

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 #	1L-1810
	District #	

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"/> \$520.00 for a lease involving four or more landowners or four or more water rights	Or <input checked="" type="checkbox"/> \$350.00 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: 82246 (primary), 82247 (supplemental)

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: _____

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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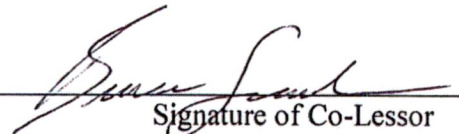
Salem, OR

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>2020</u> and end: month <u>October</u> year <u>2020</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 type="checkbox"/> Recreation <input checked="" type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	Termination provision (for multiyear leases): The parties to the lease request (choose one): <input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
Additive/Replacing Relationship to other instream water rights: Instream leases are generally additive to other existing instream water rights created as a result of instream leases and transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights. If you would like this lease to relate to other instream water rights differently than described above, please check this box. <input type="checkbox"/> And attach an explanation of your intent.	
Precedent: If a right which has been leased is later proposed to be leased again or later transferred or become part of an allocation of conserved water project, a new injury review shall be required. An instream lease shall not set a precedent on a future transaction.	
Validity of the rights to be leased: <input checked="" type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or <input type="checkbox"/> The water right(s) have not been used for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right is not subject to forfeiture has been provided.	

SIGNATURES

The undersigned declare that the information contained in this application is true and accurate.



 Signature of Co-Lessor

Date: 4/23/20

Printed name (and title): Bruce Scanlon

Business/Organization name: Ochoco Irrigation District

Mailing Address (with state and zip): 1001 NW Deet Street, Prineville, OR 97754

Phone number (include area code): 541-447-6449 **E-mail address: ochocoid@crestviewcable.com

 Signature of Co-Lessor

Date: _____

Printed name (and title): _____

Business/organization name: _____

Mailing Address (with state and zip): _____

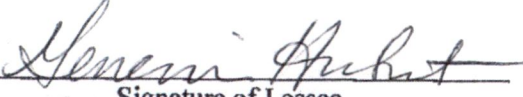
Phone number (include area code): _____ **E-mail address: _____

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See next page for additional signatures.

 Date: 4/23/2020
Signature of Lessee

Printed name (and title): Genevieve Hubert

Business/organization name: Deschutes River Conservancy Groundwater Mitigation Bank

Mailing Address (with state and zip): 700 NW Hill Street, 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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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: Ochoco 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 #	
82246	8/10/1917	Och Main	14	S	16	E 33	ne nw	1602		12.7	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 33	nw ne	1602		3.6	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 33	sw ne	1602		5.2	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 33	se nw	1602		14.7	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 32	se ne	1602		6.2	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 32	ne se	1602		5.5	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 32	se se	1602		1.0	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 33	nw sw	1602		22.3	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 33	ne sw	1602		23.4	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 33	se sw	1602		1.5	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 33	sw sw	1602		14.1	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 33	nw se	1602		14.0	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 33	sw se	1602		4.3	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 33	ne sw	1603		1.8	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 33	se sw	1603		0.2	IR	42	1752 /MP253
82246	8/10/1917	Och Main	14	S	16	E 33	nw se	1603		1.9	IR	42	1752 /MP253
									Total	132.4			

Any additional information about the right: Previously leased in IL-1752 MP-253 and IL-1630 MP-225 (2019 & 2017). 132.4 acres instream (tax lots 1602 and 1603). See detailed water right accounting of transfers and tax lot changes attached as Exhibit A.

ADDITIONAL CHANGES:

T-12296 removed acres in Section 32-SE and Section 33-SW. TL 1600 redefined early 2017, newer taxlots 1604 and 1605 (School). Additional prior transfer T-10288 moved acres within original tax lot 1600.

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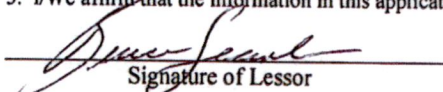
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Farm Deferral Tax Status: Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding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


Signature of Lessor

Date: 4/23/20

Printed name (and title): Bruce Scanlon, District Manager Business name, if applicable: Ochoco Irrigation District

Mailing Address (with state and zip): 1001 NW Deer Street, Prineville, OR 97754

Phone number (include area code): 541-447-6449 **E-mail address: ochocoid@crestviewcable.com

Signature of Lessor Date: _____

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

Mailing Address (with state and zip): _____ Phone number (include area code): _____ **E-mail address: _____

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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 # 82246**

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	Acre	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)
8/10/1917	Och M	IR	132.4	Max rate per acre: 0.125 cfs, Max duty per acre: 4.0 acre-feet	1.655	529.6

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: Ochoco Main

Table 3

Instream Use created by the lease	River Basin: <u>Crooked River</u>	River/Stream Name: <u>Ochoco Creek, tributary to Crooked 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 <u>Ochoco Main</u> to <u>Lake Billy Chinook</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	Acre	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
8/10/1917	OchM	IR	132.4	April 15 through October 1 (170 days) ---instream as mitigation 3 AF/ac and 0.0089 cfs/ac	1.178	397.2

OR Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.

Yes N/A **Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:** list here Instream from April 15 through October 1. In most years, Ochoco Irrigation District delivers 3 ac-ft per acre (average), but in lower water outlook years may deliver

less AF/ac. The lease is served at same per acre duty as on-farm which is set by the district at the start of irrigation season.
Note: The Department may identify additional conditions to prevent injury and/or enlargement.
Any additional information about the proposed instream use: Tax lot and property ownership changes with documentation attached. Leased instream for mitigation project

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EXHIBIT C

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**Deschutes River Conservancy
Instream Leasing Program**

Salem, OR

**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: Leases of less than 5 acres, leases with public entities, leases submitted after the due date agreed upon by the District and the DRC and posted by the District (April 1 of the current year, deadline may be extended if Oregon Water Resources Department or Bureau of Reclamation declare a dry year for the Crooked River), and leases with verified weed complaints are not paid a per acre or per acre-foot rate by the DRC.

