

# Application for District Instream Lease

# Part 1 of 4 - Minimum Requirements Checklist

	an I	on to be used for water rights in the name of or conveyed by rrigation District (or similar organization)	OWRD#	14-1484
C		Parts 1 through 4 and any required attachments	District #	11
	Ch	eck all items included with this application. ( $N/A = Not Applic$	eable)	
X Yes	N/A P	Pooled Lease-a lease with more than one Lessor (Landowner/water ri	ght interest ho	lder)
Fee in	the amou	nt of:   State    St		
		Check enclosed or Fee Charged to customer account (Account name)		
		Completed Minimum Requirements Checklist		
		Completed District and Other Party Signature Page Completed Place of Use and Lessor Signature Page		
_	1 41 ( 3 -	(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.)		
$\boxtimes$	How mar	ny Water Rights are included in the lease application? 1 (# of ri	ghts)	
_	List each	water right to be leased instream here: 74145		
Yes	≥ N/A	Other water rights, if any, appurtenant to the lands involved in	the lease	
		application and not proposed to be leased instream.		
Yes	No No	List those other water rights here: Conservation Reserve Enhancement Program CREP – Are some	a am all af th	a landa
		to be leased part of CREP or another Federal program (list here:		le lands
Reauir	ed Attach			
Yes	□ N/A	Instream lease application map(s). More than one QQ and prope on each map. A map is <b>not</b> required if an entire right is being lea for use of municipal or quasi-municipal water use. The map show following:	ased or if the	e right is
		• A north arrow and map scale (no smaller than 1" = 1320').		
		<ul> <li>Label township, range, section and quarter-quarter (QQ).</li> <li>If an irrigation right, the numbers of acres to be leased in each</li> </ul>		
		• If an irrigation right, the numbers of acres to be leased in each identify and hachure/shade to differentiate between the acreas any remaining. If the place of use has more than one priority and/or point of diversion you must identify each with separa shading and label.	ge being lea date, source	sed and e stream,
		<ul> <li>Tax lot lines and numbers must be included on the map and slidentify the property(s) involved.</li> </ul>	hould clearl	у
Yes	N/A	<ul> <li>If the Lessor(s) is not the deeded land owner, include one of the</li> <li>A notarized statement from the land owner consenting to the lease recorded deed; or</li> <li>A water right conveyance agreement and a copy of the recorded deed</li> </ul>	and a copy of	
_		<ul><li>at the time the water right was conveyed; or</li><li>Other documentation.</li></ul>		
Yes	∐ N/A	If the right has <b>not</b> been used in the last five years; provide supposed documentation indicating why a right (or portion thereof) <b>is not</b> seem to be a supposed in the last five years; provide years for the last five years for the last five years for the last five years.		INFEIDIBY OV

# Part 2 of 4 – District and other party Signature

Term of the Lease:	
serve (as defined by ORS 537.332):  Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values.  Recreation Pollution abatement Navigation  The parties to the anomal expiration of the option of the full telease.  C. The parties of the parties to the anomal expiration of the full telease.  C. The parties of the parties to the anomal expiration of the option of the full telease.	vision (for multiyear leases): e lease request (choose one): of terminating the lease prior to f the full term with written notice to the by the Lessor(s) and/or Lessee. of terminating the lease prior to expiration erm, with consent by all parties to the would not like to include a Termination
Additive/Replacing Relationship to other instream water rights: Instreexisting instream water rights created as a result of instream leases and to water. Since instream leases are also generally senior to other instream process or conversion of minimum flows, they generally replace a portion of you would like this lease to relate to other instream water rights different this box. And attach an explanation of your intent.  Precedent: If a right which has been leased is later proposed to be lead part of an allocation of conserved water project, a new injural lease shall not set a precedent on a future transaction.	ransfers and/or allocations of conserved a rights created through a state agency of these junior instream rights.  ently than described above, please check sed again or later transferred or become
Validity of the rights to be leased:  ☐ The water right(s) to be leased have been used under the terms and confive years or have been leased instream; or  ☐ The water right(s) have not been used for the last five years according rights. However, the water right(s) is not subject to forfeiture under Odescribing why the water right is not subject to forfeiture has been processed.	g to the terms and conditions of the RS 540.610(2). Documentation
SIGNATURES	
The undersigned declare that the information contained in this application by the second printed name (and title): Kathy Ferguson, Office Manger Business/Organization name: Swalley Irrigation District Mailing Address (with state and zip): 64672 Cook Ave., Ste. 1, Bend Phone number (include area code): 541-388-0658 **E-mail address:	l, OR 97701
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:  See next page for additional signatures.	RECEIVED BY OWRD  MAY 26 2015

