

Application for Instream Lease

Part 1 of 4 - Minimum Requirements Checklist

	through 4 and include the required attachments	OWRD#	1L-1743/MP-240					
Fill in o	or check boxes as indicated. (N/A= Not Applicable)	Fee-						
	Pursuant to ORS 537.348(2) and OAR 690-07	7						
	included with this application. (N/A = Not Applicable)							
⊠Yes	Part 1 – Completed Minimum Requirements Checklist	and Appl	ication Fee					
	Fees \$520.00 for a lease involving four or more landowners or four or more water rights	s S3:	50.00 for all other leases					
	☐ Check enclosed or ☐ ☐ Fee Charged to customer account Deschut	es River C	ons. (account name)					
⊠ Yes	Part 2 – Completed Instream Lease Application Map C	hecklist.	1902 Priority					
⊠ Yes	Part 3 – Completed Water Right and Instream Use Info Include a separate Part 3 for each water right		1902 Priority Lease 2 Mitigation Project					
⊠ Yes	Part 4 - Completed Instream Lease Provisions and Sign	natures	Mitigation					
⊠ Yes	_	How many water rights are leased? 1 List them here: 90239 Include a separate Part 3 for each water right.						
☐ Yes ⊠ N/A	Other Water Rights, if any, appurtenant to the lands in application and not proposed to be leased instream? List those other water rights here:	volved in	the lease					
☐ Yes ⊠ No	Conservation Reserve Enhancement Program (CREP). to be leased part of CREP or another Federal program (I							
Attachments:			*					
⊠Yes □ N/A	Map: Instream Lease map requirements (see Part 2 of th	is applica	ation)					
⊠Yes □ N/A	Tax Lot Map: If a portion of the water right <i>not include</i> to lands owned by others, a tax lot map must be included. The tax lot map should clearly show the property involved	with the	lease application.					
□Yes ⊠ N/A	Supporting documentation describing why a right (or portion thereof) is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years. This information only needs to be provided if the checkbox has been checked to identify that the water right has not been used in the last five years and is not subject to forfeiture (See Part 4 of 4).							
□Yes ⊠ N/A	 A notarized statement from the landowner consenting the recorded deed; or. A water right conveyance agreement and a copy of the landowner at the time the water right was conveyed; 	g to the le	ease and a copy of ed deed for the					
	 Other documentation which provides authority to purely of the landowner. 							
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Instream Lease Application (revised 7-27-2017)

Page 1

Part 2 of 4 - Instream Lease Application Map Checklist

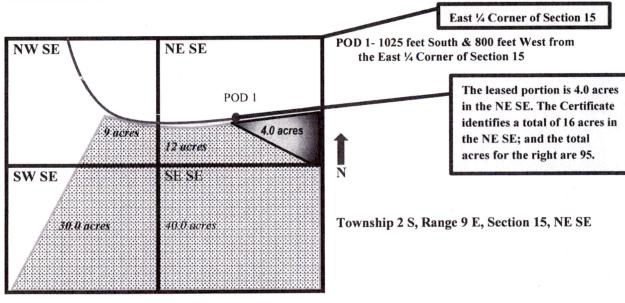
A Map is generally required for each water right not leased in its entirety

The application map (if required) should include all the items listed below and match the existing water right(s) of record. Check all boxes that apply.

This should be a <u>simple</u> map. (See example below). A copy of a final proof survey map with the portion to be leased shaded or hachured in will also suffice.

- N/A A map is required <u>for each</u> water right not leased in its entirety. More than one QQ and property may be included on each map. A map is not required, if leasing the entire right or if the right to be leased is for municipal or quasi-municipal water use.
- The map should be of sufficient quality to be reproducible. Please do not use highlighters to mark items on the map as highlighters do not always copy.
- A North arrow and map scale (no smaller than 1'' = 1320').
- Township, Range, Section, quarter quarter (QQ), and a clearly labeled survey corner.
- For irrigation or other similar use, the number of acres to be leased in each quarterquarter clearly labeled and hatchured to differentiate between the acres being leased and any remaining. If the place of use is broken down by more than one priority date, or source stream, and/or point of diversion you must identify each with separate hachuring and clearly label.
- If available, identify the existing point(s) of diversion.

