



State of Oregon  
 Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900

# Application for District Instream Lease

## Part 1 of 4 – Minimum Requirements Checklist

<b>This Application to be used for water rights in the name of or conveyed by          an Irrigation District (or similar organization)          Complete Parts 1 through 4 and any required attachments</b>	OWRD #	IL-1872/MP-275
	District #	TSID 2

Check all items included with this application. (N/A = Not Applicable)

Yes  N/A **Pooled Lease**-a lease with more than one **Lessor** (Landowner/water right interest holder)

**Fee in the amount of:**

<input checked="" type="checkbox"/> \$520.00 for a lease involving <b>four or more landowners or four or more water rights</b>	Or <input 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.)

**Mitigation Project on  
 Portion of Acres**

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**How many Water Rights are included in the lease application?** 2 (# of rights)

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**List each water right to be leased instream here:** 74135, 93680

Salem, OR

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 June year 2021</b> and end: <b>month September year 2021</b> .	
<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 type="checkbox"/> Recreation <input type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	<b>Termination provision (for multiyear leases):</b> <b>The parties to the lease request (choose one):</b> <input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input 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.



Signature of Co-Lessor

Date: 5/10/2021

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Printed name (and title): Marc Thalacker, District Manager

Business/Organization name: Three Sisters Irrigation District

Mailing Address (with state and zip): P.O. Box 2230, Sisters, OR 97759

Phone number (include area code): 541-549-8815 \*\*E-mail address: manager@tsidweb.org

\_\_\_\_\_  
Signature of Co-Lessor

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

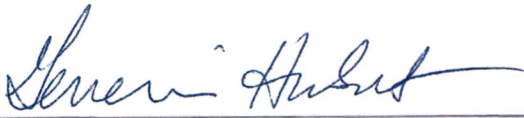
Printed name (and title): \_\_\_\_\_

Business/organization name: \_\_\_\_\_

Mailing Address (with state and zip): \_\_\_\_\_

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

**See next page for additional signatures.**



Date: 5/10/21

Signature of Lessee

Printed name (and title): Genevieve Hubert, Program Manager

Business/organization name: Deschutes River Conservancy Mitigation Bank

Mailing Address (with state and zip): 700 NW Hill St., 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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**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)**

Salem, OR


**Table 1**

<b>Irrigation District or other Water Purveyor Name: Three Sisters Irrigation District</b>													
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 #	
74135	1895	Main Canal	15 S	11 E	18	sw ne	800		3.84	IR	11		
74135	1895	Main	15 S	11 E	18	se ne	800		1.22	IR	11		
74135	1869	Main	15 s	11 e	18	sw nw	700		4.62	IR	11		
74135	1895	Main	15 s	11 e	18	sw nw	700		0.28	IR	11		
74135	1869	Main	15 s	11 e	18	se nw	700		1.59	IR	11		
74135	1895	Main	15 s	11 e	18	se nw	700		0.05	IR	11		
74135	1869	Main	15 s	11 e	18	ne sw	700		2.57	IR	12		
74135	1895	Main	15 s	11 e	18	ne sw	700		0.1	IR	12		
74135	1869	Main	15 s	11 e	18	nw sw	700		0.9	IR	12		
74135	1895	Main	15 s	11 e	18	nw sw	700		0.1	IR	12		
<b>Any additional information about the right: <u>Instream - 5.59 acres 1895 priority, 9.68 acres 1869 priority, 15.27 acres total</u></b>													
<b>Farm Deferral Tax Status:</b> Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local county assessor. You should contact your County for any weed ordinance and management requirements.													

The undersigned declare:

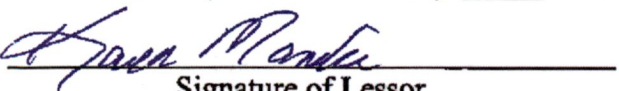
1. I/We agree during the term of this lease to suspend use of water allowed under the water right(s) involved in the lease as well as and any other appurtenant primary or supplemental water right(s); and
2. I/We certify are the lessor(s) (water right interest holder) of the water right(s) in Table 1.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

Signature Page Follows

  
Signature of Lessor

Date: 4/27/21

Printed name (and title): Michael Mansker Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): P.O. Box 1376, Sisters, OR 97759  
Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

  
Signature of Lessor

Date: 4-28-21

Printed name (and title): Karen Mansker Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): P.O. Box 1376, Sisters, OR 97759  
Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

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DESCHUTES COUNTY

1"=400'



See Map 15 11 7

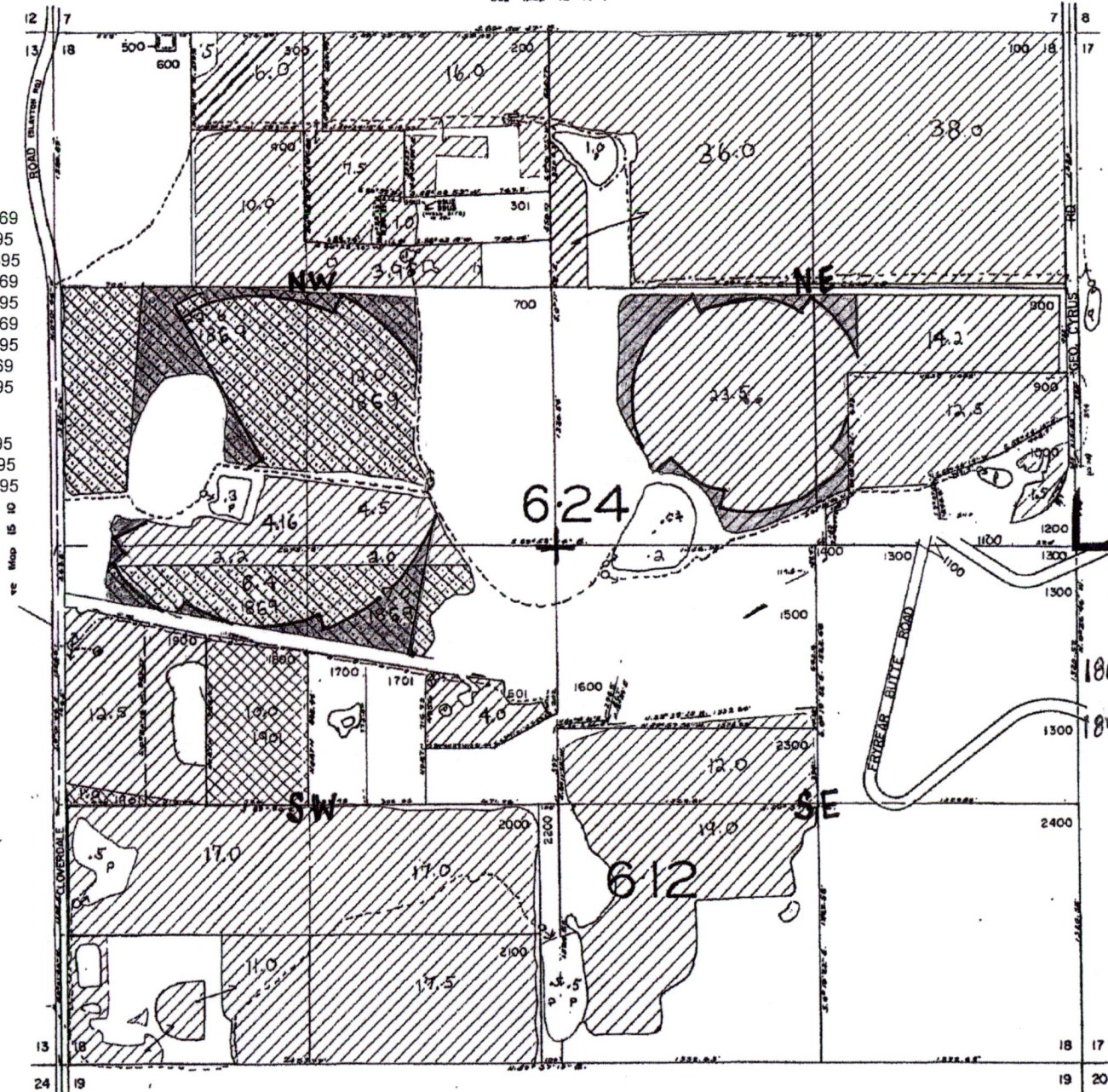
Instream Ac / Remain Ac / Priority

Tax Lot 700

- SWNW - 4.62 Instream / 17.98 Remain - 1869
- SWNW - 0.28 Instream / 3.88 Remain - 1895
- SWNW - / 0.3 Pond Remain - 1895
- SENW - 1.59 Instream / 10.41 Remain - 1869
- SENW - 0.05 Instream / 4.45 Remain - 1895
- NESW - 2.57 Instream / 4.43 Remain - 1869
- NESW - 0.10 Instream / 1.90 Remain - 1895
- NWSW - 0.90 Instream / 5.5 Remain - 1869
- NWSW - 0.10 Instream / 2.1 Remain - 1895

Tax Lot 800

- SWNE - 3.84 Instream / 19.66 Remain 1895
- SWNE - / 0.04 Pond Remain - 1895
- SENE - 1.22 Instream / 12.98 Remain - 1895



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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: <b>Three Sisters Irrigation District</b>													
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 #	
93680	1880	Main	15 S	10 E	10	nw sw	705		0.3	IR		(T-11318)	
93680	1880	Main	15 S	10 E	10	ne sw	705		18.0	IR		(T-11318)	
93680	1880	Main	15 S	10 E	10	sw sw	705		1.0	IR		(T-11318)	
93680	1880	Main	15 S	10 E	10	se sw	705		8.0	IR		(T-11318)	
93680	1880	Main	15 S	10 E	10	nw se	705		2.4	IR		(T-11318)	
93680	1880	Main	15 S	10 E	10	sw se	705		15.2	IR		(T-11318)	
93680	1880	Main	15 S	10 E	10	se se	705		4.2	IR		(T-11318)	
<b>Any additional information about the right: <u>Cert- 93680, 1880 priority, 49.1 ac lease (63.9 ac remain); Cert 93681, 1881 priority, 35.5 ac lease remain; Cert - 93683, 1886 priority, 7 ac remain.</u></b>													
<b>Farm Deferral Tax Status:</b> Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local county assessor. You should contact your County for any weed ordinance and management requirements.													

