



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

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

Optional Identification by Lessor/Lessee: _____
Lease Application Number (assigned by WRD): IL-1190

This Lease is between:

Lessor #2: Irrigation District or Other Water Purveyor

Name Arnold Irrigation District
Mailing address 19604 Buck Canyon Rd
City, State, Zip Code Bend, OR 97702
Telephone number 541-382-7664
Email address aidist@bendbroadband.com

The water right to be leased is located in Deschutes County.

Lessee (if different than Oregon Water Resources Department):

Name Deschutes River Conservancy
Mailing address 700 NW Hill St
City, State, Zip Code Bend, OR 97701
Telephone number 541-382-4077
Email address gen@deschutesriver.org

Trustee:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
(503) 986-0900

~I~ Water Right Holder and Water Right Information

- 1.2 Lessor #2 is the (Check one):
 Official representative of Arnold Irrigation District, the irrigation district, which conveys water to the subject water rights.
 Another party with an interest in the subject water rights representing _____.
 Not applicable.

- 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. 74197 & 76714 Supp

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.: 74197

Priority date: 2/5/1905 & 4/25/1905 Type of use: IRRIG

Legal Season of Use: April 1 through October 31

If an irrigation right, total number of acres to be leased: 63.52 ac

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

Maximum rate associated with subject water rights (cfs) being leased: _____

If there is more than one rate associated with a water right, describe below:

Season 1 (cfs) 0.362 (2/5/1905), 0.883 (4/25/1905) Time period: 4/1-4/30, 10/1-10/31

Season 2 (cfs) 0.362 (2/5/1905), 1.266 (4/25/1905) Time period: 5/1-5/15, 9/16-9/30

Season 3 (cfs) 0.362 (2/5/1905), 1.811 (4/25/1905) Time period: 5/16-9/15

Maximum duty associated with subject water rights (ac-ft): 979.48 ac ft.

Conditions or other limitations, if any: _____

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 Columbia 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): Arnold Canal; NESW, Section 27, T 18 S, R 11 E, WM; 2800' South and 3740' West from the NE corner of Section 27 to Lake Billy Chinook and on to the mouth of the Deschutes River at RM 0.

Maximum volume in acre-feet: 272.24 ac ft.

Rate in cfs: 0.127 (2/1/1905), 0.309 (4/25/1905) = 0.436

(If more than one rate, describe the rate associated within each time period or instream reach.)

Rate in cfs: 0.127 (2/1/1905), 0.443 (4/25/1905) = 0.570

Rate in cfs: 0.127 (2/1/1905), 0.634 (4/25/1905) = 0.761

(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 _____.

63.52 -
49.06

14.46
AC

49.06 Ac
moved to
Separate
Avion Lease

**This table will calculate flow rate factors and duty for Arnold Irrigation District
Instream Leases**

Enter Total Number of Acres to be Leased Instream Here →	63,520
---	--------

subtract 49.06 Ac moved to new lease

Information highlighted with pink font is to be entered on to the Instream Lease Application Form

For Primary Water Right - Certificate 74197

Rate (CFS) associated with leased rights for Section 1.5 of the Lease Application Form			
The rate and duty identified in this section includes the 65% transmission loss.			
Enter Rates by Priority Date on Lease Form	Full Rate	February 1, 1905	April 25, 1905
Season 1	1.245	0.362	0.883
Season 2	1.629	0.362	1.266
Season 3*	2.173	0.362	1.811
* The rate identified for Season 3 has been proportioned such that the max rate allowed by the right (150.0 CFS) will not be exceeded if all acres were being irrigated.			
Duty (AF) associated with leased right for Section 1.5 of the Lease Application Form			
Duty (decreed) AF/Acre =	15.42		
	979.48		

Rate (CFS) leased instream for Section 2.2 of the Lease Application Form			
The rate and duty identified in this section does not include the 65% transmission loss.			
Enter Rates by Priority Date on Lease Form	Full Rate	February 1, 1906	April 25, 1905
Season 1	0.436	0.127	0.309
Season 2	0.570	0.127	0.443
Season 3	0.761	0.127	0.634
Volume (AF) leased instream for Section 2.2 of the Lease Application Form			
	# days	AF/Season	Duty (decreed) AF/Acre = 5.40
Season 1	61	52.74	Total = 342.82
Season 2	30	33.92	Feb. 1905 portion = 53.81
Season 3	123	185.58	April 1905 portion = 218.43
		272.24	
Additional Conditions to Prevent Injury for Section 2.2 of the Lease Application Form			
Water protected instream:	April 1 through October 31		

For Supplemental Water Right from Crane Prairie Reservoir - Certificate 76714

Duty Associated with Leased Right for Section 1.5 of the Additional Water Right Form	
	979.48
Volume (AF) leased instream for Section 2.2 of the Additional Water Right Form	
	195.56

— revised page —

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.: 74197

Priority date: 2/1/1905 (2/1) & 4/25/1905 (4/25) Type of use: IRR

Legal Season of Use: April 1 – October 31

If an irrigation right, total number of acres to be leased: 14.46

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

Maximum rate associated with subject water rights (cfs) being leased: _____

If there is more than one rate associated with a water right, describe below:

Season 1 (cfs) .082 (2/1) / .201 (4/1) Time period: 4/1-4/30, 10/1-10-31

Season 2 (cfs) .082 (2/1) / .288 (4/1) Time period: 5/1-5/15, 9/16-9/30

Season 3 (cfs) .082 (2/1) / .412 (4/1) Time period: 5/16-9/15

Maximum duty associated with subject water rights (ac-ft): 222.97

Conditions or other limitations, if any: _____

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 Columbia 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): Arnold Canal; NESW, Section 27, T18S, R11E, WM; 2800' South and 3740' West from the NE corner of Section 27 to Lake Billy Chinook and on to the mouth of the Deschutes at RM 0.

Maximum volume in acre-feet: 61.97

Rate in cfs: 0.029 (2/1) & 0.070 (4/25) season 1

(If more than one rate, describe the rate associated within each time period or instream reach.)

Rate in cfs: 0.029 (2/1) & 0.101 (4/25) season 2

Rate in cfs: 0.029 (2/1) & 0.144 (4/25) season 3

(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 31, 2011.
- 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.**
- 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 than 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.

3.7 **Fees.** Pursuant to ORS 536.050, the following fee is included:

- \$400 for an application with four or more landowners or four or more water rights.
- \$250 for all other applications.

Lessor #2: Shawn Gerdes Date: 3/28/11
Shawn Gerdes for Arnold Irrigation District

Lessee: Genevieve Hubert Date: 3/29/2011
Genevieve Hubert for Deschutes River Conservancy

Other Attachments as Needed:

Attachment 1: Tax Lot Map. (See instructions.)

Attachment 2: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. (See instructions.)

Attachment 3: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 is checked).

Attachment 4: Split Season Instream Use Form

Attachment 5: Pooled Lease Water Right Holder Form

This table will calculate flow rate factors and duty for Arnold Irrigation District
Instream Leases

Enter Total Number of Acres to be Leased Instream Here		14,460						total acres	3976.05
		Rate (CFS for 1 acre) with transmission loss (65%)		February 1, 1905		April 25, 1905			347.69
	# Days	Full Rate	Total Rate if using on all acres based on rate per acre	Max CFS/Acre = 25 CFS/4384.05 ac	Max CFS/Acre = 125 CFS/4384.05 ac	total rate per acre by pri date	Total diverted if using on all acres based on rate per pri date		35.71
Season 1	81	0.0196	85.962	0.0057	0.0139	0.0196	85,962		23.2
Season 2	30	0.0256	112.412	0.0057	0.0199	0.0256	112,412		1.5
Season 3*	123	0.0481	210.772	0.0057	0.0285	0.0342	150,000		4384.05

S3 = proportioned rate

Rates with 65% transmission loss factor taken out				
	Max rate based on total CFS limits	February 1, 1905	April 25, 1905	Total if diverting on all acres
Season 1	0.0069	0.0020	0.0049	30.0866
Season 2	0.0090	0.0020	0.0070	39.3440
Season 3*	0.0120	0.0020	0.0100	52.5000

*S3 = proportioned rate

Instream Leases with Conditions of Section 2.2 of the Lease Application Form

For Primary Water Right Certificate 74197

Rate (CFS) associated with leased rights for Section 1.5 of the Lease Application Form			
Enter Rates by Priority Date on Lease Form	Full Rate	February 1, 1905	April 25, 1905
Season 1	0.284		
Season 2	0.371		
Season 3*	0.495		
* The rate identified for Season 3 has been proportioned such that the max rate allowed by the right (150.0 CFS) will not be exceeded if all acres were being irrigated.			
Duty (AF) associated with leased right for Section 1.5 of the Lease Application Form			
Duty (decrees) AF/Acre =	15.42		

Rate (CFS) leased instream for Section 2.2 of the Lease Application Form			
Enter Rates by Priority Date on Lease Form	Full Rate	February 1, 1905	April 25, 1905
Season 1	0.099		
Season 2	0.130		
Season 3	0.173		

Volume (AF) leased instream for Section 2.2 of the Lease Application Form			
# days	AF/Season	Duty (decrees) AF/Acre = 5.40	
Season 1*	61	12.01	Total = 78.04
Season 2	30	7.72	Feb. 1905 portion =
Season 3	123	42.25	April 1905 portion =

Additional Conditions to Prevent Injury for Section 2.2 of the Lease Application Form

Water protected instream:
 * Note - The number of days that water may be protected instream in Season 1 has been reduced to prevent enlargement of the right.

For Supplemental Water Right from Crane Prairie Reservoir Certificate 76714

TOTAL ACRES (for Arnold ID)	Max Duty
4,385.050	16.420 AF/Acre
TOTAL VOL STORED IN RES UNDER THIS CERT (for Arnold ID)	
13,500.0	
ACRE-FEET PER ACRE BASED ON VOLUME AND TOTAL ACRES	
3.03	

Duty Associated with Leased Right for Section 1.6 of the Additional Water Right Form

Volume (AF) leased instream for Section 2.2 of the Additional Water Right Form



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
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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

Optional Identification by Lessor/Lessee: prev. L-1087
Lease Application Number (assigned by WRD): IL-1140

This Lease is with:

Lessor #1 (Water Right Holder):

Name City of Bend; Attn: Patrick Griffiths
Mailing address 62975 Boyd Acres Road
City, State, Zip Code Bend, OR 97701
Telephone number 541-317-3008
Email address pgriffiths@ci.bend.or.us

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. _____

- 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.]

T	R	Sect	¼ ¼	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.	18	12	04	SW SW	203	0.58	IRRIG	74197	7	2/5/1905 4/25/1905
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: 0.58

Conditions or other limitations, if any: _____

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

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 not 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, 2011. (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

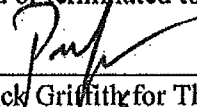
- 3.1 Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified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

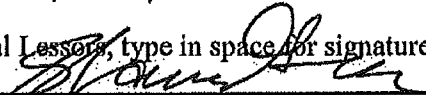
3.4 Suspension of original use. During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

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 than 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:  Date: 3-8-11
Patrick Griffith for The City of Bend

For additional Lessors, type in space for signature and date
Lessor #2:  Date: 3/28/11
Shawn Gerdes for Arnold Irrigation District

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

EXHIBIT C

Deschutes River Conservancy 2011 Instream Leasing Program

Policy Concerning Weeds & Instream Leases Information on Farm Deferral & Lease Payment

The Deschutes River Conservancy is dedicated to restoring stream flow and improving water quality in the Deschutes Basin; land stewardship is a component of these goals.

Weed Policy

The DRC expects participants in the Leasing Program will continue to exercise agricultural best management practices on lands enrolled in the Program, particularly with respect to the control of noxious and/or nuisance weeds. Failure to control weeds on leased acres may result in exclusion from Program compensation.

Information and Resources Attached


Farm Deferral Notice

Instream leasing is a beneficial use that protects your water right from forfeiture and allows for compensation for this instream use, but please note that it does not automatically protect against loss of farm use special assessment. Exclusive Farm Use (EFU) zoned lands may still require at least minimal use with the intent to make a profit. It is the landowner's responsibility to know their tax assessment status and qualifying uses.

Information and Resources Attached

Donated Leases: Leases of less than 5 acres, leases with public entities, leases submitted after the due date agreed upon by the District and the DRC and posted by the District, and leases with verified weed complaints are not paid a per acre or per acre-foot rate by the DRC.

