



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 #	<u>IL-1601</u>
	District #	<u>IL-17-22</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 type="checkbox"/> \$450.00 for a lease involving four or more landowners or four or more water rights	Or <input checked="" 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

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: month <u>April</u> year <u>2017</u> and end: month <u>October</u> year <u>2017</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 checked="" 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: 3/22/17

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: 3/22/17

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	11							57.42	Irrig		IL-1535

Any additional information about the right: Please See Attached Table - ALL WR from POD 11

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: 3-22-17

Signature of Lessor

Printed name (and title): Patrick Ginn Business name, if applicable: Canyons Land and Cattle/Martha Jackson, LLC

Mailing Address (with state and zip): 20310 NE Empire Ave., Suite A-103, Bend, OR 97703

Phone number (include area code): (360) 600-8813 **E-mail address: patrick@ranchathecanyons.com

-the

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

Signature:  Date: 3.22.17

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** 03-16-2017 13:29

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
164991-96	DNP	ACT	OREGON	08-05-2003	08-05-2017	
Entity Name	RANCH AT THE CANYONS ASSOCIATION, INC.					
Foreign Name						
Non Profit Type	MUTUAL BENEFIT WITH MEMBERS					

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

Type	PRINCIPAL PLACE OF BUSINESS					
Addr 1	20310 EMPIRE AVE STE A-103					
Addr 2						
CSZ	BEND	OR	97703	5723	Country	UNITED STATES OF AMERICA

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

Type	AGT REGISTERED AGENT	Start Date	07-16-2014	Resign Date
Of Record	556661-93 APERION MANAGEMENT GROUP, LLC			
Addr 1	20310 EMPIRE AVE STE A-103			
Addr 2				
CSZ	BEND	OR	97703	5723 Country UNITED STATES OF AMERICA

Type	MAL MAILING ADDRESS					
Addr 1	C/O APERION MANAGEMENT GROUP, LLC					
Addr 2	20310 EMPIRE AVE STE A-103					
CSZ	BEND	OR	97703	5723	Country	UNITED STATES OF AMERICA

Type	PRE	PRESIDENT				Resign Date
Name	PATRICK		GINN			
Addr 1	20310 EMPIRE AVE STE A-103					
Addr 2						
CSZ	BEND	OR	97703	5723	Country	UNITED STATES OF AMERICA

Type	SEC	SECRETARY				Resign Date
Name	CATHERINE	C	SMITH			
Addr 1	20310 EMPIRE AVE STE A-103					
Addr 2						
CSZ	BEND	OR	97703	5723	Country	UNITED STATES OF AMERICA

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3/16/2017 1:28 PM

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	57.42	Season 1 Rate / Total Volume	0.655	541.84
10/31/1900	11	Irrig	57.42	Season 2 Rate	0.894	
10/31/1900	11	Irrig	57.42	Season 3 Rate	1.219	
12/02/1907	11	Irrig	57.42	Season 3 Rate	0.488	

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: <u>Deschutes</u>	River/Stream Name: <u>Deschutes River, tributary to Columbia River</u>				
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 <u>Mouth of Deschutes River (RM 0)</u>	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	57.42	Season 1 Rate / Total Maximum Volume	0.395	312.97
10/31/1900	11	Irrig	57.42	Season 2 Rate	0.526	
10/31/1900	11	Irrig	57.42	Season 3 Rate	0.975	
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.					RECEIVED BY OWRD	
Any additional information about the proposed instream use: _____						



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

Name *Ac*

See next page

57.42

POD #11	October 31, 1900	December 2, 1907	Combined
Season 1 Rate (CFS)	0.655		
Season 2 Rate (CFS)	0.894		
Season 3 Rate (CFS)	1.219	0.488	1.707
Duty (AF)			541.84

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)	0.395
Season 2 Rate (CFS)	0.526
Season 3 Rate (CFS)	0.975
Maximum Volume (AF)	312.97

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Canyons Land and Cattle / Matha Jackson, LLC
1 year Instream Lease - 2017 Season
Exhibit A

