

Application for Instream Lease

Pooled Lease Form

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

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

	nal Identification by Lessor/Lessee: IL-2009-04 Application Number (assigned by WRD):	
This L	ease is between:	
	r #2: Irrigation District or Other Water Purveyor Central Oregon Irrigation District	
	g address 1055 SW Lake Ct	
	tate, Zip Code Redmond, OR 97756	
	one number 541-504-7577	
-	address <u>lauraw@coid.org</u>	
The wa	ater right to be leased is located in <u>Deschutes</u> County.	
	e (if different than Oregon Water Resources Department): Deschutes River Conservancy	
	g address PO Box 1560	
	tate, Zip Code Bend, OR 97709	
	one number <u>541-382-5186</u>	
	address gen@deschutesriver.org	
		RECEIVED
Truste	ee:	EED 0.7 2000
	n Water Resources Department	FEB 27 2009
	mmer Street NE, Suite A	WATER RESOURCES DEPT
	OR 97301-1266	SALEM, OREGON
(503)9	986-0900	
	~I~ Water Right Holder and Water Right I	Information
1.2	 Lessor #2 is the (Check one): ☑ Official representative of Central Oregon Irrigation Distraction which conveys water to the subject water rights. ☐ Another party with an interest in the subject water rights ☐ Not applicable. 	
1.3	For the water right(s) being leased, list all water rights appur Indicate if there are any supplemental or overlying rights.	tenant to the same lands.
	Certificate No. <u>83571 & 76714</u>	

1.4	Are some or all of the lands being leased part of a Conservation Reserved. Program. Yes No	ve Enhancement
1.5	Water Rights Proposed to be Leased Instream. The first right to be leased identified in Section 1.3 is further described Certificate No.: 83571 Priority date: October 31, 1900 & December 2, 1907 Legal Season of Use: April 1 to November 1 If an irrigation right, total number of acres to be leased: 12.45 Total acre-feet of storage to be leased, if applicable: 0 Maximum rate associated with subject water rights (cfs) being leased: Priority 10/31/1900: Season 1: 0.155, Season 2: 0.207, Season 3: 0.2 Priority 12/02/1907: Season 3: 0.110 If there is more than one rate associated with a water right, describe be Season 1 (cfs) Season 2 (cfs) Time period: Season 3 (cfs) Time period:	ype of use: <u>Irrig</u>
	Maximum duty associated with subject water rights (ac-ft): 123.07	RECEIVED
	Conditions or other limitations, if any: None	FEB 2 7 2009
	If you need to enter another leased right, please use the additional water ~II~ Instream Water Right Information	r WATER RESOURCES DEPT SALEM, OREGON
2.1	 Public use. This lease will increase streamflows that will benefit: ☑ Conservation, maintenance and enhancement of aquatic and fish lift and wildlife habitat ☑ Pollution abatement ☑ Recreation and scenic attraction 	e, wildlife, and fish
2.2	Instream use created by lease. The instream use to be created is describeschutes River Tributary to Columbia River in the Deschutes Basin. Describe the point of diversion (POD) and any associated reach(es) of the being created. If possible list the reach by river mile. If no reach is idea only one POD listed on the certificate, the lease will be processed to be POD. (If more than one POD is listed on the certificate, then the POD reach(es) must be identified): POD #11 to Lake Billy Chinock River Color Maximum volume in acre-feet: Priority 10/31/1900; 67.86 Rate in cfs: Priority 10/31/1900: Season 1: 0.086, Season 2: 0.114, Season 1: 0.086, Season 2: 0.114, Season 1: Conditions to prevent injury, if any: [Use the section below to indicate a more restrictive period of use than allowed by the Conditions to prevent injury, if any: None The instream flow will be allocated on a daily average basis up to the from through	the instream use entified, and there is protected at the and any associated the eason 3: 0.211 or instream reach.)

RECEIVED

	Other (describe):	FEB 2 7 2009
2.3	Term of lease. This lease shall terminate on October 26, 2009	WATER RESOURCES DEPT SALEM, CREGON
2.4	Flow protection. The Trustee will regulate use of water from the source appropriation and the agency enforcement guidance, to assure the water point of diversion, and through the reach past junior downstream users sufficient to meet the demand under priority date of the new instream users apart of regulation activities the watermaster or a designee has access diversion and place of use for the water rights involved in this lease. No continuously measure the flow of the waterway described in Section 2.	r is delivered to the so long as flow is use (see Section 2.2). Is to the point of so party is required to
	~III~ Other Information	
3.1	Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the knowledge and belief, the information contained in this application is to complete. If after the lease order is signed, any information is determined lease order may be modified or terminated. The lease only exercises the leased, for the term of the lease. It shall not be construed to overcome water right may otherwise be subject to forfeiture for nonuse pursuant to during the period of time prior to the execution of the lease.	rue, correct and ned to be false, the e water rights being any claim that the
3.2	Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Sinstream use for the term of this lease through Lessee to the Trustee, the Resources Department, pursuant to the provisions of ORS 537.348(2) at	e Oregon Water
3.3	Precedent. If a right which has been leased is later proposed to be lease transferred to an instream use under ORS 537.348 and OAR 690-077 a shall be required, and a prior short term lease shall not set a precedent f water to be leased or transferred instream.	new injury review
3.4	Suspension of original use. During the period of the lease, the water risuspend use of water allowed under the subject water rights and under a is supplemental to the subject water rights.	•
3.5	Termination provision.	
	For multiyear leases, the Lessor(s) shall have the option of terminal year with written notice to the Department. The lease may be term during the calendar year. However, if the termination request is redays prior to the period of allowed instream use or after the period begun for the water right(s) being leased, water may not be used us leased until the following calendar year, unless the Director determentargement would not occur. The Department may also require: Written notice to the Department with original signatures; Consent by all parties to the lease; and/or Written notice to the Watermaster's office. For multiyear leases, the lessor shall not have the option of terminal without consent by all parties to the lease.	ninated at any time ceived less then 30- of allowed use has nder the right(s) nines that

3.6	Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.
3.7	Fees. Pursuant to ORS 536.050, the following fee is included:
Lesson	#2: James Judlan Date: 02/18/2009
Centra	ll Oregon Irrigation District
Lessee <u>Desch</u>	Date: 02/25/09
	Attachments as Needed:
Attach	ment 1: Tax Lot Map. (See instructions.)
Attach	ment 2: Detailed map illustrating lands under subject rights to be leased; required if only
	part of a right is being leased instream. (See instructions.)
Attach	ment 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).
Attach	nment 4: Split Season Instream Use Form

Attachment 5: Pooled Lease Water Right Holder Form

RECEIVED

FEB 27 2009

WATER RESOURCES DEPT SALEM, OREGON

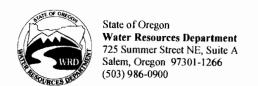
Central Oregon Irrigation District IL-2009-04 Water Right changes for Instream Maps