SALEM, OR Page 2

General Hubst
Signature of Lessee

Date: 5/22/15

Printed name (and title): <u>Genevieve Hubert</u>, <u>Program Manager</u> Business/organization name: <u>Deschutes River Conservancy</u>

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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Swalley Irrigation District Pooled Lease 2015

Landowner	TRS	ď	Tax Lot	Acres	Acres Prior Lease	Мар	Quit Claim deed	Warranty Deed	Warranty Deed   Additional Deed
1 Bert A. Lukens	161220	NE/SE	01300	1.09		>	A/N	N/A	DO N
2 Ted Hurd	171205	NW/NE	02000	0.87		>	A/N	Δ/Ν	V/N
3 Peggy Spencer	171209	NE/NE	00800	2.39		>-	A/N	A/N	δ/N
4 Richard & Glenda Matusewicz	161234	NW/WN	00301	15.46		>-	N/A	A/N	V/N
			Total	19.81	19.81 acres irrigation	L			

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

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9
4

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. Irrigation District or other Water Purveyor Name: Swalley Irrigation District

If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.

	Page # Previous Lease	9		
Salar Salar	Use	IRR		
	Acres	1.09		
Any attached table should include reference to the Lessor.	Tax Lot Gov't Lot/DLC#			
ference t	Tax Lot	20 NE SE 01300		
ide ref	0-0	SE		
d inclu	0	NE		
e shoult	Sec	20		
ched tabl	Rng	12		
Any atta	Twp	16		tht:
	FOD#	3		out the rig
	Priority Date	9-1-1899		nformation ab
	Water Right #	74145		Any additional information about the right:

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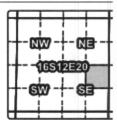
of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should Farm Deferral Tax Status: Counties make the determination of whether a property qualifies for the farm use assessment without consideration contact your local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

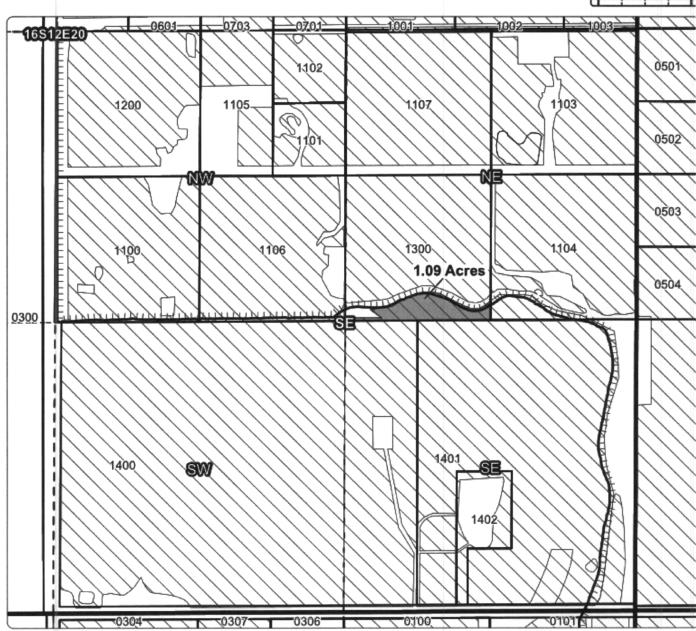
The undersigned declare:

- 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 primary or supplemental water right(s); and other appurtenant
- 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.