I, PATRICK GRIFFITHS understand the DRC weed policy and have
Print Name
been informed about farm deferral and donations.

Signature:  Date: 3-8-11

This form must be signed and returned with state lease form.

Arnold Irrigation District

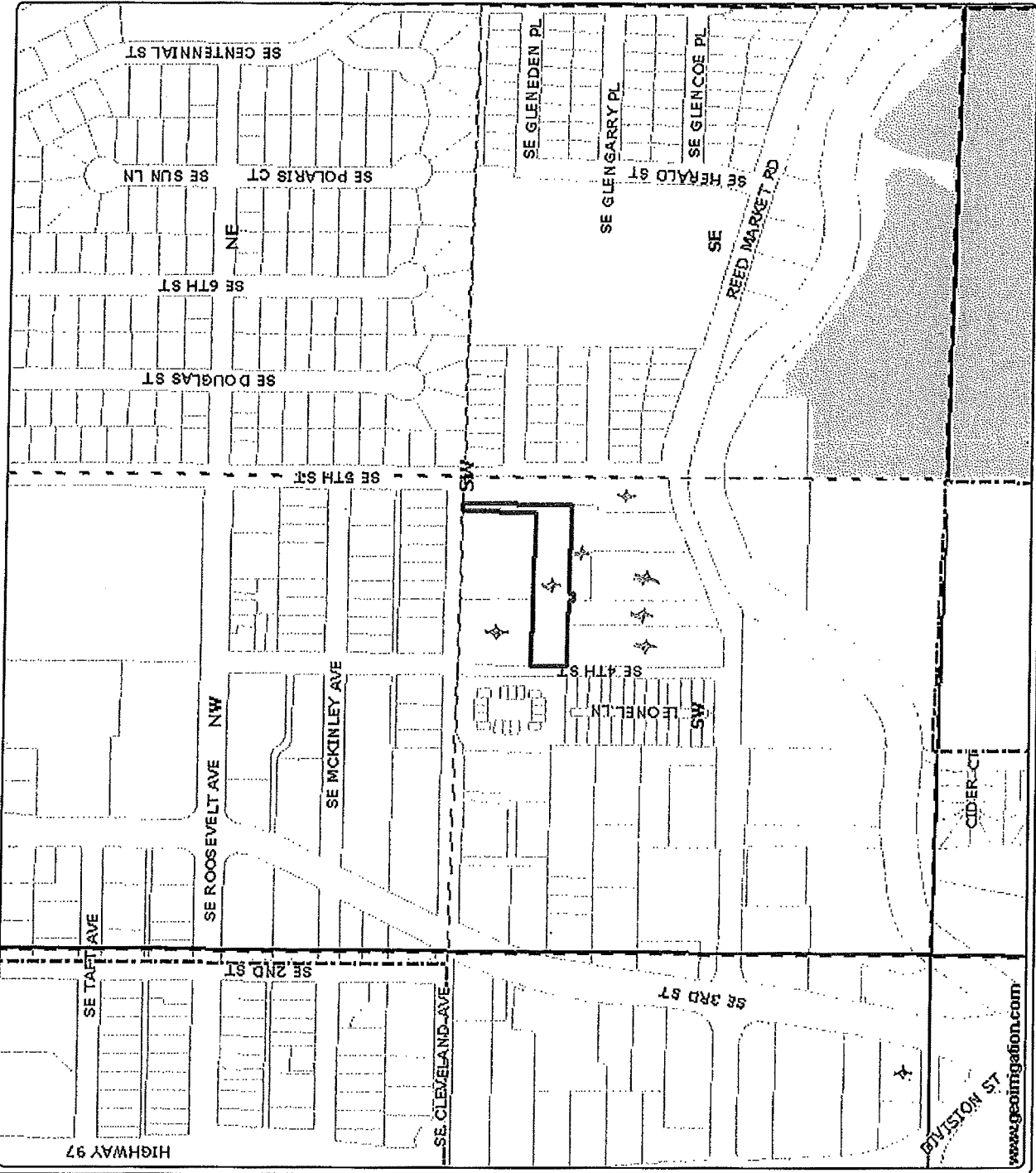
City of Bend Lease Map -
0.58 ac - 495 SE
Cleveland

181204CC00203 -
181204-SWSW-00203

- District Boundary
- County Boundary
- Road labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Canal All
- Canal Piped
- Canal Open
- POU District Primary Fill
- Rivers



Scale 1" = 400'
Created: 6/11/2010



www.geoinformation.com
DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.



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Water Resources Department
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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

Optional Identification by Lessor/Lessee: prev L-1087, L-519, L-926
Lease Application Number (assigned by WRD): IL-1140

This Lease is with:

Lessor #1 (Water Right Holder):
Name Bend Metro Parks & Recreation
Mailing address 799 SW Columbia Street
City, State, Zip Code Bend, OR 97702
Telephone number 541-389-7275
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.
- 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. _____

- 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.]

T	R	Sect	¼ ¼	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.	18	11	13	NW SE	1200	2.14	IRRIG	74197	13	2/5/1905 4/25/1905
2.	18	12	03	SW SW	5600	3.90	IRRIG	74197	T-7653	2/5/1905 4/25/1905
3.	18	12	03	SW SW	5900	1.62	IRRIG	74197	T-7653	2/5/1905 4/25/1905
4.	18	12	0-3	SW SW	6000	1.58	IRRIG	74197	T-7653	2/5/1905 4/25/1905
5.										

Total number of acres, if for irrigation, by certificate and priority date: 9.24 ac

Conditions or other limitations, if any: Previously L-1087 (TL 5600, 5900, 6000)
L-926 TL 1200

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

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 not 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, 2011. (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.

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 than 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: David Weston Date: 3-11-11
Bend Metro Parks & Recreation

For additional Lessors, type in space for signature and date

Alan Green 3/28/11

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

EXHIBIT C

**Deschutes River Conservancy
2011 Instream Leasing Program**

**Policy Concerning Weeds & Instream Leases
Information on Farm Deferral & Lease Payment**

The Deschutes River Conservancy is dedicated to restoring stream flow and improving water quality in the Deschutes Basin; land stewardship is a component of these goals.

Weed Policy

The DRC expects participants in the Leasing Program will continue to exercise agricultural best management practices on lands enrolled in the Program, particularly with respect to the control of noxious and/or nuisance weeds. Failure to control weeds on leased acres may result in exclusion from Program compensation.

Information and Resources Attached

Farm Deferral Notice

Instream leasing is a beneficial use that protects your water right from forfeiture and allows for compensation for this instream use, but please note that it does not automatically protect against loss of farm use special assessment. Exclusive Farm Use (EFU) zoned lands may still require at least minimal use with the intent to make a profit. It is the landowner's responsibility to know their tax assessment status and qualifying uses.

Information and Resources Attached

Donated Leases: Leases of less than 5 acres, leases with public entities, leases submitted after the due date agreed upon by the District and the DRC and posted by the District, and leases with verified weed complaints are not paid a per acre or per acre-foot rate by the DRC.

I, Don Horton understand the DRC weed policy and have
Print Name
been informed about farm deferral and donations.

Signature: Don A. Horton Date: 3-11-11

This form must be signed and returned with state lease form.

T.18S., R12E., W.M. SECTION 3

Located in S 1/2, SW 1/4, SW 1/4
TAX LOTS 18-12-03 ac 5600, 5700, 5800, 5900, 6000, 6100

O. C

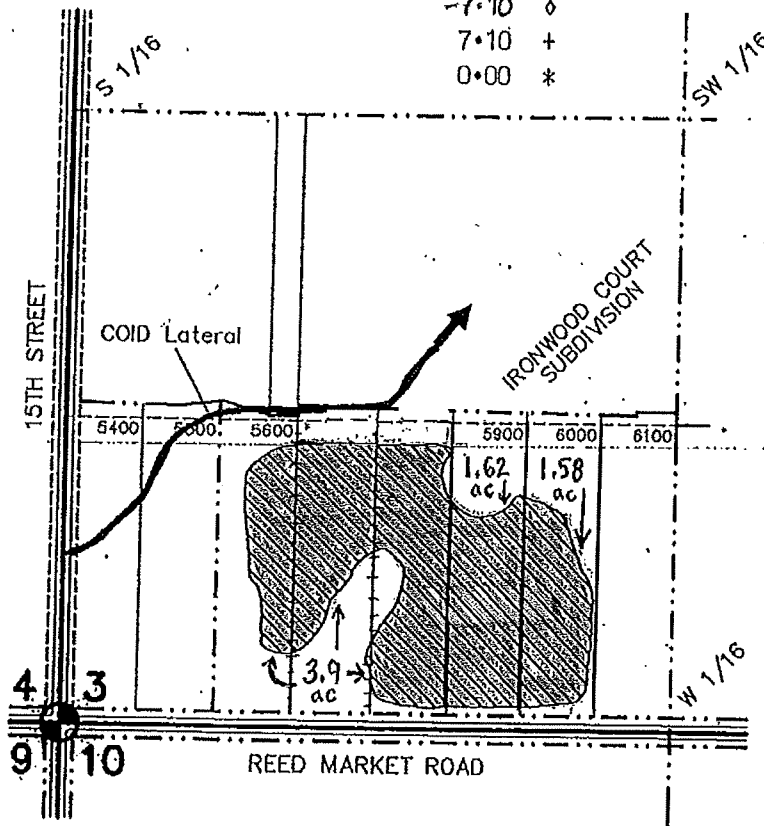
18-12-8 TL 100 4.40 NW/4

18-12-8 TL 2400 2.70 NW/4

-7.10 0

7.10 +

0.00 *



SCALE: 1" = 400'



Existing Right
0.0 Acres



Instream Lease
7.10 Acres
Total



TRANSFER APPLICATION MAP UNDER

2-28-96

Application No. _____ Permit No. _____

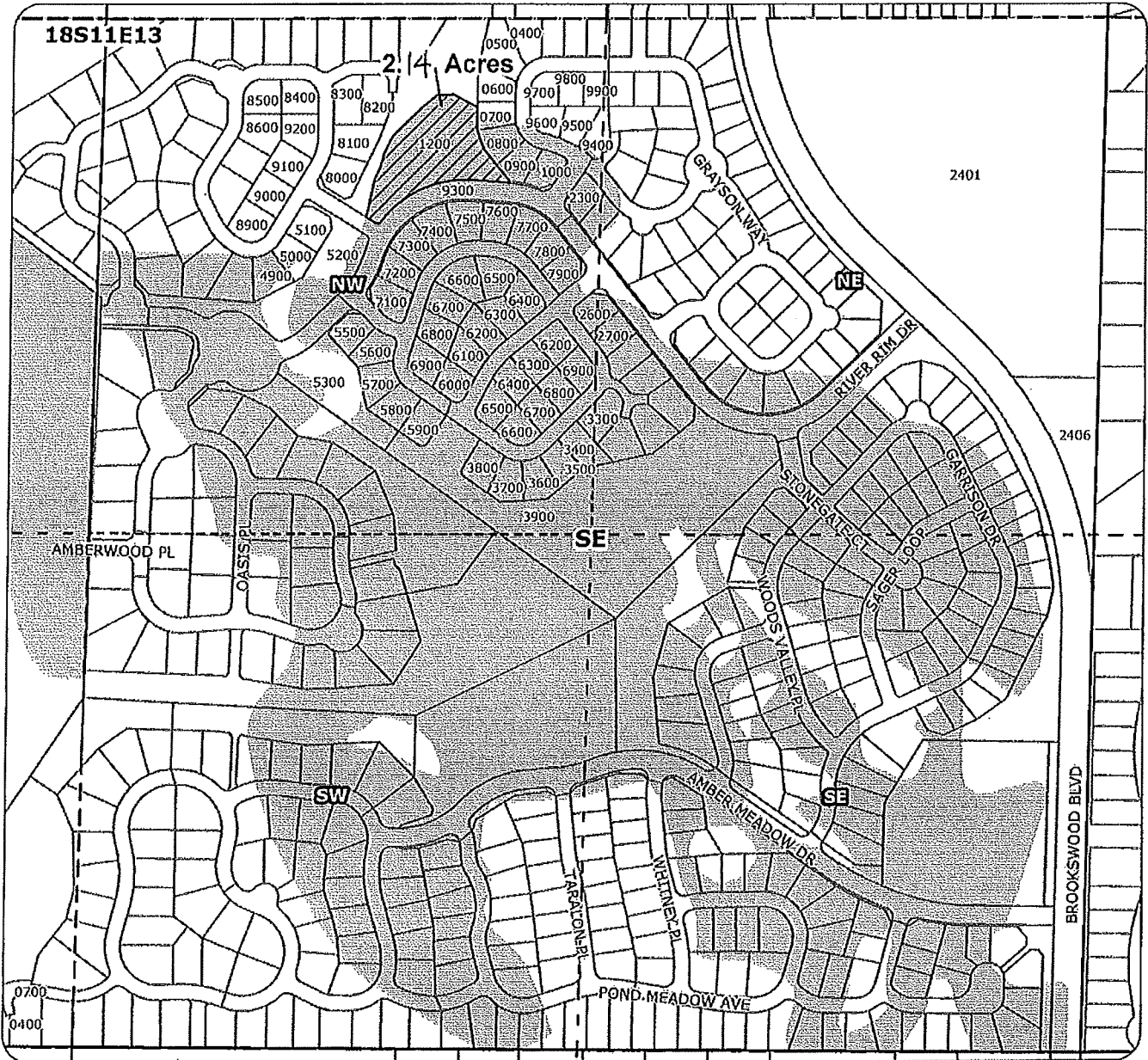
IN NAME OF

BEND METRO PARKS & RECREATION



Prepared: February 28, 1996, by: *Matt Stroete*

This map is for the purpose of identifying the location of water right only and is not intended to provide legal dimensions or locations of property ownership lines.

