



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

Instream Lease Renewal Application

Complete the questions below and include any required attachments Fill in or check boxes as indicated. (N/A= Not Applicable)	Instream Lease <u>IL-</u> <u>1405/MP189</u> Renewal Fee included <input type="checkbox"/>
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The undersigned hereby request Instream Lease Number IL-1405/MP189 be renewed.

Fees: \$110.00 for an instream lease renewal application
 Check enclosed Fee Charged to customer account Deschutes River Conservancy (Account name)

Term of the Lease: The lease is requested to begin in month <u>April</u> year <u>2015</u> and end month <u>Oct</u> year <u>2019</u>	
Validity of the Right(s) (check the appropriate box): <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. <input type="checkbox"/> If the water right(s) have not been used for the last five years, right(s). Documentation describing why the water right(s) is not subject to forfeiture is provided. ORS 540.610(2).	Termination provision (for multiyear leases): The parties to the lease request: <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)

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: _____)?

The undersigned declare:

1. The Lessor(s) agree during the term of this lease, to suspend use of water allowed under the subject water right(s) and under any appurtenant primary or supplemental water right(s) not involved in the lease application; and
2. The Lessor(s) certify that I/we are the holders of the water right(s) involved in this Instream Lease. If not the deeded land owner, I/we have provided documentation demonstrating authorization to pursue the lease application and/or consent from the deeded landowner; and
3. All parties affirm that information provided in this lease application is true and accurate. Circumstances have not changed and all matters involved with or affected by the original instream lease remain as they were when the lease was previously approved. We also acknowledge that the terms and conditions of the original lease, referenced herein, are incorporated by reference in their entirety.

 Signature of Lessor

Date: 5/21/15

Printed name (and title): Brad Chalfant, Executive Director Business name, if applicable: Deschutes Land Trust

Mailing Address (with state and zip): 210 NW Irving Ave., Suite 102, Bend, OR 97701

Phone number (include area code): 541-330-0017 **E-mail address: bsc@deschuteslandtrust.org

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Date: _____

Signature of Lessor

Printed name (and title): _____ Business name, if applicable: _____
Mailing Address (with state and zip): _____
Phone number (include area code): _____ **E-mail address: _____
See next page for additional signatures.

Date: _____

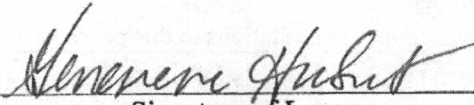
Signature of Co-Lessor

Printed name (and title): _____
District/organization name: _____
Mailing Address (with state and zip): _____
Phone number (include area code): _____ **E-mail address: _____

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: _____



Date: 5/21/2015

Signature of Lessee

Printed name (and title): Genevieve Hubert, Program Manager
Business/organization name: Deschutes River Conservancy GMB - Mitigation Bank
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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Deschutes County Official Records **2014-029502**

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09/05/2014 03:12:40 PM

\$25.00 \$11.00 \$10.00 \$6.00 \$21.00

\$73.00

I, Nancy Blankenship, County Clerk for Deschutes County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Nancy Blankenship - County Clerk

AFTER RECORDING, RETURN TO:

Brad Nye
Deschutes Land Trust
210 NW Irving Avenue, Suite 102
Bend, Oregon 97701

BT 135616JS
SEND TAX STATEMENTS TO:
Same as above.

STATUTORY WARRANTY DEED

RONALD D. REMUND, Successor Trustee of the Ronald D. Remund Revocable Living Trust, u/a/d May 1, 2001 with an address of PO Box 760, Sisters, Oregon 97759 ("Grantor"), conveys and warrants to DESCHUTES LAND TRUST, an Oregon non-profit public benefit corporation, whose address is 210 NW Irving Avenue, Suite 102, Bend, Oregon 97701 (Grantee"), the following described real property (the "Property") free of encumbrances, except as specifically set forth herein:

Land in Deschutes County, Oregon, described more particularly as follows:

SEE ATTACHED AND INCORPORATED EXHIBIT A

The true consideration for this conveyance is \$3,335,444.00.

The Property is free of liens and encumbrances, EXCEPT:

1. Easement

Granted to: Central Electric Cooperative, Inc.
Recorded: September 21, 1953
Instrument No: 105-166, Deed Records

2. Easement

Granted to: The Public
Recorded: May 18, 1981
Instrument No.: 341-15, Deed Records
Re-recorded: February 1, 2001
Instrument No.: 2001-4914, Deschutes County Records
Re-recorded: February 2, 2001
Instrument No.: 2001-5118, Deschutes County Records

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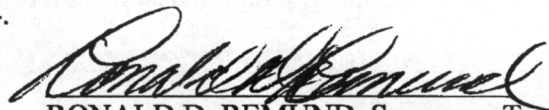
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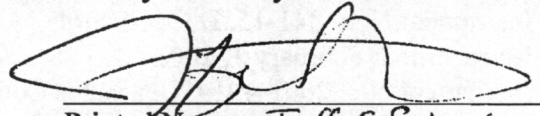
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

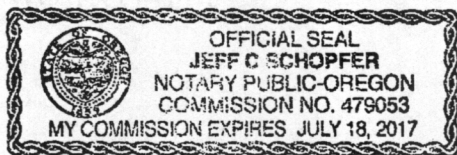
DATED this 4 day of Sept., 2014.


