

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

Optional Identification by Lessor/Lessee: Lease Agreement Number (assigned by WRD):	_ _
This Lease Agreement is between:	
Lessor #2: Irrigation District or Other Water Purveyor	
(Name) <u>Tumalo Irrigation District</u>	_
(Mailing address) 64697 Cook Ave.	_
(City, State, Zip Code) Bend, OR 97701	_
(Telephone number) 541-382-3053	_
(Email address) tid@tumalo.org	_
The water right to be leased is located in <u>Deschutes</u> County.	
Lessee (if different than Oregon Water Resources Department):	
(Name) Deschutes River Conservancy	_
(Mailing address) PO Box 1560	_
(City, State, Zip Code) Bend, OR 97709	
(Telephone number) <u>541-382-4077 ext. 21</u>	PEOPIVED
(Email address) danielle@deschutesrc.org	- 1
Turista	MAY 0 6 2005
Trustee:	WATEL NECOUR
Oregon Water Resources Department 725 Summer Street NE, Suite A	WATEH MESOURCES DEPT SALEM, OREGON
Salem, OR 97301-1271	OTILGON
(503) 986-0900	
~I~ Ownership and Water Right Information	on .
1.2 Lessor #2 is the (Check one):	
☑ Official representative of Tumalo Irrigation District , the in	rigation district, which
conveys water to the subject water rights.	,
☐ Another party with an interest in the subject water rights repres	senting
☐ Not applicable.	
1.3 For the lands being leased, list all water rights appurtenant to the least there are any supplemental or overlying rights.	essor's property. Indicate
Certificate No. 74146, 74147, 76106 (primary) & 74147, 74148, 7	4149, 76520
(supplemental)	

1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No	ent
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.: 74146	
	Priority date: 8/5/1900, 9/1/1900, 5/27/1907, 6/1/1907 Type of use: Irr	igation
	Legal Season of Use: April 15 through October 15 If an irrigation right, total number of acres to be leased: 8/5/1900: 4.3ac., 9/1/1900: 124.65ac., 5/27/1907: 9.0ac., 6/1/1907: 17.1ac., TOTAL: 155.05ac. Total acre-feet of storage to be leased, if applicable: 0 Maximum rate associated with subject water rights (cfs) being leased: 8/5/1900: 0.06 9/1/1900: 1.781cfs, 5/27/1907: 0.129cfs, 6/1/1907: 0.244cfs, TOTAL: 2.215cfs 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: Maximum duty associated with subject water rights (ac-ft): 8/5/1900: 7.74af, 9/1/19024.37af, 5/27/1907: 16.2af., 6/1/1907: 30.78af, TOTAL: 279.09af	
	Conditions or other limitations, if any:	_
	~II~ Instream Water Right Information	
2.1	 Public use. This lease will increase streamflows, which will benefit: 	ıd fish
2.2	Instream use created by lease. The instream use to be created is described as follo Tumalo Creek Tributary to Deschutes River in the Deschutes Basin.	WS:
MAY 0 6 2005 WATER RESOURCES DEPT	Describe the point of diversion (POD) and any associated reach(es) of the instream to being created. If possible list the reach by river mile. If no reach is identified, and to only one POD listed on the certificate, the lease will be processed to be protected at 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 corner, Sec. 2, T 18S, R 10E, W.M., to the mouth and to Lake Billy Chinook Maximum volume in acre-feet: 8/5/1900: 7.74af, 9/1/1900: 224.37af, 5/27/1907: 16.6/1/1907: 30.78af, TOTAL: 279.09af Rate in cfs: 8/5/1900: 0.061cfs, 9/1/1900: 1.781cfs, 5/27/1907: 0.129cfs, 6/1/1907: 0.244cfs, TOTAL: 2.215cfs	there is the ciated
	(Use the section below to indicate a more restrictive period of use than allowed by the water right.) Rate in cfs: Pate in efs:	

	Conditions to prevent injury, if any: ☐ None ☐ The instream flow will be allocated on a daily average basis up to the described rate from 5/30/05 through 10/15/05. ☐ 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, 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.
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.
OBEGON S	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.
WAIEH MENONEGON SALEM, OREGON	 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.

- 3.6 Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.
- 3.7 Fees. Effective October 1, 2003, pursuant to ORS 536.050 (1)(v) (2003 SB 820), the following fee is included:

■ \$200 for an application with four or more landowners or four or more water rights.

□ \$100 for all other applications.

Lessor #2: Elment Trans and	Date:	5.5.05
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Lessee:

Date: 05/05/05

020

Other Attachments as Needed:

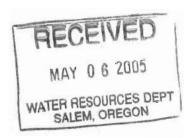
Attachment 1: Tax Lot Map of Lessor's Property (required if landowner is not the sole landowner to lands for which the subject water rights are appurtenant)

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





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 ~	
n 1.2 continued from Pooled Distr Subject Water Rights. District and in Attachment 5.	ict Form. d Landowners propose to lea	se the water rights listed
The right(s) to be leased are further Certificate No.: 74147	described as follows:	
	Type of use: Suppleme	ental to C.74146
Legal Season of Use (if not listed of		
If an irrigation right, total number		
Total acre-feet of storage to be least	1 10 11 11 0	
Rate associated with leased rights ((cfs): Season 1: 1.938	
(Use additional lines if there is mor		
Rate associated with leased ri		
Rate associated with leased ri		
Duty associated with leased rights		
(Use additional lines if there is mor		
Duty associated with leased r Duty associated with leased r	ights (AF):	
Duty associated with leased i	ights (Ar).	
Conditions or other limitations, if a	nny: None	
	~II~	
n 2.2 continued from Pooled Distr	ict Form.	
Instream use created by lease. Th	ne instream use to be created	is described as follows:
Tumalo	Creek	
Tributary to Deschutes River	in the Deschutes	Basin.
Describe the point of diversion and created. If possible list the reach b processed to be protected at the pomouth and to Lake Billy Chinook	y river mile, if no reach is id	entified, the lease may be
Total volume (AF): <u>Season</u> Total volume (AF): <u>Season</u> Rate in cfs: <u>Season 1: 1.938cfs</u>	2: 153.50 3: 657.45 nore than one rate associated with the second secon	RECFIVE
Conditions to prevent injury, if a ☐ -None ☐ The instream flow will be alloc	•	

through <u>10/15/05</u>

from <u>5/30/2005</u>



☐ –None

Additional Water Right Form for Pooled

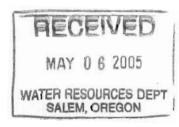
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~ I ~	
Section 1.2 continued from Pooled District Form. Subject Water Rights. District and Landowners propose to lease the water Attachment 5.	ater rights listed
The right(s) to be leased are further described as follows: Certificate No.: 74148 Priority date: 4/7/1911 Type of use: Supplemental to C Legal Season of Use (if not listed on the certificate): If an irrigation right, total number of acres to be leased: 155.05ac. Total acre-feet of storage to be leased, if applicable: 0 Rate associated with leased rights (cfs): n/a (Use additional lines if there is more than one rate associated with the water right Rate associated with leased rights (cfs): Rate associated with leased rights (cfs): Duty associated with leased rights (AF): 1,535 (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): Duty associated with leased rights (AF):	ht.)
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 description. Crescent Lake Reservoir Tributary to Deschutes River in the Deschutes	
Describe the point of diversion and any associated reach(es) of the instruction of the possible list the reach by river mile, if no reach is identified, processed to be protected at the point of diversion): Bend Feed Canal: N Sec. 32, T. 17S, R. 12E, W.M.; 100' south & 500' east from N1/4 corner SE1/4 SW1/4, Sec. 11, T. 24S, R. 6E, W.M. to Lake Billy Chinook	eam use being the lease may be W1/4 NE1/4,
Total volume (AF): Season 1: 232.58 (Use additional lines if there is more than one rate associated with the water rate and volume (AF): Season 2: 155.05 Total volume (AF): Season 3: 435.78	ight.)
Rate in cfs: n/a (Use additional lines if there is more than one rate associated with the water if Rate in cfs: Rate in cfs:	EMAECEIVED
	MAY 0 6 2005
Conditions to prevent injury, if any:	WATER RESOURCES DEPT

SALEM, OREGON

\boxtimes	The instream flow wi	ll be allocated on a daily a	average basis up to the described rat	(
	from <u>5/30/2005</u>	through <u>10/15/2005</u>	Make a first beauty and	
	Other (describe):			





Additional Water Right Form for Pooled

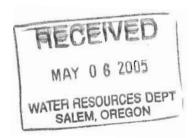
Instream Lease

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~]~
Section 1.2 continued from Pooled District Form. 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.: 74149
Priority date: 1905 Type of use: Supplemental to C.74146
Legal Season of Use (if not listed on the certificate): April 1 through October 31
If an irrigation right, total number of acres to be leased: 155.05
Total acre-feet of storage to be leased, if applicable:
Rate associated with leased rights (cfs): Season 1: 0.166
(Use additional lines if there is more than one rate associated with the water right.)
Rate associated with leased rights (cfs): Season 2: 0.166
Rate associated with leased rights (cfs): Season 3: 0.166
Duty associated with leased rights (AF): Season 1: 20.08
(Use additional lines if there is more than one duty associated with the water right.) Duty associated with leased rights (AF): Season 2: 9.87
Duty associated with leased rights (AF): Season 3: 40.48
Duty associated with leased rights (Ar.). Season 5. 40.46
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 follows: Deschutes Tributary to Deschutes River in the Deschutes Basin.
Describe the point of diversion and any associated reach(es) of the instream use being
created. If possible list the reach by river mile, if no reach is identified, the lease may be
processed to be protected at the point of diversion): Bend Feed Canal: NW1/4 NE1/4,
Sec. 32, T. 17S, R. 12E, W.M.; 100' south & 550' east from N1/4 corner of Sec. 32 and
SE1/4 SW1/4, Sec. 11, T. 24S, R. 6E, W.M. to Lake Billy Chinook
Total volume (AF): Season 1: 5.43 (Use additional lines if there is more than one rate associated with the water right.)
Total volume (AF): Season 2: 5.43 Total volume (AF): Season 3: 22.27
Rate in cfs: Season 1: 0.091
(Use additional lines if there is more than one rate associated with the water right.) SALEM, OREGON
Rate in cfs: Season 2: 0.091
Rate in cfs: Season 3: 0.091
Conditions to prevent injury, if any: ☐ -None

\boxtimes	The instream flow will	be allocated on a	a daily average	e basis up to	the described r	ate
	from 5/30/2005	through 10/15/2	2005			
	Other (describe):	and the second second				





Additional Water Right Form for Pooled

Instream Lease

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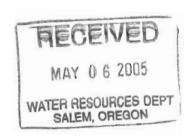
~I~	
Section 1.2 continued from Pooled District Form. Subject Water Rights. District and Landowners propose to lease the water right in Attachment 5.	nts listed
The right(s) to be leased are further described as follows: Certificate No.: 76520	
Priority date: 12/8/1961 Type of use: Supplemental to C.74146 Legal Season of Use (if not listed on the certificate): April 1 through October 3	1
If an irrigation right, total number of acres to be leased: Total acre-feet of storage to be leased, if applicable: 155.05 Rate associated with leased rights (cfs): n/a	
(Use additional lines if there is more than one rate associated with the water right.) Rate associated with leased rights (cfs):	
Rate associated with leased rights (cfs): Duty associated with leased rights (AF): 1,536.55 (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 a Crescent Lake Reservoir Tributary to Deschutes River In the Deschutes Basin.	follows:
Describe the point of diversion and any associated reach(es) of the instream use created. If possible list the reach by river mile, if no reach is identified, the least processed to be protected at the point of diversion): Bend Feed Canal: NW1/4 Sec. 32, T. 17S, R. 12E, W.M.; 100' south & 550' east from N1/4 corner of Sec SE1/4 SW1/4, Sec. 11, T. 24S, R. 6E, W.M. to Lake Billy Chinook	se may be NE1/4,
Total volume (AF): 899.31 (Use additional lines if there is more than one rate associated with the water right.) Total volume (AF):	
Total volume (AF): Rate in cfs: n/a (Use additional lines if there is more than one rate associated with the water right.)	RECEIVE
Rate in cfs:	MAY O & 20

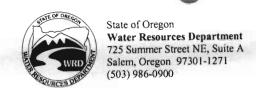
Rate in cfs:

☐ –None

Conditions to prevent injury, if any:

\boxtimes	The instream flow	vill be allocated on a daily average bases up to the described rate
	from <u>5/30/2005</u>	through 10/15/2005
	Other (describe):	





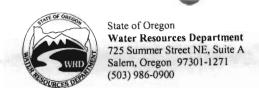
Additional Water Right Form for Pooled

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.

1.2 Carred Grove Booled Diete	~[~	
1.2 continued from Pooled District and Attachment 5.	d Landowners propose to lea	ase the water rights listed
The right(s) to be leased are furthe	r described as follows:	
Certificate No.: 74147		
Priority date: <u>10/29/1913</u>	Type of use: Irrigation	
Legal Season of Use (if not listed	on the certificate): April 1 th	rough October 31
If an irrigation right, total number		
Total acre-feet of storage to be lea		
Rate associated with leased rights (Use additional lines if there is mo		a water right)
Rate associated with leased r		s water right.)
Rate associated with leased r		
Duty associated with leased rights	0 ,	
(Use additional lines if there is mo		ie water right.)
Duty associated with leased		
Duty associated with leased	rights (AF):	
Conditions or other limitations, if	anv: None	
<u> </u>		
	~II~	
2.2 continued from Pooled Dist	rict Form.	
Instream use created by lease. T		is described as follows:
Tumalo	Creek	
Tributary to Deschutes River	in the Deschutes	Basin.
Describe the point of diversion and created. If possible list the reach be processed to be protected at the pomouth and to Lake Billy Chinook	by river mile, if no reach is id	lentified, the lease may be
Total volume (AF): Seasor	more than one rate associated with a 2: 123.78	-
	GREET TO SECURITION OF THE PERSON OF THE PER	the water right
Rate in cfs: Season 1: 1.56	more than one rate associated with	the water right.) MAY 0 6 2 WATER RESOURCE SALEM, OREG

from 4/1/2005



Additional Water Right Form for Pooled

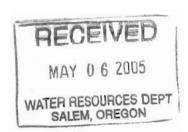
Instream Lease

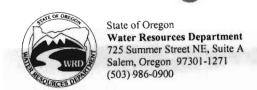
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~I~

~1~	
Section 1.2 continued from Pooled District Form. 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.: 74148 Priority date: 4/7/1911 Type of use: Supplemental to C.74147	
Legal Season of Use (if not listed on the certificate): April 1 through October 31 If an irrigation right, total number of acres to be leased: 124.81	
Total acre-feet of storage to be leased, if applicable: Rate associated with leased rights (cfs): n/a (Use additional lines if there is more than one rate associated with the water right.)	
Rate associated with leased rights (cfs):	
(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	
~11~	
Section 2.2 continued from Pooled District Form. Instream use created by lease. The instream use to be created is described as follows: Crescent Lake Reservoir River Tributary to Deschutes River in the Deschutes Basin.	
Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease may be processed to be protected at the point of diversion): Bend Feed Canal: NW1/4 NE1/4, Sec. 32, T. 17S, R. 12E, W.M.; 100' south & 500' east from N1/4 corner of Sec. 32 and SE1/4 SW1/4, Sec. 11, T. 24S, R. 6E, W.M. to Lake Billy Chinook	
Total volume (AF): Season 1: 187.22 (Use additional lines if there is more than one rate associated with the water right.) Total volume (AF): Season 2: 124.81	
Total volume (AF): Season 3: 350.79 Rate in cfs: n/a (Use additional lines if there is more than one rate associated with the water right.) Rate in cfs: Rate in cfs: MAY 0 6 2005	
Rate in cfs:	
Conditions to prevent injury, if any: None WATEH RESOURCE SALEM, OREGON	_

\boxtimes	The instream flow wil	I be allocated on a dai	ly average basis	up to the described	l rate
	from <u>4/1/2005</u>	through 10/26/2005	·		
	Other (describe):	y our Stream of			





☐ –None

Additional Water Right Form for Pooled

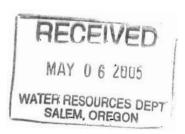
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in Attachment 5.	
The right(s) to be leased are fur	
Certificate No.: 74149 Priority date: 1905	Type of use: Supplemental to C.74147
Legal Season of Use (if not list	red on the certificate): April 1 through October 31
	ber of acres to be leased: 124.81
	leased, if applicable:
	hts (cfs): 0.134 (all seasons)
	s more than one rate associated with the water right.)
	ed rights (cfs):
Duty associated with leased rig	ed rights (cfs):
	s more than one duty associated with the water right.)
	sed rights (AF):
	sed rights (AF):
Conditions or other limitations	, if any: None
	, , , , , , , , , , , , , , , , , , , ,
	~II~
Instream use created by lease Deschutes	District Form. e. The instream use to be created is described as follows: River
Instream use created by lease Deschutes	District Form. e. The instream use to be created is described as follows:
Instream use created by lease Deschutes Tributary to Columbia River Describe the point of diversion created. If possible list the reac processed to be protected at the Sec. 32, T. 17S, R. 12E, W.M.:	District Form. e. The instream use to be created is described as follows: River
Instream use created by lease Deschutes Tributary to Columbia River Describe the point of diversion created. If possible list the read processed to be protected at the Sec. 32, T. 17S, R. 12E, W.M.: SE1/4 SW1/4, Sec. 11, T. 24S, Total volume (AF): Season 1: 8	District Form. e. The instream use to be created is described as follows:
Deschutes Tributary to Columbia River Describe the point of diversion created. If possible list the reac processed to be protected at the Sec. 32, T. 17S, R. 12E, W.M.: SE1/4 SW1/4, Sec. 11, T. 24S, Total volume (AF): Season 1: 8 (Use additional lines if there Total volume (AF): Season 1: Sea	District Form. e. The instream use to be created is described as follows: River in the Deschutes Basin. and any associated reach(es) of the instream use being ch by river mile, if no reach is identified, the lease may be expoint of diversion): Bend Feed Canal: NW1/4 NE1/4, 100' south & 500' east from N1/4 corner of Sec. 32 and R. 6E, W.M. to Lake Billy Chinook 8.16 e is more than one rate associated with the water right.) ason 2: 4.37 ason 3: 17.92
Instream use created by lease Deschutes Tributary to Columbia River Describe the point of diversion created. If possible list the reac processed to be protected at the Sec. 32, T. 17S, R. 12E, W.M.; SE1/4 SW1/4, Sec. 11, T. 24S, Total volume (AF): Season 1: 8 (Use additional lines if there Total volume (AF): Sea Total volume (AF): Sea Rate in cfs: 0.074 (all seasons)	District Form. e. The instream use to be created is described as follows: River in the Deschutes Basin. and any associated reach(es) of the instream use being ch by river mile, if no reach is identified, the lease may be point of diversion): Bend Feed Canal: NW1/4 NE1/4, 100' south & 500' east from N1/4 corner of Sec. 32 and R. 6E, W.M. to Lake Billy Chinook 8.16 is more than one rate associated with the water right.) ason 2: 4.37 ason 3: 17.92
Deschutes Tributary to Columbia River Describe the point of diversion created. If possible list the reac processed to be protected at the Sec. 32, T. 17S, R. 12E, W.M.; SE1/4 SW1/4, Sec. 11, T. 24S, Total volume (AF): Season 1: 8 (Use additional lines if there Total volume (AF): Sea Total volume (AF): Sea Rate in cfs: 0.074 (all seasons)	District Form. e. The instream use to be created is described as follows: River in the Deschutes Basin. and any associated reach(es) of the instream use being ch by river mile, if no reach is identified, the lease may be point of diversion): Bend Feed Canal: NW1/4 NE1/4, 100' south & 500' east from N1/4 corner of Sec. 32 and R. 6E, W.M. to Lake Billy Chinook 8.16 is more than one rate associated with the water right.) ason 2: 4.37 ason 3: 17.92 RECE
Deschutes Tributary to Columbia River Describe the point of diversion created. If possible list the reac processed to be protected at the Sec. 32, T. 17S, R. 12E, W.M.: SE1/4 SW1/4, Sec. 11, T. 24S, Total volume (AF): Season 1: 8 (Use additional lines if there Total volume (AF): Sea Total volume (AF): Sea Rate in cfs: 0.074 (all seasons) (Use additional lines if there	District Form. a. The instream use to be created is described as follows: River in the Deschutes Basin. and any associated reach(es) of the instream use being che by river mile, if no reach is identified, the lease may be point of diversion): Bend Feed Canal: NW1/4 NE1/4, 100' south & 500' east from N1/4 corner of Sec. 32 and R. 6E, W.M. to Lake Billy Chinook 8.16 The instream use to be created is described as follows: Basin. Receive point of diversion is identified, the lease may be a point of diversion in the lease may be a point of diversion. Bend Feed Canal: NW1/4 NE1/4, 100' south & 500' east from N1/4 corner of Sec. 32 and R. 6E, W.M. to Lake Billy Chinook Basin. Receive point of diversion is identified, the lease may be a point of diversion in the lease may be a point of diversion in the lease may be a point of diversion in the lease may be a point of diversion. Bend Feed Canal: NW1/4 NE1/4, 100' south & 500' east from N1/4 corner of Sec. 32 and R. 6E, W.M. to Lake Billy Chinook Basin. Receive point of diversion is diversion in the lease may be a point of diversion in the lease may be a point of diversion in the lease may be a point of diversion. Basin. B

\boxtimes	The instream flow	will be allocated on a daily av	verage basis up to the described ra	t
	from <u>4/1/2005</u>	through 10/26/2005	•	
	Other (describe):	The second second second		





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~

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

in Attachment 5.	1 1	5
The right(s) to be leased are further	r described as follows:	
Certificate No.: 76520		
Priority date: <u>12/8/1961</u>	Type of use: Supplementa	al to C.74147
Legal Season of Use (if not listed of	on the certificate): April 1 throu	gh October 31

If an irrigation right, total number of acres to be leased: 124.81

Total acre-feet of storage to be leased, if applicable:

Rate associated with leased rights (cfs): n/a
(Use additional lines if there is more than one rate associated with the water right.)

Rate associated with leased rights (cfs):

Rate associated with leased rights (cfs):

Duty associated with leased rights (AF): 1,236.87 (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.

Section 1.2 continued from Pooled District Form.

Instream use created by lea	se. The instream use to	be created is described	as follows:
Crescent Lake Reservoir	River		

Tributary to Deschutes River in the Deschutes Basin.

Describe the point of diversion and any associated reach(es) of the instream use being created. If possible list the reach by river mile, if no reach is identified, the lease may be processed to be protected at the point of diversion): Bend Feed Canal: NW1/4 NE1/4, Sec. 32, T. 17S, R. 12E, W.M.; 100' south & 500' east from N1/4 corner of Sec. 32 and SE1/4 SW1/4, Sec. 11, T. 24S, R. 6E, W.M. to Lake Billy Chinook

Total volume (AF): 723.91

(Use additional lines if there is more than one rate associated with the water right.)

Total volume (AF): _____

Total volume (AF): _____

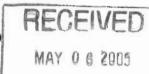
Rate in cfs: n/a

(Use additional lines if there is more than one rate associated with the water right.)

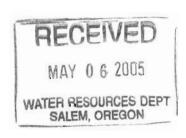
Rate in cfs: _____

Conditions to prevent injury, if any:

☐ –None



\sim	The instream flow	will be allocated on a daily	average basis up to the described rat
	from <u>4/1/2005</u>	through <u>10/26/ 2005</u>	•
	Other (describe):		





Additional Water Right Form for Pooled

Instream Lease

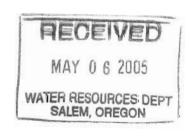
A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

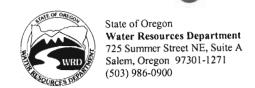
~1~	
Section 1.2 continued from Pooled District Form. Subject Water Rights. District and Landowners propose to lease the water Attachment 5.	ater rights listed
The right(s) to be leased are further described as follows: Certificate No.: 76106 Priority date: 12/8/1961 Legal Season of Use (if not listed on the certificate): April 1 through Oc If an irrigation right, total number of acres to be leased: 92.6 Total acre-feet of storage to be leased, if applicable:	
Rate associated with leased rights (cfs): 1.323 (Use additional lines if there is more than one rate associated with the water right Rate associated with leased rights (cfs): Rate associated with leased rights (cfs):	nt.)
Duty associated with leased rights (AF): 128.84 (Use additional lines if there is more than one duty associated with the water rig 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 descrit Tumalo Creek	bed as follows:
Describe the point of diversion and any associated reach(es) of the instrected. If possible list the reach by river mile, if no reach is identified, processed to be protected at the point of diversion): Tum. Reservoir:SE1 33, T 16S, R 11E, W.M.; Tum. Creek: SE1/4 NE1/4, Sec. 23, T 17S, R Lake Billy Chinook	the lease may be /4 SW1/4, Sec.
Total volume (AF): 128.84 (Use additional lines if there is more than one rate associated with the water right Total volume (AF): Total volume (AF): Rate in cfs: 1.006 (Use additional lines if there is more than one rate associated with the water right)	RECEIVED
Rate in cfs:	WATER RESOURCES DEPT

Conditions to prevent injury, if any:

☐ –None

\boxtimes	The instream flow will	be allocated of	on a daily	average	basis up	to the	described	rate
	from 6/15/2005	through 10/8	3/2005					
	Other (describe):				121121			_





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.