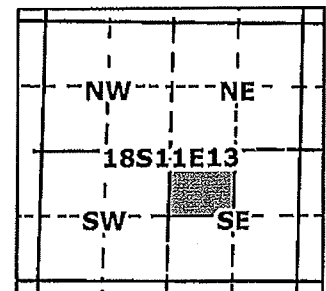
2008 Arnold Irrigation District Instream Lease Map



Application for 1-year Instream Lease Primary: Certificate 74197

-  Proposed Lease of Irrigation Rights
-  Water Rights

For:
Bend Metro Park & Rec.
Taxlot 1200 - 2.51 acres
in 18S11E13NWSE
Total Lease of 2.14 Acres



Geo-Spatial Solutions, Inc.
www.geospatialsolutions.com

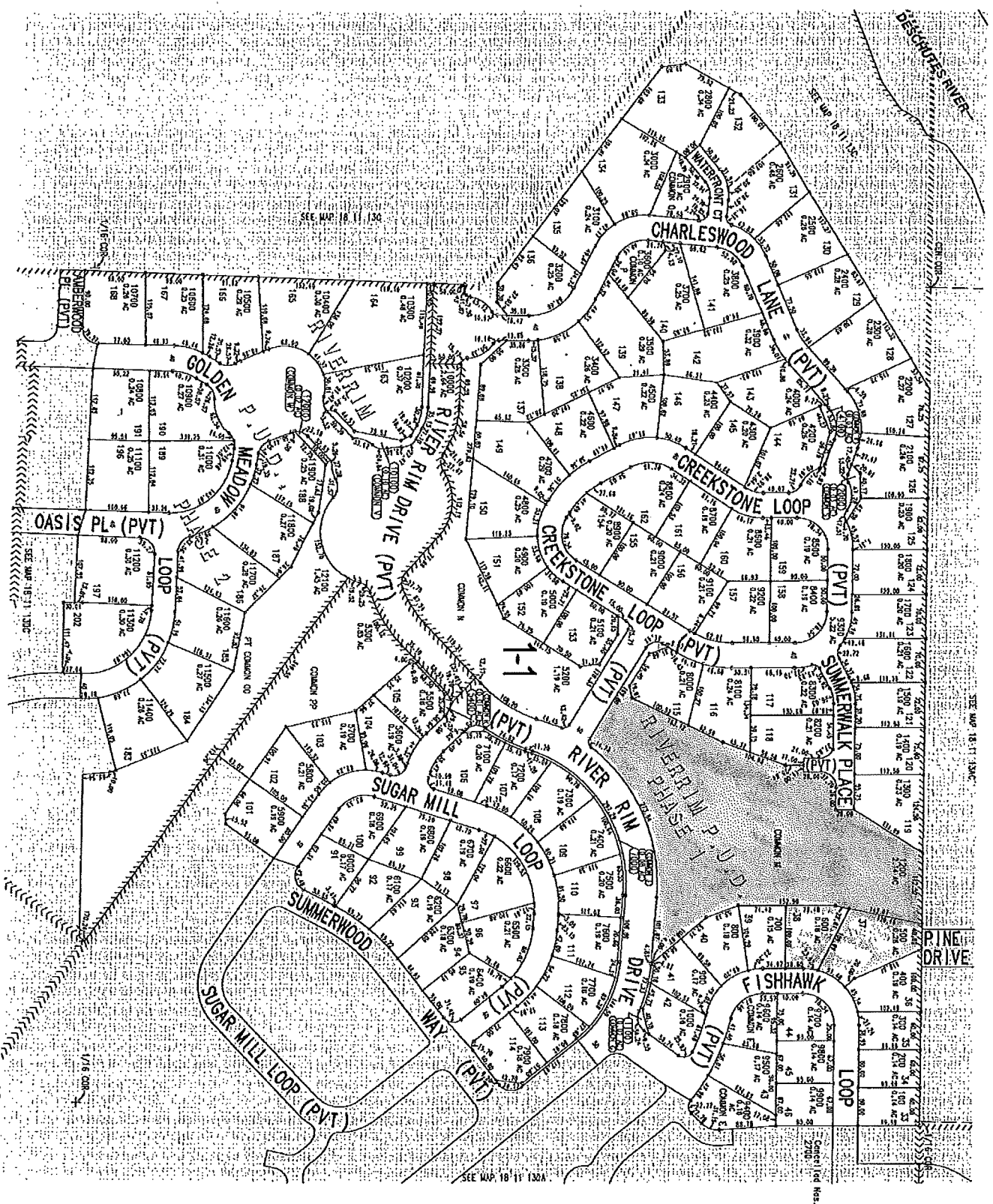
Date Created: May 2008



1 inch equals 400 feet

NW1/4 SE1/4 SEC. 13 T. 18S. R. 11E. W.M.
DESCHUTES COUNTY

1" = 100'



18 11 130B

18 11 130B



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

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: _____
 Lease Application Number (assigned by WRD): IL-1140

This Lease is with:

Lessor #1 (Water Right Holder):
 Name Arnold Irrigation District
 Mailing address 19604 Buck Canyon Rd
 City, State, Zip Code Bend, OR 97702
 Telephone number 541-382-7664
 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.
- 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. _____

- 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.]

T	R	Sect	¼ ¼	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.	18	11	25	NW NW	5600	0.20	IRRIG	74197	5	2/5/1905 4/25/1905
2.	18	11	26	NW NE	8000	0.50	IRRIG	74197	5	2/5/1905 4/25/1905
3.	18	12	08	NW NE	301	0.75	IRRIG	74197	7	2/5/1905 4/25/1905
4.	18	12	09	NW SW	800	0.81	IRRIG	74197	10	2/5/1905 4/25/1905
5.	18	11	25	NE NW	2000	0.25	IRRIG	74197	4	2/5/1905 4/25/1905

Total number of acres, if for irrigation, by certificate and priority date: 4.64 ac

ADDT'L WATER:

6. 18 11 24 SWNE 3300 1.10 IRRIG 74197 Pg 3 2/5/1905- 4/25/1905

7. 18 11 24 NESE 7300 0.50 IRRIG 74197 Pg 4 2/5/1905 - 4/25/1905

8. 18 12 09 NWNW 700 0.48 IRRIG 74197 Pg 10 2/5/1905- 4/25/1905

9. 18 12 17 NESE 2400 0.05 IRRIG 74197 Pg 14 2/5/1905- 4/25/1905

AKA 900

Conditions or other limitations, if any: _____

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

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 not 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, 2011. (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.
- 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 than 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: Shawn Gerdes Date: 3/28/11
 Shawn Gerdes for Arnold Irrigation District

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
- _____

EXHIBIT C

**Deschutes River Conservancy
2011 Instream Leasing Program**

**Policy Concerning Weeds & Instream Leases
Information on Farm Deferral & Lease Payment**

The Deschutes River Conservancy is dedicated to restoring stream flow and improving water quality in the Deschutes Basin; land stewardship is a component of these goals.

Weed Policy

The DRC expects participants in the Leasing Program will continue to exercise agricultural best management practices on lands enrolled in the Program, particularly with respect to the control of noxious and/or nuisance weeds. Failure to control weeds on leased acres may result in exclusion from Program compensation.

Information and Resources Attached

Farm Deferral Notice

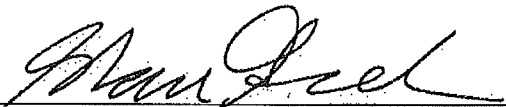
Instream leasing is a beneficial use that protects your water right from forfeiture and allows for compensation for this instream use, but please note that it does not automatically protect against loss of farm use special assessment. Exclusive Farm Use (EFU) zoned lands may still require at least minimal use with the intent to make a profit. It is the landowner's responsibility to know their tax assessment status and qualifying uses.

Information and Resources Attached

Donated Leases: Leases of less than 5 acres, leases with public entities, leases submitted after the due date agreed upon by the District and the DRC and posted by the District, and leases with verified weed complaints are not paid a per acre or per acre-foot rate by the DRC.

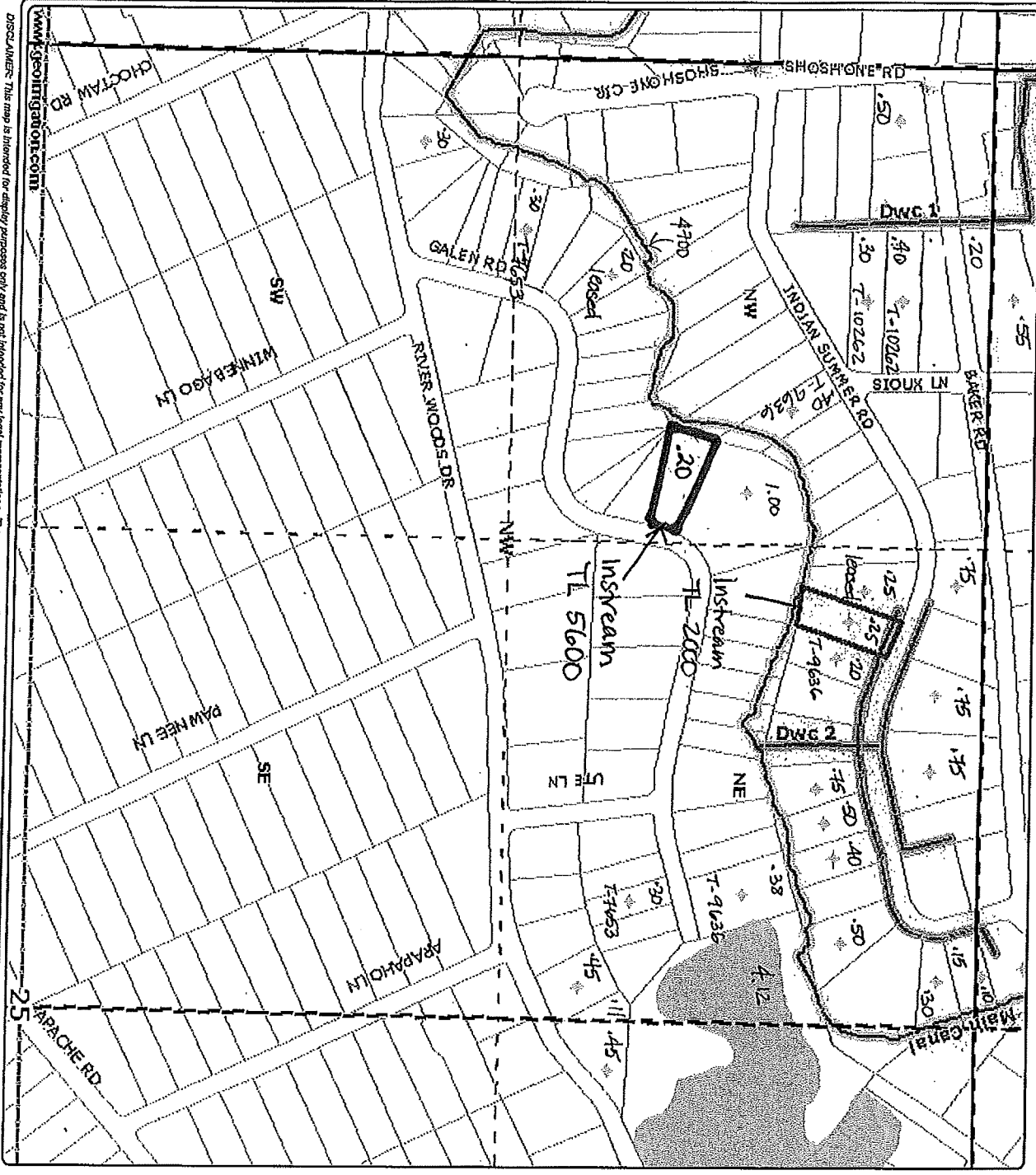
I, Shawn Gerdes understand the DRC weed policy and have
Print Name

been informed about farm deferral and donations.