Canyon Land and Cattle

T	R	SECT	QQ	Tax Lot	Acres	Type of Use	Page	Prev. Lease	
14	S	13	E 03	SWNW	301	0.17	Irrig	8	IL-1535
14	S	13	E 03	SWNW	400	2.03	Irrig	8	IL-1535
14	S	13	E 04	SESE	1400	9.90	Irrig	9	IL-1535
14	S	13	E 04	SESE	1402	1.14	Irrig	9	IL-1535
14	S	13	E 04	SESE	1403	1.06	Irrig	9	IL-1535
14	S	13	E 04	SWSE	1400	3.80	Irrig	9	IL-1535
14	S	13	E 04	SWSE	1402	0.30	Irrig	9	IL-1535
14	S	13	E 04	SWSE	1403	0.30	Irrig	9	IL-1535
14	S	13	E 09	NENE	100	3.50	Irrig	10	IL-1535
14	S	13	E 09	NENE	301	2.07	Irrig	10	IL-1535
14	S	13	E 09	NESE	1800	2.70	Irrig	10	IL-1535
14	S	13	E 09	SENE	100	0.05	Irrig	10	IL-1535
14	S	13	E 09	SENE	1800	1.65	Irrig	10	IL-1535
14	S	13	E 10	NENE	100	1.60	Irrig	10	IL-1535
14	S	13	E 10	NENW	500	1.35	Irrig	11	IL-1535
14	S	13	E 10	NWNW	500	0.90	Irrig	11	IL-1535
14	S	13	E 10	NWSW	500	1.30	Irrig	11	IL-1535
14	S	13	E 10	SENE	100	1.60	Irrig	11	IL-1535
14	S	13	E 10	SESW	600	2.50	Irrig	11	IL-1535
14	S	13	E 10	SWNW	500	0.50	Irrig	11	IL-1535
14	S	13	E 10	SWSW	500	1.70	Irrig	11	IL-1535
						40.12			

Martha Jackson, LLC

T	R	SECT	QQ	Tax Lot	Acres	Type of Use	Page	Prev. Lease	
14	S	13	E 03	SWSW	200	5.80	Irrig	8	IL-1535
14	S	13	E 04	SESE	1401	8.60	Irrig	9	IL-1535
14	S	13	E 09	NENE	103	2.70	Irrig	10	IL-1535
14	S	13	E 10	NWNE	506	0.20	Irrig	11	IL-1535
						17.30			

Total Irrigation acres for Lease 57.42

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**DESCHUTES COUNTY
SEC.03 T14S R13E**

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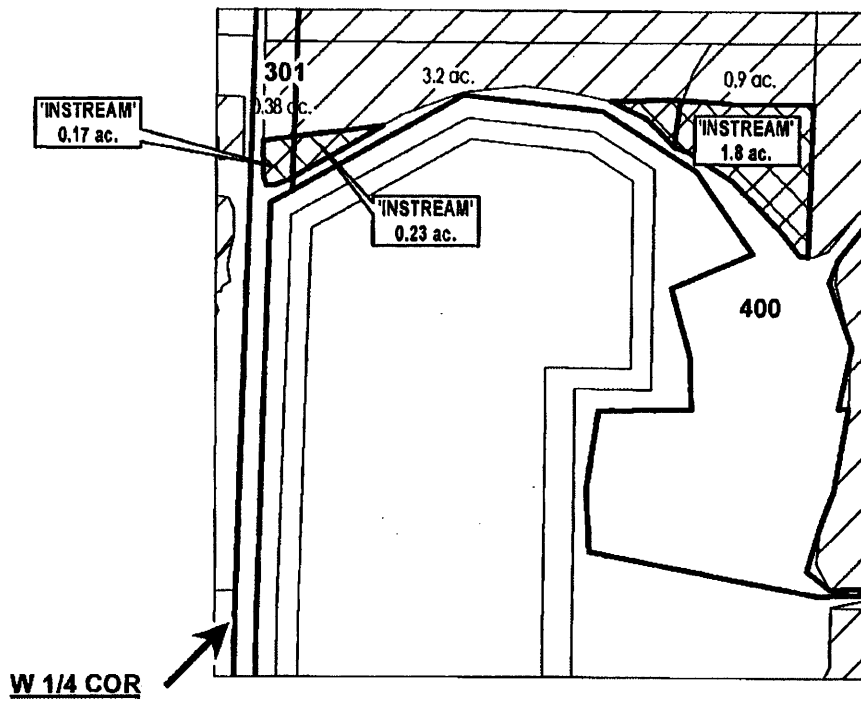
SCALE - 1" = 400'

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SW 1/4 OF THE NW 1/4

SALEM, OR



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: CANYONS LAND & CATTLE COMPANY

