



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

<b>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</b>	OWRD #	<u>L-1591</u>
	District #	<u>IL-17-19</u>

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 (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**

<b>Term of the Lease:</b> The lease is requested to begin in: <u>month April year 2017</u> and end: <u>month October year 2017</u> .	
<b>Public use:</b> 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	<b>Termination provision (for multiyear leases):</b> <b>The parties to the lease request (choose one):</b> <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 checked="" type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
<b>Additive/Replacing Relationship to other instream water rights:</b> 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.	
<b>Precedent:</b> 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.	
<b>Validity of the rights to be leased:</b> <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: 3/13/17

Printed name (and title): Abigail Centola, Beneficial Use Technician  
 Business/Organization name: Central Oregon Irrigation District  
 Mailing Address (with state and zip): 1055 SW Lake Ct, Redmond, OR 97756  
 Phone number (include area code): 541-548-6047 \*\*E-mail address: abby@coid.org

  
 \_\_\_\_\_  
 Signature of Lessee

Date: 3/13/17

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

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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**

**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	1	18	S	12	E	08	NW	NW	2000		0.80	Irrig.	54	IL-1384

**Any additional information about the right:** \_\_\_\_\_

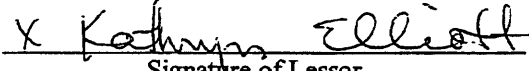
**Farm Deferral Tax Status:** Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your 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: 1-27-17  
Signature of Lessor

Printed name (and title): James Elliott Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): 61541 Sunny Breeze Ln., Bend, OR 97702  
Phone number (include area code): (541)410-2887 \*\*E-mail address: elliott@bendcable.com

 Date: 1-27-17  
Signature of Lessor

Printed name (and title): Kathryn Elliott Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): 61541 Sunny Breeze Ln., Bend, OR 97702  
Phone number (include area code): (541)410-2887 \*\*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.

x J.C. Elliott understand the DRC weed policy and have  
*Print Name*  
been informed about farm deferral and donations.

Signature: J.C. Elliott Date: 1-27-17

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

11-17-16 11:00 AM Leslie Cloutice OWRD.pdf

Open with Lumin PDF

**Part 3 of 4 – Place of Use – Lessor Information**

**Complete Table 1 Identify water right(s) proposed to be leased instream  
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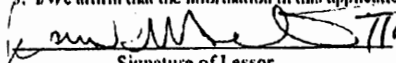
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	
R3571	10/31/1900	1	17	S	12	E	34	SW SE	1400	2.35	Irrig

Any additional information about the right:

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

 Date: 1/27/2017

Signature of Lessor

Printed name (and title): Daniel R. Hedrick - Trustee Business name, if applicable: Leslie Cloutice Living Trust  
Mailing Address (with state and zip): 4374 NW Arrowood Circle, Corvallis, OR 97330  
Phone number (include area code): (541) 760-3809 \*\*E-mail address: dhedrick44@gmail.com

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

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

**Complete Table 1 Identify water right(s) proposed to be leased instream  
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Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Lessor

Printed name (and title): Daniel R. Hedrick - Trustee Business name, if applicable: Leslie Clautice Living Trust

Mailing Address (with state and zip): 4374 NW Arrowood Circle, Corvallis, OR 97330

Phone number (include area code): (541) 760-3809 \*\*E-mail address: dhedrick44@gmail.com

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*Information and Resources Attached*

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*Information and Resources Attached*

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I, DANIEL HEDRICK TIE understand the DRC weed policy and have  
*Print Name*  
been informed about farm deferral and donations.

Signature: \_\_\_\_\_

Date: 1/27/2017

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

**DESCHUTES COUNTY ASSESSOR  
REAL PROPERTY ACCOUNT NAMES**

1/4/2017 10:09:23 AM

**Account #** 118985  
**Map**  
**Owner** LESLIE CLAUTICE LIVING TRUST  
CLAUTICE, LESLIE & HEDRICK, DANIEL TTEES  
4374 NW ARROWOOD  
CORVALLIS, OR 97330

<b>Name Type</b>	<b>Name</b>	<b>Ownership Type</b>	<b>Own Pct</b>
OWNER	LESLIE CLAUTICE LIVING TRUST	OWNER	100.00
REPRESENTATIVE	CLAUTICE, LESLIE MD	OWNER AS TRUSTEE	
REPRESENTATIVE	HEDRICK, DANIEL R	OWNER AS TRUSTEE	

