

Application for

District Instream Lease

Part 1 of 4 – Minimum Requirements Checklist



Oregon Water Resources
Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

This Application to be used for water rights in the name of or conveyed by an Irrigation District (or similar organization) Complete Parts 1 through 4 and any required attachments	OWRD #	1L-1970/MP-305
	District #	

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.)

How many Water Rights are included in the lease application? 1 (# of rights)

List each water right to be leased instream here: 74145

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.

MITIGATION PROJECT

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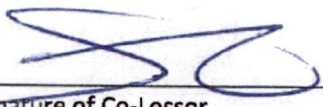
Salem, OR

Part 2 of 4 – District and other party Signature

Term of the Lease: The lease is requested to begin in: month <u>April</u> year <u>2022</u> and end: month <u>Oct</u> year <u>2022</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 checked="" 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: 3/4/23

 Signature of Co-Lessor

Printed name (and title): Jer Camarata, General Manager

Business/Organization name: Swalley Irrigation District

Mailing Address (with state and zip): 62672 Cook Ave, Bend, OR 97703

Phone number (include area code): 541-388-0658 **E-mail address: kathy@swalley.com

 Signature of Co-Lessor Date: _____

Printed name (and title): _____
 Business/organization name: _____
 Mailing Address (with state and zip): _____
 Phone number (include area code): _____ **E-mail address: _____

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Steven Hubert

Date: 05/11/2023

Signature of Lessee

Printed name (and title): _____

Business/organization name: _____

Mailing Address (with state and zip): _____

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

**** 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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Lease #: SID Pooled 2

Name	Acres	Term	Exp	Canal	Type of Use	TRSQL	Mailing Address	City	State	Zip	Past Lease or Transfer	Quitclaim Deed	Warranty Deed	Deed Name
Akar Willard Family Trust	4	1	10/31/23	3	IR	161229NWNE00306	20225 Sturgeon Rd	Bend	OR	97703		N/A	N/A	
Shane Sweeney	5	1	10/31/23	3	IR	161227SESE01300	64815 N Hwy 97	Bend	OR	97701		N/A	N/A	
Frank and Carol Brian	6	1	10/31/23	3	IR	161214NENW00703	21255 Young Ave	Bend	OR	97703	IL-1662	N/A	N/A	
Bend Metro Parks	23.61	1	10/31/23	3	IR	171222NENE00104	799 SW Columbia St	Bend	OR	97702	IL-1677, T-12499 changes use	N/A	N/A	
Bend Metro Parks	12.39	1	10/31/23	3	IR	171222SENE00104	799 SW Columbia St	Bend	OR	97702	IL-1677, T-12499 changes use	N/A	N/A	
US Forest Sevice	9.01	1	10/31/23	3	NUR	171223SWNW01800	63095 Deschutes Market Rd	Bend	OR	97701	IL-1677	N/A	N/A	
US Forest Sevice	1.09	1	10/31/23	3	IR	171223NWNW01800	63095 Deschutes Market Rd	Bend	OR	97701	IL-1677	N/A	N/A	
Swalley Irrigation District	0.33	1	10/31/23	3	IR	171207SWSE00106	64672 Cook Ave, Suite 1	Bend	OR	97703	IL-1766	2020-55925	2018-000575	Arnold
Swalley Irrigation District	7.66	1	10/31/23	3	NUR	171222NWNE00103	64672 Cook Ave, Suite 1	Bend	OR	97703	IL-1766	2013-45612	2007-061329	Bend Sch
Swalley Irrigation District	0.5	1	10/31/23	3	IR	171208SWSE00900	64672 Cook Ave, Suite 1	Bend	OR	97703	IL-1662	2023-09412	2021-42064	Cooley
Swalley Irrigation District	1.26	1	10/31/23	3	IR	161229SWNE00300	64672 Cook Ave, Suite 1	Bend	OR	97703	IL_1766	2016-51760	2007-06617	Gellings
Swalley Irrigation District	0.53	1	10/31/23	3	IR	161229SWNE00303	64672 Cook Ave, Suite 1	Bend	OR	97703	IL-1766	2016-51760	2007-06617	Gellings
Swalley Irrigation District	1	1	10/31/23	3	IR	171208NWSE02100	64672 Cook Ave, Suite 1	Bend	OR	97703		2019-42906	2014-001072	Jones
Total Acres 72.38														
Irrigation acres 55.71														
Nursery acres 16.67														

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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: Swalley 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.