Signature:  Date: 3/28/11

This form must be signed and returned with state lease form.

Arnold Irrigation District



AID - Lisa Burns -
181125B002000

181125-NENW-02000 - 0.25 ac

NW1/4-5600 - 0.20 ac

- District Boundary
- County Boundary
- Road Labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Tardons
- Canal All
- Canal Fixed
- Canal Open
- FOU District Primary Fill
- Rivers

Scale 1" = 400'
Created: 3/23/2009

DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.

www.geointegrator.com

District Internal
Notice # _____

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)



Arnold Irrigation District
P.O. Box 9220
Bend, Oregon 97708
PHONE: 541-382-7664 FAX: 541-382-0833

1. WATER RIGHT
CERTIFICATE #74197
PRIORITY DATE 02/01/1905 - 04/25/1905
DESCHUTES COUNTY
WATER RIGHT UNDER NAME OF ARNOLD IRRIGATION DISTRICT

2. APPLICANT
NAME Lisa Burns
ADDRESS 19315 Indian Summer Rd.
ENCUMBRANCES _____

3. TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE

4. LOCATION OF USE
AUTHORIZED POINT OF DIVERSION _____

LOCATION OF AUTHORIZED PLACE OF USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE
18	11	25	NE NW	2000	.25	

5. RECIPIENT
NAME _____
ADDRESS _____

6. LOCATION OF PROPOSED USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE

7. EXHIBITS

A. Map showing the location of the present and proposed irrigated lands.

Arnold Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years or the right appurtenant is not subject to forfeiture, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

ARNOLD IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: x Lisa M Burns Date Nov 29, 2005
Name Date
RECIPIENT: Sharon Hill Date 11/29/05
Name Date
FOR DISTRICT: _____ Date _____
Name Date

FR-29-2004 (7/10) (REMITTANCE)



THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:
LISA M. BURNS
15715 INDIAN SUMMIT RD
BETH OX 97102

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENHIP, COUNTY CLERK 2004-17375



Until a change is requested all
tax statements shall be sent to
the following address:

03/31/2004 02:55:09 PM
D=0 Cnt=1 Size=1 BECKEY
89.00 811.00 910.00 89.00

LISA M. BURNS
15715 INDIAN SUMMIT RD
BETH OX 97102

Micro No. BA063446LR

STATUTORY WARRANTY DEED

RAQUEL D. MOODY, Grantor(s) hereby convey and warrant to LISA M. BURNS, Grantee(s) the following described real property in the County of DESCHUTES and State of Oregon, free of encumbrances except as specifically set forth herein:

Lot 1 out of (14), Block 89, DESCHUTES RIVER WOODS, Deschutes County, Oregon.

JS 11 2506 01000

107531

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any.

The true and actual consideration for this conveyance is \$134,000.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING THE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DERIVED IN ORS 39.930.

Dated this 30 day of March 2004

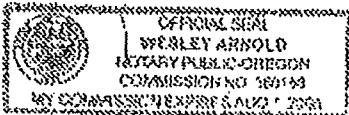
Raquele Moody
RAQUEL D. MOODY

State of Oregon
County of Deschutes

This instrument was acknowledged before me on March 30, 2004 by RAQUEL D. MOODY.

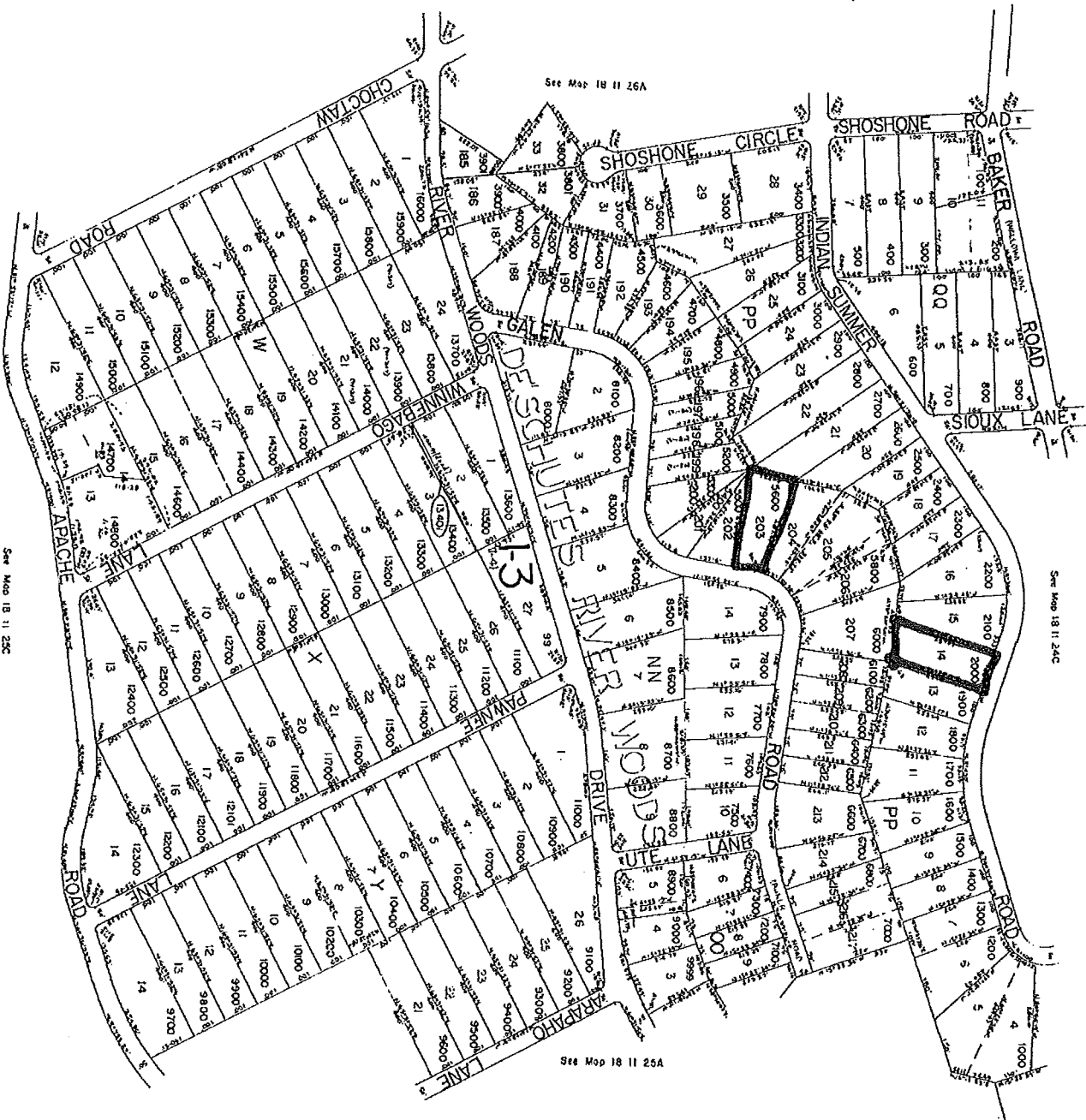
Blair Hovater
(Notary Public for Oregon)

My commission expires Aug 7, 2006



After recording, return to
AmeriTitle
15 DAFEN AVENUE, BETH OX

Revised Date
 12-30-97
 8-17-99
 11-13-01
 7-29-02
 3-4-03



NW 1/4 SEC 25 T18S, R11E, W1M,
 DESCHUTES COUNTY
 1" = 200'

Contained numbers 14500,
 2300, 6300, 5700, 12500,
 1100,

18 11 25B

See Map 18 11 24C

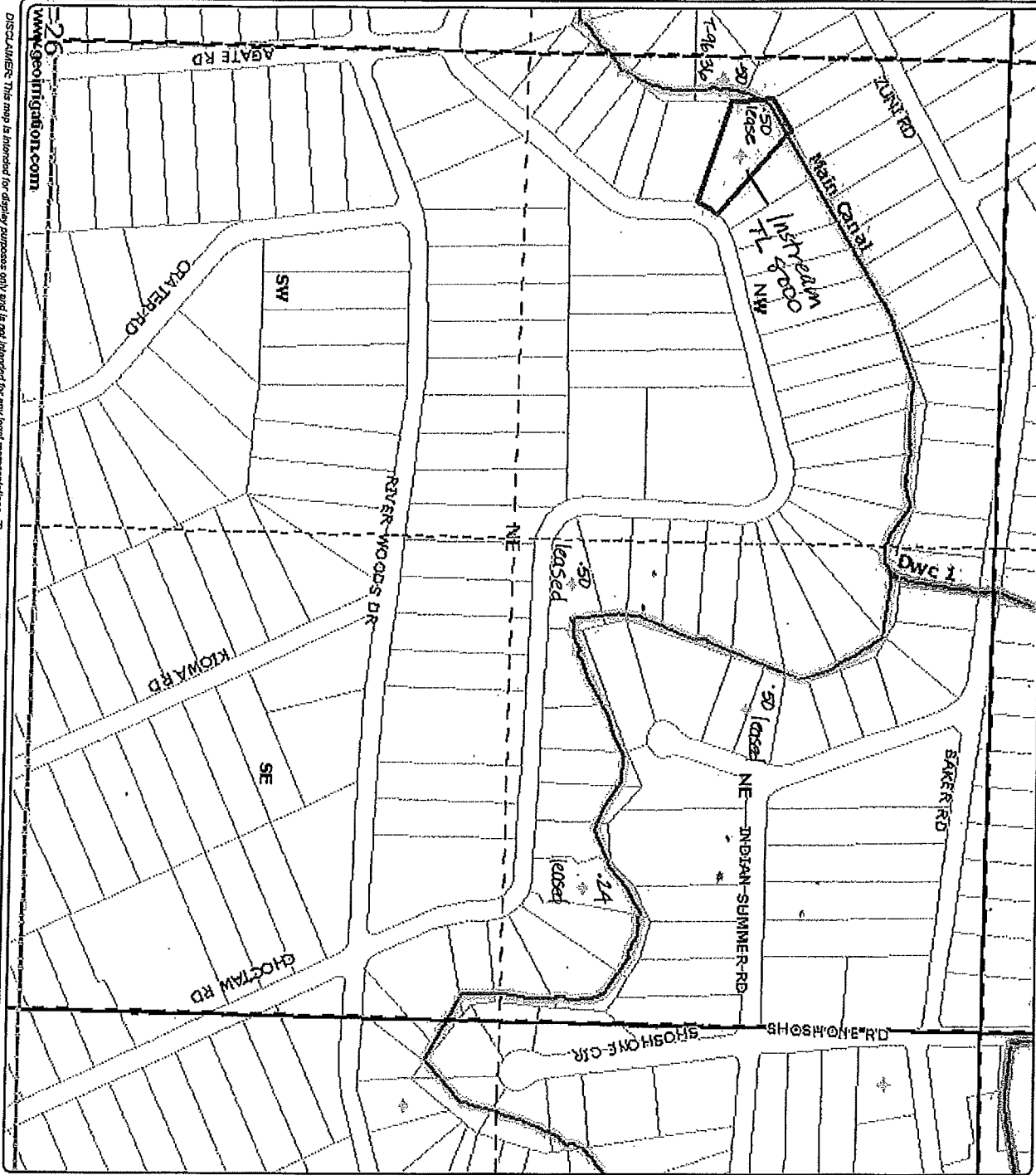
See Map 18 11 25A

See Map 18 11 25A

See Map 18 11 25C

18 11 25B

Arnold Irrigation District



AID - Dennis Fiore -
181126A008000

181126-AWNE-08000 - 0.50 ac

- District Boundary
- County Boundary
- Township Range
- Road Labels
- Section Labels
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Tarders
- Canal All
- Canal Fipied
- Canal Open
- POU District Primary Fill
- Rivers

Scale 1" = 400'
Created: 3/23/2009

DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.

www.geointigation.com

District Internal
Notice # _____

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)



Arnold Irrigation District
P.O. Box 9220
Bend, Oregon 97708
PHONE: 541-382-7664 FAX: 541-382-0833

1. WATER RIGHT
CERTIFICATE #74197
PRIORITY DATE 02/01/1905 - 04/25/1905
DESCHUTES COUNTY
WATER RIGHT UNDER NAME OF ARNOLD IRRIGATION DISTRICT.

