

Application for
District Instream Lease
 Part 1 of 4 – Minimum Requirements Checklist



This Application to be used for water rights in the name of or conveyed by an Irrigation District (or similar organization) Complete Parts 1 through 4 and any required attachments	OWRD #	IL-1968/MP-303
	District #	TSID1-23

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

Fee in the amount of:

<input checked="" type="checkbox"/> \$610.00 for a lease involving four or more landowners or four or more water rights	Or <input type="checkbox"/> \$410.00 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)	

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

- 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
 (1895 IR portion
 of lease)**

How many Water Rights are included in the lease application? 4 (# of rights)
 List each water right to be leased instream here: 95971 (supersedes 74135), 93689, 93690, 93692

Yes N/A Other water rights, if any, appurtenant to the lands involved in the lease application and not proposed to be leased instream.
 List those other water rights here: _____

Yes No Conservation Reserve Enhancement Program CREP – Are some or all of the lands to be leased part of CREP or another Federal program (list here: _____)?

Required Attachments:

Yes N/A Instream lease application map(s). More than one QQ and property may be included on each map. A map is **not** required if an entire right is being leased or if the right is for use of municipal or quasi-municipal water use. The map should include the following:

- A north arrow and map scale (no smaller than 1" = 1320').
- Label township, range, section and quarter-quarter (QQ).
- If an irrigation right, the numbers of acres to be leased in each quarter-quarter identify and hachure/shade to differentiate between the acreage being leased and any remaining. If the place of use has more than one priority date, source stream, and/or point of diversion you **must identify each with separate hachuring or shading** and label.
- Tax lot lines and numbers must be included on the map and should clearly identify the property(s) involved.

Yes N/A If the Lessor(s) is not the deeded land owner, include one of the following:

- A notarized statement from the land owner consenting to the lease and a copy of the recorded deed; or
- A water right conveyance agreement and a copy of the recorded deed for the landowner at the time the water right was conveyed; or
- Other documentation.

Yes N/A If the right has **not** been used in the last five years; provide supporting documentation indicating why a right (or portion thereof) is **not** subject to forfeiture.

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Part 2 of 4 – District and other party Signature

Term of the Lease: The lease is requested to begin in: month <u>May</u> year <u>2023</u> and end: month <u>August</u> year <u>2023</u> .	
Public use: Check the public use(s) this lease will serve (as defined by ORS 537.332): <input checked="" type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input type="checkbox"/> Recreation <input checked="" type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	Termination provision (for multiyear leases): The parties to the lease request (choose one): <input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
Additive/Replacing Relationship to other instream water rights: Instream leases are generally additive to other existing instream water rights created as a result of instream leases and transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights. If you would like this lease to relate to other instream water rights differently than described above, please check this box. <input type="checkbox"/> And attach an explanation of your intent.	
Precedent: If a right which has been leased is later proposed to be leased again or later transferred or become part of an allocation of conserved water project, a new injury review shall be required. An instream lease shall not set a precedent on a future transaction.	
Validity of the rights to be leased: <input checked="" type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or <input type="checkbox"/> The water right(s) have not been used for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right is not subject to forfeiture has been provided.	

SIGNATURES

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

 Date: 5/1/2023
 Signature of Co-Lessor

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: _____

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See next page for additional signatures.



Date: 5/05/2023

Signature of Lessee

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

Business/organization name: Deschutes River Conservancy

Mailing Address (with state and zip): 700 NW Hill St., Ste 1, Bend, OR 97702

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

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

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

Salem, OR 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 columns: Water Right #, Priority Date, POD #, Twp, Rng, Sec, Q-Q, Tax Lot, Gov't Lot/DLC #, Acres, Use, Page #, Previous Lease #.
Any additional information about the right: T-9621 moved acres off/on in the SWNW, SENW and NWSW. No change in the NWNW. Leased instream in 2018.
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. 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: Eric B. Weber, Date: 4/12/23, Operations Director

Printed name (and title): Eric B. Weber Business name, if applicable: Kerith Springs Lodge, Inc
Mailing Address (with state and zip): 2480 NE Division Street, Gresham, OR 97030 67750 US 20, BEND, OR 97703
Phone number (include area code): **E-mail address: eric@Jericomail.com 541-788-0633

Signature of Lessor: Eric B. Weber, Date: 4/12/23

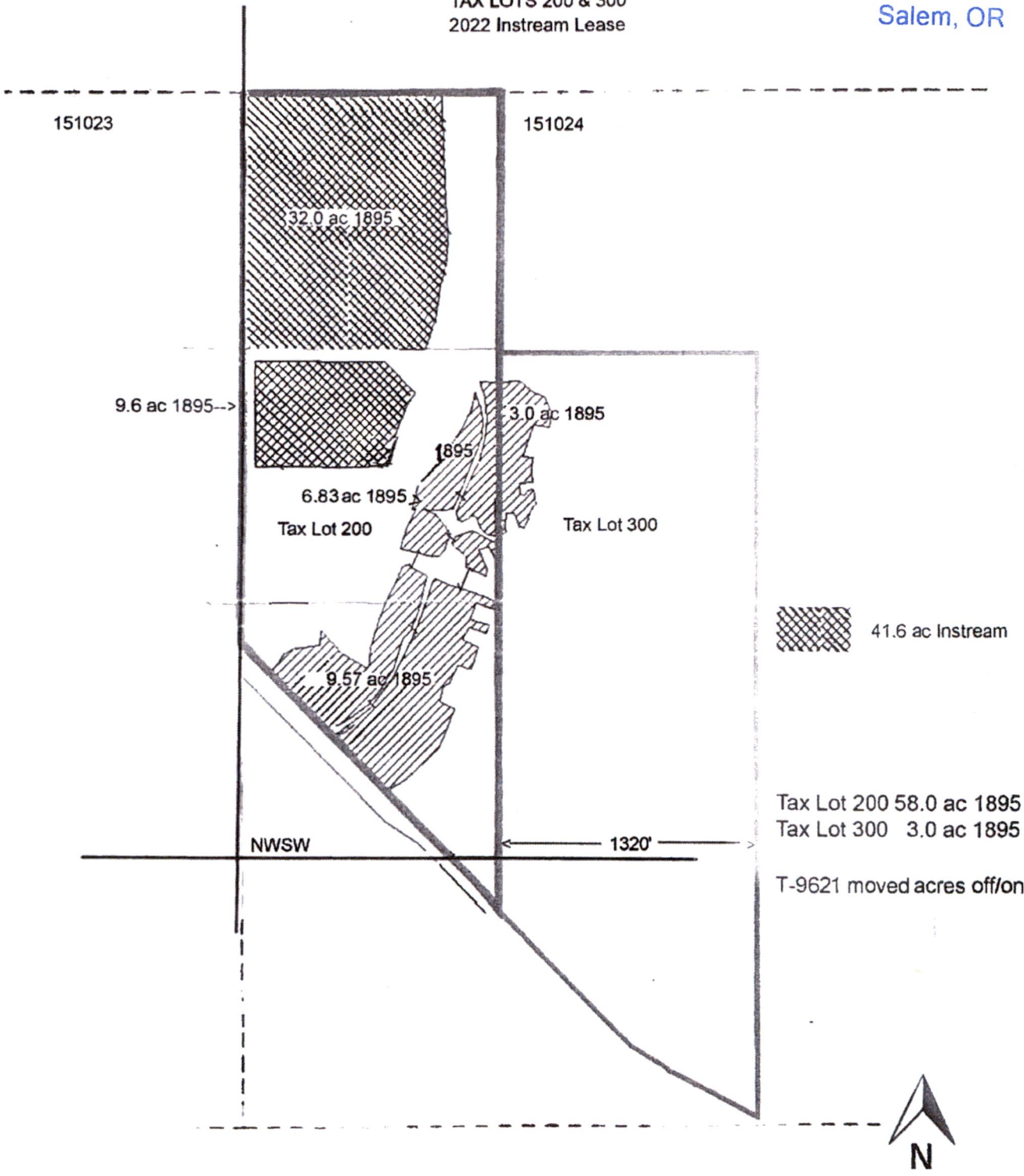
Printed name (and title): ERIC B. WEBER/operation dr. Business name, if applicable: KERITH Springs Lodge
Mailing Address (with state and zip): 67750 US 20 Bend, OR 97703 Phone number (include area code): 541-788-0633 **E-mail address: eric@Jericomail.com