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

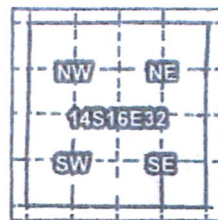
Signature: *Bruce Stanton* Date: 4/23/20

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

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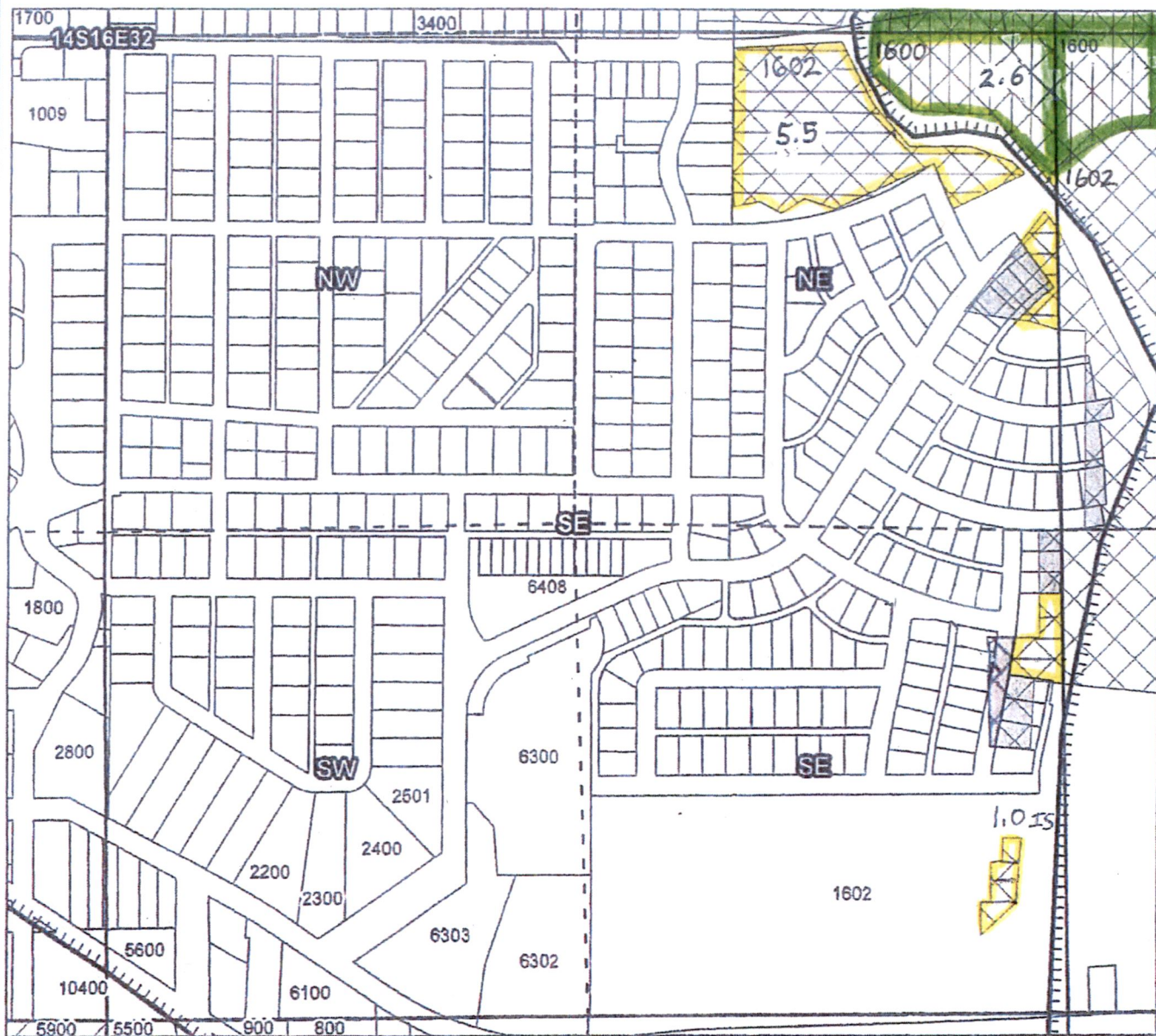
Ochoco Irrigation District 2015 District Transfer Application "Off" Map

Salem, OR



Certificates: 82246 (IR), 82247 (IS)
for City of Prineville

14S16E32, SE Quarter



14S16E32 NESE TL 1600 2.6 Ac Remain , TL 1602 5.5 Ac Instr.

14S16E32 SESE TL 1602 1.0 Ac Instream

(Prineville) (Old Quitcl.)



IS = Instream
C-82246
NESE

T 12296

RECEIVED

MAR 4 2016

WATER RESOURCES DEPT
SALEM, OREGON

- Canals
- Taxlots
- Transfer/Remain
- Cert 82246
- Cert 82247
- Cert 82248
- Cert 82249



1 inch = 400 feet

Prepared by FireWhat Inc. | December 2015

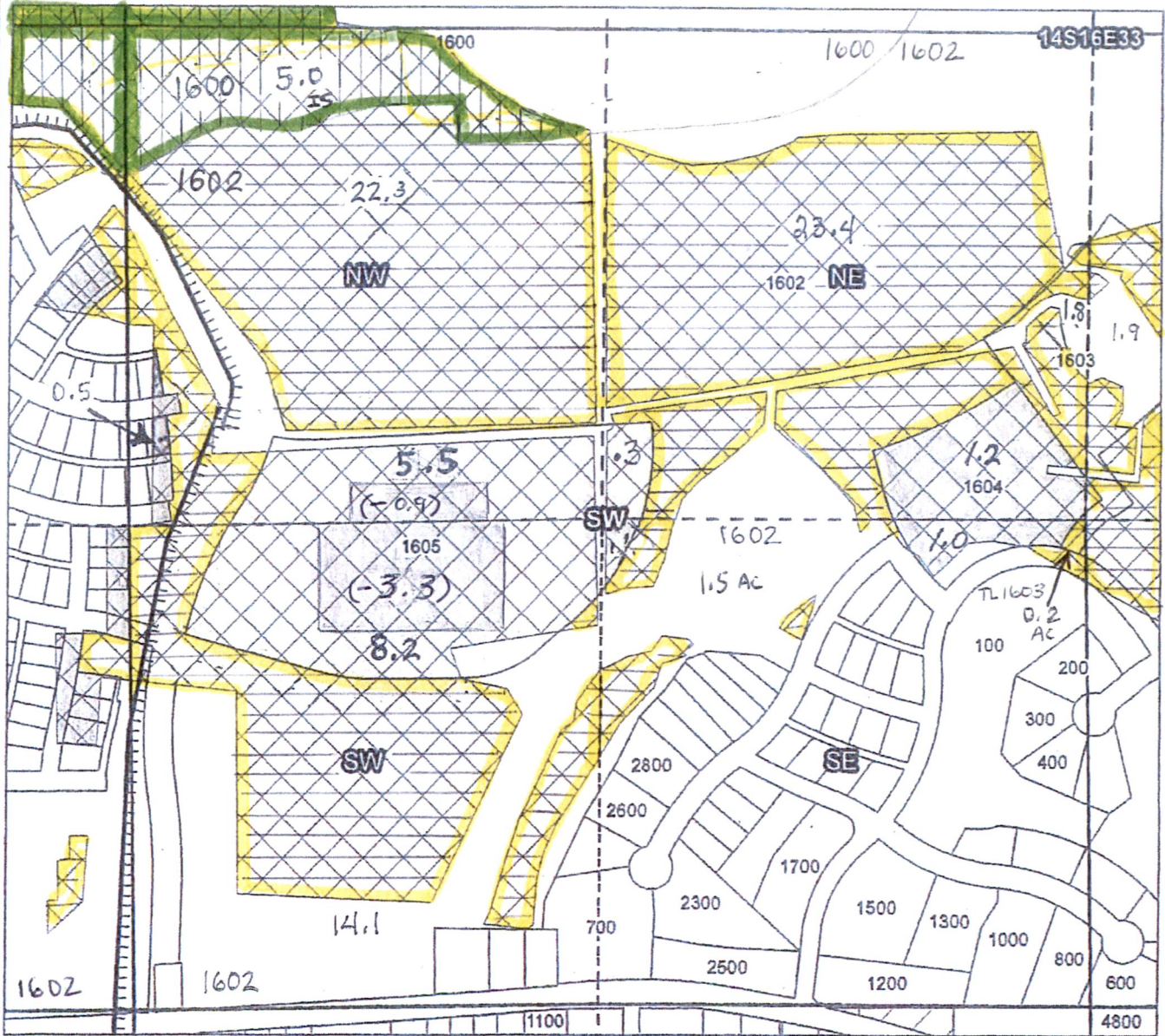
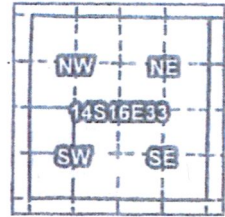
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Ochoco Irrigation District
2015 District Transfer Application "Off" Map

