



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

Application for District Instream Lease

Part 1 of 4 – Minimum Requirements Checklist

This Application to be used for water rights in the name of or conveyed by an Irrigation District (or similar organization) Complete Parts 1 through 4 and any required attachments	OWRD#	11-1419
	District #	

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

Yes N/A Pooled Lease-a lease with more than one Lessor (Landowner/water right interest holder)

Fee in the amount of:

<input type="checkbox"/> \$450.00 for a lease involving four or more landowners or four or more water rights	Or <input checked="" type="checkbox"/> \$300.00 for all other leases
<input type="checkbox"/> Check enclosed or	<i>Deschutes River Cons.</i>
<input checked="" type="checkbox"/> Fee Charged to customer account _____ (Account name)	-GH

- Part 1 – Completed Minimum Requirements Checklist
- Part 2 – Completed District and Other Party Signature Page
- Part 3 – Completed Place of Use and Lessor Signature Page
(Include a separate Part 3 for each Lessor.)
- Part 4 – Completed Water Right and Instream Use Information
(Include a separate Part 4 for each Water Right.)
- How many Water Rights are included in the lease application? 1 (# of rights)
List each water right to be leased instream here: 74197
- Yes N/A Other water rights, if any, appurtenant to the lands involved in the lease application and not proposed to be leased instream.
List those other water rights here: 76714 supplemental
- Yes No Conservation Reserve Enhancement Program CREP – Are some or all of the lands to be leased part of CREP or another Federal program (list here: _____)?

Required Attachments:

Yes N/A Instream lease application map(s). More than one QQ and property may be included on each map. A map is **not** required if an entire right is being leased or if the right is for use of municipal or quasi-municipal water use. The map should include the following:

- A north arrow and map scale (no smaller than 1" = 1320').
- Label township, range, section and quarter-quarter (QQ).
- If an irrigation right, the numbers of acres to be leased in each quarter-quarter identify and hachure/shade to differentiate between the acreage being leased and any remaining. If the place of use has more than one priority date, source stream, and/or point of diversion you **must identify each with separate hachuring or shading and label.**
- Tax lot lines and numbers must be included on the map and should clearly identify the property(s) involved.

- Yes N/A If the Lessor(s) is **not** the deeded land owner, include one of the following:
 - A notarized statement from the land owner consenting to the lease and a copy of the recorded deed; or
 - A water right conveyance agreement and a copy of the recorded deed for the landowner at the time the water right was conveyed; or
 - Other documentation.
- Yes N/A If the right has **not** been used in the last five years; provide supporting documentation indicating why a right (or portion thereof) is **not** subject to forfeiture.

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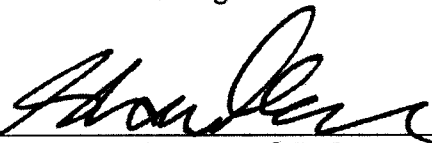
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Part 2 of 4 – District and other party Signature

Term of the Lease: The lease is requested to begin in: month <u>Apr</u> year <u>2014</u> and end: month <u>Nov</u> year <u>2014</u>	
Public use: Check the public use(s) this lease will serve (as defined by ORS 537.332): <input checked="" type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input checked="" type="checkbox"/> Recreation <input checked="" type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	Termination provision (for multiyear leases): The parties to the lease request (choose one): <input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input checked="" type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
Additive/Replacing Relationship to other instream water rights: Instream leases are generally additive to other existing instream water rights created as a result of instream leases and transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights. If you would like this lease to relate to other instream water rights differently than described above, please check this box. <input type="checkbox"/> And attach an explanation of your intent.	
Precedent: If a right which has been leased is later proposed to be leased again or later transferred or become part of an allocation of conserved water project, a new injury review shall be required. An instream lease shall not set a precedent on a future transaction.	
Validity of the rights to be leased: <input checked="" type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or <input type="checkbox"/> The water right(s) have not been used for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right is not subject to forfeiture has been provided.	

SIGNATURES

The undersigned declare that the information contained in this application is true and accurate.