THREE SISTERS IRRIGATION DISTRICT
CERTIFICATE 74135- 95971 supersedes
KERITH SPRINGS
15S 10E SEC 24
TAX LOTS 200 & 300
2022 Instream Lease

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

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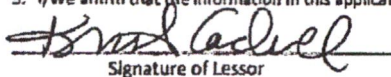
Water Right #	Priority Date	POD #	Twp	Rng	Sec	G-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
95971	1895	Main	14 S	11 E	30	NE SE	500		14.0	IR	5	
95971	1895	Main	14 S	11 E	30	NE SE	501		2.5	IR	5	

Any additional information about the right: All 16.5 acres listed as all tax lot 500 on certificate. TL 500 has been divided into 500 and 501 - one owner.

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.

 Date: 4/20/23
Signature of Lessor

Printed name (and title): Kristi Cardwell, Registered Agent Business name, if applicable: Rocky Ridges Ranch Estates, LLC

Mailing Address (with state and zip): 69775 Goodrich Rd, Sisters, OR 97759

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

 Date: 4/20/23
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: _____

Business Name Search

[New Search](#)

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Business Entity Data

04-20-2023
14:27

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1819824-98	DLLC	ACT	OREGON	05-06-2021	05-06-2023	YES
Entity Name	ROCKY RIDGE RANCH ESTATES LLC					
Foreign Name						

Online Renewal:

[Renew Online](#)

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Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS			
Addr 1	69775 GOODRICH RD				
Addr 2					
CSZ	SISTERS	OR	97759	Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	03-23-2022	Resign Date
Name	KRISTI	G	CARDWELL		
Addr 1	69775 GOODRICH RD				
Addr 2					
CSZ	SISTERS	OR	97759	Country	UNITED STATES OF AMERICA

Type	MAL	MAILING ADDRESS			
Addr 1	18160 COTTONWOOD ROAD PMB 815				
Addr 2					
CSZ	SUNRIVER	OR	97707	Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER	Resign Date
Name	KRISTI	G	CARDWELL
Addr 1	18160 COTTONWOOD ROAD PMB 815		
Addr 2			




CSZ	SUNRIVER	OR	97707		Country	UNITED STATES OF AMERICA
Type	MEM	MEMBER			Resign Date	
Name	BRANDY	C	ADAMS			
Addr 1	18160 COTTONWOOD ROAD PMB 815					
Addr 2						
CSZ	SUNRIVER	OR	97707		Country	UNITED STATES OF AMERICA

[New Search](#) [Printer Friendly](#) **Name History**

Business Entity Name	Name Type	Name Status	Start Date	End Date
ROCKY RIDGE RANCH ESTATES LLC	EN	CUR	05-06-2021	

Please [read](#) before ordering [Copies](#).

[New Search](#) [Printer Friendly](#) **Summary History**

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	03-23-2022		FI	Agent	
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	05-10-2021		FI		
	ARTICLES OF ORGANIZATION	05-06-2021		FI	Agent	

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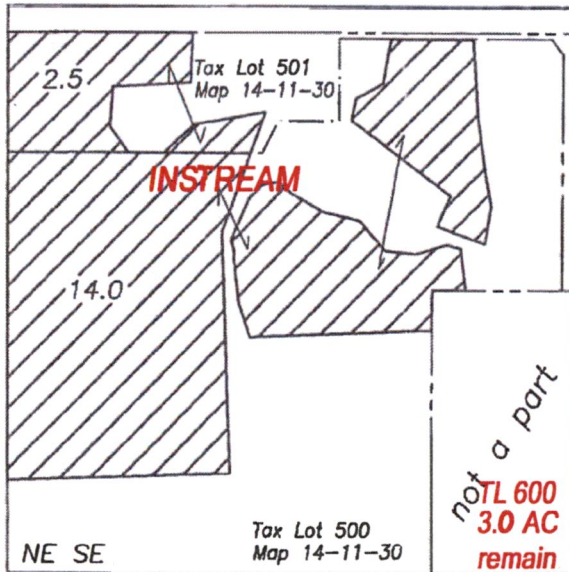
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Water Rights Place of Use Three Sisters Irrigation District

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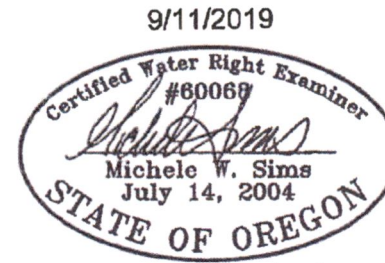
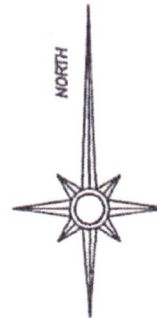
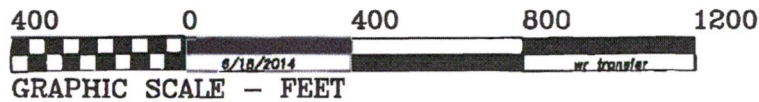
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Section 30
T14S R11E, W.M.
Deschutes Co. OR

TL 501 2.5 acres instream
TL 500 14.0 acres instream
TL 600 3.0 acres remain



Renewal date: 6/30/2020



Certificate 74135 place of use
(Priority date 1895)



Tax lot boundary



1/16 Section lines

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 #
95971	1895	Main	14 S	11 E	23	SW SE	1100		5.0	IR	5	
95971	1899	Main	14 S	11 E	23	SW SE	1100		5.2	IR	5	

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.