The undersigned declare:

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

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

Date: 4/8/2021

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Printed name (and title): Cory Misley, City Manager  
Mailing Address (with state and zip): P.O. Box 39, Sisters, OR 97759  
Phone number (include area code): 541-323-5212 \*\*E-mail address: cmisley@ci.sisters.or.us

Business name, if applicable: City of Sisters

\_\_\_\_\_  
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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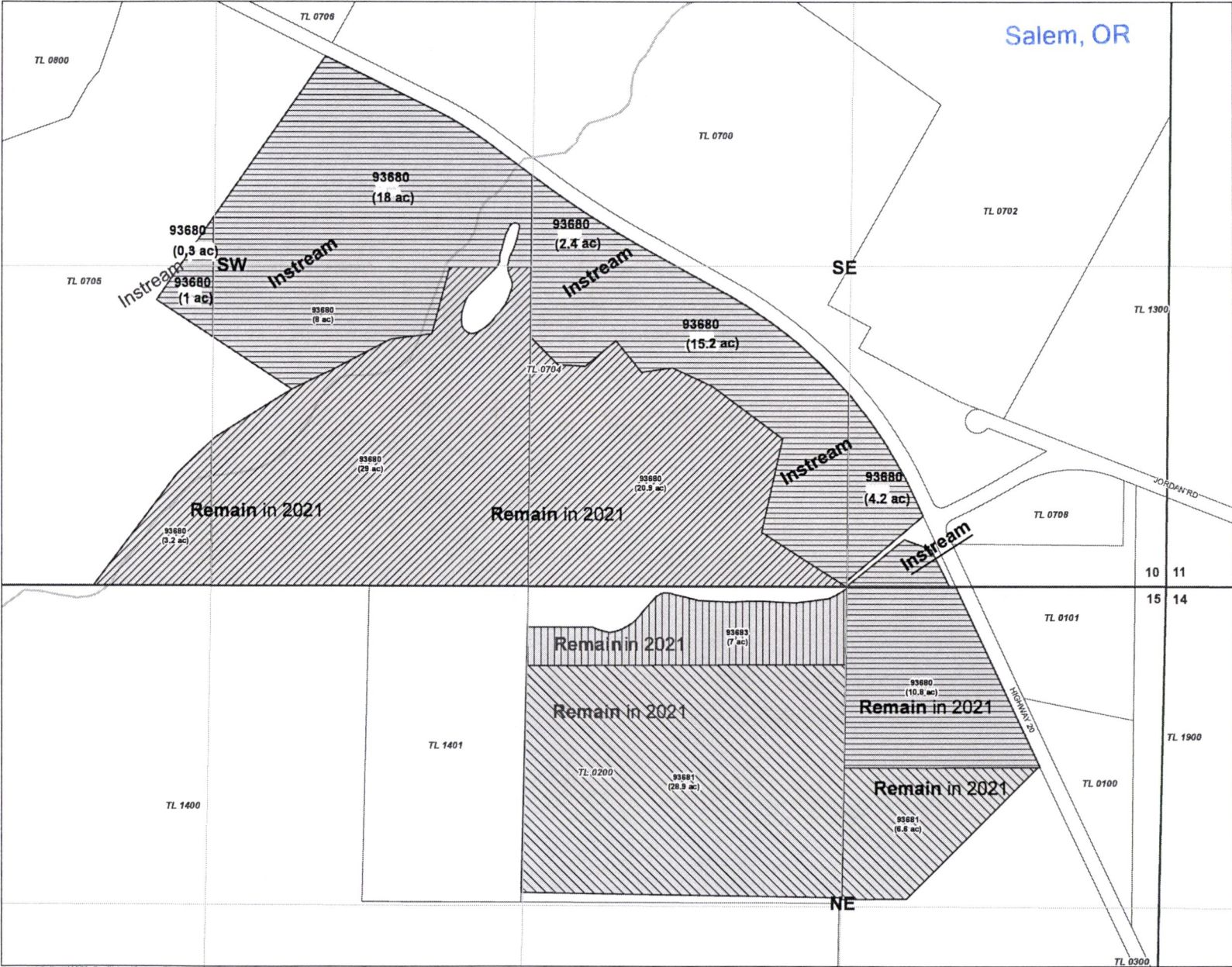
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Salem, OR



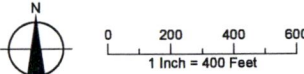
**City of Sisters**  
**Instream Lease Map**  
 Deschutes County  
 T. 15 South, R. 10 East (W.M.)  
 Sections 10, 15  
 Certificate 93680, 83681, 93683

- LEGEND**
- Place of Use (POU)**
- [Hatched Box] 93680, To be Leased
  - [Diagonal Lines Box] 93680, To Remain
  - [Cross-hatched Box] 93681, To be Leased
  - [Vertical Lines Box] 93683, To be Leased
- All Other Features**
- [Square Box] Tax Lot
  - [Wavy Line] Ditch/Pipeline

**2021 Instream Lease Map**  
 Certificate - 93680  
 Priority - 1880  
 Tax lot 705  
 SW & SE Qtr, Section 10

49.1 acres to lease instream  
 53.1 acres remain

Acres in N half of the NE  
 Qtr of Section 15 remain



Date: May 18, 2020  
 Data Sources: Deschutes Co GIS, Deschutes River Conservancy



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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: Three Sisters 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.

Table with 13 columns: Water Right #, Priority Date, POD #, Twp, Rng, Sec, Q-Q, Tax Lot, Gov't Lot/DLC #, Acres, Use, Page #, Previous Lease #. Contains 5 rows of data for water rights 74135.

Any additional information about the right: 111.4 acres acres lease IR. 36.6 acre IR and 0.5 ac pond remain

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.

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

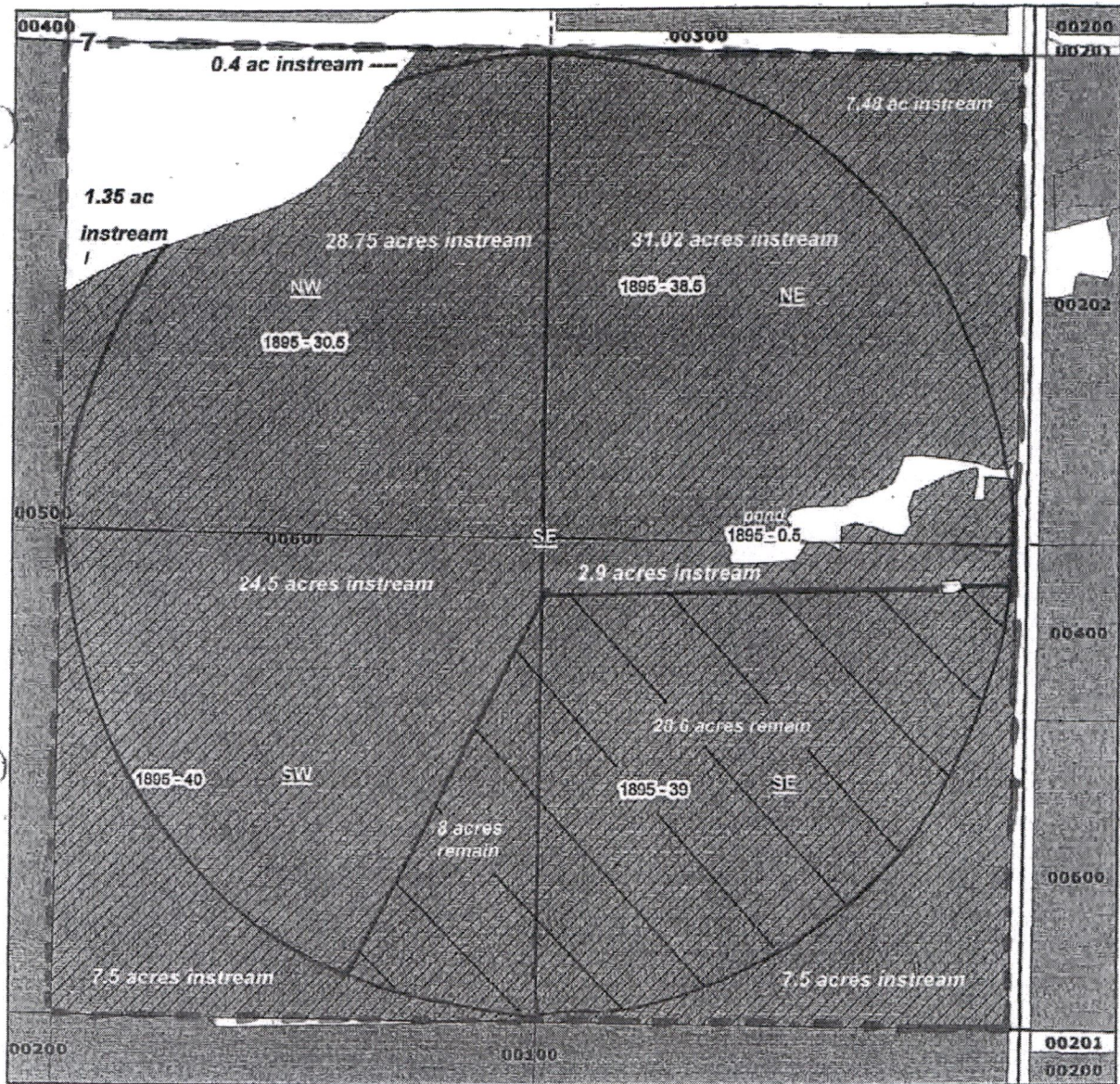
Signature of Lessor (handwritten)