TRS	QQ	AC	OWRD#	
15-12-25	SW NE	0.75 ac Trans off	T-9036	
15-12-25	SW NE	0.75 ac Trans off	T-9036	
15-12-25	SW NE	0.90 ac Trans off	T-9834	
15-12-25	SW NE	0.70 ac Trans off	T-10242	
15-12-25	SW NE	0.50 ac Trans off	T-9036	
15-12-25	SW NE	0.45 ac Trans off	T-10155	
15-12-25	SW NE	0.75 ac Exited	Submitted to 0	OWRD

RECEIVED

FEB 27 2009

WATER RESOURCES DEPT SALEM, OREGON



Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

	Pursuant to ORS 537.348(2) and OAR 690-077	
Opti	onal Identification by Lessor/Lessee: 85440	
Leas	e Application Number (assigned by WRD): 1 1-964	
This	Lease is with:	
	or #1 (Water Right Holder):	RECEIVED
	e John & Irene Burris ing address 8825 NW 19 th St	FEB 2 7 2009
	State, Zip Code Terrebonne, OR 97760	
	phone number <u>541-548-2259</u>	WATER RESOURCES DEPT
Ema	il address	SALEM, OREGON
If ad	ditional water right holders, enter water right holder information below	
Appli inform	The section numbering associated with this form corresponds to that found on the "Statication" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are nation as the "Standard Instream Lease Application" form. Consequently, the numbering sequential.	used to provide the same
	~I~ Water Right Holder and Water Right Informa	tion
1.1	Lessor #1 is the water right holder, or authorized agent for property de 1.5. If the water right appurtenant to these lands is also appurtenant to others who are not included in this application, then Attachment 1 (tax included.	lands owned by
1.3	For the water right(s) being leased, list all water rights appurtenant to Indicate if there are any supplemental or overlying rights.	the same lands.
	Certificate No. <u>83571 & 76714</u>	
1.4	Are some or all of the lands being leased part of a Conservation Reser Program. Yes No	ve Enhancement
1.5	Water Right(s) Proposed to be Leased Instream. Water right holder water rights shown on the map attached as Exhibit 5-B and described as [This information may be included on Exhibit 5-A, or an additional map may be attached area of water rights being leased. Attached map(s) must identify water right hold section and ½ ½, tax lot number, map orientation and scale.]	as follows: uched. Crosshatch

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	nt page r	number of	f certificate, more	if certificate than one p	e is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	14 S	13 E	17	SE NE	700	2.20	Irrigation	83571	13	10/31/190 0
2.									DEC	EIVED
3.									REV	and W Con Lot
4.					1				FEB :	7 2009
5.									WATER RESC	URCES DEF
									SALEM.	OREGON

Total number of acres, if for irrigation, by	certificate and priority date: Cert #83571, Oct.
31, 1900 - 2.20 acres	
Conditions or other limitations, if any: Nor	ne

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

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on <u>October 31, 2009</u>. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- **3.3 Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review

shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream. 3.4 Suspension of original use. During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights. 3.5 Termination provision. For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then 30days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require: • Written notice to the Department with original signatures; Consent by all parties to the lease; and/or Written notice to the Watermaster's office. For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease. Modification to prevent injury. Allocation of water to the instream use described in 3.6 Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury. Lessor #1: John Burris FEB 27 2009 For additional Lessors, type in space for signature and date WATER RESOURCES DEPT SALEM, OREGON Other Attachments As Needed: Exhibit 5-A: Tax Lot Map. (See instructions.)

Exhibit 5-B:

Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined

into a single map. (See instructions.)

Exhibit 5-C:

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

checked)

Exhibit 5-D:

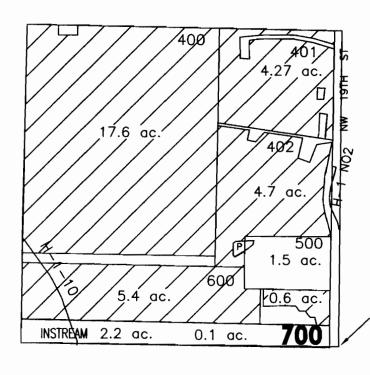
Split Season Instream Use Form

DESCHUTES COUNTY SEC.17 T14S. R13E. W.M.

SCALE - 1" = 400'