TAXLOT #: 301, 400

2.2 ACRES

DATE: 3/7/2017

FILE: I:\TRANSFER\INSTREAM\INSTRM17\CANYONS\141303_SWNW

**DESCHUTES COUNTY
SEC.03 T14S R13E**

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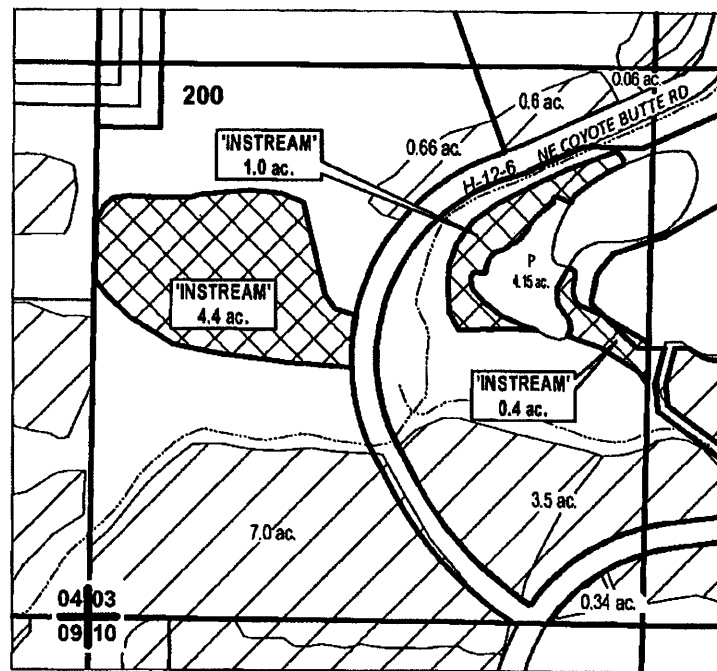
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SW 1/4 OF THE SW 1/4

SALEM, OR



	EXISTING WATER RIGHTS
	INSTREAM LANDS
	POND



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: MARTHA JACKSON, LLC

TAXLOT #: 200

5.8 ACRES

Date: 3/7/2017

FILE: I:\TRANSFER\INSTREAM\INSTRM17\CANYONS\141303_SWSW

**DESCHUTES COUNTY
SEC.04 T14S R13E**

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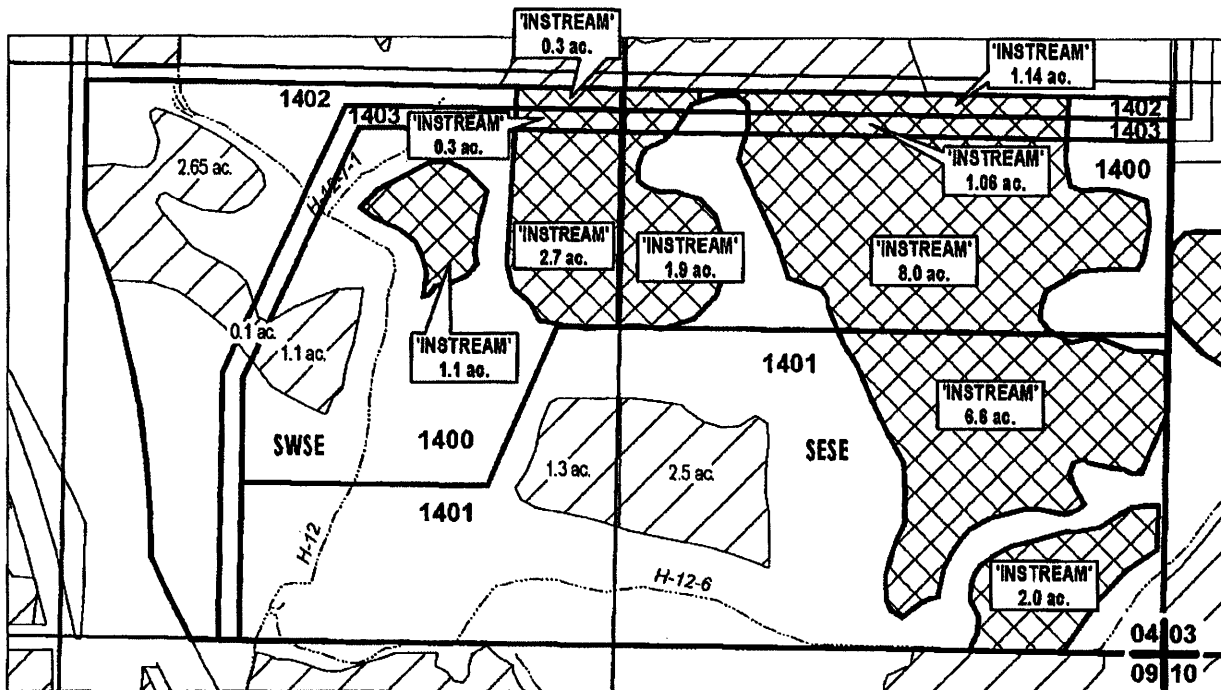
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SALEM, OR

