



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 #	FL 1453
	District #	IL-15-01

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

- 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: 83571

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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

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.

Part 2 of 4 – District and other party Signature

Term of the Lease: The lease is requested to begin in: month <u>April</u> year <u>2015</u> and end: month <u>October</u> year <u>2015</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 checked="" 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 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: 4/15/15

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Printed name (and title): Craig Horrell, District Manager

Business/Organization name: Central Oregon Irrigation District

Mailing Address (with state and zip): 1055 SW Lake Ct, Redmond, OR 97756

Phone number (include area code): 541-548-6047 **E-mail address: jenny@coid.org

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 Signature of Co-Lessor

Date: _____

Printed name (and title): _____

Business/organization name: _____

Mailing Address (with state and zip): _____

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

See next page for additional signatures.

P.P. 
Signature of Lessee

Date: 4/22/15

Printed name (and title): Gen Hubert, Water Leasing Program Manager
Business/organization name: Deschutes River Conservancy
Mailing Address (with state and zip): PO Box 1560, Bend, OR 97709
Phone number (include area code): 541-382-4077 x16 **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: Central Oregon 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.

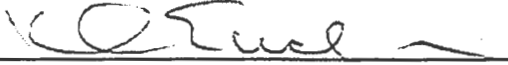
Water Right #	Priority Date	POD #	Twp		Rng		Sec	Q-Q		Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
83571	10/31/1900	11	15	S	13	E	31	NE	NE	1100		18.5	Irrig	27	
83571	10/31/1900	11	15	S	13	E	31	NW	NE	1100		8.5	Irrig	27	

Any additional information about the right: _____


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 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.

 Date: 1-12-15
Signature of Lessor

Printed name (and title): Keith Erickson Business name, if applicable: _____
Mailing Address (with state and zip): 4002 SW Elkhorn Ave. Redmond, OR 97756
Phone number (include area code): 541-548-3113 **E-mail address: kerick@bendbroadband.com

 Date: 1-12-13
Signature of Lessor

Printed name (and title): Ann Erickson Business name, if applicable: _____
Mailing Address (with state and zip): 4002 SW Elkhorn Ave. Redmond, OR 97756
Phone number (include area code): 541-548-3113 **E-mail address: _____

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DESCHUTES COUNTY SEC.31 T15S R13E

