, Suite A	
	n, OR 97301-1271	
(503)	986-0900	
	~I~ Ownership and Water Right Information	
1.2	Lessor #2 is the (Check one):	
	☑ Official representative of <u>Central Oregon Irrigation District</u> , the which conveys water to the subject water rights.	irrigation district,
	Another party with an interest in the subject water rights representing	~
	☐ Not applicable.	5
1.3	For the lands being leased, list all water rights appurtenant to the lessor's	s property. Indicate
	if there are any supplemental or overlying rights.	
	Contigueta No. 76259 & 76714	
	Certificate No. <u>76358 & 76714</u>	

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. Lessor proposes to lease the water rights listed in 1.3. The right(s) to be leased are further described as follows: Certificate No.: 76358
	Priority date: October 31, 1900 & December 2, 1907 Type of use: IRRIG
	Legal Season of Use: April 1 to November 1
	If an irrigation right, total number of acres to be leased: 37.5
	Total acre-feet of storage to be leased, if applicable: 0
	Maximum rate associated with subject water rights (cfs) being leased:
	Priority 10/31/1900 Season 1: 0.469 Season 2: 0.625 Season 3: 0.825
	Priority 12/2/1907 Season 3: 0.333
	If there is more than one rate associated with a water right, describe below:
	If there is more than one rate associated with a water right, describe below: Season 1 (cfs) Time period: Season 2 (cfs) Time period: Season 3 (cfs) Time period: Season 3 (cfs) Time period:
	Season 2 (cfs) Time period:
	Season 3 (cfs) Time period: APR 2 2 2005
	Maximum duty associated with subject water rights (ac-ft): 371.63 WATER RESOURCES DEPT SALEM, OREGON
	Conditions or other limitations, if any: None
	If you need to enter another leased right, please use the additional water rights form.
	~II~ Instream Water Right Information
2.1	 Public use. This lease will increase streamflows, which will benefit: ☑ Conservation, maintenance and enhancement of aquatic and fish life, wildlife, and fish and wildlife habitat ☑ Pollution abatement ☑ Recreation and scenic attraction
2.2	Instream use created by lease. The instream use to be created is described as follows:
	<u>Deschutes</u> River
	Tributary to Columbia River in the Deschutes Basin.
	Describe the point of diversion (POD) and any associated reach(es) of the instream use being created. If possible list the reach by river mile. If no reach is identified, and there is
	only one POD listed on the certificate, the lease will be processed to be protected at the
	POD. (If more than one POD is listed on the certificate, then the POD and any associated
	reach(es) must be identified): POD# 11 to Lake Billy Chinook
	Maximum volume in acre-feet: Priority 10/31/1900: 159.76 Priority 12/2/1907: 44.63
	Rate in cfs: Priority 10/31/1900 Season 1: 0.258 Season 2: 0.344 Season 3: 0.454
	Priority 12/2/1907 Season 3: 0.183
	(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:
	⊠ None
	The instream flow will be allocated on a daily average basis up to the described rate
	fromthrough

Other	(descri	be):

A	EC	EIV	ED
1.1		CIV	EU

APR 2 2 2005

If you need to enter more instream uses, please use the additional water rights for the MESOURCES DEPT

- 2.3 Term of lease. This lease shall terminate on November 1, 2005
- 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.
- **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.
- **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, prior to the lease being exercised (________), with 30 day written notice to the Department.
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.

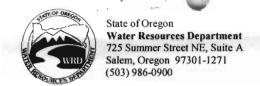
Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

3.7	Fees. Effective October 1, 2003, purs	uant to ORS 536.050 (1)(v) (2003 SB 820), the
	following fee is included:	
	•	or more landowners or four or more water rights.
	\$100 for all other applications.	
	MA	
Lessor	#2:	Date: 4-1-2005
Centra	l Oregon Irrigation District	
Lessee		Date: 4/20/05
Deschu	utes River Conservancy	
Other A	Attachments as Needed:	
Attach	ment 1. Tay I at Man of Lessor's Pron	erty (required if landowner is not the sole landowner

- Attachment 1: Tax Lot Map of Lessor's Property (required if landowner is not the sole landowner to lands for which the subject water rights are appurtenant)
- Attachment 2: Detailed map illustrating lands under subject rights to be leased (required if only part of a right is being leased instream).
- Attachment 3: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 is checked)
- Attachment 4: Split Season Instream Use Form
- Attachment 5: Pooled Lease Landowner Form



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.

~**I**~

Section	1.2	continued	from	Pooled	District	Form.
Section	1.04	Continucu		I OUICU	DISTING	TALM

Subject Water Rights. District and Landowners propose to lease the water rights listed in Attachment 5.