2. APPLICANT NAME DENNIS FIORE
ADDRESS 19038 CHOCTAW RD.
ENCUMBRANCES _____

3. TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE

4. LOCATION OF USE
AUTHORIZED POINT OF DIVERSION _____

LOCATION OF AUTHORIZED PLACE OF USE

TOWNSHIP	RANGE	SECTION	1/4, 1/4 OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE
18	11	26	NN NE	08000	.50	

5. RECIPIENT NAME _____
ADDRESS _____

6. LOCATION OF PROPOSED USE

TOWNSHIP	RANGE	SECTION	1/4, 1/4 OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE

7. EXHIBITS
A. Map showing the location of the present and proposed irrigated lands.

Arnold Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years or the right appurtenant is not subject to forfeiture, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

ARNOLD IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: * Dennis Fiore * 3/17/05
Name Date
RECIPIENT: Abraham Heuer 3/17/05
Name Date
FOR DISTRICT: _____
Name Date



After recording return to:
Dennis J. Fiore
19038 Choctaw Road
Bend, OR 97702

Until a change is requested all tax statements
shall be sent to the following address:
Dennis J. Fiore
19038 Choctaw Road
Bend, OR 97702


36 File No.: 7061-77291 (MSR) *on*
Date: December 12, 2002
FIRST AMERICAN TITLE
INSURANCE COMPANY OF OREGON
P.O. BOX 323
BEND, OR 97709

THIS SPACE RESERVED FOR RECORDER'S USE

DESCHUTES COUNTY OFFICIAL RECORDS
MARY SUE PENHOLLOW, COUNTY CLERK

2002-73841

\$36.00



00125145200200738410020025 12/31/2002 12:53:03 PM

D-D Cnt=1 Stn=4 BECKEY
\$10.00 \$11.00 \$10.00 \$5.00

STATUTORY WARRANTY DEED


Jesse J. Dobson and Roxanne M. Dobson, as tenants by the entirety, Grantor, conveys and warrants to Dennis J. Fiore, the following described real property free of liens and encumbrances, except as specifically set forth herein:

Lot 150 in Block PP of DESCHUTES RIVER WOODS, Deschutes County, Oregon.

This property is free from liens and encumbrances, EXCEPT: The premises fall within the boundaries of ARnold Irrigation District and are subject to rules and regulations thereof.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$111,000.00. (Here comply with requirements of ORS 93.030)


Jesse J. Dobson


Roxanne M. Dobson


APN: 109749

Statutory Warranty Deed
- continued

File No.: 7061-77291 (MSR)
Date: 12/12/2002

STATE OF Oregon)
)ss.
County of Deschutes)

This instrument was acknowledged before me on this 27 day of December, 2002
by **Jesse J. Dobson and Roxanne M. Dobson**.

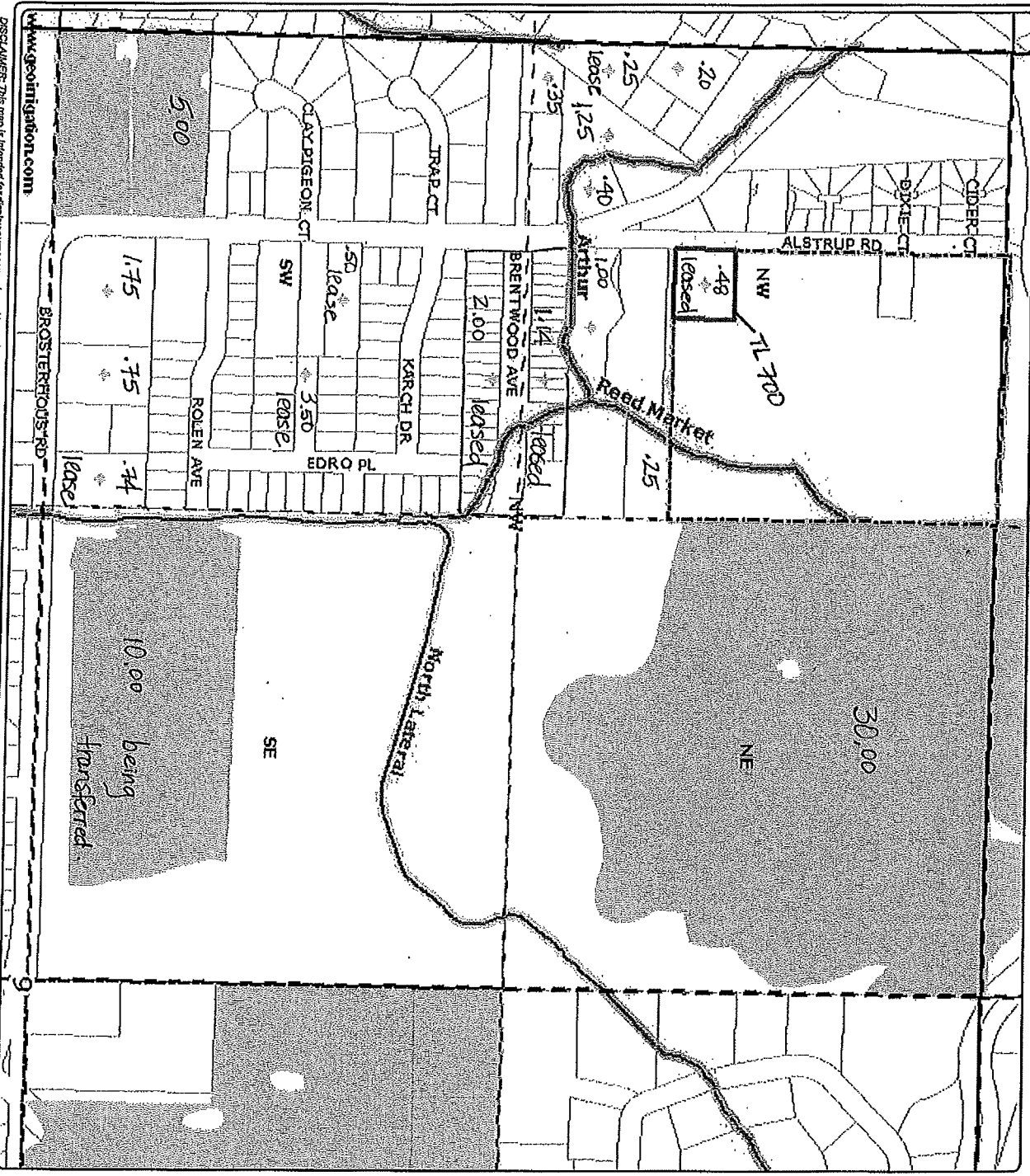


Notary Public for Oregon

My commission expires:



Arnold Irrigation District



www.geoinformation.com

DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied that accompany this product.

AID - Central Oregon

Investors -

181209BB00700

181209-NWNV-00700 - 0.48 ac

- District Boundary
- County Boundary
- Road Labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Canal All
- Canal Filled
- Canal Open
- FOU District Primary Fill
- Rivers



Scale 1" = 400'

Created: 3/23/2009

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2008-30003



\$41.00

07/15/2008 04:01:48 PM

D-D Cnt=1 Stn=1 BN
\$15.00 \$11.00 \$10.00 \$5.00

BARGAIN AND SALE DEED

Please Return to:
Juanita DeJarnett
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

Unless a change is requested,
All tax statements shall be sent to:
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

The true consideration for this transfer is forgiveness of future annual assessments.

Central Oregon Investors, LLC, Grantor, by and through its Member, Brent Keys,
conveys to Arnold Irrigation District, Grantee, the following described real property:

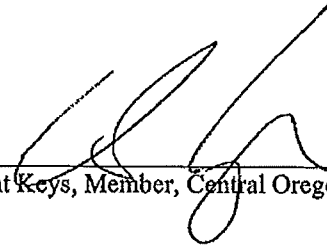
0.48 acres of Arnold Irrigation District water rights located upon the following described
real property, to-wit:

** 181209BB00700

(See the attached Exhibit "A" for a more detailed description of the property.)"

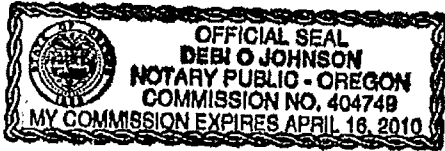
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON
TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF
ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS
INSTRUMENT DOES NOT ALLOW THE USE OF THE PROPERTY DESCRIBED IN THIS
INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND
REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON
ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED
USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARM OR FOREST
PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF
NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS
2005 (BALLOT MEASURE 37 (2004)).


Signed this 19 day of June, 2008.


Brent Keys, Member, Central Oregon Investors, LLC

STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 19 day of June, 2008, by Brent Keys
_____, Grantor.




NOTARY PUBLIC FOR OREGON
My commission expires: 4/18/10

ACCEPTANCE

Shawn Gerdes, District Manager, Arnold Irrigation District, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

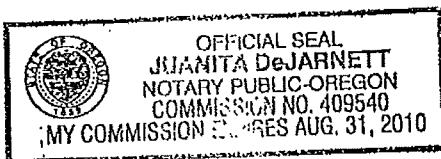
DATED this 1st day of July, 2008.

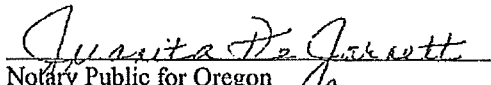
Arnold Irrigation District

By: 
Shawn Gerdes, District Manager

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Shawn Gerdes the above-named manager, and acknowledged the foregoing instrument on behalf of Arnold Irrigation District. Before me this 1st day of July, 2008.




Notary Public for Oregon
My Commission Expires: Aug. 31, 2010

PLAT OF THE UNOFFICIAL PLAT OF CARROLL ACRES
DESCRIBED AS FOLLOWS:

SECTION NINE (9), TOWNSHIP EIGHTEEN (18) SOUTH, RANGE TWELVE (12) EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON.

1997 APR 11 AM 10:00
1997 APR 11 AM 10:00

Exhibit "A"

Parcel 7:

A portion of Tract Twelve (12) of the unofficial plat of CARROLL ACRES, in the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, described as follows: Beginning at an iron pipe at the Southwest corner of Tract Twelve 912); thence North 0° 44' 43" East for 169.66 feet to an iron pipe; thence South 89° 36' 42" East for 192.00 feet to an iron pipe; thence South 0° 44' 43" West for 169.66 feet to an iron pipe, thence North 89° 36' 42" West for 192.00 feet to the Point of Beginning.