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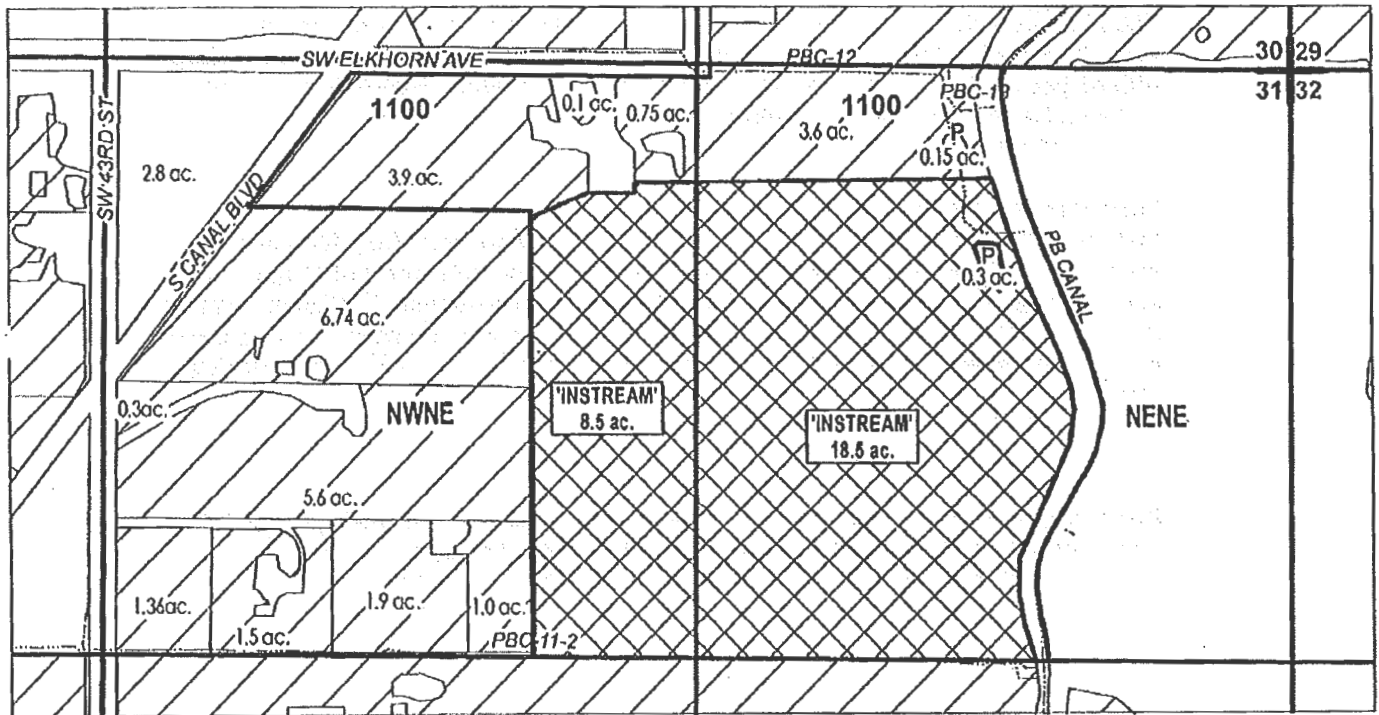
SCALE - 1" = 400'

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SALEM, OR

NW 1/4 OF THE NE 1/4; NE 1/4 OF THE NE 1/4



	EXISTING WATER RIGHTS
	INSTREAM LANDS
# ac.	PARCELS W/ WATER RIGHTS
	POND



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: KEITH & ANN ERICKSON

TAXLOT #: 1100

27.0 ACRES

DATE: 4/7/2015

FILE: I:\TRANSFER\INSTREAM\INSTRM1511 YR151321_NNE

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EXHIBIT C

**Deschutes River Conservancy
2014 Instream Leasing Program**

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

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

Weed Policy

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

Information and Resources Attached

Farm Deferral Notice


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

Information and Resources Attached

Donated Leases: One year and multi-year leases of less than 10 acres, leases with public entities, leases submitted after the due date, and leases with verified weed complaints are not paid a per acre or per acre-foot rate by the DRC.

I, KATHA ERICKSON understand the DRC weed policy and have
Print Name

been informed about farm deferral and donations.

Signature:  Date: 1-12-13

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

Par. 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: Central Oregon 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 #
83571	10/31/1900	11	14 S	13 E	06	SE NE	1500		2	Irrig	9	L-711

Any additional information about the right: _____

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.

John Herlocker, Sr. Date: 11-21-2014
Signature of Lessor

Printed name (and title): John Herlocker, Sr. Business name, if applicable: NA
Mailing Address (with state and zip): 3700 NW Orchard Dr, Terrebonne, OR 97760-9813
Phone number (include area code): 541-306-3616 **E-mail address: bobnpeg2@gmail.com

Peggy Herlocker Date: 11-21-14
Signature of Lessor

Printed name (and title): Peggy Herlocker Business name, if applicable: NA
Mailing Address (with state and zip): 3700 NW Orchard Dr, Terrebonne, OR 97760-9813
Phone number (include area code): 541-306-3616 **E-mail address: _____

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**DESCHUTES COUNTY
SEC.06 T14S R13E**

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SE 1/4 OF THE NE 1/4



E 1/4 COR



INSTREAM LANDS

ac.

