



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)</b> <b>Complete Parts 1 through 4 and any required attachments</b>	OWRD #	IL-1851
	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 Conservancy</u> (Account name)	

Part 1 –

Completed Minimum Requirements Checklist

Part 2 – Completed District and Other Party Signature Page

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Part 3 – Completed Place of Use and Lessor Signature Page

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(Include a separate Part 3 for each Lessor.)

Part 4 – Completed Water Right and Instream Use Information

Salem, OR

(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: 74197

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.



**Part 2 of 4 – District and other party Signature**

<b>Term of the Lease:</b> The lease is requested to begin in: <b>month</b> <u>April</u> <b>year</b> <u>2021</u> and end: <b>month</b> <u>October</u> <b>year</b> <u>2021</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 checked="" type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
<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) <b>have not been used</b> 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.

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 Signature of Co-Lessor

Date: 3/29/2021

Printed name (and title): Juanita Harvey

Business/Organization name: Arnold Irrigation District

Mailing Address (with state and zip): 19604 Buck Canyon Rd., Bend, OR 97702

Phone number (include area code): 541-382-7664 \*\*E-mail address: aidist@bendbroadband.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: \_\_\_\_\_

**See next page for additional signatures.**

Gen Hubert

Date: 03/29/2021

Signature of Lessee

Printed name (and title): Gen Hubert

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 \*\*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 4 of 4 – Water Right and Instream Use Information

<b>Salem, OR</b>	Use a <u>separate</u> Part 4 for each water right to be leased instream
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**Table 2**

<b>Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4)</b>						<b>Water Right # <u>74197</u></b>	
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)	
02/01/1905	1	IRR	82.90	Season 1-3 (April 1 – October 31)	0.473	1278.32	
04/25/1905	1	IRR	82.90	Season 1/Season 2/Season 3	1.153/1.653/2.364		
02/01/1905	6	IRR	22.09	Season 1-3 (April 1 – October 31)	0.126	340.63	
04/25/1905	6	IRR	22.09	Season 1/Season 2/Season 3	0.307/0.440/0.630		
Total af from storage, if applicable: <input type="checkbox"/> AF or <input type="checkbox"/> 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:							

**Table 3**

<b>Instream Use created by the lease</b>	River Basin: <u>Deschutes</u>	River/Stream Name: <u>Deschutes, tributary to Columbia</u>					
<b>Proposed Instream Reach:</b> X A reach typically begins at the POD and ends at the mouth of the source stream: From the POD #1 & #6 to the mouth of the Deschutes		<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.							
Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)	
02/01/1905	1	IRR	82.90	Season 1-3 (April 1 – October 31)	0.165	70.23	
4/25/1905	1	IRR	82.90	Season 1/Season 2/Season 3	0.403/0.579/0.827	285.07	
02/01/1905	6	IRR	22.09	Season 1-3 (April 1 – October 31)	0.044	18.71	
4/25/1905	6	IRR	22.09	Season 1/Season 2/Season 3	0.108/0.154/0.220	75.96	
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 type="checkbox"/> Yes XN/A <b>Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:</b> list here _____							
Note: The Department may identify additional conditions to prevent injury and/or enlargement.							
<b>Any additional information about the proposed instream use:</b> _____							



This table will calculate flow rate factors and duty for Arnold Irrigation District  
 Instream Leases

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Salem, OR

Enter Total Number of Acres to be Leased Instream Here →	<b>82.900</b>
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Information highlighted with pink font is to be entered on to the Instream Lease Application Form

For Primary Water Right - Certificate 74197

**Rate (CFS) associated with leased rights for Section 1.5 of the Lease Application Form**

The rate and duty identified in this section includes the 65% transmission loss.

Enter Rates by Priority Date on Lease Form	Full Rate	February 1, 1905	April 25, 1905
Season 1	1.625	<b>0.473</b>	<b>1.153</b>
Season 2	2.126	<b>0.473</b>	<b>1.653</b>
Season 3*	2.836	<b>0.473</b>	<b>2.364</b>

\* The rate identified for Season 3 has been proportioned such that the max rate allowed by the right (150.0 CFS) will not be exceeded if all acres were being irrigated.

**Duty (AF) associated with leased right for Section 1.5 of the Lease Application Form**

Duty (decree) AF/Acre =	15.42
	<b>1,278.32</b>

**Rate (CFS) leased instream for Section 2.2 of the Lease Application Form**

The rate and duty identified in this section does not include the 65% transmission loss.

Enter Rates by Priority Date on Lease Form	Full Rate	February 1, 1905	April 25, 1905
Season 1	0.569	<b>0.165</b>	<b>0.403</b>
Season 2	0.744	<b>0.165</b>	<b>0.579</b>
Season 3	0.993	<b>0.165</b>	<b>0.827</b>

**Volume (AF) leased instream for Section 2.2 of the Lease Application Form**

	# days	AF/Season	Duty (decree) AF/Acre = 5.40	
Season 1	61	68.83	Total =	447.41
Season 2	30	44.27	Feb. 1905 portion =	<b>70.23</b>
Season 3	123	242.20	April 1905 portion =	<b>285.07</b>
		<b>355.30</b>		

**Additional Conditions to Prevent Injury for Section 2.2 of the Lease Application Form**

Water protected instream: **April 1 through October 31**

For Supplemental Water Right from Crane Prairie Reservoir - Certificate 76714

**Duty Associated with Leased Right for Section 1.5 of the Additional Water Right Form**

<b>1,278.32</b>
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**Volume (AF) leased instream for Section 2.2 of the Additional Water Right Form**

<b>255.22</b>
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This table will calculate flow rate factors and duty for Arnold Irrigation District  
 Instream Leases Received by OWRD

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Salem, OR

Enter Total Number of Acres to be Leased Instream Here	→	<b>22.090</b>
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**Information highlighted with pink font is to be entered on to the Instream Lease Application Form**

**For Primary Water Right - Certificate 74197**

<b>Rate (CFS) associated with leased rights for Section 1.5 of the Lease Application Form</b>			
The rate and duty identified in this section includes the 65% transmission loss.			
Enter Rates by Priority Date on Lease Form	Full Rate	February 1, 1905	April 25, 1905
Season 1	0.433	<b>0.126</b>	<b>0.307</b>
Season 2	0.566	<b>0.126</b>	<b>0.440</b>
Season 3*	0.756	<b>0.126</b>	<b>0.630</b>
* The rate identified for Season 3 has been proportioned such that the max rate allowed by the right (150.0 CFS) will not be exceeded if all acres were being irrigated.			
<b>Duty (AF) associated with leased right for Section 1.5 of the Lease Application Form</b>			
Duty (decree) AF/Acre =	15.42		
	<b>340.63</b>		

<b>Rate (CFS) leased instream for Section 2.2 of the Lease Application Form</b>			
The rate and duty identified in this section does not include the 65% transmission loss.			
Enter Rates by Priority Date on Lease Form	Full Rate	February 1, 1905	April 25, 1905
Season 1	0.152	<b>0.044</b>	<b>0.108</b>
Season 2	0.198	<b>0.044</b>	<b>0.154</b>
Season 3	0.265	<b>0.044</b>	<b>0.220</b>

<b>Volume (AF) leased instream for Section 2.2 of the Lease Application Form</b>				
	# days	AF/Season	Duty (decree) AF/Acre =	
Season 1	61	18.34		5.40
Season 2	30	11.80	Feb. 1905 portion =	<b>18.71</b>
Season 3	123	64.54	April 1905 portion =	<b>75.96</b>
		<b>94.68</b>		

**Additional Conditions to Prevent Injury for Section 2.2 of the Lease Application Form**  
 Water protected instream: **April 1 through October 31**

**For Supplemental Water Right from Crane Prairie Reservoir - Certificate 76714**

<b>Duty Associated with Leased Right for Section 1.5 of the Additional Water Right Form</b>	
	<b>340.63</b>

<b>Volume (AF) leased instream for Section 2.2 of the Additional Water Right Form</b>	
	<b>68.01</b>



Arnold Irrigation District  
Miscellaneous Water / Pooled Lease 2021

Landowner	2021 Ref #	2020 Ref#	2021	TRS	QQ	Tax Lot	Acres	Prior Lease	Use	Map	Quit Claim deed	Warranty Deed	Additional Deed	Transfer or Additional	
1	1	x	Arnold ID	181113	nsw	1300	11.84	1796	IR	y	2017-003387	2017-003388	need		
1	1	x	Arnold ID	181113	sesw	1300	3.16	1796	IR	y	2017-003387	2017-003388	need		
2	2	x	Arnold ID	181204	sesw	1100	7.60	1796	IR	y	2014-03462	2013-032565	2013-032564		
2	4	x	Arnold ID	181209	nenw	100	30.00	1796	IR	y	2014-03462	2013-032565	2013-032564		
3	5	x	Arnold ID	181209	nsw	700	2.30	1796	IR	y	2018-44131	2018-005973		2.3 of 4.5 ac, 2.2 is sold	
4	6	x	Arnold ID	181209	nsw	800	6.63	1796	IR	y	2018-44132	2017-051849		6.63 of 6.7 ac, .07 is sold	
5	11	x	Arnold ID	181209	nene	600	6.00	1796	IR	y	2019-50110	2019-13503			
5	12	x	Arnold ID	181209	nene	200	2.50	1796	IR	y	2019-50110	2019-13503	2019-27193		
6	new	new	Arnold ID	181209	nene	101	0.33	N/A	IR	y	2019-50110	2019-13503		0.33 of .75, 0.42 is sold	
7	9	x	Arnold ID	171233	nese	200	12.56	1796	IR	y	2018-44129	2002-34393 (pg3, #1)	2004-52257	1996-37236 to 37250*	
Arnold Subtotal prev IL-1796										82.92	IR use	*Re 171233nese0200 - series of 16 individual deeds TO Greenwood Cemetery (1996-37236-37250 and 1996-38101). 2002, Greenwood Cem QC of water to City, 2004 - Greenwood Cem sell to Daniels. 2018, City QC water to Arnold ID			
2021 Ref #s 3 and 4 are leasing less than was leased in IL-1796.															
8	15	x	Avion Water	181221	nwse	200	0.50	1796	IR	y	2018-08965	2014-13417	2014-004445	T-12251	
9	16	x	Avion Water	181221	nese	1101	3.00	1796	IR	y	2010-24720	2005-80920			
10	17	x	Avion Water	181221	nwse	300	0.45	1796	IR	y	2013-11991	2012-030858			
11	18	x	Avion Water	181124	sww	1900	0.51	1796	IR	y	2013-15693	93-14554			
12	19	x	Avion Water	181317	swnw	2001	0.92	1796	IR	y	2013-49428	2011-08888			
13	20	x	Avion Water	181226	nenw	200	2.50	1796	IR	y	2014-30903	2010-15524		T-11288	
Avion Water Subtotal prev IL-1796										7.88	IR use				
SEE IL-1796 for all of the Arnold and Avion Quitclaims listed above, parcel referenced as 2021 #6 is new to the lease, but Quitclaim was in IL-1796 as well.															
14	new	new	Bend Parks	181113	nwse	2400	2.14	1537	IR	y				IL-1537	
15	new	new	Bend Parks	181113	swse	2400	4.95	1537	IR	y				IL-1537 - 4.95 of 6.95 ac	
16	new	new	Bend Parks	181203	sww	5600	1.37	1537	IR	y				T-7653, IL-1537	
17	new	new	Bend Parks	181203	sww	5700	0.87	1537	IR	y				T-7653, IL-1537	
18	new	new	Bend Parks	181203	sww	5800	1.66	1537	IR	y				T-7653, IL-1537	
19	new	new	Bend Parks	181203	sww	5900	1.62	1537	IR	y				T-7653, IL-1537	
20	new	new	Bend Parks	181203	sww	6000	1.58	1537	IR	y				T-7653, IL-1537	
Bend Parks Subtotal										14.19	IR use				
IL-1537 was last instream in 2020, reference 2021 #15 (181113 swse tax lot 2400 is 2 acres less in this new lease than it was in IL-1537)															
Additional Lessors								0.00							
<b>Total</b>							<b>104.99</b>	<b>acres</b>							

Notes

Rivervale LP, Dennis Palisch  
Rivervale LP, Dennis Palisch  
Lands Bend to Arnold  
Lands Bend to Arnold  
Creative Real Estate Solutions, LLC  
Creative Real Estate Solutions, LLC  
Luderman Family to Pahlisch, QC to AID  
Luderman Family to Pahlisch, QC to AID  
Luderman Family to Pahlisch, QC to AID  
Last leased 2020, City of Bend - cemetery

QC to AID, then Avion T-12251 completion 4/30/2020  
See 2015, 2020 lease  
See 2015, 2020 lease  
See 2015, 2020 lease  
See 2015, 2020 lease  
See 2020 lease

T-7653 completed 1997

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**MAR 29 2021** 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** Salem, OR

**Irrigation District or other Water Purveyor Name: Arnold 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 #
74197	02/01/1905 & 04/25/1905	1	18 S	12 E	4	SE SW	1100		7.60	IRR	7	IL-1796
74197	02/01/1905 & 04/25/1905	1	18 S	12 E	9	NE NW	100		30.00	IRR	9	IL-1796
74197	02/01/1905 & 04/25/1905	1	17 S	12 E	33	NE SE	200		12.56	IRR	2	IL-1796 (was shown incorrectly on the final order as 181233; should be 171233)
74197	02/01/1905 & 04/25/1905	1	18 S	12 E	9	NW SW	700		2.30	IRR	10	IL-1796 (was leased with 4.50 ac.; this year 2.30 ac. being sold)
74197	02/01/1905 & 04/25/1905	1	18 S	12 E	9	NW SW	800		6.63	IRR		IL-1796 (was leased with 6.70 ac; this year 0.07 ac. being sold)
74197	02/01/1905 & 04/25/1905	6	18 S	11 E	13	NE SW	1300		11.84	IRR	2	IL-1796
74197	02/01/1905 & 04/25/1905	6	18 S	12 E	13	SE SW	1300		3.16	IRR	2	IL-1796 (was shown incorrectly on the final order as NE SW; should be SE SW)
74197	02/01/1905 & 04/25/1905	1	18 S	12 E	9	NE NE	600		6.00	IRR	9	IL-1796
74197	02/01/1905 & 04/25/1905	1	18 S	12 E	9	NE NE	200		2.50	IRR	9	IL-1796



74197	02/01/1905 & 04/25/1905	1	18	S	12	E	9	NE	NE	101		0.33	IRR	9	Original water right on this tax lot was 0.75 ac. (0.42 ac. is sold)
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Any additional information about the right: \_\_\_\_\_

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

The undersigned declare:

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

\_\_\_\_\_  
*Juanita Harvey*  
 Signature of Lessor Date: 3/29/2021

Printed name (and title): Juanita Harvey Business name, if applicable: Arnold Irrigation District  
 Mailing Address (with state and zip): 19604 Buck Canyon Rd., Bend, OR 97702  
 Phone number (include area code): 541-382-7664 \*\*E-mail address: aidist@bendbroadband.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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**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:** 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, and leases with verified weed complaints are not paid a per acre or per acre-foot rate by the DRC.