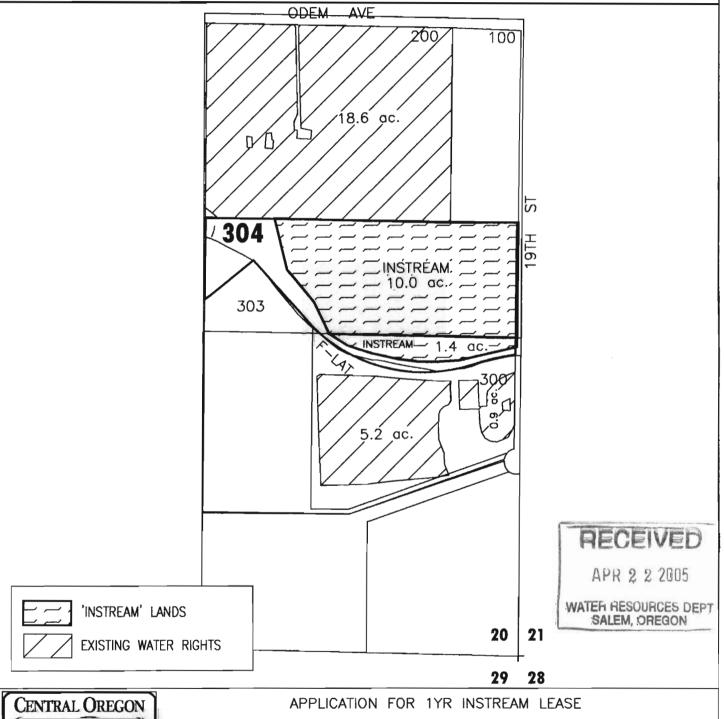
The right(s) to be leased are further described as follows: Certificate No.: 76714	
Priority date: February 28, 1913 Type of use: IRRIG	
Legal Season of Use (if not listed on the certificate): April 1 to November 1	
If an irrigation right, total number of acres to be leased: 37.50	
Total acre-feet of storage to be leased, if applicable: 0	
Rate associated with leased rights (cfs):	
(Use additional lines if there is more than one rate associated with the water right.)	
Rate associated with leased rights (cfs): 0	
Rate associated with leased rights (cfs): 0	at the second
Duty associated with leased rights (AF): 371.63	
(Use additional lines if there is more than one duty associated with the water right.)	
Duty associated with leased rights (AF): 0	BEAFTIED
Duty associated with leased rights (AF): 0	RECEIVED
Conditions or other limitations, if any: None	APR 2 2 2005
~II~	WATER RESOURCES DEPT SALEM, OREGON
Section 2.2 continued from Pooled District Form. Instream use created by lease. The instream use to be created is described Crane Prairie Resevoir River Tributary to Deschutes River in the Deschutes Bas	
Describe the point of diversion and any associated reach(es) of the instream created. If possible list the reach by river mile, if no reach is identified, the processed to be protected at the point of diversion): POD# 1 to Lake Billy C	lease may be
Total volume (AF): 36.39 (Use additional lines if there is more than one rate associated with the water right. Total volume (AF): 0 Total volume (AF): 0 Rate in cfs: 0 (Use additional lines if there is more than one rate associated with the water right.	
Rate in cfs: 0	
Conditions to prevent injury, if any:	
Other (describe):	

DESCHUTES COUNTY SEC.20 T14S. R13E. W.M.

SCALE - 1" = 400'



E 1/2 OF THE SE 1/4





IRRIGATION DISTRICT DATE: 03-11-05

TAXLOT #: 304

NAME: ROGER & DEBRA BORINE

11.4 ACRES INSTREAM

FILE NO: E:\TRANSFER\INSTREAM\INSTRMO5\1YR\BORINE

DESCHUTES COUNTY SEC.26 T16S. R12E. W.M.

SCALE - 1" = 400'

N↑

W 1/2 OF THE NE 1/4

N 1/4 COR # 100 Р 4.9 ac. 201 INSTREAM 5.5 ac. √ 401 ó.6 ác.0.8 **3**00 NSTREAM_20 RECEIVED 20.1 4.2 ac. ac. APR 2 2 2005 WATER RESOURCES DEP SALEM, OREGON EXISTING WATER RIGHTS 'INSTREAM' LAND PARCELS 11.7 ac. /2010s



APPLICATION FOR 1YR INSTREAM LEASE NAME: ROBERT DUPONT

TAXLOT #: 201

9.3 ACRES INSTREAM

DATE: 04-15-05

FILE NO: E:\TRANSFER\INSTREAM\INSTRM05\1YR\DUPONT

DESCHUTES COUNTY SEC.13 T14S. R13E. W.M.