Salem, OR

Certificates: 82246 (IR), 82247 (IS)
 for High Returns LLC

14S16E33, SW Quarter



14S16E33 NWSW TL1602	22.3 Ac Instr,	11.0 Ac Remain (School + T-12296) TL 1600, 1605	TTTT Canals
14S16E33 SWSW TL 1602,	14.1 Ac Instr,	8.2 Ac Remain (School/T-12296) TL 1605	Taxlots
14S16E33 SESW TL 1602,	1.5 Ac Instr,	1.2 Ac Remain (TL1603/T-12296)	Transfer/Remain
14S16E33 NESW TL 1603,	1.8 Ac Instr,	.3 Ac Remain TL 1605	Cert 82246
	1602,	23.4 A Instr	Cert 82247
			Cert 82248
			Cert 82249



IS = Instream
 C-82246



(Prineville)
 TL 1600

OID
 Quitclaim
 Instream



SW Quarter

1 inch = 400 feet

Prepared by FireWhat Inc. | Decemr 2015

T-12296

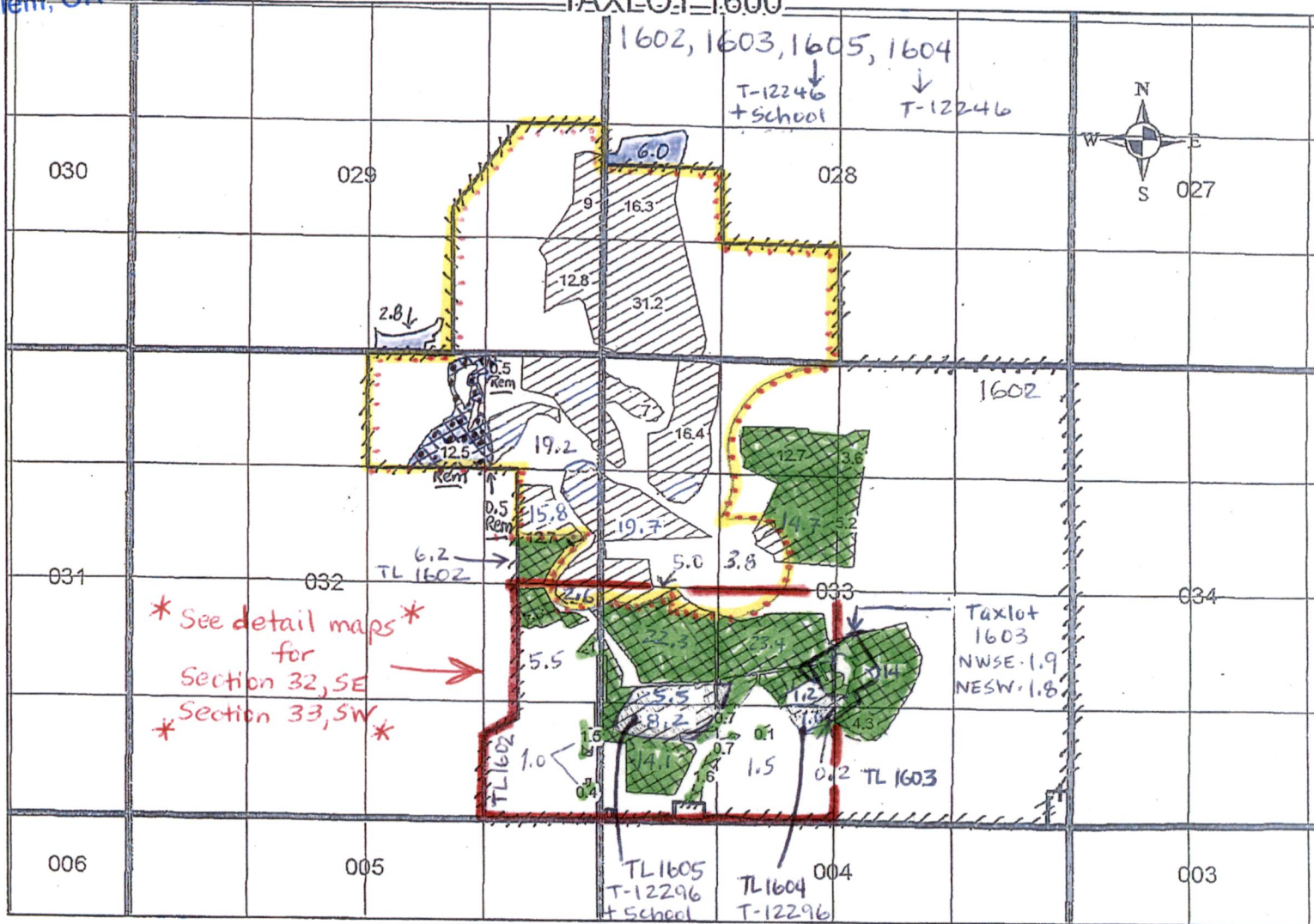
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IRONHORSE INSTREAM LEASE LANDS
T. 14 S., R. 16 E., W.M., SECTIONS 28, 29, 32, 33

