



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 #	LL-1580
	District #	IL-17-10

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. (Account name)</u>	

Part 1 – Completed Minimum Requirements Checklist (Mitigation Bank)

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.

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Part 2 of 4 – District and other party Signature

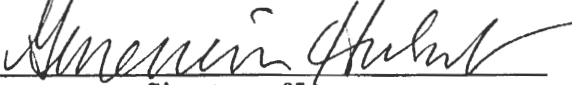
Term of the Lease: The lease is requested to begin in: <u>month April year 2017</u> and end: <u>month October year 2019</u> .	
Public use: Check the public use(s) this lease will serve (as defined by ORS 537.332): <input checked="" type="checkbox"/> Conservation, maintenance and enhancement of aquatic, 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 checked="" 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.


 _____ Date: 2/16/17
 Signature of Co-Lessor

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@coiid.org


 _____ Date: 2/16/17
 Signature of Lessee

Printed name (and title): Gen Hubert, Water Leasing Program Manager
 Business/organization name: Deschutes River Conservancy 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

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**** 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, Wayne Perry understand the DRC weed policy and have
Print Name
been informed about farm deferral and donations.

Signature: _____

Date: _____

12.30.16

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

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF DESCHUTES
PROBATE DEPARTMENT

IN THE MATTER OF THE ESTATE OF) LETTERS TESTAMENTARY
)
CALVIN J. CANNON,) Case No. 16PB02835
)
Deceased.)

THIS CERTIFIES that the will of CALVIN J. CANNON, deceased, has been proved and that WAYNE PERRY has been and is at the date hereof the duly appointed, qualified and acting Personal Representative of the will and estate of the decedent,

IN WITNESS WHEREOF, I, Pamela Gump, as Clerk of the Circuit Court of the State of Oregon for the County of Deschutes, in which proceedings for administration upon the said estate are pending, do hereby subscribe my name and affix the seal of said court this 10 day of May, 2016.



(SEAL)

JEFFREY E. HALL
TRIAL COURT ADMINISTRATOR

By

Pamela Gump
Probate Commissioner/Deputy Clerk

STATE OF OREGON,)
)
County of Deschutes)

I, Pamela Gump Clerk of the Circuit Court of the State of Oregon for Deschutes County hereby do certify that the foregoing copy of Letters Testamentary has been by me compared with the original, that it is a correct transcript therefrom and of the whole of such original Letters Testamentary as the same appear on file and of record in my office and in my custody and that said letters are still in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said court this 10
day of May, 2016

JEFFREY E. HALL
TRIAL COURT ADMINISTRATOR

By

Pamela Gump
Probate Commissioner/Deputy Clerk

**WRITTEN CONSENT OF THE SOLE MEMBER
OF
DESCHUTES MARKET, LLC**

Pursuant to the Limited Liability Company Agreement of DESCHUTES MARKET, LLC dated April 30, 2007 (the "LLC Agreement"), the sole Member hereby takes the following action by unanimous written consent.

The undersigned, being the sole Member of Deschutes Market, LLC, an Oregon limited liability company (the "Company"), consents to the adoption of, and adopt, the following resolutions by written consent:

WHEREAS, Calvin J. Cannon died on April 20, 2016;

WHEREAS, Calvin J. Cannon was the sole Member and sole Manager of the Company;

WHEREAS, Wayne M. Perry has been appointed personal representative of the estate of Calvin J. Cannon as set forth in the Letters Testamentary attached hereto as Exhibit A, and in such capacity succeeds to the ownership interest of Calvin J. Cannon as the sole Member of the Company;

WHEREAS, Lisa J. Cannon is Calvin J. Cannon's surviving spouse and the sole beneficiary of the estate of Calvin J. Cannon; and

WHEREAS, Section 4.2 of the LLC Agreement provides that the Member shall appoint the Manager.