District Internal
Notice # _____

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)



Arnold Irrigation District
P.O. Box 9220
Bend, Oregon 97708
PHONE: 541-382-7664 FAX: 541-382-0833

1. WATER RIGHT
CERTIFICATE #74197
PRIORITY DATE 02/01/1905 - 04/25/1905
DESCHUTES COUNTY
WATER RIGHT UNDER NAME OF ARNOLD IRRIGATION DISTRICT

2. APPLICANT
NAME Central Oregon Investors, LLC
ADDRESS 1750 SW Harbor Way, Suite 310 - Portland, OR 97201
ENCUMBRANCES none

3. TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE

4. LOCATION OF USE
AUTHORIZED POINT OF DIVERSION _____

LOCATION OF AUTHORIZED PLACE OF USE

TOWNSHIP	RANGE	SECTION	1/4, 1/2 OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE
18	12	09	BB	00700	.48	Irrigation

5. RECIPIENT
NAME _____
ADDRESS _____

6. LOCATION OF PROPOSED USE

TOWNSHIP	RANGE	SECTION	1/4, 1/2 OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE

7. EXHIBITS

A. Map showing the location of the present and proposed irrigated lands.

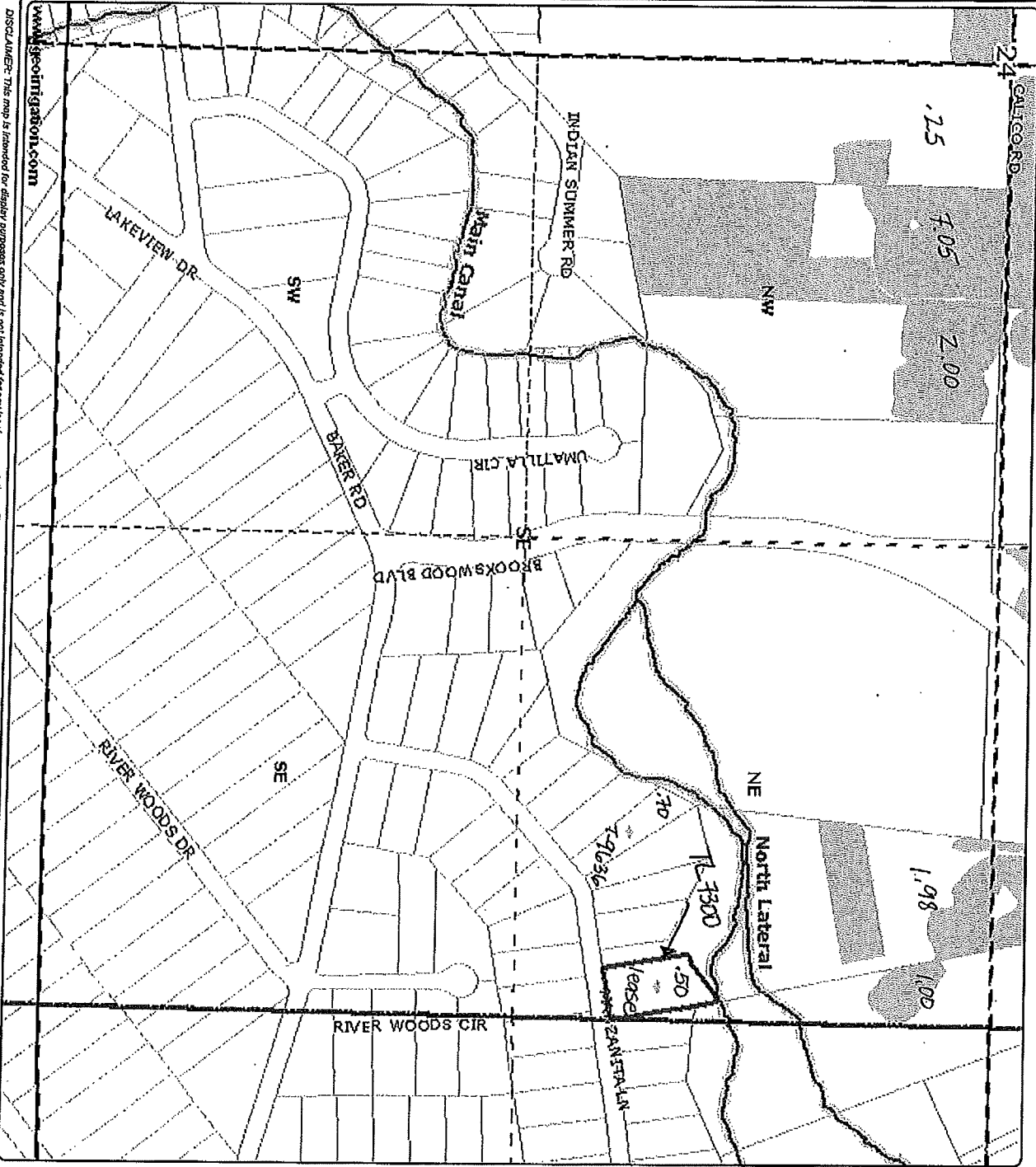
Arnold Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years or the right appurtenant is not subject to forfeiture, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

ARNOLD IRRIGATION DISTRICT AND APPLICANT HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: _____ Name _____ Date 6-20-08
RECIPIENT: _____ Name _____ Date _____
FOR DISTRICT: Juanita DeJarnett Name _____ Date June 25, 2008

Arnold Irrigation District



AID - Wood -
181124D007300

181124-NESE-07300 - 0.50 ac

- District Boundary
- County Boundary
- Road labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Canal All
- Canal Piped
- Canal Open
- POU District Primary Fill
- Rivers



Scale 1" = 400'
Created: 3/25/2009

DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.

www.arnoldirrigation.com

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2008-33298



\$41.00

08/08/2008 03:42:01 PM

D-D Cnt=1 Stn=1 BN
\$15.00 \$11.00 \$10.00 \$5.00

BARGAIN AND SALE DEED

3
Please Return to:
Juanita DeJarnett
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

The true consideration for this transfer is forgiveness of future annual assessments.

Robert A. Wood, Grantor, conveys to ARNOLD IRRIGATION DISTRICT, Grantee, on March 10, 2006, the following described real property:

0.50 acres of Arnold Irrigation District water rights located upon the following described real property, to-wit:

18-11-24-D0-07300

(See the attached Exhibit "A" for a more detailed description of the property.)

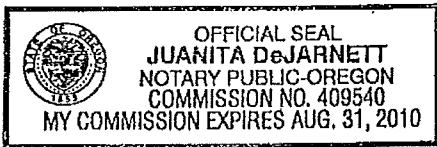
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW THE USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARM OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Signed Nunc Pro Tunc this 10th day of March, 2006.

Robert A. Wood, Grantor

Robert A. Wood
STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 29 day of may, 2008, by Robert Wood, Grantor.



Juanita DeJarnett
NOTARY PUBLIC FOR OREGON
My commission expires: Aug. 31, 2010

ACCEPTANCE

Shawn Gerdes, District Manager, Arnold Irrigation District, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

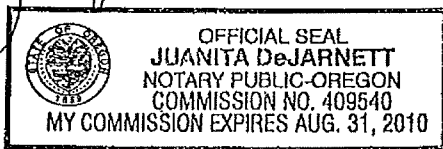
DATED this 30th day of July, 2008.

Arnold Irrigation District

By: Shawn Gerdes
Shawn Gerdes, District Manager

STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Shawn Gerdes the above-named manager, and acknowledged the foregoing instrument on behalf of Arnold Irrigation District. Before me this 30th day of July, 2008.



Juanita DeJarnett
Notary Public for Oregon
My Commission Expires: Aug. 31, 2010

District Internal
Notice # _____

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)

Page 3



Arnold Irrigation District
P.O. Box 9220
Bend, Oregon 97708
PHONE: 541-382-7664 FAX: 541-382-0833

1. WATER RIGHT
CERTIFICATE #74197
PRIORITY DATE 02/01/1905 - 04/25/1905
DESCHUTES COUNTY
WATER RIGHT UNDER NAME OF ARNOLD IRRIGATION DISTRICT

2. APPLICANT NAME ROBERT WOOD
ADDRESS 19600 MANZANITA LN., BEND, OR 97702
ENCUMBRANCES _____

3. TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE

4. LOCATION OF USE
AUTHORIZED POINT OF DIVERSION _____

LOCATION OF AUTHORIZED PLACE OF USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE
18	11	24	NE SE	7300	.50	

5. RECIPIENT NAME _____
ADDRESS _____

6. LOCATION OF PROPOSED USE

TOWNSHIP	RANGE	SECTION	¼, ¼ OF SECTION	TAX LOT	# OF ACRES IRRIGATED	OTHER USE

7. EXHIBITS
A. Map showing the location of the present and proposed irrigated lands.

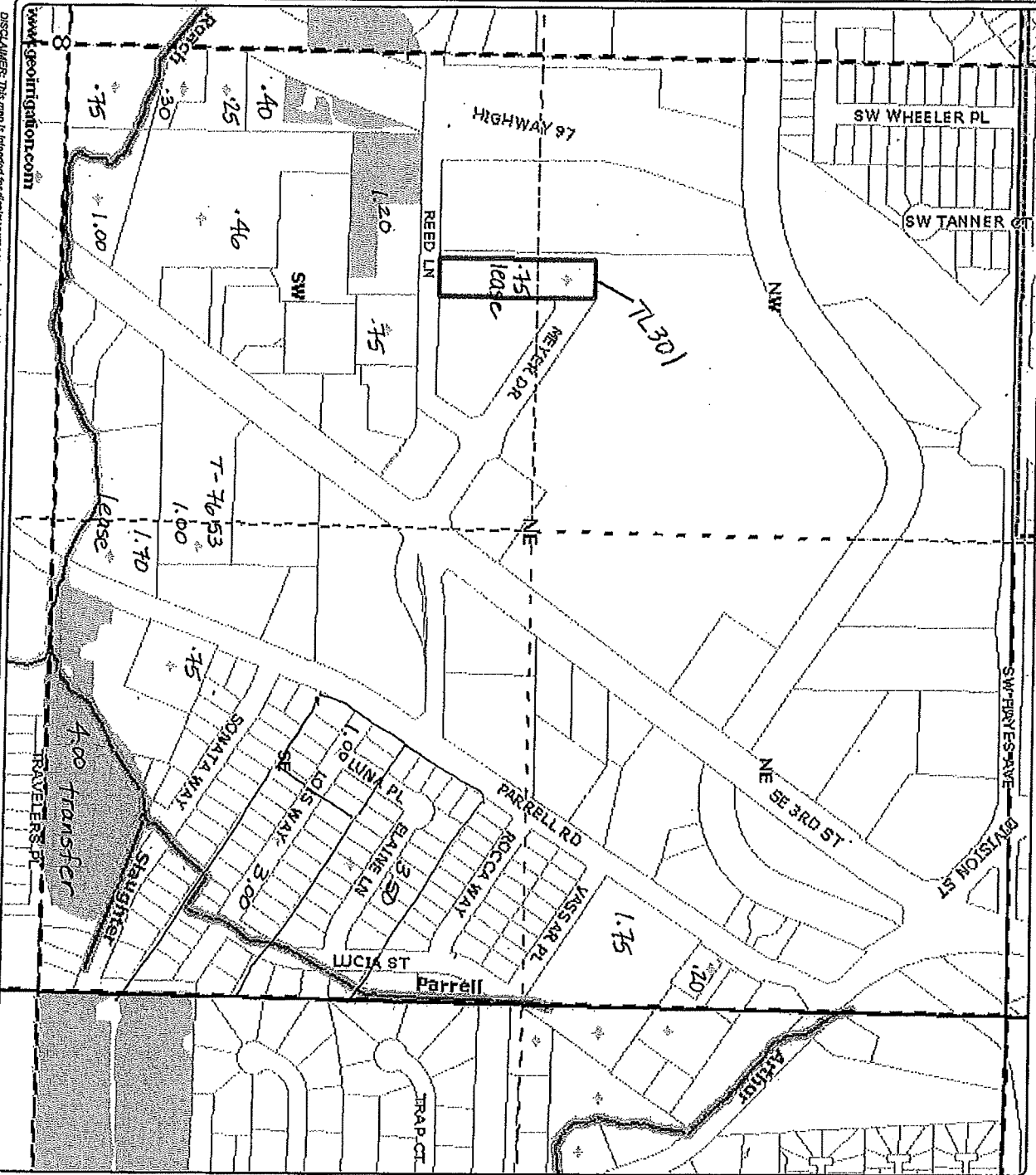
Arnold Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years or the right appurtenant is not subject to forfeiture, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

ARNOLD IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: x Robert A. Wood Date x 3-10-06
RECIPIENT: Shawn Greer Date 3-10-06
FOR DISTRICT: Shawn Greer, Manager Date _____
Name _____ Date _____

Arnold Irrigation District



www.geointegrator.com

DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representation. There are no warranties, expressed or implied, that accompany this product.