TAXLOT 1600



Instream Lease
Tax lots
1602, 1603



Section 33

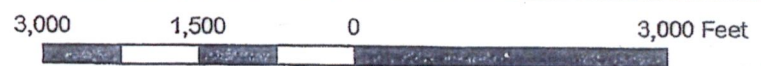
TL 1602
NENW 12.7
NWNE 3.6
SWNE 5.2
SENE 14.7
NWSE 14.0
SWSE 4.3

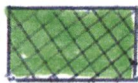
TL 1603
NWSE 1.9
NESW 1.8
SESW 0.2



TL 1602
NESW 23.4
SESW 1.5
NWSW 22.3
SWSW 14.1

Section 32
SENE 6.2
NESE 5.5
SESE 1.0

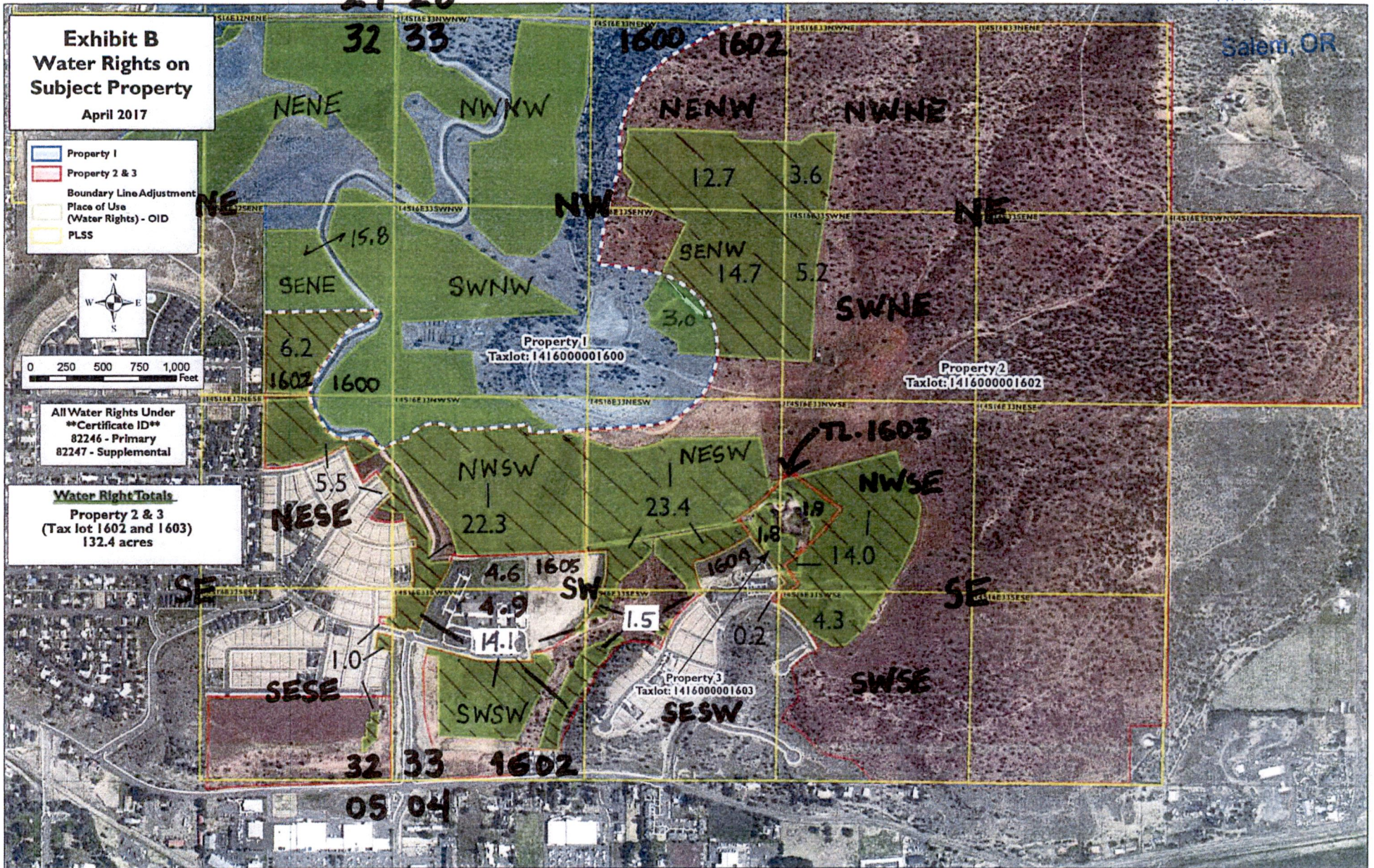
158.8 ac  Taxlot 1600
13.5 ac  Remain / tax lot 1600
N half of NE quarter
Section 32



