



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

WRD #	
District #	IL-16-03

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 *for mitigation*

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

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: <u>month April year 2016</u> and end: <u>month October year 2016</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 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: 1/21/16

Printed name (and title): Kelley Hamby, Water Rights Specialist
 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): 541-548-7585 **E-mail address: khamby@coid.org

 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.

Gen Hubert
Signature of Lessee

Date: 1/20/16

Printed name (and title): Gen Hubert, Water Leasing Program Manager

Business/organization name: Deschutes River Conservancy Groundwater Mitigation Bank

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**

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, Daniel Brooker understand the DRC weed policy and have
Print Name
been informed about farm deferral and donations.

Signature:



Date:

12/16/15

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

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Information and Resources Attached

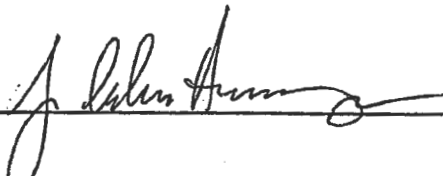
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Information and Resources Attached

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I, G. Andrew Dunning III understand the DRC weed policy and have
Print Name
been informed about farm deferral and donations.

Signature:  Date: 12/20/15

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

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

Complete this form if you are a landowner or lessee of a water right. This form is used to determine if the water right is a water right or a water right. If you are a landowner or lessee of a water right, you should complete this form. If you are a water right holder, you should complete this form. If you are a water right holder, you should complete this form. If you are a water right holder, you should complete this form.

Table 1

Irrigation District or other Water Purveyor Name: Central Oregon Irrigation District

Water Right # 83571

Water Right #	Priority Date	Acres	Flow	Class	Section	Range	County	Water Right #	Flow	Class	Section	Range	County
83571	10/31/1900	11	15	S	13	E	31	NE	1100	18.5	Irrig	27	IL-1453
	10/31/1900	11	15	S	13	E	31	NW	1100	8.5	Irrig	27	IL-1453

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 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 deceded land owner, I/we have obtained consent from the deceded 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.


Signature of Lessor

Date: 12-22-15

Printed name (and title): Keith Erickson - Trustee Business name, if applicable:
 Mailing-Address (with state and zip): 4002 SW Elkhorn Ave., Redmond, OR 97756
 Phone number (include area code): (541) 390-5190 **E-mail address: kerick@bendbroadband.com


Signature of Lessor

Date: 12/24/15

Printed name (and title): Ann Erickson - Trustee 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: _____

EXHIBIT C

Deschutes River Conservancy Instream Leasing Program

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

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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

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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, Kathy Erickson understand the DRC weed policy and have
Print Name
been informed about farm deferral and donations.

Signature: [Handwritten Signature] Date: 12-22-15

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

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

Table 1

Irrigation District or other Water Purveyor Name: Central Oregon Irrigation District

Water Right	Acres Leased	11	15	S 12	E 13	NW	NE	300	0.80	Irrig	20
83571	10/31/1900										

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.

William J. Goss
Signature of Lessor Date: 12/16/15

Printed name (and title): William J. Goss Business name, if applicable: _____
 Mailing Address (with state and zip): 5701 W. Hwy 126, Redmond, OR 97756
 Phone number (include area code): (541) 480-5260 **E-mail address: billg@ykw.net

Signature of Lessor Date: _____

Printed name (and title): _____ Business name, if applicable: _____
 Mailing Address (with state and zip): _____ **E-mail address: _____
 Phone number (include area code): _____

EXHIBIT C

Deschutes River Conservancy Instream Leasing Program

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Information and Resources Attached

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I, William J. Goss understand the DRC weed policy and have
Print Name
been informed about farm deferral and donations.

Signature: William J. Goss Date: 12-13-15

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

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

Complete Table 1 for each water right(s) proposed to be leased in stream.
Provide a separate Part 3 for each Lessor (water right interest holder and owner).

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, parcel ID#, acres to be leased, original use to be certified, page number, and any previous lease.
If not enough room below, you may add rows (see instructions) to create a spreadsheetable (matching Table 1) and attach. Any attached table should include reference to the Lessor.