Text (1 When	Date: 3-12-15
Signature of Lessor	
Printed name (and title): BERT A. LUKENY	Business name, if applicable: ~(4
Mailing Address (with state and zip): 20315 BI POSONE UN	8500 OF 97701
Phone number (include area code): 541-330-0277	**E-mail address:
	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:

Cert #: 74145 For: Bert Lukens



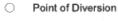


# 1 YEAR INSTREAM LEASE MAP

Taxlot 1300, 16S12E20NESE: 1.09 Acres Leased, 7.11 Acres Remaining HECEIVED BY OWRD

MAY 26 2015

SALEM, OR



Canals





Cert 74145



1 inch = 400 feet April 2015





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

I, BERT A. LUKEN understand the DRC weed policy and have

been informed about farm deferral and donations.

Signature: 5-19-15

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

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MAY 26 2015

	Pre	Complete ovide a sep	Table 1	l Identif rt 3 for e	y water ach Les	right(s	prop prop	osed t	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)	tream	r)		
Table 1													
Irrigation District or other Water Purveyor Name: Swalley Irrigation District	t or other Water	r Purveyor	Name: Sw	alley Irrig	ation Dis	trict							
Specify Wat	Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original us	ty Date, po	int of dive	ersion(s)	(POD),	place of	use, t	ax lot,	gov't lot/DLC,	acres to	be leased,	origina,	l u
			cert	certificate page number, and any previous lease.	nge num	ber, and	any p	reviou	s lease.				
If not	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.	oelow, you	may add 1 Any atta	rows (see	e should	ions) or	create e refer	e a spre	nay add rows (see instructions) or create a spreadsheet/table (a Any attached table should include reference to the Lessor.	matching	Table 1)	and atta	ıch
Water Right #	Priority Date	POD#	Twp	Rng	Sec	0-0	~	Tax	Gov't Lot/DLC#	Acres	Use	Page#	P.
74145	9-1-1899	3	17	12	05	WW	NE	00000		.87	IRR	14	
Any additional information about the right:	information ab	out the rig	tht:										

evious Lease #

e type,

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

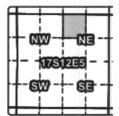
The undersigned declare:

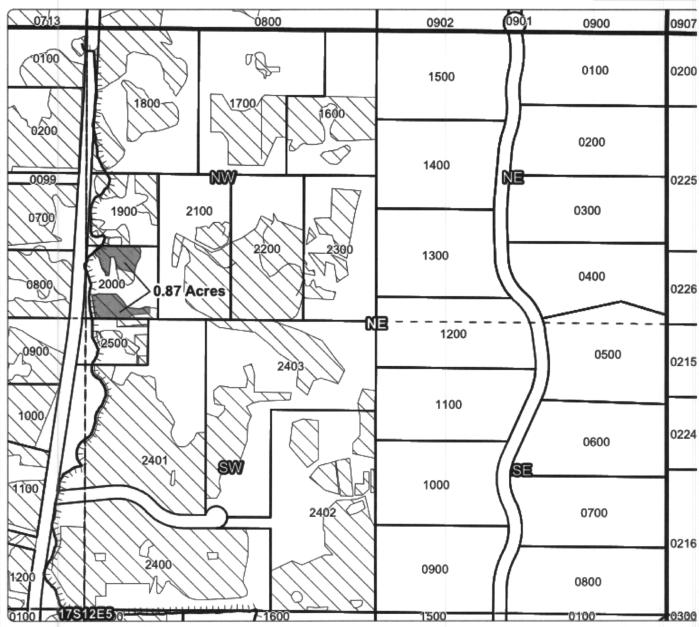
- 1. I/We agree during the term of this lease to suspend use of water allowed under the water right(s) involved in the lease as well as and any other appurtenant primary or supplemental water right(s); and
- 2. I/We certify are the lessor(s) (water right interest holder) of the water right(s) in Table 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.