Date: 4/16/2021

Printed name (and title): John Schaad Business name, if applicable:
Mailing Address (with state and zip): 1170 McLean Blvd., Eugene, OR 97405
Phone number (include area code): 541-344-5217 \*\*E-mail address: jgschaad@gmail.com

Signature of Lessor (handwritten)

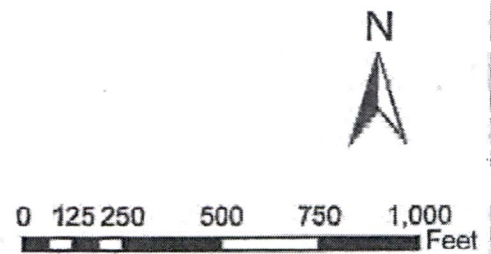
Date: 4/16/2021



**Legend**

- Leased Instream - Pond Maintenance
- Leased Instream - Irrigation
- Water Rights**
- Priority Date**
- 1887
- 1895
- 1903
- 1904
- Quarter Quarters
- Taxlots

John Schead  
 148 acres [redacted] - 1895  
 Certificate 74135  
 T15S R11E Sect 07  
 Tax Lot 600  
 NESE  
 38.5 acres [redacted] - 1895  
 0.5 acres [redacted] - 1895 (pond maintenance)  
 NWSE  
 30.5 acres [redacted] - 1895  
 SWSE  
 40 acres [redacted] - 1895  
 SESE  
 39 acres [redacted] - 1895  
 Deschutes County



**2021 INSTREAM LEASE**

Irrigation	2021 INSTREAM LEASE		Pond
	Instream	Remain	
NWSE	30.5 ac	0.0 ac	
NESE	38.5 ac	0.0 ac	0.5 ac
SWSE	32.0 ac	8.0 ac	
SESE	10.4 ac	28.6 ac	
<b>Total</b>	<b>111.4 ac</b>	<b>36.6 ac</b>	<b>0.5 ac</b>

**Three Sisters Irrigation District**

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

**Complete Table 1 Identify water right(s) proposed to be leased instream  
Provide a separate Part 3 for each Lessor (water right interest holder/landowner)**

**Table 1**

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Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
74135	1895	Main	15 S	11 E	04	nw ne	101		18.3	IR	9	1813
74135	1895	Main	15 S	11 E	04	sw ne	101		38.7	IR	9	1813

**Any additional information about the right: 57 acres - lease for mitigation credit (1.3 ac in SWNE & 1.7 ac in NWNE are or will be in transfer process, 5.0 acres to remain in NWNE.)**

**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:

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

Karanswaner                      Date: 9/10/2021  
Signature of Lessor

Printed name (and title): Karan Swaner    Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): 18130 Highway 126, Sisters, OR 97759  
Phone number (include area code): 541-548-8854 \*\*E-mail address: karanswaner@yahoo.com

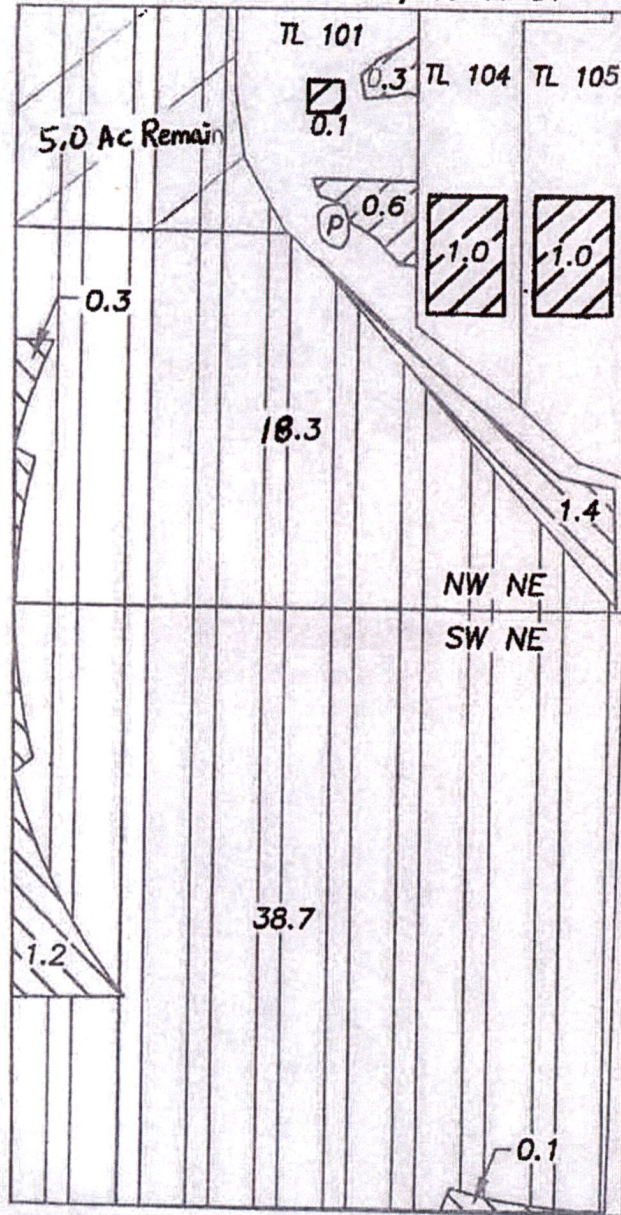
Please change mailing address to 69203 Sabrina Court, Sisters OR 97759

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Tax Map 15-11-04

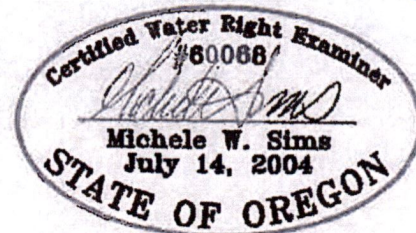
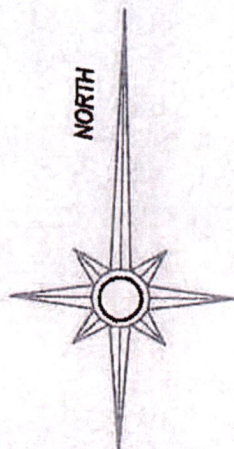


Application Map  
 Water Rights Transfer  
 Three Sisters Irrigation District received by OWRD

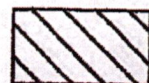
MAY 14 2021

3/15/2019

Salem, OR



Renewal date: 6/30/2020



Water off: Certificate 74135 priority date 1895  
Permit G11378 and S29312



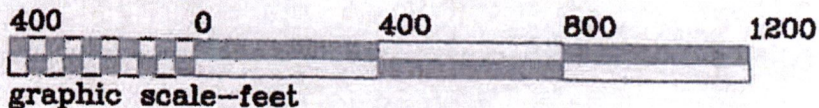
Water on: Certificate 74135 priority date 1895  
Permit G11378 and S29312



Water to lease instream

- 18.3 AC NWNE
- 5.0 Ac Remain
- 38.7 AC SWNE

This map is for the purpose of identifying the location of the water right. It is not intended to provide legal dimensions or locations of property ownership lines.



Section 16  
T13S R9E, W.M. Deschutes Co. OR

Michele W. Sims, Consultant, LLC 14865 Checkrein Sisters, OR 97759 541-408-4777

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

Complete Table 1 Identify water right(s) proposed to be leased instream  
Provide a separate Part 3 for each Lessor (water right interest holder/landowner)

Table 1

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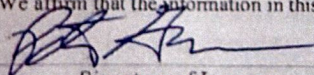
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
74135	1895	Main	14 S	11 E	23	ne se	800		3.0	IR	4	1813

Any additional information about the right: **2.8 acres remain. Lot line adjustment in 2003. 2.79 acres of land and 2.2 acres IR in NW corner of TL 800 (north side of McKenzie Cyn Rd) became part of TL 400.**

**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:

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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.