Water Right	Priority Date	POD #	Imp.	Acres	Sec.	Twp.	R.	Q.	Section	Acres	Use	Parcel	Previous Lease
83571	10/31/1900	11	16	S	12	E	11	NW	NW	200	5.2	Irrig	37

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 in stream. 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 deceded land owner, I/we have obtained consent from the deceded/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: 12/16/2015

Signature of Lessor

Printed name (and title): Joseph Schwab Business name, if applicable:
 Mailing Address (with state and zip): 8515 SW 77th Street Redmond, OR 97756
 Phone number (include area code): (541)771-3596 **E-mail address: jlsearthrider@aol.com

Signature of Lessor

Date: _____

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

Mailing Address (with state and zip): _____ **E-mail address: _____

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

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**Deschutes River Conservancy
Instream Leasing Program**

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Information and Resources Attached

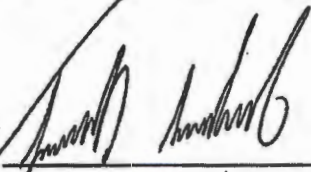
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Information and Resources Attached

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, Joseph Schwab understand the DRC weed policy and have
Print Name
been informed about farm deferral and donations.

Signature:  Date: 12/16/2015

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

Part 4 of 4 – Water Right and Instream Use Information

Use a separate Part 4 for each water right to be leased in stream.

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

For rate and volume by priority class, POD, use and acreage, see appropriate considering the right to be leased. If not through review before you may add the following information to create a separate sheet (including Table 2, hydrology labeled) and label (see Public Rights Second Draft Rate Rep)

Priority Date	POD #	Use	Acre	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)
10/31/1900	11	Irrig	35.45	Season 1 Rate / Total Volume	0.405	334.52
10/31/1900	11	Irrig	35.45	Season 2 Rate	0.552	
10/31/1900	11	Irrig	35.45	Season 3 Rate	0.753	
12/02/1907	11	Irrig	35.45	Season 3 Rate	0.301	

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: Deschutes **River/Stream Name:** Deschutes River, tributary to Columbia River

Proposed Instream Reach:
 A reach typically begins at the POD and ends at the mouth of the source stream: From the POD 11 to Lake Billy Chinook
 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 Use created by the lease. Use the table to illustrate the instream rate, volume and instream period by priority class, POD, use and acreage, as appropriate. If not through review before you may add the following information to create a separate sheet (including Table 3, hydrology labeled) and label (see Public Rights Second Draft Rate Rep)

Priority date	POD #	Use	Acre	Proposed Instream Period			Instream Rate (cfs)	Total instream volume (af)
				Season 1 Rate / Total Maximum Volume	Season 2 Rate	Season 3 Rate		
10/31/1900	11	Irrig	35.45	0.244	0.325	0.602	193.22	
10/31/1900	11	Irrig	35.45					
10/31/1900	11	Irrig	35.45					

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 The instream flow will be allocated on a daily average basis up to the described rate from April 1 through October 26.

Note: The Department may identify additional conditions to prevent injury and/or enlargement.

Any additional information about the proposed instream use: _____



Oregon Water Resources Department
Central Oregon Irrigation District Calculator for Certificate 83571

- 🏠 Main
- 🔍 Help
- 🏠 Return
- 📄 Contact Us

Revised: 5/28/2015

This calculator is primarily designed to facilitate the calculation of how much water may be protected instream through instream leases and transfers. However, the calculator can also be used to determine the rate and duty associated with other transfers and cancellations. For questions regarding its use, please contact Laura Wilke at 503-986-0884.

Enter Total Number of Acres Involved from POD #1 (CO Canal)

Enter Total Number of Acres Involved from POD #11 (North Canal, also known as PB Canal)

IL-16-03

<i>BECKER</i>	<i>1.5 AC</i>
<i>DUNNING</i>	<i>0.95 AC</i>
<i>ERICKSON</i>	<i>27.0 AC</i>
<i>Goss</i>	<i>0.8 AC</i>
<i>SCHWAB</i>	<i>5.2 AC</i>
<i>35.45</i>	

Rate and duty for the acres by which the water right will be reduced by at the Point of Diversion (POD).

POD #1	October 31, 1900	December 2, 1907	Combined
Season 1 Rate (CFS)	0.000		
Season 2 Rate (CFS)	0.000		
Season 3 Rate (CFS)	0.000	0.000	0.000
Duty (AF)			0.00

POD #11	October 31, 1900	December 2, 1907	Combined
Season 1 Rate (CFS)	0.405		
Season 2 Rate (CFS)	0.552		
Season 3 Rate (CFS)	0.753	0.301	1.054
Duty (AF)			334.52

The transmission loss associated with this right is not transferable or protectable instream. The following tables show the amount of water that is protectable for Instream Leases and Instream Transfers, under the October 31, 1900 priority date. (Please contact the Department if you prefer to protect water instream under the combined October 31, 1900 and December 2, 1907 priority dates.) To prevent enlargement and injury, the instream use has been modified from the authorized season of April 1 through October 31, to April 1 through October 28.