2 continued from Pooled District For Stream use created by lease. The instance of the second stream is a second stream is a second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second s	es to be leased: 92 applicable:	vith the water right with the water right .90	nt.)
egal Season of Use (if not listed on the an irrigation right, total number of acrotal acre-feet of storage to be leased, if ate associated with leased rights (cfs): (Use additional lines if there is more than Rate associated with leased rights Rate associated with leased rights aty associated with leased rights (Use additional lines if there is more than Duty associated with leased rights Duty associated with leased rights Duty associated with leased rights bonditions or other limitations, if any: 2 continued from Pooled District Fostream use created by lease. The insechutes ibutary to Deschutes River	certificate): April es to be leased: 92 applicable: 0.099 one rate associated w cfs): cfs): Season 1: 11.99 one duty associated v AF): Season 2: 5 AF): Season 3: 24 one I~ rm.	vith the water right with the water right .90	nt.)
an irrigation right, total number of acre otal acre-feet of storage to be leased, if ate associated with leased rights (cfs): (Use additional lines if there is more than Rate associated with leased rights Rate associated with leased rights aty associated with leased rights (Use additional lines if there is more than Duty associated with leased rights Duty associated with leased rights Duty associated with leased rights but associated with leased rights onditions or other limitations, if any: 2 continued from Pooled District Fostream use created by lease. The insechutes ibutary to Deschutes River	es to be leased: 92 applicable:	with the water right	nt.)
the associated with leased rights (cfs): (Use additional lines if there is more than Rate associated with leased rights Rate associated with leased rights aty associated with leased rights (Use additional lines if there is more than Duty associated with leased rights Duty associated with leased rights Duty associated with leased rights onditions or other limitations, if any: 2 continued from Pooled District Fostream use created by lease. The insechutes ibutary to Deschutes River escribe the point of diversion and any	one rate associated weeks): cfs): Season 1: 11.99 one duty associated weeks AF): Season 2: 5. AF): Season 3: 24 one I~ rm.	with the water right	nt.)
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Rate associated with leased rights aty associated with leased rights (AF): (Use additional lines if there is more than Duty associated with leased rights Duty associated with leased rights onditions or other limitations, if any: 2 continued from Pooled District Fostream use created by lease. The insecutive ibutary to Deschutes River escribe the point of diversion and any	cfs):	with the water rig	
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(Use additional lines if there is more than Duty associated with leased rights Duty associated with leased rights onditions or other limitations, if any: Note that the stream use created by lease. The insechutes ibutary to Deschutes River escribe the point of diversion and any	one duty associated v AF): Season 2: 5: AF): Season 3: 24 one I~	.90	ht.)
Duty associated with leased rights Duty associated with leased rights onditions or other limitations, if any: 2 continued from Pooled District Fostream use created by lease. The insechutes ibutary to Deschutes River escribe the point of diversion and any	AF): <u>Season 2: 5.</u> AF): <u>Season 3: 24</u> one I~ rm.	.90	
Duty associated with leased rights onditions or other limitations, if any: Note that the conditions of other limitations, if any: Note that the conditions of other limitations, if any: Note that the conditions of the conditions	AF): Season 3: 24 one I~ rm.		
2 continued from Pooled District For Stream use created by lease. The insechutes ibutary to Deschutes River escribe the point of diversion and any	one I~ rm.		
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2 continued from Pooled District For Stream use created by lease. The instance of the second stream is a second stream is a second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second stream in the second stream is a second stream in the second s	rm.		
stream use created by lease. The ins eschutes ibutary to Deschutes River escribe the point of diversion and any			
stream use created by lease. The ins eschutes ibutary to Deschutes River escribe the point of diversion and any			
eschutes ibutary to Deschutes River escribe the point of diversion and any	CALL DAG TO DE CIT	eated is descri	hed as follow
escribe the point of diversion and any		<i>batea</i> 15 accent	000 00 10110
escribe the point of diversion and any]	Basin.
eated. If possible list the reach by rive ocessed to be protected at the point of			
ec. 32, T. 17S, R. 12E, W.M.; 100' sou			
E1/4 SW1/4, Sec. 11, T. 24S, R. 6E, W			01 000. 32 0
otal volume (AF): Season 1: 0.86	n ana rata associata d	l writh the weeks	abe)
(Use additional lines if there is more the Total volume (AF): Season 2: 1.		with the water r	igiit.)
Total volume (AF): Season 3: 9.			

Rate in cfs: _____

Conditions to prevent injury, if any:

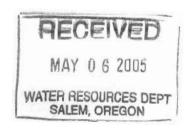
☐ –None

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WATER RESOURCES DEPT

SALEM, OREGON

∑ The instream flow s	rill be allocated on a daily average basis up to the described	rate
from <u>6/15/2005</u>	through 10/8/2005	
Other (describe): _		_





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~

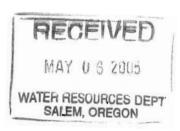
Section	n 1.2 continued from Pooled District Form. Subject Water Rights. District and Landowners propose to lease the water rights listed in Attachment 5.
	The right(s) to be leased are further described as follows: Certificate No.: 76520 Priority date: 12/8/1961 Type of use: Supplemental to C.76106
	Legal Season of Use (if not listed on the certificate): April 1 through October 31 If an irrigation right, total number of acres to be leased: 92.6
	Total acre-feet of storage to be leased, if applicable:
	Rate associated with leased rights (cfs): n/a
	(Use additional lines if there is more than one rate associated with the water right.)
	Rate associated with leased rights (cfs):
	Rate associated with leased rights (cfs):
	(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
	Conditions of other immations, if any.
	~II~
Sectio	n 2.2 continued from Pooled District Form.
	Instream use created by lease. The instream use to be created is described as follows:
	Crescent Lake Reservoir River
	Tributary to <u>Deschutes River</u> in the <u>Deschutes</u> Basin.
	Describe the point of diversion and any associated reach(es) of the instream use being
	created. If possible list the reach by river mile, if no reach is identified, the lease may be
	processed to be protected at the point of diversion): Bend Feed Canal: NW1/4 NE1/4,
	Sec. 32, T. 17S, R. 12E, W.M.; 100' south & 500' east from N1/4 corner of Sec. 32 and
	SE1/4 SW1/4, Sec. 11, T. 24S, R. 6E, W.M. to Lake Billy Chinook
	Total volume (AF): <u>537.09</u>
	(Use additional lines if there is more than one rate associated with the water right.)
	Total volume (AF):
	Total volume (AF):
	Rate in cfs: n/a
	(Use additional lines if there is more than one rate associated with the water right.)
	Rate in cfs:

Rate in cfs: _____

Conditions to prevent injury, if any:

☐ -None

\boxtimes	The instream flow	will be allocated on a daily average basis up to the described rate	t
	from <u>6/15/2005</u>	through 10/8/2005	
	Other (describe): _		



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

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Option Lease	Agreement Number (assigned by WRD):	OVER THE COUNTER
This L	ease Agreement is between:	
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): c) Adams, Ronald J. & Judith K. ng address) 717 W. California Way State, Zip Code) Woodside, CA 94062 shone number) (650)279-5058	
If addi	tional landowners, enter landowner information below	
form. 7	the numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" 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 Range 115, Section 11 and Tax Lot number 01000. If the water right appurtenant to thes 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. Indicathere are any supplemental or overlying rights.	cate if
	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 attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property own Township, Range, Section and ½ ¼, tax lot number, map orientation and scale.	be

Pooled Landowner Form / 1

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WATER RESOURCES DEPT SALEM, OREGON

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	T	R	Sect	44	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
-	*(Identi	fy pertine	nt page n	umber of			e is greater than l er certificate)	0 pages; identify	priority date	if there is
1.	175	ILE	11	nese	01000	1.0	irr	74146 PRI	12	9/1/1900
2.									17.11	
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 1.0
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, 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.

Pooled Landowner Form / 2

FSD

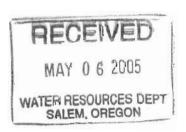


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3.4	Suspension of original use. During the period of the lease, the owner agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights. In the event that a supplemental 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, 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.
Juditl	#1: Adams J. Adams Date: 3/3/05 K. Adams Date: 3/3/05 Hitional Lessors, type in space for signature and date
Lesso Tuma	Dirigation District
Lesse Desc	tes Resources Conservancy Date:
Exhil	Attachments As Needed: 5-A: Tax Lot Map of Landowner's Property 5-B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-E
Exhil	may be combined into a single map]
Exhil	,

Pooled Landowner Form / 3



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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~

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 r	number o			e is greater than 1 er certificate)	0 pages; identify		e if there is
1.	175	11E	11	nese	01000	1.0	irr	74147 Sup	16	10/29/101
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: 1.0
Acre-feet of storage, if applicable:	RECEIVED
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APR 2 2 2005



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.

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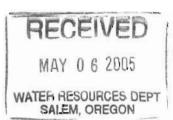
Section 1.1 continued from Pooled Leasing Landowner Form.

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 ler certificate)	0 pages; identify	priority date	e if there is
1.	175	11E	11	nese	01000	1.0	irr	74148 Sup	16	4/7/1911
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: 1.0
Acre-feet of storage, if applicable:	



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APR 2 2 2005



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~

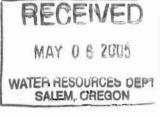
Section 1.1 continued from Pooled Leasing Landowner Form.

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	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate#	Page(s) #	Priority*
	*(Identi	fy pertine	ent page 1	number o	f certificate, more	if certificate than one p	e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	175	11E	11	nese	01000	1.0	irr	74149 Sup		1905
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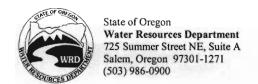
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation, by	certificate and priority date: 1.0
Acre-feet of storage, if applicable:	E CONTRACTOR OF THE PARTY OF TH



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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.

~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).

	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			e is greater than ler certificate)	10 pages; identify	priority date	e if there is
1.	17 5	11 E	11	nese	01000	1.0	irr	76520 Sup	20	12/8/1961
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6.			-				10			_
7.									_	
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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 d	ate: 1.0
Acre-feet of storage, if applicable:	RECEIVED
	MAY 0 6 2005
	WATER RESOURCES DEPT

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SALEM, OREGON

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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~

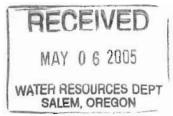
Section 1.1 continued from Pooled Leasing Landowner Form.

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	\mathbf{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.	175	11 €	11	nese	01000	2.0	irr	76106 PRI	4	12/8/1961
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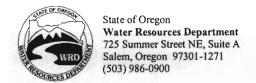
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

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



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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~

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 1	number o				0 pages; identify		e if there is
1.	17 5	11 E	11	nese	01000	2.0	irr	74149 Sup		1905
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8.										
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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>2.0</u> Acre-feet of storage, if applicable:	RECEIVED
	MAY 0 6 2005
	WATER RESOURCES DEPT SALEM, OREGON

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APR 2 2 2005



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.

~[~

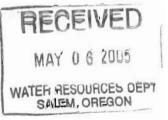
Section 1.1 continued from Pooled Leasing Landowner Form.

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*
	*(Identi	ify pertine	ent page 1	number o			e is greater than 1 er certificate)	0 pages; identify		e if there is
1.	175	11E	11	nese	01000	2.0	irr	76520 Sup	4	12/8/1961
2.										
3.										
4.										
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6.						E	13			
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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EXHIBIT 5-A & 5-B L 05.24

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

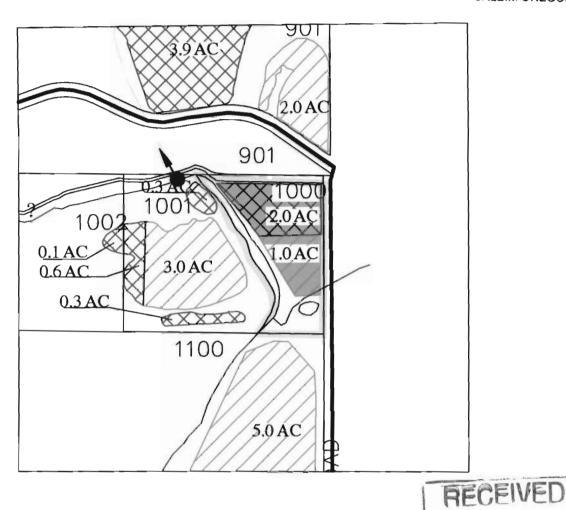
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Adams, Ronald J. & Judith K.

APR 2 2 2005

WATER RESOURCES DEPT SALEM, OREGON













INITIAL:

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WATER RESOURCES DEPT SALEM, OBEGON

LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 11, T.17 S., R.11 E., W.M. TAX LOTS # 1000 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

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	Agreement Number (assigned by WRD):	OVE	R THE COUNTER
This L	Lease Agreement is between:		
(Name (Maili (City, (Telep	r #1 (Landowner): e) Ausland, Kelly S. & Elizabeth B Smith. ng address) 63375 Fawn Lane State, Zip Code) Bend, OR 97701 chone number) (541)389-2880 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.		755
	~I~ Ownership and Water Right Information		
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16.5	>	Field Code Changed
	Range 115 Section 33 and Tax Lot number 00801. 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.	f	
	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.		
		-	SEAFWER.

Pooled Landowner Form / 1

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	T	R	Sect	44	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identif	y pertine	nt page n	umber of	certificate,	f certificate	is greater than I er certificate)	0 pages; identify	priority date	if there is
1.	165	IIE	33	swne	00801	4.0	irr	74147 PRI	8	10/29/191
2.		-	477	E				CONTRACTOR OF		
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

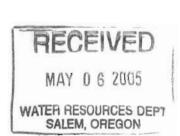
2.3 Term of lease. This lease shall terminate on October 15, 2005. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

Pooled Landowner Form / 2

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APR 22 2005

3.4	of water allo	of original use. During the period of the lease, the owner agrees to suspend use owed under the subject water rights and under any water right that is supplemental at water rights. In the event that a supplemental water right is not part of this be subject to forfeiture.							
3.5	For mu to the le Departr differer Purveye the leas	In provision. In provision. In the lease seed of lease of the lease seed of lease							
3.6	Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.								
Kelly	r #1:	Bant Date: 2/26/05 Bant Date: 2/26/05							
		ors, type in space for signature and date							
Lesso	r #2:	Date:							
Tumal	lo Irrigation I	District							
Lessee	e·	Date:							
		es Conservancy							
Other	Attachments	As Needed:							
		Γax Lot Map of Landowner's Property							
Exhib		Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B nay be combined into a single man]							
Exhib	oit 5-C: S f	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)							
Exhib	it 5-D: S	Split Season Instream Use Form							

Pooled Landowner Form / 3

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WATER RESOURCES DEPT SALEM, OREGON

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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.

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	\mathbf{R}	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page 1	number o	f certificate, more	if certificate than one p	e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 S	11E	33	swne	00801	4.0	irr	74148 Sup	8	4/7/1911
2.										
3.										
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6.							16			
7.										
8.										
9.	-									
10.										

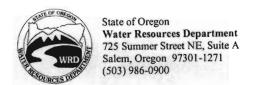
[Attached map(s) must identify property owner, Township, Range, Section and 1/4 1/4, tax lot number, map orientation and scale.]

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

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) # Pri	ority*
	*(Ident	ify pertine	ent page i	number o	f certificate, more	if certificate than one pe	is greater than ler certificate)	0 pages; identify	priority date if the	ere is
1.	165	11 €	33	swne	00801	4.0	irr	74149 Sup	190	5
2.										
3.							Mineral Control			
4.										
5.										
6.										
7.										
8.										
9.										
10.							4			

[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: 4.0	
Acre-feet of storage, if applicable:	RECEIVED
	MAY 0 6 2005
	WATER RESOURCES DEPT

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SALEM, OREGON

APR 22 2005



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 r	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11E	33	swne	00801	4.0	irr	76520 Sup	11	12/8/1961
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3.										
4.										
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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: 4.0 Acre-feet of storage, if applicable:	RECEIVED
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	WATER RESOURCES DEPT SAUEM, OREGON

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APR 22 2005

EXHIBIT 5-A & 5-B L 05.20

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

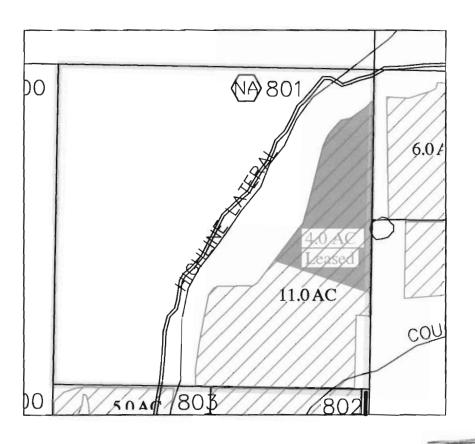
FOR

Ausland, Kelly & Smith, Elizabeth B R

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APR 2 2 2005

WATER RESOURCES DEPT SALEM, OREGON





SCALE: 1" = 400'

Certificate #'s 74146, and 74147

Certificate #

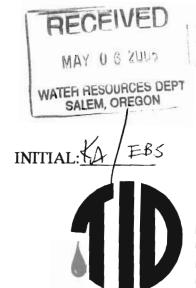
JP-1999

909

JР-1998

In-Stream Lease

LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 33, T.16 S., R.11 E., W.M. TAX LOTS # 0801 DESCHUTES COUNTY, OREGON



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



1.3

1.4

1.5

Program. Yes

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.

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Fursuant to ORS 53/348(2) and OAK 090-0//-00//			
Optional Identification by Lessor/Lessee: L05.17 Lease Agreement Number (assigned by WRD):			
This Lease Agreement is between:			
Lessor #1 (Landowner): (Name) Lon & Shirley Bryant Living Trust, Lon Bryant, Trustee	RECEIVED		
(Mailing address) 18215 Pinehurst Road (City, State, Zip Code) Bend, OR 97701	APR 2 2 2005		
(Telephone number)(Email address)	WATER RESOURCES DEPT SALEM, OREGON		
If additional landowners, enter landowner information below			
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.			
~I~ Ownership and Water Right Information			
1.1 Lessor #1 is the owner, or authorized agent for owner of property located at: Township $16\frac{5}{6}$	Field Code Changed		
Range 115 Section 34 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.	Field Code Changed		

Pooled Landowner Form / 1

Township, Range, Section and 1/4 1/4, tax lot number, map orientation and scale.

Certificate No. Primary 74146, Supplemental 74147, 74148, 74149, 76520

there are any supplemental or overlying rights.

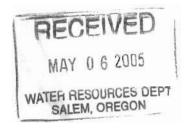
⊠ No

For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if

Are some or all of the lands being leased part of a Conservation Reserve Enhancement

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,

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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identif	y pertine	nt page n	umber of			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16 5	116	34	nene	00101	1.40	irr	74146 PRI	8	9/1/1900
2.	16 5	IIE	34	nene	00101	1.60	irr	74146 PRI	16	6/1/1907
3.										
4.								-		
5.										

Total number of acres, if for irrigation, by certificate and priority date: 3.0 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, 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.

Pooled Landowner Form / 2

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WATER RESOURCES DEPT SALEM, OREGON

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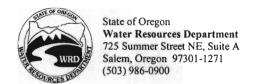
WATER RESOURCES DEPT SALEM, OREGON

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	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. 	
	Modification to prevent injury. Allocation of water to the instream use described in Section	RECEIVED
	2.2 during the term of this lease is not reasonably expected to cause injury to other rights to	KLOLIVE
	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.	APR 2 2 2005
		AFR & & LOUS
Lessor : Bryant	#1: Lou M Bryant, Trustee Date: 3/07/05	WATER RESOURCES DEPT SALEM, OREGON
For add	itional Lessors, type in space for signature and date	
Lessor :	#2: Skenley D Bryant Date: 3-07-05	
1 umaio	Irrigation District	
Lessee:	Date:	
Deschu	tes Resources Conservancy	
Other A	attachments As Needed:	
Exhibit		
Exhibit	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	,	

Pooled Landowner Form / 3

MAY 0 6 2005
WATER RESOURCES DEPT SALEM, OREGON



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).

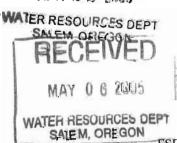
	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page i	number o			e is greater than ler certificate)	0 pages; identify	priority date	e if there is
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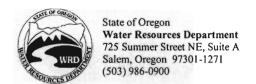
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation, by	certificate and priority date: 3.0
Acre-feet of storage, if applicable:	

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Instream Lease

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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	nt page r	number o	f certificate, more	if certificate than one p	e is greater than ler certificate)	0 pages; identify	priority date	if there is
1.	16 5	11 €	34	nene	00101	3.0	irr	74148 Sup	8	4/7/1911
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[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: 3.0	
Acre-feet of storage, if applicable:	

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WATER RESOURCES DEPT SALEM OREGON

MAY 0 6 2005



Instream Lease

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~I~

Section 1.1 continued from Pooled Leasing Landowner Form.

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	*(Identi	fy pertine	nt page	number o			e is greater than ler certificate)	0 pages; identify	priority date	if there is
1.	16 5	11 E	34	nene	00101	3.0	irr	74149 Sup	_	1905
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[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: 3.0	
Acre-feet of storage, if applicable:	

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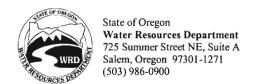
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SALEM OREGON

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SALEM, OREGON



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.

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Section 1.1 continued from Pooled Leasing Landowner Form.

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	*(Identi	fy pertine	ent page i	number o			e is greater than ler certificate)	0 pages; identify	priority date	e if there is
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[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: 3.0	
Acre-feet of storage, if applicable:	

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EXHIBIT 5-A & 5-B L 05.17

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

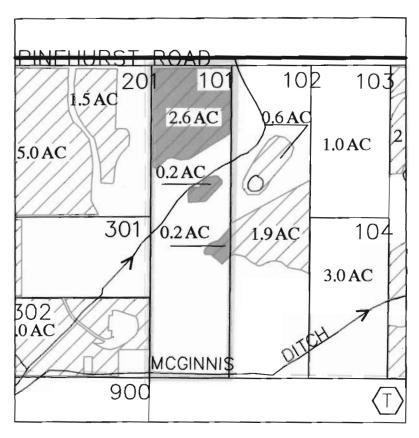
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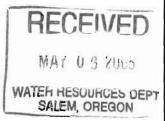
Bryant, Lon N. & Shirley D.

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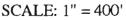






In-Stream Lease

LOCATED IN THE NE 1/4 OF THE NE 1/4
OF SECTION 34, T.16 S., R.11 E., W.M.
TAX LOTS # 00101
DESCHUTES COUNTY, OREGON





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

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Application for Short-Term

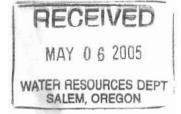
Instream Lease

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.

Pooled Landowner Form / 1

	Pursuant to ORS 537.348(2) and OAR 690-077-0077	OVER THE COUNTER
	nal Identification by Lessor/Lessee: L05.32 Agreement Number (assigned by WRD):	T COOMIEK
This I	Lease Agreement is between:	
	or #1 (Landowner):	RECEIVED
(Maili	e) Christianson, Michael & Roberta ing address) 18993 Innes Market Road State, Zip Code) Bend, OR 97701	APR 2 2 2005
(Telep	phone number) (541)385-7895	WATER RESOURCES DEPT SALEM, OREGON
If add	itional landowners, enter landowner information below	
"Standa	ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequence ~I~ Ownership and Water Right Information Lessor #1 is the owner, or authorized agent for owner of property located at: Towns	ship 165
1.1		ship 165 Field Code Changed these Field Code Changed
	lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map lessor's property) needs to be included.	of
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. It there are any supplemental or overlying rights.	Indicate if
	Certificate No. Primary 74146,74147, 76106, Supplemental 74147,74148,74149,76	520
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No	ent
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property Township, Range, Section and ½ ¼, tax lot number, map orientation and scale.	may be



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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page n	umber of			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16 5	11 E	14	nenw	00600	9.0	irr	74146 PRI	4	9/1/1900
2.	16 5	11 E	11	sesw	00801	4.70	irr	74146 PRI	3	9/1/1900
3.			100							
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 13.70 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, 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.