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

Signature: Juanita Harvey Date: 3/29/2021

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



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# Arnold Irrigation District

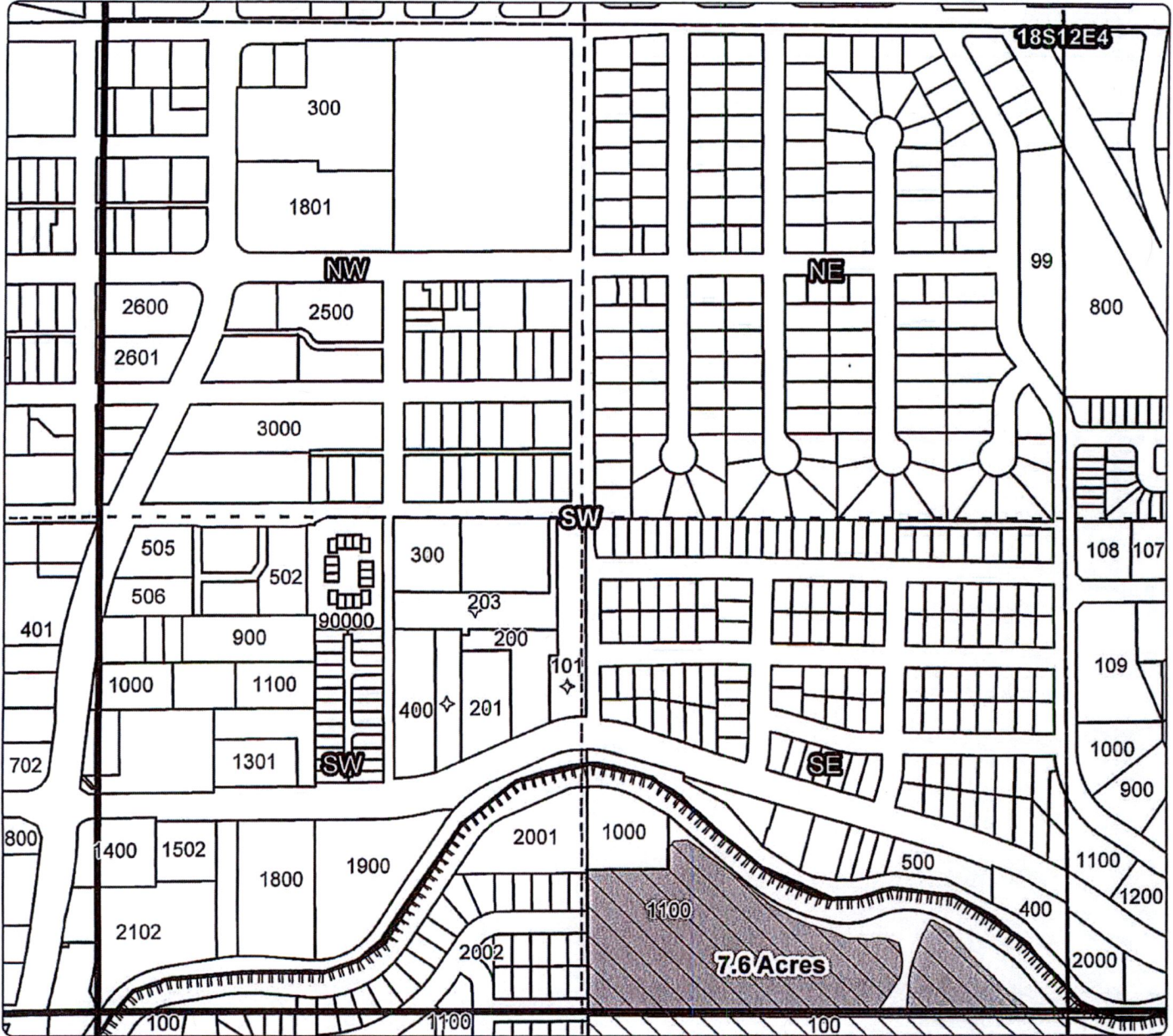
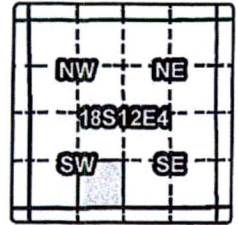
## Application for Instream Lease 2021

MAR 29 2021

Cert #: 74197

Salem, OR

For: Arnold Irrigation District



### 1 YEAR INSTREAM LEASE MAP

Taxlot 1100 , 18S12E04SESW: 7.6 Acres Leased, 0 Acres Remaining

- Point of Diversion
- ▬▬▬ Canals
- ▭ Taxlots
- ▨ Lease
- ▧ Primary Water Right
- ▧ Pond Maintenance Right

1 inch = 400 feet





# Arnold Irrigation District

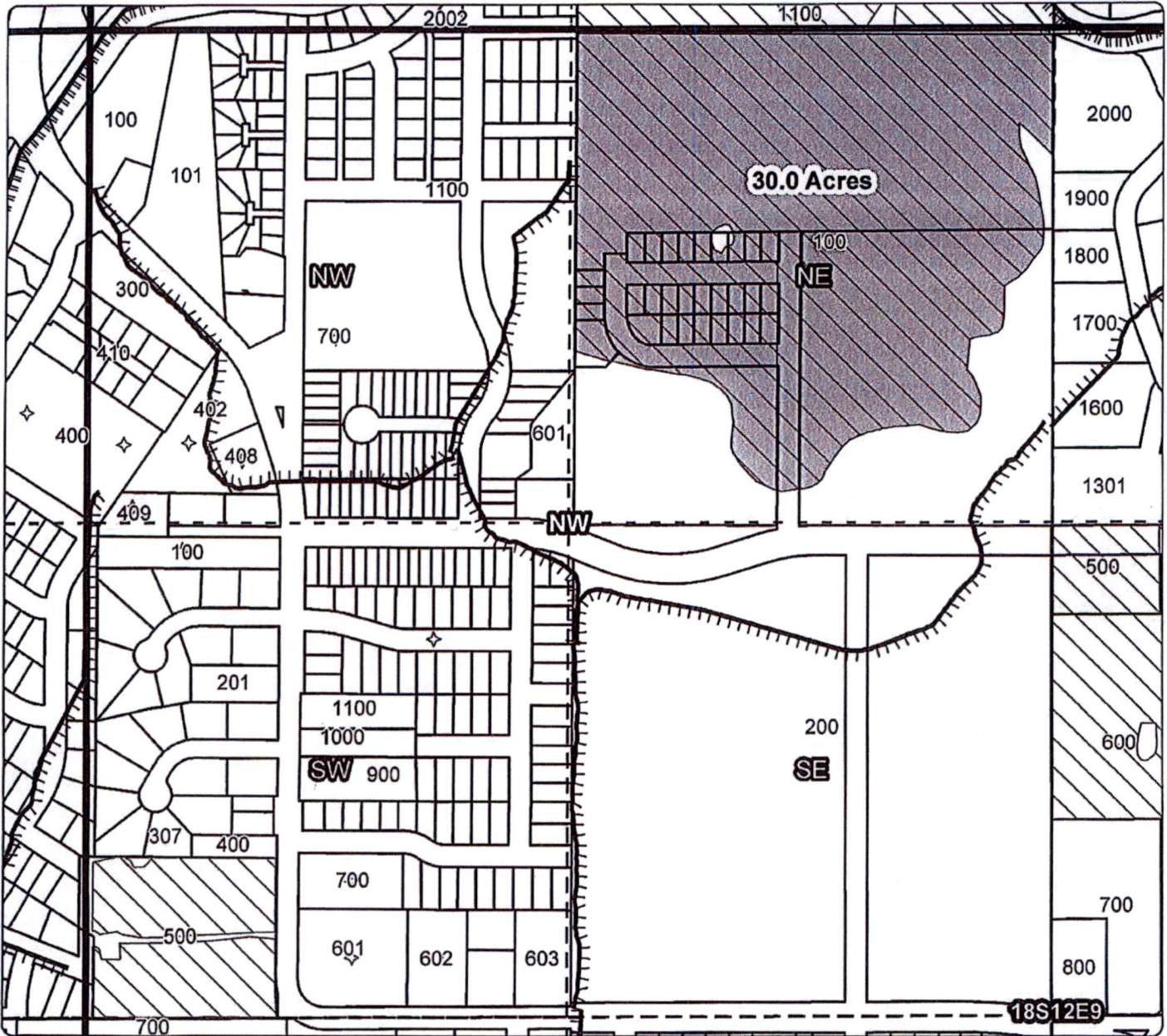
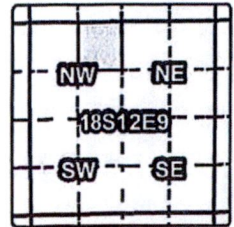
## Application for Instream Lease 2021.

Cert #: 74197

For: Arnold Irrigation District

MAR 29 2021

Salem, OR



### 1 YEAR INSTREAM LEASE MAP

Taxlot 100, 18S12E09NENW: 30.0 Acres Leased, 0 Acres Remaining

- Point of Diversion
- Canals
- Taxlots
- Lease
- Primary Water Right
- Pond Maintenance Right

1 inch = 400 feet



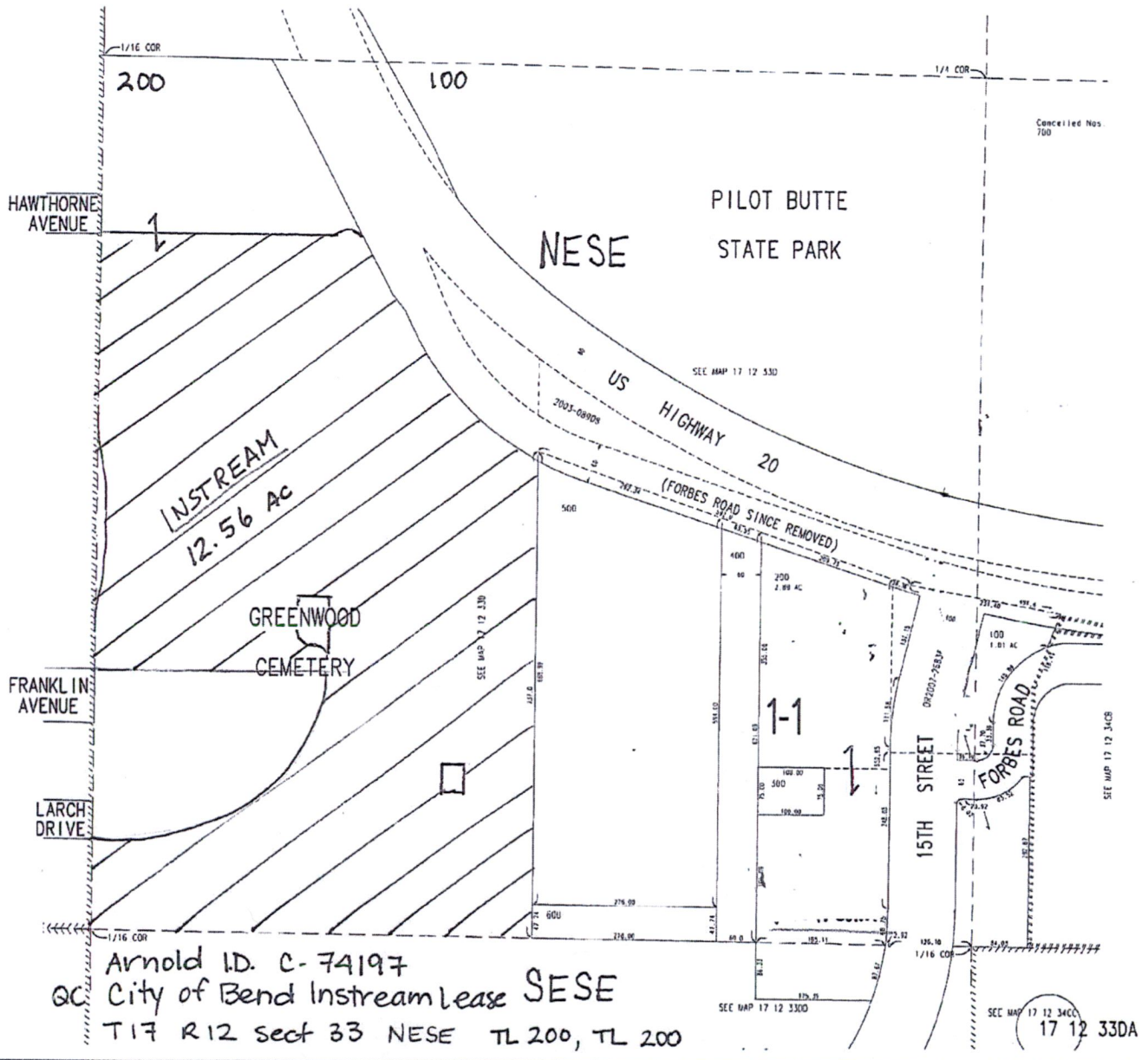


THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY.  
REVISED: 03/19/2008

NE1/4 SE1/4 SEC. 33 T.17S. R.12E. W.M.  
DESCHUTES COUNTY

17 12 33DA

1" = 100'