SW 1/4 OF THE SE 1/4; SE 1/4 OF THE SE 1/4



	EXISTING WATER RIGHTS
	INSTREAM LANDS



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: CANYONS LAND AND CATTLE CO.

TAXLOT #: 1400, 1401, 1402, 1403

25.1 ACRES

Date: 3/7/2017

FILE: I:\TRANSFER\INSTREAM\INSTRM17\CANYONS141303_SSE

**DESCHUTES COUNTY
SEC.09 T14S R13E**

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SCALE - 1" = 400'

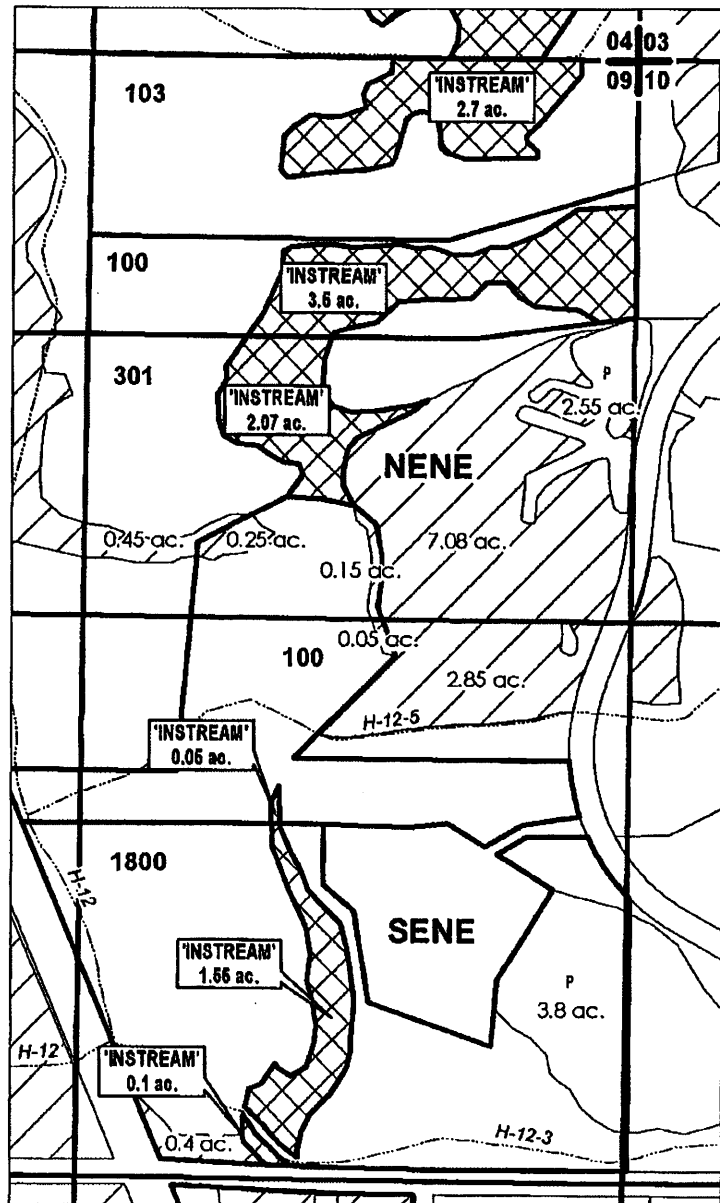
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SALEM, OR

NE 1/4 OF THE NE 1/4; SE 1/4 OF THE NE 1/4

 EXISTING WATER RIGHTS
 INSTREAM LANDS
 POND



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: CANYONS LAND AND CATTLE CO.

