

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

	••							
Opt	ional Identification by Lessor/Lessee: IL-2009-12							
Les	se Application Number (assigned by WRD):	- •						
Thi	s Lease is between:							
Les	sor #2: Irrigation District or Other Water Purveyor							
Nar	ne Central Oregon Irrigation District	_						
	ling address 1055 SW Lake Ct	•						
City	r, State, Zip Code Redmond, OR 97756 rphone number 541-504-7577	•						
Tel								
Em	ril address lauraw@coid.org	•						
The	water right to be leased is located in Crook & Deschutes	County.						
Les	see (if different than Oregon Water Resources Department):							
Nar	ne Deschutes River Conservancy	_						
Mai	ling address PO Box 1560							
City	, State, Zip Code Bend, OR 97709							
Tele	phone number <u>541-382-5186</u>	•						
Em	nil address gen@deschutesriver.org	•						
Tre	stee:							
	gon Water Resources Department							
	Summer Street NE, Suite A							
	m, OR 97301-1266	•						
	9) 986-0900							
(50.	~I~ Water Right Holder and Water Right Inform	ation						
	was were tright Holder and waster reflet minist	MUON						
1.2	Lessor #2 is the (Check one):							
	☐ Official representative of Central Oregon Irrigation District	. the irrigation district.						
	which conveys water to the subject water rights.	, <u>B</u>						
	Another party with an interest in the subject water rights represe	entino						
	☐ Not applicable.							
1.3	For the water right(s) being leased, list all water rights appurtenant Indicate if there are any supplemental or overlying rights.	to the same lands.						
RECEIVE	Certificate No. 83571 & 76714							
MAR 2 6 200	9							
~ ~ ~ ~ ~ ~	Pooled Lease Form / 1	FSD						

1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No
1.5	Water Rights Proposed to be Leased Instream. The first right to be leased identified in Section 1.3 is further described as follows: 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: 42.72 Total acre-feet of storage to be leased, if applicable: 0
	Maximum rate associated with subject water rights (cfs) being leased: POD #1: Priority 10/31/1900; Season 1: 0.491, Season 2: 0.654, Season 3: 0.865 Priority 12/02/1907: Season 3: 0.346 POD #11: Priority 10/31/1900; Season 1: 0.041, Season 2: 0.055, Season 3: 0.073
	Priority 12/02/1907: Season 3: 0.029 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): PQD #1: 388.75 POD #11: 32.82
	Conditions or other limitations, if any: None
	If you need to enter another leased right, please use the additional water rights form.
	~II~ Instream Water Right Information
2.1	Public use. This lease will increase streamflows that will benefit: ☐ Conservation, maintenance and enhancement of aquatic and fish life, wildlife, and fish and wildlife habitat ☐ Pollution abatement
	□ Recreation and scenic attraction
2.2	Instream use created by lease. The instream use to be created is described as follows: Deschutes River Tributary to Columbia River in the Deschutes Basin.
	Describe the point of diversion (POD) and any associated reach(es) of the instream use being created. If possible list the reach by river mile. If no reach is identified, and there is only one POD listed on the certificate, the lease will be processed to be protected at the POD. (If more than one POD is listed on the certificate, then the POD and any associated
	reach(es) must be identified): <u>POD #1 & #11 to Lake Billy Chinocle the much of the Daschucle</u> Maximum volume in acre-feet: <u>Priority 10/31/1900: POD #1: 214.75, POD #11: 232.85</u> Rate in cfs: <u>POD #1: Priority 10/31/1900: Season 1: 0.271, Season 2: 0.361, Season 3: 0.669</u> POD #11: Priority 10/31/1900: Season 1: 0.294, Season 2: 0.391, Season 3: 0.725
RECEIVED	(If more than one rate, describe the rate associated within each time period or instream reach.) Rate in cfs:
MAR 2 6 2009	Rate in cfs:

WATER RESOURCES DEPT SALEM, OREGON

	(Use the section below to indicate a more restrictive period of use than allowed by the water right.) Conditions to prevent injury, if any: None
	The instream flow will be allocated on a daily average basis up to the described rate from through
	☐ Other (describe):
2.3	Term of lease. This lease shall terminate on October 26, 2009
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) 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.
RECEIVE	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;
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	 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.
3.7	Fees. Pursuant to ORS 536.050, the following fee is included: Showing fee is included: \$200 for an application with four or more landowners or four or more water rights. \$100 for all other applications.
Lesson Centra	#2: Saura Stablan Date: 03-24-04
Lessee Desch	e: <u>Senence Hubert</u> Date: <u>03/26/69</u>
Attach Attach Attach	Attachments as Needed: ment 1: Tax Lot Map. (See instructions.) 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.) 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).
Attack	ment 4: Solit Season Instream Hee Form

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Attachment 5: Pooled Lease Water Right Holder Form

Central Oregon Irrigation District IL-2009-12 Water Right changes for Instream Maps

TRS	QQ	AC	OWRD #	
16-12-10	SE SW	1.00 ac Exited	E-2008-003	Submitted 01/09/09

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Application for

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	Application Number (essional by 1/27)	
Lease	Application Number (assigned by WRD):	
This I	Lease is with:	
Lesso	r #1 (Water Right Holder):	
	The Roman Catholic Bishop of the Diocese of Baker	
	ng address PO Box 5999	
	State, Zip Code Bend, OR 97708	
Telep	hone number <u>541-388-4004</u>	
Email	address	
If add	itional water right holders, enter water right holder information below	
Application information in the contraction in the c	The section numbering associated with this form corresponds to that found on the "Standard Instream Lease ation" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the samation as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not sequential.	18
	~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 included.	be
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	
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No	
1.5	Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease 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	the
RECEIVE	the area of water rights being leased. Attached map(s) must identify water right holder, township, range, Dection and 1/2 1/4, tax lot number, map orientation and scale.]	
MAR 2 6 200		FSI

	T	R						Certificate #		Priority
	*(Identi	fy pertine	nt page r	number of	certificate, i	f certificate	is greater than 1 er certificate)	0 pages; identify	priority data	if there is
1.	16 S	14 E	20	NE NE	100	18.50	Irrigation	83571	40	10/31/190
2.									-	
3.										
4.										
5.										

<u>31. :</u>	To: 1900 -	al number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 18.50 acres
	Co	aditions or other limitations, if any: None
•		l to enter another leased right, please use the Additional Water Right Form for Pooled at Holder.
1.6	Valid	lity of rights. Lessor(s) attests (mark one) that:
	\boxtimes	The water has been used over the past five years according to the terms and conditions of the 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

~II~ Instream Water Right Information

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

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.)

Attachment 3).

~III~ Other Information

- 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.



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

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Pooled Water Right Holder Form / 2

	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 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. The same source of the instream use described in Section 2.2 during the term of this lease is signed, the lease may be modified or terminated to prevent injury. Date: 2-16-09
	Roman Catholic Bishop of the Diocese of Baker
For a	dditional Lessors, type in space for signature and date
	-
	: Attachments As Needed:
	oit 5-A: Tax Lot Map. (See instructions.)
Exnir	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.)

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Exhibit 5-C:

Exhibit 5-D:

checked)

Split Season Instream Use Form

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Pooled Water Right Holder Form / 3

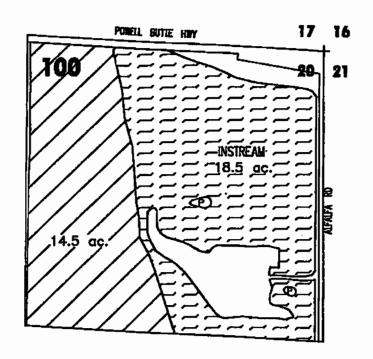
Supporting documentation indicating why a right is valid and not subject to

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

CROOK COUNTY SEC.20 T16S. R14E. W.M.

SCALE - 1" = 400'

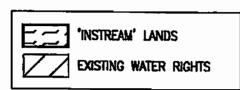
NE 1/4 OF THE NE 1/4



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WATER RESOURCES DEPT SALEM, OREGON