N↑

SE 1/4 OF THE NE 1/4



RECEIVED

FEB 27 2009

WATER RESOURCES DEPT SALEM, OREGON

E 1/4 COR

ac. PARCELS W/ WATER RIGHTS

ac. PARCELS W/ WATER RIGHTS

CENTRAL OREGON



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: JOHN & IRENE BURRIS

TAXLOT #: 700

2.2 ACRES INSTREAM

DATE: 02-05-09

FILE NO: E:\TRANSFER\INSTREAM\INSTRIMO9\1YR\141317_SENE

		\neg	UREG	ON DEPA	RTMENT	OF H	UMAN	SERVICE	S		2.6
	H55972	ł		CENTER							The state of the s
CK INK.	1159			,				136-			•
3F	Local File Num	ber		CE	RTIFICATE	OF DE	EATH	1 130-	Sta	ate File Nu	mber
_	1. DECEDENT'S First NAME John		Mid	_	Last			2.	SEX	3. DATE OF	F DEATH (Month, Day
	4. SOCIAL SECURITY NUME	ED 6- ACE	Willar	<u> </u>	URRIS				Male		ber 25, 20
	541-16-4875	Yea (Yea	Last Birthday 5t		5c. Under 1 Da Hours Min	16.	Country)	CE (City and State Ville,	or Foreign	1	F BIRTH (Month, Day,
DECEDENT	WAS DECEDENT EVER IN U.S. ARMED FORCES Yes No		OF DEATH (Chec	k one only.)	 		Spring	ATTTE,	CA	March	11, 1916
DECEDENT.	Yes No	HOSPITAL	[X] Inpatient	ER/Outpatient	☐ DOA	OTHER	Nursing	lome Decede	nt's Home 🗌	Other (Specif	M
	9b. FACILITY NAME (Winoten St. Charles Me	institution, give si edical c	treet and number.)	Redmond				OCATION OF DE	ATH		9d. COUNTY OF D
;	10a DECEDENT'S USUAL O			b. KIND OF BUSIN	ESC(INDLISTED	1	Redmor			10 000	Deschute
	(Give kind of work done di Do not use retired.)	uring most of wor	rking life.	D. KIND OF BUSIN	IE35/INDUSTRY		'	 MARITAL STAT Never Married, V Divorced. (Spec 	Vidowed.	12. SPO	USE (If Married, Widow
	Line Crewman	l		Electr	cic co.		i	Married	414)	Tren	e Burris
	13a. RESIDENCE - STATE	13b. COUNT		13c. CITY, TOWN	OR LOCATION		1:	M. STREET AND	NUMBER	12011	C Duttis
	Oregon	Deschu		Terrebo				8825 NW			
-	13e. INSIDE CITY 13f. 2	IP CODE	(Specify N	EDENT OF HISPAI	specify Cuban.	1	15. RACE Ar Black, W	nerican Indian, hite, etc. (Specify)	16. DEC	CEDENT'S ED	DUCATION est grade completed.)
	☐ Yes X No	7756	∫ΣI No Γ		an, Puerto Rican, e			. .	Element	lary/Secondary	
	17. FATHER'S NAME First	Middle	,	MOTHER'S NAM	Æ First		Wh i			12 T'S NAME and	d relationship to decea
PARENTS	Raymond LeRo	y Burri	2.0	Isabelle		_	lair		3 2		– Wife
Choster	20a. METHOD OF DISPOSITI	ON		20b. PL	ACE OF DISPOS	ITION		20		(City or Town	
SPOSITION	Burial Cremation Donation Donation Donation		Removal from	n State	MSA Latertain	43					
			- No. 2		Autumn C		4 .	*		Bend, C	regon
	21a. SIGNATURE OF OREGO PERSON ACTING AS SU	N FUNERAL SE	RVICE LICENSE	E OR 21	OREGONLICE (Of Licensee)	NSE NO.		ADDRESS AND UMN Fune		Redmoi	nd
	Luca	11.4	f	3093 J	0455						gon 97756
									110011101	IC OLO	9011 57750
	23. DATE FILED (Month, Day,	(ear)		<u> </u>		7		TRAR'S SIGNAT	URE		_
EGISTRAR	23. DATE FILED (Worth, Day,	mules	28	2005					ure elme	100	ne Que
EGISTRAR	23. DATE FILED (Month, Day, RESERVED FOR REGISTRAL	MALA S USE	28,	ZN5					eline	Con	ou Dep
EGISTRAR	Nece	(Gar) MALA R S USE	28,	2005					eline	(á)	ou Dy
EGISTRAR	Nece	(ear) MALA R S USE	28,	ZN5-					elne	Con	ou Dy
EGISTRAR	RESERVED FOR REGISTRAL		28,	LCERTRIER					ure eline	Con	ou Dy
EGISTRAR	RESERVED FOR REGISTRAL	OMPLETED		L.CERTIFIER OTIFIED? (The Me			24. REGIS	TRANS SIGNATI	eline	NOUNCED DE	OLL, Dyp.
EGISTRAR	RESERVED FOR REGISTRAL TO BE C 27. TIME OF DEATH 10:50 AM	OMPLETED 28. WAS MEDIC MUSI beno	CAL EXAMINER N tilled of all injury ar	OTIFIED? (The Me nd poisoning deaths	dical Examiner	31	24. REGIS	TRAN'S SIGNAT	DATE PROM		
	RESERVED FOR REGISTRAL TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and manner stated.	OMPLETED 28. WAS MEDIC MUSI beno	CAL EXAMINER N tilled of all injury ar	OTIFIED? (The Me nd poisoning deaths	dical Examiner	31	24. REGIS	TRAN'S SIGNAT	DATE PROM		
	RESERVED FOR REGISTRAL TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge	OMPLETED 28. WAS MEDIC MUSI beno	CAL EXAMINER N tilled of all injury ar	OTIFIED? (The Me nd poisoning deaths	dical Examiner	31	24. REGIS	DEATH 31b.	DATE PROM		AD (Month, Day, Yea
	TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and manner stated (Signature)	OMPLETED 28. WAS MEDIC MUSI band X Yes [CAL EXAMINER N titled of all injury ar No at the lane date, of	OTIFIED? (The Me nd poisoning deaths	dical Examiner	31	24. REGIS 1a. TIME Of 2. Orr the bas at the time (Signature	TRAP'S SIGNAT	DATE PRON	ation, in my opi ė(s) and mann	inion death occurred er stated.
	RESERVED FOR REGISTRAL TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and manner stated.	OMPLETED 28. WAS MEDIC MUSI band X Yes [CAL EXAMINER N titled of all injury ar No at the lane date, of	OTIFIED? (The Me nd poisoning deaths	dical Examiner	31	24. REGIS 1a. TIME Of 2. Orr the bas at the time (Signature	DEATH 31b.	DATE PRON	ation, in my opi ė(s) and mann	
	TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and manner stated (Signature)	OMPLETED 28 WAS MEDIO MUST beno K) Yes Gehin (counted	CAL EXAMINERN MITTER NO THE BOTTON OF T	IOTIFIED? (The Me of possoning deaths ace, and a wall the o	dical Examiner	31	24. REGIS 1a. TIME Of 2. Orr the bas at the time (Signature	TRAP'S SIGNAT	DATE PRON	ation, in my opi ė(s) and mann	inion death occurred er stated.
	TO BE C TO	OMPLETED 28. WAS MEDIC MUST beno K Yes [Gentle Googled JV. Web/J AND ZIP CODE (CAL EXAMINER N tithed of all injury or No at the time date, p)	OTIFIED? (The Me of poisoning deaths ace and due to the control of	dicat Examiner) it is a subset of the subse	31 32 33 33 34 34 34 34 34 34 34 34 34 34 34	24. REGIS 1a. TIME OF	TARY'S SIGNAT	DATE PRON	ation, in my opi ė(s) and mann	inion death occurred er stated.
ERTIFIER	TO BE C TO TIME OF DEATH 10:50 AM. Signature TO BE C	OMPLETED 28 WAS MEDIC MUST be no K) Yes [, debt counsel W Part	CAL EXAMINERN Mitted of all injury art 1 No art the large date, in 2 of Certifierum . D. 645	OTIFIED? (The Men of poisoning deaths are, and any of the company	dical Examiner) 's' ause(s) R (Type or Pany t. Redin	31 32 33 33 34 34 34 34 34 34 34 34 34 34 34	24. REGIS 1a. TIME OF	TRAR'S SIGNAT	DATE PRON	ation, in my opi ė(s) and mann	inion death occurred er stated.
SIGNATE DITIONS, FANY,	TO BE C TO THE OF DEATH 10:50 AM. 30. DATE SIGNED (Monits D G. Bruce McI 35. NAME OF ATTENDING PH	OMPLETED 28. WAS MEDIC MUST bene X Yes 1 V, Gent (Control AND ZIP CODE (Control Callroy M YSICIAN IF OTH	CAL EXAMINER N Mitted of all injury ar 1 No of the lune date, in 7 OS OF CERTIFIER IM D. 645 HER THAN CERT	IOTIFIED? (The Nind polysoning deaths) ace, and unlittle of the control of the c	dicat Examiner (i) R (Type or Pont) t. Redn	31 32 33 30 30 30	24. REGIS 1a. Time Of 2. Contribe base at the time (Superfur DATE SK Dregon	DEATH 31b. DEATH 31b. Missof examination and date, piece, and date, piec	DATE PRON ancidor investigate to the cause	ation, in my opi ė(s) and mann	inion death occurred er stated.
