

Application for Water Right Instream Transfer



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

FOR ALL INSTREAM TRANSFER APPLICATIONS

Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Map Checklist.
- Part 3 – Completed Instream Transfer Application – Applicant Information and Signature.
- Part 4 – Completed Instream Transfer Application – Water Right Information. Please include a separate Part 4 for each water right. List all water right certificates to be transferred here: **83571 primary and 76714 sup.**
- Part 5 – Completed Instream Transfer Application - Proposed Instream Use Information.

Attachments:

- Completed Instream Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Fees – Amount enclosed: \$ 925 (**\$1850*0.5 = \$925**).
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0883.

Note: Instream transfers are considered both a change in place of use and character of use. In addition, an automatic 50% fee waiver applies to all instream transfers.

- N/A Affidavit(s) of Consent.
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- Land Use Notice - Notice of the intent to file an instream transfer application must be provided to each affected local government along the proposed reach. Copies of the notices must be enclosed with the instream transfer application.

RECEIVED
MAY 16 2011
WATER RESOURCES DEPT
SALEM, OREGON

T 11248

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- | | |
|--------------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete | <input type="checkbox"/> Land use notice not included or incomplete |
| <input type="checkbox"/> Additional signature(s) required | <input type="checkbox"/> Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503-986-0____ Date: ____/____/____

Part 2 of 5 – Map Checklist

Your transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For list of CWREs see http://www1.wrd.state.or.us/pdfs/cwre_listing.pdf.
- OR**
- N/A Waiver of requirement that map be prepared by a CWRE. Completed map waiver form is signed by the Department's Regional Manager and included in the application. The map **must** still meet Department mapping requirements described below.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on white or clear paper or film.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, quarter-quarter, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- Existing diversion point(s) with distance and bearing or coordinates from a recognized survey corner. This information can generally be found in your water right certificate or permit.

RECEIVED

T 11248

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

Part 3 of 5 – Applicant Information and Signature

Type of Instream Transfer	
<input checked="" type="checkbox"/> Permanent Instream Transfer	or <input type="checkbox"/> Time-Limited Instream Transfer

Applicant Information

APPLICANT/BUSINESS NAME Deschutes River Conservancy and Central Oregon Irrigation District		PHONE NO. 541-382-4077 xt 16 (DRC)	ADDITIONAL CONTACT NO. 541-504-7576 (COID)
ADDRESS 700 NW Hill Street			FAX NO. 541-382-4078 (DRC)
CITY Bend	STATE OR	ZIP 97701	E-MAIL gen@deschutesriver.org and transfers@coid.org

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

APPLICANT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	E-MAIL

If an agent is listed above, please check **one** of the following:

- Please send all correspondence to Agent. Send copies of correspondence to Applicant; **OR**
- Please send all correspondence to Applicant. Send copies of correspondence to Agent.

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

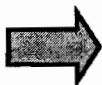
If NO, include signatures of all landowners (and mailing address if different than the applicant's) or attach affidavits of consent (and mailing addresses) from all landowners or individuals/entities to which the water right(s) has been conveyed.

Check one box

- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm that the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

T 11248
RECEIVED
MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON



I (we) affirm that the information contained in this application is true and accurate.

	Tod Heisler, Executive Director - DRC	Date 5/6/2011
<small>Applicant signature</small>	<small>Name (and title if applicable) (print)</small>	<small>Date</small>
	Steven C. Johnson, District Manager, COID	Date 5/6/2011
<small>Applicant signature</small>	<small>Name (and title if applicable) (print)</small>	<small>Date</small>

In your own words tell us what change(s) you want made and the reason for the change(s): Water transferring instream with a portion of the transfer to create mitigation credits for Avion Water

Company and the remainder to be for streamflow restoration on the Deschutes River from the POD to the mouth.

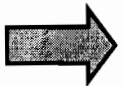
Check the following boxes that apply:

- Check here if any of the water rights proposed for transfer are located within or served by an irrigation district or other water district before the transfer. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME Central Oregon Irrigation District	ADDRESS 1055 SW Lake Ct	
CITY Redmond	STATE OR	ZIP 97756

- Check here if water for any of the rights is supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME Bureau of Reclamation - Pacific Northwest Regional Office	ADDRESS 1150 N. Curtis Rd., Ste. 100	
CITY Boise	STATE ID	ZIP 83706-1234



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction the proposed instream reach will be located.

ENTITY NAME City of Bend	ADDRESS 710 NW Wall Street	
CITY Bend	STATE OR	ZIP 97701

ENTITY NAME City of Maupin	ADDRESS 408 Deschutes Ave.	
CITY Maupin	STATE OR	ZIP 97037

ENTITY NAME Deschutes County Planning Dept	ADDRESS 117 NW Lafayette Ave.	
CITY Bend	STATE OR	ZIP 97701

ENTITY NAME Jefferson County Planning Dept	ADDRESS 66 SE D Street	
CITY Madras	STATE OR	ZIP 97741

ENTITY NAME Confederated Tribes of the Warm Springs Res	ADDRESS 1233 Veterans Street	
CITY Warm Springs	STATE OR	ZIP 97761

ENTITY NAME Wasco County Planning and Development	ADDRESS 2705 East 2nd St	
CITY The Dalles	STATE OR	ZIP 97058

RECEIVED
MAY 16 2011
WATER RESOURCES DEPT
SALEM, OREGON

Part 4 of 5 – Water Right Information

Please use a separate Part 4 for each water right being changed. See instructions at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>.

CERTIFICATE # 83571

RECEIVED

Name on Certificate: Central Oregon Irrigation District

MAY 16 2011

Date(s) of Priority: 10/31/1900 and 12/02/1907

Source(s) of Water to be Affected by the Transfer: Deschutes River

WATER RESOURCES DEPT
SALEM, OREGON

Description of Water Delivery System

System capacity: **POD 11: 780 cfs (from COID's own ready willing and able study)** cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **Water is diverted off the river at POD 11 (Pilot Butte or North Canal at approximate RM 164.8). Part of the North Canal is now piped. Please refer to attached "Exhibit B", as part of Supplemental Form B, for descriptions of individual users delivery systems and laterals as well as crop and beneficial use history.**

Other Water Rights

Are there other water right certificates, water use permits or ground water registrations associated with the "from" lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: **76714, supplemental (See Exhibit E).**

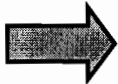
 Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

Table 1. Location of Authorized Point(s) of Diversion (POD)

T 11248

(Note: If the POD name is not specified on the certificate, assign it a name or number here.

Also, if the POD is not described in the Certificate, provide a description below)

POD Name or Number	Priority Date (if different between PODs)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 11 (N/PB canal)		17 S	12 E	29	SE NE		850' N and 630' W from the E 1/4 corner Sec. 29

Will the proposed instream transfer affect the entire water right?

Yes Then Table 2 on Page 6 does not need to be completed.

No Then complete all of Table 2 to describe the portion of the water right to be changed.

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

Please use additional pages of Table 2 as needed

Table 2. Description of Change to Water Right Certificate # 83571

List only the part of the right that will be changed. For the acreage in each quarter-quarter, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD, specify the acreage associated with each POD.

Twp	Rng	Sec	¼ ¼		Tax Lot	Gov't Lot or DLC	Acres if Applicable	Type of USE listed on Certificate	Priority Date (if not the same for all acres or type of use)	POD(s) (name or number from Table 1)	
2	S	9	E	14	NE NW	100	15.0	Irrigation	4/1/1900	POD #1 POD #2	
"	"	"	"	"	"	"	EXAMPLE	"	"	"	
14	S	13	E	16	SE SW	700	4.5	IRR	1900	POD 11	
15	S	13	E	03	S W SW	0100	16.5	IRR	1900	POD 11	
15	S	13	E	19	SE NE	0201	2.47	IRR	1900	POD 11	
15	S	13	E	30	NE SW	1408	2.0	IRR	1900	POD 11	
15	S	13	E	10	N W NE	200	3.65	IRR	1900	POD 11	
15	S	13	E	20	SE SE	01100	0.75	IRR	1900	POD 11	
13	S	13	E	33	NE SW	500	5.0	IRR	1900	POD 11	
15	S	12	E	25	NE NE	0109*	2.5	IRR	1900	POD 11	
14	S	13	E	09	SE SW	1400	2.0	IRR	1900	POD 11	
										T 11248	
										RECEIVED	
										MAY 16 2011	
TOTAL ACRES							39.37 ac				

WATER RESOURCES DEPT
SALEM, OREGON

Additional remarks: T 15 S, R 12 E, Sect 25 taxlot 0109 - 2.5 acres was tax lot 100 prior to partition... this is a permanent instream transfer for the dual purposes of mitigation (25.47 ac in top half of table) and restoration (13.9 ac in bottom have of table).