AID - B&C Development,
 LLC - 181208AB00301
 181208-NWNE-00301 - 0.75 ac

- District Boundary
- County Boundary
- Road Labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Canal All
- Canal Piped
- Canal Open
- POU District Primary Fill
- Rivers



Scale 1" = 400'
 Created: 3/23/2009

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2008-33297



\$41.00

08/08/2008 03:41:54 PM

D-D Cnt=1 Stn=1 BN
\$15.00 \$11.00 \$10.00 \$5.00

BARGAIN AND SALE DEED

Please Return to:
Juanita DeJarnett
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

Unless a change is requested,
All tax statements shall be sent to:
Arnold Irrigation District
P.O. Box 9220
Bend, OR 97708-9220

The true consideration for this transfer is forgiveness of future annual assessments.

B & C Development, LLC, Grantor, conveys to ARNOLD IRRIGATION DISTRICT, Grantee, on January 31, 2005, the following described real property:

0.75 acres of Arnold Irrigation District water rights located upon the following described real property, to-wit:

** 18-12-08-AB-00301

(See the attached Exhibit "A" for a more detailed description of the property.)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW THE USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARM OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Signed Nunc Pro Tunc this 31st day of January, 2005.

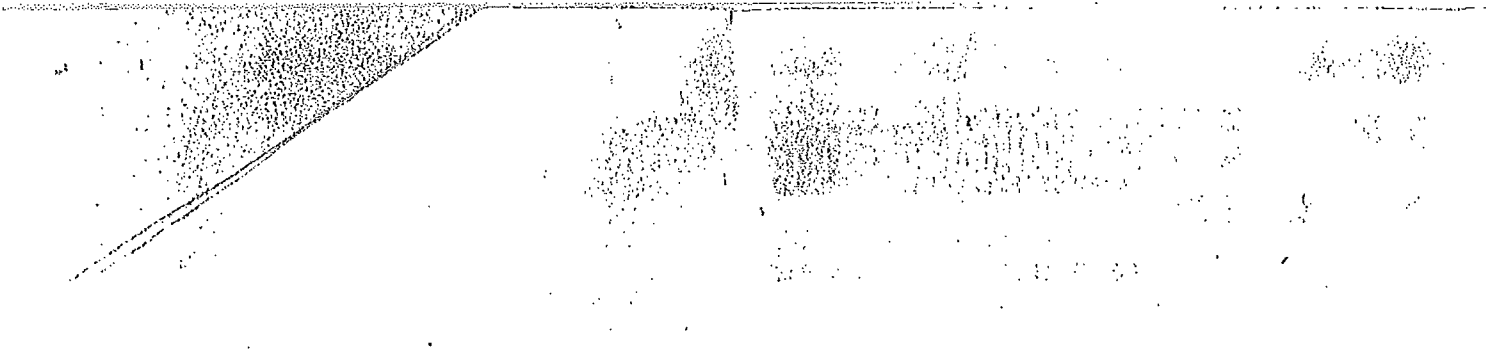


Exhibit "A"

The Southerly 435.27 feet of the Easterly 105.00 feet of the Westerly 125.00 feet of the following described property:

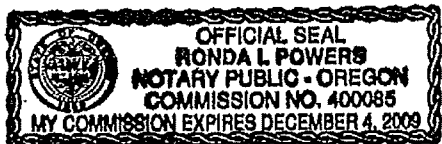
A tract of land as platted in an allotment near the City of Bend, Deschutes County, Oregon known as "Reed Highway Acreage" Section 2, (which plat was vacated December 7, 1932) and being in Section 8, Township 18 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, being Lot No. 21 as formerly platted, and more particularly described as follows: Starting at the initial point of the allotment survey which is the Northwest corner of the Northeast Quarter (NE 1/4) of Section 8, Township 18 South, Range 12 East of the Willamette Meridian, thence South $00^{\circ} 36' 21''$ West for a distance of 1589.89 lineal feet to a point; thence through an angle of $90^{\circ} 21'$ West to the left and on a bearing of 90° East for a distance of 538 lineal feet to the Southwest corner of said Lot 21 as formerly platted for a point of beginning. From this beginning point and on a bearing of $00^{\circ} 00''$ East, run 870.53 lineal feet to the Southerly right of way line of the Central Oregon Irrigation Canal, thence Northeasterly along said right of way 290.64 feet to the Northeast corner of said Lot 21, thence 1015.01 lineal feet to the Southeast corner of Lot No. 21, thence West 250 feet to the point of beginning.

Carey M. Sheldon, Grantor

Carey M. Sheldon

STATE OF OREGON, County of Deschutes) ss:

SIGNED before me on the 16 day of MAY, 2008, by Carey Sheldon Grantor.



Ronda L. Powers

NOTARY PUBLIC FOR OREGON

My commission expires: 12/04/09

ACCEPTANCE

Shawn Gerdes, District Manager, Arnold Irrigation District, does hereby accept the foregoing Bargain and Sale Deed conveying water rights.

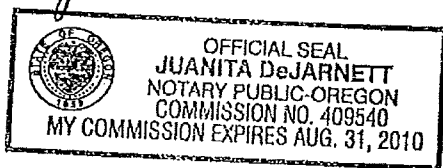
DATED this 30th day of July, 2008.

Arnold Irrigation District

By: *Shawn Gerdes*
Shawn Gerdes, District Manager

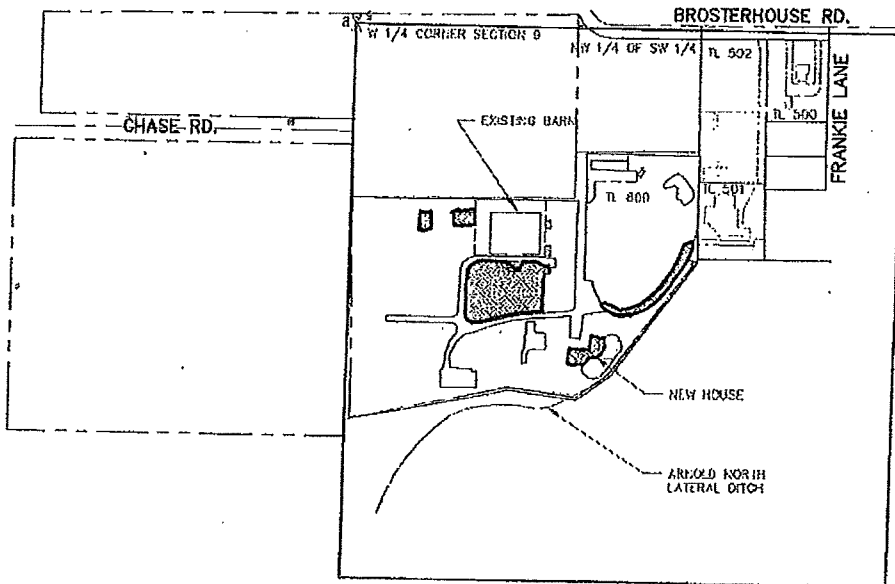
STATE OF OREGON, County of Deschutes) ss.

Before me, a Notary Public, personally appeared Shawn Gerdes the above-named manager, and acknowledged the foregoing instrument on behalf of Arnold Irrigation District. Before me this 30th day of July, 2008.



Juanita DeJarnett
Notary Public for Oregon
My Commission Expires: Aug. 31, 2010

WATER RIGHTS TRANSFER MAP
 FOR KIPNIS
 LOCATED IN THE SECTION 9, T 18 S R12 E, W.M.
 DESCHUTES COUNTY, OREGON



TL 800

8.2 ACRES EXISTING WATER RIGHTS BEFORE



0.81 ACRES WATER RIGHTS "OFF" TO DESCHUTES

Instream Lease

SCALE: 1"=400'

TYE ENGINEERING, INC.

725 NW HILL, BEND, OREGON 97701 (541) 389-6959

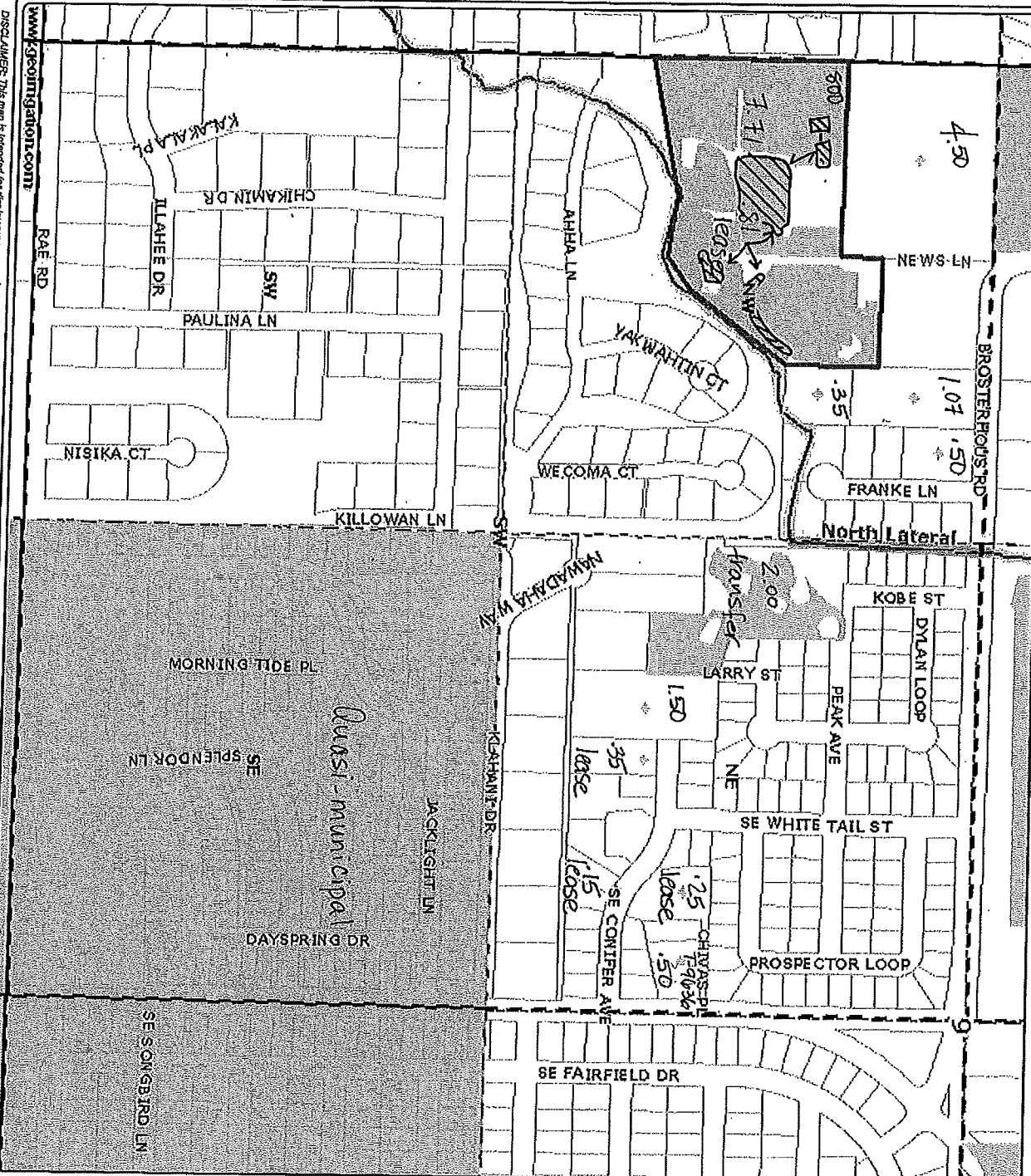
DATE: OCT. 13 2004

SCALE: 1"=400'