Me / Lun &	Date: March 18, 2015	
Signature of Lessor		
Printed name (and title): Ted HWCd	Business name, if applicable:	HECEIVED BY OWER
Mailing Address (with state and zip): 64310 Old Rend Red Mond Huy Bend Ore gon 97701	road Huy Bend Oregon 97701	TUANO
Phone number (include area code): 54.382.0544	**E-mail address:	MAY 26 2015
•	Date:	6103
Signature of Lessor		SALEMOD
Printed name (and title):	Business name, if applicable:	TO SAIL
Mailing Address (with state and zip):		
Phone number (include area code):	**E-mail address:	

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

Cert #: 74145 For: Ted Hurd





# 1 YEAR INSTREAM LEASE MAP

Taxlot 2000, 17S12E05NWNE: 0.87 Acres Leased, 0.13 Acres Remaining

O Point of Diversion
Canals

Taxlots

Lease

Cert 74145

MAY 26 2015

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1 inch = 400 feet April 2015





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I, <u>Ted Hurd</u> Print Name been informed about farm deferral and	C weed policy and have
Signature: They Hund	Date: <u>March 18, 20</u> 15

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

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

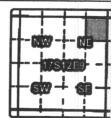
Table 1

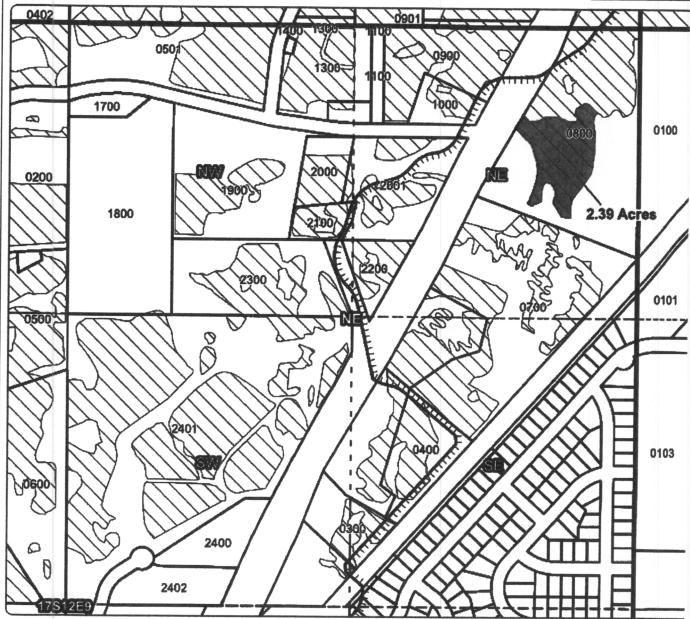
Irrigation District or other Water Purveyor Name: Swalley Irrigation District	t or other Water	r Purveyor	Name: Sv	valley Irriga	ation Dis	trict							
Specify Wa	Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.	ity Date, po	int of div	diversion(s) (POD), place of use, tax lot, gov't le certificate page number, and any previous lease.	POD), j	place o	f use,	tax lot, previou	gov't lot/DLC, is lease.	acres to	be leased	1, origina	ıl use type,
II no	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.	below, you	may add Any atta	rows (see	instruct e should	ions) o I includ	r crea le refe	te a spr rence to	hay add rows (see instructions) or create a spreadsheet/table ( Any attached table should include reference to the Lessor.	matching	g Table 1	) and atta	ach.
Water Right #	Priority Date	FOD#	Twp	Rng	Sec	0-0	~	Tax	Gov't Lot/DLC#	Acres	Use	Page#	Previous Lease #
74145	9-1-1899`	3	17	12	60	NE	ZE	00800		2.39	IRR	17	
Any additional information about the right:	information ab	out the rig	tht:										
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.	Tax Status: Counds have an assal county assess	ounties make sociated wat or. You sho	e the dete ter right v	rmination which is le	of where ased insounty for	ther a p stream.	roperd If yo	y quali u have ordinan	fies for the farm questions regar ce and managen	use assa ling the	essment v farm use nirements	without cassessme	onsideration ent you should
The undersigned declare:	clare:												
<ol> <li>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</li> <li>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 confrom the deeded land owner and/or have provided documentation of authorization to pursue the instream lease; and</li> <li>I/We affirm that the information in this application is true and accurate.</li> </ol>	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 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.	is lease to sumental water ater right int lor have pro	uspend us right(s); erest hold vided doc ication is r	e of water s and er) of the w umentation true and acc	ullowed urater right of author	under th nt(s) in orization	e wate Fable 1 to pu	r right(s I. If not rsue the	involved in the the deeded land instream lease; a	lease as v owner, I/	well as and we have o	d any othe	onsent
A SE	Righature of Lessor	nonee	2			Õ 	Date:	3	3-17-1.	5			
Printed name (and title): Pess 4 School Mailing Address (with state and zip): Pool Phone number (include area code): State	d title): Pesse (with state and nolude area code)	zip): P.c. (zip): P.c. (b): 54(-	1 -1 "/	Syencer Bex 636 389-0780		** E	Busin  On  mail add	Business na Busine	Business name, if applicable: OV GOTO & GOT	ble:		ECEIVI	RECEIVED BY OWRE
	130					Ď	Date:					MAY	MAY 26 2015
Printed name (and title):	(and title):	L.					Bu	siness	Business name if applicable:	, e He		IVS	
Mailing Address (with state and zip):	(with state and	zip):							idillo, il appirod			750	SALEIM, OF
Phone number (include area code):	nclude area cod	(e):					*	E-mail	**E-mail address:	1			