Part 5 of 5 – Proposed Instream Use Information

Identify the Public Use for which the instream right is requested (check at least one box):

- Conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values.
- Recreation
- Navigation
- Pollution Abatement

Instream use proposed to be created by the instream transfer:

Originating Water Right Number (as identified in Part 4)	Priority Date	Source	Proposed Instream Period	Rate (cfs)*	Volume (ac-ft)**
83571	1900	Deschutes	See Attachment Exhibit B		
TOTAL VOLUME					

*Tip: To calculate rate (if other than the rate allowed by the right), divide the volume by the number of days in the period and then divide by 1.983471; or

**Tip: To calculate volume, multiply the rate by the number of days in the instream period and then multiply by 1.983471.

Note: The instream rate may not exceed the max rate allowed by the existing right(s) and the total volume may not exceed to max volume or duty allowed by the existing right(s).

Additional Information: The instream period has been modified to prevent enlargement and injury. Season to run from April 1 - October 26 rather than through the last day of October.

RECEIVED

Identify the location of the proposed instream water right.

MAY 16 2011

- Water is requested to be protected at a point.
Location (i.e. the point of diversion (POD) – use the POD Name or Number from SALEM, OREGON

- Water is requested to be protected within a reach:
Location of proposed reach (If an instream water right reach is requested, identify the upstream and downstream extent of the reach): **39.37 acres from POD 11 to Lake Billy Chinook, then 13.9 acres (restoration acres) to include the additional reach from Lake Billy Chinook and the Madras gauge to the mouth of the Deschutes River.**

T 11248

Recommendations for conditions on the instream use to avoid taking away or impairing existing water rights.

- None

- Other (such conditions may include, but are not limited to, reductions in the instream flow levels in cfs per month or total ac-ft, the effective reach(es) or lake levels of the instream flow, measuring locations and the strategy for monitoring the instream flow or lake levels):
Instream from April 1 through October 26th.

Are there any existing instream water rights on the same point or within the same requested reach(es) or lake, or on a portion thereof:

- No Yes (identify other instream water rights): **OWRD keeps a current list of all instream certificates on the Deschutes river which includes ODFW requested ISWR's and instream water rights from transfers and conserved water projects.**

Note: New instream water rights are generally (but not always) additive to instream water rights established under ORS 537.348 (instream transfer application process) and ORS 537.470 (allocation of conserved water) and replace a portion of instream water rights established under ORS 537.341 (state agency application process) or ORS 537.346 (conversion of minimum perennial streamflows) with an earlier priority date.

Is it your intent to have the proposed instream water right transfer be additive to any instream water right established under ORS 537.348 and ORS 537.470 and replace a portion of any instream water right established under ORS 537.341 and ORS 537.346 with an earlier priority date?

- Yes No. If no, please explain your intent below:

_____.

If the proposed conversion would add to the amounts of an existing instream water right(s) established under ORS 537.341 or 537.346, provide documentation demonstrating why additional instream flows are necessary. Supporting documentation should include information from the Oregon Dept. of Fish and Wildlife (ODFW) (fish life), Dept. of Environmental Quality (DEQ) (pollution abatement), and/or Parks and Recreation Dept. (recreation).

Is the requested instream flow intended to exceed the estimated average natural flow or level occurring from the drainage system?

- No; **OR**
 Yes (Provide supporting documentation that demonstrates why additional flows are significant for the public use requested.); **OR**
 Yes, and it is presumed that flows that exceed the estimated average natural flow or natural lake levels are significant because:
 The requested flow does not exceed the maximum amount of any instream water right application applied for under ORS 537.341 (state agency instream water right application process) for the same reach or portion thereof, and the requested public use is for the same public use as the afore mentioned instream water right application, **and**
 For the specified time period that flows are requested to exceed the estimated average natural flow or lake level, the stream is in an ODFW flow restoration priority watershed. A copy of the priority watershed map indicating the specific watershed involved should be included with the application. Priority watershed maps may be found on the OWRD web page; **or**

T 11248

RECEIVED

MAY 16 2011

- The stream is listed as water quality limited and DEQ has provided scientific information that demonstrates that increased flows would improve water quality. The scientific information provided by DEQ should be included with the transfer application.

For a Time Limited Instream Transfer, please answer the following:

- The time-limited instream transfer is for a specific number of years:
_____ Begin Year to _____ End Year
- Time-limited instream transfer is to terminate based upon other conditions:
Conditions: _____.

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

Water Right Transfer Supplemental Form D

WATER RIGHTS ISSUED IN THE NAME OF AN IRRIGATION DISTRICT

The Department encourages applicants to coordinate with districts during the planning and preparation of transfer applications involving water rights issued in the name of an irrigation district or involving the transfer of water rights located within the boundaries of an irrigation district.

This form must be included with your transfer application if the transfer involves rights issued in the name of an irrigation district.

1. APPLICANT INFORMATION

Name: Deschutes River Conservancy

Address: 700 NW Hill St.

City: Bend State: OR Zip: 97701

Home Phone: _____ Work Phone: 541-382-4077, ext16 Other Phone: _____

Fax: 541-382-4078 E-Mail address: gen@deschutesriver.org

2. DISTRICT INFORMATION

District Name: Central Oregon Irrigation District

Address: 1055 SW Lake Court

City: Redmond State: OR Zip: 97756

Home Phone: _____ Work Phone: 541-548-6047 Other Phone: _____

Fax: 541-548-0243 E-Mail address: lesliec@coid.org

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

3. WATER RIGHT(S) ISSUED IN THE NAME OF AN IRRIGATION DISTRICT(S)

Water right(s) issued in the name of a district proposed for transfer:

	Application / Decree	Permit / Previous Transfer	Certificate
1.	Deschutes Decree	C-76358	83571
2.		-	76714
3.		-	
4.		-	
5.		-	
6.		-	

4. DISTRICT CONCURRENCE WITH PROPOSED WATER RIGHT TRANSFER

The district certifies the following:

- (1) The applicant has conferred with the district about the proposed water right transfer application;
- (2) The district has reviewed the applicant's proposed water right transfer application and maps; and
- (3) The district concurs with the proposed water right transfer application.



District Manager Signature

Steven C. Johnson, COID Manager
Name (print)

5/6/2011
Date

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Water Right Transfer Supplemental Form Map Waiver

The Director may waive or assist a transfer applicant in satisfying the map requirement (OAR 690-380-3100) for certain transfers if the criteria described in this form are met pursuant to OAR 690-380-3410.

This form must be prepared by the transfer applicant and the appropriate Regional Manager for the Oregon Water Resources Department. To prepare the form, a copy of the complete transfer application, including a description of the water rights to be transferred, must be provided to the Regional Manager.

This map waiver form must be signed by the Regional Manager and submitted with the transfer application.

Transfer Applicant: Deschutes River Conservancy & Central Oregon Irrigation

Water Right(s) to be transferred: C-83571

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
 SALEM, OREGON

1. The transfer **must** be one of the following. Please check the appropriate box.

- An instream transfer application filed pursuant to ORS 537.348.
- A transfer application necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.375; or
- The transfer application is determined and endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

2. For an **instream transfer application filed pursuant to ORS 537.348**, a map waiver shall only be approved if the application meets one of the following additional criteria. Please check the appropriate box.

- The entirety of the right is being transferred to an instream water right and the location of the instream water right can be clearly delineated through reference to the existing point of diversion for the transferred right and other points of diversion or geographic reference points such as the mouth of the stream; or
- A map meeting the requirements of the transfer rules (OAR 690-380-3100) is available showing the lands not included in the transfer and the location of the instream water right can be clearly delineated through reference to the existing point of diversion for the transferred right and other points of diversion or geographic reference points such as the mouth of the stream. (Please include copy of map(s) with transfer application.)

T 11248

3. For a **transfer application meeting any one of the criteria identified in #1** (including an instream transfer application), a map waiver may also be approved if other circumstances are present that make an application map unnecessary. If #2 does not apply, but circumstances are present that make an application map unnecessary, describe those circumstances below:

4. For any transfer application meeting one or more of the criteria identified in #1 that does not meet the criteria for a map waiver as described in #2 or #3, the Department may assist the applicant in development of the application map. The Department (through the regional office) may provide this assistance at the discretion of the appropriate Regional Manager. Please check the appropriate box below if the Department has provided assistance in development of the transfer application map:

- A map meeting the requirements of OAR 690-380-3100 has been prepared by Department staff and is included with the transfer application.
- The map provided with the transfer application has been developed with assistance from Department staff and meets the requirements of OAR 690-380-3100.