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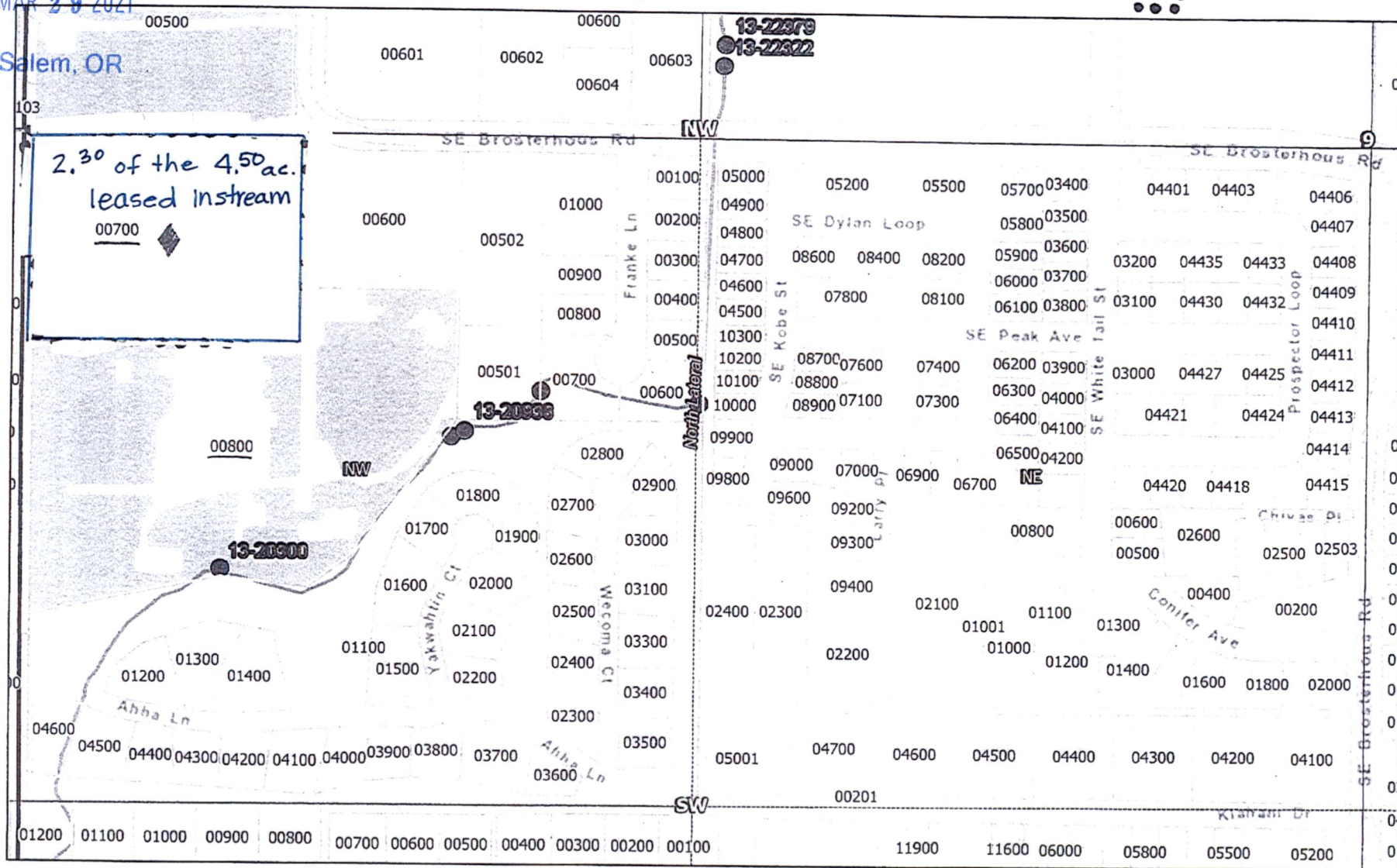
Arnold I.D. C-74197  
City of Bend Instream Lease SESE  
T17 R12 sect 33 NESE TL 200, TL 200


SEC MAP 17 12 34C  
17 12 33DA














MAR 29 2021

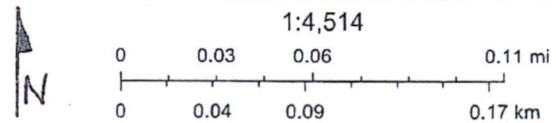
Salem, OR



2.30 of the 4.50 ac.  
leased in stream  
00700 

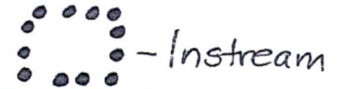
4/12/2019, 1:34:13 PM

-  Township Range
-  Quarter Quarters
-  Delivery Gates
-  POU Primary (IR Use Code)
-  Sections
-  Service Area Boundary
-  Canals
-  Certificated
-  Quarter Sections
-  Taxlots
-  Pipeline



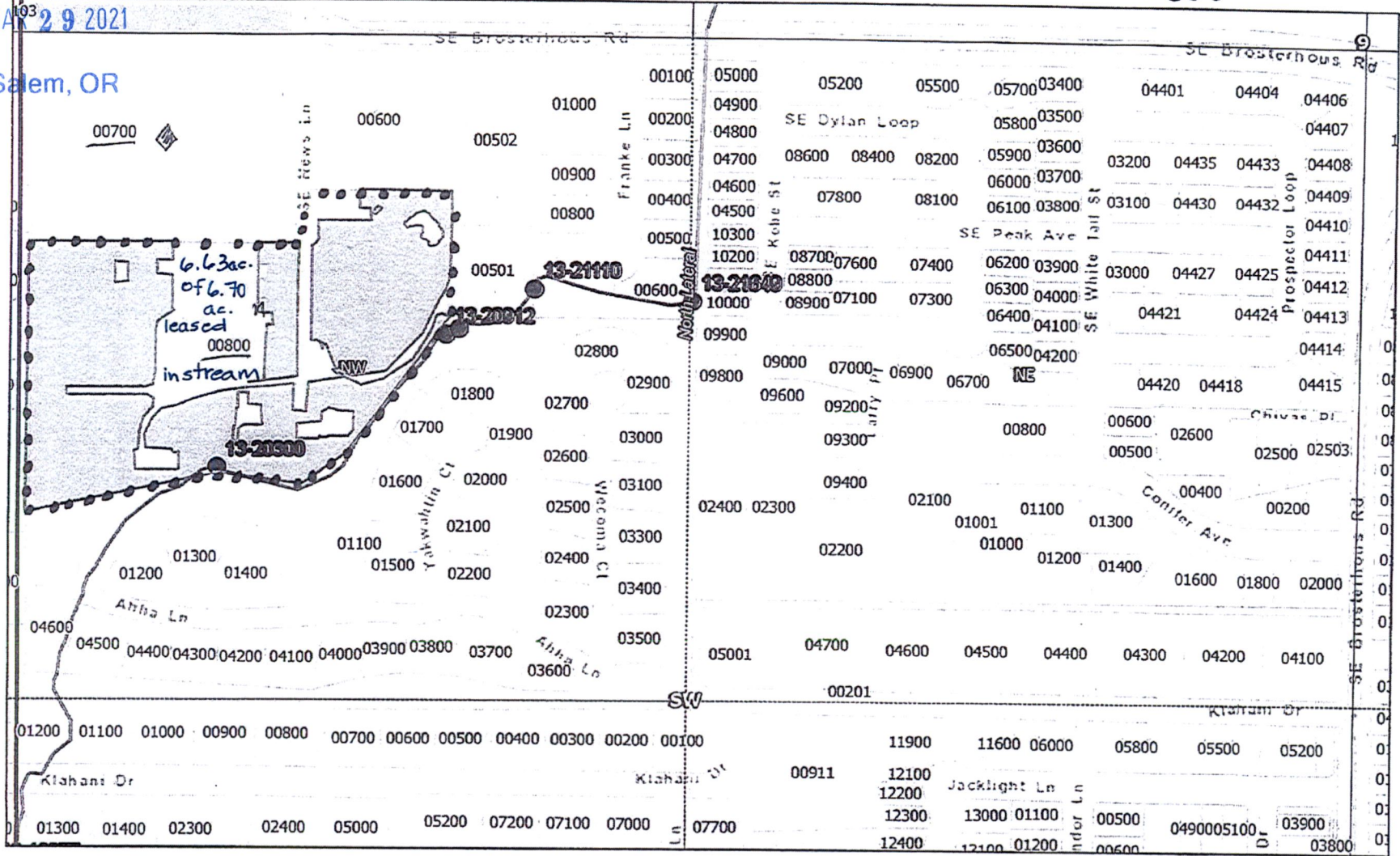
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,





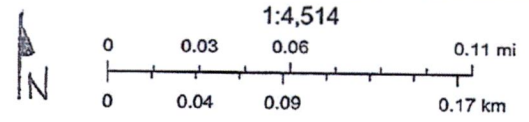
MA 29 2021

Salem, OR



3/25/2019, 11:59:14 AM

- Township Range
- Quarter Sections
- Delivery Gates
- Taxlots
- Sections
- Quarter Quarters
- Canals
- POU Primary (IR Use Code)
- Service Area Boundary
- Pipeline
- Certificated

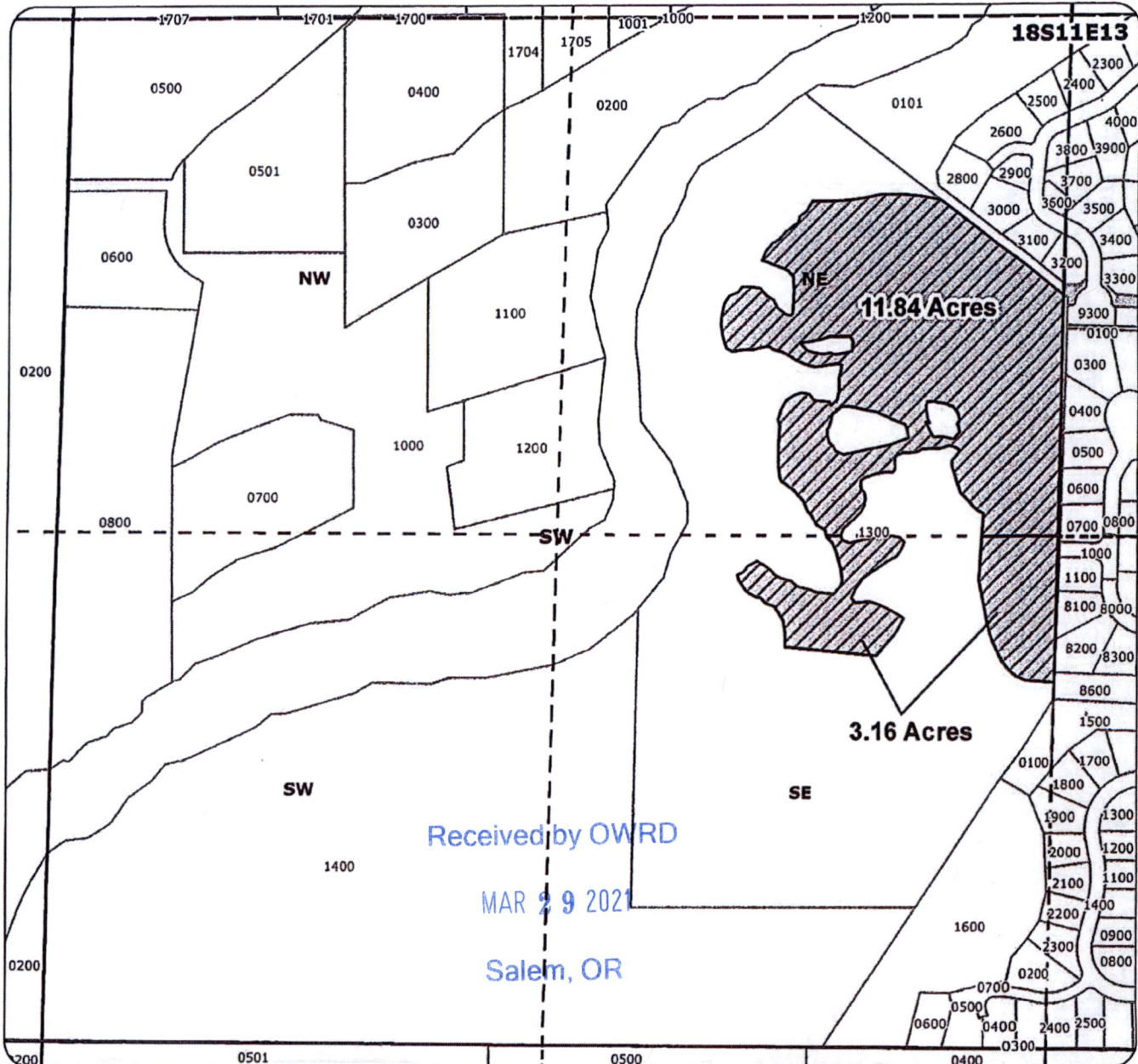


Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

Arnold Irrigation District  
Copyright Arnold Irrigation District. All Rights Reserved.