PARCELS W/ WATER RIGHTS

CENTRAL OREGON



IRRIGATION DISTRICT

APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: JOHN SR. & PEGGY HERLOCKER

TAXLOT #: 1500

2.0 ACRES

DATE: 2/6/2015

FILE: I:\TRANSFER\INSTREAM\INSTRM1511 YR141306_SENE

APR 22 2014

SALEM OR

EXHIBIT C

**Deschutes River Conservancy
2015 Instream Leasing Program**

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

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

Weed Policy

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

Information and Resources Attached

Farm Deferral Notice

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

Information and Resources Attached

Donated Leases: One year and multi-year leases of less than 10 acres, leases with public entities, leases submitted after the due date, and leases with verified weed complaints are not paid a per acre or per acre-foot rate by the DRC.

I, John Robert Harlocken understand the DRC weed policy and have
Print Name
 been informed about farm deferral and donations.

Signature: John Robert Harlocken, III Date: 11-21-2014

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

Part 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: Central Oregon 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.
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Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
83571	10/31/1900	11	15 S	12 E	25	SW NE	606		4.55	Irrig	21	IL-1062
83571	10/31/1900	11	15 S	12 E	25	SE NE	606		0.7	Irrig	21	IL-1062

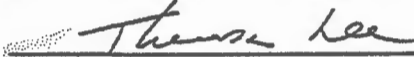
Any additional information about the right:
Farm Deferral Tax Status: Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm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

The undersigned declare:

- 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 any other appurtenant primary or supplemental water right(s); and
- 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
- I/We affirm that the information in this application is true and accurate.

 Date: 2/22/15
Signature of Lessor

Printed name (and title): Phillip Lee Business name, if applicable: _____
Mailing Address (with state and zip): 5576 SW Hutchinson Wav, Redmond, OR 97756
Phone number (include area code): 503-391-4901 **E-mail address: plhaw@yahoo.com

 Date: 2/22/15
Signature of Lessor

Printed name (and title): Theresa Lee Business name, if applicable: _____
Mailing Address (with state and zip): 5576 SW Hutchinson Wav, Redmond, OR 97756
Phone number (include area code): 503-391-4901 **E-mail address: _____

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DESCHUTES COUNTY SEC.25 T15S R12E

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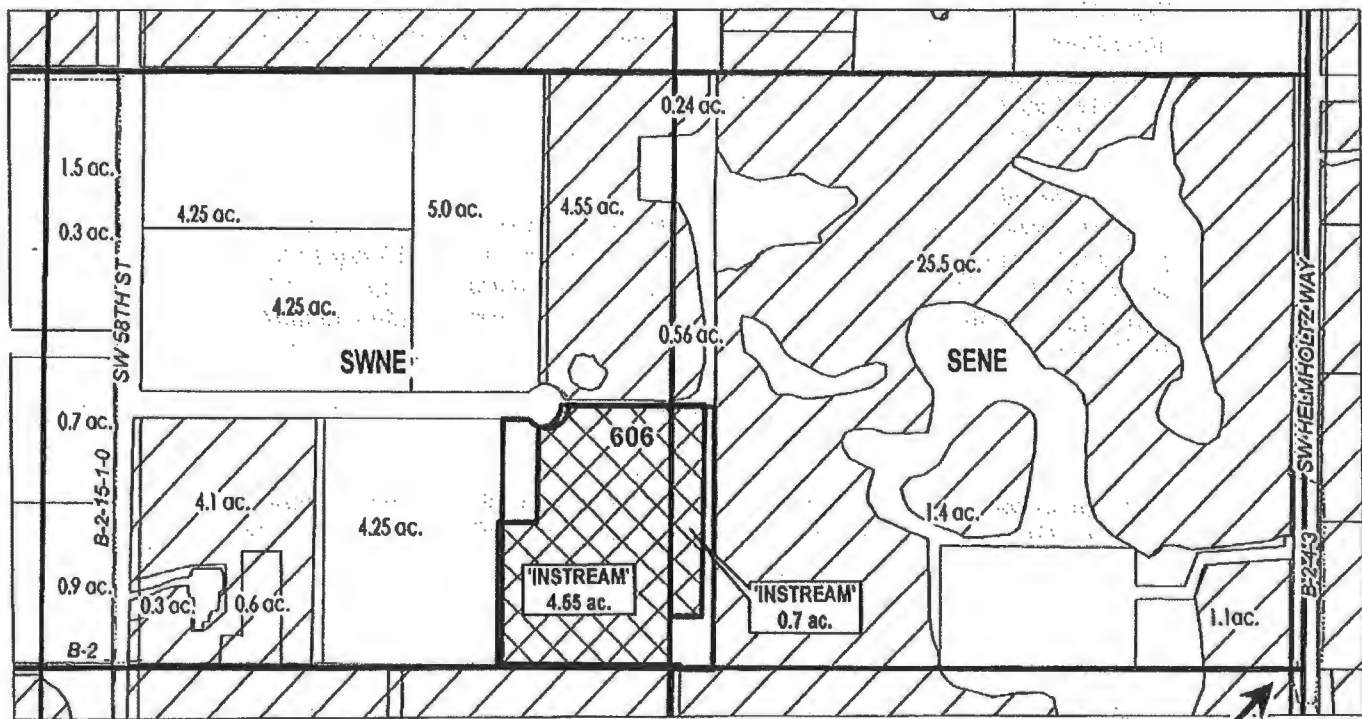
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SALEM, OR