Pooled Landowner Form / 2

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3.4	of water all	of original use. During the period of the lease, the owner agrees to suspend use owed 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 y be subject to forfeiture.
3.5	Termination	on provision.
	For my to the Depart differe Purvey the lea	litiyear leases, lessor shall have the option of terminating the lease each year, prior lease being exercised (), with 30 day written notice to the ment provided by the Irrigation District, Other Water Purveyor or Lessee (if not than Department). The lessor must contact the Irrigation District, Other Water yor, or Lessee (if different than Department) to indicate their interest in terminating see agreement.
		of the lease being exercised, with written notice to the Department.
3.6	2.2 during tuse water fr	the term of this lease is not reasonably expected to cause injury to other rights to rom the same source. If injury is found after this lease is signed, the lease may be terminated to prevent injury.
Lesson	r#1:///	Date: 5/1/105
Micha	el J. Christia	Perta H/ Mustiava Date: March 11, 2005
	ta H. Christi	
For ad	ditional Less	sors, type-in space for signature and date
Lesson	r #2:	Date:
Tumai	o Irrigation	<u>District</u>
Lessee	÷:	Date:
		es Conservancy
Other	Attachments	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]
Exhib		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

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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	nt page i	number of			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	165	11 €	11	sesw	00801	4.70	irr	74147 Sup	2	10/29/191
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[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: 13.70
Acre-feet of storage, if applicable:	

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Instream Lease

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~T~

Section 1.1 continued from Pooled Leasing Landowner Form.

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	*(Identi	fy pertine	ent page 1	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 €	11	sesw	00801	4.70	irr	74148 Sup	1	4/7/1911
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[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

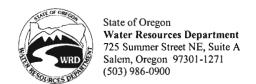
Total number of acres,	if for irrigation,	by certificate and	priority date:	13.70
Acre-feet of storage, if	•	<u>-</u>		

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MAY 0 6 2005 WATER RESOURCES DEPT SALEM, OREGON

WATER RESOURCES DEPT SALEM, OREGON



Instream Lease

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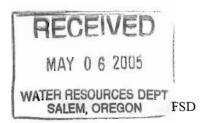
	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page i	number o			e is greater than ler certificate)	0 pages; identify	priority date	if there is
1.	165	11 E	11	sesw	00801	4.70	irr	74149 Sup		1905
2.	16 5	11 E	14	nenw	00600	9.0	irr	7414 9 Sup		1905
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[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: 13.70	
Acre-feet of storage, if	applicable:	

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Instream Lease

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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page i	number of				0 pages; identify	priority date	e if there is
1.	16 5	11 E	11	sesw	00801	4.70	irr	76520 Sup	5	12/8/1961
2.	16 5	11 E	14	nenw	00600	9.0	irr	76520 Sup	6	12/8/1961
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[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	e: <u>13.70</u>
Acre-feet of storage, if	applicable:			

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WATER RESOURCES DEPT SALEM OREGON



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Instream Lease

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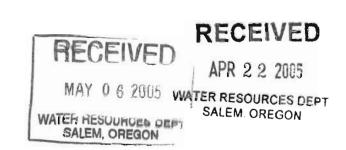
Section 1.1 continued from Pooled Leasing Landowner Form.

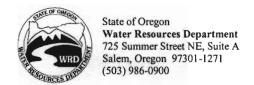
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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
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[Attached 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 da	ate: <u>5.30</u>
Acre-feet of storage, if	applicable:			





Instream Lease

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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
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[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>5.30</u>	
Acre-feet of storage, if applicable:	



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Instream Lease

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	Т	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page 1	number o			e is greater than l er certificate)	0 pages; identify	priority date	e if there is
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[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: 5.30
Acre-feet of storage, if applicable:	

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Additional Water Right Form / 1



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.

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Section 1.1 continued from Pooled Leasing Landowner Form.

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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
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1.	16 5	11 E	11	sesw	00801	5.30	irr	76520 Sup	5	12/8/1961
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[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: 5.30
Acre-feet of storage, if applicable:	



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Section 1.1 continued from Pooled Leasing Landowner Form.

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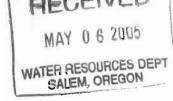
	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page i	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 E	11	sesw	00801	8.0	irr	76106 PRI	1	12/8/1961
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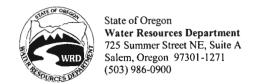
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres,	if for irrigation,	by certificate and	l priority date: <u>1</u> :	5. <u>0</u>
Acre-feet of storage, if	applicable:			

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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.

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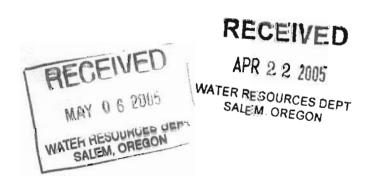
Section 1.1 continued from Pooled Leasing Landowner Form.

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	number o			e is greater than 1 er certificate)	0 pages; identify		if there is
1.	16 5	11 E	11	sesw	00801	8.0	irr	74149 Sup		1905
2.	16 5	11 E	14	nenw	00600	7.0	irr	74149 Sup		1905
3.										
4.									_	
5.							1			
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	if for irrigation,	by certificate and	priority date	: 15.0
Acre-feet of storage, if	_	<u> </u>		





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*
	*(Identi	fy pertine	nt page 1	number of			e is greater than 1 er certificate)	0 pages; identify		e if there is
1.	16 5	11 €	11	sesw	00801	8.0	irr	76520 Sup	81	12/8/1961
2.	16 5	11 E	14	nenw	00600	7.0	irr	76520 Sup	82	12/8/1961
3.							TE T			
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: 1:	5.0
	age, if applicable:			

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WATER RESOURCES DEPT SALEM OREGON

EXHIBIT 5-A & 5-B L 05.32

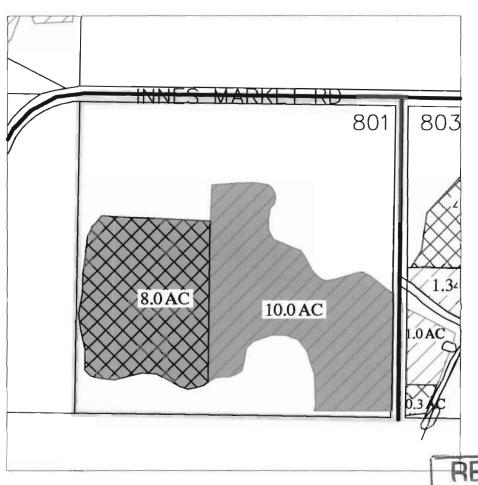
TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY **FOR**

Christianson, Michael J. & Roberta

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WATER RESOURCES DEP SALEM, OREGON



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WATER RESOURCES DEPT SALEM, OREGON

INITIAL:



LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 11, T.16 S., R.11 E., W.M. TAX LOTS # 0801

DESCHUTES COUNTY, OREGON

Certificate #

Certificate #'s

SCALE: 1'' = 400'

. :



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

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

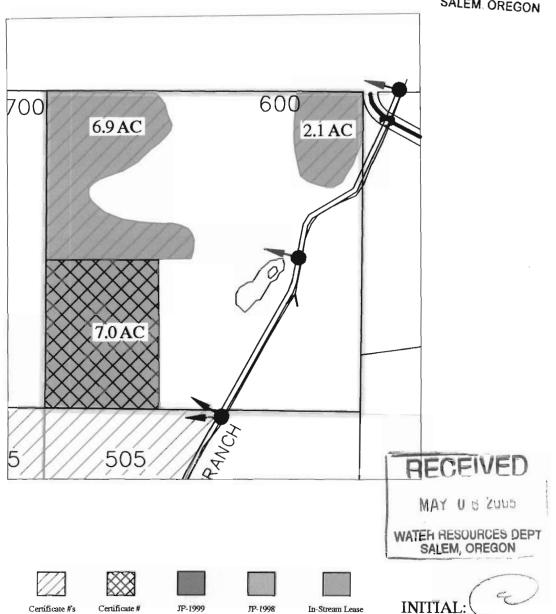
FOR

Christianson, Michael J. & Roberta

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WATER RESOURCES DEPT SALEM, OREGON





SCALE: 1" = 400'

74146, and 74147

OF SECTION 14, T.16 S., R.11 E., W.M.
TAX LOTS # 0600
DESCHITTES COUNTY OPEGON

DESCHUTES COUNTY, OREGON



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



Application for Short-Term

Instream Lease

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

	Pursuant to ORS 537.348(2) and OAR 690-077-0	0//			
Option Lease	nal Identification by Lessor/Lessee: L05.12 Agreement Number (assigned by WRD):				
This L	ease Agreement is between:	RECEIVED			
(Name	r #1 (Landowner): e) <u>C.L.R., Inc.</u>	APR 2 2 2005			
(City, (Telep	ng address) 703 NW Stone Pine Drive State, Zip Code) Bend, OR 97701 Schone number) (541)389-6562	WATER RESOURCES DEPT SALEM: OREGON			
`	l address)itional landowners, enter landowner information below	-			
form.	The numbering associated with this form corresponds to that found on the "Standar The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the ard Instream Lease Application" form. Consequently, the numbering on this form	same information as the			
	~I~ Ownership and Water Right Informat	on			
1.1	Lessor #1 is the owner, or authorized agent for owner of property l Range 12 Section 30 and Tax Lot number 02100. If the water rig lands is also appurtenant to lands owned by others, then Attachmen	ht appurtenant to these Field Code Changed			
	lessor's property) needs to be included.	or, (all for map of			
1.3	For the lands being leased, list all water rights appurtenant to the lease are any supplemental or overlying rights.	ssor's property. Indicate if			
	Certificate No. Primary 74146,74147, Supplemental 74147,74148,	4149,76520			
1.4	Are some or all of the lands being leased part of a Conservation Re Program. Yes No	serve Enhancement			
1.5	Subject Water Rights. Landowner proposes to lease the water rig attached as Exhibit 5-B (this information may be included on Exhibit 5-A, attached). (Crosshatch the area of water rights being leased). Attached map(s) in Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	or an additional map may be			
	Pooled Landowner Form / 1	FSD			
		(FERENCED			

MAY 0 6 2005 WATER RESOURCES DEPT SALEM, OREGON

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identif	fy pertine	nt page n	umber of	certificate,	if certificate than one p	is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	165	12 €	30	nwse	02100	3.40	irr	74146 PRI	14	5/27/1907
2.	17 S	IIE	13	nwnw	00817	4.0	irr	74146 Pei	14	5/27/1907
3.	17 5	11 8	13	nwnw	00809	1.60	irr	74146 PR1	14	5/27/1907
4.								BA STATE		
5.										

Total number of acres, if for irrigation, by certificate and priority date: 9.0 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

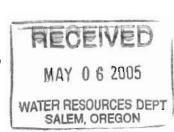
2.3 Term of lease. This lease shall terminate on October 15, 2005. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

Pooled Landowner Form / 2

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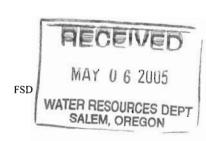


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3.4	Suspension of original use. During the period of the lease, the owner agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights. In the event that a supplemental 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, prior 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 C.L.R.	#1: Inc. Jerry	Date: 3/4/05								
	7	ssors, type in space for signature and date								
Lessor		Date:								
<u>Tumalo</u>	o Irrigation	District								
Lessee	:	Date:								
Deschu	ites Resour	ces Conservancy								
Other	A ttachment	s As Needed:								
Exhibit		Tax Lot Map of Landowner's Property								
	hibit 5-B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-1]									
	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	chibit 5-D: Split Season Instream Use Form									

Pooled Landowner Form / 3



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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.

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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 of				10 pages; identify	priority date	e if there is
1.	16 5	12 €	30	nwse	02100	3.40	irr	74147 Sup	14	10/29/191
2.	17 5	11 €	13	nwnw	00817	4.0	irr	74147 Sup	17	10/29/191
3.	17 5	11 E	13	nwnw	00809	1.60	irr	74147 Sup	17	10/29/191
4.										
5.						33.79	l.			
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: 9.0 Acre-feet of storage, if applicable:	RECEIVED
The root of storage, if approache.	MAY 0 6 2005
	WATEH RESOURCES DEPT SALEM, OREGON

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Instream Lease

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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).

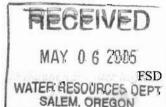
	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page 1	number of				0 pages; identify	priority date	e if there is
1.	165	12 €	30	nwse	02100	3.40	irr	74148 Sup	14	4/7/1911
2.	17 5	11 €	13	nwnw	00817	4.0	irr	74148 Sup	16	4/7/1911
3.	17 5	11E	13	nwnw	00809	1.60	irr	74148 Sug	16	4/7/1911
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: 9.0	
Acre-feet of storage, if applicable:	

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Instream Lease

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Section 1.1 continued from Pooled Leasing Landowner Form.

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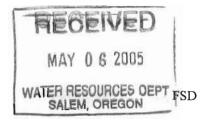
	T	R	Sect	¼ ¼	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identif	fy pertine	nt page r	number of				0 pages; identify	priority date	e if there is
1.	16 5	12 E	30	nwse	02100	3.40	irr	74149 Sup		1905
2.	17 5	11 <u>E</u>	13	nwnw	00817	4.0	irr	74149 Sup		1905
3.	17 'S	11 E	13	nwnw	00809	1.60	irr	74149 Sup		1905
4.						3				
5.										
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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 irrigat	ion, by certificate and priority date: 9.0
Acre-feet of storage, if applicable:	· · · · ·

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Instream Lease

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Section 1.1 continued from Pooled Leasing Landowner Form.

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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page r	number of			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	12 E	30	nwse	02100	3.40	irr	76520 Sup	18	12/8/1961
2.	17 S	11 €	13	nwnw	00817	4.0	irr	76520 Sug	21	12/8/1961
3.	17 5	11 E	13	nwnw	00809	1.60	irr	76520 Sup	21	12/8/1961
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	s, if for irrigation,	by certificate and	priority date: 9.0)
Acre-feet of storage,	if applicable:			

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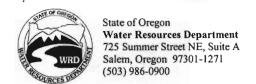
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WATER RESOURCES DEPT SALEM OREGON



WATER RESOURCES DEPT SALEM, OREGON

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Instream Lease

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Section 1.1 continued from Pooled Leasing Landowner Form.

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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 i	number of			e is greater than 1 er certificate)	10 pages; identify	priority date	e if there is
1.	16S	12E	30	nwse	02100	.70	irr	74147Pri	14	10/29/191
2.	16S	12E	30	nese	02100	1.90	irr	74147Pri	14	10/29/191 3
3.	16S	12E	30	nese	02000	5.0	irr	74147Pri	14	10/29/191 3
4.	16S	12E	30	nese	00100	16.0	irr	74147Pri	14	10/29/191
5.	16S	12E	30	nese	00100	2.0	Ind	74147Pri	14	10/29/191
6.	16S	12E	30	sene	00100	13.20	irr	74147Pri	14	10/29/191
7.	17S	11E	13	nwnw	817	1.36	irr	74147Pri	17	10/29/191
8.	17S	11E	13	nwnw	00809	3.0	irr	74147Pri	17	10/29/191
9.	17S	11E	14	nene	00817	3.50	irr	74147Pri	17	10/29/191
10.										

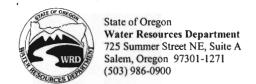
[Attached map(s) must identify property owner, Township, Range, Section and 1/4 1/4, tax lot number, map orientation and scale.]

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

WATER RESOURCES DEPT SALEM, OREGON

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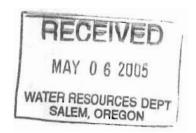
Section 1.1 continued from Pooled Leasing Landowner Form.

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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	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	30	nwse	02100	.70	irr	74148Sup	14	4/7/1911
2.	16S	12E	30	nese	02100	1.90	irr	74148Sup	14	4/7/1911
3.	16S	12E	30	nese	02000	5.0	irr	74148Sup	14	4/7/1911
4.	16S	12E	30	nese	00100	16.0	irr	74148Sup	14	4/7/1911
5.	16S	12E	30	nese	00100	2.0	Ind	74148Sup	14	4/7/1911
6.	16S	12E	30	sene	00100	13.20	irr	74148Sup	14	4/7/1911
7.	17S	11E	13	nwnw	00817	1.36	irr	74148Sup	1714	4/7/1911
8.	17S	11E	13	nwnw	00809	3.0	irr	74148Sup	16	4/7/1911
9.	17S	11E	14	nene	00817	3.50	irr	74148Sup	1617	4/7/1911
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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Instream Lease

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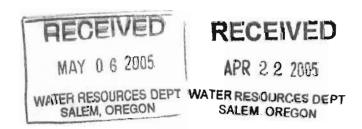
Section 1.1 continued from Pooled Leasing Landowner Form.

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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 r	number of			e is greater than 1 er certificate)	0 pages; identify To 74147	priority date	if there is
1.	16S	12E	30	nwse	02100	.70	irr	74149Sup		1905
2.	16S	12E	30	nese	02100	1.90	irr	74149Sup		1905
3.	16S	12E	30	nese	02000	5.0	im	74149Sup		1905
4.	16S	12E	30	nese	00100	16.0	irr	74149Sup		1905
5.	16S	12E	30	nense	00100	2.0	Ind	74149Sup		1905
6.	16S	12E	30	sene	00100	13.20	irr	74149Sup		1905
7.	17S	11E	13	nwnw	00817	1.36	irr	74149Sup		1905
8.	17S	11E	13	nwnw	00809	3.0	irr	74149Sup		1905
9.	17S	11E	14	nene	00817	3.50	irr	74149Sup		1905
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	ition, by c	ertificate and	priority date:	46.66
Acre-feet of stor	age, if applicable	:			





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	tify pertin	ent page i	number of			e is greater than leer certificate)	10 pages; identify	priority date	e if there is
1.	16S	12E	30	nwse	02100	.70	irr	76520Sup	18	12/8/1961
2.	16S	12E	30	nese	02100	1.90	irr	76520Sup	18	12/8/1961
3.	16S	12E	30	nese	02000	5.0	irr	76520Sup	18	12/8/1961
4.	16S	12E	30	nese	00100	16.0	irr	76520Sup	18	12/8/1961
5.	16S	12E	30	sene	00100	13.20	irr	76520Sup	18	12/8/1961
6.	17S	11E	13	nwnw	00817	1.36	irr	76520Sup	21	12/8/1961
7.	17S	11E	13	nwnw	00809	3.0	irr	76520Sup	21	12/8/1961
8.	17S	11E	14	nene	00817	3.50	irr	76520Sup	21	12/8/1961
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:	44.66
Acre-feet of storage if				

Acre-ieet of storage, if applicable:



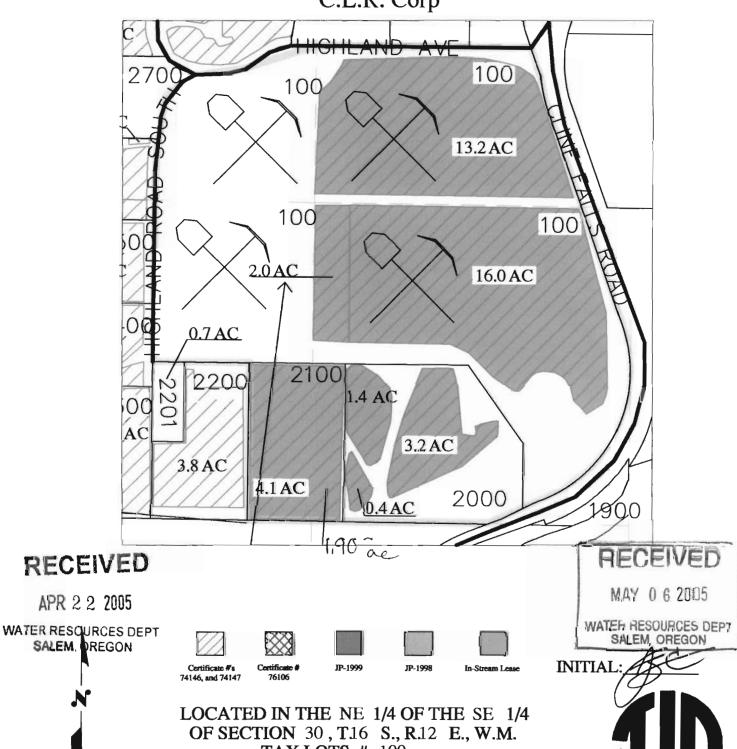
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APR 2 2 2005

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

FOR

C.L.R. Corp



SCALE: 1" = 400'

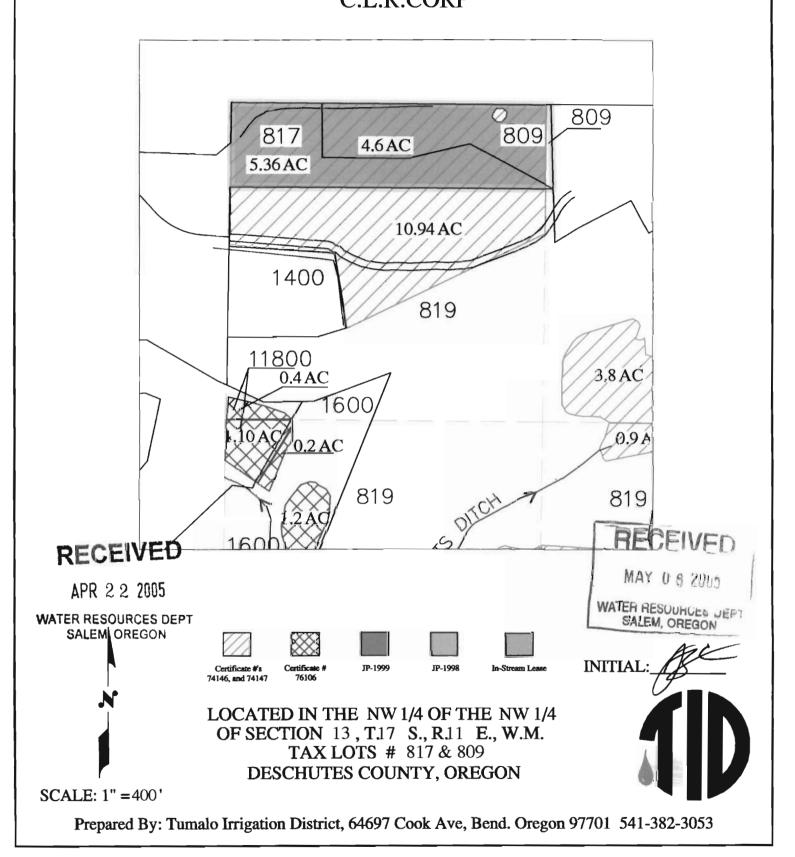
TAX LOTS # 100

DESCHUTES COUNTY, OREGON

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

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

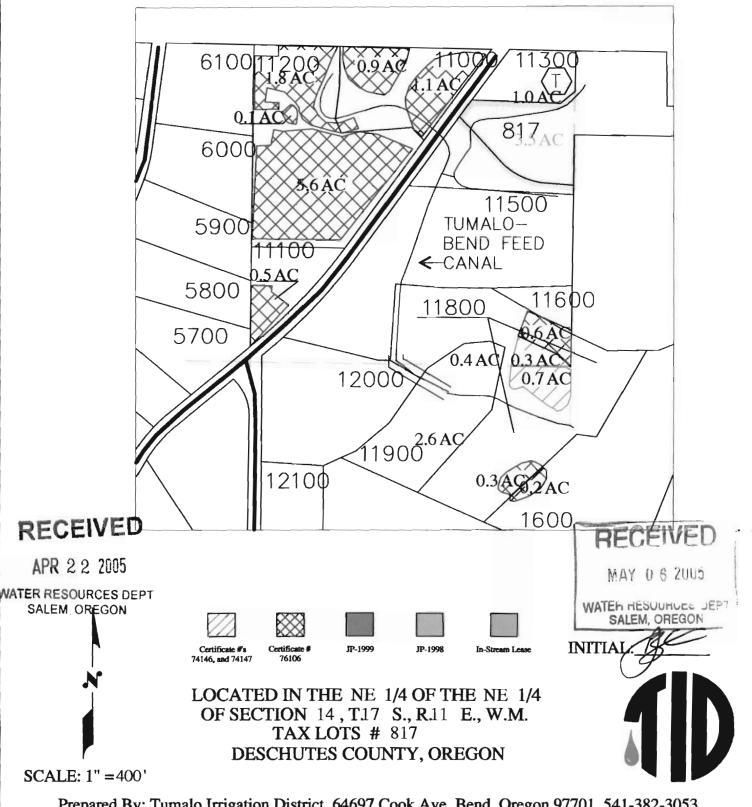
TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY FOR C.L.R.CORP



TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

FOR

C.L.R. Corp



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

	nal Identification by Lessor/Lessee: L05.22 Agreement Number (assigned by WRD):		ECEIVED THE COUNTER
This l	Lease Agreement is between:		
(Nam (Mail (City, (Tele) (Email	or #1 (Landowner): e) Joyce E. Coats Rev. Truust, Joyce E. Coats, CoTrustee, Eric W Coats, ing address) 63285 Skyline Ranch Rd. State, Zip Code) Bend, OR 97701 phone number) (541)383-8826 il address) ditional landowners, enter landowner information below	<u>CoTrustee</u>	
form.	The numbering associated with this form corresponds to that found on the "Standard Ins The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the sam ard Instream Lease Application" form. Consequently, the numbering on this form is no	ne information as the	
	~I~ Ownership and Water Right Information		
1.1	Lessor #1 is the owner, or authorized agent for owner of property locat Range 11, Section 13 and Tax Lot number 00100. If the water right a lands is also appurtenant to lands owned by others, then Attachment 1, lessor's property) needs to be included.	ppurtenant to these	Field Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lesson there are any supplemental or overlying rights.	r's property. Indicate if	
	Certificate No. P76106, Supplemental 74149,76520		
1.4	Are some or all of the lands being leased part of a Conservation Reserve Program. Yes No	ve Enhancement	
1.5	Subject Water Rights. Landowner proposes to lease the water rights sattached 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 be Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	additional map may be	RECEIVED
	Pooled Landowner Form / 1	FSD	MAY 0 6 2005 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*
	*(Identif	y pertine	nt page r	number of			e is greater than 1 per certificate)	0 pages; identify	priority date	if there is
1.	17 5	HE	13	nwse	00100	5.90	irr	76106 PRI	4	12/8/1961
2.	17 \$	HE	13	swse	00100	2.50	irr	76106 Pei	4	12/8/1961
3.	17 5	11E	13	nesw	00500	11.20	irr	76106 PRI	4	12/8/1961
4.	17 5	11 E.	13	swsw	00500	.40	irr	76106 PRI	4	12/8/1961
5.	17 5	11 €	13	sesw	00500	29.10	irr	76106 Pz.	4	12/8/1961

Total number of acres, if for irrigation, by certificate and priority date: 49.10
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

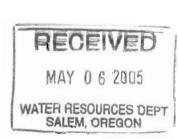
2.3 Term of lease. This lease shall terminate on October 15, 2005. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

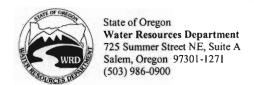
Pooled Landowner Form / 2

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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~

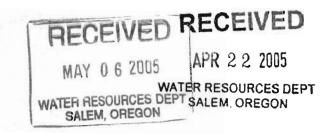
Section 1.1 continued from Pooled Leasing Landowner Form.