Signature of Co-Lessor

Date: 05/29/14

Printed name (and title): Shawn Gerdes, District Manager

Business/Organization name: Arnold Irrigation District

Mailing Address (with state and zip): 19604 Buck Canyon Rd., Bend, OR 97702

Phone number (include area code): 541-382-7664 **E-mail address: aidist@bencbroadband.com

Date: _____

Signature of Co-Lessor

Printed name (and title): _____

Business/organization name: _____

Mailing Address (with state and zip): _____

Phone number (include area code): _____ **E-mail address: _____

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See next page for additional signatures.

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Genevieve Hubert
Signature of Lessee

Date: 6/11/2014

Printed name (and title): Genevieve Hubert, Program Manager

Business/organization name: Deschutes River Conservancy

Mailing Address (with state and zip): 700 NW Hill St., Bend, OR 97701

Phone number (include area code): 541-382-4077 **E-mail address: gen@deschutesriver.org

**** BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED TO THE LESSOR**

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Part 3 of 4 – Place of Use –Lessor Information and Signatures

**Complete Table 1 Identify water right(s) proposed to be leased instream
Provide a separate Part 3 for each Lessor (water right interest holder/landowner)**

Table 1

Irrigation District or other Water Purveyor Name: Arnold Irrigation District

Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.

**If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.
Any attached table should include reference to the Lessor.**

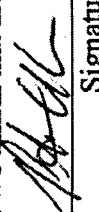
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
74197	2/1/1905 & 4/25/1905	1	18	S 12	E 26	nw	600		7.55	IRR	19	
74197	2/1/1905 & 4/25/1905	1	18	S 12	E 26	sw	600		9.15	IRR	19	

Any additional information about the right: 16.7 acres total

Farm Deferral Tax Status: Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local county assessor. You should contact your County for any weed ordinance and management requirements.

The undersigned declare:

1. I/We agree during the term of this lease to suspend use of water allowed under the water right(s) involved in the lease as well as and any other appurtenant primary or supplemental water right(s); and
2. I/We certify are the lessor(s) (water right interest holder) of the water right(s) in Table 1. If not the deeded land owner, I/we have obtained consent from the deeded land owner and/or have provided documentation of authorization to pursue the instream lease; and
3. I/We affirm that the information in this application is true and accurate.


Signature of Lessor

Date: 5/29/14

Printed name (and title): Patricia Moore Business name, if applicable: _____
Mailing Address (with state and zip): 21295 Back Alley Rd., Bend, OR 97702
Phone number (include area code): 541-280-4816 **E-mail address: lcfarm@earthlink.net


Signature of Lessor

Date: 5/29/2014

Printed name (and title): Cheryl Powers Business name, if applicable: _____

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Mailing Address (with state and zip): 1039 NW Ogdan Ave., #1, Bend, OR 97701
Phone number (include area code): 541-280-4815 **E-mail address: _____

District Instream Lease Application (revised 2/12/2014)

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Part 4 of 4—Water Right and Instream Use Information

Use a separate Part 4 for each water right to be leased instream

Table 2

Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4) Water Right #74197

Total rate and volume by priority date, POD, use and acreage as appropriate considering the right to be leased. If not enough room below, you may add rows (see instructions) or create a spreadsheet (matching Table 2 and clearly labeled) and attach.
(cfs = cubic feet per second and af = acre-feet)

Priority Date	POD #	Use	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)
2/1/1905	1	IRR	16.7	April 1 - Oct 31	.095	257.51
4/25/1905	1	IRR	16.7	April 1 - Oct 31, 3 seasons: Season 1/2/3	0.223/0.333/0.476	

Total af from storage, if applicable: _____ AF or N/A
 If the POD is not described on the certificate or, if there is more than one POD listed on the certificate, then the specific POD must be described:

Table 3

Instream Use created by the lease River Basin: Deschutes River/Stream Name: Deschutes, tributary to Columbia

Proposed Instream Reach:
 A reach typically begins at the POD and ends at the mouth of the source stream: From the POD 1 to the mouth of the Deschutes River
 Instream use protected at the POD

OR Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)