SCALE - 1" = 400'

ΝŢ

SW 1/4 OF THE NW 1/4

[1600	1509	1400	1300
	2.5 ac.			2.5 ac.
	,2	2.5 ac.	2.5 ac.	
	1700	1800	1900	2000
			2.5 ac.	
2	INSTREAM 2.5 gc.	2.5 ac.		2.5 ac.
W 1/4 COR				

RECEIVED

APR 2 2 2005

WATER RESOURCES DEPT SALEM, OREGON



PARCELS W/ WATER RIGHTS

'INSTREAM' LAND PARCELS

CENTRAL OREGON



IRRIGATION DISTRICT DATE: 02-21-05

APPLICATION FOR 1 YR INSTREAM LEASE

NAME: JAMES & LESLIE EAGAN

TAXLOT #: 1700

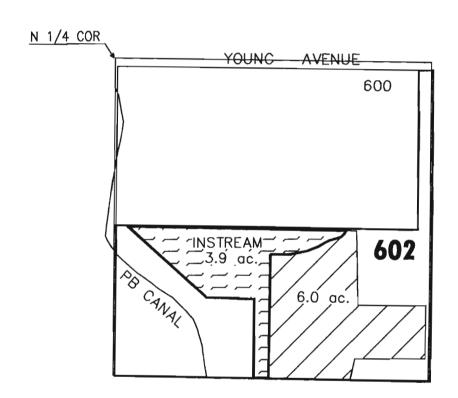
2.5 ACRES INSTREAM

FILE NO: E:\TRANSFER\INSTREAM\INSTRMO5\1YR\EAGAN

DESCHUTES COUNTY SEC.14 T16S. R12E. W.M.

SCALE - 1" = 400"

NW 1/4 OF THE NE 1/4





APR 2 2 2005

WATER RESOURCES DEP'T SALEM, OREGON



'INSTREAM' LANDS



APPLICATION FOR 1YR INSTREAM LEASE

EXISTING WATER RIGHTS



NAME: G.W. & MARNA GRIFFIN

TAXLOT #: 602

3.9 ACRES INSTREAM

IRRIGATION DISTRICT

DATE: 3-17-05

FILE NO: E:\TRANSFER\INSTREAM\INSTRMO5\1YR\GRIFFIN

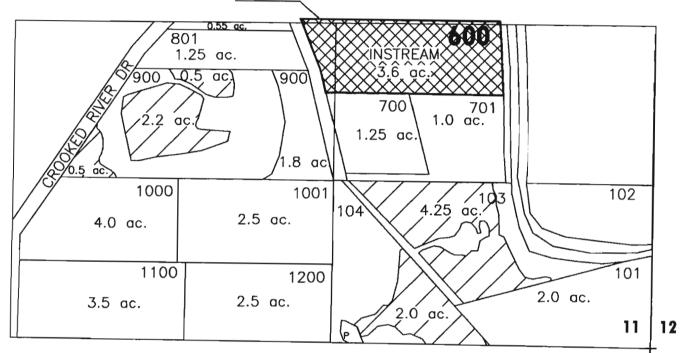
DESCHUTES COUNTY SEC.11 T14S. R13E. W.M.

SCALE - 1" = 400'



S 1/2 OF THE SE 1/4

INSTREAM 0.5 ac.



RECEIVED!4

13

APR 2 2 2005

WATER RESOURCES DEPT SALEM, OREGON

'INSTREAM' LAND PARCELS

EXISTING WATER RIGHTS

ac.

PARCELS W/ WATER RIGHTS

CENTRAL OREGON



IRRIGATION DISTRICT

APPLICATION FOR 1YR INSTREAM LEASE

NAME: DAVID HANCOCK

TAXLOT #: 600

4.1 ACRES INSTREAM

DATE: 04-19-05

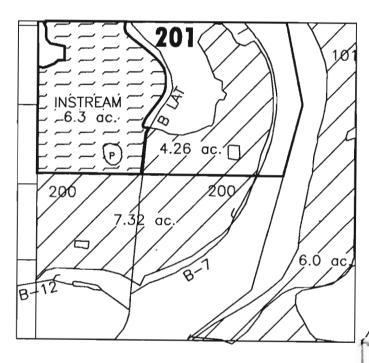
FILE NO: E:\TRANSFER\INSTREAM\INSTRMO5\1YR\HANCOCK

DESCHUTES COUNTY SEC.24 T15S. R12E. W.M.

SCALE - 1" = 400'

NΥ

SE 1/4 OF THE NE 1/4



E 1/4 COR

RECEIVED

APR 2 2 2005

WATER RESOURCES DEPT



'INSTREAM' LANDS



EXISTING WATER RIGHTS

CENTRAL OREGON

IRRIGATION DISTRICT DATE: 3-17-05

TAXLOT #: 201

APPLICATION FOR 1YR INSTREAM LEASE NAME: JENNIFER O'REILLY & MICHAEL LATTIC

6.3 ACRES INSTREAM

FILE NO: E:\TRANSFER\INSTREAM\INSTRMO5\1YR\OREILLY



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.