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.	17 5	11 E	13	swse	00500	4.50	irr	76106 Pei	4	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 acres, if for irrigation	, by certificate and	l priority d	ate: 4.50	
Acre-feet of storage, if applicable:				

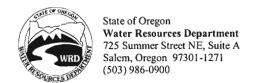


3.4	of water a		the lease, the owner agrees to suspend use under any water right that is supplementablemental water right is not part of this						
3.5	For n to the Depa differ Purve the le	e lease being exercised () rtment provided by the Irrigation District ent than Department). The lessor must of eyor, or Lessee (if different than Department ase agreement.	t, Other Water Purveyor or Lessee (if contact the Irrigation District, Other Water nent) to indicate their interest in terminating option of 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 or terminated to prevent injury.								
	#1: 2 E. Coats R	Trust, Joyce E. Coats, CoTrustee	Date: 3-3-05 Date: 3-5-05						
Joyce	E. Coats Re	ev Trust, Eric W. Coats, CoTrustee							
For ad	ditional Le	ssors, type in space for signature and date	е						
Lessor			Date:						
<u>Tumal</u>	o Irrigation	District							
Lessee	: :		Date:						
		rces Conservancy							
		ts As Needed:							
Exhibi Exhibi		Tax Lot Map of Landowner's Property	ibject rights to be leased [Exhibits 5-A and 5-B						
LAIIIOI	it 3-D.	may be combined into a single map]	roject rights to be leased [Exhibits 3-A and 3-b						
Exhibi	it 5-C:	Supporting documentation indicating w forfeiture even though the right has not consecutive years (required if the secon checked)	been exercised for five or more						
Exhibi	it 5-D:	Split Season Instream Use Form							

Pooled Landowner Form / 3



APR 22 2005



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~

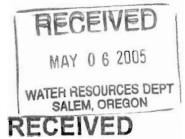
Section 1.1 continued from Pooled Leasing Landowner Form.

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).

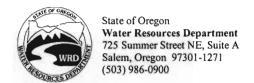
	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) # Priority*
	*(Identi	fy pertine	ent page i	number o			e is greater than 1 er certificate)	0 pages; identify	priority date if there is
1.	175	11 E	13	nwse	00100	5.90	irr	74149 Sup	1905
2.	175	11 €	13	swse	00100	2.50	irr	74149 Sup	1905
3.	17 S	11 €	13	nesw	00500	11.20	irr	74149 Sup	1905
4.	175	11 E	13	swsw	00500	.40	irr	74149 Sup	1905
5.	175	11 E	13	sesw	00500	29.10	irr	74149 Sup	1905
6.	175	11 5	13	swse	00500	4.50	irr	74149 Sup	1905
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:	53.60
Acre-feet of storage, if	applicable:		-	



APR 2 2 2005



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*
	*(Identif	fy pertine	nt page 1	number o			e is greater than ler certificate)	0 pages; identify		e if there is
1.	17 5	11 E	13	nwse	00100	5.90	irr	76520 Sup	4	12/8/1961
2.	17 5	11 E	13	swse	00100	2.50	irr	76520 Sup	4	12/8/1961
3.	17 5	11 €	13	nesw	00500	11.20	irr	76520 Sup	4	12/8/1961
4.	17 5	11 €	13	swsw	00500	.40	irr	76520 Sug	4	12/8/1961
5.	17 5	11 €	13	sesw	00500	29.10	irr	76520 Sup	4	12/8/1961
6.	17 5	11 €	13	swse	00500	4.50	irr	76520 Sup	4	12/8/1961
7.						Page Name				
8.										
9.										
10.						SC-SU-	4 (

[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: 53.60

Acre-feet of storage, if applicable:



APR 2 2 2005

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

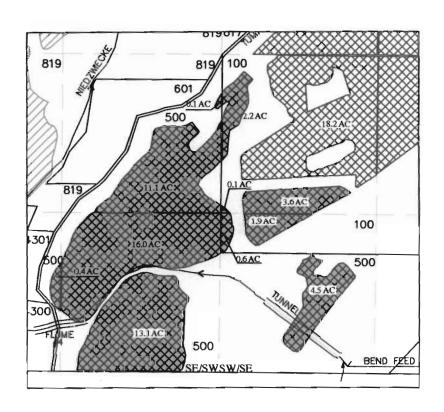
FOR

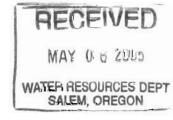
Coats, Joyce

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APR 2 2 2005

WATER RESOURCES DEPT SALEM, OREGON







74146, and 74147









INITIAL: J.EC

LOCATED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 13, T.17 S., R.11 E., W.M. TAX LOTS # 500 & ** DESCHUTES COUNTY, OREGON

SCALE: 1" = 800' **sw/

**SW/SW 500, SE/SW 500, NE/SW 500, NW/SE 100, & SW/SE 100

1

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	OVER THE COUNTER
	Agreement Number (assigned by WRD):	THE COUNTER
This I	Lease Agreement is between:	
(Name (Maili (City, (Telep (Emai	or #1 (Landowner): e) Cobb, Ann Wright ing address) 18295 Tumalo Reservoir Rd. State, Zip Code) Bend, OR 97701 chone number) (541)382-4348 il address) litional landowners, enter landowner information below	
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease App. The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information as ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequent	the
	~I~ Ownership and Water Right Information	
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Townsh Range 11 Section 04 and Tax Lot number 00500. If the water right appurtenant to lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map olessor's property) needs to be included.	hese Field Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. In there are any supplemental or overlying rights.	adicate if
	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	nt
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the rattached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map nattached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	nay be
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Pooled Landowner Form / 1



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APR 2 2 2005

	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.	17 5	11 E	04	nwne	00500	6.0	irr	74146 PRI	12	9/1/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 6.0
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, 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.

Pooled Landowner Form / 2

FSD

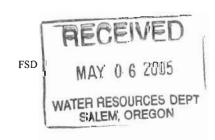


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APR 2 2 1005

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 (
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 Ann W	r#1: <u> </u>	unight Cobb Date: 03/08/05							
For ad	ditional Les	ssors, type in space for signature and date							
Lessor		Date:							
Tumal	o Irrigation	District							
Lessee		Date:							
Desch	utes Resour	ces Conservancy							
Other	Attachment	s As Needed:							
Exhibi	it 5-A:	Tax Lot Map of Landowner's Property							
Exhibi	it 5-B:	Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B							
Exhibi	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 checked)								
Exhibi	it 5-D:	Split Season Instream Use Form							

Pooled Landowner Form / 3



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APR 2 2 2005



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.

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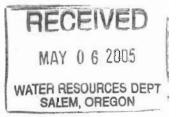
Section 1.1 continued from Pooled Leasing Landowner Form.

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 r	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	17 5	11 E	04	nwne	00500	6.0	irr	74147 Sup	16	10/29/191 3
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 irrigat	on, by certificate and priorit	y date: 6.0
Acre-feet of storage, if applicable:		



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APR 2 2 2005



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.

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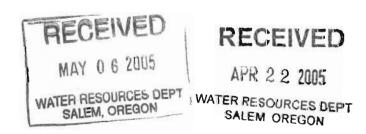
Section 1.1 continued from Pooled Leasing Landowner Form.

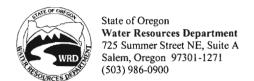
Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased).

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page 1	number of			e is greater than 1 er certificate)	0 pages; identify		e if there is
1.	17 5	11 E	04	nwne	00500	6.0	irr	74148 Sup	16	4/7/1911
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: 6.0
Acre-feet of storage, if an	pplicable:	





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.

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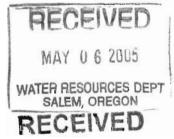
Section 1.1 continued from Pooled Leasing Landowner Form.

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).

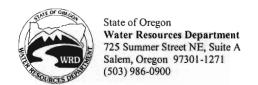
	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page 1	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	175	11 E	04	nwne	00500	6.0	irr	74149 Sup		1905
2.								-110		
3.										
4.										
5.										
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: 6.0	
Acre-feet of storage, if applicable:	DE



APR 2 2 2005



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.

~[~

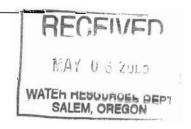
Section 1.1 continued from Pooled Leasing Landowner Form.

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*
	*(Identi	fy pertine	ent page 1	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	17 5	11 E	04	nwne	00500	6.0	irr	76520 Sup	20	12/8/1961
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[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 co	ertificate and priority date: <u>6.0</u>
Acre-feet of storage, if applicable:	



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APR 2 2 2005

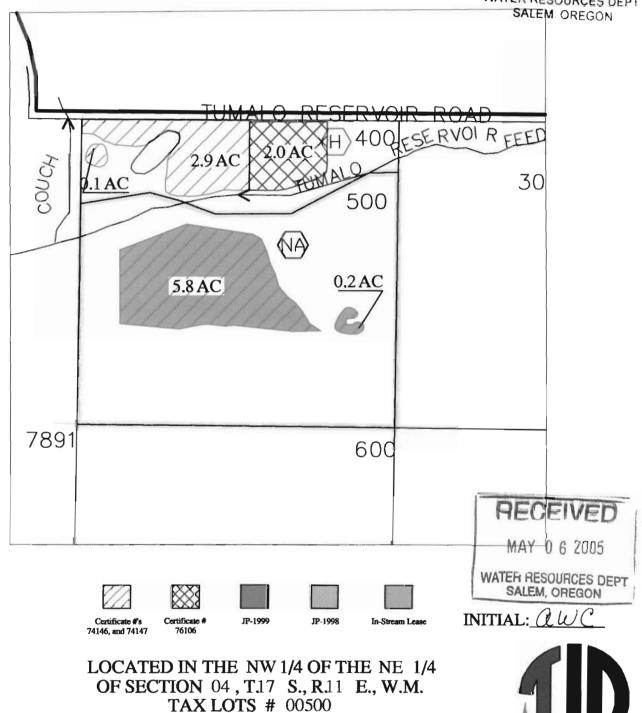
TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

FOR Cobb, Ann Wright

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APR 2 2 2005

WATER RESOURCES DEPT



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

	Pursuant to ORS 537.348(2) and OAR 090-077-0077	GAEL	THE COUNTER							
Optional Identification by Lessor/Lessee: L05.29 Lease Agreement Number (assigned by WRD):										
This l	This Lease Agreement is between:									
(Nam (Mail (City, (Tele) (Email	or #1 (Landowner): e) Coleman, Glenn A. & Nancy D. ing address) 18770 Tumalo Reservoir Road State, Zip Code) Bend, OR 97701 phone number) (541)382-5357 il address) litional landowners, enter landowner information below									
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Ap. The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information a lard Instream Lease Application" form. Consequently, the numbering on this form is not always sequence and Company of the Company of the Company of the National Company of the Compa	s the								
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Towns	him 165	Field Code Channel							
1.1	Range 11 Section 34 and Tax Lot number 01000. If the water right appurtenant to lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map lessor's property) needs to be included.	these	Field Code Changed Field Code Changed							
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. I there are any supplemental or overlying rights.	ndicate if								
	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	ent								
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property	may be	RECEIVED							
	Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	onnoi,	MAY 0 6 2005							
	Pooled Landowner Form / 1	FSD	WATER RESOURCES DEPT SALEM, OREGON							

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	Т	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page n	umber of	f certificate,	if certificate	e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16 5	11 €	34	sene	01000	13.0	irr	74147 PRI	8	10/29/191 3
2.										
3.										
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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:

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, 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.

Pooled Landowner Form / 2

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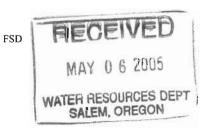
WATER RESOURCES DEPT SALEM, OREGON

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APR 22 2005

3.4	of water al	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 m to the Depar 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	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.									
Lesson		VLENNY G. COUNTERED 1/19/19/505								
Glenn	A. Colema	0 0								
	Nanu	Coleman Date: March 11, 2005								
Nancy	D. Colema	4								
For ad	ditional Le	ssors, type in space for signature and date								
Lesson	r #2:	Date:								
Tumal	o Irrigation	District								
Lessee	۵۰	Date:								
		rces Conservancy								
0.1	1									
		ts As Needed: Tax Lot Map of Landowner's Property								
	hibit 5-A: Tax Lot Map of Landowner's Property hibit 5-B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B]									
- 1 II	may be combined into a single map]									
Exhibi	it 5-C:	Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more								
		consecutive years (required if the second box in Section 1.6 of this form is								
		checked)								
Exhibi	it 5-D:	Split Season Instream Use Form								

Pooled Landowner Form / 3



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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.

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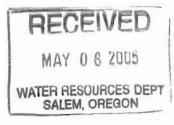
Section 1.1 continued from Pooled Leasing Landowner Form.

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 1	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 E	34	sene	01000	13.0	irr	74148 Sup	8	4/7/1911
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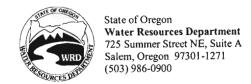
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

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



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APR 2 2 2005



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.

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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	nt page 1	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
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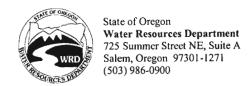
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation, by certificate and priority date: 13.0	_
Acre-feet of storage, if applicable:	RECEIVE
	MAY 0 6 200

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APR 2 2 2005



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.

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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 1	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 E	34	sene	01000	13.0	irr	76520 Sup	12	12/8/1961
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[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: 13.0
Acre-feet of storage if applicable:	



APR 22 2005 WATER RESOURCES DEPT SALEM OREGON

EXHIBIT 5-A & B

L05.29

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

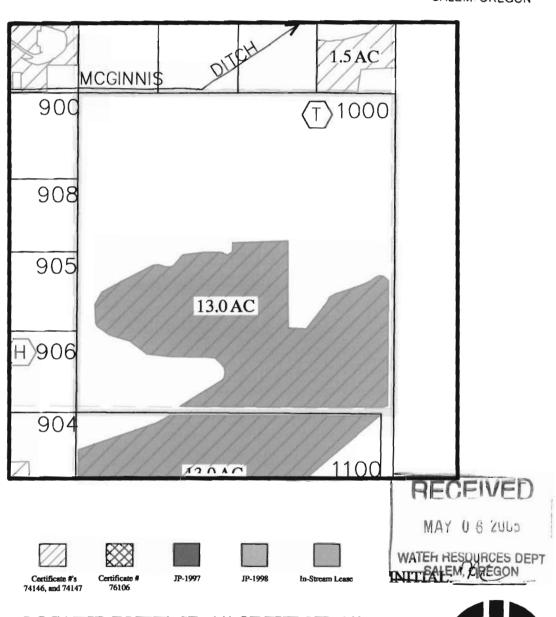
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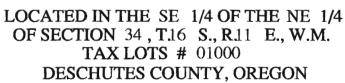
Coleman, Glenn A. & Nancy D.

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APR 2 2 2005

WATER RESOURCES DEPT SALEM 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

	nal Identification by Lessor/Lessee: 1.05.14		
Lease	Agreement Number (assigned by WRD):	OVE RE	CEIVED
This L	ease Agreement is between:	OVERT	CEIVED HE COUNTER
	r #1 (Landowner):		
(Maili	ng address) 1133 9 th St. #206		
(City,	State, Zip Code) Santa Monica, CA 90403		
	hone number) (310)393-5973		
(Emai	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" form and "Pooled Landowner" form(s) are used to provide the same information as and Instream Lease Application" form. Consequently, the numbering on this form is not always sequent action "Are Ownership and Water Right Information"	the	
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Townsh	nip <u>16</u> 5	Field Code Changed
	Range 11 Section 28 and Tax Lot number 01000. If the water right appurtenant to lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map clessor's property) needs to be included.	these	Field Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. In there are any supplemental or overlying rights.	ndicate if	
	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 Enhanceme Program. Yes No	nt	
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map rattached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property	nay be	
	Township, Range, Section and 1/4 1/4, tax lot number, map orientation and scale.		RECEIVED
			MAY 0 6 2005
	Pooled Landowner Form / 1	FSD	
			WATER RESOURCES DEPT SALEM, OREGON

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	Т	R	Sect	14 14	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identif	fy pertine	nt page n	umber of			is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16 5	11 =	28	nwse	01000	10.3	ігг	74146 PE1	7	9/1/1900
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Total number of acres, if for irrigation, by certificate and priority date: 10.3 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, 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.

Pooled Landowner Form / 2

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APR 22 2005

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.								
Lessor Audre	#1: March 7, 2005								
For ad	ditional Lessors, type in space for signature and date								
Lessor									
Tumal	o Irrigation District								
Lessee	Butt.								
Deschu	utes Resources Conservancy								
Other A	Attachments As Needed:								
Exhibi									
Exhibi	xhibit 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]								
Exhibit	Exhibit 5-D: Split Season Instream Use Form								

Pooled Landowner Form / 3

MAY 0 6 2005

WATER RESOURCES DEPT SALEM, OREGON

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APR 2 2 2005



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.

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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).

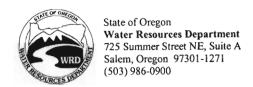
	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page r	number of			is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 E	28	nwse	01000	10.3	irr	74147 Sup	8	10/29/191 3
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[Attached 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: 10.3 Acre-feet of storage, if applicable:	RECEIVED
	MAY 0 6 2005
	WATER RESOURCES DEPT SALEM, OREGON
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WATER RESOURCES DEPT SALEM, OREGON

APR 2 2 2005



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
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[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: 10.3 Acre-feet of storage, if applicable:	RECEIVED
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	WATER RESOURCES DEPT SALEM, OREGON

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APR 2 2 2005



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.

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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*
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[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: 10.3 Acre-feet of storage, if applicable:	RECEIVED
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APR 2.2 2005 WATER RESOURCES DEPT SALEM, OREGON



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.

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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	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
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[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: 10.3	RECEIVED
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	WATER RESOURCES DEPT SALEM, OREGON

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APR 2 2 2005

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

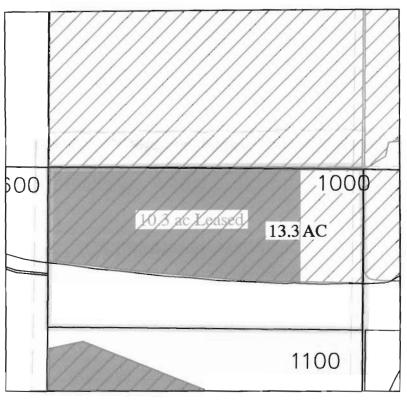
FOR

Colker, Audrey

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WATER RESOURCES DEPT
SALEM, OREGON













MAY 0 6 2005

WATER RESOURCES DEPT SALEM, OREGON

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LOCATED IN THE NW1/4 OF THE SE 1/4
OF SECTION 28, T.16 S., R.11 E., W.M.
TAX LOTS # 01000
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	OVER T	CEIVED HE COUNTER
	onal Identification by Lessor/Lessee: L05.18 se Agreement Number (assigned by WRD):		TE COUNTER
This	Lease Agreement is between:		
Less (Na	or #1 (Landowner): ne) Jack E & Barbara J Dodd Family Trust, Barbara J. Dodd, Trustee & Jack E. Dodd	, Trustee	
(City	iling address) 64515 Rock Springs Rd. y, State, Zip Code) Bend, OR 97701 ephone number) (541)385-1394 ail address)		
If ad	ditional landowners, enter landowner information below		
form	The numbering associated with this form corresponds to that found on the "Standard Instream Lease A The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information dard Instream Lease Application" form. Consequently, the numbering on this form is not always sequence of the consequence	as the	
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Town Range 115, Section 33 and Tax Lot number 00805. If the water right appurtenant to lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map lessor's property) needs to be included.	o these	Field Code Changed Field Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. there are any supplemental or overlying rights.	Indicate if	
	Certificate No. Primary 74147, Supplemental 74148, 74149, 76520		
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancem Program. Yes No	nent	
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the		RECEIVED
	attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional may	p may be	1
	attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify proper Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	ty owner,	MAY 0 6 2005
		ty owner,	MAY 0 6 2005 WATER RESOURCES DEF

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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identif	y pertine	nt page n	umber of	certificate,	if certificate	is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16 5	11 E	33	nwse	00805	4.50	irr	74147 PRI	8	10/29/191 3
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 4.50 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 <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

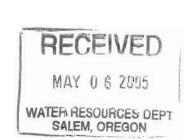
2.3 Term of lease. This lease shall terminate on October 15, 2005. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

Pooled Landowner Form / 3

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	to the su	allowed under the subject water rebject water rebject water rights. In the event the may be subject to forfeiture.			
3.5	For to the Dep difficult of the For	multiyear leases, lessor shall have the lease being exercised (), with an District, Other or must contact Department) to have the option	30 day war Water I the Irrigo indicate of terminates	ritten notice to the Purveyor or Lessee (if gation District, Other Water their interest in terminating inating the lease each year,
3.6	2.2 durir use wate	ation to prevent injury. Allocating the term of this lease is not read from the same source. If injury of terminated to prevent injury.	sonably expecte	ed to cau	se injury to other rights to
Lessor	#1	o the season]	Date:	3/2/05
Jack E	. Dodgr, T				3/2/05
	2		I	Date:	3/3/05
Barbar	a J. Dodo	, Irustee			
For ad	ditional L	essors, type in space for signature	e and date		
Lessor				Date:	
Tumal	o Irrigatio	on District			
Lessee	e:			Date:	
Deschi	utes Reso	urces Conservancy			
Othor	A ttochma	nts As Needed:			
	it 5-A:	Tax Lot Map of Landowner's	Property		
Exhibi		Detailed map illustrating lands	under subject i	rights to	be leased [Exhibits 5-A and 5-B
Exhibi	4.5.C:	may be combined into a single map] Supporting documentation ind	icating why a ri	aht ic va	did and not subject to
CXIIIOI	1 J-C.	forfeiture even though the righ	t has not been e	exercised	for five or more
		consecutive years (required if			
		checked)			
Exhibi	it 5-D:	Split Season Instream Use For	m		

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

3.4

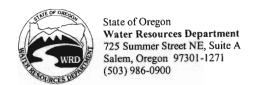
Pooled Landowner Form / 4

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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~

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	\mathbf{R}	Sect	1/4 1/4	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.	165	11 €	33	nwse	00805	4.50	irr	74148 Sup	8	4/7/1911
2.										
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6.							-			
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8.										-
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10.										

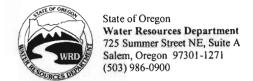
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation, by certificate and priority date: 4.50	
Acre-feet of storage, if applicable:	RECEIVED
	MAY 0 6 2005

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WATER RESOURCES DEPT SALEM, OREGON

APR 2 2 2005



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			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 E	33	nwse	00805	4.50	irr	74149 Sup		1905
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: 4.50 Acre-feet of storage, if applicable:	RECEIVED
	MAY U 6 ZUUs
	WATER RESOURCES DEPT



ARR 2 2 2005

WATER RESOURCES DEPT



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.