EXAMPLE MAP (the darker shaded portion representing the portion leased instream)



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Part 3 of 4 – Water Right and Instream Use Information

Use a separate Part 3 for each water right to be leased instream

Water Right Information

Water right # 90239

Table 1

Water Right Information: Provide a description of the originating water right to be leased. Also include your tax lot number(s). Fill in all applicable information. For example, if your water right has multiple points of diversion (POD) but they're not numbered, you do not need to include a number. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 1). Please clearly label any attachments.

☐ If only leasing a portion of the right - complete Table 1 as indicated					☐ Entirety - If the entire water right is to be leased, skip to Table 3.					
Priority Date	POD#	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC	Acres	USE	Previous Lease # (if any)
					E.	XAMPLE				
12/2/1901	3	2-8	9-E	15	NE SE	100	47	4.0	IR	IL-1100
4/30/1902		22-S	10-E	22	SW-NE	101		37.4	IR	1450
4/30/1902		22-s	10-е	22	se-ne	101		1.0	IR	1450
4/30/1902		22-s	10-е	22	nw-se	101		39.3	IR	1450
4/30/1902		22-s	10-е	22	sw-se	101		27.4	IR	1450
						,				

Total Acres: 105.1

Table 2

To illustrate the totals for the water right proposed to be leased instream

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 additional rows (see instructions) or attach spreadsheet (matching Table 2). Please clearly label any attachments. (cfs = cubic feet per second and af = acre-feet)

Priority Date	POD#	Use	Total Acres	Other Information (such as conditions/limitations on the right)	Total Rate (cfs)	Total Volume (af)
4/30/1902		IR	105.1	4/1-5/23 & 8/20-11/1 (1/80th cfs/ac)	1.3137	420.4
				5/23-8/20 (1/40th cfs/ac) & 4 af/ac	2.6275	

Total af from storage, if applicable: _____ AF or ⊠ N/A

Any additional information about the right: seasonal rates, 4 af/ac maximum duty

Table 3

Point of Diversion (POD) description: 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(s)** involved in the lease must be described. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 3). Please clearly label any attachments.

POD#	Twp	Rng	Sec	Q-Q	 Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")
	23-S	9-E	14	SW-SW	550 feet North and 1150 feet East from the SW corner of section 34
	-	-		-	

Please check this box if you don't know the location of the POD(s) and want the Department to identify the location of the POD(s) for the purpose of the instream lease.

Part 3 of 4 cont. - Water Right and Instream Use Information

Instream Use Information

Table 4

Table 4						
DI 10:				Use Created by		-
River/ Stream	Name: L	ittle De	schutes, t	tributary to Deschi	ites River Basir	: Deschutes
date, POD (if n right to be lease If not enough re	ore than orded.	one), Us v, you m	e (if mor	e than one), and acditional rows (se	e, volume and instreat creage as appropriate e instructions) or atta- el any attachments.	considering the
Priority date	POD#	Use	Acres	Proposed Instrea	The Assistant Colonial Street	Total instream volume (af)
4/30/1902		IR	105.1	4/1-5/23 (.0064/a		69.38
				5/23-8/20 (.0156/a		289.43
				8/20-10/31 (.0041/		61.54
irrigation OR Please As part of its re	season or check this view proc	box if yess, the	horized p you are n Departm	period of allowed upon ot sure of the prop	osed rate, volume and appropriate instrea	d instream period.
period consider	ing the we	iter rigii		Instream Reach	am cenerics.	
	pically b	egins a outh of	t the po	int of diversion ce stream: From	Or Proposed Instre	eam Point: extected at the POD
protected within	n a reach b ere is only	elow th	e POD, i	f possible. (If no r	osed reach and want each is identified or the the lease may be pro-	he above box is not
			Addition	al Instream Info	rmation	
				rgement or injury sted for duty limit	to other water righ	ts, if any, or other
Note: The Depa	rtment ma	ay identi	ify additi	onal conditions to	prevent injury and/or	enlargement.