Signature: 
 OWRD Regional Manager, SC Region

Date: 4-26-11

4.5
 16.5
 2.0
 2.47
 3.65
 0.75
 5.0
 2.5
 2.0

 39.37 ✓

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
 SALEM, OREGON

T 11248

Exhibit A

Place of Use info & Purpose (Mitigation or Restoration)

Name	Location(s) TRS QQ TL	Acres	Deliver System	Purpose	
				Restoration	Mitigation
Cental Oregon Canal (COC) POD #1					
Terrebonne Sch. Dist #70	14-13-16 SE SW 00700	4.5 ✓	H-4-4		4.5
Canyons Land & Cattle/Carpenter	15-13-03 SWSW 00100	16.5 ✓	*		16.5
Touchon	15-13-30 OO 01408	2.0 ✓	*		2.0
Copper Ridge LLC	15-13-19 SE NE 00201	2.5 ✓ 2.17	*		2.5
Walter Gnagy	15-13-10 NWNE 00200	3.7 3.65	E-14-1	3.7	
Ruth Hylton - 0.75 acres normal? dx.	15-13-20 SESE 01100	0.8 ✓	PBC-18	0.8	
Sondra Braden	13-13-33 NESW 00500	5.0 ✓	H-12-3	5.0	
Harry Family Rev. Trust	15-12-25 NE NE 00109 100%	2.5 ✓	B-2-3-2	2.5	
Olaf Bolken	14-13-09 SESW 01400	2.0 ✓	H-9	2.0	
		39.37		13.9	25.47

* Delivery ws severed at the time of the original quitclaim

total accurate

table rounded to tenth

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

Exhibit B - for Part 5 of 5
Instream use proposed to be created by the transfer

Priority 1900

Instream dates: From April 1 - October 26

Instream Reach 1:

From POD 11 to Lake Billy Chinook at RM 120 (39.37 ac)	
Season 1 Rate (cfs)	0.271
Season 2 Rate (cfs)	0.361
Season 3 Rate (cfs)	0.668
Max Volume (AF)	214.59

Seasons:

Certificate 83571 / Priority 1900	
Season 1	April 1 to May 1, October 1 through October 26
Season 2	May 1 through May 15, September 16 to October 1
Season 3	May 16 through September 15

Instream Reach 2:

From Lake Billy Chinook to the Madras Gauge (13.9 ac)	
Season 1 Rate (cfs)	0.096
Season 2 Rate (cfs)	0.127
Season 3 Rate (cfs)	0.236
Max Volume (AF)	75.76

Instream Reach 3:

The Madras Gauge to the Mouth of the Deschutes River (13.9 ac)	
Season 1-3 Rate (cfs)	0.060
Max Volume (AF)	25.02

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
 SALEM, OREGON

Exhibit E

Cancellation of supplemental water right (IS) 2010-01

Modification of this supplemental water right reduces by 39.37 acres the number of acres to which stored water may be applied for supplemental irrigation under the right evidenced by Certificate 83571; however, the maximum quantity of stored water that can be diverted for use under the right remains unchanged.

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

Application for Water Right Transfer

Evidence of Use Affidavit



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
)
 County of Deschutes) ss

I, Cary D. Penhollow, in my capacity as District Watermaster,
 mailing address 1055 SW Lake Court, Redmond, OR 97756
 telephone number (541) 548-6047, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # _____; **OR**

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)
83571	14	S	13	E	WM	16	SE SW	4.50	
83571	15	S	13	E	WM	03	SW SW	16.50	
83571	15	S	13	E	WM	19	SE NE	2.47	
83571	15	S	13	E	WM	30	NE SW	2.0	

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
 SALEM, OREGON

OR

- Confirming Certificate # _____ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: L-702 & L-776 (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

T 11248

3. The water right was used for: (e.g., crops, pasture, etc.): SEE ATTACHED EXHIBIT

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Cary D. Penhollow
Signature of Affiant

12/7/10
Date

Signed and sworn to (or affirmed) before me this 7th day of December, 2010.



Leslie Ann Clark
Notary Public for Oregon

My Commission Expires: February 5, 2014

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> ● Power usage records for pumps associated with irrigation use ● Fertilizer or seed bills related to irrigated crops ● Farmers Co-op sales receipt
Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> ● District assessment records for water delivered ● Crop reports submitted under a federal loan agreement ● Beneficial use reports from district ● IRS Farm Usage Deduction Report ● Agricultural Stabilization Plan ● CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input checked="" type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years <u>L - 776</u>	Copy of instream lease or lease number <u>I 11248</u>

L - 702

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

FS

AVION ALLOCATION

TRS QQ TL	ACRES	DELIVERY	BENEFICIAL USE
14-13-16 SE SW 700	4.5	Head Gate H-4-4 irrigation landscaping/play fields	L-776
15-13-03 SW SW 00100	16.5	Delivery severed at time of original quitclaim	L-702/MP-61
15-13-19 SE NE 00201	2.47	Delivery severed at time of quitclaim	L-702/MP-61
15-13-30 NE SW 01408	2	Delivery severed at time of quitclaim	L-702/MP-61

25.47

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

Application for Water Right Transfer

Evidence of Use Affidavit



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) ss
 County of DESCHUTES)

I, CARY D. PENHOLLOW, in my capacity as DISTRICT WATERMASTER,
 mailing address 1055 SW LAKE COURT; REDMOND, OR 97756
 telephone number (541)548-6047, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):
 Personal observation Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # ____; **OR**
 My knowledge is specific to the use of water at the following locations within the last five years:

I.D.#	Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
# 1	83571	15	S	13	E	WM	10	NW	NE		3.65
# 2	83571	15	S	13	E	WM	20	SE	SE		0.75
# 3	83571	13	S	13	E	WM	33	NE	SW		5.0
# 4	83571	15	S	12	E	WM	25	NE	NE		2.50
# 5	83571	14	S	13	E	WM	09	SE	SW		2.0

RECEIVED

MAY 16 2011

OR

- Confirming Certificate # ____ has been issued within the past five years; **OR**
 Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: SEE ATTACHED EXHIBIT (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
 The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
 Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # ____ (For Historic POD/POA Transfers)

WATER RESOURCES DEPT
 SALEM, OREGON

(continues on reverse side)

T 11248

3. The water right was used for: (e.g., crops, pasture, etc.): SEE ATTACHED EXHIBIT

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Cory D. Penhollow
Signature of Affiant

1/20/11
Date

Signed and sworn to (or affirmed) before me this 20th day of January, 20 11.



Leslie Ann Clark
Notary Public for Oregon

My Commission Expires: Feb 5, 2014

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> ● Power usage records for pumps associated with irrigation use ● Fertilizer or seed bills related to irrigated crops ● Farmers Co-op sales receipt
<input checked="" type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> ● District assessment records for water delivered ● Crop reports submitted under a federal loan agreement ● Beneficial use reports from district ● IRS Farm Usage Deduction Report ● Agricultural Stabilization Plan ● CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com</p>
<input checked="" type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

T 11248

BENEFICIAL USE EXHIBIT

ID #	T-R-S-Q-Q TL	Acres	Delivery	Beneficial Use
1	15-13-10 NW NE 200	3.65	Sublateral E-14-1 flood irrigation-pasture grass	2009 Weir Book & Assessment
2	15-13-20 SE SE 01100	0.75	Lateral PBC-18 flood irrigate pasture,landscaping	IL-1068 & 2006 Weir Book
3	13-13-33 NE SW 500	5	HeadGate H-12-#3 wheel lines_pasture grass_removed in 2008	Cert 83571/confirmation T-8692
4	15-12-25 NE NE 00109*	2.5	Sublateral B-2-3-2 wheel lines_hay crop	IL-995
5	14-13-09 SE SW 01400	2	Lateral H-9 pump from pond-wheel lines_pasture, hay	2010 Weir Book, Rotation & Assessment