DRAWN BY: DPD

DWG #: 1297

Arnold Irrigation District



AID - Kipnis -
181209C000800

181209-NWSW-00800 - 0.81 ac

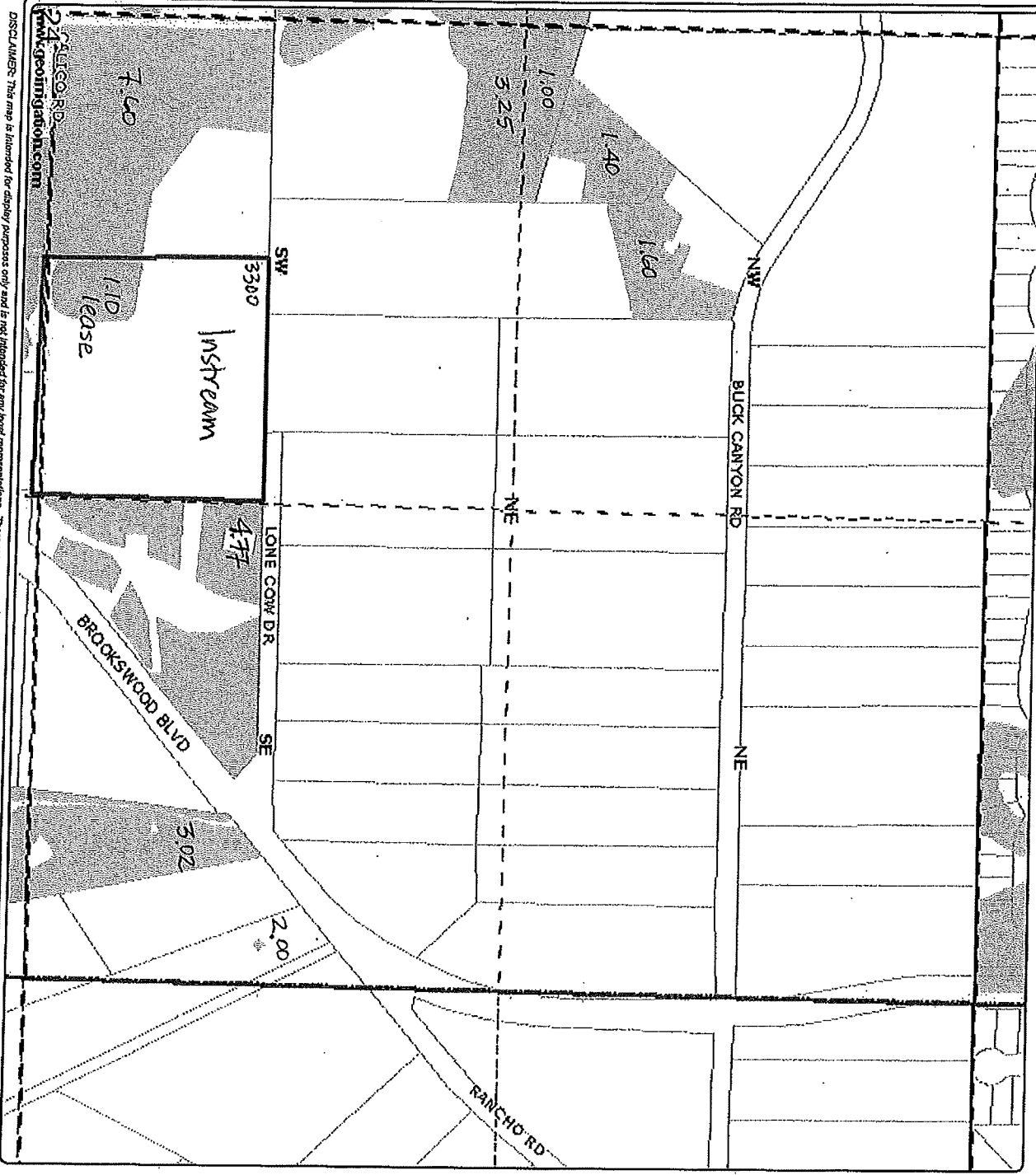
- District Boundary
- County Boundary
- Road labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Taxlots
- Canal All
- Canal Piped
- Canal Open
- PDU District Primary Fill
- Rivers



Scale 1" = 400'
Created: 3/23/2009

www.geointegration.com
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Arnold Irrigation District



AID - Gymbala -
1811240003300

181124-SWNE-03300 - 1.10 ac

- District Boundary
- County Boundary
- Road Labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Tanklets
- Canal All
- Canal Filled
- Canal Open
- POU District Primary Fill
- Rivers

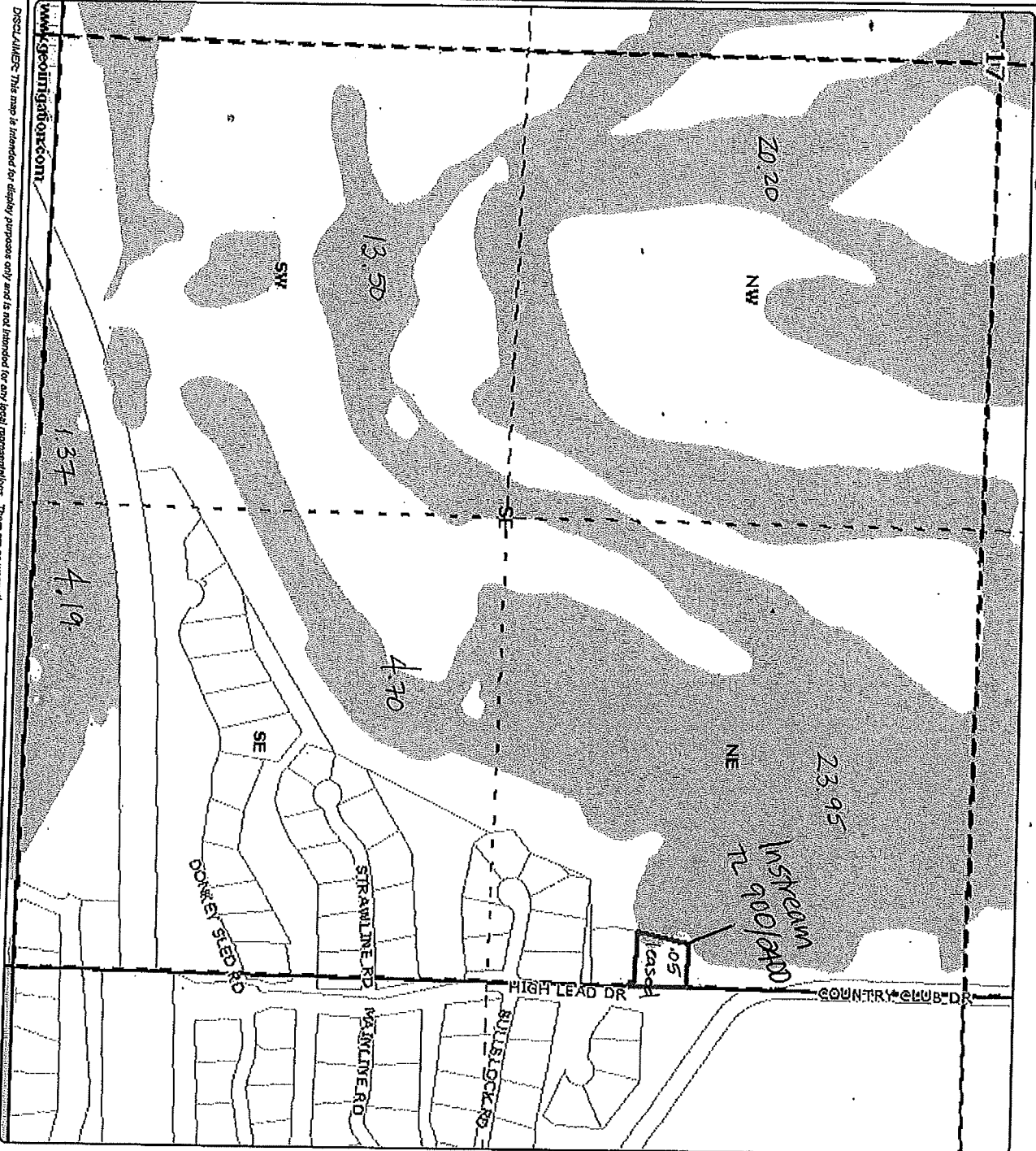


Scale 1" = 400'
Created: 3/23/2009

DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.

24 RANCHO RD
www.geointegration.com

Arnold Irrigation District



AID - BG&CC -
181217DA00900

181217-NESE-00900 - 0.05 ac.

- District Boundary
- County Boundary
- Road Labels
- Township Range
- Sections
- Section Labels
- Quarters
- Quarter Labels
- Quarter Quarters
- Quarter Quarter Labels
- Tanks
- Canal All
- Canal Filled
- Canal Open
- POU District Primary Fill
- Rivers



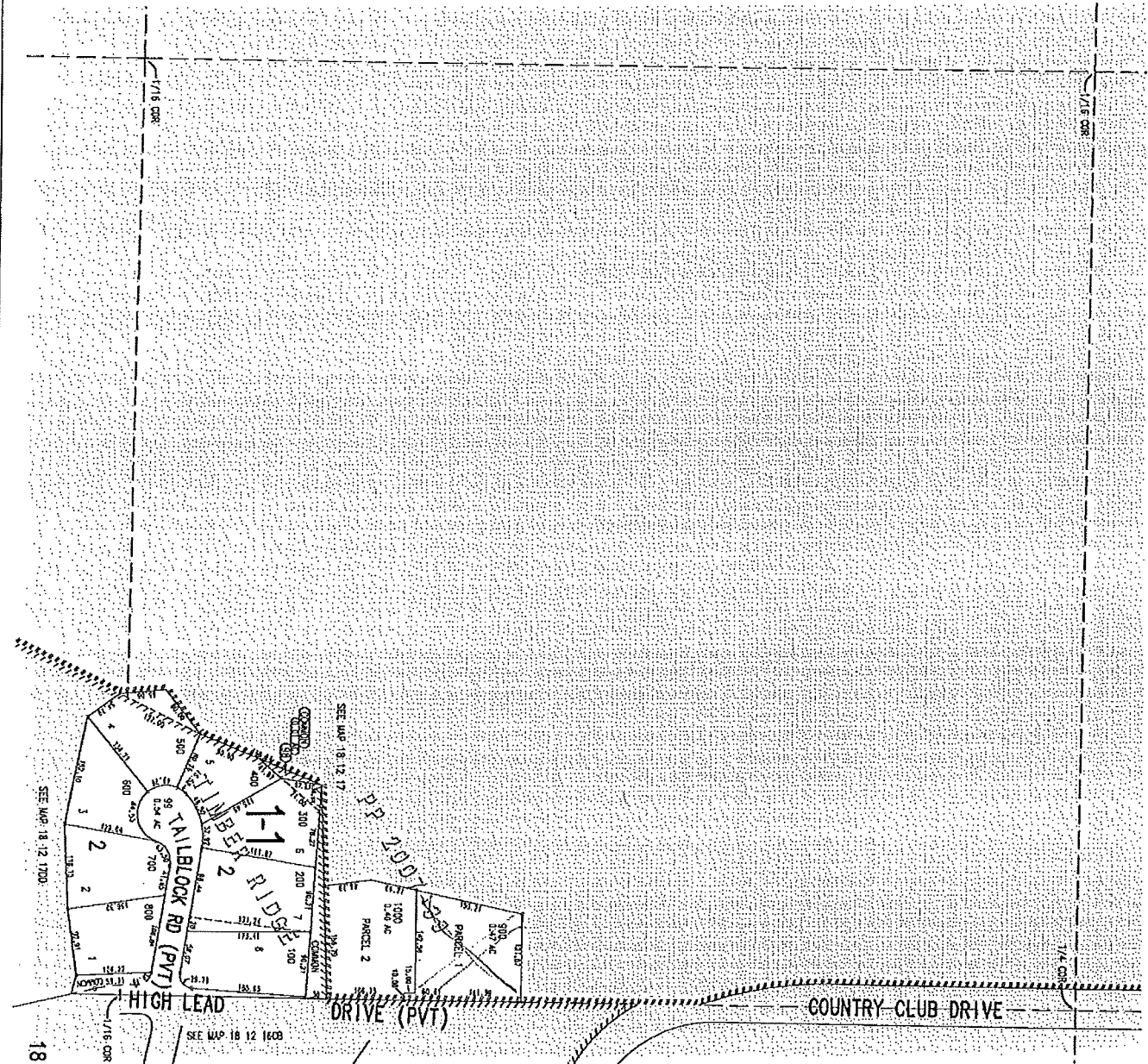
Scale 1" = 400'
 Created: 3/23/2009

www.ksolirrigator.com
 DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations. There are no warranties, expressed or implied, that accompany this product.

NE 1/4 SE 1/4 SEC. 17 T. 18S. R. 12E. W.M.
DESCHUTES COUNTY

1" = 100'

18 12 17DA



18 12 17DA