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

Mary Carter-Burdick
Signature of Lessor

Date: 04/24/23

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

Mailing Address (with state and zip): 7162 B Street, Springfield, OR 97478

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

Mary Carter-Burdick
Signature of Lessor

Date: 04/24/23

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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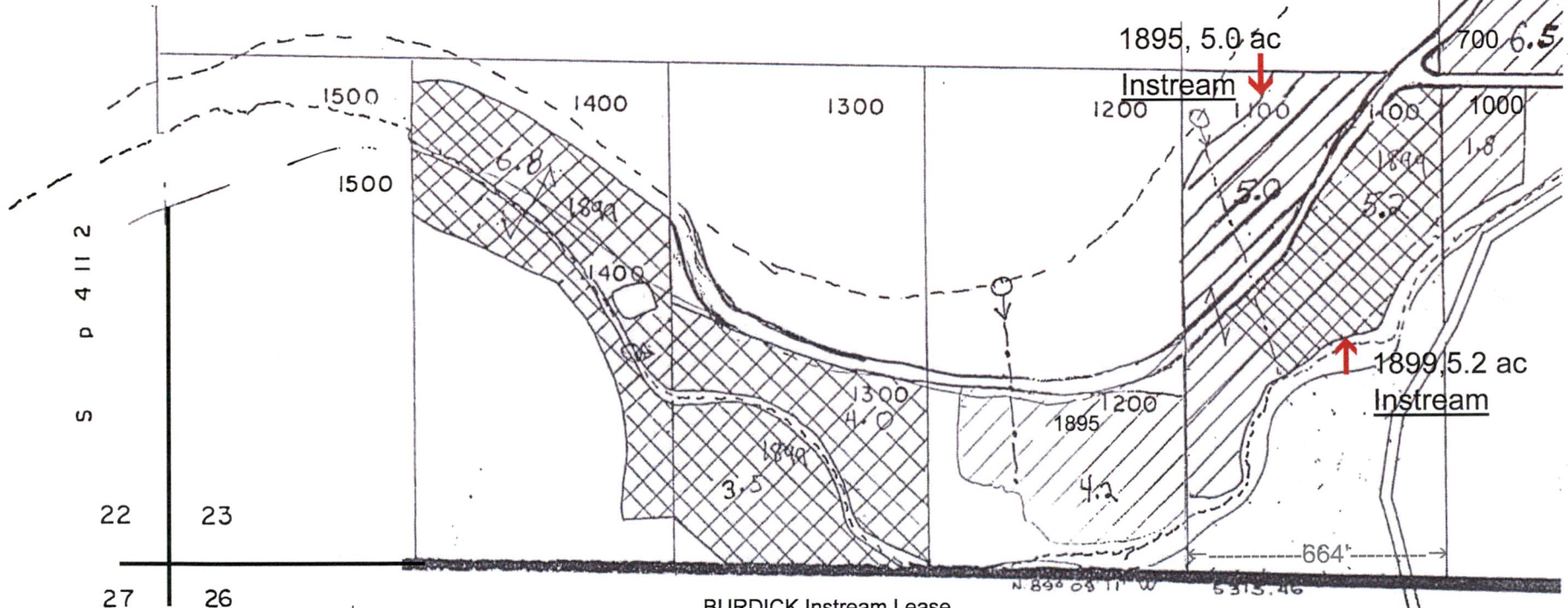
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T14S, R11E, Sect 23

SWSE, tax lot 1100

Map 14 11

500
6.23



BURDICK Instream Lease
Three Sisters Irrigation District
Certificate 95971, 1895 and 1899

See Map 14 11 26



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

**Complete Table 1 Identify water right(s) proposed to be leased instream
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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	1903	Main	15	s	10	e	11	nw	se	1400		1.0	IR		1922
74135	1903	Main	15	s	10	e	11	sw	se	1400		28.7	IR		1922
74135	1903	Main	15	s	10	e	11	se	se	1400		17.9	IR		1922
74135	1903	Main	15	s	10	e	14	nw	ne	1800		15.1	IR		1922
74135	1903	Main	15	s	10	e	14	ne	ne	1800		0.3	IR		1922
74135	1895	Main	15	s	10	e	14	ne	ne	1800		10.5	IR		1922
Any additional information about the right: 63 ac 1903, 10.5 ac 1895 73.5 ac total															
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.															