# 2017 Arnold Irrigation District Instream Lease Map

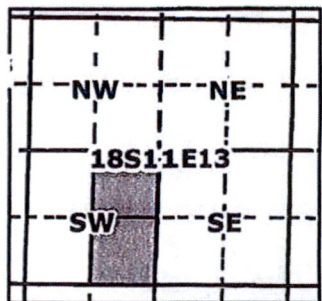




## Application for 1-year Instream Lease Primary: Certificate 74197

For:

*River Vale Limited Partnership*

Taxlot 1300 - 11.84 Acres  
 0 Acres Remaining on Taxlot 1300  
 in 18S11E13NESW  
 Taxlot 1300 - 3.16 Acres  
 0 Acres Remaining on Taxlot 1300  
 is 18S11E13SESW  
 Total Lease of 15 Acres



-  Proposed Lease of Irrigation Rights
-  Water Rights

  
**GSS**  
 Geo-Spatial Solutions, Inc.  
[www.geospatialsolutions.com](http://www.geospatialsolutions.com)

Date Created: March 2012

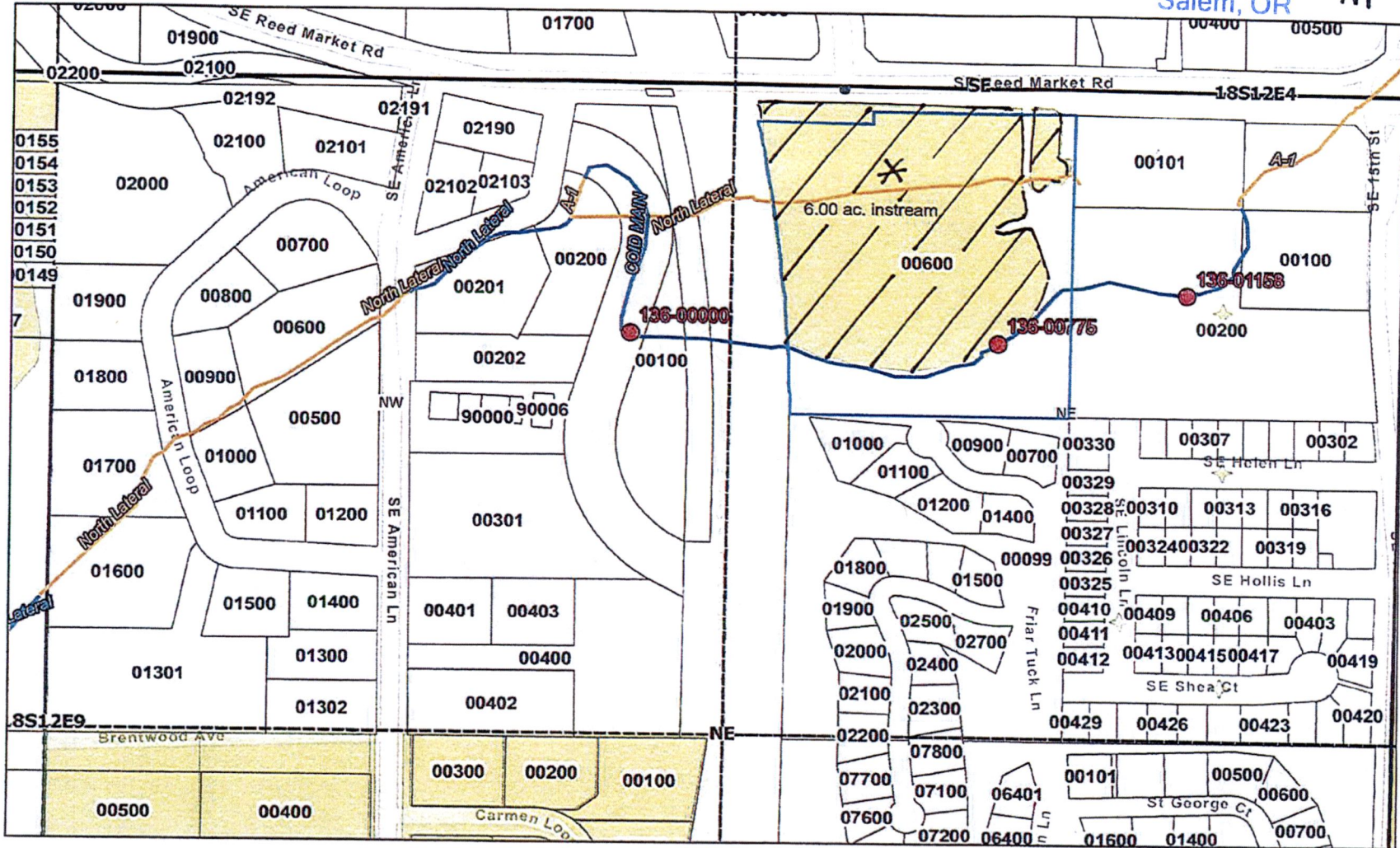


1 inch = 400 feet



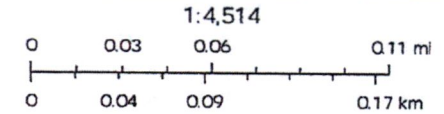


# 18S 12E 09 NE NE TL 600 - 6.00 ac. 2021 Instream



3/25/2020, 1:33:49 PM

- Delivery Gates
- Pipeline
- Taxlots (2020)
- Township and Range
- Canals
- Place of Use - Primary (IR Use Code)
- Quarter Sections
- Sections
- Certified
- Quarter Quarter Sections
- Service Area Boundary



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, OpenStreetMap

Arnold Irrigation District  
This map is intended for reference only and should not be used for navigation or legal determinations.

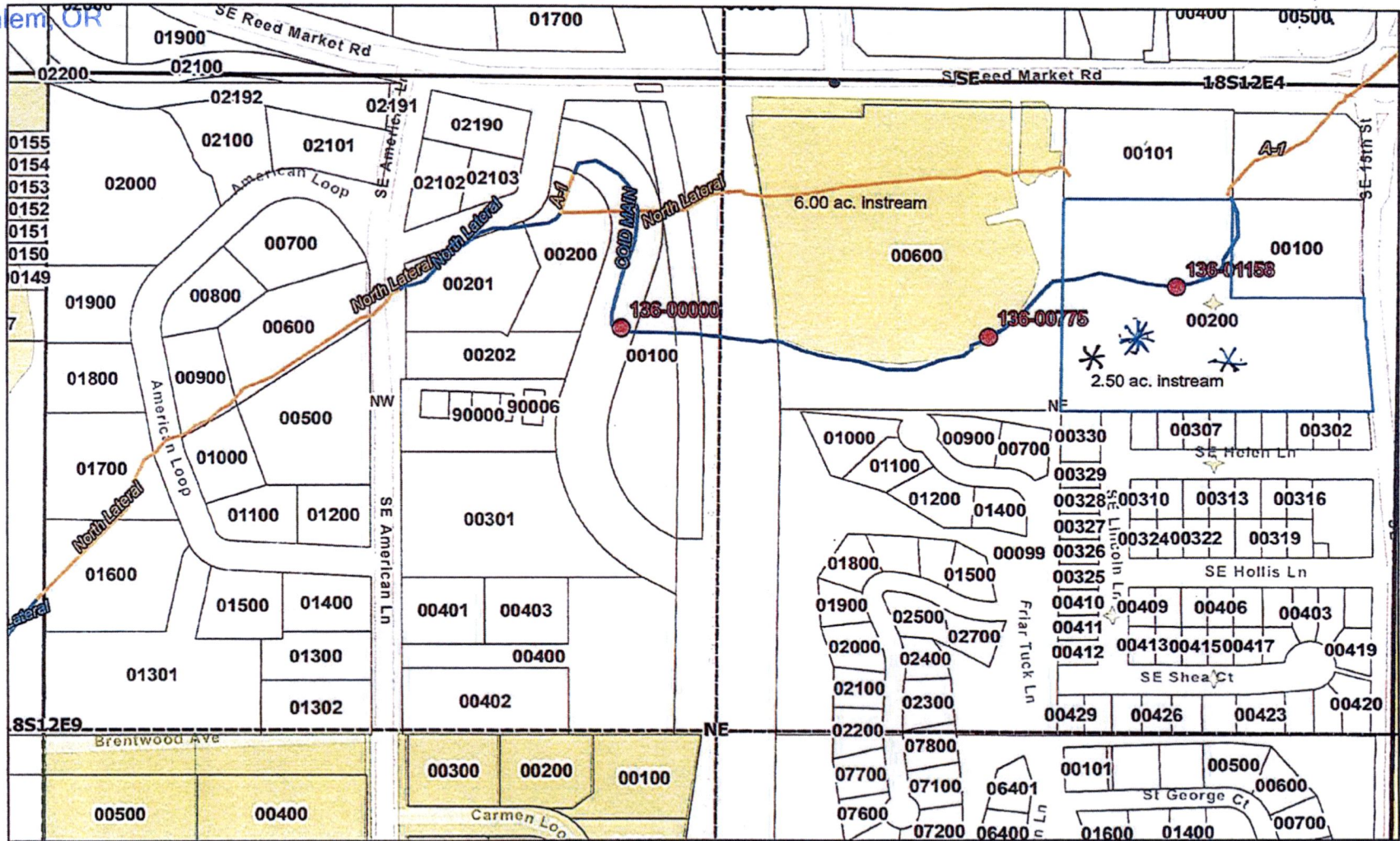


MAR 29 2021

# 18S 12E 09 NE NE TL 200 - 2.50 ac. 2021 Instream



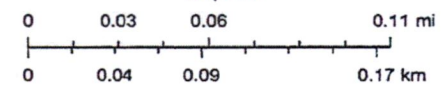
Salem, OR



3/25/2020, 1:37:51 PM

1:4,514

- Delivery Gates
- Pipeline
- Taxlots (2020)
- Township and Range
- Canals
- Place of Use - Primary (IR Use Code)
- Quarter Sections
- Sections
- Certified
- Quarter Quarter Sections
- Service Area Boundary