From POD #11 to Lake Billy Chinook	
Season 1 Rate (CFS)	0.244
Season 2 Rate (CFS)	0.325
Season 3 Rate (CFS)	0.602
Maximum Volume (AF)	193.22

Central Oregon Irrigation District			
IL-2016-03			
Water Right Changes for Instream Maps			
TRS	QQ	AC	OWRD #
151213	NWNE	0.1 ac OFF	T-10036
151331	NWNE	3.4 ac OFF	T-8485

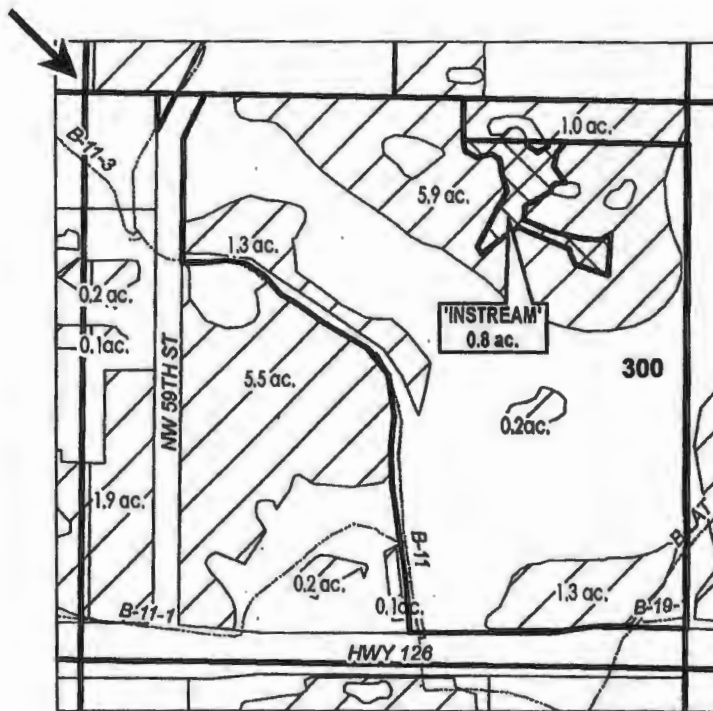
**DESCHUTES COUNTY
SEC.13 T15S R12E**



SCALE - 1" = 400'



NW 1/4 OF THE NE 1/4

N 1/4 COR



-  EXISTING WATER RIGHTS
-  INSTREAM LANDS

CENTRAL OREGON



IRRIGATION DISTRICT

APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: WILLIAM GOSS

TAXLOT #: 300

0.8 ACRES

DATE: 1/12/2016

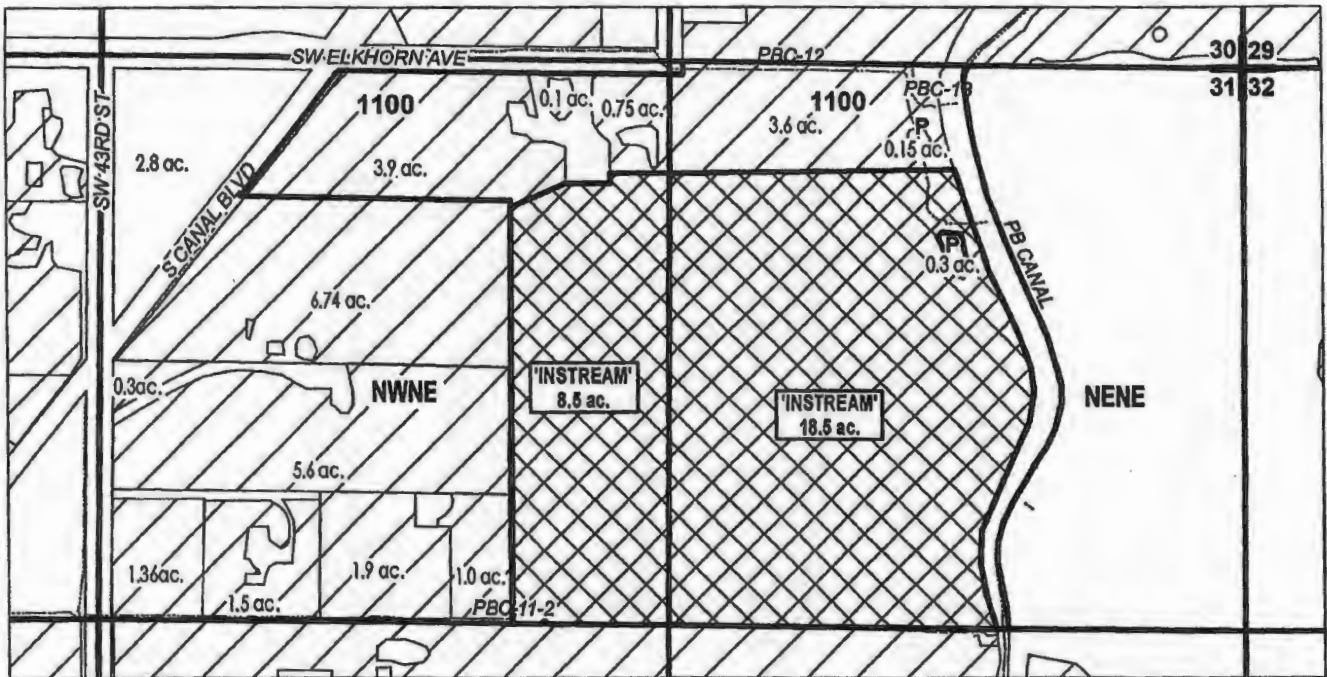
FILE: I:\TRANSFER\INSTREAM\INSTRM16VL-16-03151213_NWNE