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

Signature of Lessor Date: 5/2/23

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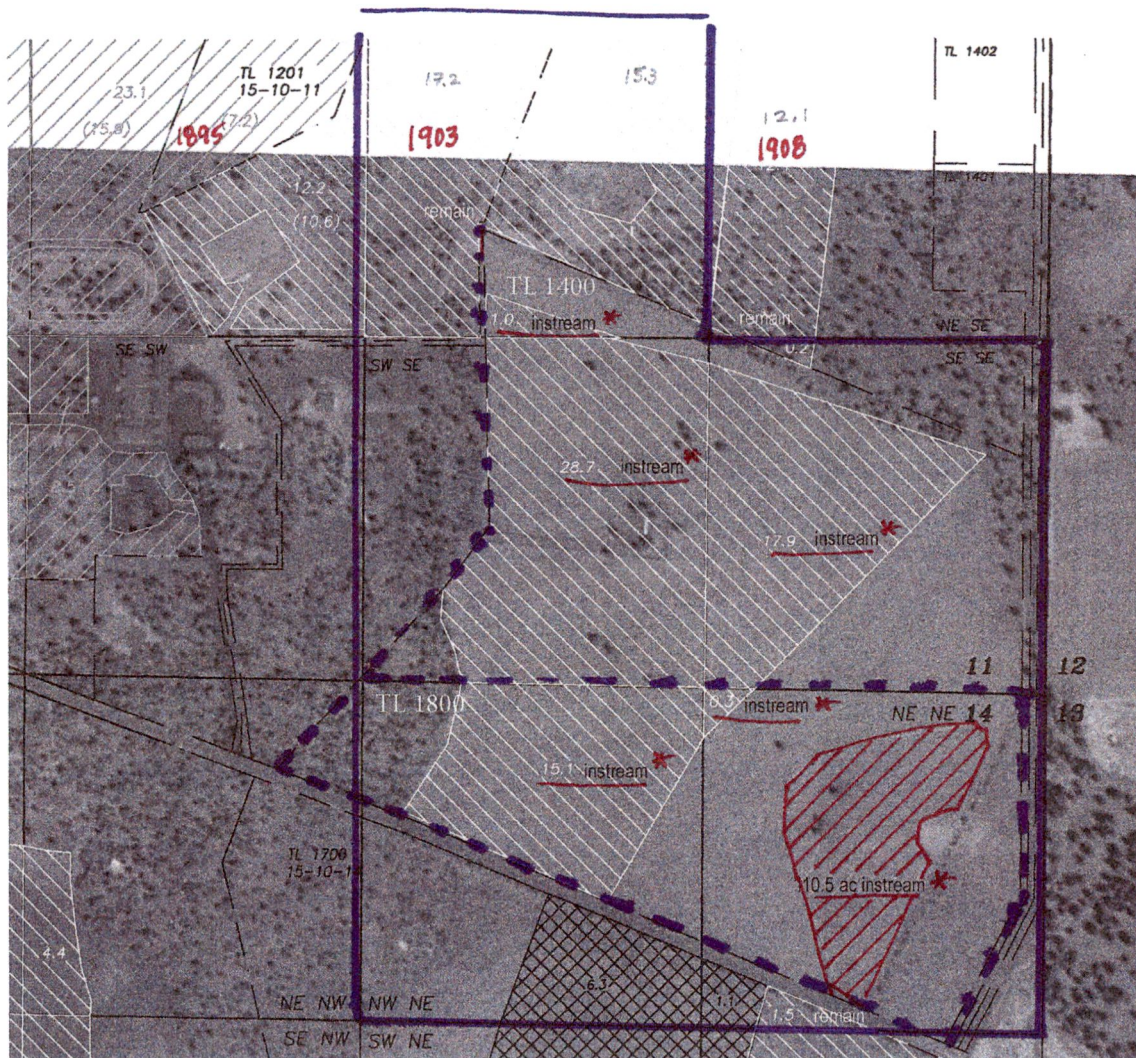
Printed name (and title): Randy Gardner, Ranch Manager Business name, if applicable: Circle of Trees, Lazy Z East
Mailing Address (with state and zip): P.O. Box 1671, Sisters, OR 97759
Phone number (include area code): _____ **E-mail address: r.gardner@morrow.com

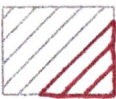
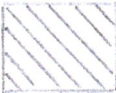
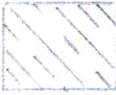

MAY 10 2023

Signature of Lessor Date: 5/2/23

Salem, OR

Water Rights Summary
 Tax Lots 1400 and 1800
 Portions of Sections 11 & 14
 T15S, R10E, W.M
 Deschutes County, Oregon

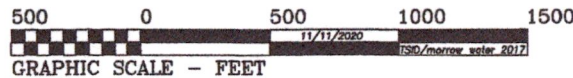


- Parcel boundary
- Approximate well location
- 95971 supersedes 74135
-  Cert 74135
Three Sisters ID water
Priority date 1895
TL 1800 - NWNE, NENE
10.5 Ac instream lease *
-  Cert 74135
Priority date 1903
TL 1400 - NWSE, NESE, SWSE, SESE
47.6 Ac instream lease *
TL 1800 - NWNE, NENE, 15.4 ac instream *
-  Cert. 93690
Priority date 1908
-  Cert 93679
Priority date 12/31/1900

Instream Lease by TL & priority *
 TL 1400 - 47.6 ac, priority 1903
 TL 1800 - 15.4 ac, priority 1903
 TL 1800 - 10.5 ac, priority 1895

Total instream lease *
 63 ac - 1903
 10.5 ac - 1895
 73.5 ac TOTAL

T15S, R10E, W.M.
 Deschutes County Oregon



Prepared by OWRD

MAY 10 2023

Salem, OR

MAY 10 2023

Salem, OR

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

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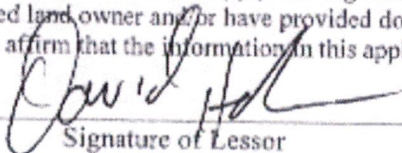
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
93692	1912	Main	15 s 10	e	11	sw ne	1200		10.8	IR		1922
93692	1912	Main	15 s 10	e	11	se ne	1200		4.1	IR		1922
93690	1908	Main	15 s 10	e	11	sw ne	1200		5.6	IR		1922
93690	1908	Main	15 s 10	e	11	se ne	1200		5.5	IR		1922
93690	1908	Main	15 s 10	e	11	ne se	1200		12.4	IR		1922
93690	1908	Main	15 s 10	e	11	se se	1200		0.2	IR		1922
74135	1903	Main	15 s 10	e	11	sw ne	1200		4.6	IR		T-10907/IL 1922
74135	1903	Main	15 s 10	e	11	nw se	1200		15.3	IR	7	T-10907/IL 1922
74135	1903	Main	15 s 10	e	11	ne se	1200		2.5	IR	7	T-10907/IL 1922

Any additional information about the right: **22.4 ac 1903, 23.7 ac 1908, 14.9 ac 1912, 61 ac total. Transfers and lot changes.**

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- 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.