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Part 4 of 4 – Lease Provisions and Party Signatures

Term of the Lease (may be from 1 year up to 5 years): The lease is requested to begin in: month April 1 year 201	9 and end: month Oct 31 year 2023
Note: The begin month is generally the first month of the	-
in the irrigation season. If not an irrigation right, this wou	
period of allowed use.	id be the first and last month of your manorized
Public use: Check the public use(s) this lease will serve	Termination provision (for multiyear leases):
(as defined by ORS 537.332): ⊠ Conservation, maintenance and enhancement of	The parties to the lease request (choose one): ☑ a. The option of terminating the lease prior to
aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values.	expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee.
Recreation Pollution abatement	b. The option of terminating the lease prior to expiration of the full term, with consent by all
Navigation	parties to the lease.
	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	
other existing instream water rights created as a result of in	
conserved water. Since instream leases are also generally	
agency process or conversion of minimum flows, they gen rights.	erally replace a portion of these junior instream
If you would like this lease to relate to other instream wate And attach an explanation of your intent.	r rights differently, please check this box.
Validity of the Right(s) to be leased (check the appropr	iate box):
The water right(s) to be leased have been used under to	
five years or have been leased instream; or	1
 The water right(s) have not been used for the last five right(s). However, the water right(s) is not subject to describing why the water right(s) is not subject to forf 	forfeiture under ORS 540.610(2). Documentation
Precedent: If a right which has been leased is later probecome part of an allocation of conserved An instream lease shall not set a precedent	water project, a new injury review shall be required
The undersigned declare:	
The Lessor(s) agree during the term of this lease, to s right(s) and under any appurtenant primary or supple	
application; and	1 - ()
2. The Lessor(s) certify that I/we are the water right hole lease application. If not the deeded landowner, I/we lapplication that I/we have authorization to pursue the	have provided documentation with the lease
from the deeded landowner; and 3.All parties affirm that information provided in this lea	ase application is true and accurate.
Wenly fitch Signature of Lessor	Date: <u>4-9-</u> 19
	s name, if applicable: Wanek Ranch, LLC La Pine, OR 97739
Phone number (include area code): <u>541-536-6055</u> * 541-480-7592	
See next page for additional signatures.	Received by OWRD

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	Date:
Signature of Co-Lessor	
Printed name (and title):	
Business/organization name:	
Mailing Address (with state and zip):	_
Phone number (include area code):	**E-mail address:
Genemi Hulut	Date: 4/21/19
Signature of Lessee	

Printed name (and title): Genevieve Hubert

Business/organization name: <u>Deschutes River Conservancy Mitigation Bank</u>
Mailing Address (with state and zip): <u>700 NW Hill Street</u>, Ste 1, Bend, OR 97703