SIGNATE DITIONS, F ANY, CH GAVE ISE TO	TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and manner stated. (Signature) 30. DATE SIGNED (Months D. C.	OMPLETED 28. WAS MEDIC MUST bene X Yes 1 V, Gent (Control AND ZIP CODE (Control Callroy M YSICIAN IF OTH	CAL EXAMINER NA MINES OF CERTIFIERIAM D. 645 HER THAN CERT CAUSE PER LINE CAUSE PER LINE CAUSE PER LINE CAUSE PER LINE	IOTIFIED? (The Non- physical and published of and published of an and published of an analysis of an	dicat Examiner (i) R (Type or Pont) t. Redn	31 32 33 30 30 30	24. REGIS 1a. TIME OF 2. On the bar et the time (Separature) DATE SK Dregon	DEATH 31b. DEATH 31b. Missof examination and date, piece, and date, piec	DATE PRON ancidor investigate to the cause	ation, in my opi ė(s) and mann	inion death occurred er stated.
ERTIFIER SIGNATE DITIONS, FANY CHY GAVE SISE TO AUSE;	TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and menner stated. (Signature) 30. DATE SIGNED (Months D. C.	OMPLETED 28. WAS MEDIC MUST be no K Yes [Gettin control C	CAL EXAMINER N INCOME THE INCOME	IOTIFIED? (The Nind polysoning deaths) ace, and unlittle of the control of the c	dicat Examiner (i) R (Type or Pont) t. Redn	31 32 33 30 30 30	24. REGIS 1a. Time Of 2. Contribe base at the time (Superfur DATE SK Dregon	DEATH 31b. DEATH 31b. Missof examination and date, piece, and date, piec	DATE PRON ancidor investigate to the cause	ation, in my opi ė(s) and mann	COUNTY Interval between and death
SIGNATE DITIONS, FANY, CH GAVE ISE TO MEDIATE AUSE, ING THE BERLYING T	TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and manner stated (Signature) 30. DATE SIGNED (Monits D. C.	OMPLETED 28. WAS MEDIC MUST be no K Yes [Gettin control C	CAL EXAMINER N INCOME THE INCOME	IOTIFIED? (The Non- physical and published of and published of an and published of an analysis of an	dicat Examiner (i) R (Type or Pont) t. Redn	31 32 33 30 30 30	24. REGIS 1a. TIME OF 2. On the bar et the time (Separature) DATE SK Dregon	DEATH 31b. DEATH 31b. Missof examination and date, piece, and date, piec	DATE PRON ancidor investigate to the cause	ation, in my opi ė(s) and mann	inion death occurred er stated. COUNTY
RTIFIER SIGNATE DITIONS, -ANY, -CH GAVE SE GTO HEDIATE AUSE, ING THE FERLYING THE	TO BE C 27. TIME OF DEATH 10:50 PM. 29. To the best of my knowledge and manner stated. (Signature) 30. DATE SIGNED (Months D. C.	OMPLETED 28 WAS MEDIC MUST be not Control Was Medic Was	CAL EXAMINER N INC of the lune date, in OF CERTIFIERIM D. 645 HER THAN CERT CAUSE PER LINE F.	IOTIFIED? (The Non- physical and published of and published of an and published of an analysis of an	dicat Examiner (i) R (Type or Pont) t. Redn	31 32 33 30 30 30	24. REGIS 1a. TIME OF 2. On the bar et the time (Separature) DATE SK Dregon	DEATH 31b. DEATH 31b. M STORY STREET STRE	DATE PRON ancidor investigate to the cause	ation, in my opi ė(s) and mann	COUNTY Interval between and death
SIGNATE DITIONS, FANY, AMEDIATE AUSE, TO AUSE TO AUSE TO AUSE TO AUSE TO AUSE TO AUSE LAST.	TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and manner stated. (Signature) 30. DATE SIGNED (Moonly 2) 34. NAME, TITLE, ADDRESS (G. Bruce McI. 35. NAME OF ATTENDING PHART (a) DUE TO, OR AS A CON. (b) DUE TO, OR AS A CON.	OMPLETED 28 WAS MEDIC MUST be not Control Was Medic Was	CAL EXAMINER N INC of the lune date, in OF CERTIFIERIM D. 645 HER THAN CERT CAUSE PER LINE F.	IOTIFIED? (The Non- physical and published of and published of an and published of an analysis of an	dicat Examiner (i) R (Type or Pont) t. Redn	31 32 33 30 30 30	24. REGIS 1a. TIME OF 2. On the bar et the time (Separature) DATE SK Dregon	DEATH 31b. DEATH 31b. M STORY STREET STRE	DATE PRON ancidor investigate to the cause	ation, in my opi ė(s) and mann	inion death occurred er stated. COUNTY Interval between and death Interval between and death
SIGNATE DITIONS, FANY, OF SOME CONTROL OF SOME	TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and manner stated (Signature) 30. DATE SIGNED (Months 2) 34. NAME, TITLE, ADDRESS, G. Bruce McI. 35. NAME OF ATTENDING PHORESS, CO. (a) DUE TO, OR AS A CON (b) PART OTHER SIGNIFICANT OF THE SIGNIFICANT	OMPLETED 28 WAS MEDIC MUST be no	CAL EXAMINER NAME OF CERTIFIER M. D. 645 HER THAN CERT	IOTIFIED? (The New of poisoning deaths are, and a wall free control of the contro	dicel Examiner ause(s) R (Type or Pant) t. Redin	31 32 33 30 30 30	24. REGIS 1a. TIME OF 2. On the bag at the trag the trag Committee Dregon 7. Date Sid	DEATH 31b. M	DATE PROM ancidor investigate tub to the cause y. Year)	ation, in my opi ė(s) and mann	Interval between and death
SIGNATE DITIONS, ANY AND SECOND SECON	RESERVED FOR REGISTRAL TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and manner stated. (Signature) 30. DATE SIGNED (Months 2) 34. NAME. TITLE. ADDRESS. G. Bruce McI 35. NAME OF ATTENDING PHART (a) DUE TO, OR AS A CON. (b) DUE TO, OR AS A CON. (c)	OMPLETED 28 WAS MEDIC MUST be no	CAL EXAMINER NAME OF CERTIFIER M. D. 645 HER THAN CERT	IOTIFIED? (The New of poisoning deaths are, and a wall free control of the contro	dicel Examiner ause(s) R (Type or Pant) t. Redin	31 32 33 30 30 30	24. REGIS 1a. TIME OF 2. Corthe base at the time (Separatus) DATE SK DYPEGON A C.	DEATH 31b DEATH 31b Sits of exemination of data, piece, and piece, a	DATE PROM and/or investigate to the cause Arrest).	allon, in my opide(s) and mann	COUNTY Interval between and death Interval between and death Interval between and death
SIGNATE DITIONS, FANY, OF SOME CONTROL OF SOME	RESERVED FOR REGISTRAL TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and manner stated (Signature) 30. DATE SIGNED (Months Of Signature) 34. NAME, TITLE, ADDRESS, G. Bruce Mc. 35. NAME OF ATTENDING PHOREST (B) DUE TO, OR AS A CON (C) PART (C) PART (C) PART (C) PART (C) PART (C) DUE TO, OR AS A CON C) PART (C) PART	OMPLETED 28 WAS MEDIC MUST be and MUST be	CAL EXAMINER N stress of a liniury ar 1 No at the lune date, in CO CO CERTIFIERUM D. 645 HER THAN CERT CAUSE PER LINE F: resulting in the un	ACTION OF THE NAME OF THE PARTY	dical Examiner atuse(s) R (Type or Point) t . Redin (c).) Do not enter.	33 383 mond of dylan	24. REGIS 1a. TIME OF 22. Conthe base at the time (Synathus (Synathus) DATE SIG OF EGON 37. Did tobs to the de to the de No	DEATH 31b. NED (Month), De 197756	DATE PROM Arrest) Arrest)	JTOPSY 39 Yes No	inion death occurred er stated. COUNTY Interval between and death