•	Identification by Lessor/Lessee: 2488 greement Number (assigned by WRD):					
This Lea	ise Agreement is between:					
(Name)	Roger & Debra Borine					
_	address) 64770 Melinda Court					
	one number)	RECEIVED				
(Email a	ddress)	APR 2 2 2005				
If addition	onal landowners, enter landowner information below	WATER RESOURCES DE SALEM, OREGON				
Note: The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential. **Cownership and Water Right Information** 1.1 Lessor #1 is the owner, or authorized agent for owner of property located at: Township 14, Range 13, Section 20 and Tax Lot number 304. If the water right appurtenant to these lands						
	s also appurtenant to lands owned by others, then Attachment 1, (tax lo roperty) needs to be included.	t map of lessor's				
	for the lands being leased, list all water rights appurtenant to the lessor's here are any supplemental or overlying rights.	s property. Indicate if				
C	Certificate No. 76358 & 76714					
	are some or all of the lands being leased part of a Conservation Reserve Program. Yes No	e Enhancement				
a a	tubject Water Rights. Landowner proposes to lease the water rights shattached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an a stached). (Crosshatch the area of water rights being leased). Attached map(s) must id ownship, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	dditional map may be				

	T	R	Sect	$\mathcal{V}_1\mathcal{V}_1$	Tax Lot	Acres	Type of Use	Certificate#	Page(s) #	Priority*
	*(Identi	fy pertine	ent page n	number of			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	14 S	13 E	20	NE SE	304	10.0	IRRIG	76358	13	10/31/190 0
2.	14 S	13 E	20	SE SE	304	1.4	IRRIG	76358	1.3	10/31/190 0
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert#76358 Oct. 31, 1900, 11.4 Acres and December 2, 1907, 11.4 Acres

Acre-feet of storage, if applicable: 0

Conditions or other limitations, if any: None

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 November 1, 2005. (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.

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.

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



the amount of water to be leased or transferred instream. Suspension of original use. During the period of the lease, the owner agrees to suspend use 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, prior 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. Date: 3/23/ For additional Lessors, type in space for signature and date Date: Debra Borine Debra a. Borine

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

Other Attachments As Needed: Exhibit 5-A:

Tax Lot Map of Landowner's Property

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]

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

forfeiture even though the right has not been exercised for five or more

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

checked)

Exhibit 5-D:

Split Season Instream Use Form

WATER RESOURCES DEPT SALEM, OREGON



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	V_1V_1	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page i	number o			e is greater than er certificate)	10 pages; identify	priority dat	e if there is
1.	14 S	13 E	20	NE SE	304	10.0	IRRIG	76714	14	2/28/1913
2.	14 S	13 E	20	SE SE	304	1.4	IRRIG	76714	14	2/28/1913
3.							1			
4.										
5.							165			
6.										
7.										
8.										
9.										
10.							7			

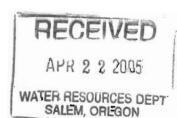
[Attached map(s) must identify property owner, Township, Range, Section and 1/4 1/4, tax lot number, map orientation and scale.]

SINCE HIBSIN, TL300 HAS CHANGED TO TL304. LLATER RIGHTS REMAIN MAPPED TO SAME LOCATION.

Total number of acres, if for irrigation, by certificate and priority date: Cert #76714 Feb. 28, 1913.

11.4 Acres

Acre-feet of storage, if applicable: 0





May 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.

	nal Identification by Lessor/Lessee: 1045 Agreement Number (assigned by WRD):	
Lease	Agreement Number (assigned by WRD):	
This l	Lease Agreement is between:	
	r #1 (Landowner):	
	e) Robert DuPont & Timothy Puckett	
	ing address) PO Box 70751	BEAFINE
	State, Zip Code) Reno, NV 89570-0751	RECEIVE
	phone number) 775-852-9779	AUD 0 0 2005
(Emai	l address)	APR 2 2 2005
If add	itional landowners, enter landowner information below	WATER RESOURCES I SALEM, OREGON
	The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same is ard Instream Lease Application" form. Consequently, the numbering on this form is not also also also are lease Application. Consequently, the numbering on this form is not also also also also also also are lease.	
1.1	Lessor #1 is the owner, or authorized agent for owner of property located Range 12, Section 26 and Tax Lot number 201. If the water right appurte is also appurtenant to lands owned by others, then Attachment 1, (tax lot property) needs to be included.	enant to these lands
1.3	For the lands being leased, list all water rights appurtenant to the lessor's there are any supplemental or overlying rights.	property. Indicate if
	Certificate No. 76358 & 76714	
1.4	Are some or all of the lands being leased part of a Conservation Reserve I Program. Yes No	Enhancement
1.5	Subject Water Rights. Landowner proposes to lease the water rights show attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an add attached). (Crosshatch the area of water rights being leased). Attached map(s) must iden Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	litional map may be

	T		R	Sect		Tax Lot	Acres	Type of Use	Certificate#	Page(s) #	Priority*
	*(Id	lentii	fy pertin	ent page r	umber of			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16	S	12 E	26	NW NE	201	5.5	IRRIG	76358	56	10/31/190 0
2.	16	S	12 E	26	SW NE	201	3.8	IRRIG	76358	56	10/31/190 0
3.							ļ	1			
4.											
5.											