~[~

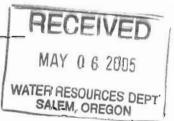
Section 1.1 continued from Pooled Leasing Landowner Form.

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*
	*(Identi	fy pertine	ent page i	number o			is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16 S	11 E	33	nwse	00805	4.50	irr	76520 Sup	11	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>4.50</u> Acre-feet of storage, if applicable: _____



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EXHIBIT 5-A & 5-B L 05.18

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

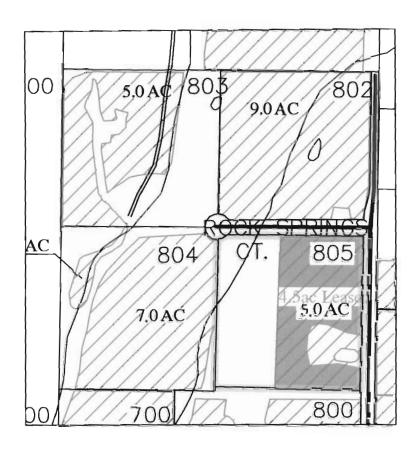
FOR

Dodd Family Trust

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APR 2 2 2005

WATER RESOURCES DEPT SALEM OREGON





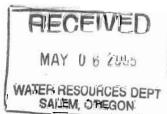


Certificate #



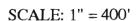






INITIAL: 15P

LOCATED IN THE NW1/4 OF THE SE 1/4 OF SECTION 33, T.16 S., R.11 E., W.M. TAX LOTS # 0805 DESCHUTES COUNTY, OREGON



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





Application for Short-Term

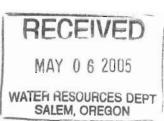
Instream Lease

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

	nal Identification by Lessor/Lessee: L05.27 Agreement Number (assigned by WRD):	OVER	ECEIVED THE COUNTER
This I	ease Agreement is between:		
(Nam (Mail: (City, (Telep (Email	r #1 (Landowner): e) Frick, Charles J. & Linda B. ing address) PO Box 901 State, Zip Code) Mendenhall, PA 19357 bhone number) (601)388-6849 l address) itional landowners, enter landowner information below		
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease A The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information and Instream Lease Application" form. Consequently, the numbering on this form is not always sequence.	as the	
	~I~ Ownership and Water Right Information		
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Town Range 11 Section 26 and Tax Lot number 00700. If the water right appurtenant to lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map lessor's property) needs to be included.	these	Field Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. there are any supplemental or overlying rights.	Indicate if	
	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 Enhancer Program. Yes No	nent	
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional may attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify proper Township, Range, Section and ½½, tax lot number, map orientation and scale.	may be	RECEIVED
	Pooled Landowner Form / 1	FSD	MAY 0 6 2005



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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identif	y pertine	nt page n	umber of	f certificate,	if certificate	e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	IIE	26	sese	00700	15.50	irr	74146 PRI	15	6/1/1907
2.								TERMEN !		
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:

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, 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.

Pooled Landowner Form / 2

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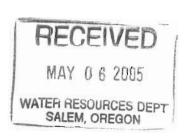


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APR 22 2005

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 (
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.							
	r#1: Date: 3/6/05 es J. Frick Date: 3/6/05 B. Frick							
For ac	dditional Lessors, type in space for signature and date							
Lesso	r #2: Date:							
<u>Tuma</u>	lo Irrigation District							
Lesse	e: Date:							
	Attachments As Needed: it 5-A: Tax Lot Map of Landowner's Property							
	it 5-B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B]							
Evhih	may be combined into a single map]							
EXIIIO	it 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)							
Exhib	it 5-D: Split Season Instream Use Form							

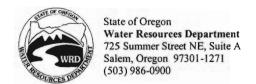
Pooled Landowner Form / 3



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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.

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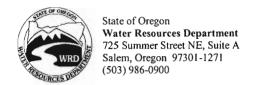
Section 1.1 continued from Pooled Leasing Landowner Form.

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.	16 5	11 E	26	sese	00700	15.50	irr	74147 Sup	7	10/29/191 3
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3.										
4.										
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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 practice and practice of storage, if applicable:	
Acie-lect of storage, if applicable.	RECEIVED
	MAY 0 6 2005
	WATER RESOURCES DEPT SALEM, OREGON
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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.

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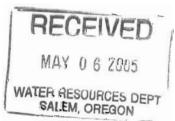
Section 1.1 continued from Pooled Leasing Landowner Form.

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			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11E	26	sese	00700	15.50	irr	74148 Sup	6	4/7/1911
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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: 15.50	
Acre-feet of storage, if applicable:	-



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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.

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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 1	number o			e is greater than 1 er certificate)	0 pages; identify	priority date if there is
1.	16 5	11 €	26	sese	00700	15.50	irr	74149 Sup	1905
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>15.50</u> Acre-feet of storage, if applicable:	RECEIVED
	MAY 0 6 2005
	WATER RESOURCES DEPT SALEM, OREGON

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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.

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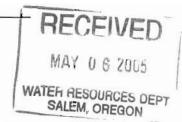
Section 1.1 continued from Pooled Leasing Landowner Form.

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	nt page i	number o			e is greater than 1 er certificate)	0 pages; identify		e if there is
1.	16 5	11 €	26	sese	00700	15.50	irr	76520 Sup	10	12/8/1961
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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>15.50</u>	
Acre-feet of storage, if applicable:	



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APR 22 2005

EXHIBIT 5-A & 5-B L 05.27

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

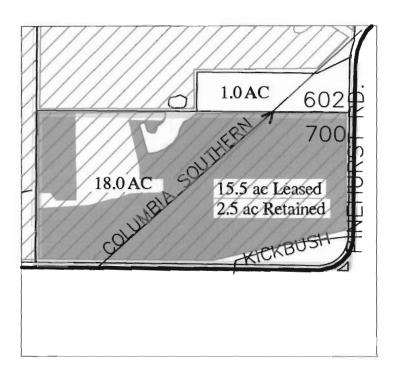
FOR

Frick, Charles J. & Linda B.

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WATER RESOURCES DEPT SALEM, OREGON





SCALE: 1" = 400'













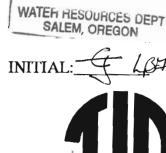






In-Stream Lease

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



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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		
	nal Identification by Lessor/Lessee: L05.13 Agreement Number (assigned by WRD):	RECE	EIVED
This I	Lease Agreement is between:	OAEU IHE	COUNTER
(Nam (Mail: (City, (Telep	or #1 (Landowner): e) Gilman/Owenby, Christopher & Louise ing address) 1870 Poplar Drive State, Zip Code) Walnut Creek, CA 94595 chone number) (925)937-3066 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 The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information and Instream Lease Application" form. Consequently, the numbering on this form is not always sequence. —I~ Ownership and Water Right Information	n as the	
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Town		Field Code Changed
	Range 11 Section 25 and Tax Lot number 00500. If the water right appurtenant lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot malessor'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 there are any supplemental or overlying rights.	. Indicate if	
	Certificate No. Primary 74146,74147,76106,Supplemental 74147,74148,74149,76	5520	
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhance Program. Yes No	ment	
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional mattached). (Crosshatch the area of water rights being leased). Attached map(s) must identify proper Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	ap may be	RECEIVED
	Pooled Landowner Form / 1	FSD	MAY 0.6 2005



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	Т	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identif	y pertine	nt page n	umber of			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
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3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: <u>.50</u> 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, 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.

Pooled Landowner Form / 2

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3.4	of wate	asion of original use. During the period of the lease, the owner agrees to suspend use er 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 Do di Pu	the lease being exercised (), with 30 day written notice to the epartment provided by the Irrigation District, Other Water Purveyor or Lessee (if fferent than Department). The lessor must contact the Irrigation District, Other Water ruveyor, or Lessee (if different than Department) to indicate their interest in terminating the lease agreement. The lessor must contact the Irrigation District, Other Water ruveyor, or Lessee (if different than Department) to indicate their interest in terminating the lease agreement. The multiyear leases, lessor shall not have the option of terminating the lease each year, ior to the lease being exercised, with written notice to the Department.
3.6	2.2 dur use wa	ication 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 ter from the same source. If injury is found after this lease is signed, the lease may be ed or terminated to prevent injury.
Lesso		Date: 2/7/05
Christ	opher G	Thise Owenby Date: 2/7/05
Louis	e Owenb	
Lesso	r #2:	Date:
Tuma	lo Irrigat	tion District
For ac	iditional	Lessors, type in space for signature and date
	_	, ,,
Lesse	e.	Date:
		sources Conservancy
Other	Attachm	nents As Needed:
	it 5-A:	Tax Lot Map of Landowner's Property
Exhib	it 5-B:	Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B
Exhib	it 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)
Exhib	it 5-D:	Split Season Instream Use Form

Pooled Landowner Form / 3

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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~

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 r	number o			is greater than ler certificate)	0 pages; identify イロ コリリント		e if there is
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[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 d	ate: <u>.50</u>
Acre-feet of storage, if applicable:	RECEIVED
	MAY U 6 2005
	WATER RESOURCES DEPT

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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~

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).

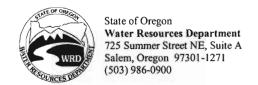
	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page i	number o			e is greater than ler certificate)	0 pages; identify		e if there is
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[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation, by certificate and priority date: .50	RECEIVED
Acre-feet of storage, if applicable:	MAY 0 6 2005
	WATER RESOURCES DEPT SALEM, OREGON

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APR 22 2005



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).

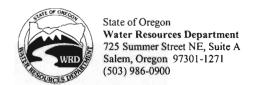
	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
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[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation, by certificate and priority date	
Acre-feet of storage, if applicable:	RECEIVED
	MAY 0 6 2005
	WATER RESOURCES DEPT SALEM, OREGON

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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.

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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 ler certificate)	0 pages; identify		e if there is
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[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>.50</u> Acre-feet of storage, if applicable:	RECEIVED
	MAY 0 6 2005
	WATER RESOURCES DEPT SALEM, OREGON

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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**~

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*
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1.	16 5	11 E	25	swne	00500	3.0	irr	74147 PR1	X 5	10/29/191
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[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: 3.0	RECEIVED
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	WATER RESOURCES DEPT SALEM, OREGON

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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**~

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*
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[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: 3.0 Acre-feet of storage, if applicable:	RECEIVED
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	WATER RESOURCES DEPT SALEM, OREGON

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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.

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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	nt page 1	number o			e is greater than l er certificate)	10 pages; identify To 74147	priority date	if there is
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[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: 3.0	RECEIVED
Acre-feet of storage, if applicable:	MAY 0 6 2005
	WATER RESOURCES DEPT SALEM, OREGON

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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.

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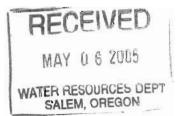
Section 1.1 continued from Pooled Leasing Landowner Form.

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*
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[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: 3.0
Acre-feet of storage, if applicable:	



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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.

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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.	16 5	11 E	25	swne	00500	10.0	irr	76106 Pei	2	12/8/1961				
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[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: 10.0 Acre-feet of storage, if applicable:	RECEIVED
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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.

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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).

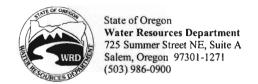
	Т	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page i	number o			is greater than ler certificate)	0 pages; identify	priority date	e if there is
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[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation, by certificate and priority date: 10.0 Acre-feet of storage, if applicable:	RECEIVED
	MAY 0 5 2005
	WATER RESOURCES DEPT SALEM, OREGON

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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.

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*
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[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: 10.0	RECEIVED
Acre-feet of storage, if applicable:	MAY US ZUUS
	WATEH RESOURCES DEPT SALEM, OREGON

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EXHIBIT 5-A & 5-B L 05,13

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

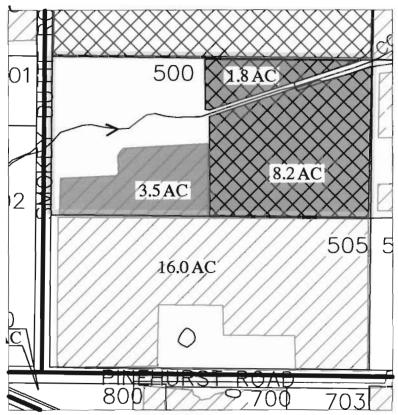
FOR

Gilman, Christopher J./Owenby, Lou

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WATER RESOURCES DEPT SALEM OREGON



MAY U 6 2005
WATER RESOURCES OFF SALEM, OREGON











INITIAL: CG MY

LOCATED IN THE SW 1/4 OF THE NE 1/4 OF SECTION 25, T16 S., R11 E., W.M. TAX LOTS # 0500 DESCHUTES COUNTY, OREGON 1

SCALE: 1" = 400'

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



Application for Short-Term

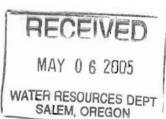
Instream Lease

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

	nal Identification by Lessor/Lessee: L05.21 Agreement Number (assigned by WRD):		
This I	Lease Agreement is between:		
(Nam (Mail	er #1 (Landowner): e) Hickok, Durlin E. & Wallace, Carol A. ing address) 107 Dorffel Drive E. State, Zip Code) Seattle, WA 98112	OVER T	ECEIVED HE COUNTER
(Tele	phone number) (206)324-2393 il address)		
If add	litional landowners, enter landowner information below		
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease A The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same information ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequence. **I~ Ownership and Water Right Information**	as the	
	~1~ Ownership and water Right Information		
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Town Range 11 Section 28 and Tax Lot number 00502. If the water right appurtenant to lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot mar lessor's property) needs to be included.	o these	Field Code Changed Field Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. there are any supplemental or overlying rights.	Indicate if	
	Certificate No. Primary 74147, Supplemental 74148,74149,76520		
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancen Program. Yes No	nent	
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional may attached). (Crosshatch the area of water rights being leased). Attached map(s) must identify proper Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.	p may be	RECEIVED
	rownship, realige, section and 14-14, tax for number, map offendation and searc.		MAY 0 6 2005
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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
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1.	16 5	11 E	28	nwnw	00502	3.25	ітт	74147 PR4	8	10/29/191 3
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Total number of acres, if for irrigation, by certificate and priority date: 3.25
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, 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.

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 <i>shall</i> 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.	
	Date: ZZF/05 Date: ZZF/05 Date: ZZF/05 A. Wallace Date: A 28/05	
	dditional Lessors, type in space for signature and date	
<u>Lesso</u> <u>Tuma</u>	or #2: Date:	
Lesse Desch	ee: Date: hutes Resources Conservancy	
Exhib Exhib Exhib	r Attachments As Needed: bit 5-A: Tax Lot Map of Landowner's Property bit 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] bit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked) bit 5-D: Split Season Instream Use Form	
		BEA

Pooled Landowner Form / 3

MAY 0 6 2005
WATER RESOURCES DEPT SALEM, OREGON

1

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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**~

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	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page r	number of			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 €	28	nwnw	00502	3.25	irr	74148 Sup	7	4/7/1911
2.									_	_
3.										
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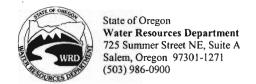
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation, by certificate and priority date: 3.25 Acre-feet of storage, if applicable:	
Acto-tect of storage, if applicable.	RECEIVED
	MAY 0 6 2005

SALEM, OREGON

WATER RESOURCES DEPT

APR 2 2 2005



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).

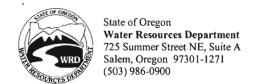
	Т	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page i	number of	certificate, more	if certificate than one pe	is greater than 1 r certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 E	28	nwnw	00502	3.25	irr	74149 Sup	1	1905
2.										
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6.										
7.										
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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: 3.25 Acre-feet of storage, if applicable:	BECEIVED
Troit-leet of storage, if approacie.	MAY 0 6 2005
	WATER RESOURCES DEPT SALEM, OREGON

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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~

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*
	*(Identif	y pertine	nt page n	umber of			is greater than 1 r certificate)	0 pages; identify ての フリルイフ	priority date	e if there is
1.	16 5	11 E	28	nwnw	00502	3.25	irr	76520 Sup	11	12/8/1961
2.										
3.										
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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: 3.25 Acre-feet of storage, if applicable:	RECEIVED
	MAY 0 8 2005
	WATER RESOURCES DEPT SALEM, OREGON

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EXHIBIT 5-A & 5-B L 05.21

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

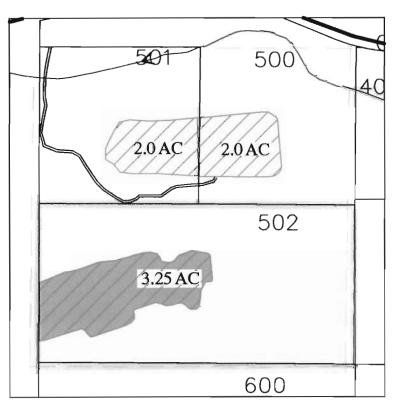
FOR

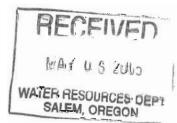
Hickok, Durlin E./Wallace, Carol A.

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WATER RESOURCES DEFI















INITIAL: ADD CON

LOCATED IN THE NW1/4 OF THE NW1/4 OF SECTION 28, T.16 S., R.11 E., W.M. TAX LOTS # 0502 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

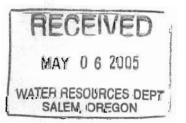
Attachment 5: Pooled Landowner Form

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

Pooled Landowner Form / 1

	nal Identification by Lessor/Lessee: L05.03 Agreement Number (assigned by WRD): L-C-C-C-C-C-C-C-C-C-C-C-C-C-C-C-C-C-C-C	Propu
This l	Lease Agreement is between:	OVER THE COUNTER
(Nam (Mail (City, (Tele) (Ema	e) Kingery, John B. & Marilyn S. ing address) 18690 Pinehurst Rd. State, Zip Code) Bend, OR 97701 phone number) (541)383-1832 il address) litional landowners, enter landowner information below	JOSHIER
form.	The numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form and "Pooled Landowner" form(s) are used to provide the same information as ard Instream Lease Application" form. Consequently, the numbering on this form is not always sequently. **I~* Ownership and Water Right Information*	the
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Townsh Range 11 & Section 27 and Tax Lot number 00502. If the water right appurtenant to lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map clessor's property) needs to be included.	hese Field Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. In there are any supplemental or overlying rights.	ndicate if
	Certificate No. <u>Primary 74146</u> , <u>Supplemental 74147</u> , <u>74148</u> , <u>74149</u> , <u>76520</u>	
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhanceme Program. Yes No	nt
1.5	Subject Water Rights. Landowner proposes to lease the water rights shown on the rattached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map rattached). (Crosshatch the area of water rights being leased). Attached map(s) must identify property Township, Range, Section and ¼¼, tax lot number, map orientation and scale.	nav be



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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*		
7	*(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.	16 5	IIE	27	swse	00502	1.48	irr	74146 PRI	16	9/1/1900		
2.												
3.												
4.												
5.												

Total number of acres, if for irrigation, by certificate and priority date: 1.48 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

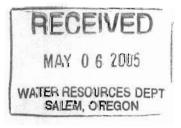
2.3 Term of lease. This lease shall terminate on October 15, 2005 ... (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

Pooled Landowner Form / 2

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	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. The 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 or terminated to prevent injury.
Lesson John I	r #1: B. Kingery	Date: 2-3-05
Marily	yn S. Kinge	
		ssors, type in space for signature and date
Lesson	r#2: lo Irrigation	District
7,01110	o migation	
Lesse		Date:
Desch	utes Resou	rces Conservancy
Other	Attachmen	s As Needed:
	it 5-A:	Tax Lot Map of Landowner's Property
Exhib	it 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]
Exhib	it 5-C:	Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
Exhib	4.5 D.	Split Season Instream Use Form

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

3.4

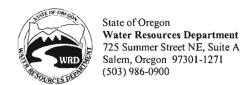
Pooled Landowner Form / 3

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APR 2 2 2005

WATER RESOURCES DEPT WATER RESOURCES DEPT SALEM, OREGON SALEM OREGON



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*
	*(Identif	y pertine	ent page r	number o			e is greater than 1 er certificate)	0 pages; identify TO 7414	priority date	e if there is
1.	16 5	11 E	27	swse	00502	1.48	irr	74147 Sup	7	10/29/191 3
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9.										
10.										

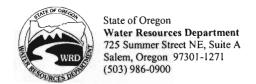
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres,	if for irrigation,	by certificate a	and priority date:	1.48
Acre-feet of storage, if	applicable:			



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APR 2 2 2005



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	nt page r	number o			is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 €	27	swse	00502	1.48	irr	74148 Sup	7	4/7/1911
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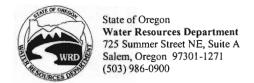
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation, by certificate and priority date: 1.48	
Acre-feet of storage, if applicable:	



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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.

~[~

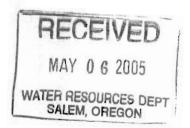
Section 1.1 continued from Pooled Leasing Landowner Form.

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			e is greater than 1 er certificate)	0 pages; identify To 74146	priority date	e if there is
1.	16 5	11 €	27	swse	00502	1.48	irr	74149 Sup		1905
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3.										
4.										
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8.										
9.										
10.										

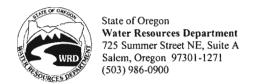
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation	by certificate and priority date: 1.48
Acre-feet of storage, if applicable:	-



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APR 22 2005



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.

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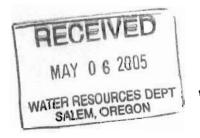
Section 1.1 continued from Pooled Leasing Landowner Form.

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*
	*(Identif	fy pertine	ent page 1	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 E	27	swse	00502	1.48	irr	76520 Sup	11	12/8/1961
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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:	1.48
Acre-feet of storage, if applicable:			



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EXHIBIT 5-A & 5-B L 05.03

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

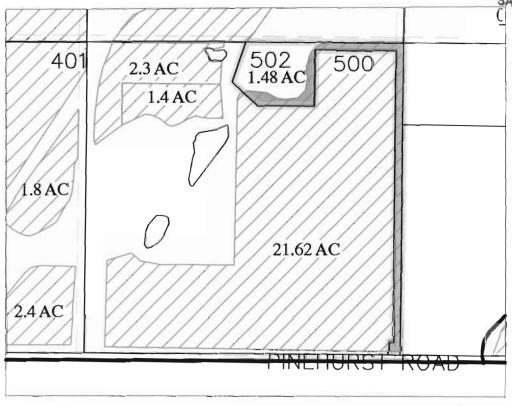
FOR

Kingery, John & Marilyn

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WATER RESOURCES DEP



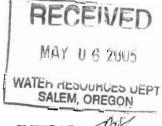


Certificate #'s

JP-1999







INITIAL: 7

1

LOCATED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 27, T.16 S., R.11 E., W.M. TAX LOTS # 0502 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

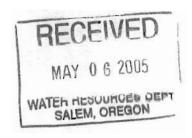
A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

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

	Fursuant to OKS 557.546(2) and OAK 650-077-0077
	e Agreement Number (assigned by WRD):
This	Lease Agreement is between:
	or #1 (Landowner): ne) Koester, Timothy H. & Meryl E.
	ing address) 733 Vinci Way
	State, Zip Code) Livermore, CA 94550
	phone number) (925)371-8086
(Ema	il address)
If add	litional 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	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 16. Field Code Changed Range 11. Section 28 and Tax Lot number 01100. 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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	Т	R	Sect	¼¼	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identif	fy pertine	nt page n	umber of			e is greater than 1 per certificate)	0 pages; identify	priority date	if there is
1.	16 5	11 €	28	nwse	01100	4.30	irr	74146 Pres	2	8/5/1900
2.	165	HE	28	nwse	01100	4.30	irr	74146 PRI	7	9/1/1900
3.								The second		
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 8.60 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

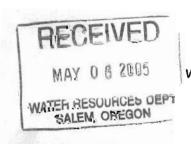
2.3 Term of lease. This lease shall terminate on October 15, 2005 ... (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

Pooled Landowner Form / 2

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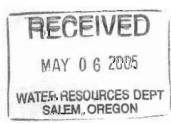
3.4	Suspension of original use. During the period of the lease, the owner agrees to suspend use of water allowed under the subject water rights and under any water right that is supplementa to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.									
3.5	 Termination provision. For multiyear leases, lessor shall have the option of terminating the lease each year, 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.									
_	#1: Date: 2-22-05 Date: 2-22-05 E. Koester Date: 2-22-05									
For ad	ditional Lessors, type in space for signature and date									
Lesso										
Tuma	o Irrigation District									
Lesse	:: Date:									
Desch	utes Resources Conservancy									
Other	Attachments As Needed:									
Exhib										
Exhib										
Exhib	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)									
Exhib	t 5-D: Split Season Instream Use Form									

Pooled Landowner Form / 3

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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~

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			e is greater than ler certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 E	28	nwse	01100	8.60	irr	74147 Sup	8	10/29/191 3
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[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: 8.60	
Acre-feet of storage, if applicable:	



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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~

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	\mathbf{R}	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page i	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 E	28	nwse	01100	8.60	irr	74148 Sup	7	4/7/1911
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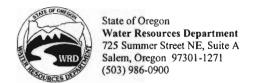
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation, by certificate and priority date: 8.60	30
Acre-feet of storage, if applicable:	



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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**~

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	\mathbf{R}	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) # Priority*
	*(Identi	fy pertine	ent page	number o			e is greater than l er certificate)	0 pages; identify	priority date if there is
1.	16 ≤	11 E	28	nwse	01100	8.60	irr	74149 Sup	1905
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3.									
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[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: 8.60	
Acre-feet of storage, if applicable:	

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Additional Water Right Form / 1



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 1	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
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[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: 8.60
Acre-feet of storage, if applicable:	AND DESCRIPTION OF THE PARTY OF

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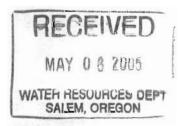


EXHIBIT 5-A & 5-B L 05.11

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

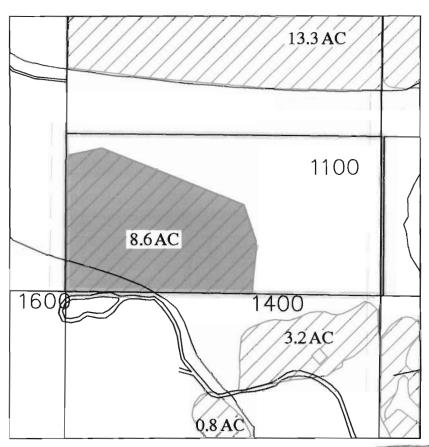
FOR

Koester, Timothy H. & Meryl E.