*Was tax lot 100 prior to land partition

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

T 11248

Neir Book

1

/8/09

Pilot Butte Canal Beat No 3

Al Goodman

Section	Year	Owner	Dir	Section	Size	S/F	Acre Ft	Loss %	Acreage
E-13	15-13-10		NE SW	00102	Irrigation		0.00	100	0.000
E-13-0						0.02	0.04	100	2.000
987		Lengele, Lyndon C/Linda							2.000
E-14	15-13-10		SW NE	01100	Irrigation	0.02	0.04	100	1.900
3316		Timbergon, Inc							1.900
E-14-0	15-13-10		NW NE	00400	Irrigation	0.00	0.00	100	0.000
E-14-1						0.05	0.11	100	5.450
254420		Gnagy, Walter							5.450
E-15	15-13-10		NW NE	00200	Irrigation	0.01	0.03	100	1.400
335		Central Cascade Health System							1.400
E-16	15-13-10		NE NW	00101	Irrigation	0.00	0.00	100	0.000
E-16-1						0.06	0.12	100	5.800
1733		Richartz, Daniel/Angi							5.800
E-16-2	15-13-03		SW SE	01702	Irrigation	0.00	0.00	0	0.000
E-17		Burright, Benton F R				0.13	0.25	100	12.540
315		Endicott, David A/Freeda							4.000
3396	15-13-03	Reinig, Marjorie/Rosenkranz,	NW SE	00404	Irrigation				8.540
	15-13-03		NW SE	00400	Irrigation				8.540

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

T 11248

FINANCIAL TRANSACTIONS

1

Patron List

<u>Tran#</u>	<u>Date</u>	<u>Check#</u>	<u>Year</u>	<u>Tran Type</u>	<u>Assessment</u>	<u>Interest</u>	<u>Late Fee</u>	<u>Admin Fee</u>	<u>Other</u>	<u>Total</u>
Name: Gnagy, Walter					Patron#: 254420					
68404	3/31/10	CASH	2010	Received	\$(346.00)					\$(346.00)
66288	1/16/10		2010	Bill	\$346.00					\$346.00
63092	3/18/09	cash	2009	Received	\$(438.00)					\$(438.00)
61576	1/17/09		2009	Bill	\$438.00					\$438.00
Patron Totals:					\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Report Totals:					\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

T 11248

RECEIVED

MAY 18 2011

WATER RESOURCES DEPT
SALEM OREGON

Weir Bo.

7/13/06

Pilot Butte Canal Beat No 2

John Hargrove

RECEIVED

MAY 16 2011
WATER RESOURCES DEPT
SALEM, OREGON

T 11248

2205	Audia Kemp Development, LLC						Acreage:	12.380				
	15-13-18	NW SE	02101	Irrigation	12.380		Rotation#	11,800	10	1		
280000	Hall, Tom/Patricia						Acreage:	6.280				
	15-13-18	NW SE	02100	Irrigation	6.280		Rotation#	11,800	20	1		
2885	Obsidian Development Partners,						Acreage:	16.000				
	15-13-18	SE SE	02900	Irrigation	16.000		Rotation#	11,900	10	1		
601610	Renz, Michael M						Acreage:	8.070				
	15-13-18	NW SE	02102	Irrigation	8.070		Rotation#	11,800	30	1		
<hr/>												
PBC-18	ROTATION		S/F:	0.02	Acre Ft:	0.05	Size:	2 FT	Loss %:	100	Acreage:	2.410
70180	Brill, Darrell J/Gloria						Acreage:	0.550				
	15-13-29	NW NE	01100	Irrigation	0.550		Rotation#	12,100	50	1		
901712	Degree Builders & Contractors						Acreage:	0.110				
	15-13-20	SE SE	00602	Irrigation	0.110		Rotation#	12,100	20	1		
901148	Hylton Trust						Acreage:	0.750				
	15-13-20	SE SE	01100	Irrigation	0.750		Rotation#	12,100	30	2		
901109	Klein, David E/Anne						Acreage:	0.630				
	15-13-20	SE SE	00300	Irrigation	0.630		Rotation#	12,100	30	1		
485440	McLaren, Nanaline						Acreage:	0.370				
	15-13-29	NE NE	03400	Irrigation	0.370		Rotation#	12,100	10	1		
<hr/>												
PBC-20	LATERAL		S/F:	0.00	Acre Ft:	0.00	Size:	NONE	Loss %:	90	Acreage:	0.000
<hr/>												
PBC-20-1			S/F:	0.00	Acre Ft:	0.00	Size:	NONE	Loss %:	100	Acreage:	0.000
<hr/>												
PBC-21			S/F:	0.02	Acre Ft:	0.04	Size:	2 FT	Loss %:	90	Acreage:	1.650
686720	Steele, Fred/Mary Ann						Acreage:	1.650				
	15-13-21	SE NW	02000	Irrigation	0.150		Rotation#	12,400	10	1		
	15-13-21	SE NW	02001	Irrigation	0.900		Rotation#	12,400	10	2		
	15-13-21	SW NW	02001	Irrigation	0.600		Rotation#	12,400	10	3		
<hr/>												
PBC-21-1	ROTATION		S/F:	0.00	Acre Ft:	0.00	Size:	2 FT	Loss %:	100	Acreage:	0.000
<hr/>												
PBC-23			S/F:	0.26	Acre Ft:	0.52	Size:	2 FT	Loss %:	100	Acreage:	26.000

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Instream Lease Application) DETERMINATION and
IL-1068, Certificate 83571, Deschutes) FINAL ORDER ON PROPOSED
County) INSTREAM LEASE

Authority

ORS 537.348 establishes the process in which a water right holder may submit a request to lease an existing water right for instream purposes. OAR Chapter 690, Division 077 implements the statutes and provides the Department's procedures and criteria for evaluating instream lease applications.

Lessor #1

Pooled Instream Lease for several water right holders (described in Findings of Fact #3)

Lessor #2

Central Oregon Irrigation District (COID)
1055 SW Lake Court
Redmond, OR 97756
lauraw@coid.org

Lessee

Deschutes River Conservancy (DRC)
P.O. Box 1560
Bend, Oregon 97709
gen@deschutesriver.org

Findings of Fact

1. On April 21, 2010, the DRC and COID, on behalf of several landowners, filed an application to lease a portion of Certificate 83571 for instream use. The Department assigned the application number IL-1068.
2. Interest in a portion of the water right to be leased instream has been conveyed from the original land owner. The lease application identifies COID as Lessor #1 for a portion of the application. Individual conveyance agreements (recorded Quit Claim deeds), along with supporting documentation, identify that interest in a portion of the right to be leased is held by COID. The Department has determined that COID is an interest holder in the right and is authorized to lease the pertinent portion of the water right instream.
3. The portion of the right to be leased is as follows:
 - Certificate:** 83571 in the name of Central Oregon Irrigation District
 - Use:** Irrigation of 9.25 acres, being 1.0 acre from POD #1 and 8.25 acres from POD #11
 - Priority Date:** October 31, 1900 and December 2, 1907

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES D
SALEM OREGON

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

described in the right at the maximum rates and duty allowed at the PODs (described in Finding of Fact #3), the portion of the right involved in this instream lease would be limited as described in the tables below. These rates and duty are also the quantities by which the diversion at POD #1 and POD #11 under Certificate 83571 shall be reduced, if this instream lease is approved.

POD #1 – Central Oregon Canal				
Priority Date	Season 1	Season 2	Season 3	Duty
October 31, 1900	0.012 CFS	0.017 CFS	0.022 CFS	9.87 AF
December 2, 1907			0.009 CFS	
POD #11 – North Canal Dam				
October 31, 1900	0.103 CFS	0.137 CFS	0.181 CFS	81.55AF
December 2, 1907			0.073 CFS	

6. The lease application includes the information required under OAR 690-077-0076(3). The Department provided notice of the lease application pursuant to OAR 690-077-0077(1). No comments were received.
7. The Lessor and Lessee have requested to protect water instream from the PODs described in Finding of Fact #3 to the mouth of the Deschutes River. A portion of the water diverted at each POD returns to the Deschutes River within the proposed reach and is available to downstream water right holders. Return flows from the existing use are generally back in the river system once river flows reach the Madras Gage. To prevent injury to downstream water right holders, the quantity of water that may be protected instream requires modification and return flows should be accounted for at the Madras Gage.