SIGNATE DITIONS, FANY, OF SOME CONTROL OF SOME	TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and manner stated. (Signature) 30. DATE SIGNED (Months 2) 34. NAME, TITLE, ADDRESS. G. Bruce McI. 35. NAME OF ATTENDING PHORES. (a) DUE TO, OR AS A CON (b) PART OTHER SIGNIFICANT (c) II Conditions contributing to	OMPLETED 28 WAS MEDIC MUST be no	CAL EXAMINER NAME OF CERTIFIER M. D. 645 HER THAN CERT	IOTIFIED? (The New of poisoning deaths are and a wall free control of the control	dical Examiner (a) R (Type or Pont) t . Redn (c) Do not enter.	33 383 mond of dylan	24. REGIS 1a. TIME OF 22. Conthe base at the time (Synathus (Synathus) DATE SIG OF EGON 37. Did tobs to the de to the de No	DEATH 31b. DE	DATE PROM Arrest) Arrest)	JTOPSY 39 Yes No	Interval between and death
SIGNATE DITIONS, ANY, ANY AND SECOND	RESERVED FOR REGISTRAL TO BE C 27. TIME OF DEATH 10:50 Am. 29. To the best of my knowledge and manner stated (Signature) 30. DATE SIGNED (Monits D. 2) 34. NAME. TITLE, ADDRESS (C. 2) 35. NAME OF ATTENDING PHORE TO THE AND A CONTROL OF AS A CONTROL OF A CONTR	OMPLETED 28 WAS MEDIC MUST be and MUST be	CAL EXAMINER N strength of the line of the	IOTIFIED? (The New of poisoning deaths are and a wall free control of the control	dical Examiner atuse(s) R (Type or Print) t . Redin (c).) Do not enter.	31 32 33 38 30 MORE OF Order TWORKY TWORKY Yes	24. REGIS 1a. TIME OF 22. Conthe base at the time (Synathus (Synathus) DATE SIG OF EGON 37. Did tobs to the de to the de No	DEATH 31b. NED (Month), De 197756	DATE PROM Arrest) Arrest)	JTOPSY 39 Yes No	Interval between and death
SIGNATE DITTIONS, FANY, MEDIATE MEDIATE MEDIATE MEDIATE MAUSE, FANY, MEDIATE MAUSE LAST.	RESERVED FOR REGISTRAL TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and manner stated. (Signature) 30. DATE SIGNED (Months 2) 34. NAME, TITLE, ADDRESS. G. Bruce McI 35. NAME OF ATTENDING PHORES. (a) DUE TO, OR AS A CON (b) DUE TO, OR AS A CON PART OTHER SIGNIFICANT (II) Conditions contributing II 40. MANNER OF DEATH Natural Invests	OMPLETED 28 WAS MEDIC MUST be no	CAL EXAMINER N In the state of a linjury ar No of the line date, in The state of the line dat	IOTIFIED? (The Me of poisoning deaths and poisoning deaths are possible death are possible de	dical Examiner autose(s) R (Type or Print) t . Redin (c).) Do not enter. an in PART I. ME OF 41c. In JURY M C	31 32 33 383 30 MODEL OF CHARLES WORKY Yes No	24. REGIS 1a. TIME OF 2. Contribute the at the time (Synamus DATE SIG 37. Did tobe to the de	DEATH 31b. NOT exemply allow a service of the serv	DATE PROM Arrest). 38. AU RY OCCURR	JTOPSY 39 Yes No	Interval between and death
ERTIFIER SIGNATE DITIONS, FANY ESE TO AUSE OF DEATH	RESERVED FOR REGISTRAL TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and manner stated (Signeture) 30. DATE SIGNED (Monits: D) 34. NAME. TITLE, ADDRESS (CA) 35. NAME OF ATTENDING PHONE 36. IMMEDIATE CAUSE (ENTIPART (a) A CON DUE TO, OR AS A CON (b) DUE TO, OR AS A CON PART OTHER SIGNIFICANT (ii) Conditions contributing if 40. MANNER OF DEATH Natural Pendin Accident Undelse Manne Undelse Logal Logal Logal (Logal Logal)	OMPLETED 28 WAS MEDICAL MUST be not Vest of the control Vest of th	CAL EXAMINER N In the state of a linjury ar No of the line date, in The state of the line dat	IOTIFIED? (The New of poisoning deaths are and a wall free control of the control	dical Examiner autose(s) R (Type or Print) t . Redin (c).) Do not enter. an in PART I. ME OF 41c. In JURY M C	31 32 33 383 300 Moond O mode of dylin T WORK? Yes No	24. REGIS 1a. TIME OF 2. Contribute the at the time (Synamus DATE SIG 37. Did tobe to the de	DEATH 31b. NED (Month), De 197756	DATE PROM Arrest). 38. AU RY OCCURR	JTOPSY 39 Yes No	Interval between and death
SIGNATE (DITIONS, FAMY) CH GAVE (SEE TO MEDIATE INING THE DEFIL YING THE DEFIL YING THE DEATH AUSE OF DEATH FRUCTIONS AUSE OF DEATH FRUCTIONS	RESERVED FOR REGISTRAL TO BE C 27. TIME OF DEATH 10:50 AM. 29. To the best of my knowledge and manner stated (Signeture) 30. DATE SIGNED (Monits: D) 34. NAME. TITLE, ADDRESS (CA) 35. NAME OF ATTENDING PHONE 36. IMMEDIATE CAUSE (ENTIPART (a) A CON DUE TO, OR AS A CON (b) DUE TO, OR AS A CON PART OTHER SIGNIFICANT (ii) Conditions contributing if 40. MANNER OF DEATH Natural Pendin Accident Undelse Manne Undelse Logal Logal Logal (Logal Logal)	OMPLETED 28 WAS MEDIC MUST be not MUST be	CAL EXAMINER N strength of the line of the	IOTIFIED? (The New of poisoning deaths are and a wall free control of the control	dical Examiner autose(s) R (Type or Print) t . Redin (c).) Do not enter. an in PART I. ME OF 41c. In JURY M C	31 32 33 383 300 Moond O mode of dylin T WORK? Yes No	24. REGIS 1a. TIME OF 2. Contribute the at the time (Synamus DATE SIG 37. Did tobe to the de	DEATH 31b. NOT exemply allow a service of the serv	DATE PROM Arrest). 38. AU RY OCCURR	JTOPSY 39 Yes No	Interval between and death
SIGNATE NOTIONS, FANY, MEDIATE NAUSE OF DEATH	RESERVED FOR REGISTRAL TO BE C 27. TIME OF DEATH 10:50 AM 29. To the best of my knowledge and manner stated (Signature) 30. DATE SIGNED (Months 2) 34. NAME, TITLE, ADDRESS, G. Bruce Mc.! 35. NAME OF ATTENDING PHORES, AND DUE TO, OR AS A CONDUCTOR OF AS A CONDUCTOR OF AS A CONDUCTOR OF A CONDUCTOR OF AS A CONDUCTOR OF A CONDUCTOR OF AS A CONDUCTOR OF A CONDUCTOR OF AS A CONDUCTOR OF AS A CONDUCTOR OF AS A CONDUCTOR OF AS A CONDUCTOR OF A CONDUCTOR OF AS A CONDUCTOR OF AS A CONDUCTOR OF AS A CONDUCTOR OF AS A CONDUCTOR OF A CONDUCTOR O	OMPLETED 28 WAS MEDIC MUST be not MUST be	CAL EXAMINER N strength of the line of the	IOTIFIED? (The New of poisoning deaths are and a wall free control of the control	dical Examiner autose(s) R (Type or Print) t . Redin (c).) Do not enter. an in PART I. ME OF 41c. In JURY M C	31 32 33 383 300 Moond O mode of dylin T WORK? Yes No	24. REGIS 1a. TIME OF 2. Contribute the at the time (Synamus DATE SIG 37. Did tobe to the de	DEATH 31b. NOT exemply allow a service of the serv	DATE PROM Arrest). 38. AU RY OCCURR	JTOPSY 39 Yes No	Interval between and death