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WATER RESOURCES DEPT SALEM, OREGON



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WATER RESOURCES DEPT SALEM, OREGON

Certificate #'s

74146, and 74147

Certificate #







INITIAL: MK (XX

LOCATED IN THE NW1/4 OF THE SE 1/4 OF SECTION 28, T.16 S., R.11 E., W.M. TAX LOTS # 01100 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

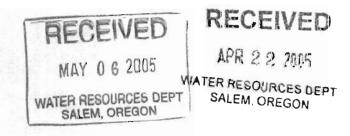
A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

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

	Agreement Number (assigned by WRD):
This I	Lease Agreement is between:
(Name (Maili (City, (Telep	r #1 (Landowner): e) Kraft Family Living Trust, Rosa Allen Kraft, Trustee ing address) 2900 Pilkington Ln. NE State, Zip Code) Corvallis, OR 97330 bhone number) (541)753-9876
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
	Ownership and water adgree information
1.1	Range 115 Section 27 and Tax Lot number 00600. 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). (Crossbatch 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*
	*(Identif	y pertine	nt page n	umber of			is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 E	27	sene	00600	3.0	іп	74147 PR1	7	10/29/191 3
2.										
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Total number of acres, if for irrigation, by certificate and priority date: 3.0
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 <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, 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.

Pooled Landowner Form / 2

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3.4	of water alle to the subje	owed under the subje	or the period of the fe oct water rights and und e event that a suppleme ture.	er any water right th	hat is supple	mental		
3.5	For mu to the l Depart differer Purvey the leas	lease being exercised ment provided by the nt than Department). or, or Lessee (if diffe se agreement. ultiyear leases, lessor	shall have the option o (), with Irrigation District, Oth The lessor must contace erent than Department) shall not have the optic cised, with written notice	n 30 day written not her Water Purveyor et the Irrigation Dis to indicate their inte on of terminating the	or Lessee (intrict, Other verest in term	f Water iinating		
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 <u>Kraft F</u>	#1: <u>Ro</u> Family Trust	se Allen , Rose Allen Kraft, T	Kraft	Date: <u>Marc</u>	h 2	<u>20</u> 05		
For add	ditional Less	sors, type in space for	signature and date					
Lessor	#2:			Date:				
Tumalo	o Irrigation I	<u>District</u>	577					
Lessee Deschu		es Conservancy		Date:		_		
Other A Exhibit Exhibit	t 5-B:	Tax Lot Map of Land	ing lands under subject	t rights to be leased	[Exhibits 5-A	and 5-B		
Exhibit	t 5-C: \$	Supporting document forfeiture even though consecutive years (reachecked)	ation indicating why a in the right has not been quired if the second box	exercised for five of	or more			
Exhibit	t 5-D:	Split Season Instream	Use Form					

Pooled Landowner Form / 3

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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.

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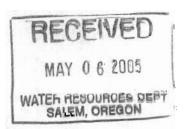
Section 1.1 continued from Pooled Leasing Landowner Form.

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*
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[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: 3.0	
Acre-feet of storage, if	f applicable:	



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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.

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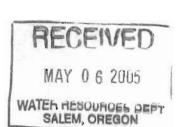
Section 1.1 continued from Pooled Leasing Landowner Form.

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*
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[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:	3.0
	-feet of storage, if				



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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.

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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*
	*(Identif	y pertine	nt page r	umber o			is greater than 1 er certificate)	0 pages; identify To 7447	priority date	e if there is
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[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: 3.0	
Acre-feet of storage, if applicable:	

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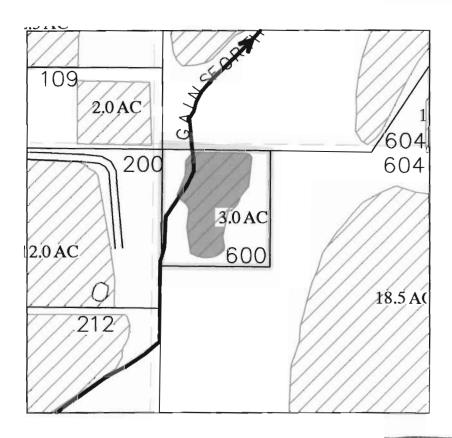
TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY FOR

Kraft Family Living Trust

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WATER RESOURCES DEPT SALEM OREGON















INITIAL: RAK

LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 27, T.16 S., R.11 E., W.M. TAX LOTS # 0600 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

	A STATE OF THE STA
	anal Identification by Lessor/Lessee: L05.15 Agreement Number (assigned by WRD):
This I	Lease Agreement is between:
(Nam (Mail (City, (Telep	or #1 (Landowner): e) Stephen O. Lane ing address) 2058 Why Worry Lane , State, Zip Code) Eugene, OR 97405 phone number) (541)686-8833 il address)
If add	litional 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 16.5 Range 11.5 Section 34 and Tax Lot number 01100. 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.
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	T	R	Sect	¼¼	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identif	y pertine	nt page n	umber of			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11E	34	nese	01100	13.0	irr	74147 PRI	9	10/29/191
2.										
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:

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, 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.

Pooled Landowner Form / 2

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APR 22 2005

Stephen O. Lane Date: Da	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.								
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. Lessor #1: Date: Stephen O. Lane For additional Lessors, type in space for signature and date Lessor #2: Date: Tumalo Irrigation District Lessee: Date: Deschutes Resources Conservancy Other Attachments As Needed:	3.5	For multiyear leases, lessor shall have the option of terminating the tothe lease being exercised (), with 30 day written Department provided by the Irrigation District, Other Water Purved different than Department). The lessor must contact the Irrigation Purveyor, or Lessee (if different than Department) to indicate their the lease agreement. For multiyear leases, lessor shall not have the option of terminating the total content of the lease agreement.	n notice to the eyor or Lessee (if a District, Other Water ir interest in terminating ing the lease each year,							
Stephen O. Lane For additional Lessors, type in space for signature and date Lessor #2: Date: Tumalo Irrigation District Lessee: Date: Deschutes Resources Conservancy Other Attachments As Needed:		2.2 during the term of this lease is not reasonably expected to cause in use water from the same source. If injury is found after this lease is signodified or terminated to prevent injury.	jury to other rights to gned, the lease may be							
For additional Lessors, type in space for signature and date Lessor #2: Date: Tumalo Irrigation District Lessee: Date: Deschutes Resources Conservancy Other Attachments As Needed:			700							
Lessor #2: Date: Tumalo Irrigation District Lessee: Date: Deschutes Resources Conservancy Other Attachments As Needed:										
Tumalo Irrigation District Lessee:	roi ac	dutional Lessois, type in space for signature and date								
Lessee: Date: Deschutes Resources Conservancy Other Attachments As Needed:										
Deschutes Resources Conservancy Other Attachments As Needed:	<u>Tuma</u>	lo Irrigation District								
Deschutes Resources Conservancy Other Attachments As Needed:	Lesse	e. Date:								
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	Exhib	ased [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)	Exhib									
Exhibit 5-D: Split Season Instream Use Form	Exhib									
checked)		checked)	of this form is							

Pooled Landowner Form / 3



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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.

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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	ify pertine	ent page	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 E	34	nese	01100	13.0	irr	74148 Sup	8	4/7/1911
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[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 Acre-feet of storage, if applicable:	and priority date: 13.0
Title feet of storage, it approache.	RECEIVED
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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.

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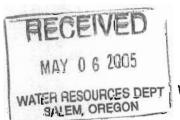
Section 1.1 continued from Pooled Leasing Landowner Form.

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			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16 5	11 €	34	nese	01100	13.0	irr	74149 Sup		1905
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	d priority date:	13.0
Acre-feet of storage, if	f applicable:			



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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.

~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).

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page r	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 ∈	34	nese	01100	13.0	irr	76520 Sup	12	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: 13.0
Acre-feet of storage, if applicable:	

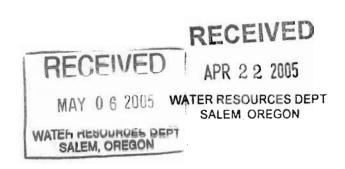


EXHIBIT 5-A & 5-B L 05.15

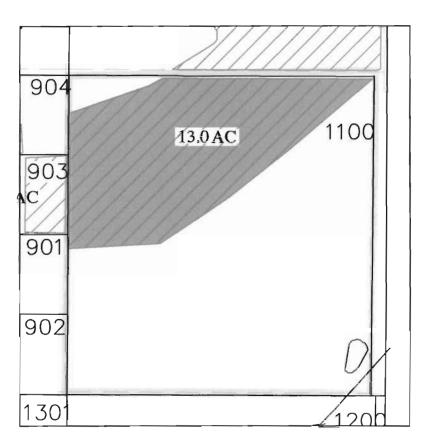
TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

FOR Lane, Stephen O.

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WATER RESOURCES DEPT SALEM. OREGON

















LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 16, T.34 S., R.11 E., W.M. TAX LOTS # 01100 DESCHUTES COUNTY, OREGON 1

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 L	ease Agreement is between:	
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): e) Lillegard Rev Living Trust, Stephen & Sheryl Lillegard, Trustees ng address) 19425 White Horn Lane State, Zip Code) Bend, OR 97701 shone number) (541)312-3771 l 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	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 165 Range 115 Section 13 and Tax Lot number 00902. 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 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.	RECEIVED
	Pooled Landowner Form / 1 FSD	MAY 0 6 2005 WATER RESOURCES DEPT SALEM, OREGON

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APR 22 2005

	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.	16 5	IIE	13	swne	00902	35.24	irr	74146 PRI	4	9/1/1900
2.	165	11 E	13	senw	00902	3.70	irr	74146 PRI	4	9/1/1900
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 38.94 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 <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).

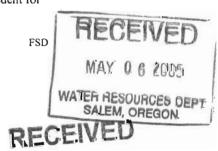
~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 15, 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.

Pooled Landowner Form / 2

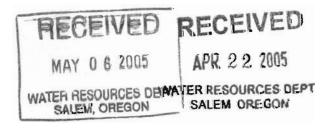


APR 2 2 2005

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	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 clease 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.						
Lesson Lilleg	r#1: // ard Rev. Id	Ving Trust Stephen F. Lillegard, Trustee A Tellegard Trustee Date: 3-11-05					
Sheryl	Muy A. Lillega	H Juligard Visite Date: 311-05					
		ssors, type in space for signature and date					
Lesson		Date:					
Tumal	lo Irrigation	District					
Lessee	e:	Date:					
Desch	utes Resour	rces Conservancy					
Other	Attachmen	ts As Needed:					
	it 5-A:	Tax Lot Map of Landowner's Property					
Exhib	it 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]					
Exhib	it 5-C:	Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)					
Exhib	it 5-D:	Split Season Instream Use Form					

Pooled Landowner Form / 3

FSD





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**~

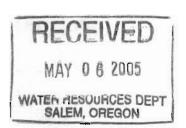
Section 1.1 continued from Pooled Leasing Landowner Form.

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			e is greater than l er certificate)		priority date	e if there is
1.	16 5	11 €	13	swne	00902	35.24	irr	74147 Sup	2	10/29/191
2.	16 5	11 E	13	senw	00902	3.70	irr	74147 Sup	2	10/29/191
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: 38.94	
Acre-feet of storage, if applicable:	



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WATER RESOURCES DEPT
SALEM OREGON



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**~

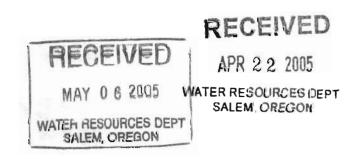
Section 1.1 continued from Pooled Leasing Landowner Form.

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*
	*(Identif	y pertine	nt page n	umber of			is greater than 1 r certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 E	13	swne	00902	35.24	irr	74148 Sup	2	4/7/1911
2.	16 5	11 E	13	senw	00902	3.70	irr	74148 Sup	2	4/7/1911
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: 38.94	
Acre-feet of storage, if applicable:	





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~

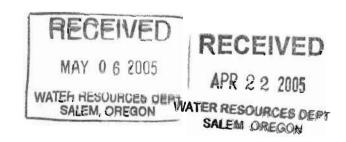
Section 1.1 continued from Pooled Leasing Landowner Form.

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			e is greater than 1 er certificate)	0 pages; identify	priority date if there is
1.	16 5	11 E	13	swne	00902	35.24	irr	74149 Sup	1905
2.	16 5	11 E	13	senw	00902	3.70	irr	74149 Sup	1905
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: 38.94	
Acre-feet of storage, if applicable:	





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.

~[~

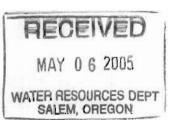
Section 1.1 continued from Pooled Leasing Landowner Form.

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*
	*(Identi	fy pertine	ent page i	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 <i>E</i>	13	swne	00902	35.24	irr	76520 Sup	5	12/8/1961
2.	16 5	11 €	13	senw	00902	3.70	irr	76520 Sup	6	12/8/1961
3.								·		
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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	e: <u>38.94</u>
	-feet of storage, if	_			



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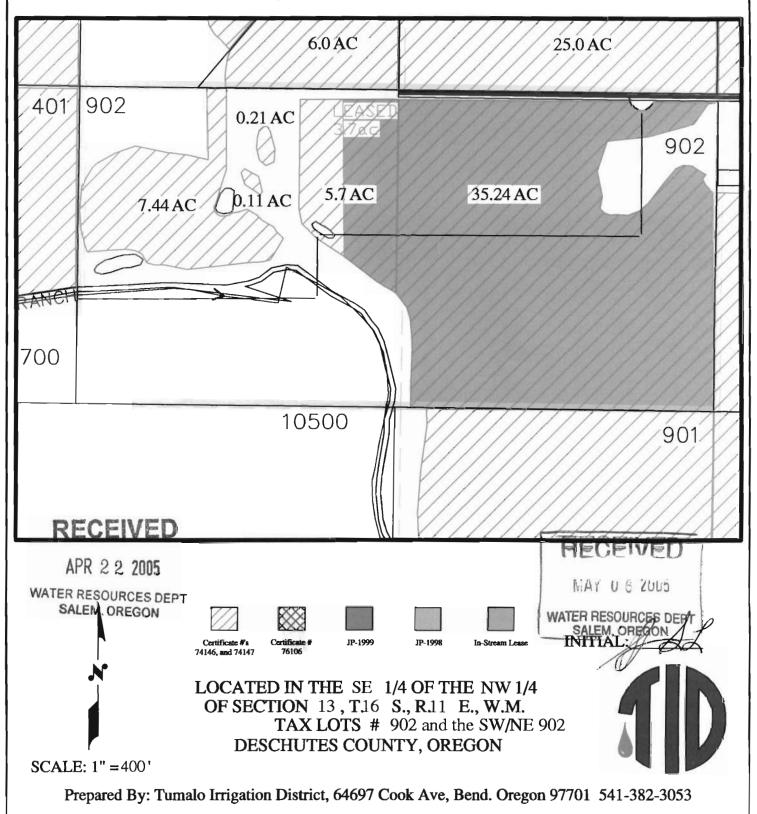
APR 2 2 2005

EXHIBIT 5-A & 5-B L 05.31

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

FOR

Lillegard Revocable Living Trust



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

	Agreement Number (assigned by WRD):			
This L	ease Agreement is between:			
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): b) Lyster, Theodore & Eloise ng address) PO Box 28 State, Zip Code) Bend, OR 97709 shone number) (541)382-3833 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" form and "Pooled Landowner" form(s) are used to provide the same information as the trd Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.	on"		
	~I~ Ownership and Water Right Information			
1.1	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 1. Range 11. Section 11 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 C	THE RESERVE OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAMED IN C
1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicathere are any supplemental or overlying rights.	te if		
	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 b 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.		REO	EIVED
	Pooled Landowner Form / 1	FSD	WATER RES	0 6 2005 SOURCES DEPT I, OREGON

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	T	R	Sect	¼ ¼	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page n	umber of			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	17 5	11E	11	nesw	01600	10.0	irr	74146 PR4	12	9/1/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 10.0	
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

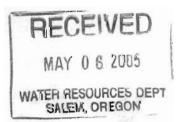
2.3 Term of lease. This lease shall terminate on October 15, 2005. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

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, 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.
Lesso Theod	r#1: Newder & Grand Date: 2/17/05 lore C. Lyster
Eloise	loise a. Tyster Date: Fib. 15, 2005
	lditional Lessors, type in space for signature and date
Lesso	r #2; Date:
	lo Irrigation District
Lesse	e: Date:
	autes Resources Conservancy
Other	Attachments As Needed:
	it 5-A: Tax Lot Map of Landowner's Property
	it 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]
Exhib	it 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
Exhib	it 5-D: Split Season Instream Use Form

Pooled Landowner Form / 3

FSD





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.

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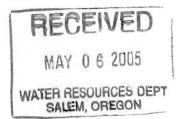
Section 1.1 continued from Pooled Leasing Landowner Form.

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 1	number of			is greater than 1 er certificate)	0 pages; identify		e if there is
1.	17 S	11 E	11	nesw	01600	10.0	irr	74147 Sup	16	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	numb	er of acres	, if for irrigation.	, by certificate and	l priority date:	10.0
Acre	-feet of	f storage, i	f applicable:			



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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.

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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*
	*(Identi	fy pertine	ent page r	number o			is greater than 1 r certificate)	0 pages; identify To 14146	priority date	e if there is
1.	17 5	11 E	11	nesw	01600	10.0	irr	74148 Sup	16	4/7/1911
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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: 10.0	
Acre-feet of storage, if applicable:	



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WATER RESOURCES DEPT SALEM, OREGON RECEIVED

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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.

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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 イロ コチャチレ		e if there is
1.	175	11 E	11	nesw	01600	10.0	irr	74149 Sup		1905
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3.									_	
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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: 10.0	
Acre-feet of storage, if applicable:	

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WATER RESOURCES DEPT SALEM OREGON

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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~

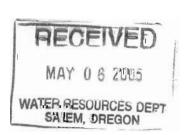
Section 1.1 continued from Pooled Leasing Landowner Form.

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	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page r	umber of			is greater than 1 r certificate)	0 pages; identify	priority date	e if there is
1.	175	11 €	11	nesw	01600	10.0	irr	76520 Sup	20	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: 10.0	
Acre-feet of storage, if		



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EXHIBIT 5-A & 5-B L 05.08

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

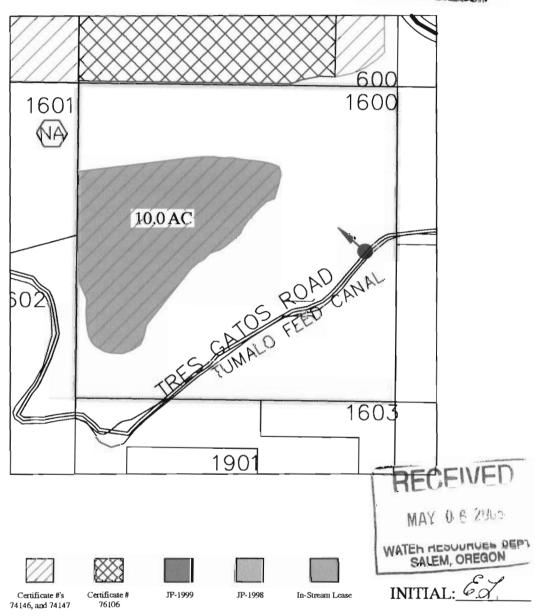
FOR

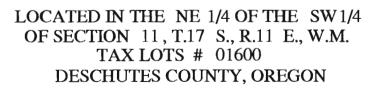
Lyster, Ted & Eloise

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APR 2 2 2005

WATER RESOURCES DEPT SALEM 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

Option Lease	Agreement Number (assigned by WRD):	
This L	ease Agreement is between:	
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): e) Olson, David J. & Jean M. ng address) 2875 Bardy Road State, Zip Code) Santa Rosa, CA 95404 shone number) (707)523-2858 x 1 I address) itional landowners, enter landowner information below	
Note: 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 16.5 Range 11.5 Section 26 and Tax Lot number 00204. 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. <u>Primary 74146</u> , <u>Supplemental 74147,74148,74149,76520</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. 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.	
		RECEIVED

Pooled Landowner Form / 1

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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*
	*(Identif	fy pertine	nt page n	umber of	certificate, i	f certificate	is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16 5	11 E	26	senw	00204	15.0	irr	74146 PRI	7	9/1/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 15.00Acre-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

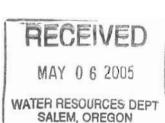
2.3 Term of lease. This lease shall terminate on October 15, 2005. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

Pooled Landowner Form / 2

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APR 2 2 2005

3.4	of water all to the subje	of original use. During the period of the lease, the owner agrees to suspend use owed 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 y be subject to forfeiture.
3.5	For my to the Depart differe Purvey the lea	con provision. Colliver leases, lessor shall have the option of terminating the lease each year, prior lease being exercised (
3.6 Lessor	2.2 during to use water fit modified or	the term of this lease is not reasonably expected to cause injury to other rights to rom the same source. If injury is found after this lease is signed, the lease may be reterminated to prevent injury. Date: 2/14/05
David	J. Olson	Date: 2/14/05
Lessor		Data
	o Irrigation	District Date:
For add	ditional Less	sors, type in space for signature and date
Lessee	:	Date:
Deschu	ut <u>es Resourc</u>	es Conservancy
Other A	Attachments	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		Split Season Instream Use Form

Pooled Landowner Form / 3

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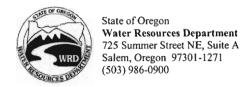
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WATER RESOURCES DEPT SALEM, OREGON

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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~

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			e is greater than 1 er certificate)	0 pages; identify		e if there is
1.	165	11E	26	senw	00204	15.0	irr	74147 Sup	6	10/29/191 3
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[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 prior	rity date: 15.0
Acre-feet of storage, if applicable:	RECEIVED
	MAY 0 6 2005
	WATER RESOURCES DEPT SALEM, OREGON RECEIVED
	APR 2 2 2005



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).

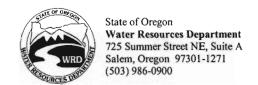
	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page i	number o			is greater than 1 er certificate)	0 pages; identify		e if there is
1.	16 5	11 E	26	senw	00204	15.0	irr	74148 Sup	6	4/7/1911
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[Attached 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: 15.0Acre-feet of storage, if applicable:	RECEIVED
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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.