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

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83571	10/31/1900	1	18	S	12	E	02	NW	SE	1107		3.5	Irrig	53	IL-1375

**Any additional information about the right:** \_\_\_\_\_

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

Harry R Nelson Date: 02/22/17  
Signature of Lessor

Printed name (and title): Harry Nelson Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): 21485-A Modoc Ln, Bend, OR, 97702  
Phone number (include area code): (541)385-7871\*\*E-mail address: hrussnelson@msn.com

Marie R Nelson Date: 02/22/17  
Signature of Lessor

Printed name (and title): Marie Nelson Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): 21485-A Modoc Ln, Bend, OR, 97702  
Phone number (include area code): (541)385-7871\*\*E-mail address: hrussnelson@msn.com

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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, Harry R Nelson understand the DRC weed policy and have  
/Print Name  
been informed about farm deferral and donations.

Signature: Harry R Nelson Date: 02/22/17

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

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# Deschutes County Property Information

Report Date: 3/13/2017 4:07:44 PM

## Disclaimer

The information and maps presented in this report are provided for your convenience. Every reasonable effort has been made to assure the accuracy of the data and associated maps. Deschutes County makes no warranty, representation or guarantee as to the content, sequence, accuracy, timeliness or completeness of any of the data provided herein. Deschutes County explicitly disclaims any representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. Deschutes County shall assume no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused. Deschutes County assumes no liability for any decisions made or actions taken or not taken by the user of this information or data furnished hereunder.

## Account Summary

### Account Information

Mailing Name: NELSON,HARRY R  
Map and Taxlot: 1812020001107  
Account: 111980  
Tax Status: Assessable  
Situs Address: 61720 GIBSON DR, BEND, OR 97702

### Property Taxes

Current Tax Year: \$2,792.99  
Tax Code Area: 1003

### Assessment

Subdivision:  
Lot:  
Block:  
Assessor Acres: 5.00  
Property Class: 409 – TRACT

### Ownership

Mailing Address:  
NELSON,HARRY R  
21485-A MODOC LN  
BEND, OR 97702

### Valuation

#### Real Market Values as of Jan. 1, 2016:

Land \$186,570  
Structures \$85,470  
Total \$272,040

#### Current Assessed Values:

Maximum Assessed \$207,660  
Assessed Value \$207,660  
Veterans Exemption \$0.00

## Warnings, Notations, and Special Assessments

Review of digital records maintained by the Deschutes County Assessor's Office, Tax Office, Finance Office, and the Community Development Department indicates that there are no special tax, assessment or property development related notations associated with this account. However, independent verification of the presence of other Deschutes County tax, assessment, development, and additional property related considerations is recommended. Confirmation is commonly provided by title companies, real estate agents, developers, engineering and surveying firms, and other parties who are involved in property transactions or property development. In addition, County departments may be contacted directly to discuss the information.

## Valuation History *All values are as of January 1 of each year. Tax year is July 1st through June 30th of each year.*

	2012 - 2013	2013 - 2014	2014 - 2015	2015 - 2016	2016 - 2017
Real Market Value - Land	\$113,730	\$118,110	\$140,900	\$161,410	\$186,570
Real Market Value - Structures	\$52,230	\$54,320	\$65,190	\$74,970	\$85,470
Total Real Market Value	\$165,960	\$172,430	\$206,090	\$236,380	\$272,040
Maximum Assessed Value	\$195,750	\$195,750	\$195,750	\$201,620	\$207,660
Total Assessed Value	\$165,960	\$172,430	\$195,750	\$201,620	\$207,660
Veterans Exemption	\$0	\$0	\$0	\$0	\$0

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**DESCHUTES COUNTY ASSESSOR  
REAL PROPERTY ACCOUNT NAMES**

3/13/2017 4:08:32 PM

**Account #** 111980  
**Map**  
**Owner** NELSON,HARRY R  
21485-A MODOC LN  
BEND, OR 97702

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<b>Name Type</b>	<b>Name</b>	<b>Ownership Type</b>	<b>Own Pct</b>
OWNER	NELSON, HARRY R	OWNER	

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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

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83571	10/31/1900	1	17	S	12	E	26	SE NE	00205		10.60	Irrig	44	(L-3) 116
83571	10/31/1900	1	17	S	12	E	26	SW NE	00305		0.10	Irrig	44	(L-3) 116