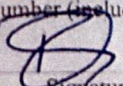
  
Signature of Lessor

Date: 5/4/2021

Printed name (and title): Peter Green Business name, if applicable: \_\_\_\_\_

Mailing Address (with state and zip): 70150 McKenzie Canyon Rd. Sisters, OR 97759

Phone number (include area code): 530-219-9025 \*\*E-mail address: pagreen@uoregon.edu

  
Signature of Lessor

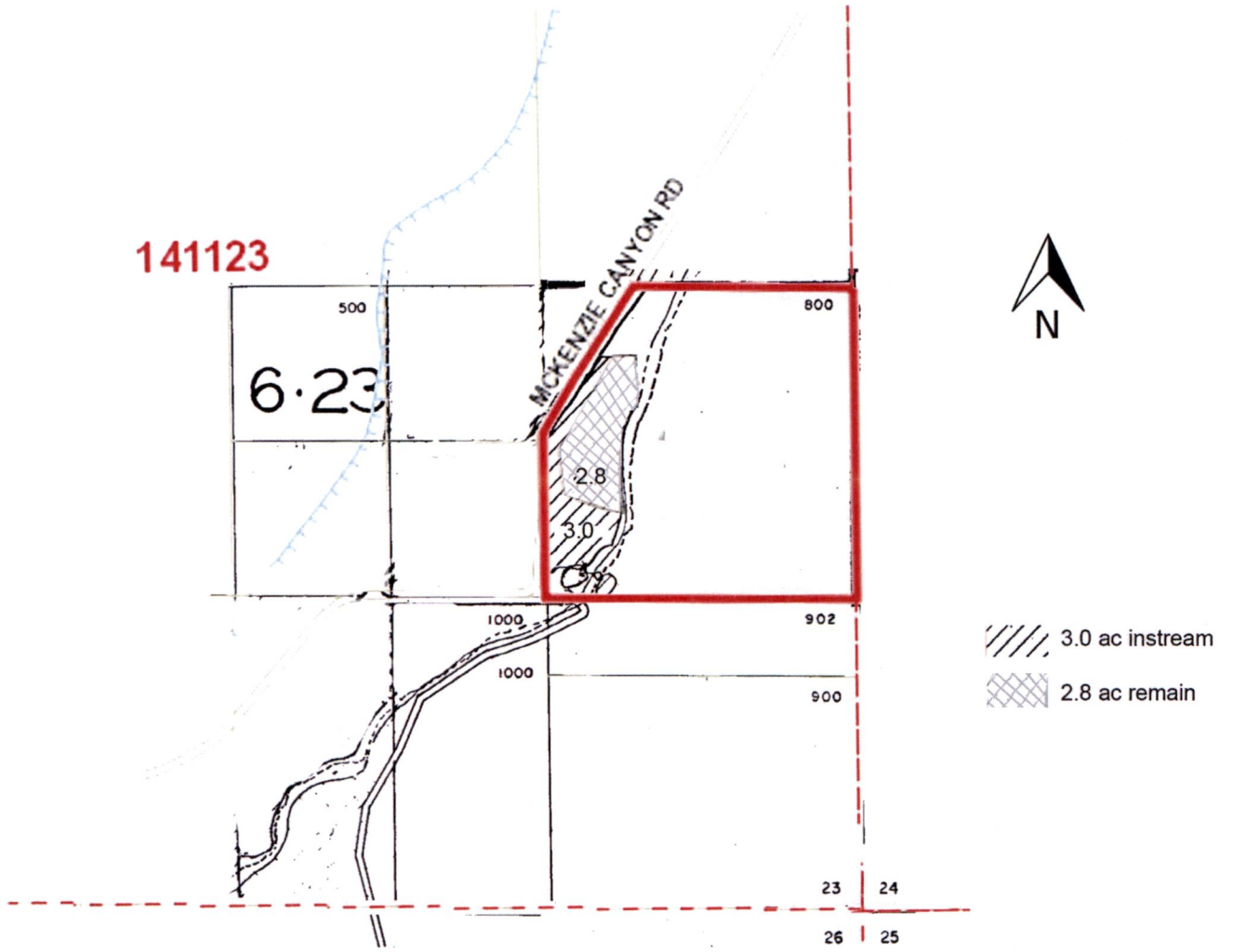
Date: 5/4/2021

Printed name (and title): Rebecca Green Mailing Address (with state and zip): 70150 McKenzie Canyon Rd., Sisters OR 97759

Three Sisters Irrigation District  
Certificate 74135

Peter & Rebecca Green  
70150 McKenzie Canyon Road

5.8 acres 1895



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MAY 14 2021

Salem, OR

## 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: Three Sisters 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 #
74135	1895	Main	15 s	10 e	12	nw ne	302/ 303		7.1	IR	7	1749

**Any additional information about the right: 2.6 acre lot adjustment from TL303, 8.0 ac transfer off with T-8392**

**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.

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Salem, OR

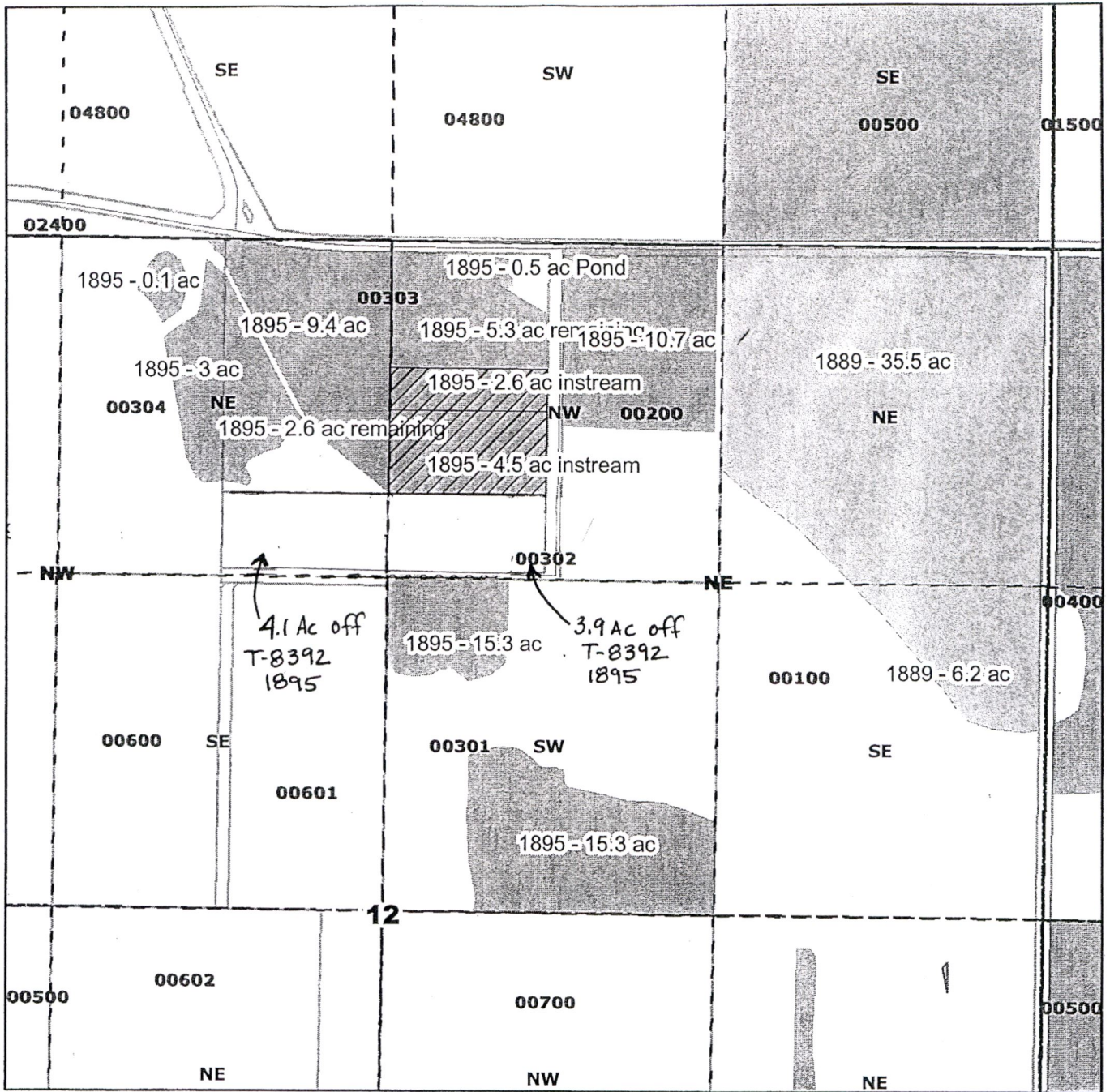
Wayne M. Cornick Date: 22 MAR 2021  
Signature of Lessor

Printed name (and title): Wayne Cornick Business name, if applicable: N/A  
 Mailing Address (with state and zip): 17000 Barlemay Lane, Sisters, OR 97759  
 Phone number (include area code): 541-835-4941 \*\*E-mail address: WMCORNICK@AOL.COM  
504-9038  
 Date: \_\_\_\_\_

Signature of Lessor

Printed name (and title): \_\_\_\_\_ Business name, if applicable: \_\_\_\_\_





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### Three Sisters Irrigation District

Wayne Cornick  
 7.1 acres instream - 1895  
 Certificate 74135  
 T15S R10E Sect 12  
 Tax Lot 302