THIS IS A TRUE AND EXACT REPRODUCTION OF THE DOCUMENT OFFICIALLY REGISTERED AT THE OFFICE OF THE DESCHÜTES COUNTY REGISTRAR.

DATE ISSUED:

THIS COPY IS NOT VALID WITHOUT INTAGLIO STATE SEAL AND BORDER

 w_{0}

DANIEL W. PEDDYCORD COUNTY REGISTRAR DESCHUTES COUNTY, OREGON



Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

	Pursuant to ORS 537.348(2) and OAR 690-077	
Opti	onal Identification by Lessor/Lessee: 928325	
Leas	e Application Number (assigned by WRD):	
This	Lease is with:	
	or #1 (Water Right Holder):	RECEIVED
	e Gary Echelberger & Shirley Kongshaug	
Mail	ing address 20995 Country View Ln	FEB 27 2009
City,	State, Zip Code Bend, OR 97701	WATER RESOURCES DEPT
Ema	phone numberil address	SALEM, OREGON
If ad	ditional water right holders, enter water right holder information below	
Appli inform	The section numbering associated with this form corresponds to that found on the "St cation" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are nation as the "Standard Instream Lease Application" form. Consequently, the number s sequential.	used to provide the same
	~I~ Water Right Holder and Water Right Informa	ation
1.1	Lessor #1 is the water right holder, or authorized agent for property of 1.5. If the water right appurtenant to these lands is also appurtenant to others who are not included in this application, then Attachment 1 (taincluded.	to lands owned by
1.3	For the water right(s) being leased, list all water rights appurtenant to Indicate if there are any supplemental or overlying rights.	the same lands.
	Certificate No. <u>83571 & 76714</u>	
1.4	Are some or all of the lands being leased part of a Conservation Reservation. Yes No	erve Enhancement
1.5	Water Right(s) Proposed to be Leased Instream. Water right hold water rights shown on the map attached as Exhibit 5-B and described [This information may be included on Exhibit 5-A, or an additional map may be at the area of water rights being leased. Attached map(s) must identify water right ho	l as follows: tached. Crosshatch

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

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page n	umber of	f certificate, more	if certificate than one p	is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	17 S	12 E	15	NW SE	900	0.75	Irrigation	83571	43	10/31/190
2.									REC	EIVED
3.									FFB	2 7 2009
4.										NUDCES DE
5.									WATER RES	OREGON

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct.
31, 1900 - 0.75 acres
Conditions or other limitations, if any: None
1000

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

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 31, 2009. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review

shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.

3.4 Suspension of original use. During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

3.5	Termination	provision.
3.3	i ei mination	bi ovizion

For multiyear leases, the Lessor(s) shall have the option of terminating the lease each
year with written notice to the Department. The lease may be terminated at any time
during the calendar year. However, if the termination request is received less then 30
days prior to the period of allowed instream use or after the period of allowed use has
begun for the water right(s) being leased, water may not be used under the right(s)
leased until the following calendar year, unless the Director determines that
enlargement would not occur. The Department may also require:

- Written notice to the Department with original signatures;
- Consent by all parties to the lease; and/or
- Written notice to the Watermaster's office.
- For multiyear leases, the lessor shall not have the option of terminating the lease. without consent by all parties to the lease.

Modification to prevent injury. Allocation of water to the instream use described in 3.6 Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

Lessor #1: Lary J Chelberger Gary Echelberger	Date: $2/2/09$
Gary Echelberger	,
Shirley G. Kongshaug	Date: 2-2-09
Shirley Kongshaug	

For additional Lessors, type in space for signature and date

RECEIVED
FEB 27 2009 WATER RESOURCES DEPT SALEM, OREGON

Other Attachments As Needed:

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

Detailed map illustrating lands under subject rights to be leased; required if only Exhibit 5-B: part of a right is being leased instream. Exhibits 5-A and 5-B may be combined

into a single map. (See instructions.)