APPLICATION FOR 1 YR INSTREAM LEASE

NAME: THE ROMAN CATHOLIC BISHOP OF THE DIOCESE OF BAKER

TAXLOT #: 100

18.5 ACRES INSTREAM

DATE: 02-13-09

FILE NO: E-\TRANSFER\NSTREMA\NSTRING\\right\181420_NENK



Application for

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

Opt Lea	Optional Identification by Lessor/Lessee: 553 Lease Application Number (assigned by WRD):									
	s Lease is with:									
	sor #1 (Water Right Holder): ne Kim D. Ward, LLC									
	ling address 61535 S Hwy 97 #9-517									
	y, State, Zip Code Bend, OR 97702									
Tel	phone number <u>541-382-1636</u>									
Em	ail address									
	Iditional water right holders, enter water right holder information below									
Appi infor	: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease lication" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same mation as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not ye 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. <u>83571 & 76714</u>									
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No									
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 the area of water rights being leased. Attached map(s) must identify water right holder, township, range,									
RECEIVED	section and ¼ ¼, tax lot number, map orientation and scale.]									

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Pooled Water Right Holder Form / 1

	ι	R	Sect	<i>V</i> , <i>V</i> ,	Tax Lor	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.	18 S	13 E	04	SE NE	108	13.40	Irrigation	83571	55	10/31/190			
2.													
3.		-,,											
4.													
5.								·					

			_									
5	L	<u> </u>										
If:	Total number of acres, if for irrigation, by certificate and priority date: Cert #83571. Oct. 31, 1900 - 13,40 acres Conditions or other limitations, if any: None If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.											
1.6	Valid	lity of r	ights. I	essoria	attests (n	nark one) t	that:					
	1.6 Validity of rights. Lessor(s) attests (<u>mark one</u>) that: \[\int \text{mark one} \text{ that:} \] 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~ L	nstream	Water R	ight Inform	ation				
2.3	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.)											
					~III~ C	other Inf	ormation					

- 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.
- RECEIVED

 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

Pooled Water Right Holder Farm / 2

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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 3.4 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:			
		$\overline{\cdot}$		
Kim D	Wa	rd.	LL	C
			-	_

Date: 2/20/09

For additional Lessors, type in space for signature and date

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



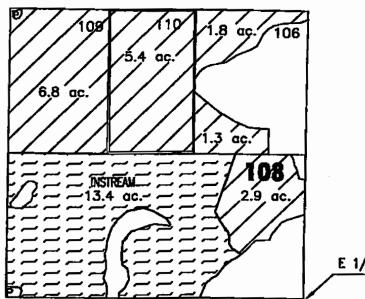
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Pooled Water Right Holder Form / 3

DESCHUTES COUNTY SEC.04 T18S. R13E. W.M.

SCALE - 1" = 400"

SE 1/4 OF THE NE 1/4

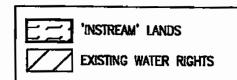


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WATER RESOURCES DEPT SALEM, OREGON





IRRIGATION DISTRICT

APPLICATION FOR 1 YR INSTREAM LEASE NAME: KIM WARD

TAXLOT #: 108

13.4 ACRES INSTREAM

DATE: 02-13-09

FRE NO: E-\TRNESFER\RESTREGG\RESTREGG\1YX\181304_



Application for

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	nal Identification by Lessor/Lessee: 778430	
		Application Number (assigned by WRD):	
	This l	Lease is with:	
		or #1 (Water Right Holder):	
		Rick & Karyn Williams	
		ng address 26100 Horsell Rd	
	City,	State, Zip Code Bend, OR. 97701	
	Telep	hone number 541-382-9083	
	Email	address	
	If add	litional water right holders, enter water right holder information below	
	Applic inform	The section numbering associated with this form corresponds to that found on the "Standard Instream Lease ation" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the san ation as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not sequential. -I~ Water Right Holder and Water Right Information	ne
	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 included.	be
	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	
	1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No	
	1.5	Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease 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	the
RECEIV	ED	the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and ¼ ¼, tax lot number, map orientation and scale.]	
MADOCO	000	Pooled Water Right Holder Form / 1	FS

MAR 2 6 2009

	Т	R						Certificate #		
	*(Identi	ify pertine	ant page n	umber of	certificate, i	f certificate than one pe	is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	17 S	14 E	23	NW NW	500	7.50	Irrigation	83571	50	10/31/190
2.										
3.										
4.										
5.										

31, 1		al number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 7.50 acres
	Cor	nditions or other limitations, if any: None
		to enter another leased right, please use the Additional Water Right Form for Pooled at Holder.
1.6	Valid	lity 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.)