NWNE 7.1 acres instream  
 3.9 acres transferred off - T8392  
 Deschutes County

NWNE  $\frac{1}{4}$  4.1 ac off NENW  
 T-8392

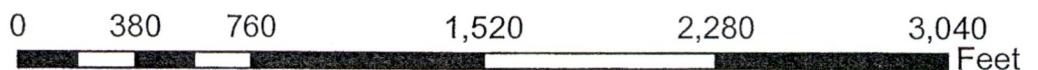
#### Legend

- Township Range
- Quarter Quarters
- Taxlots

Primary

Priority\_Date

- 1889
- 1895



Lot	q0	Tax lot	Acres	Type	Priority	Owner
3	SE¼ NE¼	100	27.30	IRR	1900	Thompson, Opal
	NE¼ NW¼	100	1.00	IRR	1900	Thompson, Opal
4	NW¼ NW¼	100	6.00	IRR	1900	Thompson, Opal
	NE¼ SE¼	100	1.70	IRR	1900	Thompson, Opal

Section 2

NE¼ NE¼	100	7.00	IRR	1903	Lazy Z, Joan Hull
SE¼ NE¼	100	11.00	IRR	1903	Lazy Z, Joan Hull
NE¼ SE¼	100	23.00	IRR	1903	Lazy Z, Joan Hull
NW¼ SE¼	100	23.00	IRR	1903	Lazy Z, Joan Hull
SW¼ SE¼	100	29.00	IRR	1903	Lazy Z, Joan Hull
SE¼ SE¼	100	31.00	IRR	1903	Lazy Z, Joan Hull

Section 11

NE¼ NE¼	100	35.50	IRR	1889	Cyrus, Willard & Mae
NW¼ NE¼	200	10.70 ✓	IRR	1895	Stengel, Mary
NW¼ NE¼	302	8.40	IRR	1895	Bartlemay, Anita → 3.9 T-8392 off
NW¼ NE¼	303	7.90 (5.3)	IRR	1895	Bartlemay, Anita → 2.6 ac of this is really in Tax Lot 302
NW¼ NE¼	303	0.50 ✓	POND	1895	Bartlemay, Anita
SW¼ NE¼	301	15.30	IRR	1895	Evered, James & Pat
SE¼ NE¼	100	6.20	IRR	1889	Cyrus, Willard & Mae
NE¼ NW¼	302	6.70 ✓	IRR	1895	Bartlemay, Anita → 4.1 T-8392 off
NE¼ NW¼	303	9.40	IRR	1895	Bartlemay, Anita
NE¼ NW¼	304	3.00 ✓	IRR	1895	Bartlemay, Anita
NE¼ NW¼	304	0.10 ✓	POND	1895	Bartlemay, Anita
NW¼ SW¼	500	19.00	IRR	1904	Cyrus, Keith & Connie
SW¼ SW¼	500	17.00	IRR	1904	Cyrus, Keith & Connie
NE¼ SE¼	100	6.60	IRR	1895	Cyrus, Willard & Mae
NE¼ SE¼	100	10.40	IRR	1904	Cyrus, Willard & Mae
NW¼ SE¼	700	23.00	IRR	1904	Cyrus, Keith & Connie
SW¼ SE¼	700	15.00	IRR	1895	Cyrus, Keith & Connie
SE¼ SE¼	700	39.00	IRR	1895	Cyrus, Keith & Connie

Section 12

NE¼ NE¼	100	6.50	IRR	1885	Cyrus, Keith & Connie
NE¼ NE¼	100	8.50	IRR	1895	Cyrus, Keith & Connie
NE¼ NE¼	100	10.00	IRR	1903	Cyrus, Keith & Connie
NE¼ NE¼	100	7.50	IRR	1904	Cyrus, Keith & Connie
NW¼ NE¼	100	0.55	IRR	1885	Cyrus, Keith & Connie
NW¼ NE¼	100	9.50	IRR	1895	Cyrus, Keith & Connie
NW¼ NE¼	100	26.00	IRR	1904	Cyrus, Keith & Connie
SW¼ NE¼	100	6.00	IRR	1903	Cyrus, Keith & Connie
SW¼ NE¼	100	23.50	IRR	1904	Cyrus, Keith & Connie
SE¼ NE¼	100	32.50	IRR	1903	Cyrus, Keith & Connie
SE¼ NE¼	100	3.50	IRR	1904	Cyrus, Keith & Connie
NE¼ NW¼	100	24.00	IRR	1903	Cyrus, Keith & Connie
NW¼ NW¼	100	23.50	IRR	1904	Cyrus, Keith & Connie
SW¼ NW¼	100	8.00	IRR	1904	Cyrus, Keith & Connie
SE¼ NW¼	100	11.30	IRR	1901	Cyrus, Keith & Connie
SE¼ NW¼	100	10.00	IRR	1904	Cyrus, Keith & Connie
NE¼ SW¼	500	0.50	IRR	1904	Cyrus, Keith & Connie
NE¼ SW¼	500	5.50	POND	1904	Cyrus, Keith & Connie
NE¼ SW¼	501	1.50	POND	1904	Cyrus, Keith & Connie
NE¼ SW¼	701	1.00	POND	1903	Cyrus, Keith & Connie
NE¼ SW¼	702	2.50	POND	1903	Cyrus, Keith & Connie
SW¼ SW¼	700	0.60	IRR	1895	Ruffin, Charles & Betty Jo
SE¼ SW¼	700	4.90	IRR	1895	Ruffin, Charles & Betty Jo
SE¼ SW¼	705	3.80	IRR	1895	Dorman, Jerry & Penny
NE¼ SE¼	702	19.60	IRR	1904	Cyrus, Keith & Connie
NW¼ SE¼	500	0.50	IRR	1904	Cyrus, Keith & Connie
NW¼ SE¼	702	19.50	IRR	1904	Cyrus, Keith & Connie
SW¼ SE¼	704	4.50	IRR	1895	Taylor, James & Diana

15, 10, 12

County TL size  
303 = 21.25 ac  
302 = 16.07 ac

Received by OWRD

MAY 14 2021

Salem, OR

C-74135

**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**

<b>Irrigation District or other Water Purveyor Name: Three Sisters Irrigation District</b>												
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 #
74135	1895	Main	15 S	11 E	04	sw se	100		27	IR	9	
Any additional information about the right: <b>27 acres leased instream, 12 acres remain</b>												
<b>Farm Deferral Tax Status:</b> Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local county assessor. You should contact your County for any weed ordinance and management requirements.												

The undersigned declare:

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

 Date: 4/29/21  
Signature of Lessor

Printed name (and title): Theodore Eady Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): 68795 Quail Tree Dr, Sisters, OR 97759  
Phone number (include area code): 541-467-1499 \*E-mail address: \_\_\_\_\_

*Teal E. Gadd Bental, consultant*

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

Printed name (and title): Keri Eady Mailing Address (with state and zip): 68795 Quail Tree Dr, Sisters, OR 97759

Received by OWRD  
MAY 14 2021  
Salem, OR

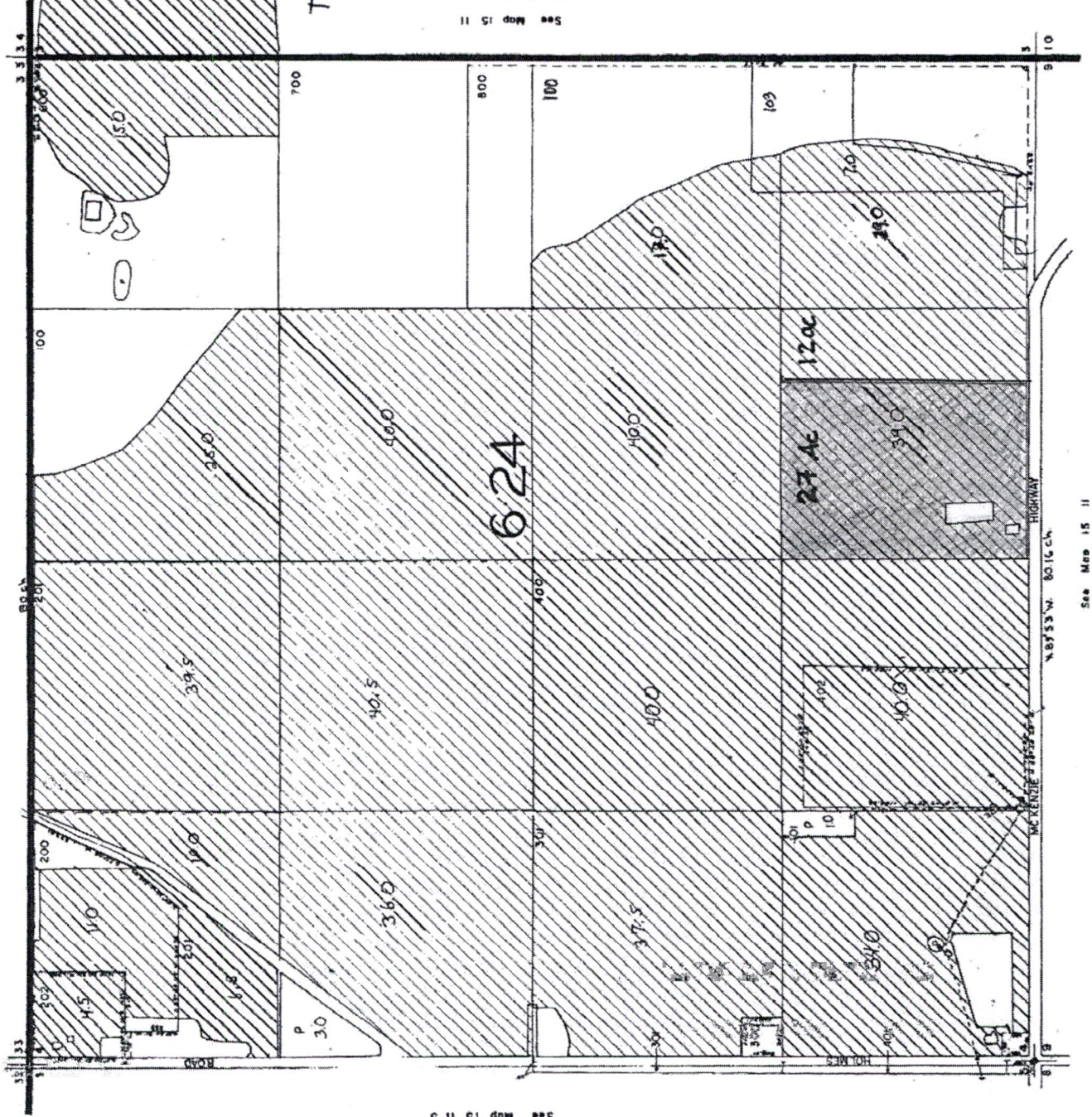
DESCHUTES COUNTY  
1"=400'