DESCHUTES COUNTY SEC.31 T15S R13E

SCALE - 1" = 400'



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: 1/12/2016

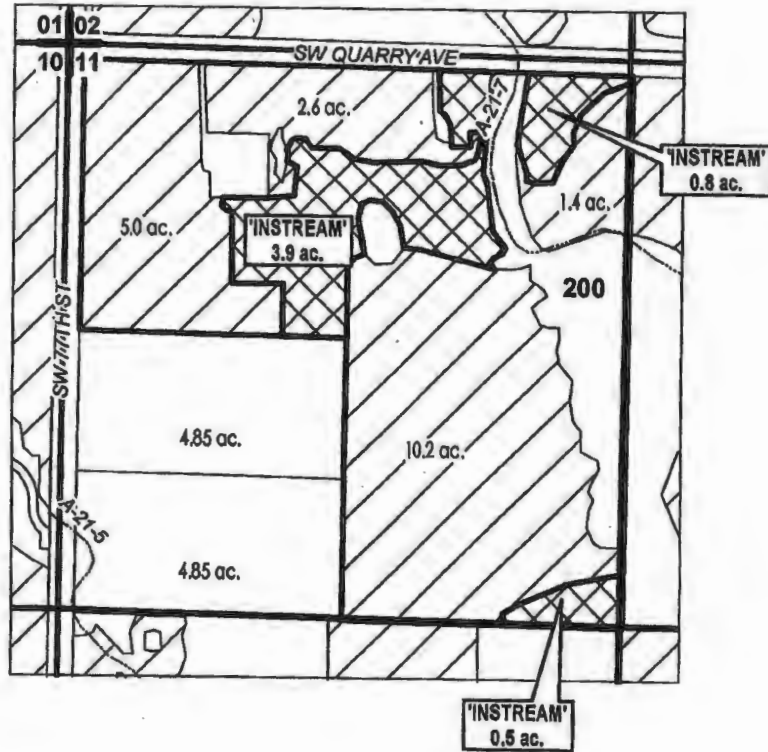
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**DESCHUTES COUNTY
SEC.11 T16S R12E**

SCALE - 1" = 400'