Instream tax lot 1602 and 1603 132.4 Acres 

 taxlot 1600 (OLD)
 taxlot 1600 New

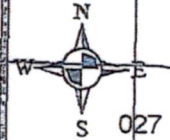
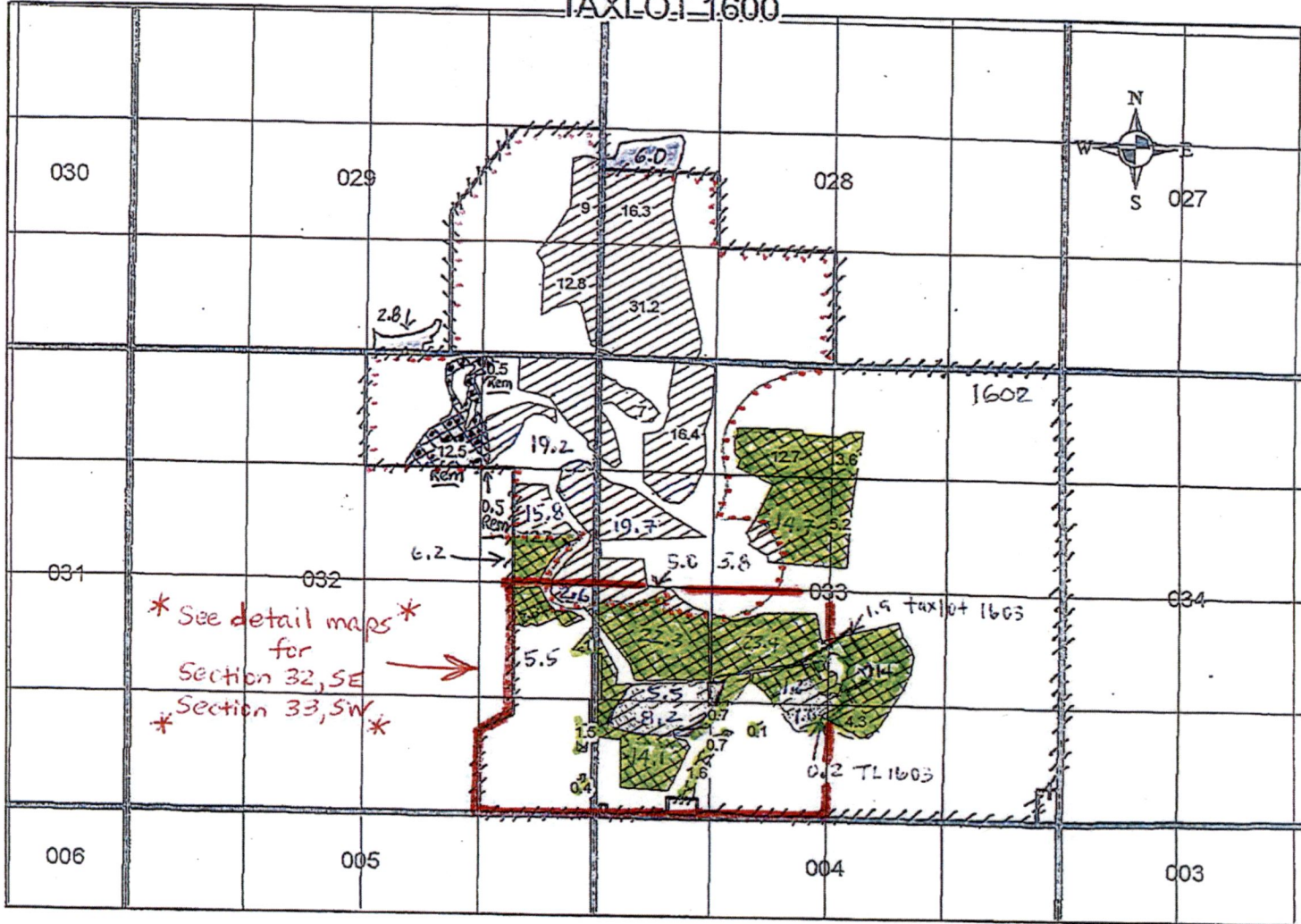
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Disclaimer: This map was compiled by FireWhal, Inc. using a variety of data sources. Data is believed to be accurate, however, a degree of error is inherent in all maps. This map is distributed "AS-IS" without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability to a particular purpose or use. This map is intended for use only at the published scale. Reproduction is prohibited.

IRONHORSE INSTREAM LEASE LANDS
T. 14 S., R. 16 E., W.M., SECTIONS 28, 29, 32, 33

TAX LOT 1600



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158.8 ac



Taxlot 1600

13.5 ac

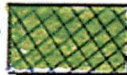


Remain / tax lot 1600
N half of NE quarter
section 32

3,000 1,500 0 3,000 Feet



Instream
tax lot 1602
and 1603



132.4 Acres

||||||| taxlot 1600 (OLD)
..... taxlot 1600 New

Crook County Official Records
DEED-D
Pgs=32
\$160.00 \$11.00 \$21.00 \$2.00
\$5.00 \$10.00

2017-281378
07/10/17 03:49 PM
Total: \$209.00

After Recording Return to: ORS 205.234(l)(c)

Ochoco Irrigation District
1001 NW Deer St
Prineville, OR 97554



I, Cheryl Seely, County Clerk for Crook County,
Oregon, certify that the instrument identified
herein was recorded in the Clerk records.

Cheryl Seely - County Clerk



Please print or type information

Instrument Cover Sheet ORS 205.234(2)

(Required if document does not meet first page recording requirements under ORS 205.234 or does not provide adequate space on the first page for the recording certificate)

DOCUMENT TITLE(S): ORS 205.234(l)(a)

(If two or more transactions, document(s) must be clearly labeled to record transaction in appropriate records)

Quitclaim Deed

NAME(S) of DIRECT party(s): ORS 205.234(l)(b)

(i.e. DEEDS: Seller/Grantor - MORTGAGES: Beneficiary/Lender - LIENS: Creditor/Plaintiff)

Iron Horse Development, LLC
409 NW Franklin Avenue
Bend, OR 97703

NAME(S) of INDIRECT party(s): ORS 205.234(l)(b)

(i.e. DEEDS: Buyer/Grantee - MORTGAGES: Grantor - LIENS: Debtor/Defendant)

Ochoco Irrigation District
1001 NW Deer St
Prineville, OR 97554

City of Prineville
387 NE 3rd St
Prineville, OR 97754

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If conveying or contracting to convey fee title to real property: True and Actual Consideration Paid \$ For Valuable Consideration

ORS 205.234(l)(d)

SEND TAX STATEMENTS TO: ORS 205.234(l)(e)

Ochoco Irrigation District
1001 NW Deer St
Prineville, OR 97554

LIEN DOCUMENTS: ORS 205.234(l)(f)

Amount of lien \$ 0

ALL DOCUMENTS REQUIRING A REFERENCE NUMBER: ORS 205.160(6)(7)0

Original recording information: Book _____ Page _____ or Instrument # _____

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**QUITCLAIM DEED
(WATER RIGHT CONVEYANCE AGREEMENT)
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, IronHorse Development LLC, the rightful owner of the real property described as Property 2 and Property 3 in Exhibit A (the "Subject Lands"), attached hereto and incorporated herein by this reference, releases and quitclaims to Ochoco Irrigation District (the "District"), Grantee, for the benefit of the City of Prineville, Beneficiary, all rights, title, and interest to and in the water rights appurtenant to the Subject Lands. Grantor further releases any and all claims and responsibility for any and all primary and supplemental irrigation water rights appurtenant to the Subject Lands being 132.4 acres, more or less, as set forth in and evidenced by Certificate of Water Right No. 82246 in the name of the District and Certificate of Water Right No. 82247 in the name of the U.S. Bureau of Reclamation described in Exhibit B, and for any and all other water rights that are appurtenant to the Subject Lands.