8. The instream use has been modified from the lease application to prevent injury and enlargement and is as follows:
Deschutes River, tributary to the Columbia River

Instream Reach #1: From Central Oregon Canal POD #1 to North Canal Dam POD #11
(both as described in Finding of Fact #3)

Certificate	Priority Date	Instream Rate (cfs)	Instream Volume (af)	Period Protected Instream
83571	10/31/1900	Season 1: 0.007 Season 2: 0.009 Season 3: 0.017	5.45	April 1 – Oct. 26

Instream Reach #2: From North Canal Dam POD #11 to the Madras Gage

Certificate	Priority Date	Instream Rate (cfs)	Instream Volume (af)	Period Protected Instream
83571	10/31/1900	Season 1: 0.064 Season 2: 0.085 Season 3: 0.157	50.42	April 1 – Oct. 26

Instream Reach #3: From the Madras Gage to the mouth of the Deschutes River

Certificate	Priority Date	Instream Rate (cfs)	Instream Volume (af)	Period Protected Instream
83571	10/31/1900	0.040	16.65	April 1 – Oct. 26

T 11248

RECEIVED EP


MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

2. The former place of use will no longer receive water as part of these rights, any supplemental rights, or any other layered water rights for irrigation use, including ground water registrations during the term of the lease.

3. The lease will terminate on October 31, 2010.

Dated at Salem, Oregon this 14 day of June, 2010.


Phillip C. Ward, Director

This document was prepared by Laura Wilke and if you have any questions, please call 503-986-0884.

Mailing date: JUN 14 2010

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

3

IRRIGATION, POND MAINTENANCE, INDUSTRIAL, MINING and DUST ABATEMENT USES									
		LEGAL DESCRIPTION				TOTAL ACRES (including inchoate)	WATER RIGHT STATUS		
POD	USE	TWP	RNG	SEC	Q-Q		ACRES/EQUIVALENT		
						A	B	C	
11	IR	13 S	13 E	33	NE SW	23.250	13.250	10.000	0.000
11	IR	13 S	13 E	33	NW SW	8.700	1.000	7.700	0.000
11	IR	13 S	13 E	33	SW SW	24.200	19.200	5.000	0.000
11	IR	13 S	13 E	33	SE SW	26.000	26.000	0.000	0.000
11	IR	13 S	13 E	33	NE SE	36.650	36.650	0.000	0.000
11	IR	13 S	13 E	33	SW SE	0.100	0.100	0.000	0.000
11	IR	13 S	13 E	33	SE SE	32.350	32.350	0.000	0.000
11	IR	13 S	13 E	34	SW NW	7.700	7.700	0.000	0.000
11	IR	13 S	13 E	34	NE SW	4.000	4.000	0.000	0.000
11	IR	13 S	13 E	34	NW SW	36.300	36.300	0.000	0.000
11	IR	13 S	13 E	34	SW SW	37.400	37.400	0.000	0.000
11	IR	13 S	13 E	34	SE SW	16.000	16.000	0.000	0.000
11	IR	14 S	12 E	12	NE NE	12.000	12.000	0.000	0.000
11	IR	14 S	12 E	12	SE NE	6.200	6.200	0.000	0.000
11	IR	14 S	12 E	36	SE NE	19.000	19.000	0.000	0.000
11	IR	14 S	12 E	36	NE SE	2.400	2.400	0.000	0.000
11	IR	14 S	13 E	3	SW NE	2.700	2.700	0.000	0.000
11	IR	14 S	13 E	3	SE NE	0.230	0.230	0.000	0.000
11	IR	14 S	13 E	3	NE NW	8.100	8.100	0.000	0.000
11	IR	14 S	13 E	3	SW NW	2.580	0.000	2.580	0.000
11	IR	14 S	13 E	3	SE NW	23.800	10.900	12.900	0.000
11	PM	14 S	13 E	3	SE NW	0.400	0.400	0.000	0.000
11	IR	14 S	13 E	3	NE SW	21.400	13.300	8.100	0.000
11	IR	14 S	13 E	3	NW SW	3.700	0.000	3.700	0.000
11	IR	14 S	13 E	3	SW SW	17.300	17.300	0.000	0.000
11	IR	14 S	13 E	3	SE SW	21.000	19.500	0.000	1.500
11	PM	14 S	13 E	3	SE SW	1.000	0.000	0.000	1.000
11	IR	14 S	13 E	3	NE SE	10.590	10.240	0.000	0.350
11	IR	14 S	13 E	3	NW SE	16.000	16.000	0.000	0.000
11	PM	14 S	13 E	3	NW SE	1.800	0.000	0.000	1.800
11	IR	14 S	13 E	3	SW SE	23.300	21.800	1.500	0.000
11	PM	14 S	13 E	3	SW SE	7.100	0.300	0.000	6.800
11	IR	14 S	13 E	3	SE SE	7.180	1.700	3.700	1.780
11	PM	14 S	13 E	3	SE SE	0.400	0.000	0.000	0.400
11	IR	14 S	13 E	4	NE NE	5.000	5.000	0.000	0.000
11	PM	14 S	13 E	4	NW NE	1.500	1.500	0.000	0.000
11	IR	14 S	13 E	4	SW NE	22.100	22.100	0.000	0.000
11	PM	14 S	13 E	4	SW NE	0.300	0.300	0.000	0.000
11	IR	14 S	13 E	4	SE NE	26.600	24.600	2.000	0.000
11	IR	14 S	13 E	4	NE NW	19.070	19.070	0.000	0.000
11	IR	14 S	13 E	4	NW NW	14.800	14.800	0.000	0.000
11	IR	14 S	13 E	4	SW NW	12.510	8.000	4.510	0.000
11	IR	14 S	13 E	4	SE NW	28.000	28.000	0.000	0.000

11248

Column A = Remaining Right Column B = Confirming Right Column C = Inchoate Right

MAY 16 2011

#3

MUNICIPAL and QUASI-MUNICIPAL USES									
		LEGAL DESCRIPTION				TOTAL ACRES (including inchoate)	WATER RIGHT STATUS		
POD	USE	TWP	RNG	SEC	Q-Q		ACRES/EQUIVALENT		
						A	B	C	
13	QM	18 S	12 E	6	SW SE				
CITY OF BEND									
4	MU	17 S	12 E	32	SW NW	15.00	15.00	0.00	0.00

¹ Limited to non-human consumption, non-potable uses only.
² The acres equivalent describes the total quantity of water that may be used within the quarter-quarter sections listed.

The right to the use of the water for the above purposes is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decrees.

The issuance of this superseding certificate does not confirm the status of the water rights evidenced by Certificate 76358 that were not modified by orders canceling or authorizing changes to the rights described by Certificate 76358. The water rights listed in column A of the authorized place of use table describe rights that remain unchanged, and this certificate makes no determination about whether these water rights are subject to forfeiture under ORS 540.610.

The issuance of this certificate confirms satisfactory completion of changes authorized by orders approving the water right actions listed in Table I. These rights are described in column B of the authorized place of use table.

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

TABLE I
WATER RIGHT ACTIONS CONFIRMED BY THIS CERTIFICATE

TRANSACTION FILE #	WATER RIGHT ACTION	ORDER DATE	SPECIAL ORDER VOLUME & PAGE
T-8485	Water Right Transfer	July 26, 2000	Volume 54, Page 549
T-8486	Water Right Transfer	February 22, 2001	Volume 55, Page 167
T-8514	Water Right Transfer	July 26, 2000	Volume 54, Page 560
T-8532	Water Right Transfer	July 26, 2000	Volume 54, Page 566
T-8692	Water Right Transfer	September 11, 2001	Volume 55, Page 941
T-8693	Water Right Transfer	June 20, 2001	Volume 55, Page 617
T-8982	Water Right Transfer	April 9, 2002	Volume 56, Page 124
T-8983	Water Right Transfer	April 9, 2002	Volume 56, Page 127
T-8984	Water Right Transfer	April 9, 2002	Volume 56, Page 130
T-8985	Water Right Transfer	April 9, 2002	Volume 56, Page 133
T-9017	Water Right Transfer	May 29, 2002	Volume 56, Page 488
T-9018	Water Right Transfer	November 13, 2002	Volume 56, Page 2042
T-9020	Water Right Transfer	May 29, 2002	Volume 56, Page 485
T-9021	Water Right Transfer	August 20, 2002	Volume 56, Page 849
T-9022	Water Right Transfer	May 29, 2002	Volume 56, Page 482

T 11248

Column A = Remaining Right Column B = Confirming Right Column C = Inchoate Right

TABLE II.
INCHOATE WATER RIGHT ACTIONS

TRANSACTION FILE #	WATER RIGHT ACTION	ORDER DATE	SPECIAL ORDER VOLUME & PAGE
T-9982	Water Right Transfer	September 13, 2005	Volume 67, Page 127
T-9983	Water Right Transfer	September 13, 2005	Volume 67, Page 124
T-9984	Water Right Transfer	September 13, 2005	Volume 67, Page 120
T-9985	Water Right Transfer	September 13, 2005	Volume 67, Page 117
T-10004	Water Right Transfer	January 30, 2006	Volume 67, Page 822
T-10018	Water Right Transfer	November 18, 2005	Volume 67, Page 435
T-10035	Water Right Transfer	January 6, 2006	Volume 67, Page 671
T-10036	Water Right Transfer	January 6, 2006	Volume 67, Page 674

This certificate correctly describes the Points of Diversion for the following lands:

- Township 14 South, Range 14 East, W.M., Sections 20 and 30, POD 1;
- Township 13 South, Range 13 East, W.M., Section 32, POD 11;
- Township 17 South, Range 12 East, W.M., Section 14, SW NE, 2.6 acres; POD 1

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

This certificate together with Water Right Certificates 80856, 81324, 81509, 81612, 82635, 82725, 82731, 83244, and 83293 supersedes Certificate 76358.