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

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

D. Sherman  
Signature of Lessor

Date: Jan 31, 2017

Printed name (and title): Dennis K. Sherman Business name, if applicable: \_\_\_\_\_

Mailing Address (with state and zip): 5180 Lakemont Ln, Boise, ID, 83714

Phone number (include area code): (208) 890-7710 \*\*E-mail address: sherman131@gmail.com

890-7710

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See next page for more readable print-out

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

**Complete Table 1 Identify water right(s) proposed to be leased instream  
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Water Right #	Priority Date	POD #	Twp		Rng			Q-Q		Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
83571	10/31/1900	1	17	S	12	E	26	SE	NE	00205		16.60	Irrig	44	IL-1116
83571	10/31/1900	1	17	S	12	E	26	SW	NE	00205		0.10	Irrig	44	IL-1116
<b>Any additional information about the right:</b>															
<b>Farm Deferral Tax Status:</b> 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: \_\_\_\_\_  
Signature of Lessor

Printed name (and title): Dennis K. Sherman Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): 5180 Lakemont Ln. Boise, ID, 83714  
Phone number (include area code): (208) 8902-7710 \*\*E-mail address: sherman331@gmail.com

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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.

**DK**

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

Signature:  Date: Jan 25, 2017

**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 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	1	17	S 13 E	20	NE SW	400		8.13	Irrig	46	
		1	17	S 13 E	20	Nw SW	400		16.46	Irrig	46	

**Any additional information about the right:** total 24.59 in stream

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

The undersigned declare:

- I/We agree during the term of this lease to suspend use of water allowed under the water right(s) involved in the lease as well as any other appurtenant primary or supplemental water right(s); and
- I/We certify are the lessor(s) (water right interest holder) of the water right(s) in Table 1. If not the deeded land owner, I/we have obtained consent from the deeded land owner and/or have provided documentation of authorization to pursue the instream lease; and
- I/We affirm that the information in this application is true and accurate.

 Date: 2/22/17  
Signature of Lessor

Printed name (and title): Thomas Hsueh - president Business name, if applicable: Triton America, LLC  
Mailing Address (with state and zip): PO Box 641, La Conner, WA 98257  
Phone number (include area code): (360) 399-1630 \*\*E-mail address: kareng@triton aero.com

Date: \_\_\_\_\_

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**i** We are experiencing higher-than-normal call volumes and business filings. We appreciate your patience as we do our best to service every customer as quickly as possible.

**TRITON - AMERICA LLC**

UBI Number	602032416
Category	LLC
Active/Inactive	Active
State Of Incorporation	WA
WA Filing Date	04/24/2000
Expiration Date	04/30/2017
Inactive Date	
Duration	Perpetual

Agent Name	SKAGIT LAW GROUP PLLC
Address	227 FREEWAY DR STE B
City	MOUNT VERNON
State	WA
ZIP	98273

Address	PO BOX 336
City	MOUNT VERNON
State	WA
Zip	98273

Governing Persons (as defined in RCW 23.95.105 (12) (<http://app.leg.wa.gov/RCW/supdefault.aspx?cite=23.95.105>))

Title	Name	Address
Governor	HSUEH, THOMAS	
Governor	HSUEH, DACHIA	
Governor	GINSBURG, THEODORE A	

*Triton America, LLC  
Registered in WA. State*

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**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**

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 entitlements, 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, Tom Hsueh understand the DRC weed policy and have  
*Print Name*  
been informed about farm deferral and donations.

Signature: \_\_\_\_\_

Date: 2/22/17

**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 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	1	Irrig	47.94	Season 1 Rate / Total Volume	0.593	469.99
10/31/1900	1	Irrig	47.94	Season 2 Rate	0.791	
10/31/1900	1	Irrig	47.94	Season 3 Rate	1.045	
12/02/1907	1	Irrig	47.94	Season 3 Rate	0.419	