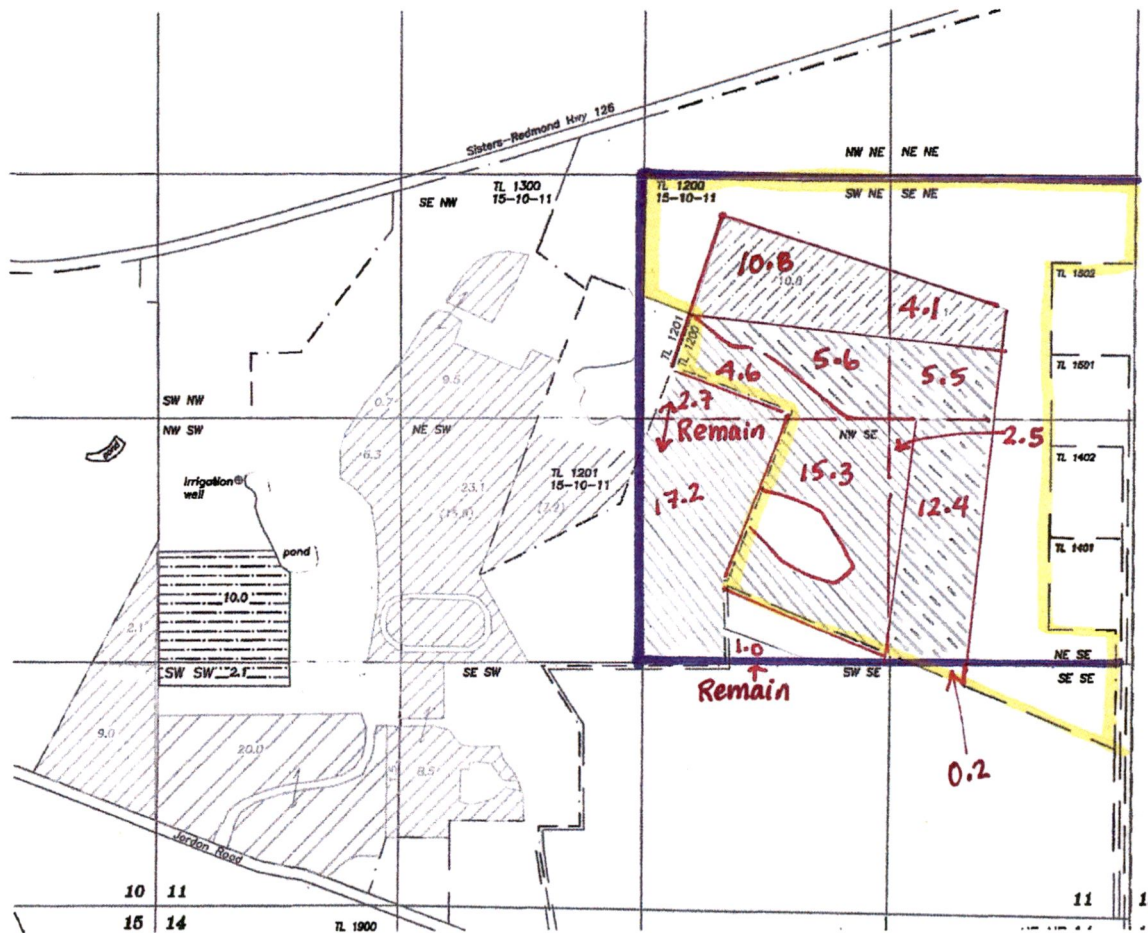

Signature of Lessor

Date: 4/13/23

Printed name (and title): David Helm Business name, if applicable:
Mailing Address (with state and zip): P.O. Box 1000, Sisters, OR 97759 Phone number (include area code): **E-mail address:

Helm Instream Lease Tax lot 1200

Water Rights Summary Tax Lots 1300, 1200, 1201 Portions of Sections 10 & 11 T15S, R10E, W.M Deschutes County, Oregon



T15S, R10E, W.M.
Deschutes County Oregon

500 0 500 1000 1500
GRAPHIC SCALE - FEET

- Parcel boundary
- Approximate well location
- Three Sisters ID water 20.0 acres
Priority date 1889
- Three Sisters ID water 71.2 acres
Priority date 1895
- Cert 74135 95971 supersedes 74135
Priority date 1903
- Cert. 93690
Priority date 1908
- Cert 93692
Priority date 1912
- Cert 93688
Priority date 1908
- Cert 85431 (groundwater)
Priority date 8/25/1970



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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	1904	Main	15 S	10 E	24	sw se	501		26	IR	8	1922
74135	1904	Main	15 S	10 E	24	se se	501		9	IR	8	1922
74135	1904	Main	15 S	10 E	24	se se	501		2	IR	8	1922
74135	1895	Main								IR		

Any additional information about the right: POD is Main Canal, 37 acres irrigation - NOT for mitigation credit

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.

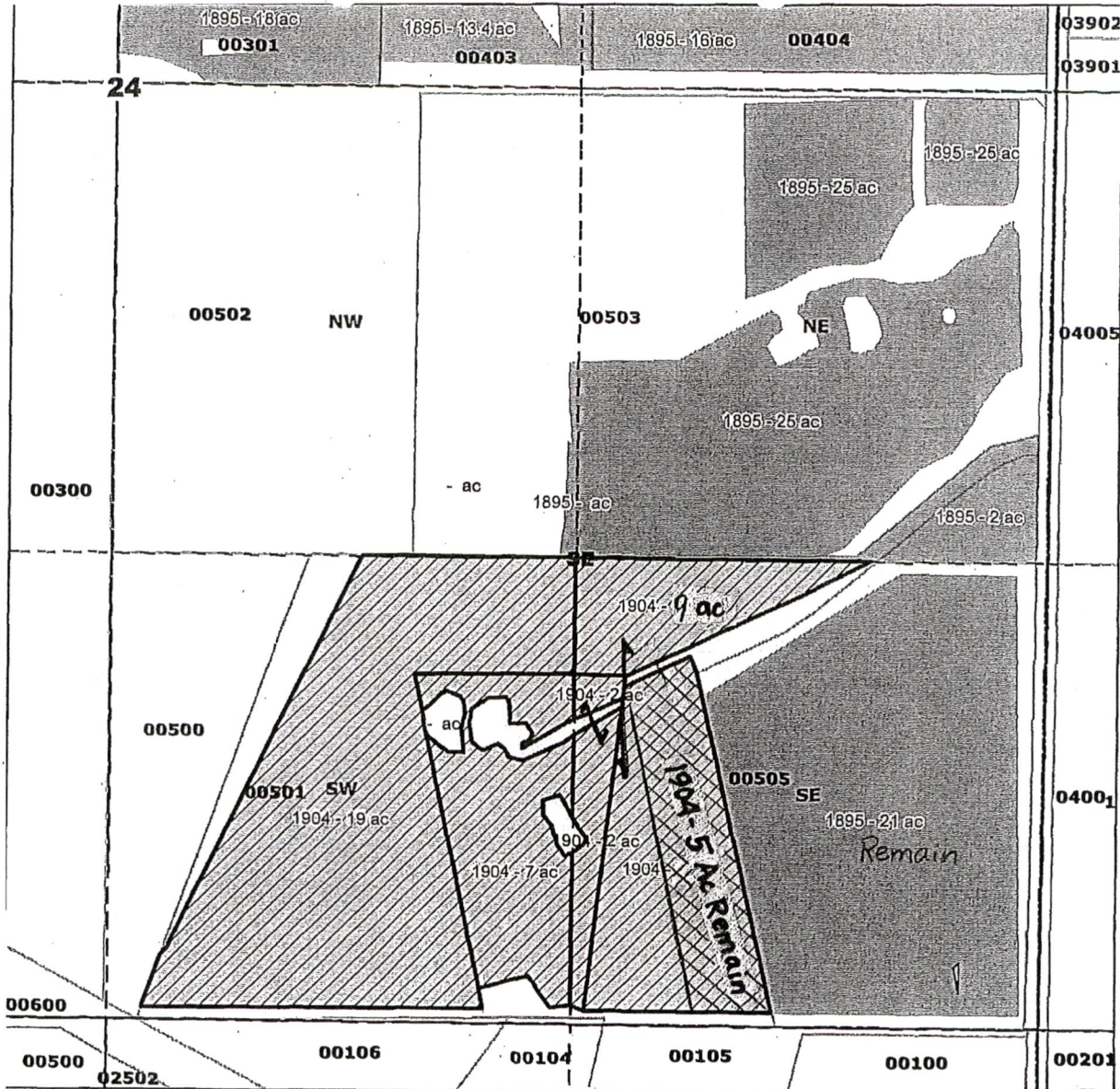
Janet Herring Date: 4-20-23
Signature of Lessor