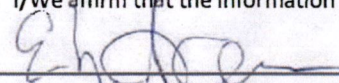
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
74145	9-1-1899	3&15	16 S	12 E	29	NW NE	00306		4.00	IRR	10	

Any additional information about the right: 4.00 acres

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.

★  Date: 3/3/23

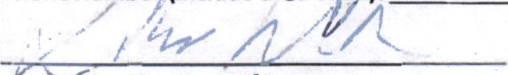
Akar Willard Family Trust

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

 Date: _____

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

**DESCHUTES COUNTY ASSESSOR
REAL PROPERTY ACCOUNT NAMES**

Account # 133323
Map 16122900 00306
Owner AKAR-WILLARD FAMILY TRUST
WILLARD, GLENN TTEE ETAL
20225 STURGEON RD
BEND OR 97703

Name Type	Name	Ownership Type	Own Pct
OWNER	AKAR-WILLARD FAMILY TRUST	OWNER	100.00
REPRESENTATIVE	WILLARD, GLENN	OWNER AS TRUSTEE	
REPRESENTATIVE	WILLARD, ELIZABETH AKAR	OWNER AS TRUSTEE	

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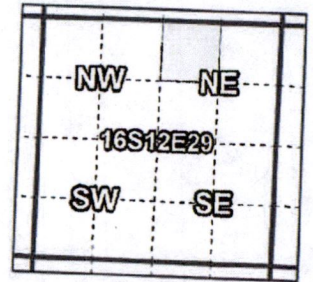
Salem, OR

Swalley Irrigation District 2023 Application for Instream Lease

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Salem, OR



Certificates: 74145
for Akar-Willard Family Trust



Taxlot 1612290000306, 16-12-29-NW/NE-00306: 4.00 Acres Leased, 0.0 Acres Remaining

- Pipelines and Canals
- Lease
- ▨ Primary Water Right
- Taxlots



1 inch = 400 feet

Prepared by Swalley Irrigation District | March 2023

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: Swalley 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 #	Tw	Ang	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #	
74145	9-1-1899	3 & 15	16	S	12	E	27	SE SE	01300		5.00	IRR	8
74145	9-1-1899												

Any additional information about the right: 5.00 acres

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.

[Signature] Date: 4-17-23
Signature of Lessor

Printed name (and title): Shane Swaney Owner Business name, if applicable: _____
Mailing Address (with state and zip): 64815 N Hwy 97 Bend OR 97701
Phone number (include area code): (341) 604-6103 **E-mail address: swaneyexcavating@gmail.com

Signature of Lessor Date: _____

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

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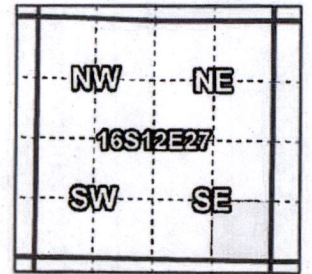
Swalley Irrigation District

2023 Application for Instream Lease

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Salem, OR



Certificates: 74145
for Shane Sweeney



Taxlot 161227D001300, 16-12-27-SE/SE-01300: 5.00 Acres Leased, 1.60 Acres Remaining

- Pipelines and Canals
- Lease
- ▨ Primary Water Right
- Taxlots



1 inch = 400 feet

Prepared by Swalley Irrigation District | April 2023

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: Swalley 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 #	
74145	9-1-1899	3&15	16	S	12	E	14	NE NW	00703		6.00	IRR	5
74145	9-1-1899	3&15											

Any additional information about the right: 6.00 acres

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.

★ Franky Brian
Signature of Lessor

Date: 3-16-23

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Printed name (and title): _____