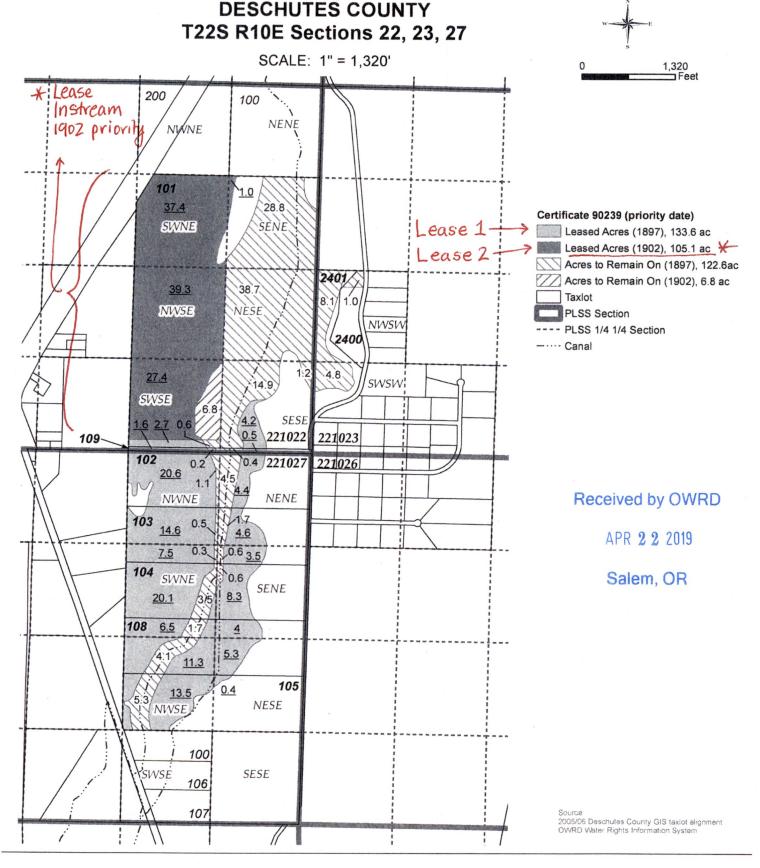
Phone number (include area code): 541-382-4077 **E-mail address: gen@deschutesriver.org

** BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED TO THE LESSOR.

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INSTREAM LEASE MAP FOR WANEK RANCHES, LLC

Deschutes River Conservancy

Taxlot #: 101,102,103,104,105,108,109,2400,2401

Date: 03/26/19

238.7 acres Instream 129.4 acres remain Priorities: 1897 & 1902

Boxes to manipulate - shaded green

Seasons:	rate	certificate	max duty	1
N/A	0.025	0 87048	4 af/ac	Season 2
N/A	0.012	5 87048	4 af/ac	Season 1
N/A	0.025	0 87048	4 af/ac	Season 2
	0.012	5 87048	4 af/ac	Season 1
Max duty: 4 AF/Ac	acre	s max duty/ac	max total	
Acres Instream	133.6	0 4	534.40	Lease 1
Acres Instream	105.1	0 4	420.40	Lease 2
Acres Instream			0.00	
Total	238.7	0 4	954.80	

Priority Dates
P - 1897
P-1902
P=Primary
S=Supplementa

	days	date	date
	52	5/23/2015	4/1/2015
213	72	10/31/2015	8/20/2015
	89	8/20/2015	5/23/2015
	213	10/31/2015	4/1/2015

Option 1 - maximize rate during Ap-July for 1902

Option 2 - stretch out rate to early August

Option 3 - stretch to mid or late August

Option 4 - protect all season to mid October

Season 1: 0.0125 April 1-May 23 & August 20 - November 1

Season 2: 0.0250 May 23 to August 20

Calculate for Seasons

section 1.5 & 2.2

section 1.5 & 2.2

				OCIO11 1.0 C 2.2			30	CLIOIT 1.5 G Z.Z	
Priority	and the second second	Acres	Rate/Ac	Total Rate	Conversion		Days	Max Duty	Date Range
	1902	105.10	0.0064	0.673	1.983471	1.334161933	52	69.38 duty total	April 1 - May 23
		105.10	0.0156	1.640	1.983471	3.252019713	89	289.43 42	0.34 May 23 - Aug 20
		105.10	0.0041	0.431	1.983471	0.854697489	72	61.54	Aug 20-Oct 31
	1897	133.6	0.0064	0.855	1.983471	1.695947044	52	88.19 duty total	April 1 - May 23
		133.6	0.0156	2.084	1.983471	4.133870919	89	367.91 53	4.33 Aug 20-Oct 31
		133.6	0.0041	0.548	1.983471	1.086466075	72	78.23	Aug 20-Oct 31
							To	otal AF 95	4.67

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Lease 2

Wanek Ranches Lease Exhibit A

Source:		LITTLE DESCHUTES RIVER, tributary to the DESCHUTES RIVER						
Authorized Point of Diversion (POD):								
Twp	Rng	Mer	Sec	Q-Q	Measured Distances			
23 S	9 E	WM	34	CIAICIAI	550 FEET NORTH AND 1150 FEET EAST FROM THE SW CORNER OF SECTION 34			