WITNESS the signature of the Water Resources Director, affixed

SEP 26 2007

T 11248

Phillip C. Ward
Phillip C. Ward, Director

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Instream Lease Application) DETERMINATION and
IL-995, Certificate 83571,) FINAL ORDER ON PROPOSED
Deschutes County) INSTREAM LEASE

Authority

ORS 537.348 establishes the process in which a water right holder may submit a request to lease an existing water right for instream purposes. OAR Chapter 690, Division 077 implements the statutes and provides the Department's procedures and criteria for evaluating instream lease applications.

Lessor #1

Pooled Instream Lease for several water right holders (described in Findings of Fact #3)

Lessor #2

Central Oregon Irrigation District (COID)
1055 SW Lake Court
Redmond, OR 97756
lauraw@coid.org

Lessee

Deschutes River Conservancy (DRC)
P.O. Box 1560
Bend, Oregon 97709
gen@deschutesriver.org

Findings of Fact

1. On April 28, 2009 COID, on behalf of several water right holders and the DRC filed an application to lease a portion of Certificate 83571 for instream use. The Department assigned the application number IL-995.
2. On June 4, 2009 COID requested the Department to amend Instream Lease Application IL-995 by removing 1.25 acres owned by George Hochstetler.
3. The portion of the right to be leased is as follows:

Certificate: 83571 in the name of Central Oregon Irrigation District
Use: Irrigation of 20.43 acres
Priority Date: October 31, 1900 and December 2, 1907
Season of Use: April 1 through October 31, further limited as follows:
 April 1 through April 30 & October 1 through October 31
 May 1 through May 14 & September 16 through September 30
 May 15 through September 15

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Maximum Quantity (Rate) that can be applied to an acre:

- Season 1: limited to 1/80th cubic foot per second (CFS) per acre
- Season 2: limited to 1/60th CFS per acre
- Season 3: limited to 1/32.4th CFS per acre

Maximum Duty that can be applied to an acre:

Not to exceed 9.91 acre-feet (AF) per acre per year.

The above listed rates and duty reflect allowance of a 45% transmission loss as determined by decree of the Circuit Court of Deschutes County, dated March 24, 1933. Those lands not served from the district main canal systems, but by direct pumping from the Deschutes River, are not allowed the 45% transmission loss.

Source: The Deschutes River, tributary to the Columbia River

Authorized Points of Diversion (POD):

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates	
17	S	12 E	W.M.	29	SE NE	POD #11 (COID NORTH CANAL): 850 FEET NORTH AND 630 FEET WEST FROM THE EAST ¼ CORNER OF SECTION 29

Authorized Places of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	POD #	Land Owner
14S	13E	WM	31	SW NE	0.27	900	11	Donald & Nancy Lee
15S	12E	WM	25	NE NE	19.70	100	11	Harry Family Revocable Trust
17S	12E	WM	15	SE NW	0.46	1100	11	Steven & Martha Carter
TOTAL:					20.43			

4. The Department has determined that the season of use described in Certificate 83571 contains scrivener errors. Consistent with the Decree for the Deschutes River (Volume 12, Page 282), the irrigation season should be:

Season of Use: April 1 through October 31, further limited as follows:

- April 1 through April 30 & October 1 through October 31 described herein as Season 1
- May 1 through May 14 & September 15 through September 30 described herein as Season 2
- May 15 through September 14 described herein as Season 3

5. Certificate 83571 is a deficient water right. If water were diverted simultaneously to all authorized lands and uses described in the right at the maximum rates and duty allowed (described in Finding of Fact #3, the total rate and duty for the water right would be exceeded. In the event water were diverted simultaneously to all authorized lands and uses described in the right at the maximum rates and duty allowed at the POD (described in Finding of Fact #3), the portion of the right involved in this instream lease would be limited as described in the tables below. These rates and duty are also the quantities by which the diversion at POD #11 under Certificate 83571 shall be reduced, if this instream lease is approved.

Priority Date	Season 1	Season 2	Season 3	Duty
October 31, 1900	0.255 CFS	0.340 CFS	0.449 CFS	201.95 AF
December 2, 1907			0.180 CFS	

RECEIVED
 MAY 16 2011
 WATER RESOURCES DEPT
 SALEM, OREGON
 T 11248

5. The lease application includes the information required under OAR 690-077-0076(3). The Department provided notice of the lease application pursuant to OAR 690-077-0077(1). No comments were received.
6. The applicant requested that water be protected instream during the period of April 1 through October 31, a 214-day period, at the full rate and volume. At the full rate for 214 days, the maximum volume would be exceeded. To avoid injury and enlargement, the season will be reduced to 209-days at the full rate allowed by Certificate 84371.
7. The Lessor and Lessee have requested to protect water instream from the POD described in Finding of Fact #3 to the mouth of the Deschutes River. A portion of the water diverted at the POD returns to the Deschutes River within the proposed reach and is available to downstream water right holders. Return flows from the existing use are back in the river system once river flows reach the Madras Gage. To prevent injury to downstream water right holders, the quantity of water that may be protected instream requires modification and return flows should be accounted for at the Madras Gage.
8. The instream use has been modified from the original lease application to prevent injury and/or enlargement and is as follows:
Deschutes River, tributary to the Columbia River

Instream Reach #1: From POD #11 (as described in Finding of Fact #3) to the Madras Gage

Certificate	Priority Date	Instream Rate (cfs)	Instream Volume (af)	Period Protected Instream
83571	10/31/1900	Season 1: 0.140 Season 2: 0.187 Season 3: 0.347	111.35	April 1 – Oct. 26

Instream Reach #2: From the Madras Gage to the mouth of the Deschutes River

Certificate	Priority Date	Instream Rate (cfs)	Instream Volume (af)	Period Protected Instream
83571	10/31/1900	0.087	36.77	April 1 – Oct. 26

RECEIVED

MAY 16 2011

9. Other conditions to prevent injury and enlargement are:

The amount of water to be leased instream under Certificate 83571 does not include a 45% transmission loss associated with this right when used for its originally authorized purpose. The transmission loss may not be leased and protected instream.

Within the specified stream reach, the amount of water to which this right is entitled shall not exceed the quantity of water legally available at the original point of diversion. Stream channel losses and gains calculated based on available data and the use of water by senior appropriators will determine the amount of water to which this right is entitled downstream from the original points of diversion within the specified stream reach.

10. Supplemental water right Certificate 76714 is appurtenant to all or a portion of the lands described in Finding of Fact #3. The Lessor and Lessee have not requested that this water right be included as part of this lease application. During the term of the lease, water use under this right will be suspended.

11248

11. If approved, this instream lease is not reasonably expected to significantly affect land use as prescribed by ORS 197.180, OAR Chapter 660, Divisions 30 and 31, and OAR Chapter 690, Division 5.
12. Based upon review of the application, comments received, information provided by the Department's Watermaster, and other available information, the Department finds that the lease will not result in injury or enlargement. This finding is made through an abbreviated review recognizing that the lease may be modified or revoked under OAR 690-077-0077 if the Department later finds that the lease is causing injury to any existing water right or enlargement of the original right.
13. 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. Transfers will be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380 and Division 077. Approval of this lease does not establish a precedent for approval of future leases or transfers.
14. The Lessor has requested that the lease terminate on October 31, 2009.

CONCLUSIONS OF LAW

The Department concludes that the lease will not result in injury or enlargement, OAR 690-077-0077. The lease conforms to the applicable provisions of OAR 690-077-0015.