NW 1/4 OF THE NW 1/4



	EXISTING WATER RIGHTS
	INSTREAM LANDS
	PARCELS W/ WATER RIGHTS



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: JOSEPH SCHWAB

TAXLOT #: 200

5.2 ACRES

DATE: 1/13/2016

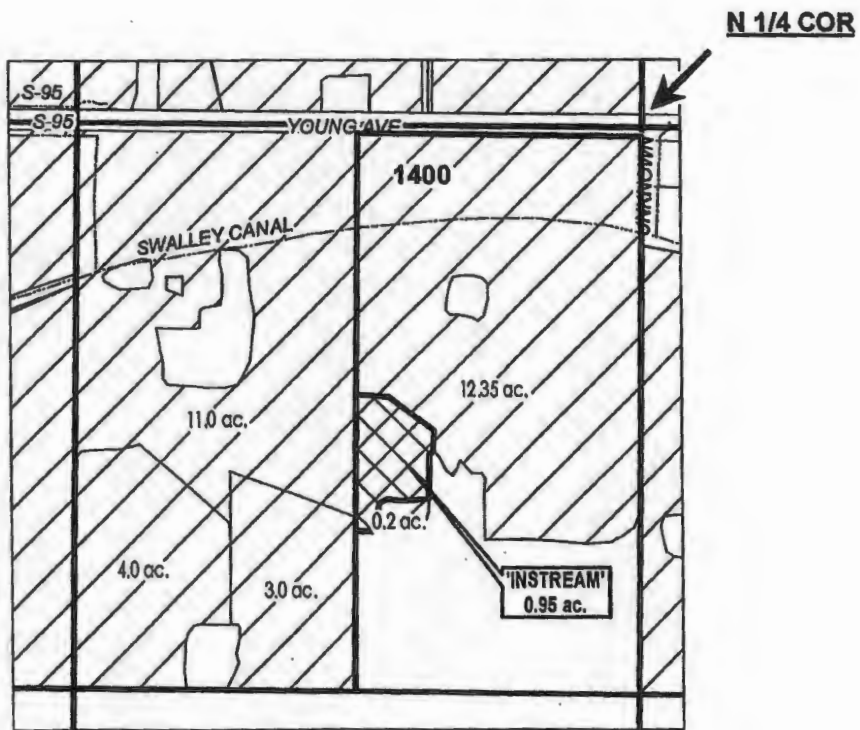
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**DESCHUTES COUNTY
SEC.15 T16S R12E**

SCALE - 1" = 400'



NE 1/4 OF THE NW 1/4



	EXISTING WATER RIGHTS
	INSTREAM LANDS



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: ANDREW & SHARI DUNNING

TAXLOT #: 1700

0.95 ACRES

DATE: 1/12/2016

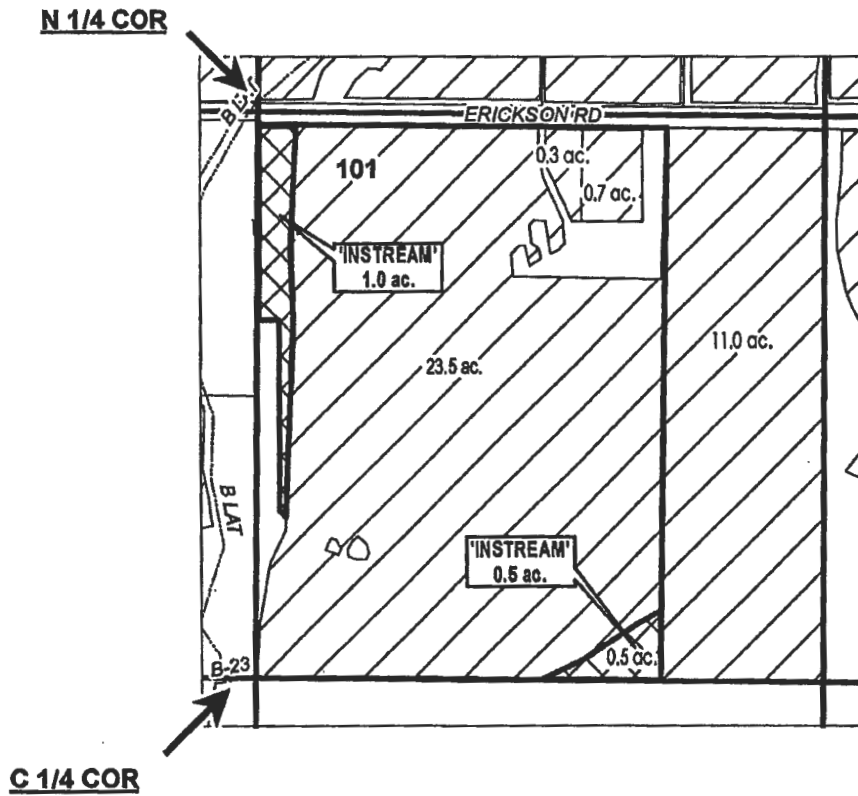
FILE: I:\TRANSFER\INSTREAM\INSTRM10\L-16-03\1611216_NENW

DESCHUTES COUNTY
SEC.30 T17S R13E

SCALE - 1" = 400'



NW 1/4 OF THE NE 1/4



	EXISTING WATER RIGHTS
	INSTREAM LANDS



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: DANIEL BROOKER

TAXLOT #: 101

1.5 ACRES

DATE: 1/21/2016

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