# Eady Instream Lease

10 1. 5



See Map 14 11



T14 R11 Sect. 4  
 SWSE TL 100  
 27 Ac Instream  
 12 Ac Remain

1895  
 Instream  
 Remain

See Map 15 11 5

See Map 15 11

Received by OWRD  
 MAY 14 2021  
 Salem, OR

**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: Three Sisters 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 #
74135	1895	Main	14 S	11 E	30	sw se	4700		16.5	IR	4	

**Any additional information about the right: 16.5 acres leased instream, 1895. 3.0 ac sold**

**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:

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

Reece Richardson Date: 5-3-21  
Signature of Lessor

Printed name (and title): Reece Richardson Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): 69765 Goodrich Road, Sisters, OR 97759  
Phone number (include area code): 541-548-3438 \*\*E-mail address: hcomfort@ykw.com

Lorene N. Richardson Date: 5/3/21  
Signature of Lessor

Printed name (and title): Lorene Richardson Mailing Address (with state and zip): 69765 Goodrich Road, Sisters, OR 97759

Received by OWRD

MAY 14 2021

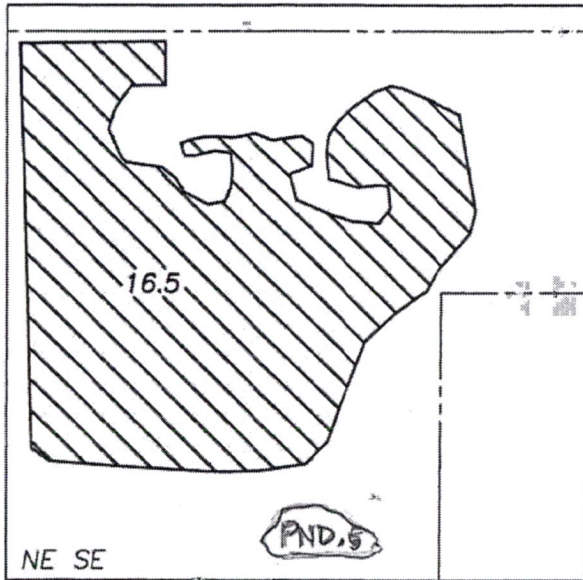
Salem, OR

Received by OWRD

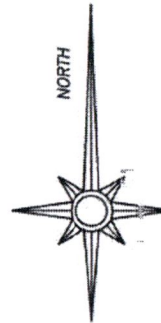
MAY 14 2021

Salem, OR

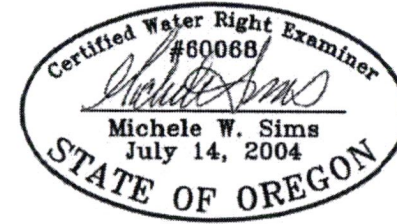
Application Map  
Water Rights Lease  
Richardson  
Three Sisters Irrigation District



Section 30  
T14S R11E, W.M  
Deschutes Co. OR  
Tax Lot 4700  
Map 14-11





January 7 2019

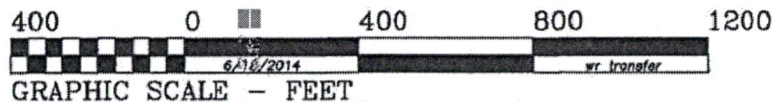


Renewal date: 6/30/2020

 Portion of Certificate 74135 to Lease  
16.5 ac (Priority date 1895)

 Tax lot boundary  
 1/16 Section lines

*POND Remain  
3.0 Ac. Sold*



This map is for the purpose of identifying the location of the water right. It is not intended to provide legal dimensions or locations of property ownership lines.

**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: Three Sisters 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 #
74135	1895	Main	15 S	11 E	05	se sw	400		11.2	IR	9	1552
74135	1895	Main	15 S	11 E	05	se sw	400		1	Pond	9	see below

**Any additional information about the right: Previously leased in IL-1552, except what had been State owned taxlot 700 - which Court judged to be transferred back to Redfield ownership 2/2/2021 (see attached judgement document and new deed). Pond was in use in the past 5 years.**

**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.

Tygh Redfield Date: May 6 / 2021  
Signature of Lessor

Received by OWRD

Printed name (and title): Tygh Redfield Business name, if applicable: \_\_\_\_\_  
Mailing Address (with state and zip): 68860 Goodrich Rd., Sisters, OR 97759  
Phone number (include area code): 541 420 4524 \*\*E-mail address: \_\_\_\_\_

MAY 14 2021

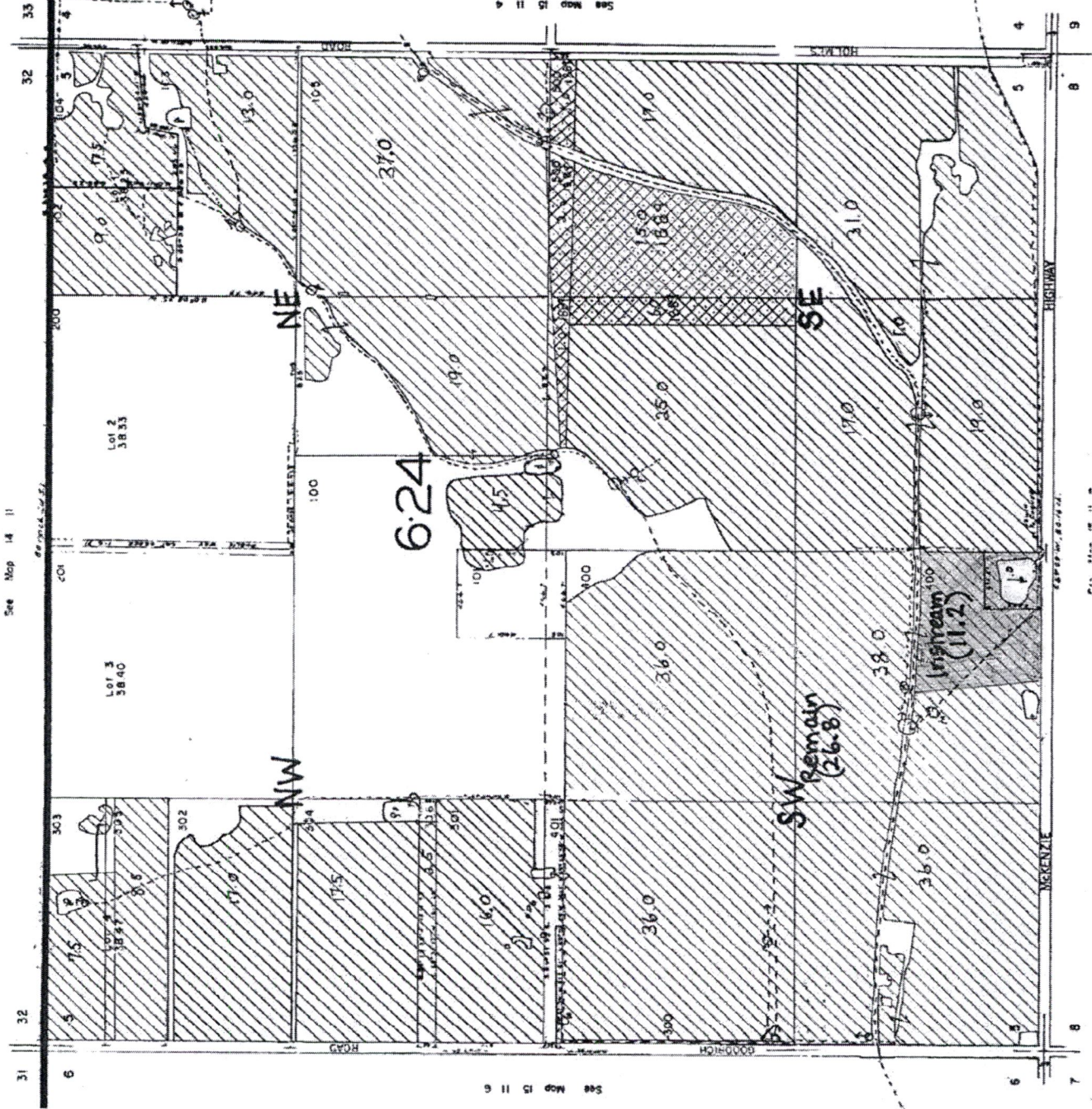
Salem, OR

Tygh Redfield Date: May 6 / 2021  
Signature of Lessor

DESCHUTES COUNTY

1"=400'