Authorized Place of Use	e:					Lease	Remain	
Priority Date	Twp	Rng	Mer	Sec	Q-Q	Acres	Acres	Tax Lot
Instream Lease #1								orig (new
1897	22 S	10 E	WM	22	SENE	0.0	28.8	101
1897	22 S	10 E	WM	22	NESE	0.0	38.7	101
1897	22 S	10 E	WM	22	SWSE	2.7	0.6	101
1897	22 S	10 E	WM	22	SWSE	1.6	0.2	103(109)
1897	22 S	10 E	WM	22	SESE	4.2	16.1	101
1897	22 S	10 E	WM	22	SESE	0.5	0.4	103(109)
1897	22 S	10 E	WM	23	NWSW	0.0	1.0	2400
1897	22 S	10 E	WM	23	NWSW	0.0	8.1	2401
1897	22 S	10 E	WM	23	swsw	0.0	4.8	2401
1897	22 S	10 E	WW	27	NWNE	20.6	1.1	103 (102)
1897	22 S	10 E	WM	27	NWNE	14.6	0.5	103
1897	22 S	10 E	WM	27	NENE	4.4	4.5	103 (102)
1897	22 S	10 E	WM	27	NENE	4.6	1.7	103
1897	22 S	10 E	WM	27	SWNE	7.5	0.3	103
1897	22 S	10 E	WM	27	SWNE	20.1	3.5	108 (104)
1897	22 S	10 E	WM	27	SWNE	6.5	1.7	108
1897	22 S	10 E	WM	27	SENE	3.5	0.6	103
1897	22 S	10 E	WM	27	SENE	8.3	0.6	108 (104)
1897	22 S	10 E	WM	27	SENE	4.0	0.0	108
1897	22 S	10 E	WM	27	NWSE	11.3	4.1	108
1897	22 S	10 E	WM	27	NWSE	13.5	5.3	108 (105)
1897	22 S	10 E	WM	27	NESE	5.3	0.0	108
1897	22 S	10 E	WM	27	NESE	0.4	0.0	108 (105)
					Sub-total	133.6	122.6	
Instream Lease #2 (on a se	eparate leas					14.5	Contraction (7 3 4 7
April 30, 1902	22 S	10 E	WM	22	SWNE	37.4	0.0	101
April 30, 1 902	22 S	10 E	WM	22	SENE	1.0	0.0	101
April 30, 1902	22 S	10 E	WM	22	NWSE	39.3	0.0	101
April 30, 1902	22 S	10 E	WM	22	SWSE	27.4	6.8	101
					Sub-total			
					TOTALS	238.7	129.4	