TAXLOT #: 100, 103, 301, 1800

9.97 ACRES

Date: 3/7/2017

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**DESCHUTES COUNTY
SEC.09 T14S R13E**

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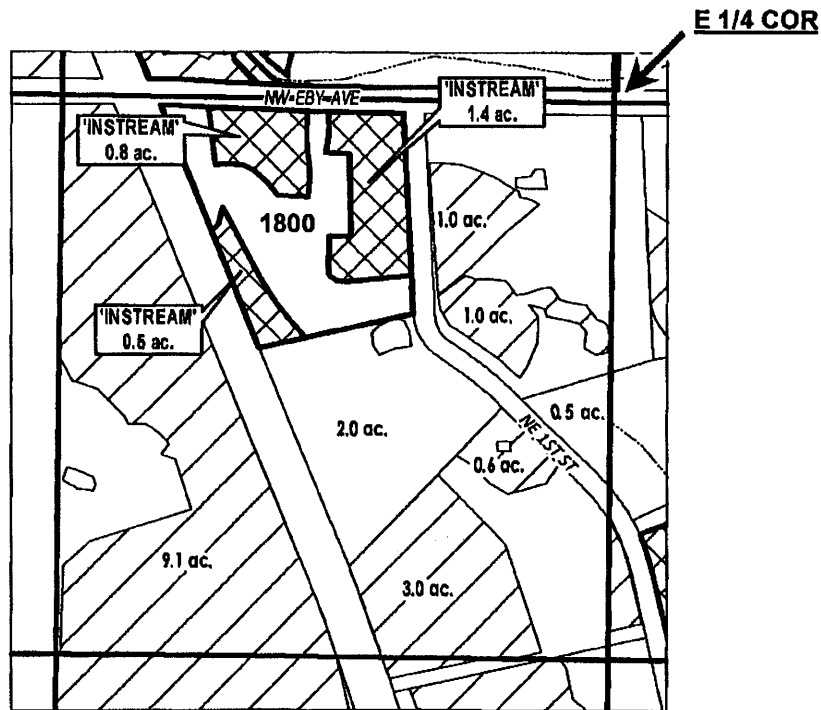
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MAR 22 2017



NE 1/4 OF THE SE 1/4

SALEM, OR



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: CANYONS LAND & CATTLE CO.

TAXLOT #: 1800

2.7 ACRES

Date: 3/7/2017

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DESCHUTES COUNTY SEC.10 T14S R13E

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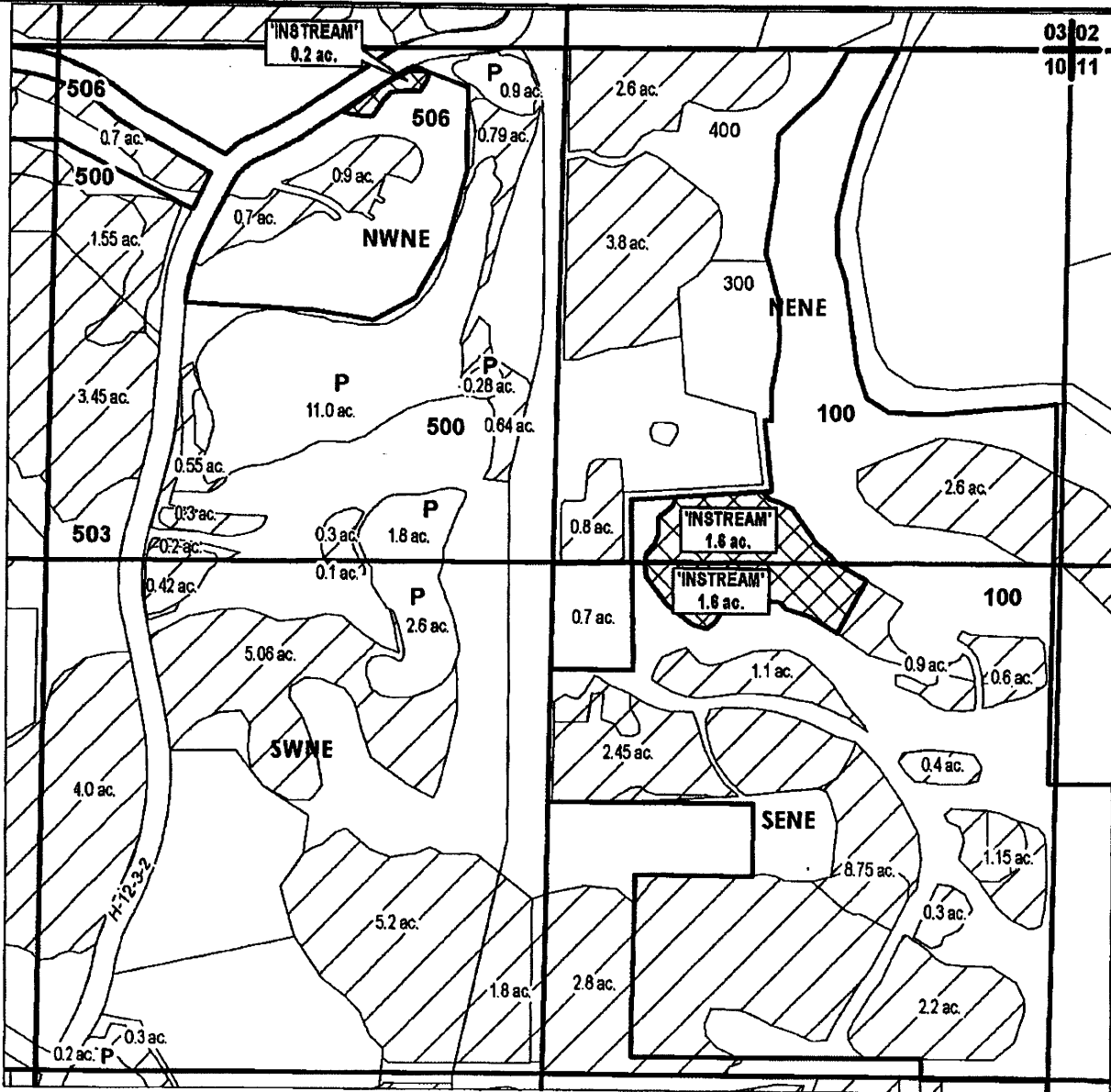
SALEM, OR