The District, with the participation of the U.S. Bureau of Reclamation as may be required and/or appropriate, may elect to complete a water right transfer application and submit it to the Oregon Water Resources Department for approval of use of the subject water rights at a new location, for a new use, and/or for diversion at a new point of diversion. The District may attach this Quitclaim Deed (Water Right Conveyance Agreement) to the Oregon Water Resources Department's transfer application form and submit it with the District's transfer application.

By entry of this Quitclaim Deed (Water Right Conveyance Agreement), Grantor hereby notifies any subsequent purchaser of the Subject Lands (i) that Grantor, as owner of the Subject Lands, approved the transfer of the water rights (including a change in the place of use, type of use, and/or point of diversion) that are appurtenant to the Subject Lands, (ii) that the interest in the water rights appurtenant to the Subject Lands may not be conveyed in subsequent conveyances or real estate transactions of the Subject Lands, and (iii) that upon completion of a water right transfer, as elected by Ochoco Irrigation District, the Subject Lands will no longer have appurtenant water rights.

Furthermore, upon signing of this deed and delivery to the District, Grantor shall no longer be liable for any District assessment or charges accruing after the date of signing for water rights appurtenant to the Subject Lands.

This Quitclaim Deed (Water Right Conveyance Agreement) is binding upon the heirs, executors, administrators, successors, and permitted assigns of the Grantor and Grantee.

Consideration for this Quitclaim Deed (Water Right Conveyance Agreement) is for good and valuable consideration.

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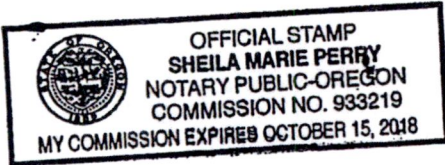
Grantor:

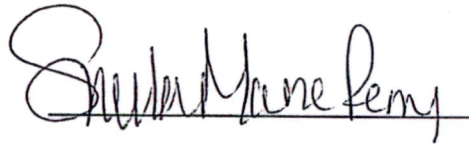

IronHorse Development LLC

Date 6/16/17

State of Oregon)
) ss.
County of Deschutes)

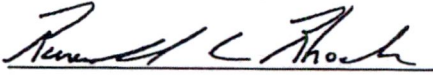
This instrument was acknowledged before me on June 16, 2017 by Jade Mayer
for IronHorse Development LLC.





My commission expires 10.15.18

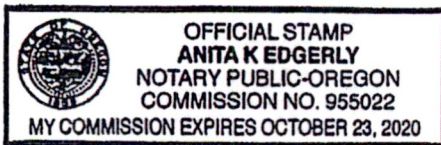
Grantee:

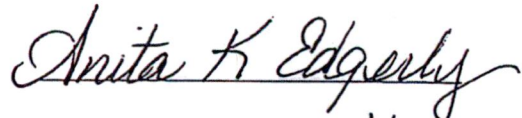

Ochoco Irrigation District

Date 6-16-17

State of Oregon)
) ss.
County of Crook)

This instrument was acknowledged before me on June 16, 2017 by Russell L Rhoden
for Ochoco Irrigation District.





My commission expires October 23, 2020

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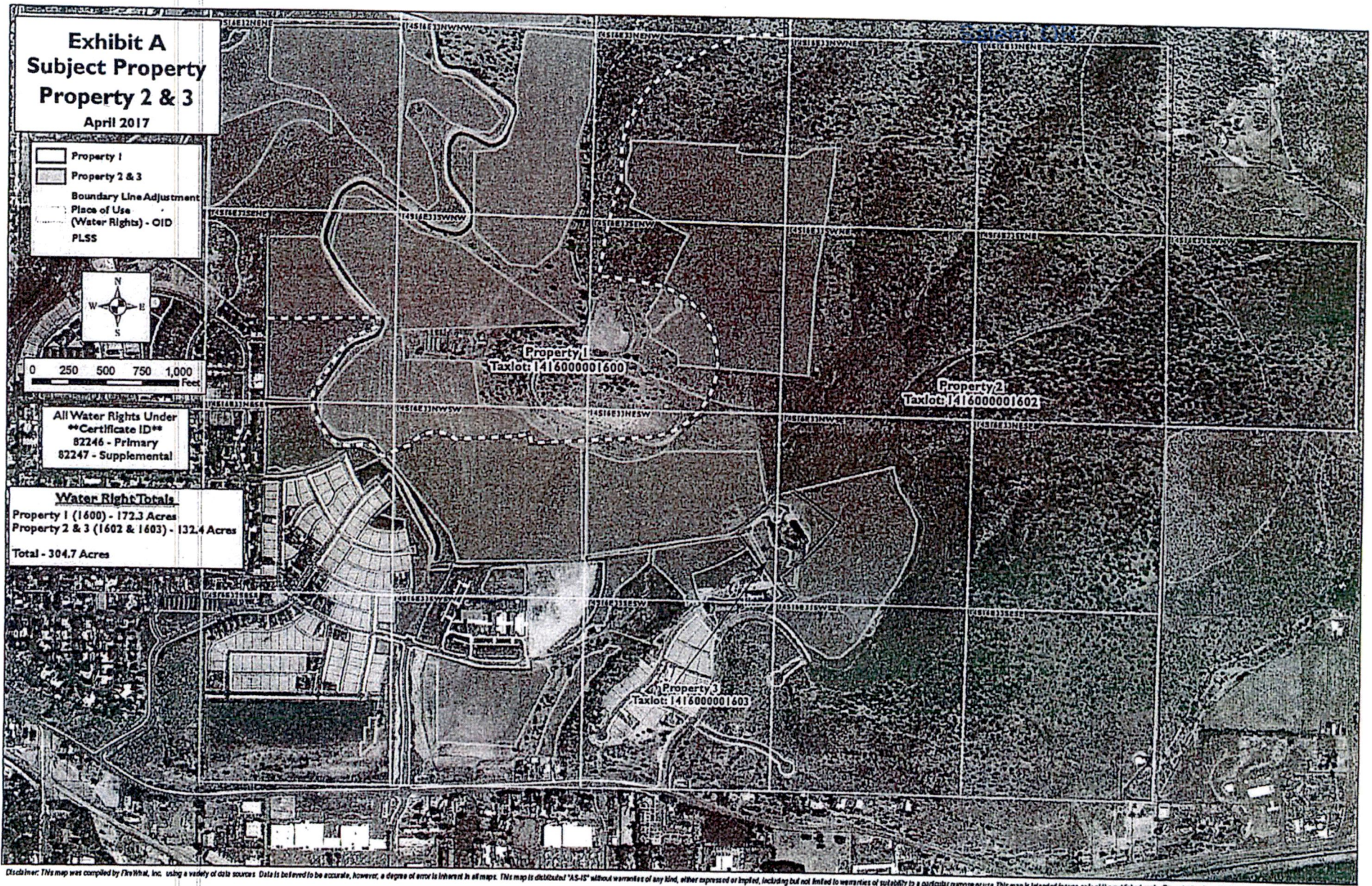
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Exhibit A