RONALD D. REMUND, Successor Trustee
of the Ronald D. Remund Revocable Living
Trust, u/a/d May 1, 2001

STATE OF OREGON }
COUNTY OF Deschutes } ss.

The foregoing instrument was acknowledged before me on this 4 day of Sept, 2014, by Ronald D. Remund, who acknowledged such instrument to be this free and voluntary act and deed, and on oath stated that they were duly authorized to execute such instrument. *Successor Trustee of the Ronald D. Remund Revocable Living Trust.*


Printed Name: Jeff C Schopfer
Notary Public in and for the State of Oregon



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EXHIBIT "A"
LEGAL DESCRIPTION

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PARCEL 1:

A parcel of land located in Sections Sixteen (16) and Seventeen (17) of Township Fourteen (14) South, Range Eleven (11), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Section Sixteen (16): Northwest Quarter of the Southwest Quarter (NW4/SW4) and the Northwest Quarter (NW4). Excepting a portion therefrom more particularly described as follows: beginning at the Northwest corner of the said Northwest Quarter (NW4); thence East along the north line of the said Northwest Quarter (NW4), 990 feet more or less, to a point; thence leaving said north line and running Southwesterly, 1400 feet more or less, to a point on the west line of the said Northwest Quarter (NW4); thence North along the said west line, 990 feet more or less to the aforementioned Northwest corner of said Northwest Quarter (NW4) and the point of beginning.

Section Seventeen (17): Northeast Quarter of the Southwest Quarter (NE4/SW4), the Southeast Quarter of the Northwest Quarter (SE4/NW4), the South Half of the Northeast Quarter (S2/NE4), the North Half of the Southeast Quarter (N2/SE4) and the South Half of the South Half of the Northeast Quarter of the Northeast Quarter (S2/S2/NE4/NE4).

EXCEPTING THEREFROM that portion of that certain parcel of land described in a Bargain and Sale Deed recorded in Book 364, Page 1724, Deschutes County Official Records, situated in the Southwest Quarter of the Northeast Quarter (SW4/NE4) and of the Southeast Quarter of the Northwest Quarter (SE4/NW4) of Section 17, Township 14 South, Range 11, East, of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the Center-West Sixteenth Corner of said Section 17; thence North 00°03'47" East, 1321.97 feet to the North-West Sixteenth corner of said Section; thence South 89°58'07" East, 1319.07 feet to the Center-North Sixteenth corner of said Section; thence South 89°54'51" East, 1317.75 feet to the North-East Sixteenth corner of said Section; thence South 63°25'57" West, 2949.74 feet to the point of beginning.

Also **EXCEPTING THEREFROM** that portion of the herein described property more particularly described in that certain Lot Line Adjustment deed recorded November 7, 2013, Instrument No. 2013-46300, Deschutes County Records, being more particularly described as follows:

A portion of that certain tract of land described in Exhibit A of Document No. 2007-59088, Deschutes County Official Records, situated in Section 17, Township 14 South, Range 11 East, Willamette Meridian, Deschutes County, Oregon, being more particularly described as:

Beginning at the South West Sixteenth corner of said Section; thence, along west line of the Northeast Quarter of the Southwest Quarter of said Section, North 00°06'22" East, 1322.26 feet to the Center-West Sixteenth Corner of said Section; thence, along the southeast boundary of that certain tract of land described in Document No. 2001-01990, Deschutes County Official Records, North 63°25'57" East, 1421.32 feet to a point; thence, leaving said boundary, South 41°29'50" East, 1275.78 feet to a point; thence South 35°45'40" East, 462.53 feet to a point; thence South 00°05'33" East, 635.32 feet to a point on the south line of the Northwest Quarter of the Southeast Quarter of said Section, being also the north boundary of that certain tract of land described in Book 518, Page 1455, Deschutes County Official Records; thence, along said south line and boundary North 89°46'55" West, 689.22 feet, to a point; thence, leaving said south line and boundary, South 50°16'09" West, 339.98 feet, more or less, to a point on the northeasterly boundary of Lot 16, Block 18, Squaw

Creek Canyon Recreational Estates, First Addition, a subdivision of record; thence, along said Lot boundary, North 39°04'05" West, 282.00 feet, more or less, to the northeast corner of said Lot; thence, leaving said Lot boundary and along the south line of the Northeast Quarter of the Southwest Quarter of said Section, North 89°49'08" West, 1261.92 feet to the point of beginning.