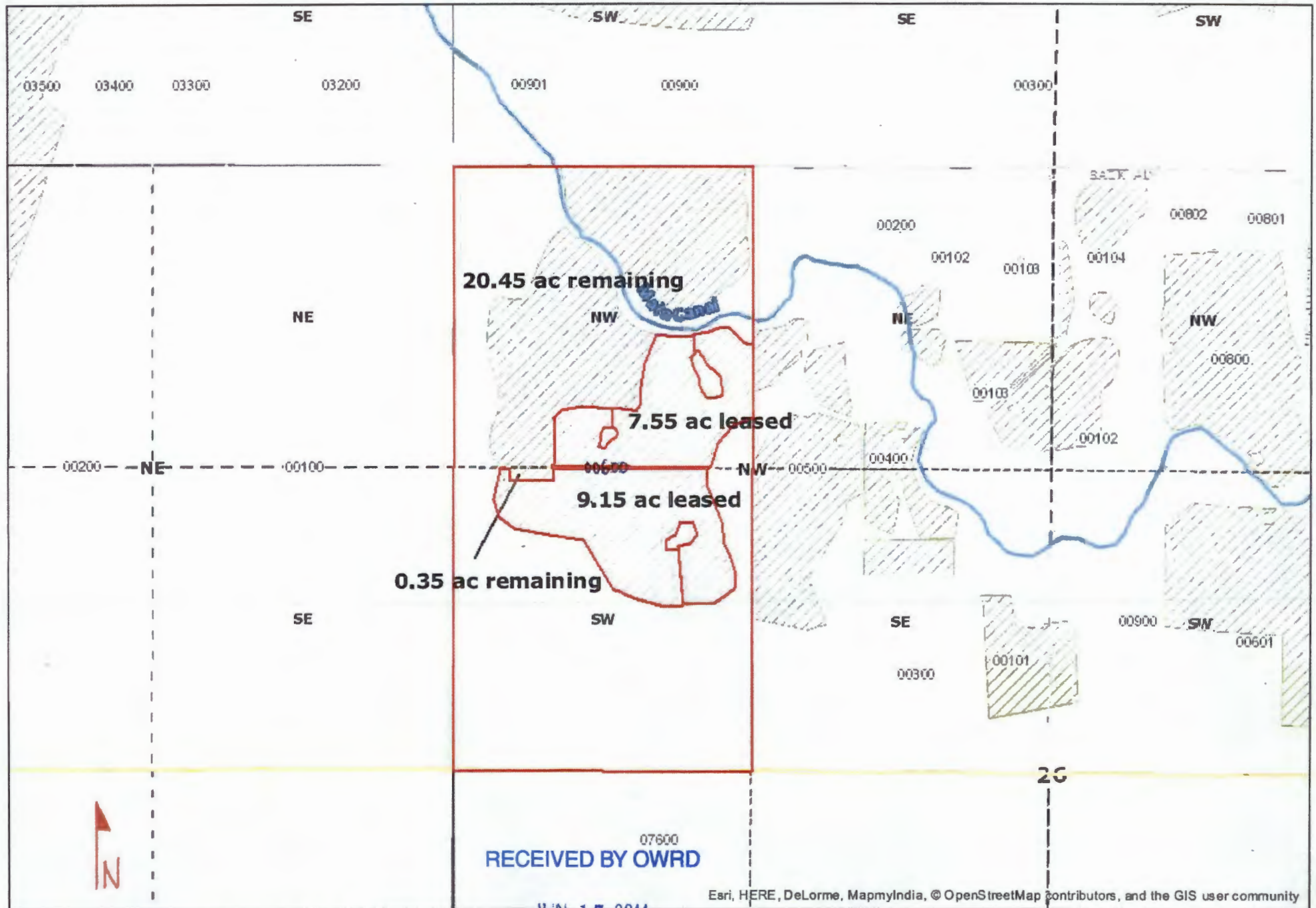
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)
 Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.

Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
2/1/1905	1	IRR	16.7	April 1 - Oct 31	.033	14.15
4/25/1905	1	IRR	16.7	April 1 - Oct 31, 3 seasons: Season 1/2/3	0.081/0.117/0.167	57.43

OR Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.
 Yes N/A Conditions to avoid enlargement or injury to other water rights, if any, or other limitations: list here _____
 Note: The Department may identify additional conditions to prevent injury and/or enlargement.
 Any additional information about the proposed instream use: _____

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Moore/Powers-TL600-181226-NWNW 7.55 ac lease/20.45 rem.; SWNW 9.15 ac lease/0.35 rem



Author: Juanita De Jarnett
Organization: Arnold Irrigation District

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0 0.07 0.14 0.21 mi

Date Created: June 11, 2014

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Deschutes County Property Information

Report Date: 6/17/2014 3:08:29 PM

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Disclaimer

The information and maps presented in this report are provided for your convenience. Every reasonable effort has been made to assure the accuracy of the data and associated maps. Deschutes County makes no warranty, representation or guarantee as to the content, sequence, accuracy, timeliness or completeness of any of the data provided herein. Deschutes County explicitly disclaims any representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. Deschutes County shall assume no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused. Deschutes County assumes no liability for any decisions made or actions taken or not taken by the user of this information or data furnished hereunder.