SW 1/4 OF THE NE 1/4; SE 1/4 OF THE NE 1/4



	EXISTING WATER RIGHTS
	INSTREAM LANDS
	PARCELS W/ WATER RIGHTS



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: PHILLIP & THERESA LEE

TAXLOT #: 606

5.25 ACRES

DATE: 2/20/2015

FILE: I\TRANSFER\INSTREAM\INSTRM1511 YR151225_SNE

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EXHIBIT C

**Deschutes River Conservancy
Instream Leasing Program**

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

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

Weed Policy

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

Information and Resources Attached

Farm Deferral Notice

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

Information and Resources Attached

Donated Leases: One year and multi-year leases of less than 10 acres, leases with public entities, leases submitted after the due date, and leases with verified weed complaints are not paid a per acre or per acre-foot rate by the DRC.

I, Phillip R. Lee / Theresa Lee understand the DRC weed policy and have
Print Name
been informed about farm deferral and donations.

Signature: Phillip R. Lee / Theresa Lee Date: 2/22/15

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

Part 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

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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 #
83571	10/31/1900	11	14	S	13	E	13	SW	NW	1900		2.5	Irrig	11	IL-1056

Any additional information about the right: _____

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.

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3. I/We affirm that the information in this application is true and accurate.

Franklin Nichols
Signature of Lessor

Date: 12/20/14

Printed name (and title): Franklin Nichols Business name, if applicable: _____
Mailing Address (with state and zip): 5376 Glenn Ellen Dr. Eugene, OR 97402-6462
Phone number (include area code): 541-688-7393 **E-mail address: screenburg@isp.com

Michelyn Nichols
Signature of Lessor

Date: 12/20/14

Printed name (and title): Michelyn Nichols Business name, if applicable: _____
Mailing Address (with state and zip): 5376 Glenn Ellen Dr. Eugene, OR 97402-6462
Phone number (include area code): 541-688-7393 **E-mail address: screenburg@isp.com

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DESCHUTES COUNTY SEC.13 T14S R13E