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**

<b>Instream Use created by the lease</b>	<b>River Basin:</b> <u>Deschutes</u>	<b>River/Stream Name:</b> <u>Deschutes River, tributary to Columbia River</u>				
<b>Proposed Instream Reach:</b> <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD _____ to <u>Madras gage near Lake Billy Chinook</u>		<b>Or Proposed Instream Point:</b> <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.)						
<b>Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)</b> 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.						
<b>Priority date</b>	<b>POD #</b>	<b>Use</b>	<b>Acres</b>	<b>Proposed Instream Period</b>	<b>Instream Rate (cfs)</b>	<b>Total instream volume (af)</b>
10/31/1900	1	Irrig	47.94	Season 1 Rate / Total Maximum Volume	0.330	261.30
10/31/1900	1	Irrig	47.94	Season 2 Rate	0.439	
10/31/1900	1	Irrig	47.94	Season 3 Rate	0.814	
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 <b>Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:</b> 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.						
<b>Any additional information about the proposed instream use:</b> _____					<b>RECEIVED BY OWRD</b>	



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)	0.593		
Season 2 Rate (CFS)	0.791		
Season 3 Rate (CFS)	1.045	0.419	1.464
Duty (AF)			469.99

POD #11	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

Name	Ac
Elliott	0.8
Hedrick	2.35
Nelson	3.5
Sherman	16.7
Triton	24.59
	<u>47.94</u>

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 #1 to Lake Billy Chinook	
Season 1 Rate (CFS)	0.330
Season 2 Rate (CFS)	0.439
Season 3 Rate (CFS)	0.814
Maximum Volume (AF)	261.30

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**DESCHUTES COUNTY  
SEC.08 T18S R12E**

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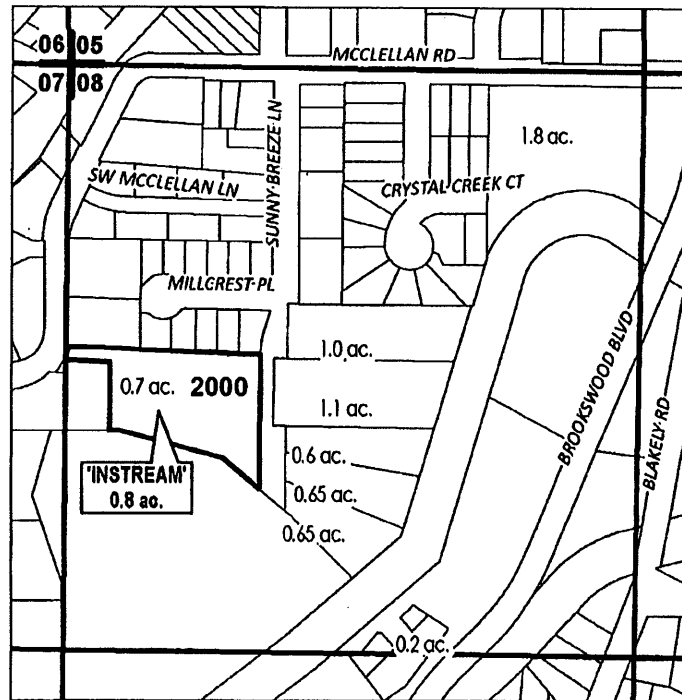
SCALE - 1" = 400'