~[~

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*
	*(Identi	fy pertine	ent page 1	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16 5	11 E	26	senw	00204	15.0	irr	74149 Sup		1905
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[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>15.0</u> Acre-feet of storage, if applicable:	RECEIVED
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	WATER RESOURCES DEPT SALEM, OREGON RECEIVED
	APR 2 2 2005
	WATER RESOURCES DEPT SALEM OREGON



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*
	*(Identif	fy pertine	ent page r	number of				0 pages; identify ての フナルナレ	priority date	e if there is
1.	16 5	11 €	26	senw	00204	15.0	irr	76520 Sug	10	12/8/1961
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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: 15.0 Acre-feet of storage, if applicable:	RECEIVED
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	WATER RESOURCES DEPT SALEM, OREGON

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APR 2 2 2005

EXHIBIT 5-A & 5-B L 05.05

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

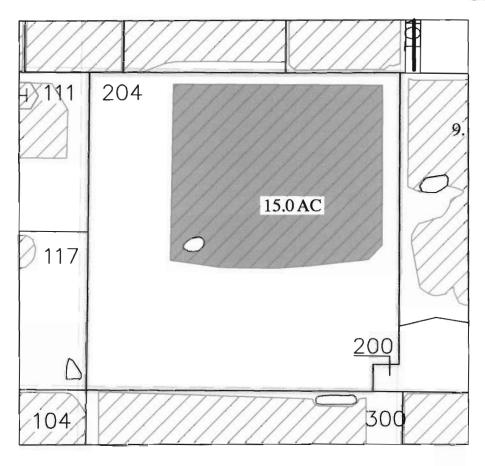
FOR

Olson, David J. & Jean M.

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APR 2 2 2005

WATER RESOURCES DEPT SALEM OREGON









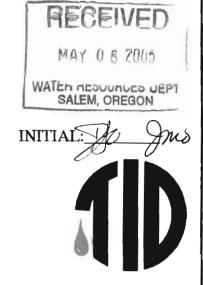




In-Stream Lease

LOCATED IN THE SE 1/4 OF THE NW1/4 OF SECTION 26, T.16 S., R.11 E., W.M. TAX LOTS # 0204 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

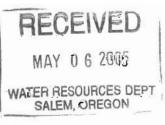
A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

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

Optional Identification by Lessor/Lessee: L05.07 Lease Agreement Number (assigned by WRD):								
This I	This Lease Agreement is between:							
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): e) Ponsford, David J. ing address) 20480 Harper Road State, Zip Code) Bend, OR 97701 phone number) (541)330-0292 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 16.5 Range 12.5 Section 09 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.	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.							
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Pooled Landowner Form / 1

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	T	R	Sect	14 14	Tax 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.	16 5	12 €	09	swnw	00500	1.43	шт	74146 PRI	9	9/1/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 1.43
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 <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, 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.

Pooled Landowner Form / 2

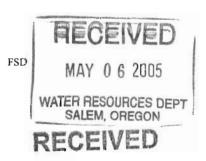
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APR 2 2 2005

of water to the su	sion of original use. During the period of the lease, the owner agrees to suspend use allowed under the subject water rights and under any water right that is supplemental abject water rights. In the event that a supplemental water right is not part of this may be subject to forfeiture.						
☐ For to t Dej difi Pur the ☐ For	ation provision. multiyear leases, lessor shall have the option of terminating the lease each year, prior the lease being exercised (
2.2 duri: use wate	ration to prevent injury. Allocation of water to the instream use described in Section and the term of this lease is not reasonably expected to cause injury to other rights to the from the same source. If injury is found after this lease is signed, the lease may be don't terminated to prevent injury.						
Lessor #1:	Date: 2/15/05						
For additional I	essors, type in space for signature and date						
Lessor #2:							
Tumalo Irrigati	on District						
Lessee:	Date:						
	urces Conservancy						
Exhibit 5-A:	ents As Needed: Tax Lot Map of Landowner's Property						
Exhibit 5-A: Exhibit 5-B:	Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 5-B]						
EXHIBIT 3-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						

Pooled Landowner Form / 3



APR 2 2 2005



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.

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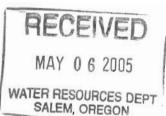
Section 1.1 continued from Pooled Leasing Landowner Form.

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 of			e is greater than ler certificate)	0 pages; identify	priority date	e if there is
1.	165	12 E	09	swnw	00500	1.43	irr	74147 Sup	11	10/29/191 3
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8.										
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[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:	1.43
Acre-feet of storage, it	f applicable:			



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APR 22 2005



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.

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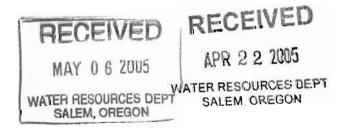
Section 1.1 continued from Pooled Leasing Landowner Form.

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 1	number of			is greater than 1 er certificate)	0 pages; identify TO 74146		e if there is
1.	16 S	12 E	09	swnw	00500	1.43	irr	74148 Sup	11	4/7/1911
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[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 irrigat	ion, by (certificate ar	nd priority	date:]	<u> 1.43</u>	
Acre	-feet of s	torage, if	applicable:						





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.

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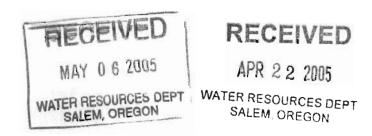
Section 1.1 continued from Pooled Leasing Landowner Form.

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	44	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page r	number of			is greater than 1 er certificate)	0 pages; identify ての コリリナレ	priority date	e if there is
1.	16 5	12 E	09	swnw	00500	1.43	irr	74149 Sup		1905
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[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: 1	1.43
Acre-feet of storage, if	f applicable:	





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*
	*(Identi	fy pertine	nt page	number of			e is greater than 1 per certificate)	10 pages; identify	priority date	e if there is
1.	16 5	12 E	09	swnw	00500	1.43	irr	76520 Sup	15	12/8/1961
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[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:	1.43
Acre-feet of storage, it	f applicable:			



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EXHIBIT 5-A & 5-B L 05.07

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

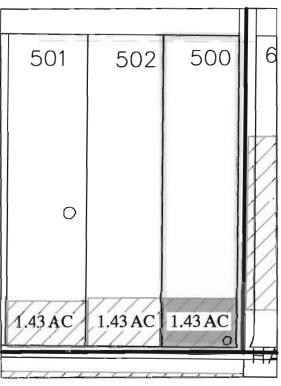
FOR

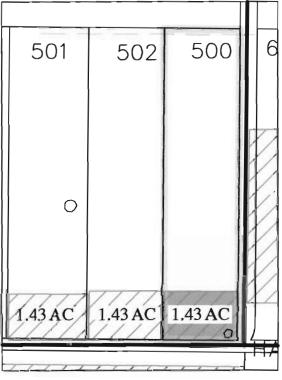
Ponsford, David

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WATER RESOURCES DEPT SALEM, OREGON







LOCATED IN THE SW 1/4 OF THE NW1/4 OF SECTION 09, T.16 S., R.12 E., W.M. TAX LOTS # 0500 DESCHUTES COUNTY, OREGON

JP-1999

JP-1998

Certificate #'s

74146, and 74147

In-Stream Lease

SCALE: 1'' = 200'

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

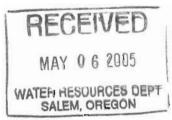
A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

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

	nal Identification by Lessor/Lessee: L05.25 Agreement Number (assigned by WRD):		
This I	Lease Agreement is between:		
(Nam (Mail (City, (Tele	or #1 (Landowner): e) Roberts, John T. & Dana M. ing address) 65686 Cline Falls Road State, Zip Code) Bend, OR 97701 ohone number) (541)389-9399 il address)		
If add	itional landowners, enter landowner information below		
form.	The numbering associated with this form corresponds to that found on the "Standard Instrean The "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide the same interest and Instream Lease Application" form. Consequently, the numbering on this form is not alw ~I~ Ownership and Water Right Information	formation as the	
1.1	Lessor #1 is the owner, or authorized agent for owner of property located a	at: Township 16.5	Field Code Changed
	Range 12 Section 17 and Tax Lot number 02900. If the water right appur lands is also appurtenant to lands owned by others, then Attachment 1, (tax lessor's property) needs to be included.	rtenant to these	Field Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the lessor's p there are any supplemental or overlying rights.	property. Indicate if	
	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 E. Program. Yes No	nhancement	
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 additatched). (Crosshatch the area of water rights being leased). Attached map(s) must ident Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.		
	To a source, Transport out and A A, and not a united by many of termination and source.	RECEIVED	
	Ocaled Londonnan Form (1	ren	MAY 0 6 2005

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*
	*(Identif	fy pertine	nt page n	umber of			is greater than 1 er certificate)	0 pages; identify	priority date	if there is
l.	16 5	12 E	17	swsw	02900	2.0	irr	74146 PRI	10	9/1/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 2.0
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 <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, 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.

Pooled Landowner Form / 2

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APR 2 2 2005

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.
	1. Roberts M. Roberts Date: 3-2-05 M. Roberts
For ad	ditional Lessors, type in space for signature and date
Lessor	
<u>Tumal</u>	o Irrigation District
Lessee Desch	utes Resources Conservancy Date:
	Attachments As Needed:
Exhibi Exhibi	r
LAIII	may be combined into a single map]
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)
Exhibi	it 5-D: Split Season Instream Use Form

Pooled Landowner Form / 3

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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.

~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*
	*(Identi	fy pertine	ent page i	number of			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	12 E	17	swsw	02900	2.0	irr	74147 Sup	12	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 irrigat	ion, by certificate and priority date: 2.0
Acre-feet of storage, if applicable:	

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WATER RESOURCES DEPT
Additional Water Right Form ALEM, OREGON



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	nt page 1	number o			e is greater than l er certificate)	0 pages; identify		e if there is
1.	16 5	12 E	17	swsw	02900	2.0	irr	74148 Sup	12	4/7/1911
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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WATEH HESOUNCES DEPT SAILEM, OREGON



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~

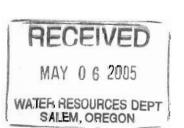
Section 1.1 continued from Pooled Leasing Landowner Form.

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 of			e is greater than ler certificate)	0 pages; identify		e if there is
1.	16 5	12E	17	swsw	02900	2.0	irr	74149 Sup		1905
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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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	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page i	number of			e is greater than ler certificate)	0 pages; identify		e if there is
1.	16 5	12 E	17	swsw	02900	2.0	irr	76520 Sup	16	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 acres, if for irrigation,	by certificate and priority date: 2.0
Acre-feet of storage, if applicable:	

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WATER RESOURCES DEPT

SALEM OREGON

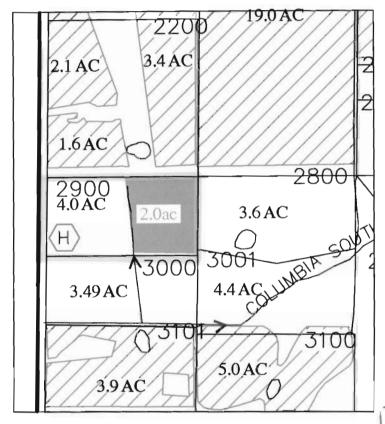
WATER RESOURCES DEPT

SALEM, OREGON

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

FOR

Roberts, John T. & Dana M.



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SALEM, OREGON

MAY 0 6 2005
WATER RESOURCES DEPT SALEM, OREGON













1

LOCATED IN THE SW 1/4 OF THE SW 1/4 OF SECTION 17, T.16 S., R.12 E., W.M. TAX LOTS # 2900 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

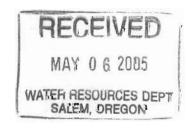
Attachment 5: Pooled Landowner Form

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	Lease Agreement is between:
(Name (Maili (City, (Telep	r #1 (Landowner): e) Schutt/Tuten Family Trust, Paul E. Schutt/Merry A. Tuten, Trustees ing address) 31825 Bayview Dr., Apt. 74 State, Zip Code) Avon Lake, OH 44012-2453 phone number) (310)373-4063 il address) Merrytuten@yahoo.com
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 16.5 Range 12.5 Section 07 and Tax Lot number 1401. 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 ½ ½, tax lot number, map orientation and scale.

Pooled Landowner Form / 1

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WATER RESOURCES DEPT SAILEN OREGON

	T	R	Sect	¼ ¼	Tax 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.	16 5	12 E	07	nese	01401	.20	ir	74147 Pe	10	10- /29/1913 ·
2.	16 5	12 E	07	sese	01401.	14.60	ir	74147 PR	10	10/29/191
3.	16 5	12 E	07	sese	01402	13.70	ir	74147 PRI	10	10/29/191 3
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 28.50 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

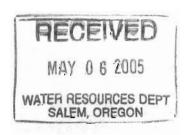
2.3 Term of lease. This lease shall terminate on October 15, 2005. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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

Pooled Landowner Form / 2

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	to the sub	allowed under the subject water rights and under any water right that is supplemental eject water rights. In the event that a supplemental water right is not part of this hay be subject to forfeiture.
3.5	For r to the Department of the Purventhe In For r	tion provision. multiyear leases, lessor shall have the option of terminating the lease each year, prior e lease being exercised (
3.6	2.2 during	tion to prevent injury. Allocation of water to the instream use described in Section g 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.
Lesso	r#1:/	Date 2/2/ /00
	E. Schutt, T	rustee
	<u></u>	Date: 3-21-05
Merry	A. Tuten,	
Lesso	r #2·	Date:
	lo Irrigatio	
For a	dditional I	essors, type in space for signature and date
101 40		ssors, type in space for signature and date
	_	_
Lesse		Date:
Desci	iutes Resou	arces Conservancy
Other	Attachmen	nts As Needed:
	oit 5-A:	Tax Lot Map of Landowner's Property
Exhib	oit 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]
	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
HYNI	nit 5-D·	Split Season Instream Use Form

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

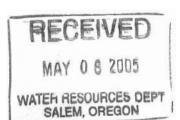
Suspension of original use. During the period of the lease, the owner agrees to suspend use

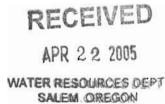
the amount of water to be leased or transferred instream.

3.4

Pooled Landowner Form / 3

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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.

~[~

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).

5 74148

	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.	16 5	12 E	07	sese	01401	14.60	ir	74148 Sep	10	4/7/1911		
2.	16 5	12 E	07	nese	01401	.20	ir	74148 Sup	10	4/7/1911		
3.	165	12 €	07	sese	01402	13.70	ir	74148 Sup	10	4/7/1911		
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.]

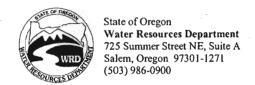
Total number of acres, if for irrigation, by certificate and priority date: 28.50	
Acre-feet of storage, if applicable:	

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WATER RESOURCES DEPT SALEM OREGON

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WATER RESOURCES DEPT SALEM, OREGON



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.

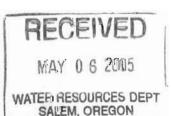
Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached).

(Crosshatch the area of water rights being leased).

	T	R	Sect	14 14	Tax Lot	Acres	Type of Use	Certificate #	Page(s) # P	riority*
	*(Identi	fy pertine	ent page i	number o			e is greater than 1 er certificate)	0 pages; identify ての 74) 4	priority date if	there is
1.	16 5	12 E	07	sese	01401	14.60	ir	74149 Seys	19	005
2.	16 5	12 €	07	nese	01401	0.20	ir	74149 Sup	19	005
3.	16 5	12 €	07	sese	01402	13.70	ir	74149 Suis	19	905
4.										
5.										
6.										
7.										
8.										
9.										
10.										

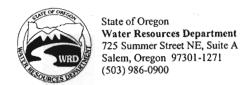
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of	acres, if for irrigation,	by certificate and	priority date	e: <u>28.50</u>
	age, if applicable:	<u> </u>		



APR 2 2 2005

WATER RESOURCES DEPT



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). 5-76520

	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			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	165	12 E	07	sese	01401	14.60	ir	76520 Sup	14	12/8/1961
2.	16 %	12 E	07	nese	01401	0.20	ir	76520 Sup	14	12/8/1961
3.	16 5	12 E	07	sese	01402	13.70	ir	76520 Sug	14	12/8/1961
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, i	if for irrigation,	by certificate a	and priority date:	28.50
Acre-feet of storage, if	applicable:			

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WATER RESOURCES DEPT SALEM OREGON

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WATER RESOURCES DEPT SALEM, OREGON

EXHIBIT 5-A & 5-B

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

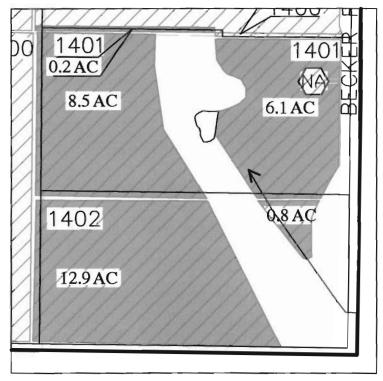
FOR

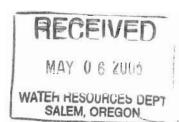
Schutt/Tuten Family Trust

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APR 2 2 2005

WATER RESOURCES DEPT SALEM OREGON



















LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 07, T.16 S., R.12 E., W.M. TAX LOTS # 1401 & SE/SE 1401 & 1402 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

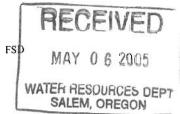
Attachment 5: Pooled Landowner Form

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	Lease Agreement is between:
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): e) Snyder, Joseph H. Jr. & Antoinette ing address) 66300 White Rock Loop State, Zip Code) Bend, OR 97701 bhone number) (541)617-8900 1 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 12, Section 08 and Tax Lot number 00401. 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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Pooled Landowner Form / 1



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WATER RESOURCES DEPT SALEM OREGON

	T	R	Sect	1/4 1/4	Tax 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.	16 5	12 E	08	swnw	00401	.60	irr	74146 PR	9	9/1/1900
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:

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 <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

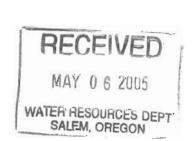
2.3 Term of lease. This lease shall terminate on October 15, 2005. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

Pooled Landowner Form / 2

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c te	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 ease, it may be subject to forfeiture.
3.5	For multiyear leases, lessor <i>shall</i> have the option of terminating the lease each year, prior to the lease being exercised (
2 u	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.
\mathcal{A}	1: Suyder Jr A Suyder Jr Interpretate Sanyder Date: 3/11/05 Interpretation Date: 3/11/05 Interpretation Date: 3/11/05
For addi	tional Lessors, type in space for signature and date
Lessor#	2:
Tumalo	Irrigation District
Lessee:	es Resources Conservancy Date:
Deschut	es Resources Conservancy
	ttachments As Needed:
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]
Exhibit :	
Exhibit :	5-D: Split Season Instream Use Form

Pooled Landowner Form / 3

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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~

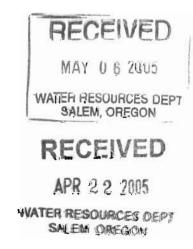
Section 1.1 continued from Pooled Leasing Landowner Form.

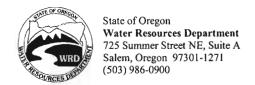
Subject Water Rights. Landowner proposes to lease the water rights shown on the map attached as Exhibit 5-B (this information may be included on Exhibit 5-A, or an additional map may be attached). (Crosshatch the area of water rights being leased).

	Т	R	Sect	44	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
•	*(Identi	fy pertine	nt page r	number of			is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	165	12 E	08	swnw	00401	.60	74147 Sup	irr	10	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: <u>.60</u>	
Acre-feet of storage, if applicable:	





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*
	*(Identi	ify pertine	ent page 1	number of	f certificate, more	if certificate than one pe	is greater than ler certificate)	0 pages; identify	priority date	e if there is
1.	16 S	12 €	08	swnw	00401	.60	74148 Seep	irr	10	4/7/1911
2.										
3.										
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6.										
7.										
8.							-			
9.										
10.										

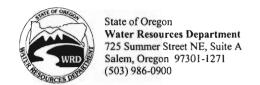
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres, if for irrigation, by certificate and priority date: <u>.60</u>	
Acre-feet of storage, if applicable:	China



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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.

~[~

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.	16 5	12 E	08	swnw	00401	.60	74149 Sup	irr		1905			
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>.60</u> Acre-feet of storage, if applicable:	RECEIVED
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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~

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	ify pertine	nt page 1	number of				0 pages; identify ての フリッチし	priority date	e if there is
1.	16 5	12 <u>E</u>	08	swnw	00401	.60	76520 Sup	irr	14	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>.60</u> Acre-feet of storage, if applicable:	RECEIVED
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EXHIBIT 5-A & 5-B

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

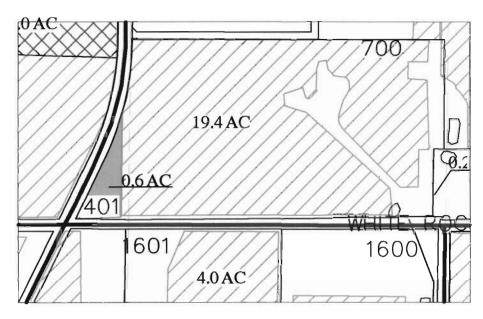
FOR

Joseph H. Jr. & Antoinette Snyder

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APR 2 2 2005

WATER RESOURCES DEPT SALEM OREGON









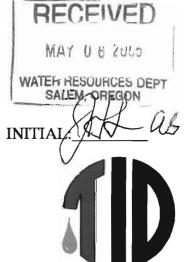






LOCATED IN THE SW 1/4 OF THE NW1/4 OF SECTION 08, T.16 S., R.12 E., W.M. TAX LOTS # 0401 DESCHUTES COUNTY, OREGON

SCALE: 1" = 400'



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



Application for Short-Term

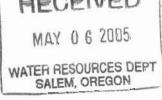
Instream Lease

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

	nal Identification by Lessor/Lessee: L05.28	
Lease	Agreement Number (assigned by WRD):	
This L	ease Agreement is between:	
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): e) Trout, Robert L. & Linda C. ng address) 1241 West Highland State, Zip Code) Redmond, OR 97756 shone number) (541)548-8158 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	
	4	_
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 16.7 Range 12.5 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.	Field Code Changed
1.1	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	
	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. For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if	
	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. 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 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. 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 Are some or all of the lands being leased part of a Conservation Reserve Enhancement	Field Code Changed
1.3	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. 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 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,	



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WATER RESCURICES DEPT SALEM OREGON

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identif	fy pertine	nt page n	umber of	certificate,	if certificate	is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	165	12 E	16	nwnw	00702	.60	irr	74147 Pei	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:

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, 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.

Pooled Landowner Form / 2

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WATER RESOURCES DEPT SALEM, OREGON

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WATER RESOURCES DEPT SALEM OREGON 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	Tern	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 ye prior to the lease being exercised, with written notice to the Department.												
3.6	Mod	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 use											
		ter from the same source. If injury is found after this lease is signed, the lease may be											
	modi	dified or terminated to prevent injury.											
. 00	rite da	3/8/95											
Lesson		Date: 3/8/00											
Rober	t L. Tro	rout											
	Vm	nda) () nout 000 3/8/05											
Linda	C Troi	rout Date: 378 703											
Linda	7 110	TOUR TOUR TOUR TOUR TOUR TOUR TOUR TOUR											
For ad	ditional	nal Lessors, type in space for signature and date											
Lesso	r #2;	Date:											
Tumal	o Irriga	gation District											
Lessee	e: _	Date:											
Desch	utes Res	Resources Conservancy											
		DE	CEN										
		hments As Needed:	LUCIV										
Exhibi	it 5-A:	A: Tax Lot Map of Landowner's Property	1V 0 0 2										
Exhibi	t 5-B:	B: Detailed map illustrating lands under subject rights to be leased [Exhibits 5-A and 8-B may]	11 06 2										

Pooled Landowner Form /

Supporting documentation indicating why a right is valid and not subject to forfeiture ALEM, OREGON

be combined into a single map]

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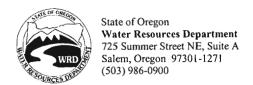
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WATER RESOURCES DEPT SALEM OREGON



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Exhibit 5-C:



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	nt page 1	number of			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	165	12 E	16	nwnw	00702	.60	irr	74148 Seep	11	4/7/1911
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>.60</u>
Acre-feet of storage, if applicable:





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	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertino	ent page 1	number of			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	12 E	16	nwnw	00702	.60	irr	74149 Scep		1905
2.									_	
3.										
4.										_
5.	_									
6.										
7.										
8.	-									_
9.										
10.	1								-	

[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: .6	50
Acre-feet of storage, if	applicable:	





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.

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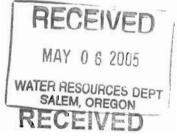
Section 1.1 continued from Pooled Leasing Landowner Form.

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 of			e is greater than ler certificate)	0 pages; identify		e if there is
1.	16 5	12 €	16	nwnw	00702	.60	irr	76520 Sup	15	12/8/1961
2.										-
3.										_
4.										
5.										
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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>.60</u>
Acre-feet of storage if applicable:	



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WATER RESOURCES DEPT SALEM, OREGON



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.

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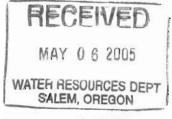
Section 1.1 continued from Pooled Leasing Landowner Form.

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	nt page 1	number of			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 5	12 €	16	nwnw	00702	5.0	irr	76106 Pri	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, i	if for irrigation,	by certificate and	priority date:	5.00
Acre-feet of storage if a	annlicable.			



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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.