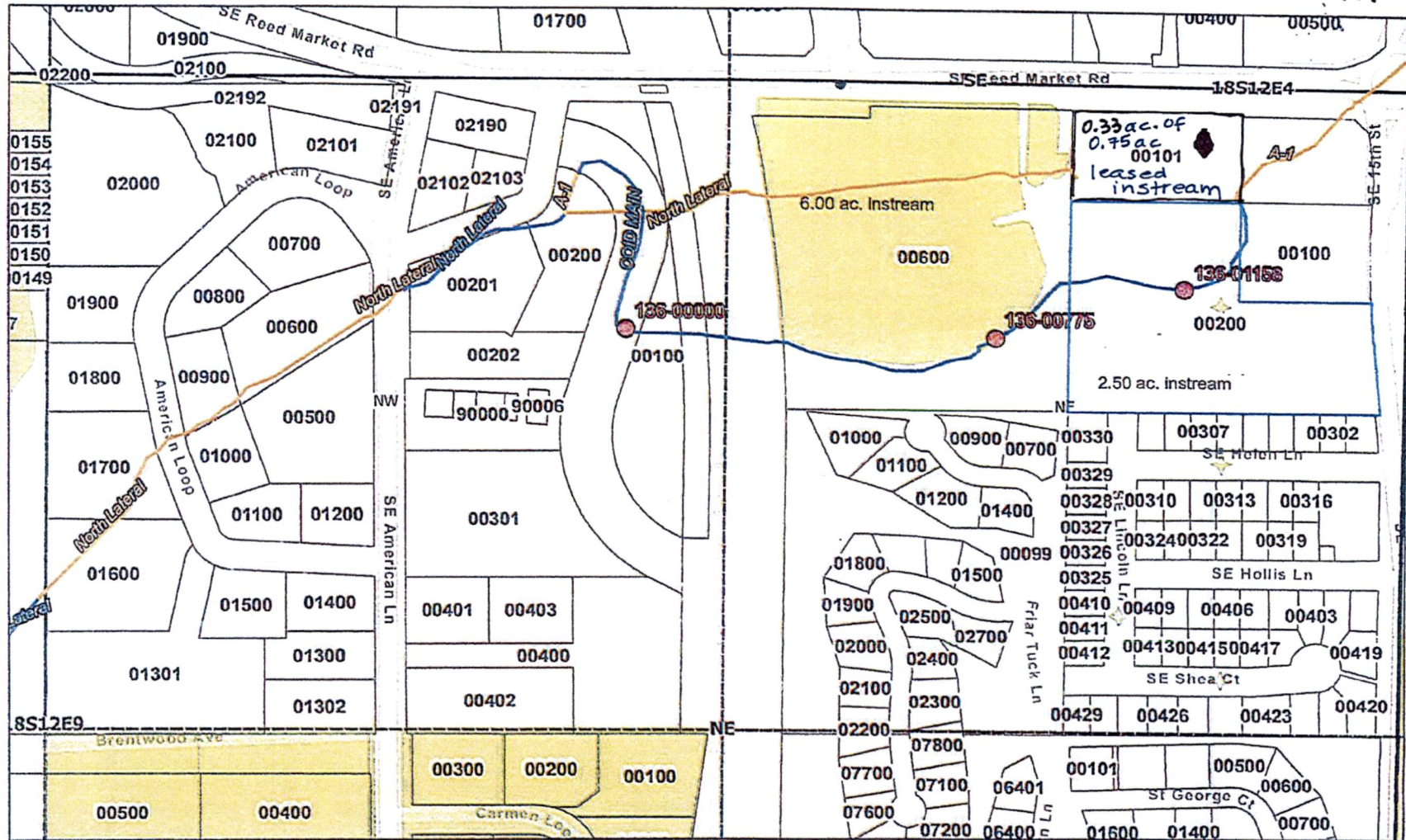


Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap

Arnold Irrigation District  
This map is intended for reference only and should not be used for navigation or legal determinations.



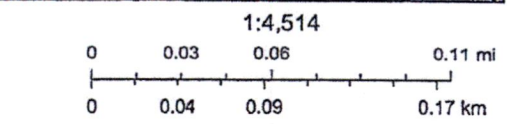
18S 12E 09 NE NE TL 101 - 0.33 ac. 2021 Instream



3/25/2020, 1:37:51 PM

- Delivery Gates
- Canals
- Pipeline
- Place of Use - Primary (IR Use Code)
- Certificated
- Taxlots (2020)
- Quarter Sections
- Quarter Quarter Sections
- Township and Range
- Sections
- Service Area Boundary

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Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap

Arnold Irrigation District

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\$103.00

01264187201900501100030035

12/19/2019 03:24 PM

D-D Cnt=1 Stn=2 AS  
\$15 00 \$11.00 \$61.00 \$10 00 \$6.00

After Recording Return to:

Arnold Irrigation District  
19604 Buck Canyon Rd  
Bend, OR 97702

Unless a change is requested,  
All statements shall be sent to:

Pahlisch Homes At Luderman Crossing, LLC  
210 SW Wilson Ave., #100  
Bend, OR 97702

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QUITCLAIM DEED

Pahlisch Homes At Luderman Crossing, LLC, Grantor, releases and quitclaims to ARNOLD IRRIGATION DISTRICT, Grantees, all of its right, title and interest in and to the following described property:

A total of 0.33 acres of the original 0.75 acres of Arnold Irrigation District water rights that are appurtenant to the following described real property located in Deschutes County, Oregon, to wit: Map 181209AA00101 – Parcel 2; as described in the Legal Description of Volume 2019 Page 27193 of the Deschutes County Records recorded July 31, 2019 (See Exhibit "A").

A total of 2.50 acres of Arnold Irrigation District water rights that are appurtenant to the following described real property located in Deschutes County, Oregon, to wit: Map 181209AA00200 – Parcel 4; as described in the Legal Description of Volume 2019 Page 27193 of the Deschutes County Records recorded July 31, 2019 (See Exhibit "A").

A total of 6.00 acres of Arnold Irrigation District water rights that are appurtenant to the following described real property located in Deschutes County, Oregon, to wit: Map 181209AA00600 – Parcel 5; as described in the Legal Description of Volume 2019 Page 27193 of the Deschutes County Records recorded July 31, 2019 (See Exhibit "A");

The true consideration for this water right transfer is forgiveness of future annual irrigation assessments for the 8.83 acres of water rights.

DATED this 18<sup>th</sup> day of December, 2019.

PAHLISCH HOMES At Luderman Crossing, LLC

By Chad Bettsworth  
Chad Bettsworth, Director of Land and Development  
Pahlisch Homes, Inc., its Manager

[Notary and Acceptance on Page 2]



STATE OF OREGON, County of Deschutes

On this 18<sup>th</sup> day of December, 2019 personally appeared Chad Bettsworth, who being sworn, stated that he is the Director of Land Development for Pahlisch Homes At Luderman Inc. Crossing, LLC; and that this document was voluntarily signed on behalf of Pahlisch Homes at Luderman Crossing, LLC by authority delegated to him.



Before me:

*[Handwritten Signature]*

Notary Public of Oregon

My Commission expires July 15, 2022

**ACCEPTANCE**

ARNOLD IRRIGATION DISTRICT, does hereby accept the foregoing Quitclaim Deed conveying water rights.

DATED this 19<sup>th</sup> day of December, 2019.

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Salem, OR

ARNOLD IRRIGATION DISTRICT

By *[Handwritten Signature]*

Colin Wills, District Manager

STATE OF OREGON, County of Deschutes

On this 19<sup>th</sup> day of December, 2019 personally appeared Colin Wills, who being sworn, stated that he is the District Manager for Arnold Irrigation District, and that this document was voluntarily signed on behalf of Arnold Irrigation District by authority delegated to him. Before me:



Before me:

*[Handwritten Signature]*

Notary Public of Oregon

My Commission expires Aug 30, 2022

NOTARY PUBLIC FOR OREGON

My commission expires: Aug. 30, 2022



MAR 29 2021

Exhibit "A"  
Legal Description

Salem, OR

**Parcel 2: 181209 AA 00101**

A tract of land located in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the Northeast corner to Section 9, Township 18 South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon; thence North 89°57'43" West, 329.81 feet along the North line of said Section 9 (said line being also the centerline of Reed Market Road) to a point; said point being the True Point of Beginning of this description; thence continuing along said line North 89°57'43" West, 330.07 feet; thence South 00°45'10" West, 231.09 feet; thence South 89°53'14" East, 329.80 feet; thence North 00°49'21" East, 231.52 feet to a point on the North line of said Section 9; said point being the True Point of Beginning and terminus of this description.

EXCEPTING THEREFROM that portion dedicated to the public by document recorded February 2, 1988, in Book 158, Page 309, Deschutes County Records.

ALSO EXCEPTING THEREFROM that portion dedicated to the public by document recorded May 17, 2013, Instrument No. 2013-20445, Deschutes County Records.

**Parcel 4: 181209 AA 00200**

A tract of land in the Northeast Quarter of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4NE1/4) of Section Nine (9), Township Eighteen (18) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at a point which is located on the section line between Sections 9 and 10 of said Township 18 South, Range 12, E.W.M., Deschutes County, Oregon, and South 0°52' a distance of 661.28 feet from the corner of Sections 3, 4, 9, and 10; thence from said point of beginning South 89°51' West a distance of 658.8 feet; thence North 0°46'30" East a distance of 430 feet; thence North 89°51' East a distance of 329.8 feet; thence South 0°52' West a distance of 200 feet; thence North 89°51' East to the East boundary of said Northeast Quarter Northeast Quarter (NE1/4NE1/4); thence South 0°52' West along said section line to the point of beginning.

Excepting Therefrom that portion dedicated to the public in Book 155, Page 2637, Deschutes County Records, recorded December 10, 1987.

**Parcel 5: 181209 AA 00600**

The Northwest Quarter of the Northeast Quarter of the Northeast Quarter (NW1/4NE1/4NE1/4) of Section 9, Township 18 South, Range 12 East, of the Willamette Meridian, Deschutes County, Oregon.

EXCEPTING THEREFROM that portion lying within the Burlington Northern Railroad right of way.

ALSO EXCEPTING that portion described in Declaration of Dedication recorded February 2, 1988 as Instrument No. 158-315, Deschutes County Records.

ALSO EXCEPTING that portion described in Dedication Deed recorded June 14, 2013 as Instrument No 2013-24693, Deschutes County Records.





After recording return to:  
Pahlisch Homes, Inc.  
210 SW Wilson Avenue Suite 100  
Bend, OR 97702

Until a change is requested all tax  
statements shall be sent to the  
following address:  
Pahlisch Homes, Inc.  
210 SW Wilson Avenue Suite 100  
Bend, OR 97702

File No.: 7064-3065930 (SNB)  
Date: May 22, 2018

THIS SPACE RESERVED FOR RECORDER'S USE

Deschutes County Official Records **2019-13503**  
D-D  
Stn=1 BN **04/29/2019 02:57 PM**  
\$15.00 \$11.00 \$10.00 \$61.00 \$6.00 **\$103.00**

I, Nancy Blankenship, County Clerk for Deschutes County, Oregon,  
certify that the instrument identified herein was recorded in the Clerk  
records.

Nancy Blankenship - County Clerk

### STATUTORY WARRANTY DEED

**Luderman Family, LLC, an Oregon limited liability company**, Grantor, conveys and warrants to  
**Pahlisch Homes, Inc. an Oregon Corporation**, Grantee, the following described real property free of  
liens and encumbrances, except as specifically set forth herein:

**LEGAL DESCRIPTION:** Real property in the County of Deschutes, State of Oregon, described as  
follows:

**See Attached Exhibit A**

**Subject to:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$2,600,000.00**. (Here comply with requirements of ORS 93.030)

After recording return to:  
First American Title  
395 SW Bluff Drive, Suite 100  
Bend, OR 97702

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Salem, OR







Date: **May 22, 2018**

File No.: **7064-3065930 ( SNB)**

**EXHIBIT 'A'**

**LEGAL DESCRIPTION:**

PARCEL I:

A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4 NE 1/4) OF SECTION 9, TOWNSHIP 18 SOUTH, RANGE 12, EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS LOCATED ON THE SECTION LINE BETWEEN SECTIONS 9 AND 10 OF SAID TOWNSHIP 18 SOUTH, RANGE 12, EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, AND SOUTH 0°52' A DISTANCE OF 661.28 FEET FROM THE CORNER OF SECTIONS 3, 4, 9, AND 10; THENCE FROM SAID POINT OF BEGINNING SOUTH 89°51' WEST A DISTANCE OF 658.8 FEET; THENCE NORTH 0°46'30" EAST A DISTANCE OF 430 FEET; THENCE NORTH 89°51' EAST A DISTANCE OF 329.8 FEET; THENCE SOUTH 0°52' WEST A DISTANCE OF 200 FEET; THENCE NORTH 89°51' EAST TO THE EAST BOUNDARY OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4); THENCE SOUTH 0°52' WEST ALONG SAID SECTION LINE TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE RIGHT-OF-WAY OF 15TH STREET.

ALSO EXCEPTING THEREFROM THAT PORTION DEDICATED TO THE PUBLIC IN BOOK 155, PAGE 2637, DESCHUTES COUNTY RECORDS, RECORDED DECEMBER 10, 1987.

PARCEL II:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NW1/4 NE1/4 NE1/4) OF SECTION 9, TOWNSHIP 18 SOUTH, RANGE 12, EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN ROADS, STREETS, AND HIGHWAYS.

ALSO EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE RIGHT OF WAY OF THE GREAT NORTHERN RAILWAY (BURLINGTON NORTHERN RAILROAD).

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED IN DECLARATION OF DEDICATION RECORDED FEBRUARY 2, 1988 IN BOOK 158, PAGE 315, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED IN DEDICATION DEED RECORDED JUNE 14, 2013 IN INSTRUMENT NO. 2013-24693, OFFICIAL RECORDS.

NOTE: This Legal Description was created prior to January 01, 2008.