ORDER

Therefore, it is ORDERED:

1. That the Lease as described herein is APPROVED.
2. The former place of use will no longer receive water as part of these rights, any supplemental rights, or any other layered water rights for irrigation use, including ground water registrations during the term of the lease.
3. The lease will terminate on October 31, 2009.

Dated at Salem, Oregon this 5th day of June, 2009.


Philip C. Ward, Director

Mailing date: JUN 11 2009

T 11248
RECEIVED
MAY 16 2011
WATER RESOURCES DEPT
SALEM, OREGON

#5

Weir Boo'

5/11/10

Pilot Butte Canal Beat No 4 Bobby Baker

	14-13-10	NW SW	00400	Irrigation	2.000	Rotation#	23,400		
606	Darlington, Rocke Dee/Donna					Acreage:	2.000		
	14-13-09	SE SE	02300	Irrigation	1.800	Rotation#	23,400		
	14-13-10	SW SW	02300	Irrigation	0.200	Rotation#	23,400		
283560	Hammond, Barbara L					Acreage:	12.140		
	14-13-09	SE SE	02400	Irrigation	1.700				
	14-13-10	SW SW	02400	Irrigation	10.440				
2506	Jungck, Alan/Natalie					Acreage:	2.000		
	14-13-10	NW SW	01600	Irrigation	1.500	Rotation#	23,400		
	14-13-10	SW SW	01600	Irrigation	0.500	Rotation#	23,400		
440760	Long, Keith/Susan					Acreage:	2.000		
	14-13-09	NE SE	02100	Irrigation	2.000	Rotation#	23,400		
1009	Paxton, Mary E.					Acreage:	1.200		
	14-13-10	SW SW	01500	Irrigation	1.200	Rotation#	23,400		
1250	Peterson, Esther L, LLC					Acreage:	2.700		
	14-13-09	NE SE	01800	Irrigation	2.700	Rotation#	23,400		
745640	Walker, Walter/Elizabeth					Acreage:	2.000		
	14-13-10	NW SW	01700	Irrigation	2.000		Instreamed		
1492	Wright, William/Marvel					Acreage:	2.000		
	14-13-09	NE SE	02000	Irrigation	2.000	Rotation#	23,400		

H-9 ROTATION S/F: 0.49 Acre Ft: 0.98 Size: 2 FT Loss %: 100 Acreage: 49.480

26079	Bain, Norman Jr/Deanne					Acreage:	14.000		
	14-13-09	NE SW	01500	Irrigation	14.000	Rotation#	23,600		
52800	Bolken, Olaf/Jannis					Acreage:	27.000		
	14-13-09	SE SW	01400	Irrigation	27.000	Rotation#	23,600		
1882	Paulus, E.T./Barbara					Acreage:	3.000		
	14-13-16	NE NW	00103	Irrigation	3.000				
711	Shine, Vicki					Acreage:	5.480		
	14-13-09	SE SW	01300	Irrigation	5.480	Rotation#	23,600		

H-9-1 S/F: 0.27 Acre Ft: 0.54 Size: 2 FT Loss %: 100 Acreage: 27.170

229550	Foss, C B/Joy					Acreage:	27.170		
--------	---------------	--	--	--	--	-----------------	--------	--	--

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

T 11248

Patrolman: Bobby Baker

Phone: 548-6047

Pilot Butte Canal Beat No 4

58.480 Acres

14 Day Rotation

H-10

H-9

Bain, Norman Jr/Deanne

Bolken, Olaf/Jannis

28.000 Acres		Days:	6 Hours:	16 Mins:	53
APR	19 5:00 PM	to	APR	26 9:53 AM	
MAY	3 5:00 PM	to	MAY	10 9:53 AM	
MAY	17 5:00 PM	to	MAY	24 9:53 AM	
MAY	31 5:00 PM	to	JUN	7 9:53 AM	
JUN	14 5:00 PM	to	JUN	21 9:53 AM	
JUN	28 5:00 PM	to	JUL	5 9:53 AM	
JUL	12 5:00 PM	to	JUL	19 9:53 AM	
JUL	26 5:00 PM	to	AUG	2 9:53 AM	
AUG	9 5:00 PM	to	AUG	16 9:53 AM	
AUG	23 5:00 PM	to	AUG	30 9:53 AM	
SEP	6 5:00 PM	to	SEP	13 9:53 AM	
SEP	20 5:00 PM	to	SEP	27 9:53 AM	
OCT	4 5:00 PM	to	OCT	11 9:53 AM	
OCT	18 5:00 PM	to	OCT	25 9:53 AM	

25.000 Acres		Days:	5 Hours:	23 Mins:	38
APR	26 9:53 AM	to	MAY	2 9:31 AM	
MAY	10 9:53 AM	to	MAY	16 9:31 AM	
MAY	24 9:53 AM	to	MAY	30 9:31 AM	
JUN	7 9:53 AM	to	JUN	13 9:31 AM	
JUN	21 9:53 AM	to	JUN	27 9:31 AM	
JUL	5 9:53 AM	to	JUL	11 9:31 AM	
JUL	19 9:53 AM	to	JUL	25 9:31 AM	
AUG	2 9:53 AM	to	AUG	8 9:31 AM	
AUG	16 9:53 AM	to	AUG	22 9:31 AM	
AUG	30 9:53 AM	to	SEP	5 9:31 AM	
SEP	13 9:53 AM	to	SEP	19 9:31 AM	
SEP	27 9:53 AM	to	OCT	3 9:31 AM	
OCT	11 9:53 AM	to	OCT	17 9:31 AM	
OCT	25 9:53 AM	to	OCT	31 9:31 AM	
NOV	8 9:53 AM	to	NOV	14 9:31 AM	

RECEIVED
 MAY 16 2011
 WATER RESOURCES DEPT
 SALEM, OREGON
 T 11248

E.T. PAULUS DOES NOT ROTATE.

Each person is responsible for physically taking their water at the designated day and time. A request to change rotation schedule MUST BE SIGNED BY EACH PERSON on the schedule.

5

Patron List

<u>Tran#</u>	<u>Date</u>	<u>Check#</u>	<u>Year</u>	<u>Tran Type</u>	<u>Assessment</u>	<u>Interest</u>	<u>Late Fee</u>	<u>Admin Fee</u>	<u>Other</u>	<u>Total</u>
Name: Bolken, Olaf/Jannis				Patron#: 52800						
69721	6/17/10	2941	2010	Received	\$(460.00)					\$(460.00)
67524	3/11/10	2882	2010	Received	\$(461.00)					\$(461.00)
66288	1/16/10		2010	Bill	\$921.00					\$921.00
65225	7/1/09	2713	2009	Received	\$(460.00)					\$(460.00)
63677	3/31/09	2635	2009	Received	\$(461.00)					\$(461.00)
61576	1/17/09		2009	Bill	\$921.00					\$921.00
60434	6/26/08	2440	2008	Received	\$(465.14)					\$(465.14)
60041	5/27/08	2430	2008	Received	\$(455.86)	\$(6.14)				\$(462.00)
59875	4/30/08	0	2008	Bill		\$6.14				\$6.14
56927	1/12/08	0	2008	Bill	\$921.00					\$921.00
56069	7/3/07	2197	2007	Received	\$(448.00)					\$(448.00)
54365	3/26/07	2115	2007	Received	\$(448.00)					\$(448.00)
52409	1/21/07	0	2007	Bill	\$896.00					\$896.00
51807	7/31/06	1896	2006	Received	\$(448.00)					\$(448.00)
49814	4/4/06	0	2006	Received	\$(448.00)					\$(448.00)
47901	2/4/06	0	2006	Bill	\$896.00					\$896.00
45482	4/4/05	0	2005	Received	\$(896.00)					\$(896.00)
43239	2/5/05	0	2005	Bill	\$896.00					\$896.00
Patron Totals:					\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Report Totals:					\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

RECEIVED
 MAY 16 2011
 WATER RESOURCES DEPT
 SALEM, OREGON

T 11248



**DESCHUTES RIVER
CONSERVANCY**

May 11, 2011

City of Bend
Attn: Colin Stephens
Planning Division
710 NW Wall Street
Bend, OR 97701

Dear Mr. Stephens:

The Deschutes River Conservancy is notifying you of our intent to transfer a water right to instream use. The DRC will be submitting an application to the Oregon Water Resources Department changing the place of use of an irrigation water right to instream use in the Deschutes River. The permanent instream transfer will request protection from diversion in the City of Bend to Lake Billy Chinook and from Lake Billy Chinook to the mouth of the Deschutes River.