SCALE - 1" = 400'



NE 1/4

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



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: CANYONS LAND & CATTLE CO.

TAXLOT #: 100, 506




3.4 ACRES

Date: 3/7/2017

FILE: I:\TRANSFER\INSTREAM\INSTRM17\CANYONS\141310_NE

DESCHUTES COUNTY SEC.10 T14S R13E

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 EXISTING WATER RIGHTS
 INSTREAM LANDS
 POND

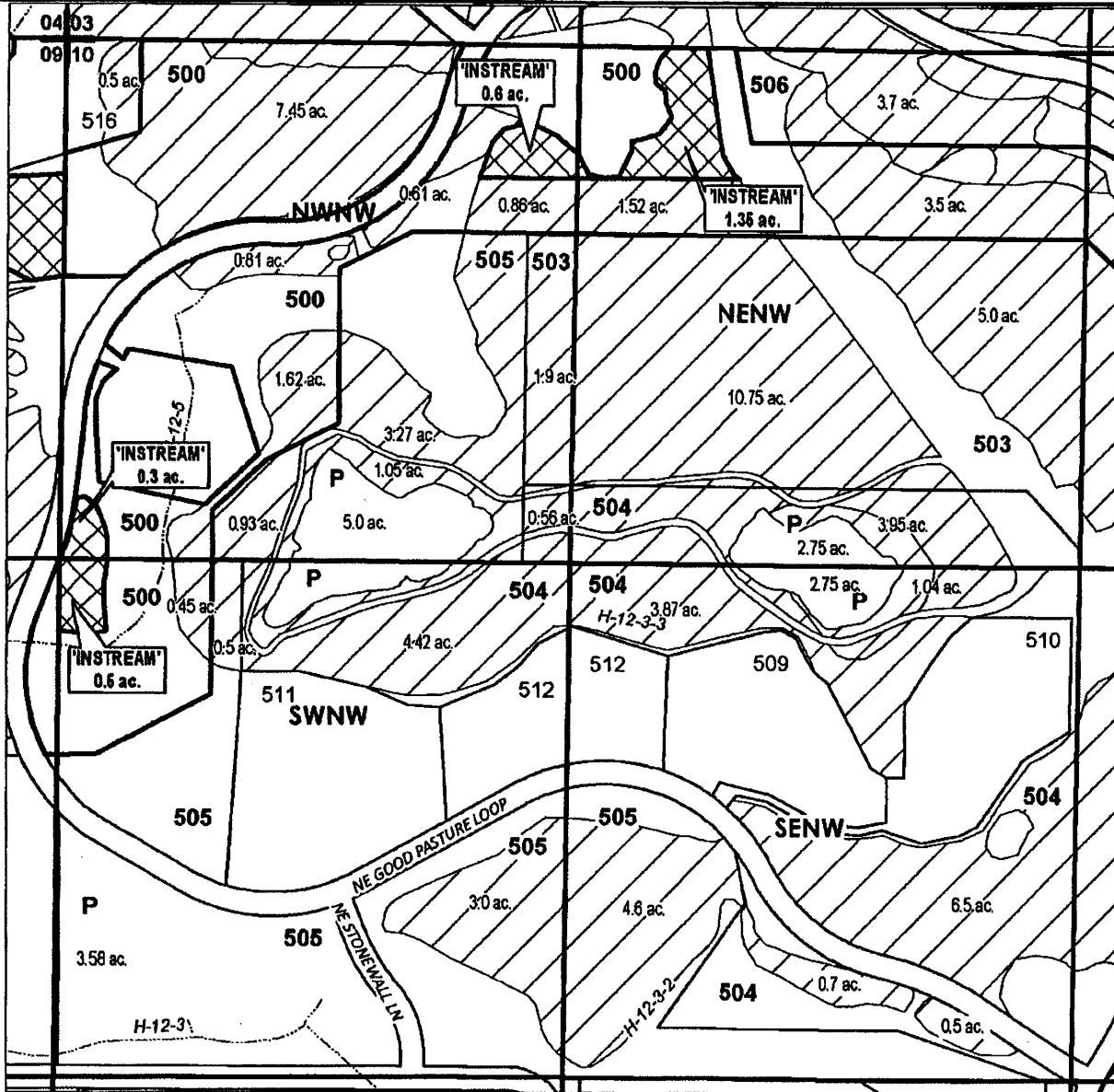
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SALEM, OR