NOW, THEREFORE, BE IT RESOLVED, that the sole Member of the Company hereby appoints Lisa J. Cannon as the sole Manager of the Company;

RESOLVED FURTHER, that the Manager is individually authorized to take any and all action on behalf of the Company, may alone open, close, and have signature authority on all bank accounts and investment accounts of the Company, and may alone negotiate, execute and deliver on behalf of the Company any and all contracts, agreements, leases, easements, encumbrances, deeds, conveyances, notes, mortgages, and other instruments with respect to any business of the Company, and the same shall be binding on the Company.

RESOLVED FURTHER, that any third party may rely on the foregoing resolutions until he or she receives written notice that such resolutions have been formally amended or revoked by action of the Member, and all action taken by the Member pursuant to these resolutions prior to such person's receipt of such written notice shall be binding on the Company.

DATED and EFFECTIVE this 17th day of July, 2016.


Wayne M. Perry, Personal Representative of the Estate of Calvin J. Cannon

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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.

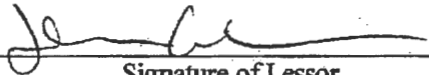
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
83571	10/31/1900	11	14 S	13 E	13	NW NW	400		3.6	Irrig	11	IL-1506

Any additional information about the right: _____

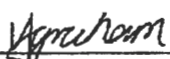
Farm Deferral Tax Status: Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local 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.

 Date: 12/27/16
Signature of Lessor

Printed name (and title): John Graham Business name, if applicable: _____
Mailing Address (with state and zip): 9455 Smith Rock Loop, Terrebonne, OR 97760
Phone number (include area code): (541) 504-7056 **E-mail address: _____

 Date: 12/27/16
Signature of Lessor

Printed name (and title): Victoria Graham Business name, if applicable: _____
Mailing Address (with state and zip): 9455 Smith Rock Loop, Terrebonne, OR 97760
Phone number (include area code): (541) 504-7056 **E-mail address: victoria.a.graham@hotmail.com

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

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**AGREEMENT TO BE BOUND BY OPERATING AGREEMENT OF
OF
DESCHUTES MARKET, LLC**

The undersigned, being the sole Member of and the sole Manager of Deschutes Market, LLC, an Oregon limited liability company (the "Company"), hereby agree as follows:

WHEREAS, Calvin J. Cannon died on April 20, 2016;

WHEREAS, Calvin J. Cannon was the sole Member and sole Manager of the Company;


WHEREAS, Wayne M. Perry has been appointed personal representative of the estate of Calvin J. Cannon, and in such capacity succeeds to the ownership interest of Calvin J. Cannon as the sole Member of the Company;

WHEREAS, Lisa J. Cannon is Calvin J. Cannon's surviving spouse and the sole beneficiary of the estate of Calvin J. Cannon; and


WHEREAS, pursuant to Section 4.2 of the LLC Agreement the sole Member of the Company has appointed Lisa J. Cannon to serve as the sole Manager of the Company.

NOW, THEREFORE, the undersigned Wayne M. Perry, Personal Representative of the Estate of Calvin J. Cannon, hereby agrees to be bound by the terms Operating Agreement of Cannon Investments, LLC dated December 9, 2009 (as the same may be amended, the "Operating Agreement"), as the sole Member of the Company; and the undersigned Lisa J. Cannon hereby agrees to be bound by terms of the Operating Agreement as the sole Manager of the Company and upon distribution of the ownership interest to her as the sole Member of the Company.

DATED and EFFECTIVE this 13 day of July, 2016.



Wayne M. Perry, Personal Representative
of the Estate of Calvin J. Cannon, Member



Lisa J. Cannon, Manager

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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	Range	Sec	O-O	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #		
83571	10/31/1900	11	15	S	13	E	17	NE NW	1001		0.1	Irrig	25	IL-1384

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.

 _____ Date: 26 Dec 2016
Signature of Lessor

Printed name (and title): Larry HASKell Business name, if applicable: _____
Mailing Address (with state and zip): 3105 Harrison Ave., Astoria, OR 97103
Phone number (include area code): (503)440-9006 **E-mail address: _____

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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, John Graham
Victoria Graham understand the DRC weed policy and have
Print Name
been informed about farm deferral and donations.