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

forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is

checked)

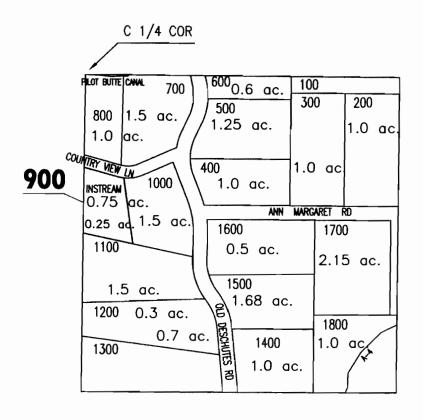
Split Season Instream Use Form Exhibit 5-D:

DESCHUTES COUNTY SEC.15 T17S. R12E. W.M.

SCALE - 1" = 400'

N↑

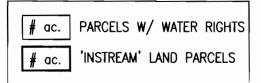
NW 1/4 OF THE SE 1/4



RECEIVED

FEB 27 2009

WATER RESOURCES DEPT SALEM, OREGON





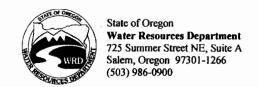
APPLICATION FOR 1 YR INSTREAM LEASE
NAME: GARY ECHELBERGER

TAXLOT #: 900

0.75 ACRES INSTREAM

DATE: 02-06-09

FILE NO: E:\TRANSFER\INSTREAM\INSTRMO9\1YR\171215_NWSE



Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

	Pursuant to ORS 537.348(2) and OAR 690-077	
Optio	onal Identification by Lessor/Lessee: 3367	
Leas	e Application Number (assigned by WRD): <u>IL-964</u>	
This	Lease is with:	
	or #1 (Water Right Holder):	
	e Goodman Living Trust	
	ing address 3451 NE Xenolith St	RECEIVED
	State, Zip Code Terrebonne, OR 97760	
	phone number	FEB 27 2009
Emai	l address	WATER RESOURCES DEPT
If add	ditional water right holders, enter water right holder information below	SALEM, OREGON
	s sequential. ~I~ Water Right Holder and Water Right Informat	ion
1.1	Lessor #1 is the water right holder, or authorized agent for property de	scribed in Section
	1.5. If the water right appurtenant to these lands is also appurtenant to others who are not included in this application, then Attachment 1 (tax included.	•
1.3	For the water right(s) being leased, list all water rights appurtenant to t Indicate if there are any supplemental or overlying rights.	he same lands.
	Certificate No. 83571 & 76714	
1.4	Are some or all of the lands being leased part of a Conservation Reserved Program. Yes No	e Enhancement
1.5	Water Right(s) Proposed to be Leased Instream. Water right holder water rights shown on the map attached as Exhibit 5-B and described a [This information may be included on Exhibit 5-A, or an additional map may be attached.]	s follows:

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

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

	T	R	Sect	1/4 ¹ /4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	nt page n	umber of	certificate, more	if certificate than one p	is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	14 S	13 E	13	SW NW	1500	2.50	Irrigation	83571	11	10/31/190 0
2.									RECE	VED
3.										
4.									FEB 2'	7 2009 -
5.		***						WA	TER RESOU SALEM, O	

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct.
31, 1900 - 2.50 acres
Conditions or other limitations, if any: None

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

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 31, 2009. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review

shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.

3.4 Suspension of original use. During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

~ =		• 4•	
3.5	Term	ination	provision.
			F

- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
- Written notice to the Department with original signatures;
- Consent by all parties to the lease; and/or
- Written notice to the Watermaster's office.
- For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

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

Lessor #1: John Goodina	Date: 2/1/09
John Goodman	
Margaret Strownon	Date: 2109
Margaret Goodman	DECEME

For additional Lessors, type in space for signature and date

FEB 27 2009

WATER RESOURCES DEPT SALEM, OREGON

Other Attachments As Needed:

Exhibit 5-A:

Tax Lot Map. (See instructions.)

Exhibit 5-B:

Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined

into a single map. (See instructions.)

Exhibit 5-C:

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

Exhibit 5-D:

Split Season Instream Use Form

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

SCALE - 1" = 400'

N ↑

SW 1/4 OF THE NW 1/4

RECEIVED

FEB 27 2009

WATER RESOURCES DEPT SALEM, OREGON

	1600	1500	1400	1300
	2.5 ac.	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		2.5 ac.
		INSTREAM 2.5 ac.	2.5 ac.	
ਲ ਵ	J-6-2 EAST	ne Xenolith St		
ME 3380 ST	1700	1800	1900	2000
_	J-6-2		2.5 ac.	
W 1/4 COR	/∹ 2.5 ac.	2.5 ac.		2.5 ac.

ac. PARCELS W/ WATER RIGHTS
ac. 'INSTREAM' LAND PARCELS

CENTRAL OREGON

IRRIGATION DISTRICT

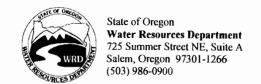
APPLICATION FOR 1 YR INSTREAM LEASE NAME: JOHN & MARGARET GOODMAN

TAXLOT #: 1500

2.5 ACRES INSTREAM

DATE: 02-05-09

FILE NO: E:\TRANSFER\INSTREAM\INSTRM09\1YR\141313_SWNW_1500



Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

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

-	Application Number (assigned by WRD):	RECEIVED
This L	ease is with:	
Loggo	r #1 (Water Right Holder):	FEB 27 2009
	Robert & Cheryl Hanson	WATER RESOURCES DEPT SALEM, OREGON
Mailin	g address PO Box 2357	SALEWI, OFFICION
-	State, Zip Code Redmond, OR 97756	
	address	
Ellian	address	
If addi	tional water right holders, enter water right holder information below	
Applica informa	he section numbering associated with this form corresponds to that found on the "Station" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are tion as the "Standard Instream Lease Application" form. Consequently, the number sequential.	used to provide the same
	~I~ Water Right Holder and Water Right Informa	tion
1.1	Lessor #1 is the water right holder, or authorized agent for property d 1.5. If the water right appurtenant to these lands is also appurtenant to others who are not included in this application, then Attachment 1 (taincluded.	o lands owned by
1.3	For the water right(s) being leased, list all water rights appurtenant to Indicate if there are any supplemental or overlying rights.	the same lands.
	Certificate No. <u>83571 & 76714</u>	
1.4	Are some or all of the lands being leased part of a Conservation Reservoyram. Yes No	rve Enhancement
1.5	Water Right(s) Proposed to be Leased Instream. Water right holder water rights shown on the map attached as Exhibit 5-B and described [This information may be included on Exhibit 5-A, or an additional map may be attached area of water rights being leased. Attached map(s) must identify water right hosection and 1/4 1/4, tax lot number, map orientation and scale.]	as follows: ached. Crosshatch