Account Summary

Account Information

Mailing Name: MOORE,PATRICIA A & POWERS,CHERYL D
Map and Taxlot: 1812260000600
Account: 108170
Tax Status: Assessable
Situs Address: 21295 BACK ALLEY, BEND, OR 97702

Property Taxes

Current Tax Year: \$3,121.73
Tax Code Area: 1004

Assessment

Subdivision:
Lot:
Block:
Assessor Acres: 80.00
Property Class: 551 -- FARM

Ownership

Mailing Address:
 MOORE,PATRICIA A & POWERS,CHERYL D
 21295 BACK ALLEY RD
 BEND, OR 97702

Valuation

Real Market Values as of Jan. 1, 2013

Land	\$374,050
Structures	\$248,820
Total	\$622,870

Current Assessed Values:

Maximum Assessed	N/A
Assessed Value	\$249,725
Veterans Exemption	\$0.00

Warnings, Notations, and Special Assessments

Assessor's Office Notations

EXCLUSIVE FARM USE POTENTIAL ADDITIONAL TAX LIABILITY -- AMOUNT: \$21,938.02
 FARM-ZONED POTENTIAL ADDITIONAL TAX 308A.062

Assessor's Office Special Assessments

	Amount	Year
DEPT OF FORESTRY FIRE PATROL TIMBER	123.12	2014
DEPT OF FORESTRY SURCHARGE	47.50	2014

Review of digital records maintained by the Deschutes County Assessor's Office, Tax Office, Finance Office, and the Community Development Department indicates that there are County tax, assessment, or property development related notations associated with this account and that have been identified above. Independent verification of the presence of additional Deschutes County tax, assessment, development, and other property related considerations is recommended. Confirmation is commonly provided by title companies, real estate agents, developers, engineering and surveying firms, and other parties who are involved in property transactions or property development. In addition, County departments may be contacted directly to discuss the information.

Valuation History *All values are as of January 1 of each year. Tax year is July 1st through June 30th of each year.*

	2009 - 2010	2010 - 2011	2011 - 2012	2012 - 2013	2013 - 2014
Real Market Value - Land	\$839,460	\$446,790	\$367,080	\$359,820	\$374,050
Real Market Value - Structures	\$279,530	\$223,620	\$239,260	\$239,250	\$248,820
Total Real Market Value	\$1,118,990	\$670,410	\$606,340	\$599,070	\$622,870
Maximum Assessed Value	N/A	N/A	N/A	N/A	N/A
Total Assessed Value	\$222,342	\$228,890	\$235,631	\$242,572	\$249,725
Veterans Exemption	\$0	\$0	\$0	\$0	\$0

NW¼NE¼	104	2.75	IRR	JENSEN, NORMAN & JULIE
NW¼NE¼	800	11.85	IRR	HUNT, WILBUR & FRANCIS
NW¼NE¼	801	2.00	IRR	PEAVY, GLENNA
NW¼NE¼	1000	1.60	IRR	ACKERMAN, RONALD & CAROL
SW¼NE¼	101	0.90	IRR	WILCOX, DAVID
SW¼NE¼	600	2.30	IRR	SAMPSON, MARK & SUSAN
SW¼NE¼	601	7.70	IRR	SAMPSON, MARK & SUSAN
SW¼NE¼	900	3.00	IRR	YEE, HERBERT & CHRISTINA
SE¼NE¼	400	3.00	IRR	JONES, ALAN & MARGERY
SE¼NE¼	500	1.05	IRR	MORLEY, THOMAS & MATHILDE
SE¼NE¼	600	2.50	IRR	SAMPSON, MARK & SUSAN
SE¼NE¼	601	2.50	IRR	SAMPSON, MARK & SUSAN
SE¼NE¼	1001	7.95	IRR	MORLEY, THOMAS & MATHILDE
NE¼NW¼	102	0.78	IRR	BIANCHINA, PAUL & ROSE O
NE¼NW¼	102	1.10	IRR	TEICHEIRA, TODD & CHRISTINE
NE¼NW¼	103	2.92	IRR	BIANCHINA, PAUL & ROSE O
NE¼NW¼	103	3.00	IRR	SINGER, GILBERT & CAROL
NE¼NW¼	200	2.50	IRR	CALLAHAN, LYNN & WANDA
NE¼NW¼	500	4.50	IRR	CLARKE, CARY & SUZIE
NW¼NW¼	600	28.00	IRR	MOORE, PATRICIA } 7.55 instream
SW¼NW¼	600	9.50	IRR	MOORE, PATRICIA } 9.15 instream
SE¼NW¼	101	3.10	IRR	WILCOX, DAVID
SE¼NW¼	500	5.50	IRR	CLARKE, CARY & SUZIE