Signature:  Date: 12/27/16

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

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Farm Deferral Notice

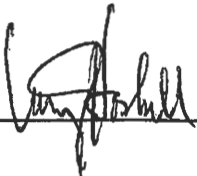
Instream leasing is a beneficial use that protects your water right from forfeiture and allows for compensation for this instream use, but please note that it does not automatically protect against loss of farm use special assessment. Exclusive Farm Use (EFU) zoned lands may still require at least minimal 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, LARRY HASKELL understand the DRC weed policy and have
Print Name

been informed about farm deferral and donations.

Signature:  Date: 26 Dec 2016

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

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

Complete Table 1. Identify water rights proposed to be transferred to the lessee.
 (Include all water rights, whether or not they are currently being used, and whether they are subject to any restrictions.)

Table 1

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

Specific Water Right Number: 103161940

If the water right is a "water right" as defined in ORS 540.005, please provide the following information:

Water Right	Priority Date	Class	Div	Ac	Q	R	T	SW	NW	SE	NE	Other	Acres	Other
103161940	11	14	*	21	K	T	SW	NW	SE	NE			1.1	10

Any additional information about this right: If 1500 cancelled by other party would like to renew for 3 years

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 to them. 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 declares:

1. We agree during the term of this lease to suspend use of water allowed under the water right(s) involved in this lease as well as any other appurtenant primary or supplemental water right(s); and
2. We certify we the lessor(s) (water right owner(s) subject of the water right(s) in Table 1. If we are the decedent land owner, we have obtained consent from the decedent land owner and/or have provided documentation of authorization to pursue the irrigation lease; and
3. We affirm that the information in this application is true and accurate.

Margaret Goodman Date: 1/20/17
 Signature of Lessor

Printed name (and title): Margaret Goodman - Secretary. Business name, if applicable: South Hill Properties, LLC.
 Mailing Address (with state and zip): 2611 NE Kendall St., Terrebonne, OR 97146
 Phone number (include area code): (503) 548-5242 **E-mail address: jmgoodman201@gmail.com

District Irrigation Lease Application Form (2/12/2014)

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*this page is for clarity in Table 1

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	14	S	13	E	13	SW	NW	1400		2.5	Irrig	11	IL-1508

Any additional information about the right: IL-1508 cancelled by other party; would like to renew for 3 years

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.

Signature of Lessor

Date: _____

Printed name (and title): Margaret Goodman - Secretary Business name, if applicable: Smith Hill Properties, Inc.
Mailing Address (with state and zip): 3451 NE Xenolith St., Terrebonne, OR 97760
Phone number (include area code): (541) 548-6282 **E-mail address: jgoodman76@gmail.com

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EXHIBIT C

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Instream Leasing Program**

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

Signature: Margaret Goodman Date: 1/20/17

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

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Business Name Search

[New Search](#) [Printer Friendly](#) **Business Entity Data** 01-19-2017 16:39

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
165013-14	DBC	ACT	OREGON	12-10-1982	12-10-2017	
Entity Name	SMITH HILL PROPERTIES, INC.					
Foreign Name						

[New Search](#) [Printer Friendly](#) **Associated Names**

Type	PPB	PRINCIPAL PLACE OF BUSINESS					
Addr 1	3451 NE XENOLITH ST						
Addr 2							
CSZ	TERREBONNE	OR	97760		Country	UNITED STATES OF AMERICA	

Please click here for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT		Start Date	06-14-2004	Resign Date	
Name	MARGARET	E	GOODMAN				
Addr 1	3451 NE XENOLITH ST						
Addr 2							
CSZ	TERREBONNE	OR	97760		Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS					
Addr 1	3451 NE XENOLITH ST						
Addr 2							
CSZ	TERREBONNE	OR	97760		Country	UNITED STATES OF AMERICA	

Type	PRE	PRESIDENT				Resign Date	
Name	JOHN	Q	GOODMAN				
Addr 1	3451 NE XENOLITH ST						
Addr 2							
CSZ	TERREBONNE	OR	97760		Country	UNITED STATES OF AMERICA	

Type	SEC	SECRETARY				Resign Date	
Name	MARGARET	E	GOODMAN				
Addr 1	3451 NE XENOLITH ST						
Addr 2							
CSZ	TERREBONNE	OR	97760		Country	UNITED STATES OF AMERICA	

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[New Search](#) [Printer Friendly](#) **Name History**

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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.