	Total number of acres, if for irrigation, by certificate and priority date: Cert#/6358 Oct. 31.
1900,	9.3 Acres and December 2, 1907, 9.3 Acres
	Acre-feet of storage, if applicable: 0
	Conditions or other limitations, if any: None

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

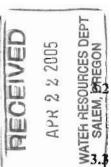
2.3 Term of lease. This lease shall terminate on October 26, 2005. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~III~ Other Information

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.

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.

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.

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, prior 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. Lessor #1: Robert DuPor For additional Lessors, type in space for signature and date Date: mothy Puc ORC_Date:_ Lessee: Other Attachments As Needed:

Exhibit 5-A: Tax Lot Map of Landowner's Property

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]

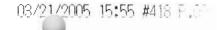
Exhibit 5-C: Supporting documentation indicating why a right is valid and not subject to

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

APR 2 2 2005
WATER RESOURCES DEPT SALEM, OREGON



Nov 2004



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**~

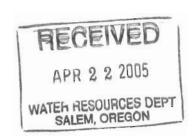
Section 1.1 continued from Pooled Leasing Landowner Form.

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).

	Т	R	Sect	19.04	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page i	number o			is greater than i	10 pages; identify	priority dat	e if there is
1.	16 S	12 E	26	NW NE	201	5.5	IRRIG	76714	57	2/28/1913
2.	16 S	12 E	26	\$W NE	201	3.8	IRRIG	76714	58	2/28/1913
3.										
4.										
5.										
б.										
7.				1						
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: Cert #76714 Feb.	28,	1913
9.3 Acres		
Acre-feet of storage, if applicable: 0		



FSD



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.

	e Agreement Number (assigned by WRD):	
This	Lease Agreement is between:	
Less	or #1 (Landowner):	
(Nan	ne) James & Leslie Eagan	
	ling address) 3516 Monroe Ave	RECEIVED
	, State, Zip Code) San Diego, CA 92116-3541	
•	ephone number) <u>541-548-7788</u>	APR 2 2 2005
(Ema	ail address)	SECUENES DE
If ad	ditional landowners, enter landowner information below	WATEH HESOURCES DE SALEM, OREGON
1.1	~I~ Ownership and Water Right Information Lessor #1 is the owner, or authorized agent for owner of property lo Range 13, Section 13 and Tax Lot number 1700. If the water right lands is also appurtenant to lands owned by others, then Attachment lessor's property) needs to be included.	cated at: Township 14, appurtenant to these 1, (tax lot map of
1.3	For the lands being leased, list all water rights appurtenant to the lest there are any supplemental or overlying rights. Certificate No. 76358 & 76714	sor's property. Indicate if
1.4	Are some or all of the lands being leased part of a Conservation Res Program. Yes No	erve Enhancement
1.5	Subject Water Rights. Landowner proposes to lease the water right attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or attached). (Crosshatch the area of water rights being leased). Attached map(s) mu Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	an additional map may be

	T	R	Sect	1/11/1	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.	14S	13E	13	SW NW	1700	2.5	IRRIG	76358	7	10/31/190 0
2.									REC	EIVED
3.									APR	2 2 2005
4.										
5.									SALEN	SOURCES DE 1. OREGON

		SALEM, OREGON
1900	Tot	al number of acres, if for irrigation, by certificate and priority date: Cert#76358 Oct. 31,
	Acr	e-feet of storage, if applicable: 0
	Cor	nditions or other limitations, if any: None
If yo	u need	to enter another leased right, please use the Additional Landowner Water Rights Form.
1.6	Valid	ity of rights. Lessor(s) attests (mark one) that:
	\boxtimes	The water has been used over the past five years according to the terms and conditions of the 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		rm of lease. This lease shall terminate on November 1, 2005. (If there is a conflict between Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)
	the I	Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~III~ Other Information

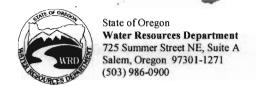
- 3.1 Accuracy. The Undersigned Lessor/s, Lessee and Trustee declare that, to the best of their knowledge and belief, the information contained in this lease is true, correct and complete. If after the lease is signed, any information is determined to be false, the lease may be modified or terminated.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