~[~

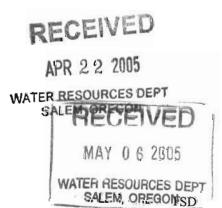
Section 1.1 continued from Pooled Leasing Landowner Form.

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 of			e is greater than ler certificate)	0 pages; identify		if there is
1.	16 \$	12E	16	nwnw	00702	5.0	irr	74149 Sup		1905
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 certi-	ficate and priority date	: <u>5.00</u>
Acre-feet of storage, it	f applicable:	_	





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	nt page 1	number of			e is greater than 1 er certificate)	0 pages; identify	-	e if there is
1.	16 5	12 E	16	nwnw	00702	5.0	irr	76520 Sep	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,	s, if for irrigation, by certificate and priority date	: <u>5.00</u>
Acre-feet of storage, it	f applicable:	

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WATER RESOURCES DEPT SALEM, OREGON

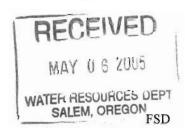


EXHIBIT 5-A & 5-B L 05.28

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

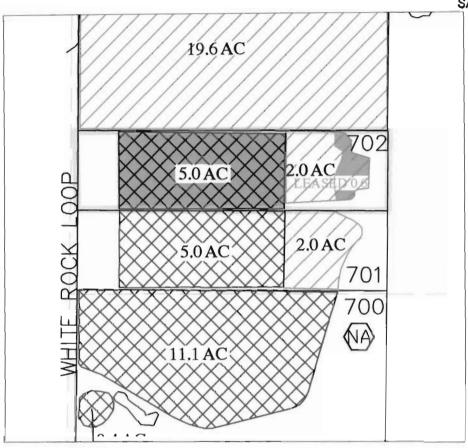
FOR

Trout, Robert L. & Linda C.

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WATER RESOURCES DEPT SALEM OREGON













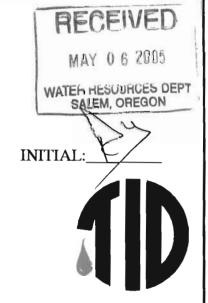


In-Stream Lease

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

SCALE: 1'' = 400'

DESCHUTES COUNTY, OREGON



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



Application for Short-Term

Instream Lease

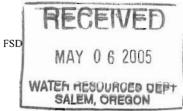
Attachment 5: Pooled Landowner Form

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

	Agreement Number (assigned by WRD):	
This I	ease Agreement is between:	
(Name (Maili (City, (Telep (Emai	r #1 (Landowner): e) Vezina, Lee & Ruth ing address) 18530 Pinehurst Road State, Zip Code) Bend, OR 97701 shone number) (541)382-5258 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 16.5 Range 11.5 Section 35 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 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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Pooled Landowner Form / 1



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WATER RESOURCES DEPT SALEM OREGON

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				0 pages; identify	priority date	if there is
165	11 E	35	nene	00100	10.0	irr	74146 PEI	8	9/1/1900
					-				
		*(Identify pertine	*(Identify pertinent page r	*(Identify pertinent page number o	*(Identify pertinent page number of certificate, more	*(Identify pertinent page number of certificate, if certificate more than one p	*(Identify pertinent page number of certificate, if certificate is greater than I more than one per certificate)	*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify more than one per certificate)	*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date more than one per certificate)

Total number of acres, if for irrigation, by certificate and priority date: 10.0 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 not 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, 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.

Pooled Landowner Form / 2

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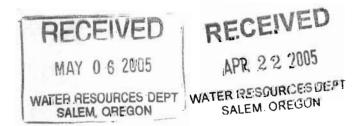
WATER RESOURCES DEPT SALEM, OREGON

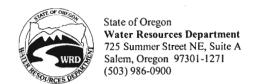
WATER RESOURCES DEPT SALEM OREGON

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 (
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.								
Lesson Lee V									
	ditional Lessors, type in space for signature and date								
Lesson	-#2: Date:								
Tumal	o Irrigation District								
Lessee Desch	e: Date: utes Resources Conservancy								
	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									
LAIIIO	may be combined into a single map]								
Exhibi	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)								
Exhibi	it 5-D: Split Season Instream Use Form								

Pooled Landowner Form / 3

FSD





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).

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page 1	number o			e is greater than l er certificate)	0 pages; identify	priority date	e if there is
1.	165	11 E	35	nene	00100	10.0	irr	74147 Sup	9	10/29/191
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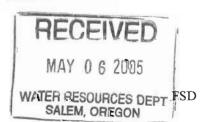
[Attached map(s) must identify property owner, Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale.]

Total number of acres,	, if for irrigation, by certificate and priority date: 10.0	
Acre-feet of storage, it	f applicable:	



APR 2 2 2005

WATER RESOURCES DEPT SALEM, OREGON





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~

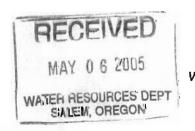
Section 1.1 continued from Pooled Leasing Landowner Form.

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	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page i	number o	f certificate, more	if certificate than one p	e is greater than 1 er certificate)	0 pages; identify 10 7年46	priority date	e if there is
1.	16 5	11 E	35	nene	00100	10.0	irr	74148 Sup	9	4/7/1911
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	n, by certificate and priority date: 10.0
Acre-feet of storage, if applicable:	



APR 22 2005
WATER RESOURCES DEPT SALEM OREGON



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	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.	16 5	11 E	35	nene	00100	10.0	irr	74149 Sup		1905
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, 1	by certificate and priority date: 10.0
Acre-feet of storage, if applicable:	

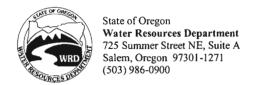


APR 2 2 2005

WATER RESOURCES DEPT SALEM OREGON



SALEM, OREGON



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).

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page 1	number o			e is greater than ler certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11 E	35	nene	00100	10.0	irr	76520 Sup	13	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: 10.0	
Acre-feet of storage, if				

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Additional Water Right Form / 1

Form / 1 WATER RESOURCES DEPT SALEM, OREGON

EXHIBIT 5-A & 5-B L 05.16

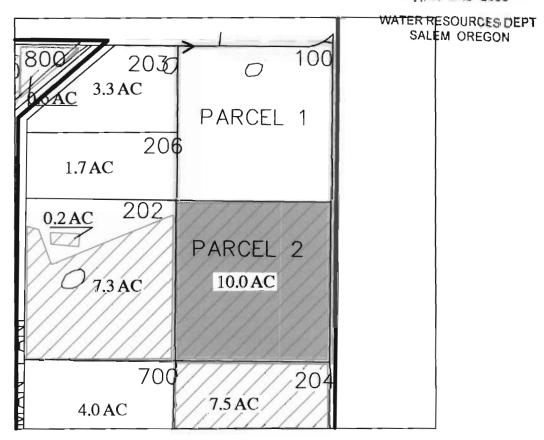
TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

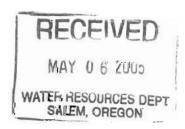
FOR

Vezina, Lee & Ruth

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INITIAL: £U

LOCATED IN THE NE 1/4 OF THE NE 1/4
OF SECTION 35, T.16 S., R.11 E., W.M.
TAX LOTS # 00100
DESCHUTES COUNTY, OREGON

1

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

Lease	Agreement Number (assigned by WRD):	
Lesso (Name (Maili (City, (Telep (Emai	r #1 (Landowner): b) Wessinger Revocable Living Trust, Patricia L. Wessinger, Trustee ng address) 121 SW Salmon St., Suite 1100 State, Zip Code) Portland, OR 97204 hone number) (503)223-8268	
Note: T	tional landowners, enter landowner information below 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 33 and Tax Lot number 00600. 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 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.	RECEIVED
		MAY 0 6 2005
	Pooled Landowner Form / 1 FSD	WATER RESOURCES DEPT

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WATER RESOURCES DEPT SALEM OREGON

	T	R	Sect	44	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(ldenti	fy pertine	nt page n	umber of			is greater than I er certificate)	0 pages; identify	priority date	if there is
1.	16 5	IIE	33	nesw	600	2.00	Irr	74146 PR4	8	9/1/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 2.0
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

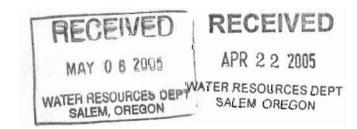
2.3 Term of lease. This lease shall terminate on October 15, 2005. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

Pooled Landowner Form / 2

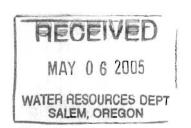
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3.4	Suspension of original use. During the period of the lease, the owner agrees to suspend use of water allowed under the subject water rights and under any water right that is supplementa to the subject water rights. In the event that a supplemental 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, 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.
Lessoi Patrici	#1: Yellia L. Wessinger Date: Feb. 11/2005 a L. Wessinger, Trustee
Lesson	
<u>l umal</u>	o Irrigation District
Lessee	: Date:
Desch	utes Resources Conservancy
041	Augustus and An Nordada
Exhib	Attachments As Needed: t 5-A: Tax Lot Map of Landowner's Property
Exhib	· · · · · · · · · · · · · · · · · · ·
	may be combined into a single map]
Exhib	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)
Exhib	

Pooled Landowner Form / 3

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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.

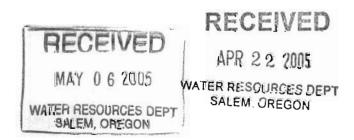
~I~

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 pertin	ent page 1	number o			is greater than ler certificate)	0 pages; identify	priority date	e if there is
1.	16S	11E	33	nesw	600	2.0	irr	74147Sup	8	10/29/191 3
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										

Total	number of acres,	if for irrigation,	by certificate and	priority date:	2.00
Acre	feet of storage, if	applicable:			





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*		
	*(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.	16S	11E	33	nesw	600	2.0	irr	74148Sup	8	4/7/1911		
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	if for irrigation, by certificate and priority date	e: <u>2.00</u>
Acre-feet of storage, if	applicable:	

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WATER RESOURCES DEPT SALEM, OREGON
WATER RESOURCES DEPT SALEM, OREGON



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.

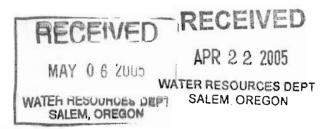
~I~

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 1	number o			e is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16S	11E	33	nesw	600	2.0	irr	74149 Sup		1905
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										

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





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~

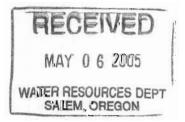
Section 1.1 continued from Pooled Leasing Landowner Form.

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 pertino	ent page i	number o			is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16S	11E	33	nesw	600	2.0	irr	76520 Sup	11	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: 2.00
Acre-feet of storage, if applicable:	



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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~

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).

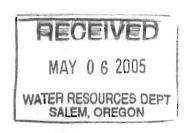
	Т	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*		
	*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)											
1.	16S	11E	33	sesw	600	4.0	ir	76106Pri	2	12/8/1961		
2.	16S	11E	33	senw	600	3.0	ir	76106Pri	2	12/8/1961		
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 c	certificate and priority dat	e: <u>7.0</u>
Acre-feet of storage, i	f applicable:		



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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.

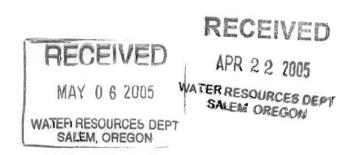
~I~

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 r	number of				0 pages; identify	priority date	e if there is
1.	16S	11E	33	sesw	00600	4.0	irr	74149Sup		1905
2.	16S	11E	33	senw	00600	3.0	irr	74149Sup		1905
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										

Total number of acres, if for irrigation, by certificate and priority date: 7.00	
Acre-feet of storage, if applicable:	





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).

	Т	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.	16S	11E	33	sesw	600	4.0	irr	76520Sup	2	12/8/1961					
2.	16S	11E	33	senw	600	3.0	irr	76520Sup	2	12/8/1961					
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 ar	nd priority date:	7.0
Acre-feet of storage, if	applicable:			



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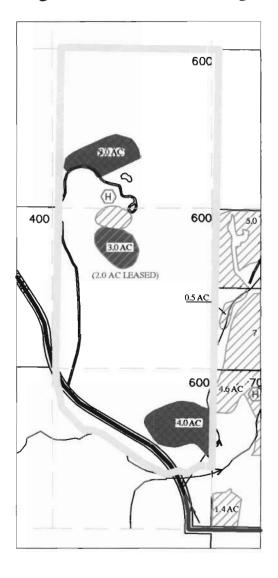
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EXHIBIT 5-A & 5-B L 05.01

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

FOR

Wessinger Revocable Living Trust



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WATER RESOURCES DEPT SALEM, OREGON





Certificate #s 74146, and 74147 Certificate #







INITIAL: P. L. U

LOCATED IN THE NE 1/4 OF THE SW 1/4 OF SECTION 33, T16 S., R.11 E., W.M. TAX LOTS # 00600 & SE/SW 00600 DESCHUTES COUNTY, OREGON



SCALE: 1" = 800'

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 L	ease Agreement is between:		
(Name (Maili (City, (Telep (Email	r #1 (Landowner): c) Dale L. Woods Rev.Trust, Dale L. Woods, Trustee ing address) 65365 Tweed Rd. State, Zip Code) Bend, OR 97701 hone number) (541)382-8756 l address) tional landowners, enter landowner information below		
form. T	the numbering associated with this form corresponds to that found on the "Stanting Property of the "Pooled Lease" form and "Pooled Landowner" form(s) are used to provide and Instream Lease Application" form. Consequently, the numbering on this form: ~I~ Ownership and Water Right Information.	the same information as the m is not always sequential.	
1.1	Lessor #1 is the owner, or authorized agent for owner of property Range 116, Section 22 and Tax Lot number 01500. If the water relands is also appurtenant to lands owned by others, then Attachmelessor's property) needs to be included.	ight appurtenant to these	Field Code Changed Field Code Changed
1.3	For the lands being leased, list all water rights appurtenant to the there are any supplemental or overlying rights.	lessor's property. Indicate if	
	Certificate No. Primary 74146, Supplemental 74147,74148,7414	9,76520	
1.4	Are some or all of the lands being leased part of a Conservation Program. Yes No	Reserve Enhancement	
1.5	Subject Water Rights. Landowner proposes to lease the water rattached as Exhibit 5-B (this information may be included on Exhibit 5-A attached). (Crosshatch the area of water rights being leased). Attached map(s Township, Range, Section and ¼ ¼, tax lot number, map orientation and scale	A, or an additional map may be) must identify property owner,	
	Pooled Landowner Form / 1	FSD	

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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identif	fy pertine	nt page n	umber of			is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16 5	11 E	22	nwse	01500	4.0	irr	74146 PRI	5	9/1/1900
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 <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

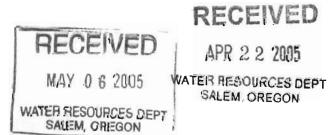
2.3 Term of lease. This lease shall terminate on October 15, 2005. (If there is a conflict between the Pooled District Form and this form, the Pooled District Form will be the official term of the lease.)

~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.

Pooled Landowner Form / 2

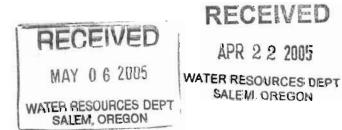
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3.4	of water	sion of original use. During the period of the lease, the owner agrees to suspend use allowed under the subject water rights and under any water right that is supplemental object water rights. In the event that a supplemental water right is not part of this may be subject to forfeiture.						
3.5	For to	ation provision. multiyear leases, lessor shall have the option of terminating the lease each year, prior he lease being exercised (
3.6	2.2 duri	eation 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 er from the same source. If injury is found after this lease is signed, the lease may be dor terminated to prevent injury.						
Lesso Dale		Revocable Trust, Dale L Woods, Trustee						
For a	dditional I	Lessors, type in space for signature and date						
Lesso		Date:						
Tuma	<u>lo Irrigati</u>	on District						
Lesse		Date:						
Desch	utes Reso	ources Conservancy						
Other	Attachme	ents As Needed:						
Exhib	it 5-A:	Tax Lot Map of Landowner's Property						
Exhib	it 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]						
Exhib	it 5-C:	Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)						
Exhibit 5-D: Split Season Instream Use Form								

Pooled Landowner Form / 3

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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**~

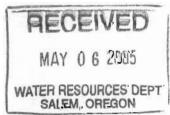
Section 1.1 continued from Pooled Leasing Landowner Form.

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 1	number o			e is greater than l er certificate)	0 pages; identify		e if there is
1.	16 5	11 É	22	nwse	01500	4.0	irr	74147 Sup	4	10/29/191 3
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: 4.0	
Acre-feet of storage, if applicable:	



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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~

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	nt page i	number of			e is greater than ler certificate)	0 pages; identify	priority date	e if there is
1.	165	11 E	22	nwse	01500	4.0	irr	74148 Sup	4	4/7/1911
2.										
3.										
4.						III.				
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, if applicable:	



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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.

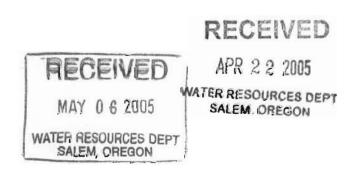
~T~

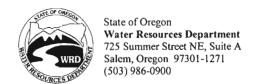
Section 1.1 continued from Pooled Leasing Landowner Form.

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).

			140 150 15					Married Will Live and America		
	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page 1	number o			is greater than 1 er certificate)	0 pages; identify	priority date	e if there is
1.	16 S	11 E	22	nwse	01500	4.0	irr	74149 Sup		1905
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										

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





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~

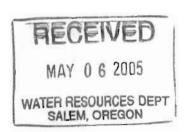
Section 1.1 continued from Pooled Leasing Landowner Form.

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 1	number o			e is greater than ler certificate)	0 pages; identify	priority date	e if there is
1.	16 5	11E	22	nwse	01500	4.0	irr	76520 Sup	7	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: 4.0	
Acre-feet of storage, if applicable:	



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EXHIBIT 5-A & 5-B L 05.23

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

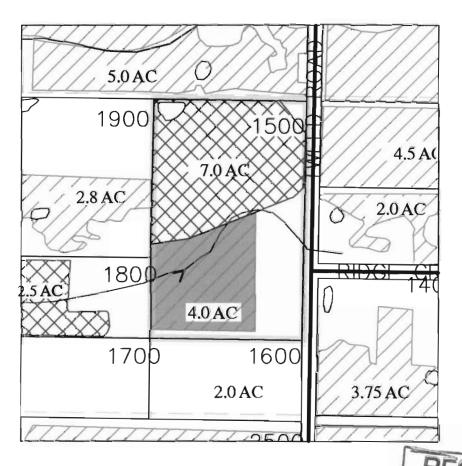
FOR

Woods Revocable Trust

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APR 2 2 2005

WATER RESOURCES DEPT SALEM, OREGON





74146, and 74147

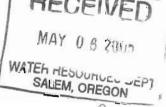


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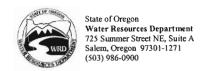


INITIAL: D

LOCATED IN THE NW1/4 OF THE SE 1/4 OF SECTION 22, T.16 S., R.11 E., W.M. TAX LOTS # 01500 DESCHUTES COUNTY, OREGON 1

SCALE: 1'' = 400'

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



Application for Short-Term

Instream Lease

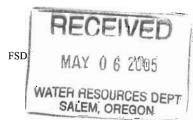
Attachment 5: Pooled Landowner Form

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

	e Agreement Number (assigned by WRD):
This I	Lease Agreement is between:
(Nam (Mail (City, (Tele) (Ema	or #1 (Landowner): e) Zapp, Martin & Joann ing address) 65385 Cline Falls Road , State, Zip Code) Bend, OR 97701 phone number) (541)382-8543 il address) litional 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	Range 12 Section 19 and Tax Lot number 02001. 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. <u>Primary 74146, Supplemental 74147,74148,74149,76520</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. 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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Pooled Landowner Form / 1



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	T	R	Sect	¼¼	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identif	y pertine	nt page n	umber of	,		e is greater than leer certificate)	0 pages; identify	priority date	e if there is
1.	16 5	12 E	19	nese	02001	2.0	irr	74146 PRI	11	9/1/1900
2.								-5		
3.										
4.										
5.								- 0		

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

Pooled Landowner Form / 2

FSD



SALEM, OREGON

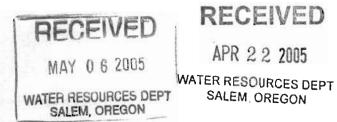
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3.4	of water a to the subj	Howed under the subject water rights and unject water rights. In the event that a supplen ay be subject to forfeiture.	nder any water right that is supplemental
3.5	For m to the Depa differ Purve the le	nultiyear leases, lessor shall have the option 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	2.2 during use water	tion to prevent injury. Allocation of water the term of this lease is not reasonably experiment the same source. If injury is found after terminated to prevent injury.	ected to cause injury to other rights to er this lease is signed, the lease may be
Martin Joann	Zapp	Joann F. Begg	Date: 2-16-05
		ssors, type in space for signature and date	
Lessor	#2:		Date:
	o Irrigation	District	72= 3
Lessee	<u>:</u>		Date:
		rces Conservancy	
Other A Exhibi Exhibi	t 5-A:	ts As Needed: Tax Lot Map of Landowner's Property Detailed map illustrating lands under subje	ect rights to be leased [Exhibits 5-A and 5-B
Exhibi		may be combined into a single map] Supporting documentation indicating why forfeiture even though the right has not bee consecutive years (required if the second b checked)	a right is valid and not subject to en exercised for five or more
Exhibi	t 5-D:	Split Season Instream Use Form	

Pooled Landowner Form / 3

FSD





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			e is greater than ler certificate)	0 pages; identify		e if there is
1.	16 S	12 E	19	nese	02001	2.0	irr	74147 Sup	14	10/29/191
2.										
3.							_			
4.										
5.										
6.										
7.										
8.		_								
9.		<u> </u>	<u> </u>		_		-			-
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:	

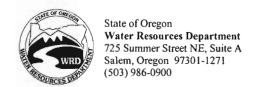


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Instream Lease

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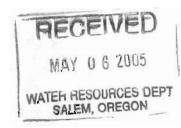
	Т	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page 1	number o			is greater than 1 er certificate)	0 pages; identify		e if there is
1.	16 5	12 E	19	nese	02001	2.0	irr	74148 Sup	13	4/7/1911
2.										
3.										
4.										
5.										
6.										
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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Instream Lease

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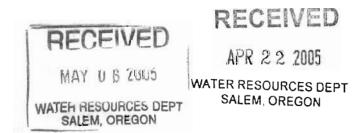
~**I**~

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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	nt page r	number o			is greater than ler certificate)	0 pages; identify To 7414		e if there is
1.	16 5	12 E	19	nese	02001	2.0	irr	74149 Sup		1905
2.										_
3.							_			
4.										
5.										
6.										
7.										_
8.	_								_	_
9.								_		
10.								_		

Total n	umber of acres	, if for irrigation,	by certificate and	priority date	e: <u>2.0</u>
Acre-fe	eet of storage, i	f applicable:	<u> </u>		





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.

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	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Identi	fy pertine	ent page r	number o			e is greater than 1 er certificate)	0 pages; identify TO 74146	priority date	e if there is
1.	16 5	12 E	19	nese	02001	2.0	irr	76520 Sup	17	12/8/1961
2.										
3.										
4.										
5.										
6.										
7.									_	
8.										
9.										_
10.		1	1		_			_		

[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 irri	gation, by certificate and	d priority date: 2.0
Acre-feet of storage, if applicable	le:	

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EXHIBIT 5-A & 5-B L 05.10

TUMALO IRRIGATION DISTRICT IN-STREAM LEASED WATER RIGHTS SURVEY

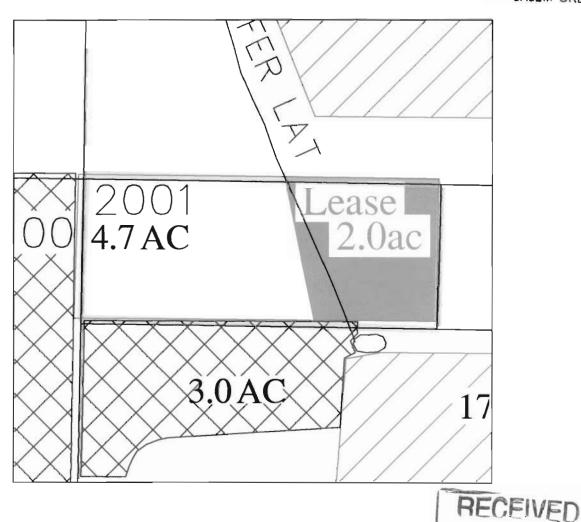
FOR

Zapp, Martin & Joann

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LOCATED IN THE NE 1/4 OF THE SE 1/4
OF SECTION 19, T.16 S., R.12 E., W.M.
TAX LOTS # 02001
DESCHUTES COUNTY, OREGON

SCALE: 1" = 200'

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COUS G U YAM

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INITIAL:

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