~III~ Other Information

- 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.
- RECEIVED

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

Pooled Water Right Holder Form / 2

FSD

	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 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.
Lesson	: #1: Lux Melleard Date: 2-20-09
	Villiams
	Myruillino Date:
Karyn	Williams
For ad	ditional Lessors, type in space for signature and date

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

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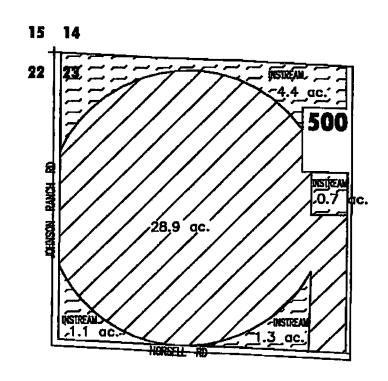
WATER RESOURCES DEPT

Pooled Water Right Holder Form / 3

DESCHUTES COUNTY SEC.23 T17S. R14E. W.M.

SCALE - 1" = 400"

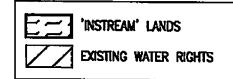
NW 1/4 OF THE NW 1/4



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WATER RESOURCES DEPT SALEM, OREGON





APPLICATION FOR 1 YR INSTREAM LEASE NAME: RICK & KARYN WILLIAMS

TAXLOT #: 500

7.5 ACRES INSTREAM

DATE: 02-26-09

FOR MIN EXPRESSED/MINISTRAL PROPERTY AND THE SAME

FSD



Application for

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.shiml.

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

Optional Identification by Lessor/Lessee: 525680 Lease Application Number (assigned by WRD):									
This I.	This Lease is with:								
Lessor #1 (Water Right Holder): Name Ronald & Christine Nelson Mailing address 2577 SW Helmholtz Way City, State, Zip Code Redmond, OR 97756 Telephone number 541-923-2775 Email address									
If addi	itional water right holders, enter water right holder information below								
Applica informa	he section numbering associated with this form corresponds to that found on the "Standard Instream Lease tion" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same tion as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not 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. <u>83571 & 76714</u>								
1.4	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No								
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 the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and ¼ ¼, tax lot number, map orientation and scale.]								

Pooled Water Right Holder Form / 1

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	Т	R						Certificate #		
	*(Ident	ify pertine	nt page n	umber o	f certificate, i	f certificate	is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	16 S	12 E	10	SE SW	901	0.80	Irrigation	83571	37	10/31/190
2.										· · · · · · · · · · · · · · · · · · ·
3.				!						
4.										
5.										<u> </u>

•					ŀ					
If y	1900 - Car rou need	0.80 acr	or other	r limitz	tions, if an	y: <u>None</u>		iority date: <u>Ce</u> Water Right F		
1.6	1.6 Validity of rights. Lessor(s) attests (mark one) that: \[\text{\text{The water has been used over the past five years according to the terms and conditions} \]									
		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~ I	nstream '	Water Ri	ght Inform	ation		
2.3		m of leaven the P	ase. Thi cooled Le	s lease : ase Form	shall termi	inate on <u>O</u> e m, the Poole	ctober 26, 20 d Lease Form v	09 . (If the vill be the officia	ere is a confli	ct lease.)
					~III~ O	ther Info	rmation			

- 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.



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

MAR 2 6 2009

Pooled Water Right Holder Form / 2

	water to be leased or transferred instream.	man not set a precedent for the amount of
3.4	Suspension of original use. During the period	
	suspend use of water allowed under the subject is supplemental to the subject water rights.	t water rights and under any water right that
	is supplemental to the subject water rights.	
3.5	Termination provision.	
	For multiyear leases, the Lesson(s) shall he	
		t. The lease may be terminated at any time termination request is received less then 30-
		m use or after the period of allowed use has
	begun for the water right(s) being leased,	
	leased until the following calendar year, u	
	 enlargement would not occur. The Depart Written notice to the Department with o 	
	Consent by all parties to the lease; and/	
	 Written notice to the Watermaster's off 	ice.
	For multiyear leases, the lessor shall not he	,
	without consent by all parties to the lease.	
3.6	Modification to prevent injury. Allocation of	
	Section 2.2 during the term of this lease is not	
	rights to use water from the same source. If in lease may be modified or terminated to prevent	
	rease and be moduled or terminated to preven	
Lessor	r#1: BOMAN IV. INVERSO	Date: 2/18/04
Ronald	d Nelson	-,
	Phiestine Nelson	Date: 2-18-09
Christi	ine Nelson	
		1.a.
For ad	lditional Lessors, type in space for signature and	CARE
	•	
<u>Other</u> Exhibi	Attachments As Needed: it 5-A: Tax Lot Map. (See instructions.)	
Exhibi	it 5-A: Tax Lot Map. (See instructions.)	er subject rights to be leased; required if only
PACIFICAL PROPERTY.		am. Exhibits 5-A and 5-B may be combined
	into a single map. (See instructions	s.)
Exhibi	it 5-C: Supporting documentation indicatir	ng why a right is valid and not subject to