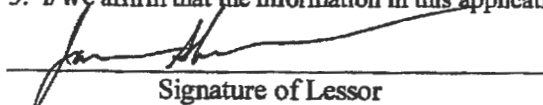
Water Right #	Priority Date	POD #	Twp		Rng		Sec	Q-Q		Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
83571	10/31/1900	11	16	S	12	E	10	SE	SW	901		0.80	Irrig	37	IL-1542

Any additional information about the right: _____

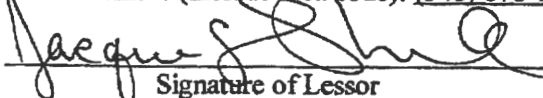
Farm Deferral Tax Status: Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local 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: 1-12-17
Signature of Lessor

Printed name (and title): Javan Shull Business name, if applicable: _____
Mailing Address (with state and zip): PO Box 6164, Bend, OR 97708
Phone number (include area code): (541) 678-1558 **E-mail address: javan@tvbean.com

 Date: 1-12-17
Signature of Lessor

Printed name (and title): Jacqueline Shull Business name, if applicable: _____
Mailing Address (with state and zip): PO Box 6164, Bend, OR 97708
Phone number (include area code): (541) 678-1558 **E-mail address: _____

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

Signature:  Date: 1-12-17

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

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Leasing Exhibit C -- updated 2016

FEB 16 2017

1

SALEM, OR

Part 4 of 4 – Water Right and Instream Use Information

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

Table 2

Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4) Water Right # 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	11	Irrig	25.76	Season 1 Rate / Total Volume	0.294	243.08
10/31/1900	11	Irrig	25.76	Season 2 Rate	0.401	
10/31/1900	11	Irrig	25.76	Season 3 Rate	0.547	
12/02/1907	11	Irrig	25.76	Season 3 Rate	0.219	

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: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to <i>Madras gage near Lake Billy Chinook</i>	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	25.76	Season 1 Rate / Total Maximum Volume	0.177	140.40
10/31/1900	11	Irrig	25.76	Season 2 Rate	0.236	
10/31/1900	11	Irrig	25.76	Season 3 Rate	0.437	
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: <i>As a mitigation project</i> RECEIVED BY OWRD						

**DESCHUTES COUNTY
SEC.11 T17S R12E**

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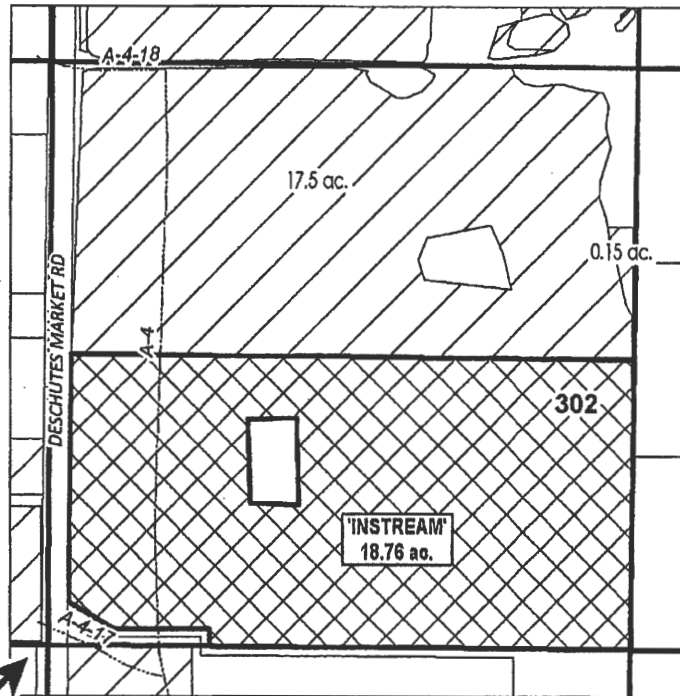
SCALE - 1" = 400'