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MAY 10 2023
Salem, OR

Printed name (and title): Janet Herring Business name, if applicable: _____
Mailing Address (with state and zip): 67717 Cloverdale Rd., Sisters, OR 97759
Phone number (include area code): 541-548-1030 **E-mail address: _____
541-390-4603 Date: _____

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: _____



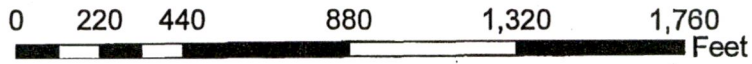
- Legend**
- Instream
 - Township Range
 - Quarter Quarters
 - Taxlots
- Primary**
- Priority_Date**
- 1895
 - 1904

Instream Lease
Three Sisters Irrigation District
 Janet Herring
 37 acres instream - 1904
 Certificate 95971 supersedes 74135
 T15S R10E Sect 24
 Tax Lot 501
 SWSE 26 Acres Instream
 SESE **11** Acres Instream, 5 Ac Remain TL 501
 Deschutes County

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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.

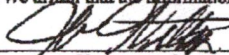
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
93689	1908	Main	15 S	10 E	10	sw nw	800		1.3	IR		1922
93689	1908	Main	15 S	10 E	10	nw sw	800		3.7	IR		1922

Any additional information about the right: Part of POD transfer T-11318 and CW-71 and earlier T-8900 & T-8902. C-93689 supersedes C-89826 which superseded 85387. Inclusion in TSID with 2001-57331 (county clerk filing), Supplemental C-87347

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:

- 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
- 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: 4/20/2023
Signature of Lessor

Printed name (and title): Bill Willits Business name, if applicable: Willits LLC
 Mailing Address (with state and zip): 16488 Will Road, Sisters, OR 97759 68621 E HIGHWAY 70
 Phone number (include area code): 541.815.4462 **E-mail address: BILL.WILLITS@FIVEPINELODGE.COM
 Signature of Lessor Date: _____

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

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Salem, OR

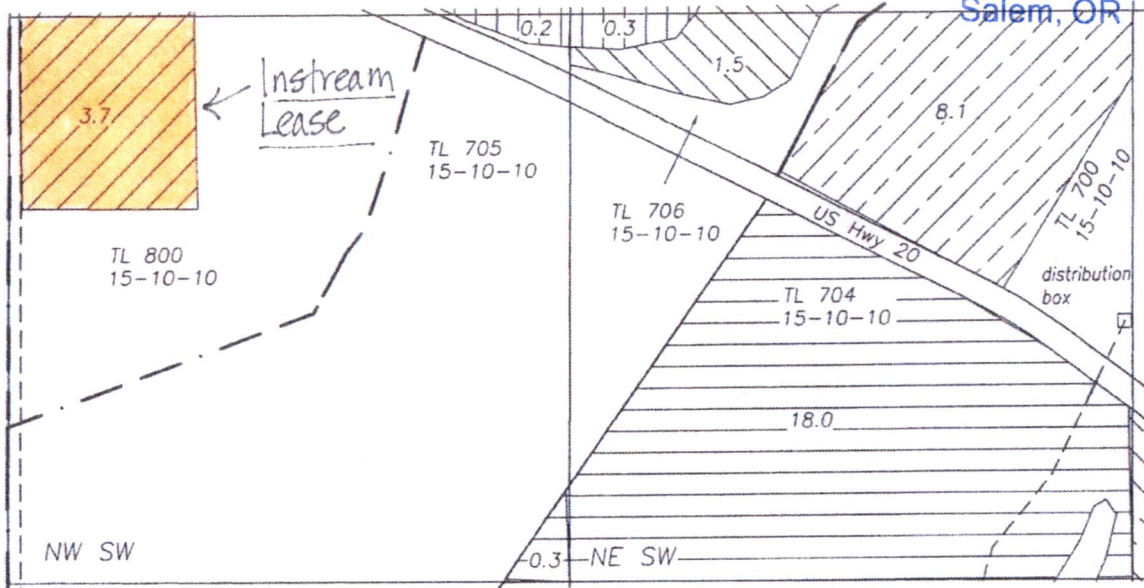
Received by OWRD

Claim of Beneficial Use

T-11318

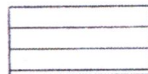
MAY 10 2023

Salem, OR

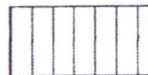


Sec 10
T15S, R10E, W.M.
Deschutes County
Oregon

Legend



Water beneficially applied under transfer
T-11318, Cert. 89817, priority date 1880



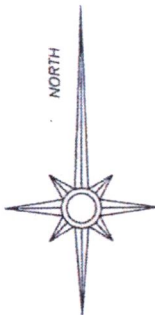
Water beneficially applied under T-11318,
Cert. 89823, priority date 1886



Water beneficially applied under T-11318,
Cert. 89824, priority date 1895



Water beneficially applied under T-11318,
Cert. 89825, priority date 1900



Instream
Lease



Water beneficially applied under T-11318,
Cert. 89826, priority date 1908

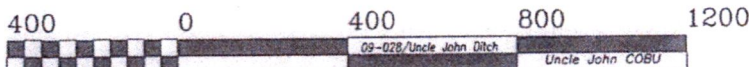


Property line

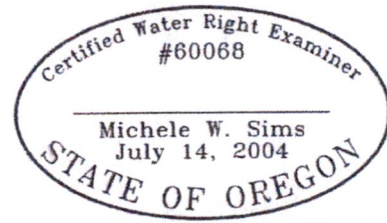


Buried pipeline

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.