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NW 1/4 OF THE NW 1/4

SALEM, OR



	EXISTING WATER RIGHTS
	INSTREAM PARCELS
	PARCELS W/ WATER RIGHTS



**APPLICATION FOR 3 YEAR INSTREAM LEASE**

**NAME: JAMES & KATHRYN ELLIOT**

**TAXLOT #: 2000**

**0.8 ACRES**

DATE: 1/26/2017

FILE I:\TRANSFER\INSTREAM\INSTRM173 YR181208\_NWNW

**DESCHUTES COUNTY  
SEC.34 T17S R12E**

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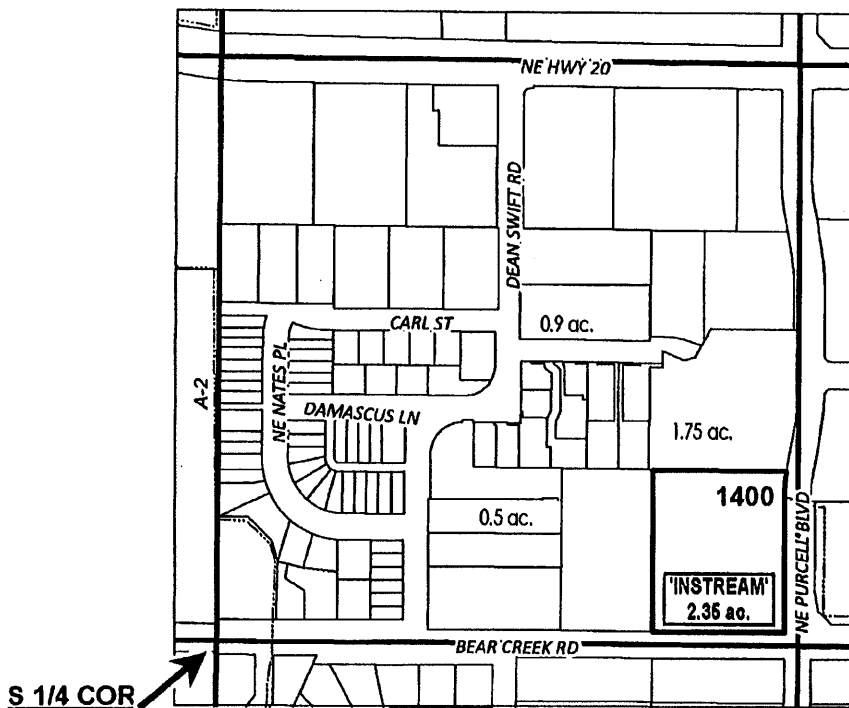
SCALE - 1" = 400'

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SW 1/4 OF THE SE 1/4

SALEM, OR



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



**APPLICATION FOR 3 YEAR INSTREAM LEASE**

**NAME: LESLIE CLAUTICE HEDRICK TRUST**

**TAXLOT #: 1400**

**2.35 ACRES**

DATE: 1/12/2017

FILE: I:\TRANSFER\INSTREAM\INSTRM173 YR171234\_SWSE

**DESCHUTES COUNTY  
SEC.02 T18S R12E**

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SCALE - 1" = 400'

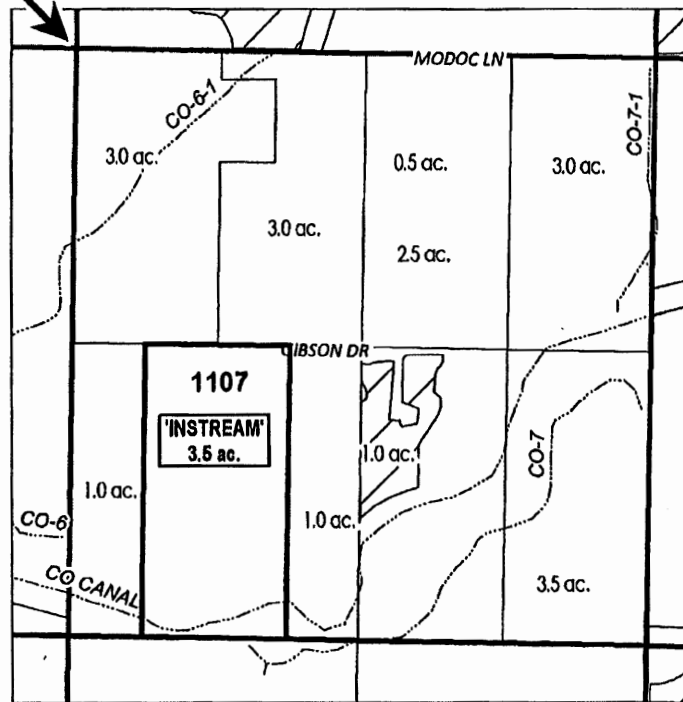
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NW 1/4 OF THE SE 1/4