NW 1/4



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: CANYONS LAND & CATTLE CO.

TAXLOT #: 500

2.75 ACRES

Date: 3/7/2017

FILE: I\TRANSFER\INSTREAM\INSTRM17\CANYONS\141310_MW





DESCHUTES COUNTY SEC.10 T14S R13E

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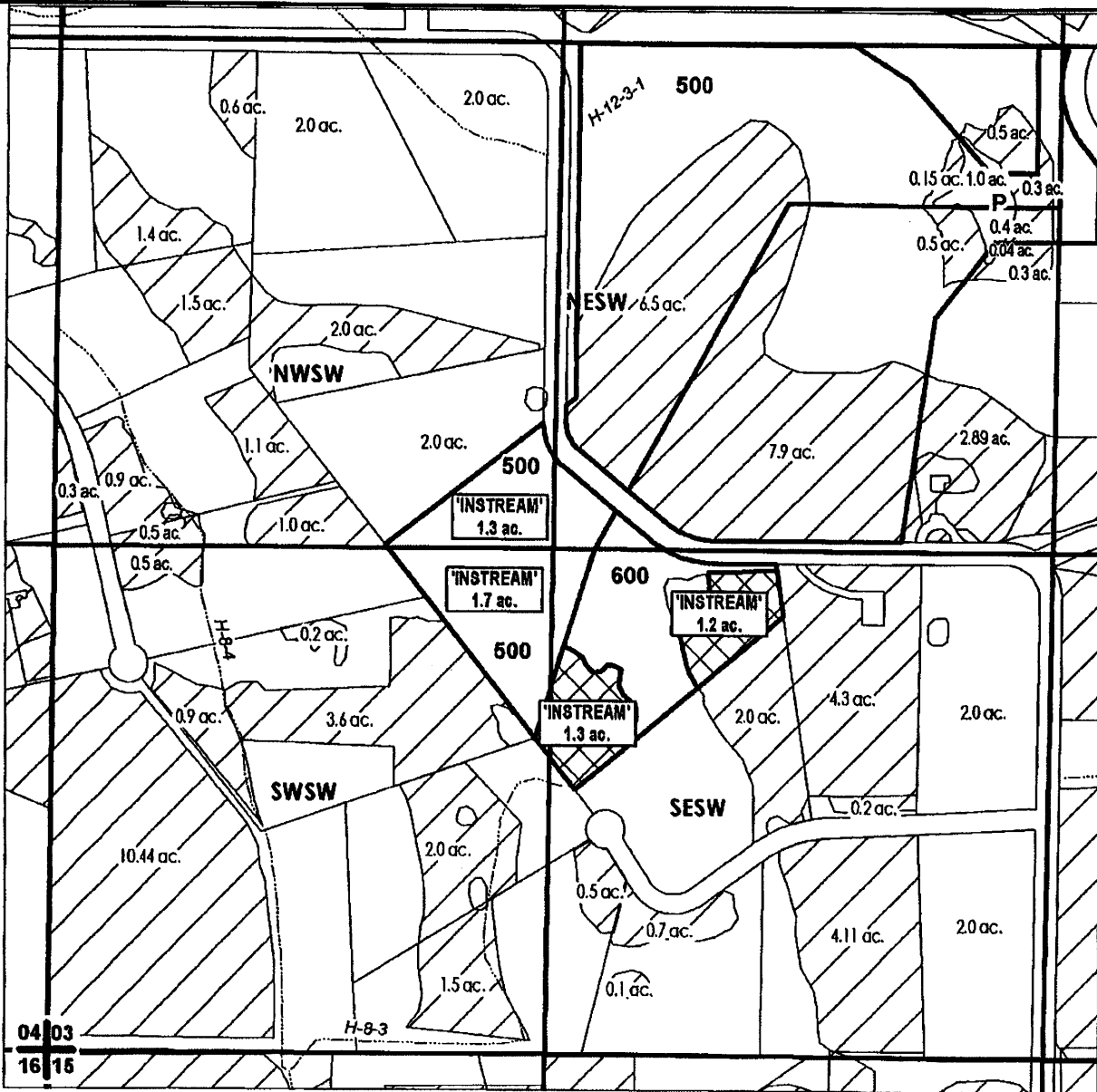
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	EXISTING WATER RIGHTS
	INSTREAM LANDS
	PARCELS W/ WATER RIGHTS
	INSTREAM PARCELS