All Ac leased & remaining New TL # Total Ac in Total Ac in QQ TL QQ by priority date 101 28.8 28.8 28.8 101 38.7 38.7 38.7 101 3.3 5.1 109 1.8 101 20.3 21.2 109 0.9 2400 1 9.1 2401 8.1 2401 4.8 4.8 4.8 102 21.7 36.8 103 15.1 102 8.9 15.2 103 6.3 . 103 7.8 39.6 104 23.6 108 8.2 103 4.1 17 104 8.9 108 4.1 17 104 8.9 108 4.1 17 105 18.8 108 5.3 5.7 105 0.4 sub-total 256.2 256.2 256.2 101 37.4 37.4 101 1 101 39.3 39.3 39.3 101 34.2 34.2 sub-total 111.9 11.9 11	CROSS REFERENCE							
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2401	2400	1	9.1					
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102 8.9 15.2 103 6.3 . 103 7.8 39.6 104 23.6 108 8.2 103 4.1 17 104 8.9 108 4 108 15.4 34.2 105 18.8 108 5.3 5.7 105 0.4 sub-total 256.2 256.2 101 37.4 37.4 101 1 1 101 39.3 39.3 101 34.2 34.2 sub-total 111.9 111.9 TOTALS 368.1 368.1	102	21.7	36.8					
103 6.3 . 103 7.8 39.6 104 23.6 108 8.2 103 4.1 17 104 8.9 108 15.4 34.2 105 18.8 108 5.3 5.7 105 0.4 sub-total 256.2 256.2 101 37.4 37.4 101 1 1 101 39.3 39.3 101 34.2 34.2 sub-total 111.9 111.9 TOTALS 368.1 368.1	103	15.1						
103 7.8 39.6 104 23.6 108 8.2 103 4.1 17 104 8.9 108 4 108 15.4 34.2 105 18.8 108 5.3 5.7 105 0.4 sub-total 256.2 256.2 101 37.4 37.4 101 1 1 101 39.3 39.3 101 34.2 34.2 sub-total 111.9 111.9 TOTALS 368.1 368.1	102	8.9	15.2					
104 23.6 108 8.2 103 4.1 17 104 8.9 108 4 108 15.4 34.2 105 18.8 108 5.3 5.7 105 0.4 sub-total 256.2 256.2 101 37.4 37.4 101 1 1 101 39.3 39.3 101 34.2 34.2 sub-total 111.9 111.9 TOTALS 368.1 368.1	103	6.3	,					
108 8.2 103 4.1 17 104 8.9 108 4 108 15.4 34.2 105 18.8 108 5.3 5.7 105 0.4 sub-total 256.2 256.2 101 37.4 37.4 101 1 1 101 39.3 39.3 101 34.2 34.2 sub-total 111.9 111.9 TOTALS 368.1 368.1	103	7.8	39.6					
103 4.1 17 104 8.9 108 4 108 15.4 34.2 105 18.8 108 5.3 5.7 105 0.4 sub-total 256.2 256.2 101 37.4 37.4 101 1 1 101 39.3 39.3 101 34.2 34.2 sub-total 111.9 111.9 TOTALS 368.1 368.1	104	23.6						
104 8.9 108 4 108 15.4 34.2 105 18.8 108 5.3 5.7 105 0.4 sub-total 256.2 256.2 101 37.4 37.4 101 1 1 101 39.3 39.3 101 34.2 34.2 sub-total 111.9 111.9 TOTALS 368.1 368.1	108	8.2						
108 4 108 15.4 34.2 105 18.8 108 5.3 5.7 105 0.4 sub-total 256.2 256.2 101 37.4 37.4 101 1 1 101 39.3 39.3 101 34.2 34.2 sub-total 111.9 170TALS 368.1 368.1	103	4.1	17					
108 15.4 34.2 105 18.8 108 5.3 5.7 105 0.4 sub-total 256.2 256.2 101 37.4 37.4 101 1 1 101 39.3 39.3 101 34.2 34.2 sub-total 111.9 111.9 TOTALS 368.1 368.1	104	8.9						
105 18.8 108 5.3 5.7 105 0.4 sub-total 256.2 256.2 101 37.4 37.4 101 1 1 101 39.3 39.3 101 34.2 34.2 sub-total 111.9 111.9 TOTALS 368.1 368.1	108	4						
108 5.3 5.7 105 0.4 sub-total 256.2 256.2 101 37.4 37.4 101 1 1 101 39.3 39.3 101 34.2 34.2 sub-total 111.9 111.9 TOTALS 368.1 368.1	108	15.4	34.2					
105 0.4 sub-total 256.2 256.2 101 37.4 37.4 101 1 1 101 39.3 39.3 101 34.2 34.2 sub-total 111.9 111.9 TOTALS 368.1 368.1	105	18.8						
sub-total 256.2 256.2 101 37.4 37.4 101 1 1 101 39.3 39.3 101 34.2 34.2 sub-total 111.9 111.9 TOTALS 368.1 368.1	108	5.3	5.7					
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101 34.2 34.2 sub-total 111.9 111.9 TOTALS 368.1 368.1	101	1	1					
sub-total 111.9 111.9 TOTALS 368.1 368.1	101	39.3	39.3					
TOTALS 368.1 368.1	101	34.2	34.2					
			111.9					
			368.1					