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 T	For multiyear leases, lessor <i>shall</i> have the option of terminating the lease each year, prior to the lease being exercised (
	the lease agreement. For multiyear leases, lessor <i>shall not</i> have the option of terminating the lease each year,
	prior to the lease being exercised, with written notice to the Department.
2 u	Indification to prevent injury. Allocation of water to the instream use described in Section 2 during the term of this lease is not reasonably expected to cause injury to other rights to see water from the same source. If injury is found after this lease is signed, the lease may be
n	nodified or terminated to prevent injury.
Lessor #	1: James Eagan Date: 3/2/05
James Ea	
Leslie Ea	gan
For addit	ional Lessors, type in space for signature and date Date:
Central C	Oregon Irrigation District
Lessee:	DR e Date: 4/20/05
Other At	tachments As Needed:
Exhibit 5	-A: Tax Lot Map of Landowner's Property
Exhibit 5	
Exhibit 5	may be combined into a single map] -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	

APR 2 2 2005
WATER RESOURCES DEPT SALEM, OREGON



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	7/1/1	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page r	number o			e is greater than ler certificate)	0 pages; identify	priority dat	e if there is
1.	14 S	13 E	13	SW NW	1700	2.5	IRRIG	76714	7	2/28/1913
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:	Cert #76714	Feb. 28,	1913,
2.5 Acres			
Acre-feet of storage, if applicable: 0			





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.

•	onal Identification by Lessor/Lessee: 266155 e Agreement Number (assigned by WRD):	
This	Lease Agreement is between:	
	or #1 (Landowner): ne) G.W. & Marna Griffin	
	ling address) 21485 Young Ave	
	, State, Zip Code) Bend, OR 97701	RECEIVED
	phone number)	HEGEIVED
(Ema	il address)	APR 2 2 2005
If add	litional landowners, enter landowner information below	WATER RESOURCES DEP SALEM, OREGON
1.1	~I~ Ownership and Water Right Information Lessor #1 is the owner, or authorized agent for owner of property locate Range 12, Section 14 and Tax Lot number 602. If the water right appuis also appurtenant to lands owned by others, then Attachment 1, (tax lo property) needs to be included.	rtenant to these lands
1.3	For the lands being leased, list all water rights appurtenant to the lessor' there are any supplemental or overlying rights.	's property. Indicate if
	Certificate No. 76358 & 76714	
1.4	Are some or all of the lands being leased part of a Conservation Reservation Program. Yes No	e Enhancement
1.5	Subject Water Rights. Landowner proposes to lease the water rights shattached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an a attached). (Crosshatch the area of water rights being leased). Attached map(s) must in Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	additional map may be

	T	R	Sect	<i>1</i> / ₁ / ₁ / ₁	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	nt page i	number of			e is greater than 1 per certificate)	0 pages; identify	priority date	if there is
1.	16 S	12 E	14	NW NE	602	3.9	IRRIG	76358	55	10/31/190 0
2.										
3.										
4.										
5.										

		al number of acres, if for irrigation, by certificate and priority date	: Cert#76358 Oct. 31,
1900	, 3.9	Acres and December 2, 1907, 3.9 Acres	RECEIVED
	Acr	e-feet of storage, if applicable: 0	
			APR 2 2 2005
	Cor	nditions or other limitations, if any: None	
			WATER RESOURCES DEPT
Ifvo	u naad	to enter another leased right, please use the Additional Landowne	SALEM, OREGON
11 yo	u need	to enter another leased right, please use the Additional Landowne	i water Kights Form.
1.6	Valid	lity of rights. Lessor(s) attests (mark one) that:	
	\boxtimes	The water has been used over the past five years according to the 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 conditions of the owner's water right certificate, however the water forfeiture under ORS 540.610(2)(_)(include necessary supporting Attachment 3).	er right is not subject to
		~II~ Instream Water Right Information	
2.3	Ter	m of lease. This lease shall terminate on October 26, 2005	If there is a conflict between
		Pooled District Form and this form, the Pooled District Form will be the official	
		COLUMN TO THE PARTY OF THE PART	

~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.

Suspension of original use. During the period of the lease, the owner agrees to suspend use 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 Te	rmination provision.
	For multiyear leases, lessor shall have the option of terminating the lease each year, prior
	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 <i>shall not</i> have the option of terminating the lease each year,
	prior to the lease being exercised, with written notice to the Department.
3.6 M	odification to prevent injury. Allocation of water to the instream use described in Section
	during the term of this lease is not reasonably expected to cause injury to other rights to
	water from the same source. If injury is found after this lease is signed, the lease may be
	dified or terminated to prevent injury.
	1. +10.11
Lessor #1	Date: 3/22/05
G.W. Grif	
For additi	onal Lessors, type in space for signature and date
-11/	1/1/11.
14a	na griffin Date: 3/00/05
Marna Gr	ffin / /
Lessee:	Date: 4/20/05
Lessee:	Date. 4/20/05
-	DICC
Other Atta	chments As Needed:
Exhibit 5-	A: Tax Lot Map of Landowner's Property
Exhibit 5-	•
F 13146	