SALEM, OR

**C 1/4 COR**



	EXISTING WATER RIGHTS
	INSTREAM PARCELS
	PARCELS W/ WATER RIGHTS



**APPLICATION FOR 3 YEAR INSTREAM LEASE**

NAME: HARRY & MARIE NELSON

TAXLOT #: 1107

3.5 ACRES

DATE: 1/26/2017

FILE: I:\TRANSFER\INSTREAM\INSTRM17\3 YR\181202\_NWSE\_1107

# DESCHUTES COUNTY SEC.26 T17S R12E

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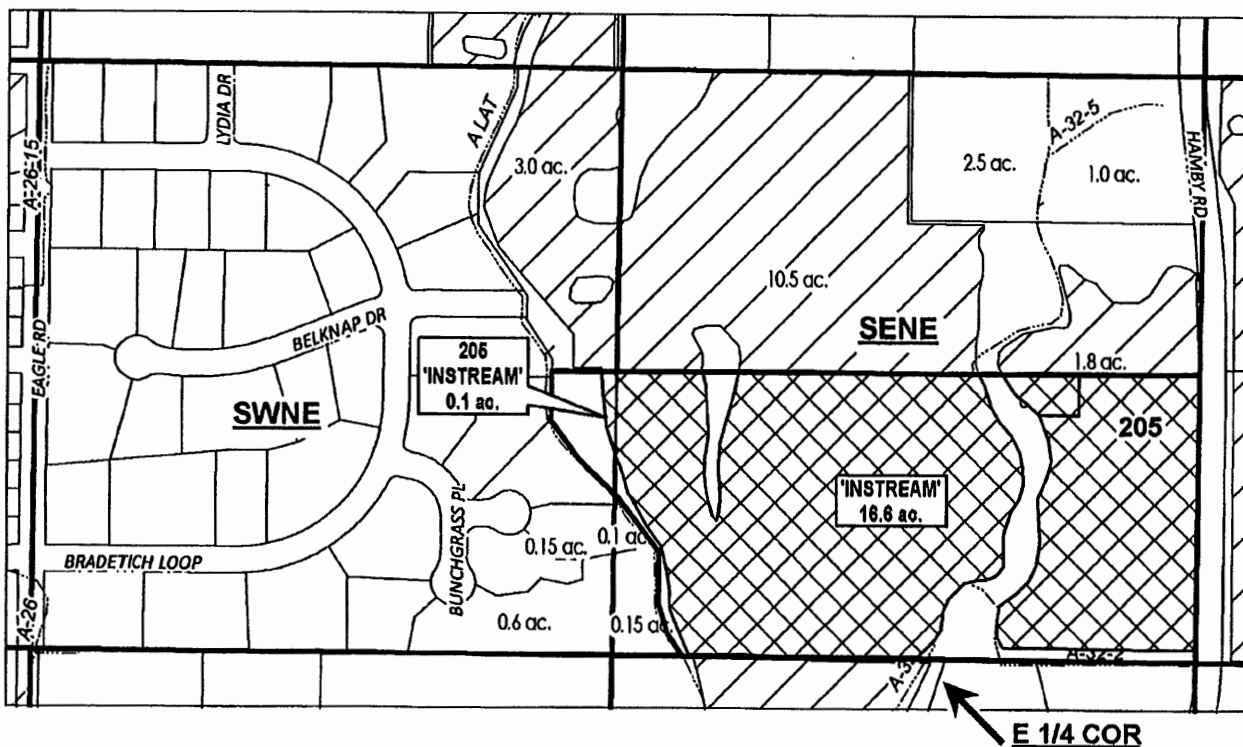
SCALE - 1" = 400'




