

STATE OF OREGON WATER RESOURCES DEPARTMENT

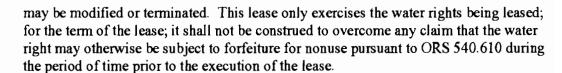
Short-Term Water Right Lease Agreement Pursuant to ORS 537.348(2) and OAR 690-077-0077 for Leases of Existing Water Rights for Instream Use

This Le	ease Agreement is between:
Mailin City, S	#1: Development by Design g address) 401 Main Street, Suite D State, Zip Code) Sweet Home, Oregon 97386 none number) 541-367-1641
Lessor#	#2, 3, etc.
The war	ter right to be leased is located in Linn County
Name) Mailin City, S	(if different than Oregon Water Resources Department): Not Applicable g address) state, Zip Code) sone number)
58 12 ^{tl} Salem (Water Resources Department h Street NE OR 97301 78-8455
	~ I ~
:	Lessor #1 is the owner, or authorized agent for owner of property located at: Township 13 S, Range 1 E, Section 28 and Tax Lot number 700. If the water right appurtenant to these lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map of lessor's property) needs to be included.
1.2	Lessor #2 is the (Check one): Not applicable Official representative of, the irrigation district which conveys water to the subject water rights. Another party with an interest in the subject water rights representing





1.3	For the lands being leased, list all water rights appurtenant to the lessor's property. Indicate if there are any supplemental or overlying rights.			
	Certificate No. 47185			
	Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No			
1.4	Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3. The right(s) to be leased are further described as follows: Certificate No.: 47185 Priority date: 04/29/1976 Type of use: Industrial Legal Season of Use: Year Round Is the entire water right certificate being leased? Yes No If no, list the acres to be leased by legal description of township, range, section, and ¼¼ which will be dried up as part of this lease, and include a map (Attachment 2) showing the lands which will not receive water.			
	Place of use: T 13 S, R 1 E, Section 28, SW 1/4 NW 1/4 - 0.00 acres to be leased Enter additional places of use here, using format above:			
	Page (Identify page number of certificate, if certificate is greater than 10 pages.)			
Number of acres being leased, if for irrigation: na Acre-feet of storage, if applicable: na Total rate associated with leased rights (cfs): 0.25 (Use additional lines if there is more than one rate associated with the water right.) Total duty associated with leased rights (AF): NA (Use additional lines if there is more than one duty associated with the water right.)				
	Conditions or other limitations, if any: NA			
If you need to enter another leased right, please use the additional water rights form.				
1.5	Validity of Rights. Lessor(s) attests (mark one) that:			
	the water has been used over the past five years according to the terms and conditions of the owner's water right certificate or as an instream water right or			
	the water has <u>not</u> been used over the past five years according to the terms and conditions of the owner's water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)(_)(include necessary supporting documentation as Attachment 3).			
	~II~			
2.1	Public Use. This lease will increase streamflows which will benefit:			
	Conservation, maintenance and enhancement of aquatic and fish life, wildlife, and fish and wildlife habitat			



- 3.2 Lease. All Lessors agree to lease the water rights listed in 1.4 for instream use for the term of this Agreement through Lessee to Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077-0077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a new injury review shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.
- 3.4 Suspension of original use. During the period of the lease, the owner agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights. In the event that a supplemental water right is not part of this lease, it may be subject to forfeiture.

Lessor #1: hay (numum, owner, manager Date: 5-29-2003)
Development by design

For additional Lessors, type in space for signature and date

Lessee: Oregon water Resource Dept. Date: 5-29-2003

3.5 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.

Other Attachments As Needed:

- Attachment 1: Tax Lot Map of Lessor's Property (required if landowner is not the sole landowner to lands for which the subject water rights are appurtenant)
- Attachment 2: Detailed map illustrating lands under subject rights to be leased (required if only part of a right is being leased instream).
- Attachment 3: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.5 is checked)
- Attachment 4: Split Season Instream Use Form





Short Term Lease Form - March 3, 2003

Lease Agreement Number (assigned by WRD): L 317

STATE OF OREGON WATER RESOURCES DEPARTMENT

Short-Term Water Right Lease Agreement
Pursuant to ORS 537.348(2) and OAR 690-077-0077
for
Leases of Existing Water Rights for Instream Use

This Lease A	greement is between:
(Mailing add (City, State, 1 (Telephone n	opment by Design ress) PO Box 70165 40 Majh Street, SuiteD Zip Code) Eugene, Oregon Sweet Home, OR 97386 umber) 541 912 5606 541 - 367 - 1641
Lessor#2, 3,	etc.
The water rig	tht to be leased is located in Linn County
(Name) Not A (Mailing add	ress) Zip Code)
Trustee: Oregon Wate 158 12 th Stree Salem OR 97 (503) 378-84	301
13 S, these	r #1 is the owner, or authorized agent for owner of property located at: Township Range 1 E, Section 28 and Tax Lot number 700. If the water right appurtenant to lands is also appurtenant to lands owned by others, then Attachment 1, (tax lot map sor's property) needs to be included.
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