# Tygh Redfield Instream Lease



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MAY 14 2021

Salem, OR



Deschutes County Official Records

Nancy Blankenship, County Clerk

2021-27109

RECORDING COVER SHEET (Please print or type)

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, and does NOT affect the instrument. ORS 205.234



01370274202100271090050055

D-CR Cnt=1 Pgs=5 Stn=1
\$25.00 \$11.00 \$10.00 \$6.00

04/30/2021 10:24 AM
\$52.00

AFTER RECORDING RETURN TO: ORS 205.234(1)(c)

Bryant Emerson, LLP

PO Box 457

Redmond, OR 97756

Received by OWRD

MAY 14 2021

1. TITLE(S) OF THE TRANSACTION(S)

Salem, OR

ORS 205.234(1)(a)

Corrected General Judgment - Quiet Title Action

2. DIRECT PARTY(IES) / GRANTOR(S)

ORS 205.234(1)(b)

Deschutes County Circuit Court - Case No. 20CV28006

3. INDIRECT PARTY(IES) / GRANTEE(S)

ORS 205.234(1)(b)

Tygh Redfield

4. TRUE and ACTUAL CONSIDERATION

Amount in dollars or other value/property ORS 205.234(1)(d)

\$ 0.00 Other Value Other Property

Other value/property is Whole or Part of the consideration

5. SEND TAX STATEMENTS TO: ORS 205.234(1)(e)

Tygh Redfield

68860 Goodrich Road

Sisters, Oregon 97759

6. SATISFACTION of ORDER or WARRANT

Check one if applicable: ORS 205.234(1)(f)

FULL PARTIAL

7. The amount of the monetary obligation

imposed by the order or warrant: ORS 205.234(1)(f)

\$

8. If this instrument is being Re-Recorded, complete the following statement:

ORS 205.244(2)

Re-recorded at the request of

to correct

previously recorded in

Book/Volume and Page, or as Fee Number

Received by OWRD

MAY 14 2021

Salem, OR

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF DESCHUTES

TYGH REDFIELD,

Plaintiff,

v.

OREGON-WASHINGTON JOINT STOCK  
LAND BANK, THE STATE OF OREGON,  
OREGON DEPARTMENT OF  
TRANSPORTATION and also ALL OTHER  
PERSONS OR PARTIES OR PERSONS  
UNKNOWN CLAIMING ANY RIGHT, TITLE,  
LIEN OR INTEREST IN THE PROPERTY  
DESCRIBED IN THE COMPLAINT HEREIN,

Defendants.

Case No.: 20CV28006

**CORRECTED GENERAL  
JUDGMENT**



CERTIFIED TRUE COPY OF THE ORIGINAL  
Dated this 23<sup>RD</sup> day of April, 2021.  
CIRCUIT COURT OF THE STATE OF OREGON  
FOR DESCHUTES COUNTY

BY: Janae Smith  
COURT CLERK

This matter came before this Court on Plaintiff's Complaint (Quiet Title; Declaratory Relief). The Complaint was served on all Defendants. None of the Defendants filed an Answer to the Complaint or otherwise appeared.

On December 21, 2020 the Court entered a Default against each of the Defendants, and Plaintiff is entitled to a General Judgment as a matter of law.

On February 2, 2021 a General Judgment was signed and entered by the Court. The General Judgment signed and entered by the Court on February 2, 2021 contains an incomplete legal description of Plaintiff's property known as 68860 Goodrich Road, Sisters, Oregon and, more specifically, does not contain the legal description of the two acre parcel that is described in Exhibit B of Plaintiff's Complaint and which is the "subject property" of this Quiet Title action.

Now, therefore, it is hereby ADJUDGED that:

1. Plaintiff is declared to be the owner in fee simple of the Property described as:

1 IN TOWNSHIP 15 SOUTH, RANGE 11 EAST OF THE WILLAMETTE  
2 MERIDIAN, Deschutes County, Oregon:

3 That tract, piece or parcel of land lying in the southeast quarter of the southwest  
4 quarter (SE1/4SW1/4) of Section Five (5), Township Fifteen South (15 S.) Range  
Eleven East of Willamette Meridian (11 E.W.M.) described more fully by metes and  
bounds as follows:

5 Beginning at a point which is 30 feet north of the quarter section corner on the south  
6 line of said Section 5, Twp. 15 S., Rge. 11 E.W.M., said point being Engineers  
7 Station No. 781 + 56 of the McKenzie Highway as the same is now located,  
8 surveyed, staked out, and of record in the office of the State Highway Engineer at  
9 Salem, Oregon; thence westerly, parallel to and 30 feet distant from the center line of  
10 said McKenzie Highway, a distance of Two Hundred Ninety-five and 2/10 (295.2)  
feet to a point; thence northerly at right angles to said center line of McKenzie  
Highway 295.2 feet to a point; thence easterly, parallel to and 325.2 feet distant from  
said center line, 295.2 feet to a point on the north and south center line of said Section  
Five (5); thence south 295.2 feet to the place of beginning, said tract containing TWO  
AND NO/100 (2.00) acres, more or less.

11 2. Plaintiff is entitled to possession of the above described Property, free of any estate,  
12 title, claim, lien or interest of Defendants or those claiming under Defendants and title is quieted  
13 in the Property in Plaintiff.

14 3. All Defendants and those claiming under Defendants are enjoined from asserting  
15 any estate, title, claim lien, or interest in the Property or any portion of the above described  
16 Property.

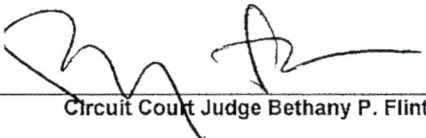
17 4. The full legal description for Plaintiff's property, including the above described  
18 property, is attached to this Corrected General Judgment as Exhibit 1.

19  
20  
21 Received by OWRD

22 MAY 14 2021

23 Salem, OR

Signed: 3/16/2021 05:42 PM

24  
  
Circuit Court Judge Bethany P. Flint

CERTIFICATE UNDER UTCR 5.100

I certify this Judgment/Order is ready for judicial signature because Service is not required under UTCR 5.100 because this judgment/order is submitted ex parte as allowed by statute or rule.

/s/ Steven D. Bryant  
STEVEN D. BRYANT, OSB No. 915302

Submitted by:

/s/ Steven D. Bryant  
STEVEN D. BRYANT, OSB No. 915302  
e-mail: [sbryant@redmond-lawyers.com](mailto:sbryant@redmond-lawyers.com)  
Of Attorneys for Plaintiff

Received by OWRD

MAY 14 2021

Salem, OR

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MAY 14 2021

Salem, OR

## EXHIBIT 1

IN TOWNSHIP 15 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN,  
Deschutes County, Oregon:

Section 5: The Southwest Quarter INCLUDING that tract, piece or parcel of land lying in the southeast quarter of the southwest quarter (SE1/4SW1/4) of Section Five (5), Township Fifteen South (15 S.) Range Eleven East of Willamette Meridian (11 E.W.M.) described more fully by metes and bounds as follows: Beginning at a point which is 30 feet north of the quarter section corner on the south line of said Section 5, Twp. 15 S., Rge. 11 E.W.M., said point being Engineers Station No. 781 + 56 of the McKenzie Highway as the same is now located, surveyed, staked out, and of record in the office of the State Highway Engineer at Salem, Oregon; thence westerly, parallel to and 30 feet distant from the center line of said McKenzie Highway, a distance of Two Hundred Ninety-five and 2/10 (295.2) feet to a point; thence northerly at right angles to said center line of McKenzie Highway 295.2 feet to a point; thence easterly, parallel to and 325.2 feet distant from said center line, 295.2 feet to a point on the north and south center line of said Section Five (5); thence south 295.2 feet to the place of beginning; EXCEPTING a strip of land 6 feet in width through a portion of the West one-half of the Southwest Quarter of said Section 5, for an irrigation ditch, described as follows: Beginning at a point 26 feet East from the Southwest corner of the Northwest Quarter of said Section 5, and running thence due South ¼ mile to the intersection thereof with Squaw Creek Irrigation ditch in said section, said strip being 3 feet on each side of and adjoining said above described line; EXCEPT that portion lying within the right of way of the McKenzie Highway;

## LESS AND EXCEPTING THEREFROM:

The North 105 feet of the NE1/4 of the SW1/4, Section 5, Township 15 South, Range 11 East of the Willamette Meridian, Deschutes County, Oregon.  
TOGETHER WITH an appurtenant 1895 water right of three acres under the system of the Squaw Creek Irrigation District.