	T	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	Certificate #	Page(s) #	Priority*
	*(Ident	ify pertine	ent page r	number o	f certificate, more	if certificate than one pe	is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	14 S	13 E	21	NW NW	403	0.70	Irrigation	83571	13	10/31/190
2.									hard the	APILIPE
3.									K	CEIVED
4.		T							FE	B 2 7 2009
5.									WATER F	ESOURCES (
			•							EM, CREGON

	Total number of acres, if for irrigation, by certificate and priority date: Cert #83571,	Oct.
31, 1	0 - 0.70 acres	
	Conditions or other limitations, if any: None	

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

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 31, 2009. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review

3.4 Suspension of original use. During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights. 3.5 Termination provision. For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then 30days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require: • Written notice to the Department with original signatures: Consent by all parties to the lease; and/or Written notice to the Watermaster's office. For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease. 3.6 Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury. Lessor #1 Robert Hanson For additional Lessors, type in space for signature and date FEB 27 2009 WATER RESOURCES DEPT SALEM, OREGON Other Attachments As Needed: Exhibit 5-A: Tax Lot Map. (See instructions.) Detailed map illustrating lands under subject rights to be leased; required if only Exhibit 5-B: part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.) Supporting documentation indicating why a right is valid and not subject to Exhibit 5-C: forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked) Split Season Instream Use Form Exhibit 5-D:

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

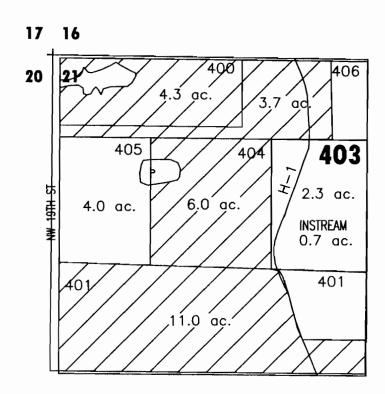
water to be leased or transferred instream.

DESCHUTES COUNTY SEC.21 T14S. R13E. W.M.

SCALE - 1" = 400'

N↑

NW 1/4 OF THE NW 1/4



RECEIVED

FEB 27 2009

WATER RESOURCES DEPT SALEM, OREGON

ac.

ac.

EXISTING WATER RIGHTS

'INSTREAM' LAND PARCELS

PARCELS W/ WATER RIGHTS

CENTRAL OREGON

IRRIGATION DISTRICT

APPLICATION FOR 1 YR INSTREAM LEASE

NAME: ROBERT & CHERYL HANSON

TAXLOT #: 403

0.7 ACRES INSTREAM

DATE: 02-06-09

FILE NO: E:\TRANSFER\INSTREAM\INSTRMO9\1YR\141321_NWNW



Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

Pursuant to ORS 537.348(2) and OAR 690-077 Optional Identification by Lessor/Lessee: 354565 Lease Application Number (assigned by WRD): IL-964 This Lease is with: Lessor #1 (Water Right Holder): Name Ernest (Bud) Hutchinson RECEIVED Mailing address PO Box 1341 City, State, Zip Code Eagle Point, OR 97524-1341 FEB **27** 2009 Telephone number 541-601-0123 WATER RESOURCES DEPT Email address SALEM, OREGON If additional water right holders, enter water right holder information below Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential. ~I~ Water Right Holder and Water Right Information 1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included. 1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights. Certificate No. 83571 & 76714 Are some or all of the lands being leased part of a Conservation Reserve Enhancement 1.4 Program. Yes 1.5 Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows: [This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch

section and ¼ ¼, tax lot number, map orientation and scale.]

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

	T	R	Sect	1414	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.	15 S	12 E	25	SE NE	600	1.30	Irrigation	83571	21	10/31/190 0
2.	15 S	12 E	25	SW NE	600	5.00	Irrigation	83571	21	10/31/190 0
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct.
31, 1900 - 6.30 acres (Since HB 3111, there has been lot line adjustments combining multiple tax
lots.)
Conditions or other limitations, if any: None

- **1.6** Validity of rights. Lessor(s) attests (mark one) that:
 - The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or

RECEIVED

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

WATER RESOURCES DEPT SALEM, CREGON

FEB 27 2009

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on <u>October 31, 2009</u>. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

- 3.3 **Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.
- **Suspension of original use.** During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

3.5	Termination	provision.
	+ +1	Proceeding

- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
- Written notice to the Department with original signatures;
- Consent by all parties to the lease; and/or
- Written notice to the Watermaster's office.
- For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.
- 3.6 Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

Lessor #1: Creen buy
Ernest (Bud) Hutchinson

For additional Lessors, type in space for signature and date

RECEIVED

FEB **27** 2009

WATER RESOURCES DEPT

SALEM, OREGON

Other Attachments As Needed:

Exhibit 5-A:

Tax Lot Map. (See instructions.)

Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only

part of a right is being leased instream. Exhibits 5-A and 5-B may be combined

Date: 2/6/69

into a single map. (See instructions.)

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

forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is

checked)

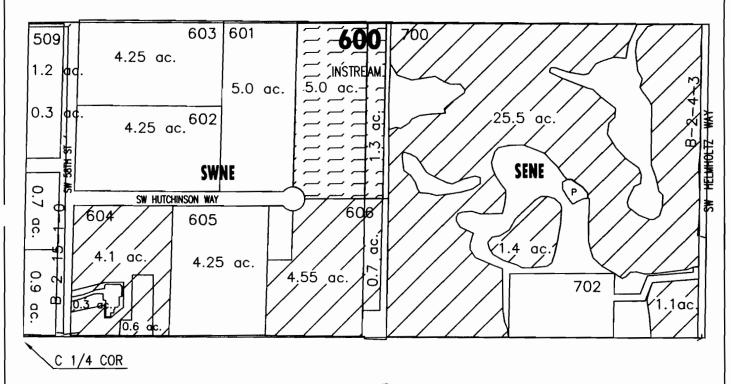
Exhibit 5-D: Split Season Instream Use Form

DESCHUTES COUNTY SEC.25 T15S. R12E. W.M.

SCALE - 1" = 400'

N↑

SW 1/4 OF THE NE 1/4; SE 1/4 OF THE NE 1/4



RECEIVED

FEB 27 2009

WATER RESOURCES DEPT SALEM, OREGON

'INSTREAM' LANDS				
	EXISTING WATER RIGHTS			
# ac.	PARCELS W/ WATER RIGHTS			

CENTRAL OREGON

IRRIGATION DISTRICT

APPLICATION FOR 1 YR INSTREAM LEASE NAME: ERNEST (BUD) HUTCHINSON

TAXLOT #: 600

6.3 ACRES INSTREAM

DATE: 02-03-09

FILE NO: E:\TRANSFER\INSTREAM\INSTRMO9\1YR\151225_SNE