SW 1/4



APPLICATION FOR 1 YEAR INSTREAM LEASE

NAME: CANYONS LAND & CATTLE CO.

TAXLOT #: 500, 600

5.5 ACRES

Date: 3/7/2017

FILE: I:\TRANSFER\INSTREAM\INSTRM17\CANYONS141310_SW

**Central Oregon Irrigation District
IL-2017-22 "Canyons"
Water Right Changes for Instream Maps**

TRS	QQ	AC	OWRD #	
141303	SWNW	4.15 ac ON	T-10257	
141303	SWNW	0.05 ac OFF	T-11467	
141303	SWSW	1.00 ac ON	T-10257	
141303	SWSW	2.00 ac OFF	T-10267	
141303	SWSW	2.5 ac ON	T-10267	
141303	SWSW	0.065 ac OFF	T-11467	change to FP
141303	SWSW	1.725 ac ON	T-11467	
141304	SWSE	1.00 ac OFF	T-10267	
141304	SWSE	1.35 ac OFF	T-11467	
141304	SWSE	1.6 ac OFF	T-11467	
141304	SESE	1.6 ac OFF	T-11467	
141309	NENE	0.25 ac OFF (PM)	T-11467	Change in FP to 141310 NWNW
141309	NESE	0.9 ac OFF	T-12224	
141310	NENE	3.8 ac OFF	T-10267	
141310	NENW	2.75 ac ON (irr to pm)	T-10267	
141310	NENW	1.63 ac OFF	T-11467	
141310	NENW	0.45 ac OFF	T-10267	
141310	NENW	0.55 ac ON	T-11467	
141310	NWNW	0.75 ac ON	T-10257	
141310	NWNW	2.7 ac OFF	T-10267	
141310	NWNW	5.0 ac ON (irr to pm)	T-10267	
141310	NWNW	0.41 ac OFF	T-11467	
141310	NWNW	1.42 ac ON	T-11467	
141310	NWNW	0.25 ON (PM)	T-11467	Change in FP from 141309 NENE
141310	NWNE	1.89 ac ON	T-11467	
141310	NWNE	0.02	T-11467	Adj in FP
141310	SENE	0.6 ac OFF	T-11467	
141310	SENE	0.97 ac ON	T-11467	
141310	SENE	1.8 ac ON	T-10872	
141310	SWNW	0.80 ac OFF	T-10267	
141310	SWNW	2.5 ac ON (irr to pm)	T-10267	
141310	SWNW	0.33 ac OFF	T-11467	
141310	SWSW	0.2 ac OFF	T-11703	

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