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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: Arnold 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 #
74197	02/05/1905 & 04/25/1905	1	18 S	12 E	21	NW SE	200		0.50	IRR	16	IL-1796
74197	02/05/1905 & 04/25/1905	1	18 S	12 E	21	NE SE	1101		3.00	IRR	16	IL-1796
74197	02/05/1905 & 04/25/1905	1	18 S	12 E	21	NW SE	300		0.45	IRR	16	IL-1796
74197	02/05/1905 & 04/25/1905	1	18 S	11 E	24	SW SW	1900		0.51	IRR	4	IL-1796
74197	02/05/1905 & 04/25/1905	1	18 S	13 E	17	SW NW	2001		0.92	IRR	20	IL-1796
74197	02/05/1905 & 04/25/1905	1	18 S	12 E	26	NE NW	200		2.50	IRR	19	IL-1796

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

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

The undersigned declare:

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

\_\_\_\_\_  
Signature of Lessor      Date: 3/24/21

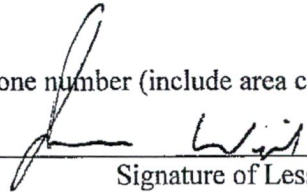
Printed name (and title): Jason Wick      Business name, if applicable: Avion Water Company  
Mailing Address (with state and zip): 60813 Parrell Rd., Bend, OR 97702

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Phone number (include area code): 541-382-5342 \*\*E-mail address: jason@avionwater.com

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

Date: 3/24/21

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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Salem, OR



**EXHIBIT C**

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**Deschutes River Conservancy  
Instream Leasing Program**

MAR 29 2021

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*

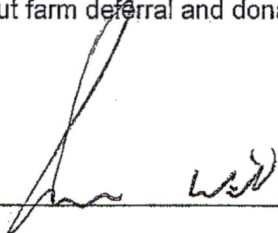
**Farm Deferral Notice**

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, and leases with verified weed complaints are not paid a per acre or per acre-foot rate by the DRC.

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

Signature:  Date: 3/24/21

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

# Arnold Irrigation District

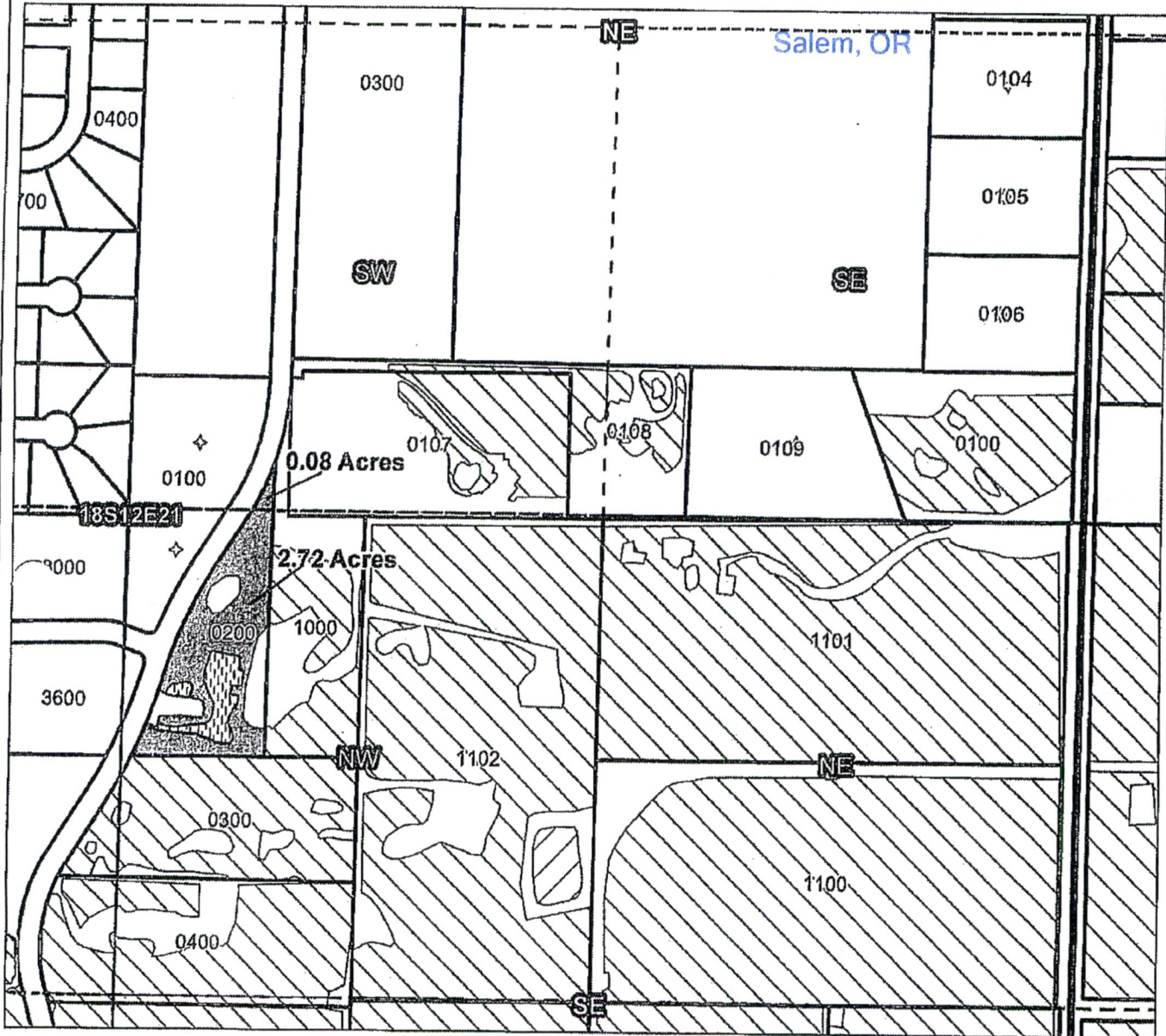
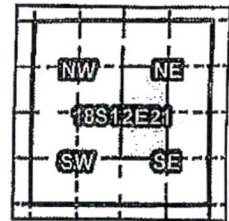
2021 District Transfer Application "On" Map

Certificates: 74197 (IR)

R. Burnett, Ashlee

Received by OWRD

MAR 29 2021









Taxlot 0200, 18S12E21SWNE: 0.08 On, 0.08 Acres Total remain

Taxlot 0200, 18S12E21NWSE: 2.72 On, 2.72 Acres Total remain, 0.5 Ac Instream

T-12251 moved acres

Quitclaimed to Arnold 0.5Ac.

-  Canals
-  Taxlots
-  Transfer
-  Primary Water Right
-  Pond Maintenance Right
-  Quitclaim

0.5 Ac Lease Instream ←



1 Inch = 400 feet



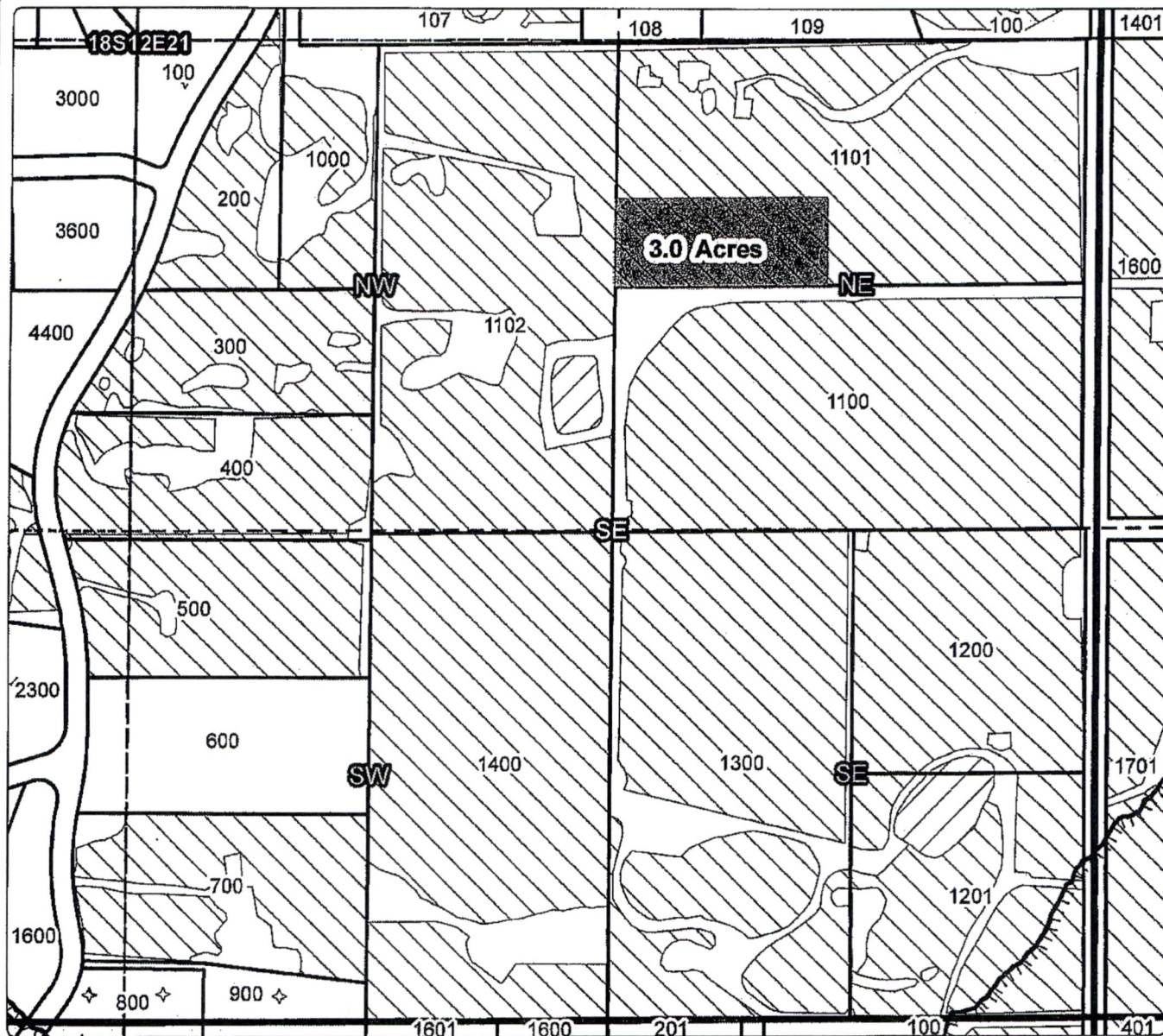
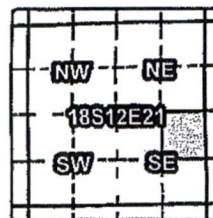
# Arnold Irrigation District Application for Instream Lease

Cert #: 74197

For: Avion Water Company 2021

MAR 29 2021

Salem, OR



## 1 YEAR INSTREAM LEASE MAP

Taxlot 1101, 18S12E21NESE: 3.0 Acres Leased, 14.85 Acres Remaining

- Point of Diversion
- TTT Canals
- Taxlots
- Lease
- ▨ Primary Water Right
- ▩ Pond Maintenance Right

1 inch = 400 feet





# Arnold Irrigation District Application for Instream Lease

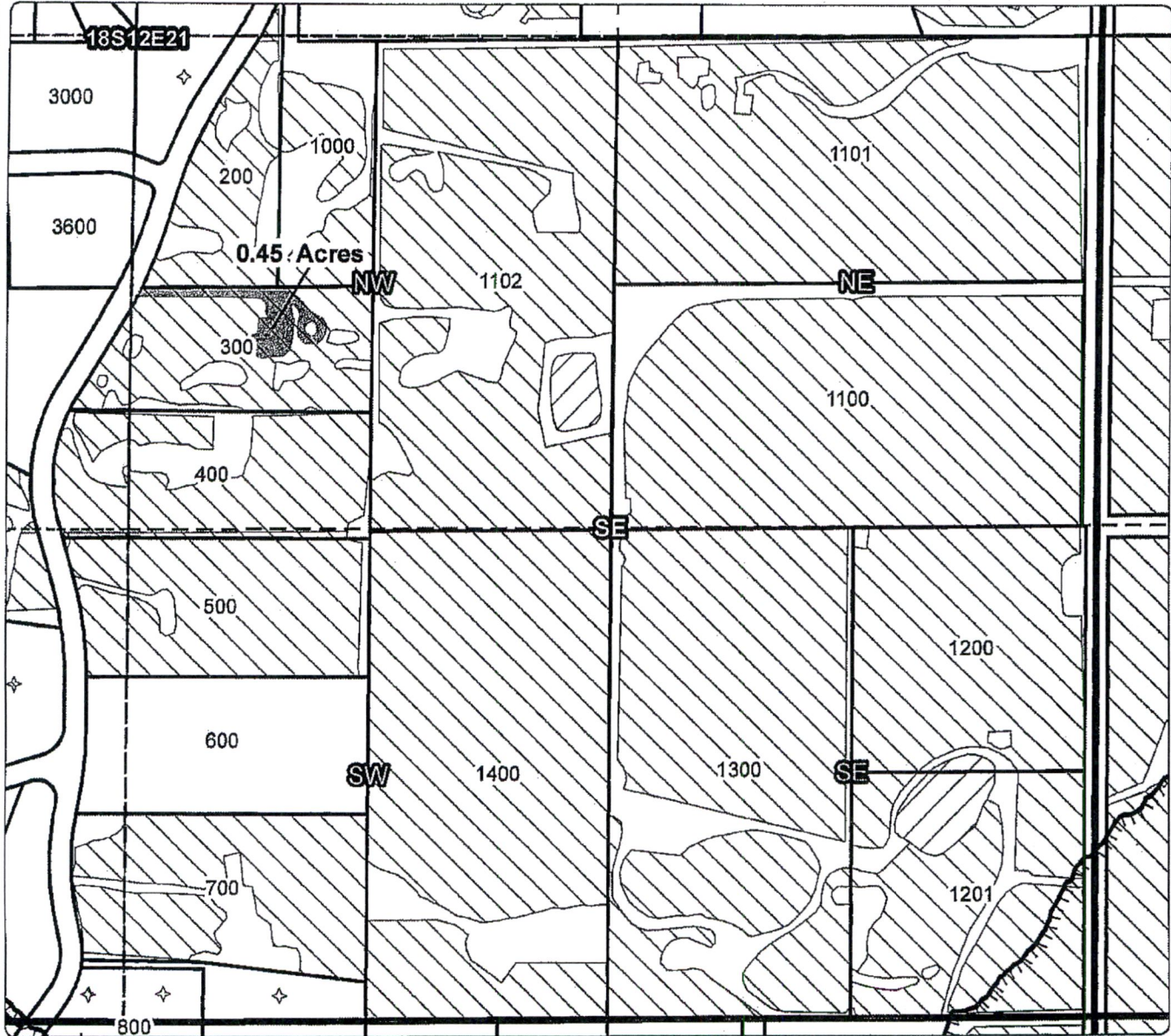
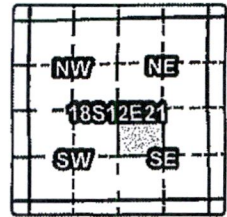
MAR 29 2021