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

SALEM, OR



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



## APPLICATION FOR 3 YEAR INSTREAM LEASE

NAME: DENNIS K. SHERMAN

TAXLOT #: 205

16.7 ACRES

DATE: 3/6/2017

FILE I:\TRANSFER\INSTREAM\INSTRM173 YR171226\_SENE\_205



# DESCHUTES COUNTY SEC.20 T17S R13E

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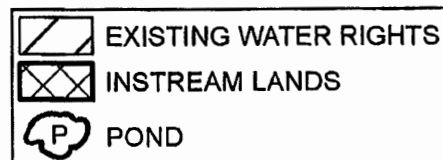
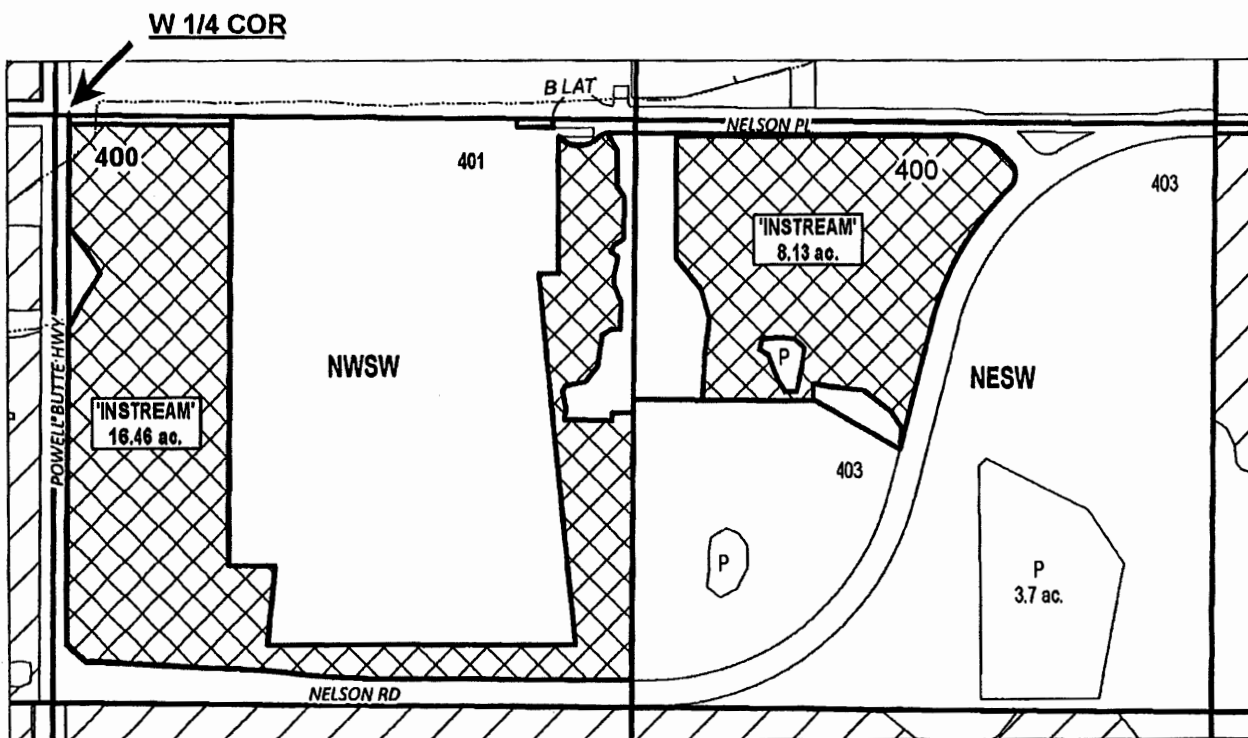
SCALE - 1" = 400'

MAR 13 2017



SALEM, OR

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



## APPLICATION FOR 3 YEAR INSTREAM LEASE

NAME: TRITON AMERICA, LLC

TAXLOT #: 400

24.59 ACRES

Date: 2/27/2017

FILE: I:\TRANSFER\INSTREAM\INSTRM173 YEAR171320\_NSW

<b>Central Oregon Irrigation District</b>			
<b>IL-2017-13</b>			
<b>Water Right Changes for Instream Maps</b>			
<b>TRS</b>	<b>QQ</b>	<b>AC</b>	<b>OWRD #</b>
171234	SWSE	0.90 ac OFF	T-10259
171234	SWSE	0.50 ac OFF	T-10389
171234	SWSE	0.40 ac OFF	T-10276
171234	SWSE	0.10 ac OFF	T-10276
171234	SWSE	0.77 ac OFF	T-10911
171234	SWSE	0.73 ac OFF	T-10911
171234	SWSE	0.39 ac OFF	T-10911
171234	SWSE	1.00 ac OFF	T-10911
171234	SWSE	0.01 ac OFF	T-10911
171234	SWSE	0.41 ac OFF	T-10911
171234	SWSE	0.30 ac OFF	T-10911
171234	SWSE	0.12 ac OFF	T-10911
171234	SWSE	0.10 ac OFF	T-10911
171234	SWSE	0.07 ac OFF	T-10911
171234	SWSE	1.81 ac OFF	T-10291
181208	NWNW	1.40 ac OFF	T-11337
181208	NWNW	0.90 ac OFF	T-11337
181208	NWNW	2.00 ac OFF	T-10291
181208	NWNW	0.50 ac OFF	T-10291
181208	NWNW	0.10 ac per CBU	T-9314
171320	NWSW	12.5 ac EXITED	T-10562
171320	NESW	2.30 ac OFF	T-11283
171320	NESW	3.495 ac OFF	T-11283
171320	NESW	1.00 ac OFF	T-11172
171320	NESW	0.60 ac OFF	T-11172
171320	NESW	3.00 ac OFF	T-11166
171320	NESW	2.10 ac OFF	T-11166
171320	NESW	1.70 ac OFF	T-11166
171320	NESW	1.65 ac OFF	T-11158
171320	NESW	3.455 ac OFF	T-11158

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