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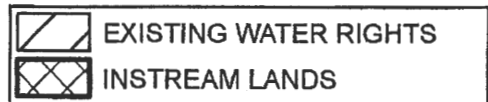


SALEM, OR

SW 1/4 OF THE NE 1/4



C 1/4 COR



APPLICATION FOR 3 YEAR INSTREAM LEASE

NAME: DESCHUTES MARKET, LLC

TAXLOT #: 302

18.76 ACRES

DATE: 1/12/2017

FILE I:\TRANSFER\INSTREAM\NSTRM1713 YR171211_SWNE

DESCHUTES COUNTY SEC.13 T14S R13E

RECEIVED BY OWRD

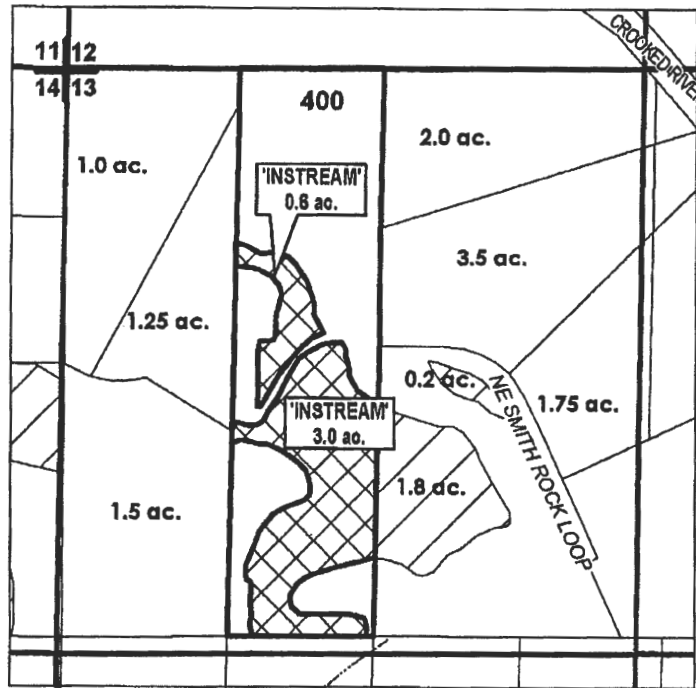
SCALE - 1" = 400'



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SALEM, OR

NW 1/4 OF THE NW 1/4



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



APPLICATION FOR 3 YEAR INSTREAM LEASE

NAME: JOHN & VICTORIA GRAHAM

TAXLOT #: 400

3.6 ACRES

Date: 12/20/2016

FILE: I:\TRANSFER\INSTREAM\INSTRM173 YR1141313_NWNW

**DESCHUTES COUNTY
SEC.17 T15S R13E**

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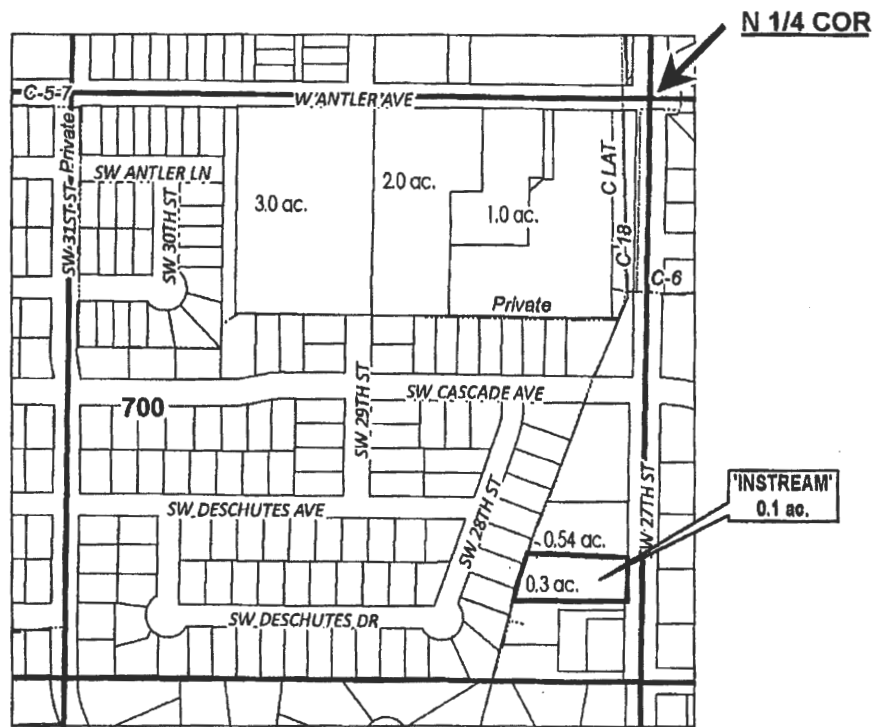
SCALE - 1" = 400'