Cert #: 74197

Salem, OR

For: Avion Water Company

2021



## 1 YEAR INSTREAM LEASE MAP

Taxlot 300, 18S12E21NWSE: 0.45 Acres Leased, 3.8 Acres Remaining

- Point of Diversion
- ▤ Canals
- ▭ Taxlots
- ▨ Lease
- ▧ Primary Water Right
- ▩ Pond Maintenance Right

1 inch = 400 feet





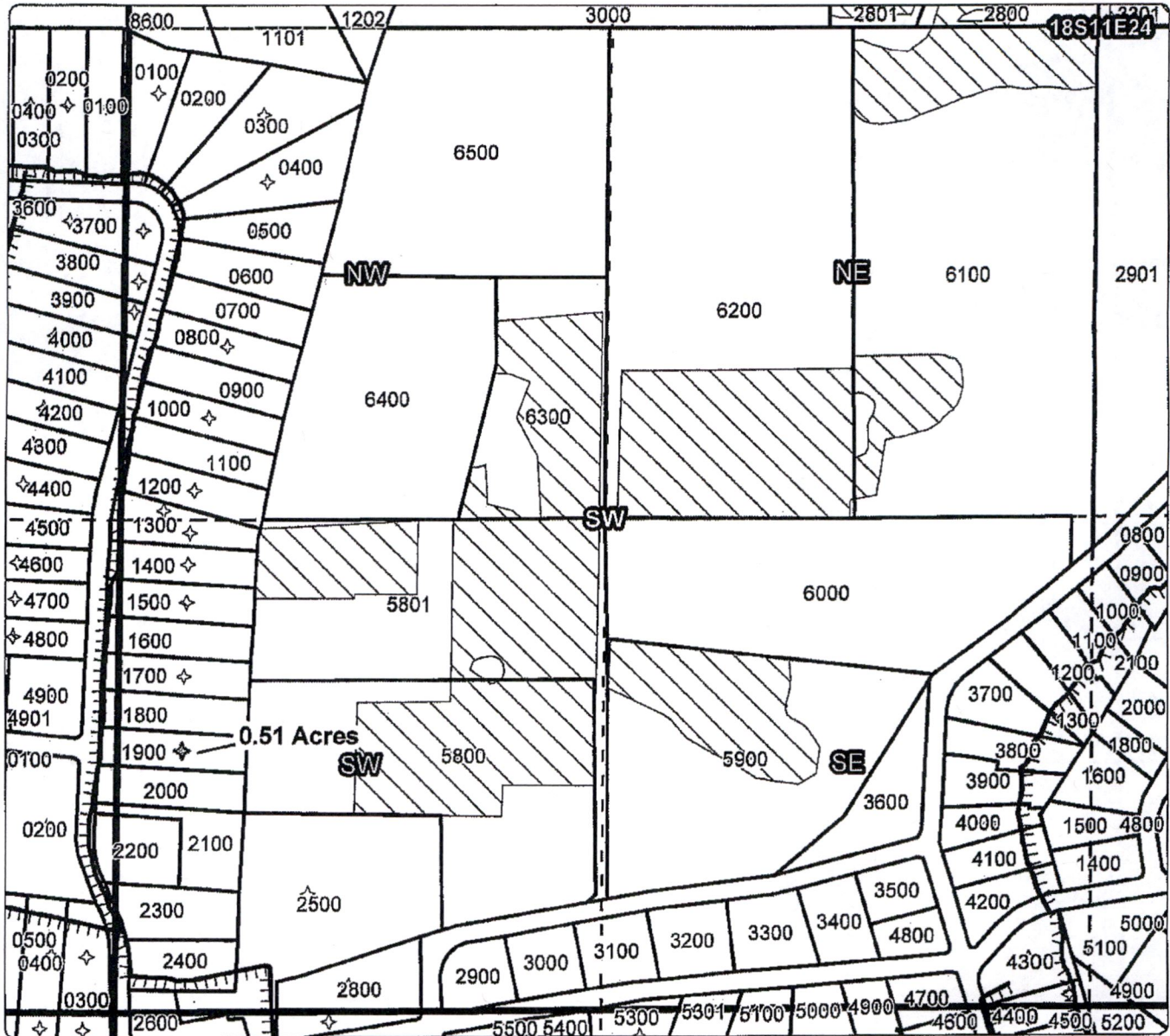
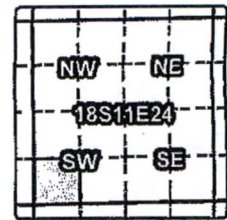
# Arnold Irrigation District Application for Instream Lease

Cert #: 74197

For: Avion Water Company 2021

MAR 29 2021

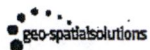
Salem, OR



## 1 YEAR INSTREAM LEASE MAP

Taxlot 1900, 18S11E24SWSW: 0.51 Acres Leased, 0 Acres Remaining

- Point of Diversion
- Canals
- Taxlots
- Lease
- Primary Water Right
- Pond Maintenance Right



1 inch = 400 feet



**Arnold Irrigation District**  
**Application for Instream Lease**

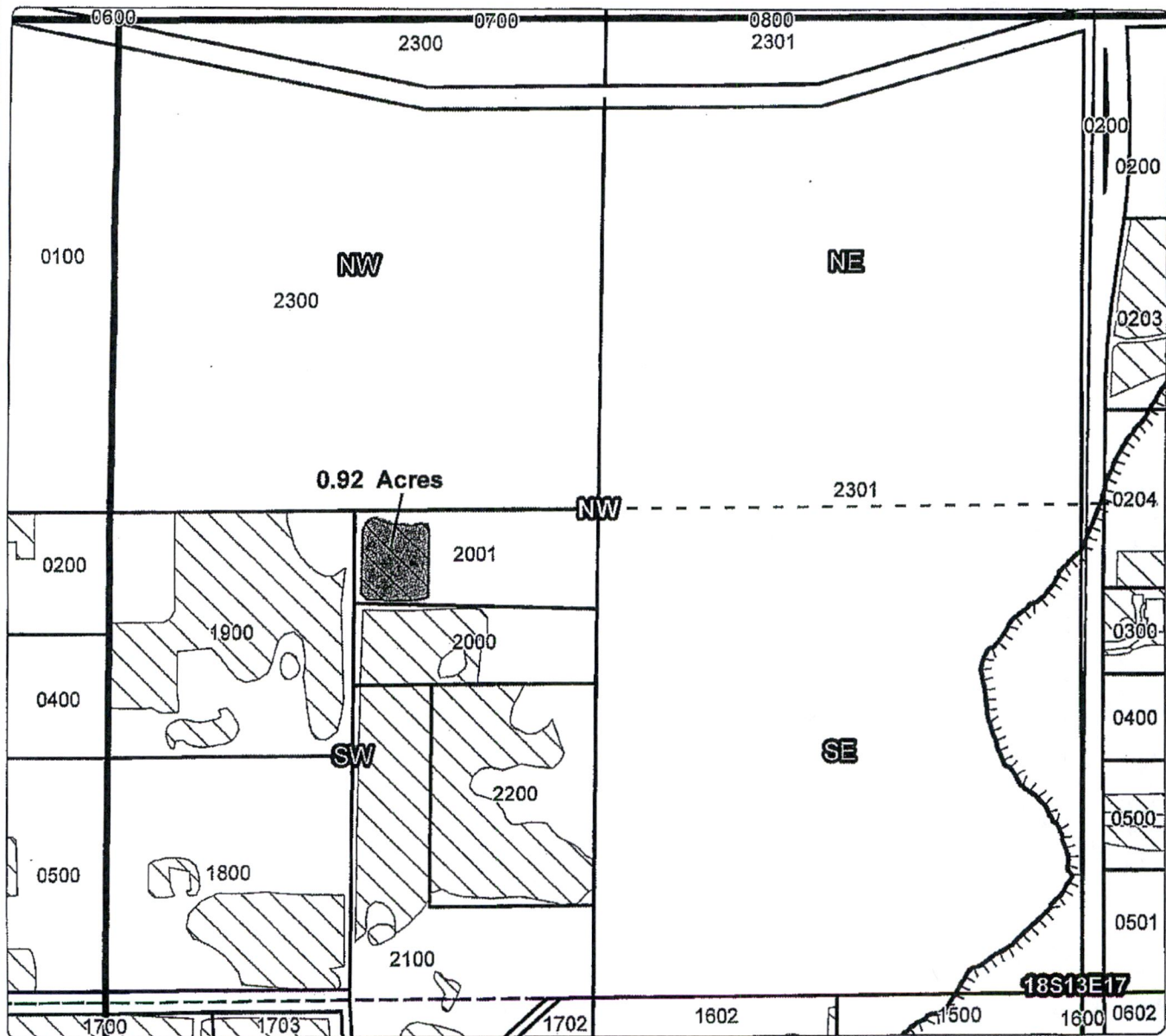
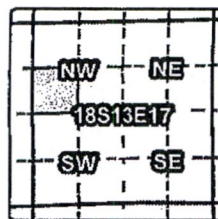
Cert #: 74197

For: Avion Water Company 2021

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MAR 29 2021

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**1 YEAR INSTREAM LEASE MAP**

Taxlot 2001, 18S13E17SWNW: 0.92 Acres Leased, 0 Acres Remaining

- Point of Diversion
- ▨ Canals
- Taxlots
- Lease
- ▧ Primary Water Right
- ▩ Pond Maintenance Right

1 inch = 400 feet





181226-NE/NW-200 - 2.50 ac. lease; 0.00 ac. remaining



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Salem, OR

Author: Juanita De Jarnett



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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: Arnold 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.

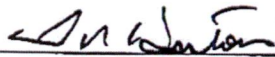
Water Right #	Priority Date	POD #	Twp		Rng		Sec	Q-Q		Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
74197	02/05/1905 & 04/25/1905	6	18	S	11	E	13	NW	SE	2400		2.14	IRR	1	IL-1537
74197	02/05/1905 & 04/25/1905	6	18	S	11	E	13	SW	SE	2400		4.95	IRR	1	IL-1537 (total WR here is 6.95)
74197	02/05/1905 & 04/25/1905	1	18	S	12	E	3	SW	SW	5600		1.37	IRR		T-7653
74197	02/05/1905 & 04/25/1905	1	18	S	12	E	3	SW	SW	5700		0.87	IRR		T-7653
74197	02/05/1905 & 04/25/1905	1	18	S	12	E	3	SW	SW	5800		1.66	IRR		T-7653
74197	02/05/1905 & 04/25/1905	1	18	S	12	E	3	SW	SW	5900		1.62	IRR		T-7653
74197	02/05/1905 & 04/25/1905	1	18	S	12	E	3	SW	SW	6000		1.58	IRR		T-7653

**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.



Signature of Lessor

Date: 3/24/2021

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Printed name (and title): Don Horton, Executive Director Business name, if applicable: Bend Metro Park & Recreation District  
Mailing Address (with state and zip): 799 SW Columbia St., Bend, OR 97702  
Phone number (include area code): 541-389-7275 \*\*E-mail address: Don@bendparksandrec.org

Don Horton Date: 3/24/2021  
Signature of Lessor

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): \_\_\_\_\_  
Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

Don Horton, Executive Director  
Bend Park and Recreation District  
799 SW Columbia, Bend, OR 97702  
541.706.6100  
don @ bendparksandrec.org

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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:** 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, and leases with verified weed complaints are not paid a per acre or per acre-foot rate by the DRC.