The Subject Property (Property 2 and Property 3)

APR 23 2020



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EXHIBIT 'A'

File No. 178651AM

Located in Crook County, Oregon:

TRACT I:

A tract of land located in Section 29, 29, 32, & 33, Township 14 South, Range 16 East and Section 5, Township 15 South, Range 16 East, Willamette Meridian, City of Prineville, Crook County, Oregon, including those portions of Parcels 1 & 2, Partition Plat No. 2010-06, Recorded December 29, 2010 as Microfilm No: 244547, official records of Crook County, Oregon, lying Southerly and Easterly of the following described line:

Beginning at the quarter corner common to said Sections 28 & 33;
Thence, South 89°19'35" West, a distance of 198.46 feet, to a point;
Thence, South 75°37'12" West, a distance of 244.44 feet, to a point;
Thence, South 60°35'16" West, a distance of 414.71 feet, to a point;
Thence, South 49°55'33" West, a distance of 189.62 feet, to a point;
Thence, South 28°53'07" West, a distance of 282.62 feet, to a point;
Thence, South 14°10'12" West, a distance of 164.16 feet, to a point;
Thence, South, a distance of 225.49 feet, to a point;
Thence, South, 16°33'53" West, a distance of 290.15 feet, to a point;
Thence, South 12°45'05" West, a distance of 215.78 feet, to a point;
Thence, South 8°32'25" West, a distance of 199.68 feet, to a point;

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Thence, South 11°16'50" West, a distance of 63.96 feet, to a point of non-tangent curvature with a curve having a radius of 2206.54 feet;

Thence, along said curve to the left, through a central angle of 8°20'51", an arc distance of 321.47 feet (the chord of which bears South 82°20'44" East, a distance of 321.19 feet), to a point of reverse curvature with a curve having a radius of 533.00 feet;

Thence, along said curve to the right, through a central angle of 173°57'52", an arc distance of 1618.33 feet (the chord of which bears South 0°27'46" West, a distance of 1064.53 feet), to a point of non-tangency;

Thence, South 86°13'23" West, a distance of 771.63 feet, to a point of non-tangency with a curve having a radius of 555.00 feet;

Thence, along said curve to the left, through a central angle of 14°12'28", an arc distance of 137.62 feet (the chord of which bears North 12°00'01" West, a distance of 137.27 feet), to a point of non-tangency;

Thence, South 70°53'45" West, a distance of 60.00 feet, to a point;

Thence, South 86°13'23" West, a distance of 445.64 feet, to a point of non-tangency with a curve having a radius of 210.00 feet;

Thence, along said curve to the left, through a central angle of 96°13'58", an arc distance of 352.71 feet (the chord of which bears South 81°34'01" West, a distance of 312.69 feet), to a point of non-tangent curvature with a curve having a radius of 951.50 feet;

Thence, along said curve to the left, through a central angle of 12°21'42", an arc distance of 205.29 feet (the chord of which bears South 66°38'04" West, a distance of 204.89 feet), to a point of intersection with the Westerly right of way line, being 50.00 feet from, when measured at right angles to, the centerline of that canal right of way (Tract No. CR-25-1) for the United States Department of the Interior, Bureau of Reclamation, Crooked River Project;

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Thence, along said canal right of way line, through the following ten (10) courses:

Proceeding North 42°46'42" West, a distance of 73.81 feet, to a point of curvature with curve having a radius of 93.24 feet;

Thence, along said curve to the left, through a central angle of 56°11'00", an arc distance of 91.43 feet (the chord of which bears north 70°52'12" West, a distance of 87.81 feet), to a point of tangency;

Thence, South 81°02'18" West, a distance of 70.41 feet, to a point of curvature having a radius of 193.24 feet;

Thence, along said curve to the right, through a central angle of 69°59'45" an arc distance of 236.07 feet (the chord of which bears North 63°57'50" West, a distance of 221.66 feet), to a point of tangency;

Thence, North 28°57'57" West, a distance of 132.28 feet, to a point of curvature with a curve radius of 193.24 feet;

Thence, along said curve to the right, through a central angle of 62°54'15", an arc distance of 212.15 feet (the chord of which bears North 2°29'10" East, a distance of 201.66 feet), to a point of tangency;

Thence, North 33°56'18" East, a distance of 335.12 feet, to a point of curvature with a curve radius of 193.24 feet;

Thence, along said curve to the right, through a central angle of 32°59'30", an arc distance of 111.27 feet (the chord of which bears North 50°26'03" East, a distance of 109.74 feet) to a point of tangency;

Thence, North 66°55'48" East, a distance of 149.85 feet, to a point of curvature with a curve having a radius of 45.49 feet;

Thence, along said curve to the left, through a central angle of 101°25'24", an arc distance of 80.53 feet (the chord of which bears North 16°13'16" East, a distance of 70.42 feet), to a point of non-tangency;

Thence, departing said canal right of way line, West, a distance of 745.62 feet, to a point of intersection with the East line of Parcel 1, Partition Plat No. 1997.02, Recorded January 23, 1997 as Microfilm No: 131983, official records of Crook County, Oregon, said point bears North 0°41'02" East, a distance of 6.17 feet, from the Northeast corner of Ochoco Pointe-P.U.D.-phase 1, Recorded April 20, 2005 as Microfilm No: 199156, official Records of Crook County, Oregon, said point of intersection also being the terminus of this described line.

EXCEPTING THEREFROM that Tract of land referred to as B.L.A. Tract #1, City of Prineville Boundary line adjustment BA-2016-100, as shown on County survey No. 4141, filed Intentionally Deleted the Crook County Surveyor's Office.

TRACT II:

Parcel 3 of Partition Plat No. 2010-06, recorded December 29, 2010 in Partitions Microfilm No: 2010-244547, records of Crook County, Oregon.