The transfer will protect approximately 0.668 cfs instream in the middle Deschutes and 0.060 cfs in the lower Deschutes. These 39.37 acres of water rights have a combined priority date of 1900 & 1907. If you have questions regarding this application or are interested in receiving additional information, please call the DRC at the number below. The Oregon Water Resources Department will provide you with additional notice of this transfer once it has been submitted for review.

Increased streamflows improve water quality, lower stream temperatures, help maintain riparian areas, wildlife habitat, flows for recreation, and provide crucial support for resident and anadromous fish.

Please contact Gen at 541-382-4077, ext 16 or gen@deschutesriver.org if you have any questions.

Best Regards,

Genevieve Hubert
Transfers Program Manager

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

700 NW Hill Street • Bend, Oregon 97701
(P.O. Box 1560 • 97709)
541.382.4077 • Fax 541.382.4078
www.deschutesriver.org / info@deschutesriver.org



**DESCHUTES RIVER
CONSERVANCY**

May 11, 2011

Deschutes County Planning Department
Peter Gutowsky
117 NW Lafayette Ave.
Bend, OR 97701

Dear Mr. Gutowsky:

The Deschutes River Conservancy is notifying you of our intent to transfer a water right to instream use. The DRC will be submitting an application to the Oregon Water Resources Department changing the place of use of an irrigation water right to instream use in the Deschutes River. The permanent instream transfer will request protection from diversion in the City of Bend to Lake Billy Chinook and from Lake Billy Chinook to the mouth of the Deschutes River.

The transfer will protect approximately 0.668 cfs instream in the middle Deschutes and 0.060 cfs in the lower Deschutes. These 39.37 acres of water rights have a combined priority date of 1900 & 1907. If you have questions regarding this application or are interested in receiving additional information, please call the DRC at the number below. The Oregon Water Resources Department will provide you with additional notice of this transfer once it has been submitted for review.

Increased streamflows improve water quality, lower stream temperatures, help maintain riparian areas, wildlife habitat, flows for recreation, and provide crucial support for resident and anadromous fish.

Please contact Gen at 541-382-4077, ext 16 or gen@deschutesriver.org if you have any questions.

Best Regards,

Genevieve Hubert
Transfers Program Manager

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

700 NW Hill Street • Bend, Oregon 97701
(P.O. Box 1560 • 97709)
541.382.4077 • Fax 541.382.4078
www.deschutesriver.org / info@deschutesriver.org



**DESCHUTES RIVER
CONSERVANCY**

May 11, 2011

Jefferson County Planning Department
Sandy Mathewson
66 SE D Street
Madras, OR 97741

Dear Ms. Mathewson:

The Deschutes River Conservancy is notifying you of our intent to transfer a water right to instream use. The DRC will be submitting an application to the Oregon Water Resources Department changing the place of use of an irrigation water right to instream use in the Deschutes River. The permanent instream transfer will request protection from diversion in the City of Bend to Lake Billy Chinook and from Lake Billy Chinook to the mouth of the Deschutes River.

The transfer will protect approximately 0.668 cfs instream in the middle Deschutes and 0.060 cfs in the lower Deschutes. These 39.37 acres of water rights have a combined priority date of 1900 & 1907. If you have questions regarding this application or are interested in receiving additional information, please call the DRC at the number below. The Oregon Water Resources Department will provide you with additional notice of this transfer once it has been submitted for review.

Increased streamflows improve water quality, lower stream temperatures, help maintain riparian areas, wildlife habitat, flows for recreation, and provide crucial support for resident and anadromous fish.

Please contact Gen at 541-382-4077, ext 16 or gen@deschutesriver.org if you have any questions.

Best Regards,

Genevieve Hubert
Transfers Program Manager

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

700 NW Hill Street • Bend, Oregon 97701
(P.O. Box 1560 • 97709)
541.382.4077 • Fax 541.382.4078
www.deschutesriver.org / info@deschutesriver.org



**DESCHUTES RIVER
CONSERVANCY**

May 11, 2011

City of Maupin
Attn: City Manager
City Hall
408 Deschutes Ave.
Maupin, OR 97037

City Manager:

The Deschutes River Conservancy is notifying you of our intent to transfer a water right to instream use. The DRC will be submitting an application to the Oregon Water Resources Department changing the place of use of an irrigation water right to instream use in the Deschutes River. The permanent instream transfer will request protection from diversion in the City of Bend to Lake Billy Chinook and from Lake Billy Chinook to the mouth of the Deschutes River.

The transfer will protect approximately 0.668 cfs instream in the middle Deschutes and 0.060 cfs in the lower Deschutes. These 39.37 acres of water rights have a combined priority date of 1900 & 1907. If you have questions regarding this application or are interested in receiving additional information, please call the DRC at the number below. The Oregon Water Resources Department will provide you with additional notice of this transfer once it has been submitted for review.

Increased streamflows improve water quality, lower stream temperatures, help maintain riparian areas, wildlife habitat, flows for recreation, and provide crucial support for resident and anadromous fish.

Please contact Gen at 541-382-4077, ext 16 or gen@deschutesriver.org if you have any questions.

Best Regards,

Genevieve Hubert
Transfers Program Manager

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

700 NW Hill Street • Bend, Oregon 97701
(P.O. Box 1560 • 97709)
541.382.4077 • Fax 541.382.4078
www.deschutesriver.org / info@deschutesriver.org



**DESCHUTES RIVER
CONSERVANCY**

May 11, 2011

Confederated Tribes of Warm Springs
Natural Resources, General Manager
Robert Brunoe
1233 Veterans St.
Warm Springs, OR 97761

Dear Mr. Brunoe:

The Deschutes River Conservancy is notifying you of our intent to transfer a water right to instream use. The DRC will be submitting an application to the Oregon Water Resources Department changing the place of use of an irrigation water right to instream use in the Deschutes River. The permanent instream transfer will request protection from diversion in the City of Bend to Lake Billy Chinook and from Lake Billy Chinook to the mouth of the Deschutes River.

The transfer will protect approximately 0.668 cfs instream in the middle Deschutes and 0.060 cfs in the lower Deschutes. These 39.37 acres of water rights have a combined priority date of 1900 & 1907. If you have questions regarding this application or are interested in receiving additional information, please call the DRC at the number below. The Oregon Water Resources Department will provide you with additional notice of this transfer once it has been submitted for review.

Increased streamflows improve water quality, lower stream temperatures, help maintain riparian areas, wildlife habitat, flows for recreation, and provide crucial support for resident and anadromous fish.

Please contact Gen at 541-382-4077, ext 16 or gen@deschutesriver.org if you have any questions.

Best Regards,

Genevieve Hubert
Transfers Program Manager

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

700 NW Hill Street • Bend, Oregon 97701
(P.O. Box 1560 • 97709)
541.382.4077 • Fax 541.382.4078
www.deschutesriver.org / info@deschutesriver.org



**DESCHUTES RIVER
CONSERVANCY**

May 11, 2011

Wasco County Planning and Development
Todd R. Cornett
2705 East 2nd Street
The Dalles, OR 97058

Dear Mr. Cornett:

The Deschutes River Conservancy is notifying you of our intent to transfer a water right to instream use. The DRC will be submitting an application to the Oregon Water Resources Department changing the place of use of an irrigation water right to instream use in the Deschutes River. The permanent instream transfer will request protection from diversion in the City of Bend to Lake Billy Chinook and from Lake Billy Chinook to the mouth of the Deschutes River.

The transfer will protect approximately 0.668 cfs instream in the middle Deschutes and 0.060 cfs in the lower Deschutes. These 39.37 acres of water rights have a combined priority date of 1900 & 1907. If you have questions regarding this application or are interested in receiving additional information, please call the DRC at the number below. The Oregon Water Resources Department will provide you with additional notice of this transfer once it has been submitted for review.

Increased streamflows improve water quality, lower stream temperatures, help maintain riparian areas, wildlife habitat, flows for recreation, and provide crucial support for resident and anadromous fish.

Please contact Gen at 541-382-4077, ext 16 or gen@deschutesriver.org if you have any questions.

Best Regards,

Genevieve Hubert
Transfers Program Manager

T 11248

RECEIVED

MAY 16 2011

WATER RESOURCES DEPT
SALEM, OREGON

700 NW Hill Street • Bend, Oregon 97701
(P.O. Box 1560 • 97709)
541.382.4077 • Fax 541.382.4078
www.deschutesriver.org / info@deschutesriver.org