Business name, if applicable: _____ MAY 11 2023

Mailing Address (with state and zip): _____

Phone number (include area code): _____

**E-mail address: _____ Salem, OR

★ Carol Brian
Signature of Lessor

Date: 3-16-23

Printed name (and title): _____

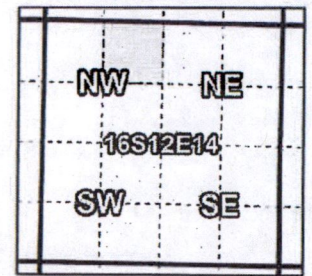
Business name, if applicable: _____

Mailing Address (with state and zip): _____

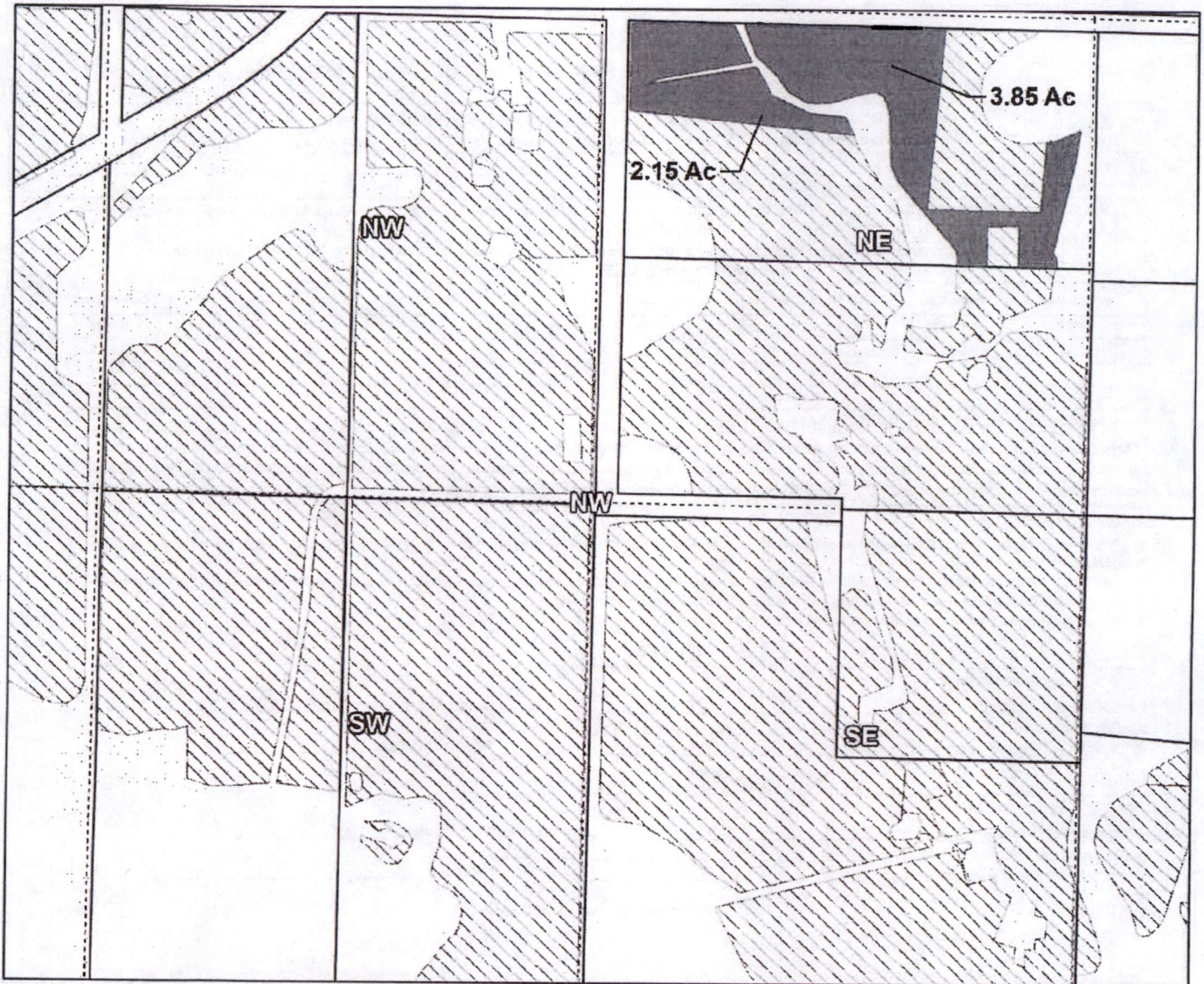
Phone number (include area code): _____ **E-mail address: _____

Swalley Irrigation District

2023 Application for Instream Lease



Certificates: 74145
for Frank & Carol Brian



Taxlot 1612140000703, 16-12-14-NE/NW-00703: 6.00 Acres Leased, 7.37 Acres Remaining

- Pipelines and Canals
- Lease
- ▨ Primary Water Right
- Taxlots

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Salem, OR

Prepared by Swalley Irrigation District | March 2023



1 inch = 400 feet

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: Swalley 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 #	Temp	Ring	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
74145	9-1-1899	3 & 15	17	S	22	E	22	NE NE 00104	23.61	IRR	23	IL1677
74145	9-1-1899	3 & 15	17	S	12	E	22	SE NE 00104	12.39	IRR	23	IL1677

Any additional information about the right: 36.00 acres

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 any other appurtenant primary or supplemental water right(s); and
- I/We certify as 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] Date: 4/11/23
Signature of Lessor