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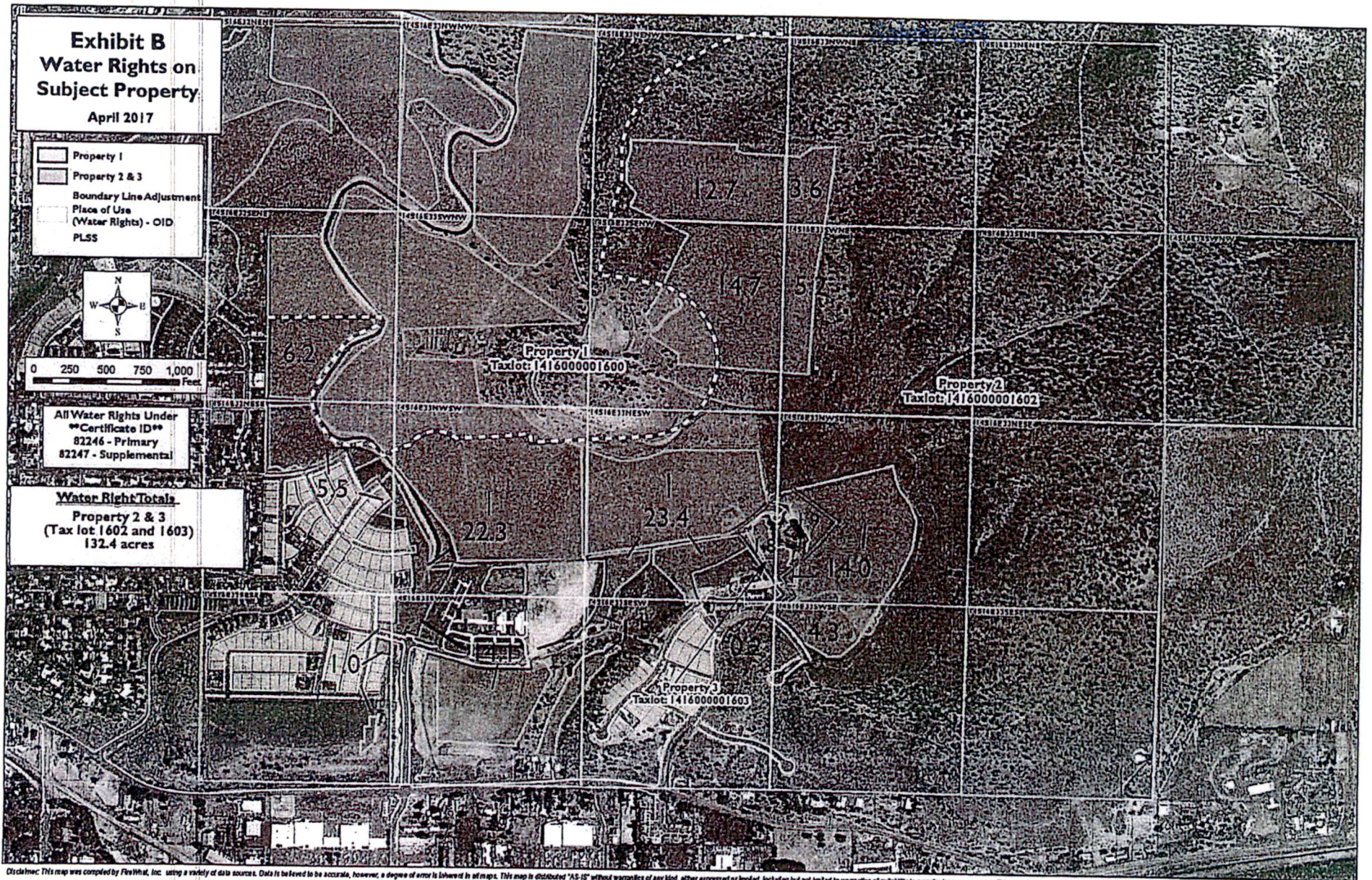
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Exhibit B

Water Rights Appurtenant to Subject Property under
Certificate 82246 and Certificate 82247

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Exhibit B. Water Right Appurtenant to Subject Property under Certificates 82246 and 82247

Tax Map ID	Acct #	Sec	TWP	RNG	Location	Tax Lot	Acres
1057	439	33	14	16	NE-NW	1602	12.7
1061	439	33	14	16	NW-NE	1602	3.6
1062	439	33	14	16	SW-NE	1602	5.2
1902	439	32	14	16	SE-NE	1602	6.2
1903	439	32	14	16	NE-SE	1602	5.5
1904	439	32	14	16	SE-SE	1602	1
1905	439	33	14	16	NW-SW	1602	22.3
1906	439	33	14	16	NE-SW	1602	23.4
1907	439	33	14	16	SE-SW	1602	1.5
1908	439	33	14	16	SW-SW	1602	14.1
1909	439	33	14	16	NW-SE	1602	14
1910	439	33	14	16	SW-SE	1602	4.3
1911	439	33	14	16	NE-SW	1603	1.8
1912	439	33	14	16	SE-SW	1603	0.2
1913	439	33	14	16	NW-SE	1603	1.9
1975	439	33	14	16	SE-NW	1602	14.7
Total							132.4

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Crook County Ownership Report

REAL PROPERTY ACCOUNT NAMES

Account Number: 19501

Map Tax Lot: 14160000-01602-19501

Owner: 409 NW FRANKLIN AVE
BEND

OR 97703

Party Name	Party Type	Ownership Percentage
IRONHORSE DEVELOPMENT LLC	Owner	100
IRONHORSE DEVELOPMENT LLC	Taxpayer	100

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Crook County Ownership Report

REAL PROPERTY ACCOUNT NAMES

Account Number: 19502

Map Tax Lot: 14160000-01602-19502

Owner: 409 NW FRANKLIN AVE
BEND

OR 97703

Party Name	Party Type	Ownership Percentage
IRONHORSE DEVELOPMENT LLC	Owner	100
IRONHORSE DEVELOPMENT LLC	Taxpayer	100

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Crook County Ownership Report

REAL PROPERTY ACCOUNT NAMES

Account Number: 19264

Map Tax Lot: 14160000-01603-19264

Owner: 409 NW FRANKLIN AVE

BEND

OR 97703

Party Name	Party Type	Ownership Percentage
IRONHORSE DEVELOPMENT LLC	Owner	100
IRONHORSE DEVELOPMENT LLC	Taxpayer	100

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