GRAPHIC SCALE - FEET



Renewal date: 6/30/2018

Sheet 4 of 12

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

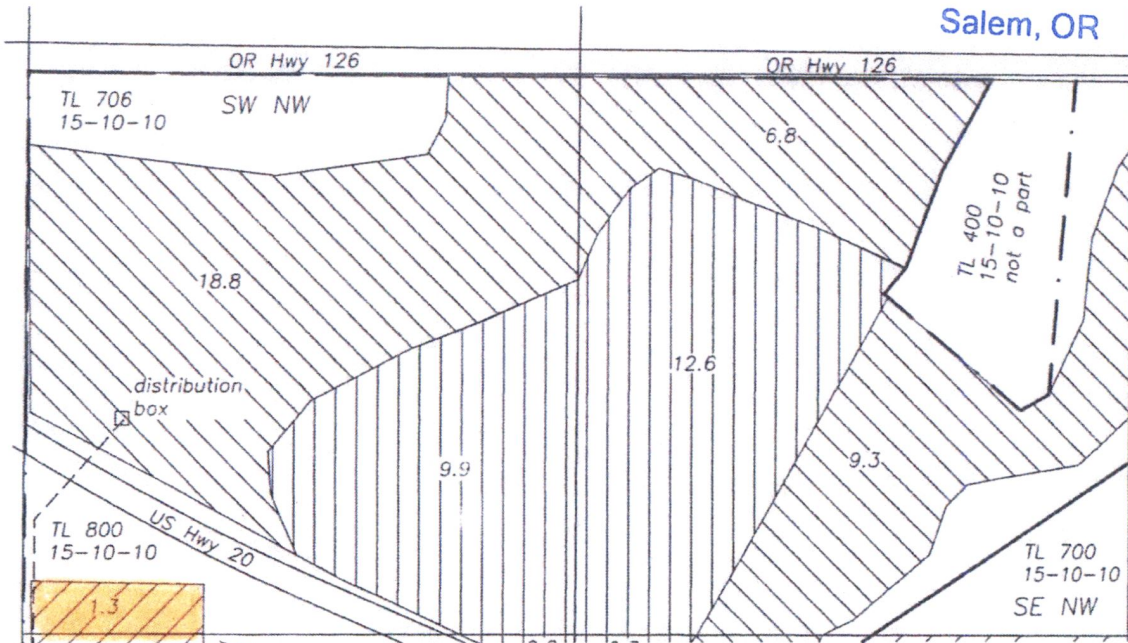
Claim of Beneficial Use

T-11318

Received by OWRD

MAY 10 2023

Salem, OR



Sec 10
T15S, R10E, W.M.
Deschutes County
Oregon

Instream Lease

Legend



Water beneficially applied under transfer
T-11318, Cert. 89823, priority date 1886



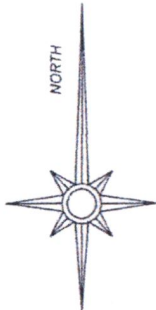
Water beneficially applied under T-11318,
Cert. 89824, priority date 1895



Water beneficially applied under T-11318,
Cert. 89826, priority date 1908

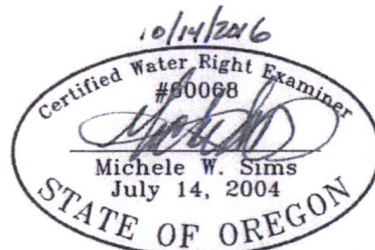
--- Property line

----- Buried pipeline

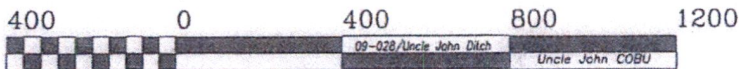


Instream Lease

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.



Renewal date: 6/30/2018



GRAPHIC SCALE - FEET

Sheet 3 of 12

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

Part 4 of 4 – Water Right and Instream Use Information

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

Table 2

Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4) Water Right # 95971 (supersedes 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	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)
1895	Main	IR	73.6	Max rate of 0.0154 cfs/acre (pre conservation), no max acre-feet	1.136	N/A
1899	Main	IR	5.2	Max rate of 0.0187 cfs/acre (pre conservation), no max acre-feet	0.097	N/A
1903	Main	IR	85.4	Max rate of 0.0185 cfs/acre (pre conservation), no max acre-feet	1.581	N/A
1904	Main	IR	37.0	Max rate of 0.0180 cfs/acre (pre conservation), no max acre-feet	0.666	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

Instream Use created by the lease	River Basin: <u>Deschutes</u>	River/Stream Name: <u>Whychus Creek, tributary to Deschutes River</u>				
Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>TSID Main</u> to <u>Mouth of Deschutes, (1895 to Lake B.C.)</u>		Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD				
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)						
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2) Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
1895	Main	IR	73.6	0.016/ac, Instream 5/1 through 8/4 for MITIGATION (to Madras gage)	1.16	220.8
1899	Main	IR	5.2	0.016/Ac Instream 5/1 through 8/4 NOT MP, to Mouth of Deschutes	0.082	15.6
1903	Main	IR	85.4	0.016/Ac Instream 5/1 through 8/4 NOT MP, to Mouth of Deschutes	1.345	256.2
1904	Main	IR	37	0.016/Ac Instream 5/1 through 8/4 NOT MP, to Mouth of Deschutes	0.583	111.00
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A Conditions to avoid enlargement or injury to other water rights, if any, or other limitations: list here <u>Instream from 5/1-8/4, limited to 0.016 cfs per acre to account for conserved water rate reduction, only 1895 is protected for Mitigation Project, 3.0 AF/ acre - average on farm delivery</u> Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
Any additional information about the proposed instream use: <u>1895 instream for mitigation (73.6 acres, 1895 priority only)</u>					Received by OWRD	

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

updated 1/26/2023

Primary Irrigation - updated to include all acreage

TSID CERT 95971 (was 74135) (assuming can divert full rate allowed by certificate & 3.0 af/ac (AF might be different sometimes))

Source = Whychus Creek

Information highlighted with purple font is to be entered on to the Instream Lease Application Form

Enter Total Number of Acres to be Leased Instream Here by Priority Date	
pri date	acres instream
1869	
1885	
1887	
1889	
1893	
1895	73.60
1899	5.20
1901	
1903	85.40
1904	37.00
total acres	201.20

Rate (CFS) associated with leased rights from the Lease Application Form				
Enter Rates and Duty on Lease Form by Priority Date	Rate/acre (CFS)	Max Rate (CFS)	Duty/acre (AF)	Max Duty (AF)
1869	0.0200	0.000	3.0	0.00
1885	0.0200	0.000	3.0	0.00
1887	0.0200	0.000	3.0	0.00
1889	0.0196	0.000	3.0	0.00
1893	0.0200	0.000	3.0	0.00
1895	0.0154	1.136	3.0	220.80
1899	0.0187	0.097	3.0	15.60
1901	0.0202	0.000	3.0	0.00
1903	0.0185	1.581	3.0	256.20
1904	0.0180	0.666	3.0	111.00
Totals		3.480		603.60

Notes

The amounts shown in the green Section 1.4 box breaks the water right down into each priority date.
 The rate is simply the current rate per acre (see start point page) multiplied by the number of acres being leased by each priority date.
 The duty is simply the duty per acre (3.0 AF) multiplied by the number of acres being leased by each priority date.