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Exhibit 5-D:

checked)

Split Season Instream Use Form

MAR 2 6 2009

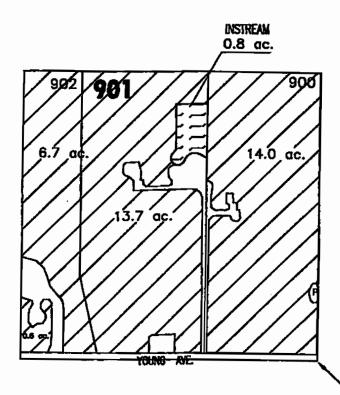
Pooled Water Right Holder Form / 3

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

DESCHUTES COUNTY SEC.10 T16S. R12E. W.M.

SCALE - 1" = 400'

SE 1/4 OF THE SW 1/4



S 1/4 COR

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WATER RESOURCES DEPT SALEM, OREGON



'INSTREAM' LANDS



EXISTING WATER RIGHTS



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: RONALD & CHRISTINE NELSON

TAXLOT #: 901

0.8 ACRES INSTREAM

DATE: 02-26-09

FILE HTS: ESCHIONATED AND HEALTH DAY FOR THE STREET



Application for

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 Leas	Optional Identification by Lessor/Lessee: 901332 Lease Application Number (assigned by WRD): This Lease is with:								
This									
	or #1 (Water Right Holder): e Dianne Pehrsson								
	ing address 63445 Deschutes Market Rd								
City,	State, Zip Code Bend, OR 97701								
Telep	phone number <u>541-385-5363</u>								
Emai	l address								
If add	litional water right holders, enter water right holder information below								
Applic inform	The section numbering associated with this form corresponds to that found on the "Standard Instream Lease cation" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the saturation as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not a sequential.	ne							
	~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 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. <u>83571 & 76714</u>								
1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No									
1.5	Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease 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 the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and ¼ ¼, tax lot number, map orientation and scale.]	the							
CEIVI	Pooled Water Right Holder Form / 1	FSD							

	T	R	Sect	1,1	Tax Lot	Acres	Type of Use	Certificate #	Page(s)#	Priority
	*(Ident	ify pertine	nt page r	number o	certificate, i	if certificate	is greater than 1 er certificate)	0 pages; identify	priority date	if there is
1.	17 S	12 E	14	SW NW	300	1.42	Irrigation	83571	42	10/31/190
2.										
3.										
4.										
5.										

<u>31, 1</u>	To: - 900	tal number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 1.42 acres
	Co	nditions or other limitations, if any: None
If yo Wate	u need ar Rigi	to enter another leased right, please use the Additional Water Right Form for Pooled at Holder.
1.6	Valid	lity 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		on of lease. This lease shall terminate on October 26, 2009 . (If there is a conflict reen 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

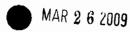
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Pooled Water Right Holder Form / 2

FSD

3.4	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 suspend use of water allowed under the subject water rights and under any water right the subject water rights.							
2 2	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 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 Dianne	Pehrsson Date: 10 Mn 09							
For add	itional Lessors, type in space for signature and date							
Exhibi								
Exhibi	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.)							
Exhibi								
Exhibi	5-D: Split Season Instream Use Form							

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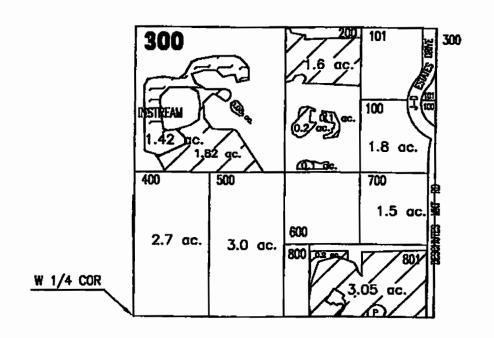


WATER RESOURCES DEPT SALEM, OREGON

DESCHUTES COUNTY SEC.14 T17S. R12E. W.M.