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SALEM, OR

NE 1/4 OF THE NW 1/4



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



APPLICATION FOR 3 YEAR INSTREAM LEASE

NAME: LARRY HASKELL

TAXLOT #: 1001

0.1 ACRES

DATE: 1/12/2017

FILE I:\TRANSFER\INSTREAM\INSTRM17\3YR\151317_NENW

**DESCHUTES COUNTY
SEC.13 T14S R13E**

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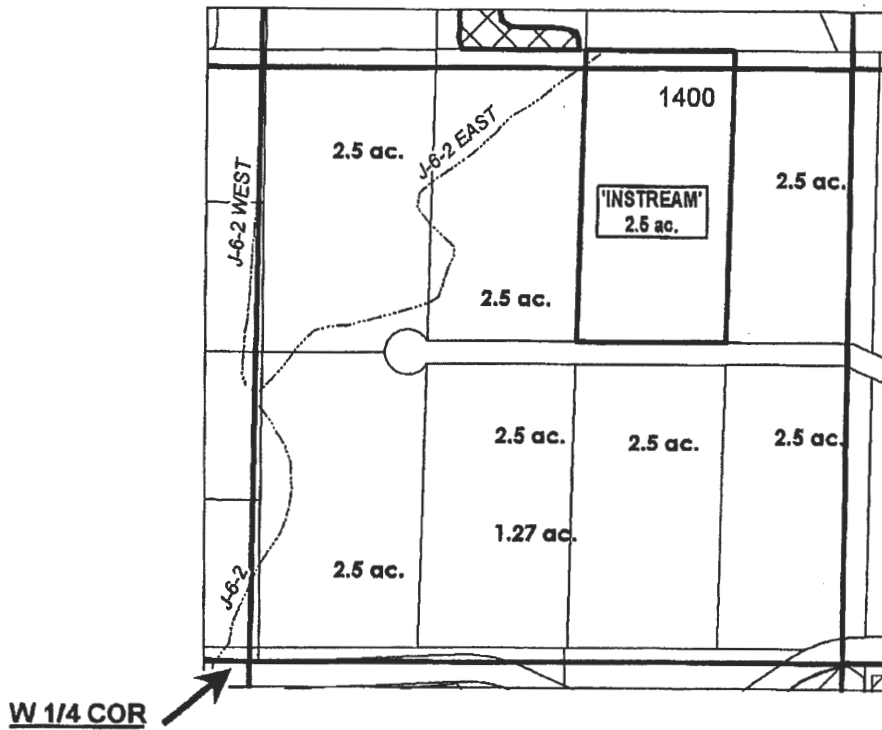
SCALE - 1" = 400'