Rate (CFS) leased instream for the Instream Section of the Lease Application Form			
Enter Instream Rates and Volumes by Priority Date on Lease Form	Instream Rate (CFS) over full Irrigation Season	Instream Volume (AF)	Period Instream
1869	0.000	0.00	April 1 - Oct 31
1885	0.000	0.00	April 1 - Oct 31
1887	0.000	0.00	April 1 - Oct 31
1889	0.000	0.00	April 1 - Oct 31
1893	0.000	0.00	April 1 - Oct 31
1895	0.520	220.80	April 1 - Oct 31
1899	0.037	15.60	April 1 - Oct 31
1901	0.000	0.00	April 1 - Oct 31
1903	0.604	256.20	April 1 - Oct 31
1904	0.262	111.00	April 1 - Oct 31
Totals	1.422	603.60	

OR

Optional - for alternative instream periods including the full irrigation season			
Enter Proposed begin and end dates (must fall within Irrigation Season)			
begin date	Number of Days		
5/1/2023	96	Days	
8/4/2023			
Rate (CFS) leased instream for Section 2.2 of the Lease Application Form			
Enter Instream Rates and Volumes by Priority Date on Lease Form	# Day's Instream	Instream Rate (CFS) over full Irrigation Season	Instream Volume (AF)
1869	96	0.000	0.00
1885	96	0.000	0.00
1887	96	0.000	0.00
1889	96	0.000	0.00
1893	96	0.000	0.00
1895	96	1.160	220.80
1899	96	0.082	15.60
1901	96	0.000	0.00
1903	96	1.345	256.20
1904	96	0.583	111.00
Totals		3.170	603.60

Notes

The amounts shown in the lavender box's breaks the water right down into each priority date for what is going instream.
 The volume shown is simply the full duty as calculated in the green box.
 However, the instream rate has been reduced. The presumption I used is that water is to be protected instream over the full irrigation season, being April 1 to October 30. The instream rate then is the duty divided by the number of days in the Irrigation season (214). This is then divided by 1.983471 AF/day to arrive at the rate instream. 1.983471 AF = 1 CFS for one day.
 (Duty in AF / # of days instream) * 1 CFS/1.983471 AF per Day

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 MAY 10 2023
 Salem, OR

Part 4 of 4 – Water Right and Instream Use Information

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

Table 2

Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4)							Water Right # <u>93689</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	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)	
1908	Main	IR	5	Rate limited to 0.0156/acre	.078	N/A	
					0		
					0		
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

Instream Use created by the lease	River Basin: <u>Deschutes</u>	River/Stream Name: <u>Whychus</u> , tributary to <u>Deschutes</u>				
Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>TSID Main</u> to <u>Mouth of Deschutes</u>		Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD				
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)						
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)						
Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
1908	Main	IR	5	Instream 5/1 through 8/4, max rate of 0.0156, about 3 AF/Ac	0.078	15.0
				NOT for mitigation	0	
					0	
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A Conditions to avoid enlargement or injury to other water rights, if any, or other limitations: list here <u>Instream from 5/1-8/4 at 3 AF/Ac to match average on farm delivery</u>						
Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
Any additional information about the proposed instream use: _____						

Received by OWRD

Part 4 of 4 – Water Right and Instream Use Information

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

Table 2

Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4) Water Right # 93690

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)
1908	Main	IR	23.7	Instream 5/1 through 8/4, max rate of 0.0156	0.370	N/A
					0	
					0	

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

Instream Use created by the lease	River Basin: <u>Deschutes</u>	River/Stream Name: <u>Whychus Cr, tributary to Deschutes R</u>				
Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>TSID Main</u> to <u>Mouth of Deschutes</u>		Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD				
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)						
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2) Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
1908	Main	IR	23.7	Instream 5/1 through 8/4, max rate of 0.0156, about 3 AF/Ac	0.370	71.1
				NOT for mitigation	0	
					0	
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A Conditions to avoid enlargement or injury to other water rights, if any, or other limitations: list here <u>Instream from 5/1-8/4 at 3 AF/Ac to match average on farm delivery</u>						
Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
Received by OWRD						
Any additional information about the proposed instream use: _____						

Part 4 of 4 – Water Right and Instream Use Information

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

Table 2

Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4)						Water Right # <u>93692</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	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)	
1912	Main	IR	14.9	5/1 through 8/4, rate limited 0.148 for 14.9 ac (0.00993/ac)	0.148	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

Instream Use created by the lease	River Basin: <u>Deschutes</u>	River/Stream Name: <u>Whychus Cr, tributary to Deschutes R</u>				
Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>TSID Main</u> to <u>Mouth of Deschutes</u>		Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD				
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)						
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2) Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
1912	Main	IR	14.9	5/1 through 8/4, limited to 0.148 cfs	0.148	44.7
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A Conditions to avoid enlargement or injury to other water rights, if any, or other limitations: list here <u>Instream from 5/1 through 8/4</u> Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
Any additional information about the proposed instream use: _____						

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Landowner	Acres	Certificate	Priority	Prior Lease / Transfer
Kerith Springs	41.6	95971 (74135)	1895	IL-1922
Circle of Trees/Gardner	10.5	74135	1895	IL-1873
Rocky Ridges	16.5	95971 (74135)	1895	N/A
Mary Burdick	5.0	95971 (74135)	1895	N/A
Mary Burdick	5.2	95971 (74135)	1899	N/A
Circle of Trees/Gardner	63	95971 (74135)	1903	IL-1922
David Helm	22.4	95971 (74135)	1903	IL-1922
David Helm	23.7	93690	1908	IL-1922
David Helm	14.9	93692	1912	IL-1922
Janet Herring	37	95971 (74135)	1904	IL-1922
Bill Willits	5	93689	1908	IL-1922

95971 supersedes 74135

Certificate	Priority	Acres	Instream Rate	Instream Acre-Feet	Instream Dates
95971 (74135)	1895	73.6	1.16	220.8	5/1 through 8/4
95971 (74135)	1899	5.2	0.082	15.6	5/1 through 8/4
95971 (74135)	1903	85.4	1.345	256.2	5/1 through 8/4
95971 (74135)	1904	37	0.583	111.0	5/1 through 8/4
93689	1908	5	0.078	15.0	5/1 through 8/4
93690	1908	23.7	0.37	71.1	5/1 through 8/4
93692	1912	14.9	0.148	44.7	5/1 through 8/4
	Totals	244.8 ac	3.766 cfs	734.4 AF	

Only the 1895 acres – instream for mitigation project, protected to Lake Billy Chinook

1899 – 1912 acres – instream (NOT migration) to mouth of Deschutes

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MAY 10 2023

Salem, OR