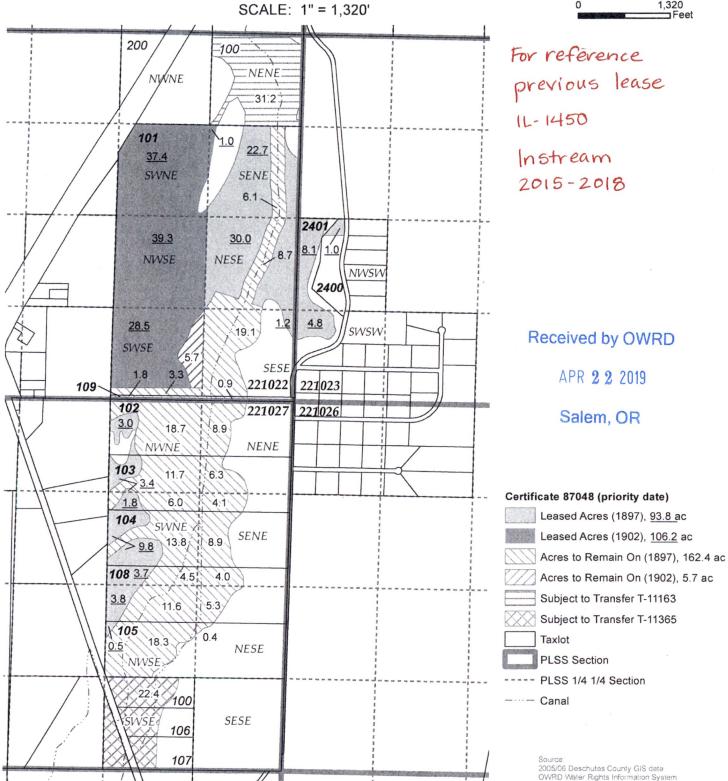
Received by OWRD

APR 2 2 2019

Salem, OR

DESCHUTES COUNTY T22S R10E Sections 22, 23, 27







INSTREAM LEASE MAP FOR WANEK RANCHES, LLC

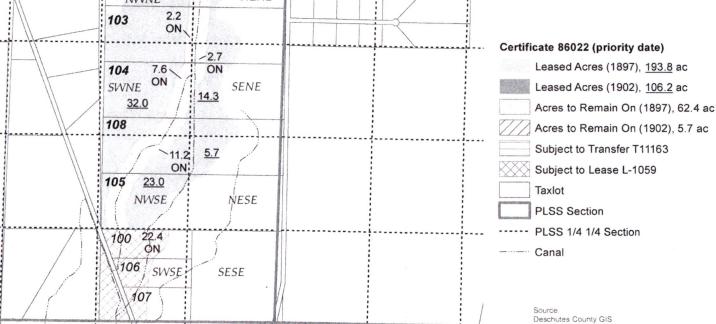
Deschutes River Conservancy

Taxlot #: 101,102,103,104,105,108,109,2400,2401

200 acres Instream 168.1 acres remain

DESCHUTES COUNTY

T22S R10E Sections 22, 23, 27 1,320 SCALE: 1" = 1,320' 200 For reference 100 previous lease NENE NWNE 31.2 IL-1123 Instream: 101 1.0 2011-2014 22.7 37.4 SWNE SENE 6.1-ON 2401 1.0 39.3 30.0 8.1 2400 NWSE NESE ON NWSW Received by OWRD APR 2 2 2019 15.6 4.8 ON SWSW ON 28.5 Salem, OR SWSE 0.5 SESE 109 ON 221022 221023 102 7.4 221027 221026 34.6 ON NENE NWNE 103 ON. Certificate 86022 (priority date) -2.7





INSTREAM LEASE MAP FOR GORDON WANEK

Deschutes River Conservancy

Taxlot #: 101,102,103,104,105,108,109,2400,2401

Date: 03/24/11

300 acres Instream 68.1 acres remain

OWRD Water Rights Information System