PARCEL 2:

That portion of the Southwest Quarter of the Southeast Quarter (SW4/SE4) of Section Seventeen (17), Township Fourteen (14) South, Range Eleven (11) East of the Willamette Meridian, Deschutes County, Oregon, lying Northerly of the center line of Whychus Creek and Easterly of Squaw Creek Canyon Recreational Estates First Addition, recorded May 25, 1982, Plat Cabinet C, Page 59.

EXCEPTING THEREFROM a parcel of land situated in the Southwest Quarter of the Southeast Quarter (SW4/SE4) and the Southeast Quarter of the Southwest Quarter (SE4/SW4) of Section 17, Township 14 South, Range 11, East of the Willamette Meridian, Deschutes County, Oregon, being a portion of that certain parcel described in that certain Warranty Deed recorded in Book 156, Page 363, Deed Records, more particularly described as:

Beginning at the Center-South Sixteenth Corner of said Section 17; thence along the north line of the Southwest Quarter of the Southeast Quarter (SW4/SE4) of said Section, South 89°56'12" East, 382.02 feet to a point, thence, leaving said line, South 50°06'52" West, 339.50 feet to a point on the northeast boundary of Lot 16, Block 18, Squaw Creek Canyon Recreation Estates First Addition; thence, along said boundary of said Lot, North 39°04'05" West, 281.22 feet to a point on the north line of the Southeast Quarter of the Southwest Quarter (SE4/SW4) of said Section; thence, along said line and leaving said boundary, South 89°46'55" East, 55.72 feet to the point of beginning.

PARCEL 3:

A tract of land located in Section Nine (9), Township Fourteen (14) South, Range Eleven (11), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

A portion of the Southwest Quarter of the Southwest Quarter (SW4/SW4) more particularly described as follows:

Beginning at the Southwest corner of the said Southwest Quarter of the Southwest Quarter (SW4/SW4); thence East along the South line of said Southwest Quarter of the Southwest Quarter (SW4/SW4), 990 feet more or less, to the true point of beginning; thence continuing along said South line East, 330 feet more or less, to the Southeast corner of the said Southwest Quarter of the Southwest Quarter (SW4/SW4); thence North along the East line of the said Southwest Quarter of the Southwest Quarter (SW4/SW4), 330 feet more or less, to a point; thence leaving said East line and running Southwesterly, 467 feet more or less, to the point of beginning.

TOGETHER WITH the Southeast Quarter of the Southwest Quarter (SE4/SW4), excepting a portion therefrom more particularly described as follows:

Beginning at the Southwest corner of the Southeast Quarter of the Southwest Quarter (SE4/SW4); thence North along the West line of said Southeast Quarter of the Southwest Quarter (SE4/SW4), 330 feet more or less, to the true point of beginning; thence running Northeasterly, 933 feet more or less, to a point which bears South, 330 feet more or less and East, 660 feet more or less, from the Northwest corner of the said Southeast Quarter of the Southwest Quarter (SE4/SW4); thence North parallel with the West line of the said Southeast Quarter of the Southwest Quarter (SE4/SW4), 66 feet more or less, to a point; thence West parallel with the North line of the said Southeast Quarter of the Southwest Quarter (SE4/SW4), 660 feet more or less, to a point on the

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aforementioned West line, which point bears South 264 feet more or less, from the Northwest corner of the said Southeast Quarter of the Southwest Quarter (SE4/SW4); thence South along the said West line, 726 feet more or less, to the point of beginning.

TOGETHER WITH:

The South Half of the Southeast Quarter (S2/SE4).

ALSO TOGETHER WITH:

The Northeast Quarter of the Southeast Quarter (NE4/SE4), excepting a portion therefrom more particularly described as follows:

Beginning at the Northwest corner of the said Northeast Quarter of the Southeast Quarter (NE4/SE4), which corner is the true point of beginning; thence East along the North line of said Northeast Quarter of the Southeast Quarter (NE4/SE4), 435.6 feet more or less to a point; thence South parallel with the West line of the Northeast Quarter of the Southeast Quarter (NE4/SE4), 1000 feet more or less, to a point; thence West parallel with the aforementioned North line, 435.6 feet more or less, to a point on the aforementioned West line of the said Northeast Quarter of the Southeast Quarter (NE4/SE4); thence North along said West line, 1000 feet more or less, to the point of beginning.

EXCEPTING THEREFROM:

Beginning at the Southwest corner of the said Northeast Quarter of the Southeast Quarter (NE4/SE4), which corner is the true point of beginning; thence North along the West line of the said Northeast Quarter of the Southeast Quarter (NE4/SE4), 320 feet more or less; thence leaving said West line and running East parallel with the North line of said Northeast Quarter of the Southeast Quarter (NE4/SE4), 435.6 feet more or less; thence running Southwesterly, 540.5 feet more or less, to the Southwest corner of the said Northeast Quarter of the Southeast Quarter (NE4/SE4) and the point of beginning.

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