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

Cert #: 74145

For: Peggy Jo Spencer





# 1 YEAR INSTREAM LEASE MAP

Taxlot 800, 17S12E09NENE: 2.39 Acres Leased, 4.01 Acres Remaining

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1 inch = 400 feet April 2015

Lease Cert 74145

Point of Diversion

Canals Taxlots





# Deschutes River Conservancy Instream Leasing Program

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I, <u>Peggy J Spencer</u> understand the DRC weed policy and have

been informed about farm deferral and donations.

Signature: Perpy & Junear Date: 3-20-15

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

MAY 26 2015

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Table 1

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Previous Lease #

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The undersigned declare:

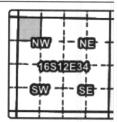
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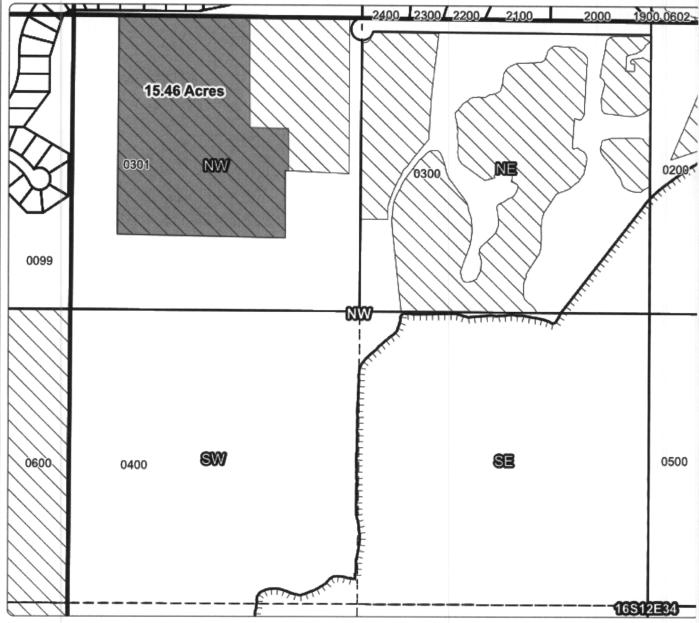
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3. Uffice affirm that the information in	11:01 11 11 th