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SALEM, OR

SW 1/4 OF THE NW 1/4



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



APPLICATION FOR 3 YEAR INSTREAM LEASE

NAME: SMITH HILL PROPERTIES, INC

TAXLOT #: 1400

2.5 ACRES

Date: 1/27/2017

FILE: I:\TRANSFER\INSTREAM\INSTRM13\1L-16-041141313_SWNW_1400

**DESCHUTES COUNTY
SEC.10 T16S R12E**

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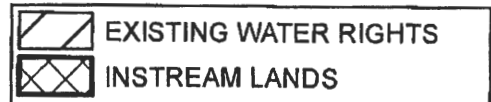
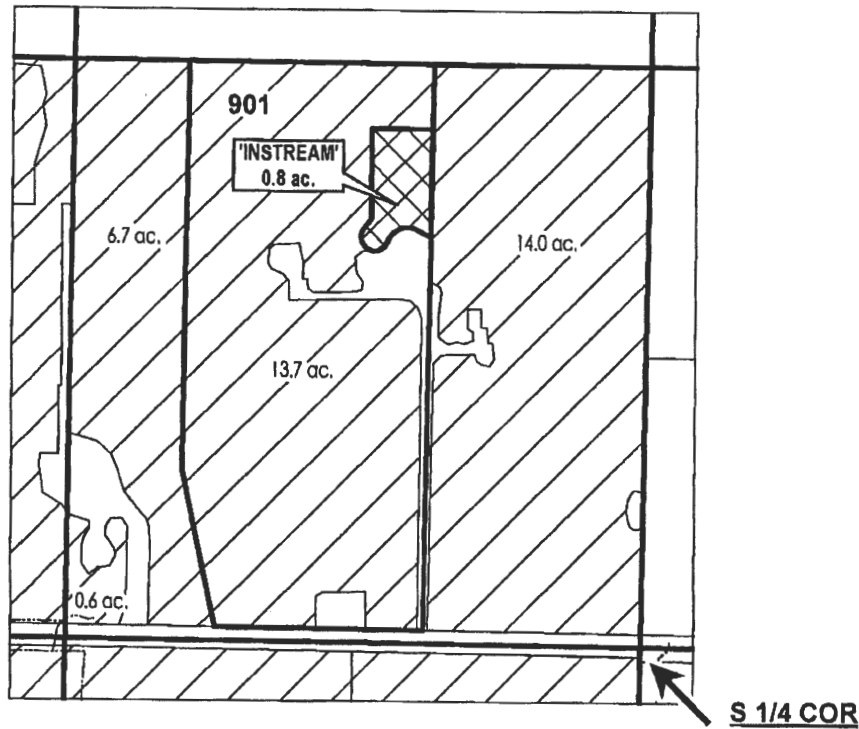
SCALE - 1" = 400'

FEB 16 2017



SALEM, OR

SE 1/4 OF THE SW 1/4



APPLICATION FOR 3 YEAR INSTREAM LEASE

NAME: JAVAN & JACQUELINE SHULL

TAXLOT #: 901

0.8 ACRES

DATE: 1/27/2017

FILE: I:\TRANSFER\INSTREAM\INSTRM1713 YR161210_SESW



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

- Main
- Help
- Return
- Contact Us

Revised: 3/18/2016

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)

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)	0.294		
Season 2 Rate (CFS)	0.401		
Season 3 Rate (CFS)	0.547	0.219	0.766
Duty (AF)			242.99

Total 25.75

Smith Hill 2.5
 Haskell 0.1
 Deschutes Mt. 18.75
 Graham 3.6
 Shull 0.8

25.75

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 26.

From POD #11 to Lake Billy Chinook	
Season 1 Rate (CFS)	0.177
Season 2 Rate (CFS)	0.238
Season 3 Rate (CFS)	0.437
Maximum Volume (AF)	140.35

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SALEM, OR

Central Oregon Irrigation District			
IL-2017-10			
Water Right Changes for Instream Maps			
TRS	QQ	AC	OWRD #
141313	SWNW	0.50 ac ON	T-10872
141313	SWNW	0.48 ac ON	T-10872
141313	SWNW	0.29 ac ON	T-10872
161210	SESW	1.00 ac EXITED	T-10826
151317	NENW	16.00 ac EXITED	T-10224
151317	NENW	0.65 ac EXITED	T-10826
151317	NENW	2.50 ac EXITED	T-10826
151317	NENW	2.00 ac EXITED	T-10508

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SALEM, OR