Exhibit 5-C:

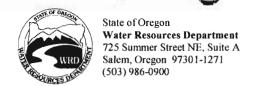
Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is

checked)

Exhibit 5-D:

Split Season Instream Use Form

APR 2 2 2005 WATER RESOURCES DEPT SALEM, OREGON



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	$V_{\rm f} V_{\rm f}$	Tax Lot	Acres	Type of Use	Certificate#	Page(s) #	Priority*
	*(Identi	ify pertine	ent page r	number o			is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 S	12 E	14	NW NE	602	3.9	IRRIG	76714	56	2/28/1913
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 of 3.9 Acres	late: Cert #76714 Feb. 28, 1913,
Acre-feet of storage, if applicable: 0	RECEIVED
	APR 2 2 2005
	WATER RESOURCES DEPT



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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.

	Agreement Number (assigned by WRD):	
Lease	Agreement Number (assigned by WIC).	
This L	ease Agreement is between:	
	· #1 (Landowner):	
	David Hancock	
	ng address) 6205 SW Hood Ave	
	State, Zip Code) Portland, OR 97201-3609	RECEIVED
` •	hone number) 503-789-9911	HELEIVED
(Email	address)	APR 2 2 2005
		APR 2 2 2003
If addi	tional landowners, enter landowner information below	WATER RESOURCES DE
1 1	~I~ Ownership and Water Right Information Lessor #1 is the owner, or authorized agent for owner of property locate	ed at: Townshin 14
1.1	Lessor #1 is the owner, or authorized agent for owner of property locate Range 13, Section 11 and Tax Lot number 600. If the water right apput is also appurtenant to lands owned by others, then Attachment 1, (tax loproperty) needs to be included.	rtenant to these lands
	property) needs to be included.	
1.3	For the lands being leased, list all water rights appurtenant to the lessor there are any supplemental or overlying rights.	's property. Indicate if
	Certificate No. <u>76358 & 76714</u>	
1.4	Are some or all of the lands being leased part of a Conservation Reserve Program. Yes No	e Enhancement
1.5	Subject Water Rights. Landowner proposes to lease the water rights s attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an attached). (Crosshatch the area of water rights being leased). Attached map(s) must in Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	additional map may be

	T		R	Sect	V ₁ V ₁	Tay Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pe	rtine	nt page n	umber of	f certificate,	if certificate than one p	e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	14 S	13	Е	11	SW SE	600	0.5	IRRIG	76358	7	10/31/190 0
2.	14 S	13	Е	11	SE SE	160001	3.6	IRRIG	76358	7	10/31/190 0
3.						LK9					
4.											
5.											

Total number of acres, if for irrigation, by certificate and priority date: Cert#76358 Oct. 31, 1900, 4.1 Acres and December 2, 1907, 4.1 Acres

Acre-feet of storage, if applicable: 0

Conditions or other limitations, if any: None

APR 2 2 2005

WATER RESOURCES DEPT

The water has been used over the past five years according to the terms and conditions of

- 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 2005. (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.

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	Termina	ation provision.
		multiyear leases, lessor <i>shall</i> have the option of terminating the lease each year, prior
		he lease being exercised (), with 30 day written notice to the
		partment provided by the Irrigation District, Other Water Purveyor or Lessee (if
		erent than Department). The lessor must contact the Irrigation District, Other Water
		veyor, or Lessee (if different than Department) to indicate their interest in terminating
		lease agreement.
		multiyear leases, lessor <i>shall not</i> have the option of terminating the lease each year,
		or to the lease being exercised, with written notice to the Department.
	-14	
3.6		ation to prevent injury. Allocation of water to the instream use described in Section
		ng the term of this lease is not reasonably expected to cause injury to other rights to
	use wate	r from the same source. If injury is found after this lease is signed, the lease may be
	modified	or terminated to prevent injury.
Lesso	or #1:	Jan Haman Date: 4-12-05
David	d Hancock	
For a	dditional L	essors, type in space for signature and date
		Date:
Lesse	e:	Date: 4/20/05
	- //	OR C
Other	r Attachme	nts As Needed:
	oit 5-A:	Tax Lot Map of Landowner's Property
	oit 5-B:	Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B
2.540	White the	may be combined into a single map]
Exhil	oit 5-C:	Supporting documentation indicating why a right is valid and not subject to
		forfeiture even though the right has not been exercised for five or more
		consecutive years (required if the second box in Section 1.6 of this form is

checked)

Split Season Instream Use Form

Exhibit 5-D:

RECEIVED

APR 2 2 2005

WATEH RESOURCES DEPT SALEM, OREGON



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	44	Tay Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	ify pertir	ent page	number o			e is greater than i	10 pages; identify	priority dat	e if there is
1.	14 S	13 E	11	SW SE	600	0.5	IRRIG	76714	7	2/28/1913
2.	14 S	13 E	11	SE SE	600	3.6	IRRIG	76714	7	2/28/1913
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: Cert #76714	Feb. 28,	1913,
4.1 Acres		
Acre-feet of storage, if applicable: 0		





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.

	nal Identification by Lessor/Lessee: 1913 Agreement Number (assigned by WRD):	
This l	Lease Agreement is between:	
Lesso	r #1 (Landowner):	
	e) Jennifer A O'Reilly etal	
	ing address) 1980 SW 55 th St	
	State, Zip Code) Redmond, OR 97756	RECEIVE
, ,	phone number) <u>541-504-8211</u>	IILOLIVEL
(Ema	il address)	APR 2 2 2005
TC - 1.1	id and the desired section in the desired section is a section in the section in the section in the section is a section in the section in the section in the section in the section is a section in the	
II add	itional landowners, enter landowner information below	WATER RESOURCES D SALEM, OREGON
1.1	Lessor #1 is the owner, or authorized agent for owner of property loc Range 12, Section 24 and Tax Lot number 201. If the water right ap is also appurtenant to lands owned by others, then Attachment 1, (tax property) needs to be included.	purtenant to these lands
1.3	For the lands being leased, list all water rights appurtenant to the less there are any supplemental or overlying rights.	or's property. Indicate if
	Certificate No. <u>76358 & 76714</u>	
1.4	Are some or all of the lands being leased part of a Conservation Reservation. Yes No	rve Enhancement
1.5	Subject Water Rights. Landowner proposes to lease the water rights attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or attached). (Crosshatch the area of water rights being leased). Attached map(s) must Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	an additional map may be

	T	R	Sect	$V_{\rm f}V_{\rm f}$	Tay Lot	Acres	Type of Use	Certificate#	Page(s) #	Priority*
	*(Identif	y pertine	nt page n	umber of			is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	15 S	12 E	24	SE NE	201	6.3	IRRIG	76358	28	10/31/190 0
 3. 									REC	EIVE
4.									Ark	2 2 2005
5.								iority date: Ce	SALEN	SOURCES D
	Aco Co. you need	re-feet on the reference of the referenc	of storage or other	ge, if ap er limita er lease	tions, if and right, places) attests (r	ny: None		Landowner W	ater Right	s Form.
1.0		The w	ater ha	s been u	sed over th	he past fiv	e years accord	ding to the terr	ms and cor	nditions of
		The w condit forfeit	ater ha	s <u>not</u> be the own ler ORS	en used ov ner's water	er the past	ificate, howev	ter right or cording to the er the water ri supporting do	ight is not	subject to
2.3				nis lease	shall term	inate on C	Right Inform	5	ere is a confl	

~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.
- **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.

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	OF.	*
3.5		ination provision.
		or multiyear leases, lessor shall have the option of terminating the lease each year, prior
		the lease being exercised (), with 30 day written notice to the
		Department provided by the Irrigation District, Other Water Purveyor or Lessee (if ifferent than Department). The lessor must contact the Irrigation District, Other Water
		curveyor, or Lessee (if different than Department) to indicate their interest in terminating
		ne lease agreement.
		or multiyear leases, lessor <i>shall not</i> have the option of terminating the lease each year,
		rior to the lease being exercised, with written notice to the Department.
	P	nor to the lease being exercised, with written house to the Department.
3.6	Modif	fication to prevent injury. Allocation of water to the instream use described in Section
		ring the term of this lease is not reasonably expected to cause injury to other rights to
		ater from the same source. If injury is found after this lease is signed, the lease may be
		ied or terminated to prevent injury.
Lessor	#1:	Date: 3/29/2005
Jennife	er O'Re	itty
	(
For add	ditional	Dessors, type in space for signature and date
		Date:
		^
Lessee		Date: 4/11/05
	1	
	V	ORC
Other A	Attachr	ments As Needed:
Exhibit		Tax Lot Map of Landowner's Property
Exhibit	t 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]
Exhibit	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)
Exhibit	t 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	½½	Tax Lot	Acres	Type of Use	Certificate#	Page(s) #	Priority*
	*(Identi	fy pertine	ent page i	number o			e is greater than ler certificate)	0 pages; identify	priority date	e if there is
1.	15 S	12 E	24	SE NE	201	6.3	IRRIG	76714	29	2/28/1913
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 price	ority date: Cert #76714 Feb. 28, 1913,
6.3 Acres	
Acre-feet of storage, if applicable: 0	