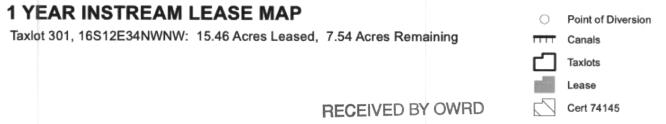
RECEIVED BY OWRD MAY 26 2015 Business name, if applicable: Business name, if applicable: \*\*E-mail address: \*\*E-mail address: Date: 2/6-BEND, OR. 97701 Date: 3/16 HALF MILE LANE ATUSEL); CZ Mailing Address (with state and zip): Mailing Address (with state and zip) Printed name (and title): RiCHAZA Phone number (include area code): Phone number (include area code): 4) MANNA Signature of Lessor Signature of Lessor Printed name (and title):

Cert #: 74145

For: Richard & Glenda Matusewicz







geo-spatialsolutions

MAY 26 2015

1 inch = 400 feet April 2015



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

I, RICHARD MATUSRUS; CZ understand the DRC weed policy and have been informed about farm deferral and donations.

This form must be signed and returned with state lease form. RECEIVED BY OWRD

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

# Table 2

e described:	STITE FOD must b	be a second the continuent, then the special second	Table 3
	oifia DOD 1	If the POD is not described on the certificate or, if there is more than one POD listed on the certificate then the specific population is in the POD is not described on the certificate or, if there is more than one POD listed on the certificate then the specific population is not described on the certificate or, if there is more than one POD listed on the certificate then the specific population is not described on the certificate or, if there is more than one POD listed on the certificate then the specific population is not described on the certificate or, if there is more than one POD listed on the certificate then the specific population is not described on the certificate the population is not described on the certificate or, if there is more than one POD listed on the certificate the population is not described on the certificate or the population is not described on the certificate or the population is not described or the certificate the population is not described or the certificate or the certificate or the population is not described or the certificate or the certifica	If the POD is
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		(cfs = cubic feet per second and af = acre-feet)	(cfs = cubic
ugh room below, you	ased. If not enou	may add rows (see instructions) and acreage as appropriate considering the right to be leased. If not enough room below, you	may add rox
		and volume by priority data BOD area and company	Total rate an
Water Right # 74145		are the collaborate and the collaborate water right proposed to be leased instream (based on Part 3 of 4)	O THOM
		2 to illustrate the totals for the annual and a second an	Use Table

# Table 3

Note: The Department may identify addition	Yes N/A Conditions to avoid +-Oct 25	OR Please check this box if you a			+	3-Ma/ IBB	Use the table 3 to illustrate the instream room below, you may add rows (see in the priority data.	If no reach is identified or the to be protected at the POD.)	⊠ A reach typically begins at the POD and ends at the mouth of the source stream: From the POD Main Canal to the mouth of the Deschutes River	Proposed Instream Reach:
Note: The Department may identify additional conditions to prevent injury and/or enlargement.	nlargement or injury to other water rig	re not sure of the proposed rate, volume a	Season 3	Season 2	$\perp$	+	Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use ar room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching	are not sure of the proposed reach and wan above box is not checked, and there is only	ırce	River Basin: Deschutes River
MAY 26 2015	N/a Conditions to avoid enlargement or injury to other water rights, if any various period considering the water rights, if any various leased and instream benefits.  +-Oct 25	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 instruction and instructions are not sure of the proposed rate, volume and instream period. As part of its review process, the Department	.338	.182	.136	Instream Rate (cfs) Total instream volume (af)	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.	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 use protected at the POD	River/Stream Name: Deschutes, tributary to Columbia Or Proposed Instruments
	fits.  nstream Apr 1	ocess, the Department			108.13	tal instream volume (af)	priate. If not enough f Table 3) and attach	w the POD, if possible. se may be processed		lumbia

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vily additional information about the proposed instream use:
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proposed
instream
use:

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