## AND FURTHER LESS AND EXCEPTING THEREFROM:

A portion of the NW1/4 SE1/4, Sec. 5, T. 15 S., R. 11 E.W.M., more particularly described as follows:

Commencing at a 1" pin at the West ¼ corner of said Section 5 T. 15 S. R. 11 E.W.M., the Initial Point as well as the True Point of Beginning; Thence S 89°59'33" E along the Northerly line of said NW1/4 SE1/4 – 1318.18 feet to a ¾" pipe at the C-W 1/16<sup>th</sup> corner;  
Thence S 00°07'27" E along the Easterly line of said NW1/4 SE1/4 – 102.65';  
Thence N 89°25'58" W along an existing fence line – 444.67 feet;  
Thence N 89°55'24" W along an existing fence line – 361.10 feet;  
Thence N 89°27'34" W along an existing fence line – 512.61 feet;  
Thence N 00°01'59" W along the Westerly line of said Sec. 5 – 93.10 feet to the Point of Beginning.

Same containing 2.9622 gross land acres, together with 3.0 acres Squaw Creek Irrigation District Water Right appurtenant thereon;  
subject to all existing easements and rights of way over and across the above described parcel of land, noting a County Road easement (Goodrich Road) along the complete length of the Westerly line of the above described parcel.

TSID Pooled #2  
 June 16-Sept 30  
 108 days instream

Lessor	Priority	LEASE 2		Cert
		IR	Pond	
Mike Mansker	1869	9.68		74135 restoration
City of Sisters	1880	49.1		93680 mitigation
Mike Mansker	1895	5.59		74135 mitigation
John Schaad	1895	111.4		74135 mitigation
Karan Swaner	1895	57		74135 mitigation
Peter & Rebecca Green	1895	3		74135 mitigation
Wayne Cornick	1895	7.1		74135 mitigation
Ted Eady	1895	27		74135 mitigation
Richardson	1895	13.5		74135 mitigation
Ty Redfield	1895	11.2		74135 mitigation
Ty Redfield	1895		1	74135 restoration
<b>Total instream</b>		<b>294.57</b>	<b>1</b>	
<b>Total instream for MP</b>		<b>284.89</b>		<b>512.80 credits</b>

Cert	max rate	ac	rate/ac
93680	2.028	113	0.01795
74135	variable*		0.016-0.02/ac

\*variable due to some conservation measures

Lessor	cert	priority	acres IR	Pond	max cfs/ac	max cfs	max af	lease	lease cfs	AF conv	af/day	days	AF	ave af/ac	
Mike Mansker	74135	1869	9.68		0.02	0.1936	N/A	0.014	0.136	1.983471	0.269	108	29.03	3.00	Lease 2 restoration
City of Sisters	93680	1880	49.1		0.02	0.8789	N/A	0.014	0.687	1.983471	1.363	108	147.25	3.00	Lease 2 mitigation
Multiple Lessors	74135	1895	235.79		0.02	4.7158	N/A	0.014	3.301	1.983471	6.548	108	707.14	3.00	Lease 2 mitigation
Tygh Redfield Pond	74135	1895		1	0.02	0.0200	N/A	0.014	0.014	1.983471	0.028	108	3.00	3.00	Lease 2 restoration
Totals			294.57	1		5.808			4.138				886.42		
Totals - Ac Mitigation			284.89												
Credits at :			512.80												

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Salem, OR

Part 4 of 4 – Water Right and Instream Use Information

MAY 14 2021

Use a separate Part 4 for each water right to be leased instream

Salem, OR

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 # <u>74135</u>	
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)	
1869	Main	IR	9.68	Max rate 0.02 cfs/ac, no duty or season	0.194	n/a	
1895	Main	IR	235.79	Max rate 0.02 cfs/ac, no duty or season	4.716	n/a	
1895	Main	Pond	1	Max rate 0.02 cfs/ac, no duty or season	0.02	n/a	
Total af from storage, if applicable: _____ AF or <input checked="" 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>		<b>River Basin:</b> <u>Deschutes</u>		<b>River/Stream Name:</b> <u>Whychus</u> , tributary to <u>Deschutes</u>			
<b>Proposed Instream Reach:</b> <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>TSID main</u> to <u>Lake Billy Chinook</u>				<b>Or Proposed Instream Point:</b> <input type="checkbox"/> Instream use protected at the POD			
<b>OR</b> <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	Acre	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)	
1869	Main	IR	9.68	June 16 through Sept 30, 0.014 cfs/ac, 3 af/ac - NOT mitigation	0.136	29.03	
1895	Main	IR	235.79	June 16 through Sept 30, 0.014 cfs/ac, 3 af/ac - Mitigation project	3.301	707.14	
1895	Main	Pond	1.0	June 16 through Sept 30, 0.014 cfs/ac, 3 af/ac - NOT mitigation	0.014	3	
<b>OR</b> <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.							
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A <b>Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:</b> list here <u>shortened instream period (6/16-9/30), max rate of 0.014 cfs/ac, approx duty of 3 AF (average base duty for district) - 235.79 ac instream for MITIGATION</u> Note: The Department may identify additional conditions to prevent injury and/or enlargement.							

Any additional information about the proposed instream use: n/a for C-74135

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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

Salem, OR

**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 # 93680**

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)
1880	Main	IR	49.1	max rate of 2.028 for 113 ac, no duty or season	0.879	n/a

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:

**Table 3**

<b>Instream Use created by the lease</b>	<b>River Basin:</b> <u>Deschutes</u>	<b>River/Stream Name:</b> <u>Whychus Creek</u> , tributary to <u>Deschutes River</u>
<b>Proposed Instream Reach:</b> <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>TSID Main</u> to <u>Lake Billy Chinook</u>	<b>Or Proposed Instream Point:</b> <input type="checkbox"/> Instream use protected at the POD	

**OR**  Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)

**Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)**

Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.

Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
1880	Main	IR	49.1	June 16 through Sept 30, 0.014 cfs/ac, max 3 af/ac - Mitigation	0.687	147.25

**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 shortened instream period (6/16-9/30), max rate of 0.014 cfs/ac, approx duty of 3 AF (average base duty for district) - instream for MITIGATION PROJECT

Note: The Department may identify additional conditions to prevent injury and/or enlargement.

Any additional information about the proposed instream use: n/a for C-93680



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

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

Printed name (and title): Genevieve Hubert, Program Manager

Business/organization name: Deschutes River Conservancy Mitigation Bank

Mailing Address (with state and zip): 700 NW Hill St., 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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MAY 14 2021

Salem, OR

Part 4 of 4 – Water Right and Instream Use Information

MAY 14 2021

Salem, OR

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 # 74135**

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)
1869	Main	IR	9.68	Max rate 0.02 cfs/ac, no duty or season	0.194	n/a
1895	Main	IR	238.79	Max rate 0.02 cfs/ac, no duty or season	4.776	n/a
1895	Main	Pond	1	Max rate 0.02 cfs/ac, no duty or season	0.02	n/a

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:

Table 3

<b>Instream Use created by the lease</b>	<b>River Basin:</b> <u>Deschutes</u>	<b>River/Stream Name:</b> <u>Whychus</u> , tributary to <u>Deschutes</u>				
<b>Proposed Instream Reach:</b> <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>TSID main</u> to <u>Lake Billy Chinook</u>	<b>Or Proposed Instream Point:</b> <input type="checkbox"/> Instream use protected at the POD					
<b>OR</b> <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.)						
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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)
1869	Main	IR	9.68	June 16 through Sept 30, 0.014 cfs/ac, 3 af/ac - NOT mitigation	0.136	29.03
1895	Main	IR	238.79	June 16 through Sept 30, 0.014 cfs/ac, 3 af/ac - Mitigation project	3.343	716.13
1895	Main	Pond	1.0	June 16 through Sept 30, 0.014 cfs/ac, 3 af/ac - NOT mitigation	0.014	3
<b>OR</b> <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A <b>Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:</b> list here <u>shortened instream period (6/16-9/30), max rate of 0.014 cfs/ac, approx duty of 3 AF (average base duty for district) - 238.79 ac instream for MITIGATION</u>						
Note: The Department may identify additional conditions to prevent injury and/or enlargement.						

Any additional information about the proposed instream use: n/a for C-74135

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

MAY 14 2021

Use a separate Part 4 for each water right to be leased instream

Salem, OR

**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 #93680**

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)
1880	Main	IR	49.1	max rate of 2.028 for 113 ac, no duty or season	0.879	n/a

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:

**Table 3**

<b>Instream Use created by the lease</b>	<b>River Basin:</b> <u>Deschutes</u>	<b>River/Stream Name:</b> <u>Whychus Creek, tributary to Deschutes River</u>
<b>Proposed Instream Reach:</b> <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>TSID Main</u> to <u>Lake Billy Chinook</u>		<b>Or Proposed Instream Point:</b> <input type="checkbox"/> Instream use protected at the POD

**OR**  Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)

**Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)**  
Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.

Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
1880	Main	IR	49.1	June 16 through Sept 30, 0.014 cfs/ac, max 3 af/ac - Mitigation	0.687	147.25

**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 shortened instream period (6/16-9/30), max rate of 0.014 cfs/ac, approx duty of 3 AF (average base duty for district) - instream for MITIGATION PROJECT

Note: The Department may identify additional conditions to prevent injury and/or enlargement.

Any additional information about the proposed instream use: n/a for C-93680