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

Signature: Don Horton Date: 3/24/2021

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



# Arnold Irrigation District Application for Instream Lease

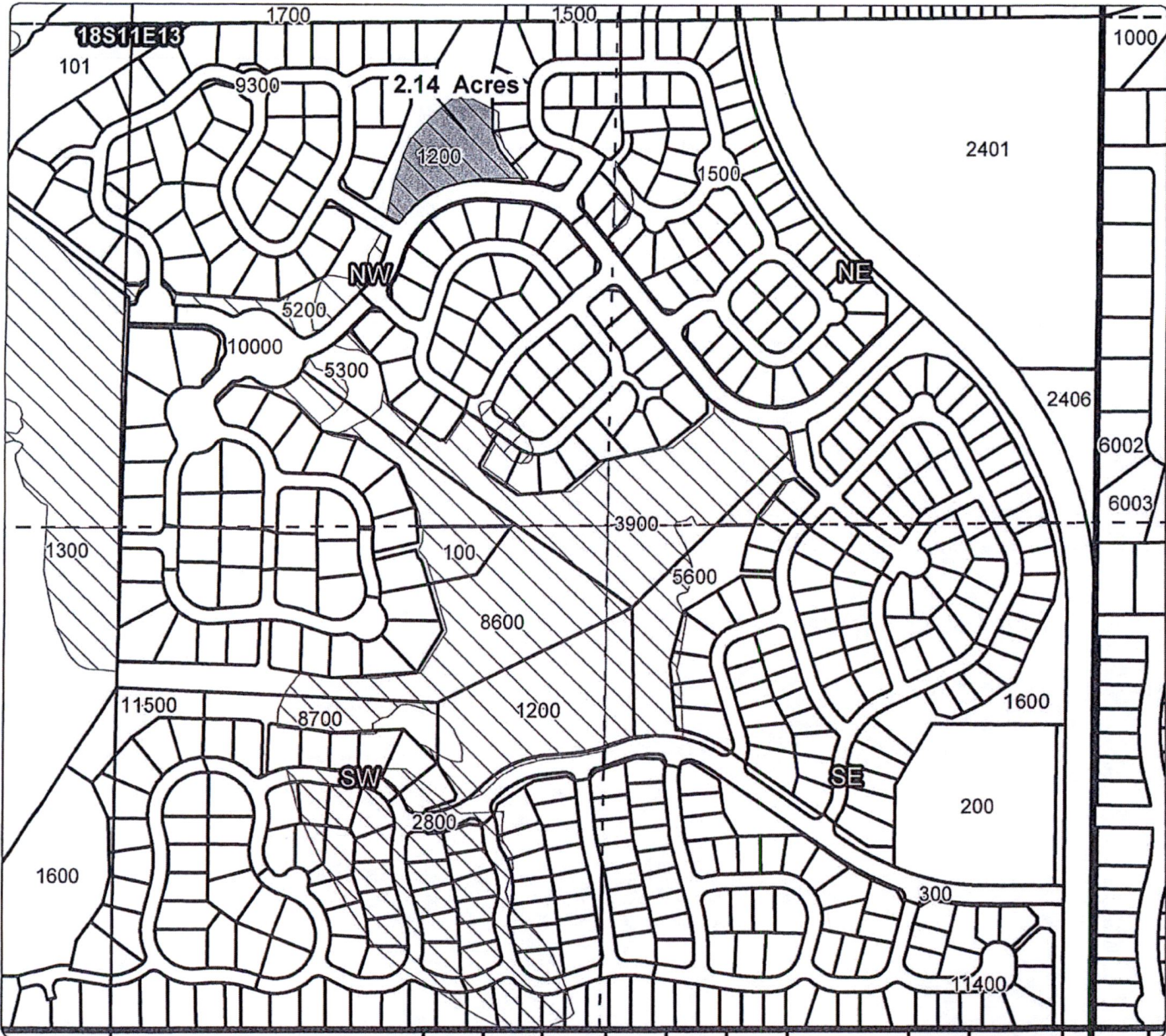
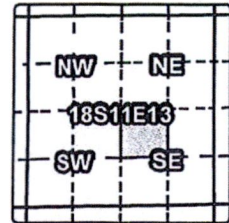
Cert #: 74197

For: Bend Metro Parks and Recreation

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## 1 YEAR INSTREAM LEASE MAP

Taxlot 1200, 18S11E13NWSE: 2.14 Acres Leased, 0 Acres Remaining  
*prev 2400*

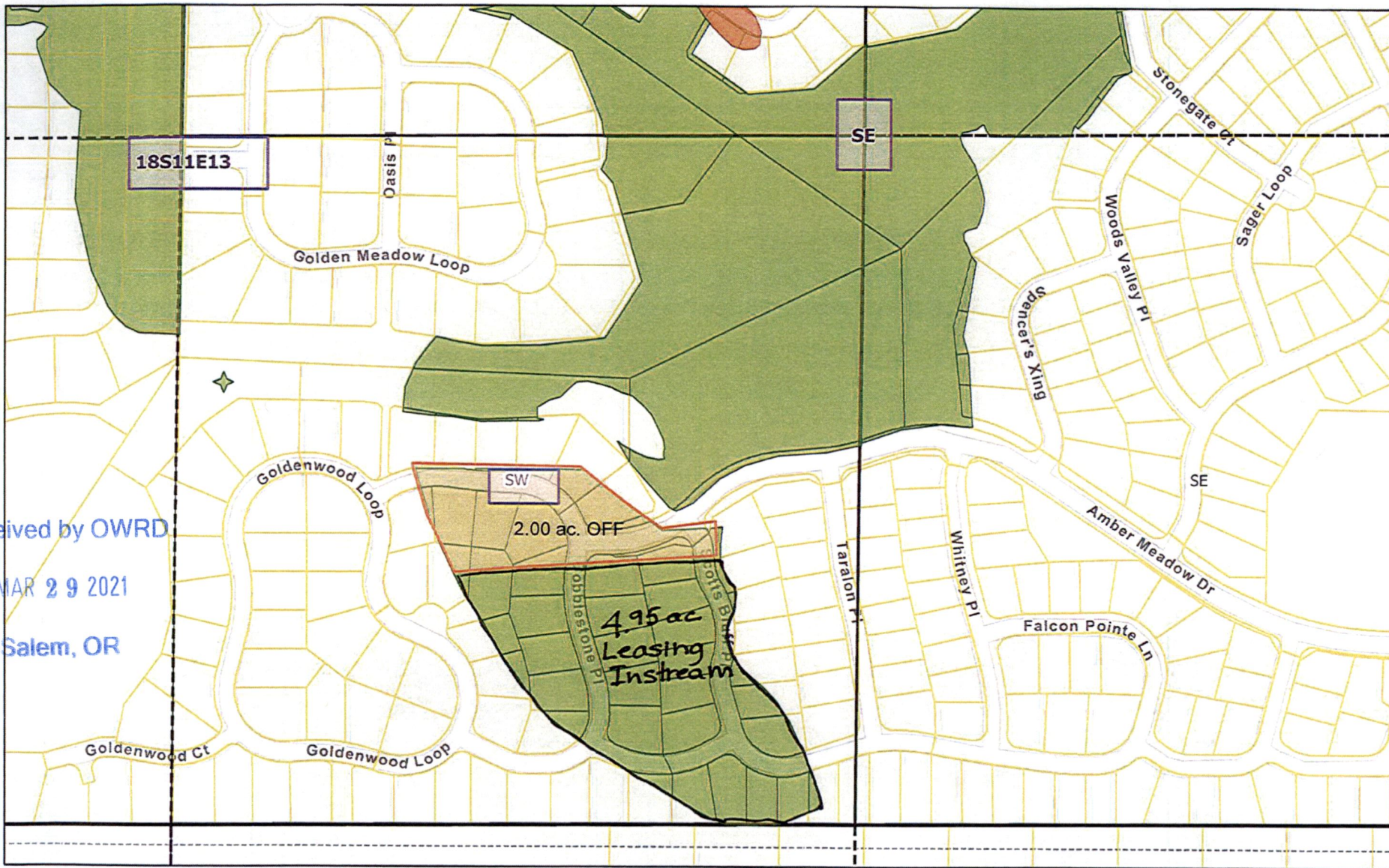
- Point of Diversion
- ▤ Canals
- ▭ Taxlots
- ▨ Lease
- ▧ Primary Water Right
- ▩ Pond Maintenance Right

1 inch = 400 feet





# Bend Metro Parks & Rec - 181113-SWSE-Prev TL# 02400 - 4.95 ac 2021 Lease Instream



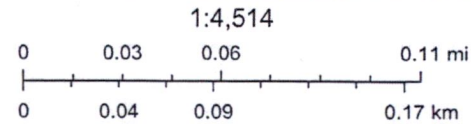
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3/19/2021, 11:37:47 AM

- |            |                                      |  |                          |
|------------|--------------------------------------|--|--------------------------|
| Areas      | Place of Use - Primary (IR Use Code) | Place of Use - Primary (Other Use Codes) | Quarter Quarter Sections |
| Override 1 | Certificated                         | PM                                       | Township and Range       |
| Override 2 |                                      | Quarter Sections                         | Sections                 |



Esri Community Maps Contributors, State of Oregon GEO,

Arnold Irrigation District

This map is intended for reference only and should not be used for navigation or legal determinations.



# Arnold Irrigation District Application for Instream Lease

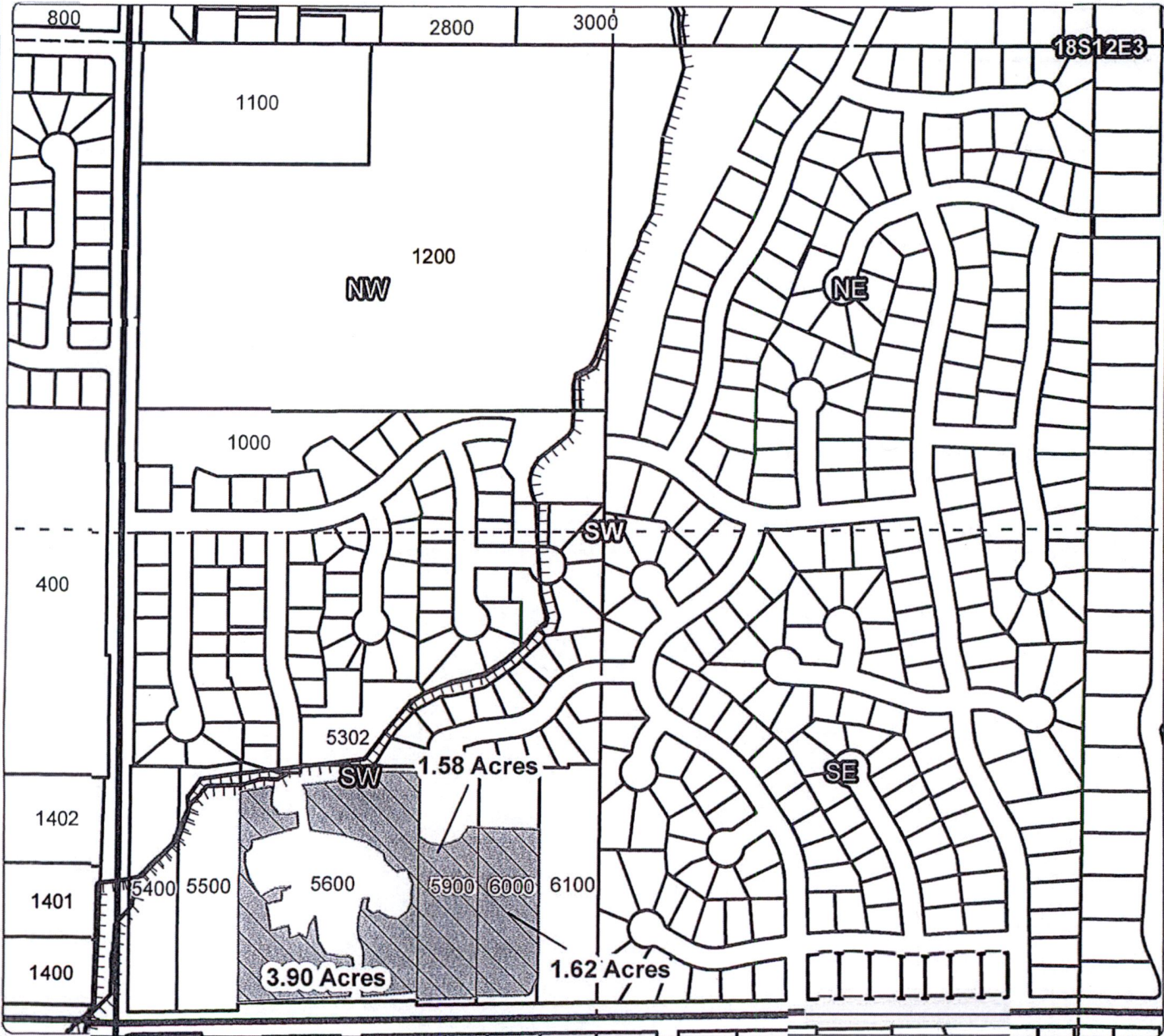
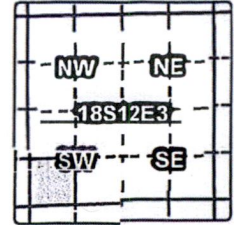
Cert #: 74197

For: Bend Metro Parks and Recreation

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## 1 YEAR INSTREAM LEASE MAP

Taxlot 5600, 18S12E3SWSW: 3.90 Acres Leased, 0 Acres Remaining

Taxlot 5900, 18S12E3SWSW: 1.62 Acres Leased, 0 Acres Remaining

Taxlot 6000, 18S12E3SWSW: 1.58 Acres Leased, 0 Acres Remaining

Tax lot 5600, listed in lease POU table as tax lots 5600, 5700, and 5800 for at total of 3.9 acres.

- Point of Diversion
- ▤ Canals
- ▭ Taxlots
- ▨ Lease
- ▧ Primary Water Right
- ▩ Pond Maintenance Right

1 inch = 400 feet