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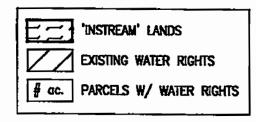
SW 1/4 OF THE NW 1/4



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MAR 2 6 2009

WATER RESOURCES DEPT SALEM, OREGON





Irrigation District

APPLICATION FOR 1 YR INSTREAM LEASE
NAME: DIANNE PEHRSSON

TAXLOT #: 300

1.42 ACRES INSTREAM

DATE: 03-04-09



Application for

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: 1284 Lease Application Number (assigned by WRD): ___ This Lease is with: Lessor #1 (Water Right Holder): Name Ania Pooler Revocable Living Trust Mailing address PO Box 1754 City, State, Zip Code Bend, OR 97709-1727 Telephone number <u>541-382-1399</u> Email address 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. For the water right(s) being leased, list all water rights appurtenant to the same lands. 1.3 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 No Water Right(s) Proposed to be Leased Instream. Water right holder proposes to lease the

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1.5

Pooled Water Right Holder Form / 1

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

water rights shown on the map attached as Exhibit 5-B and described as follows: IThis 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 water right holder, township, range,

FSD

	T	R	Sect	1/4 / A	Tax Lot	Veres	Type of Use	Certificate #	Page(s) #	Priority:
	*(Identi	fy pertine	nt page n	umber of	certificate, i	f certificate than one p	is greater than 1 er certificate)	O pages; identify	priority date	if there is
1.	17 S	12 E	02	NW SE	707	1.10	Irrigation	83571	42	10/31/190
2.										
3.										
4.										
5.										

·		l							
Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 1.10 acres									
	Cor	ditions or othe	r limitations,	if any: <u>N</u> o	ne		·····		
		to enter another t Holder.	er leased righ	t, please u	se the Ad	ditional	Water Right	Form for Po	oled
1.6	Validity of rights. Lessor(s) attests (mark one) that:								
	×	The water has of the water ri						rms and con	ditions
		The water has conditions of forfeiture und Attachment 3)	the water rigiter ORS 540.0	nt certifica	te, howev	er the w	ater right is r	ot subject to	0
			~II~ Instre	am Wate	er Right	Inform	ation		

Term of lease. This lease shall terminate on October 31, 2009 2.3 . (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.)

~III~ Other Information

- Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their 3.1 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.
- Lease, Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for 3.2 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.



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

Pooled Water Right Holder Form / 2

FSD

3.4	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.						
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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: Chia Podov bustee Dato: 02-23-09 poler Revocable Living Trust						
For ad	itional Lessors, type in space for signature and date						
Other .	ttachments As Needed:						
Exhibi							
Exhibi							
Exhibi							

Exhibit 5-D:

checked) Split Season Instream Use Form

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MAR 2 6 2009

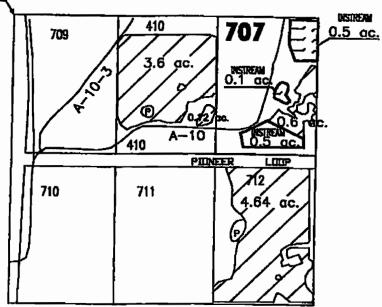
WATER RESOURCES DEPT SALEM, OREGON consecutive years (required if the second box in Section 1.6 of this form is

DESCHUTES COUNTY SEC.02 T17S. R12E. W.M.

SCALE - 1" = 400' N ↑

NW 1/4 OF THE SE 1/4

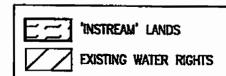
CEN 1/4 COR



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MAR 2 6 2009

WATER RESOURCES DEPT SALEM, OREGON





APPLICATION FOR 1YR INSTREAM LEASE
NAME: ANIA POOLER

TAXLOT #: 707

1.1 ACRES INSTREAM

DATE: 02-25-09

FLT NO. EQUIPMENT/INSTRUM/INSTRUM/INSTANCE.