Section 26

NE¼NE¼	100	4.70	IRR	PAPE' BROS INC
NW¼NE¼	200	8.80	IRR	PAPE' BROS INC
NE¼NW¼	1900	4.80	IRR	SMITH, FREDERICK & SUSANA
NE¼NW¼	2000	0.90	IRR	FERGUSON, DON
NW¼NW¼	400	6.50	IRR	FENIMORE, RANDELL
NW¼NW¼	401	26.00	IRR	BOWERS, THOMAS
SW¼NW¼	400	18.00	IRR	FENIMORE, RANDELL

Section 27

NE¼NE¼	100	3.30	IRR	CARPENTER, JERRY & KATHY
NE¼NE¼	200	0.25	IRR	RIOS, BRIAN
NE¼NE¼	201	0.75	IRR	ASHBY, PAT
NE¼NE¼	300	1.50	IRR	SHAW, SAMUEL
NE¼NE¼	400	3.00	IRR	TRAPMAN, MARK & CONNIE
NE¼NE¼	500	1.00	IRR	COFFMAN, DENNIS & PATSY
NE¼NE¼	501	2.00	IRR	KITCHENS, BOBBY & BILLIE SUE
NE¼NE¼	600	3.50	IRR	BLAKE, BERT
NW¼NE¼	800	0.30	IRR	MORTIMORE, JEFFREY & DEBRA
NW¼NE¼	900	1.55	IRR	HEROLD, DON & DEANNA
NW¼NE¼	1600	2.80	IRR	WEEKS, MICHAEL & NANCY
NW¼NE¼	1601	3.20	IRR	WEEKS, MICHAEL & NANCY
SE¼NE¼	700	2.50	IRR	HALE, MARK
SE¼NE¼	703	2.00	IRR	SCHWING, MARCUS & CONNIE
SE¼NE¼	800	2.00	IRR	DELACOUR, CHRISTINE
NE¼NW¼	800	0.24	IRR	MORTIMORE, JEFFREY & DEBRA

Section 28

NE¼NE¼	0	5.00	QUA	JUNIPER UTILITY CO
NE¼NE¼	4404	1.26	IRR	WARD CO, J L
NW¼NE¼	0	5.00	QUA	JUNIPER UTILITY CO
NW¼NE¼	4404	2.01	IRR	WARD CO, J L
NW¼NE¼	4404	4.08	PND	WARD CO, J L

Section 30

Township 18 South, Range 12 East, W.M.

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

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Enter Total Number of Acres to be Leased Instream Here	16.700
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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	0.327	0.095	0.232
Season 2	0.428	0.095	0.333
Season 3*	0.571	0.095	0.476
* 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 (decree) AF/Acre =	15.42		
	257.51		

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, 1905	April 25, 1905
Season 1	0.115	0.033	0.081
Season 2	0.150	0.033	0.117
Season 3	0.200	0.033	0.167

Volume (AF) leased instream for Section 2.2 of the Lease Application Form				
	# days	AF/Season	Duty (decree) AF/Acre =	5.40
Season 1	61	13.87	Total =	90.13
Season 2	30	8.92	Feb. 1905 portion =	14.15
Season 3	123	48.79	April 1905 portion =	57.43
		71.57		

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 Grand Prairie Reservoir - Certificate 76713

Duty Associated with Leased Right for Section 1.5 of the Additional Water Right Form	
257.51	

Volume (AF) leased instream for Section 2.2 of the Additional Water Right Form	
51.41	