RECEIVED BY OWRD

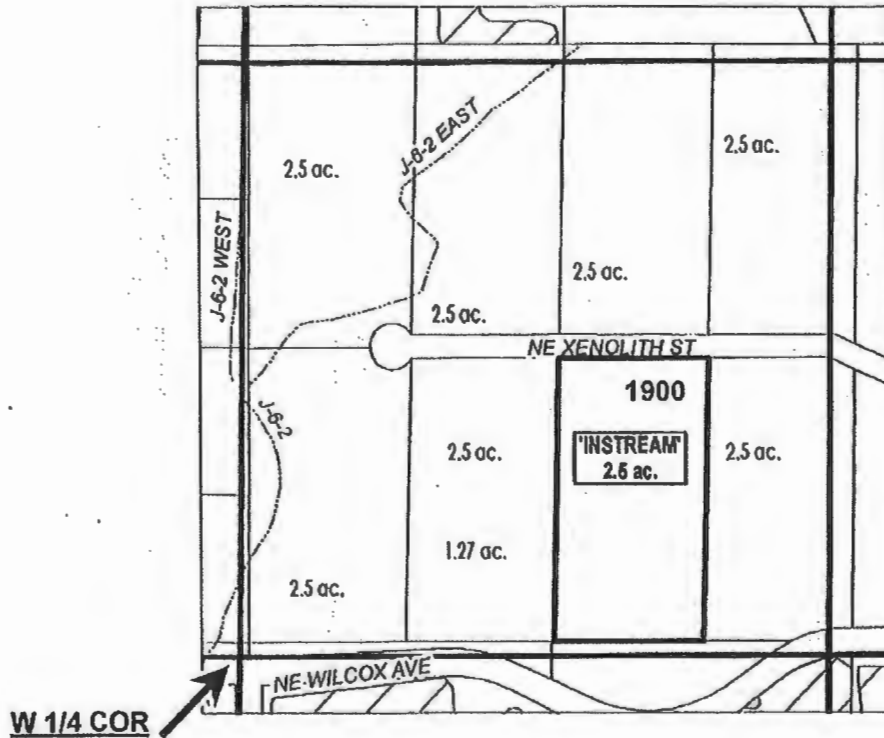
SCALE - 1" = 400'

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SALEM, OR

SW 1/4 OF THE NW 1/4



# ac.	INSTREAM PARCELS
# ac.	PARCELS W/ WATER RIGHTS



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: FRANKLIN & MICHELYN NICHOLS

TAXLOT #: 1900

2.5 ACRES

DATE: 2/6/2015

FILE: I:\TRANSFER\INSTREAM\NSTRM\51 YR\141313_S\NW

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Part 4 of 4 – Water Right and Instream Use Information

SALEM, OR 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 # 83571

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)
10/31/1900		Irrig	36.75	Season 1 Rate / Total Volume	0.419	346.79
10/31/1900		Irrig		Season 2 Rate	0.572	
10/31/1900		Irrig		Season 3 Rate	0.780	
12/02/1907		Irrig		Season 3 Rate	0.313	

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: POD #

Table 3

Instream Use created by the lease	River Basin: <u>Deschutes</u>	River/Stream Name: <u>Deschutes River, tributary to Columbia River</u>				
Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to <u>Mouth of Deschutes River (RM 0)</u>		Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD				
OR <input type="checkbox"/> 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)
10/31/1900	11	Irrig	36.75	Season 1 Rate / Total Maximum Volume	0.253	200.31
10/31/1900		Irrig	36.75	Season 2 Rate	0.337	
10/31/1900		Irrig	36.75	Season 3 Rate	0.624	
OR <input type="checkbox"/> 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.						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A Conditions to avoid enlargement or injury to other water rights, if any, or other limitations: list here <u>The instream flow will be allocated on a daily average basis up to the described rate from April 1 through October 26.</u>						
Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
Any additional information about the proposed instream use: _____						

Central Oregon Irrigation District

IL-2015-01

Water Right Changes for Instream Maps

TRS	QQ	AC	OWRD #
151225	SWNE	.70 ac Transferred off	T-10242
151225	SWNE	.45 ac Transferred off	T-10155
151225	SWNE	.45 ac Transferred off	T-11950
151225	SWNE	.75 ac Transferred off	T-10826
151225	SENE	.5 ac Transferred off	T-11950
141313	SWNW	1.27 Transferred on	T-10872

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