Printed name (and title): _____ Business name, if applicable: Bend Park* Rec
Mailing Address (with state and zip): 749 SW Columbia St, Bend, OR
Phone number (include area code): 541-706-6102 **E-mail address: _____

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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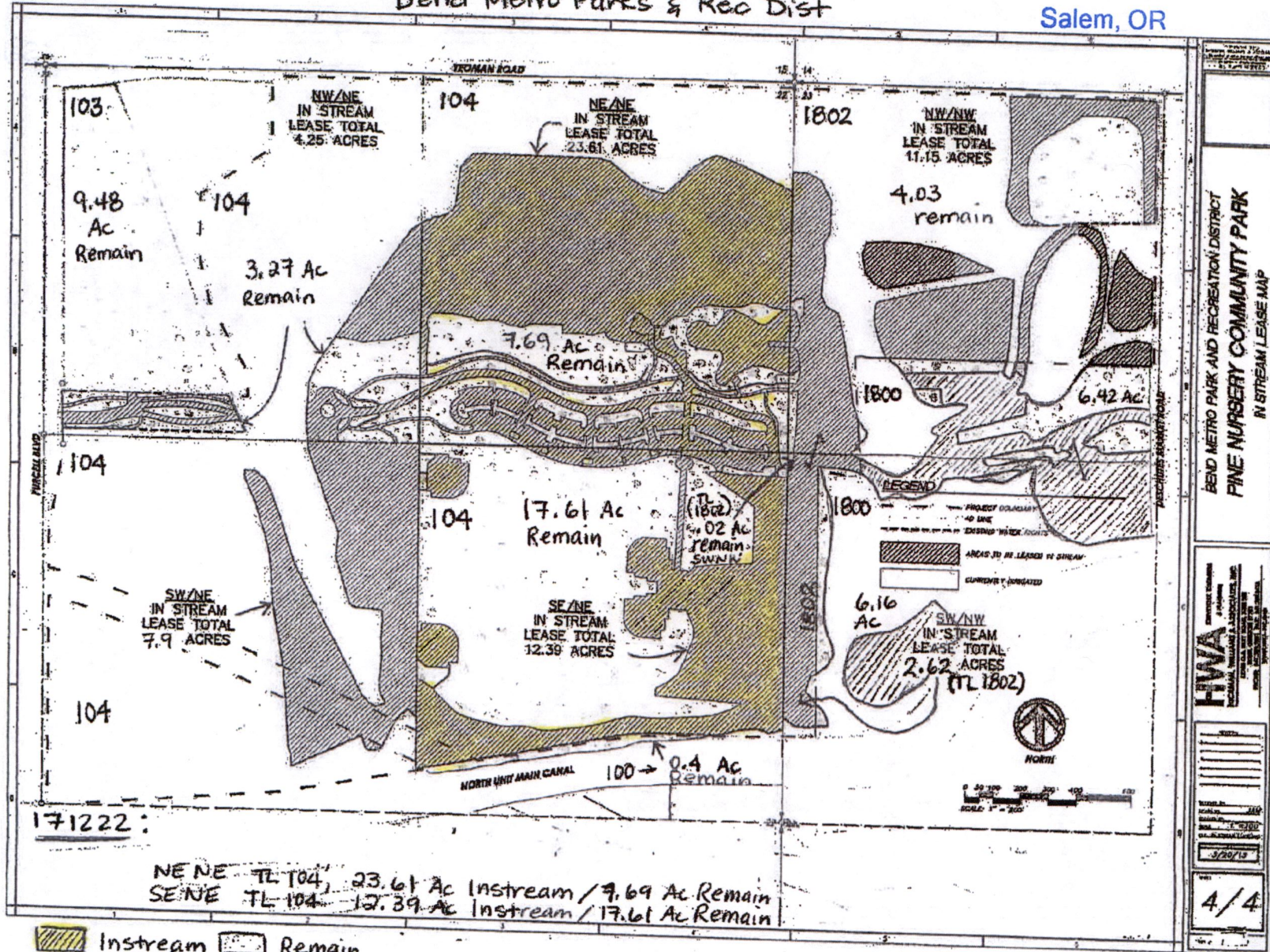
Salem, OR

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Salem, OR

2023

Bend Metro Parks & Rec Dist



171222:

NENE TL 104, 23.61 Ac Instream / 7.69 Ac Remain
 SE/NE TL 104, 12.39 Ac Instream / 17.61 Ac Remain

Instream
 Remain

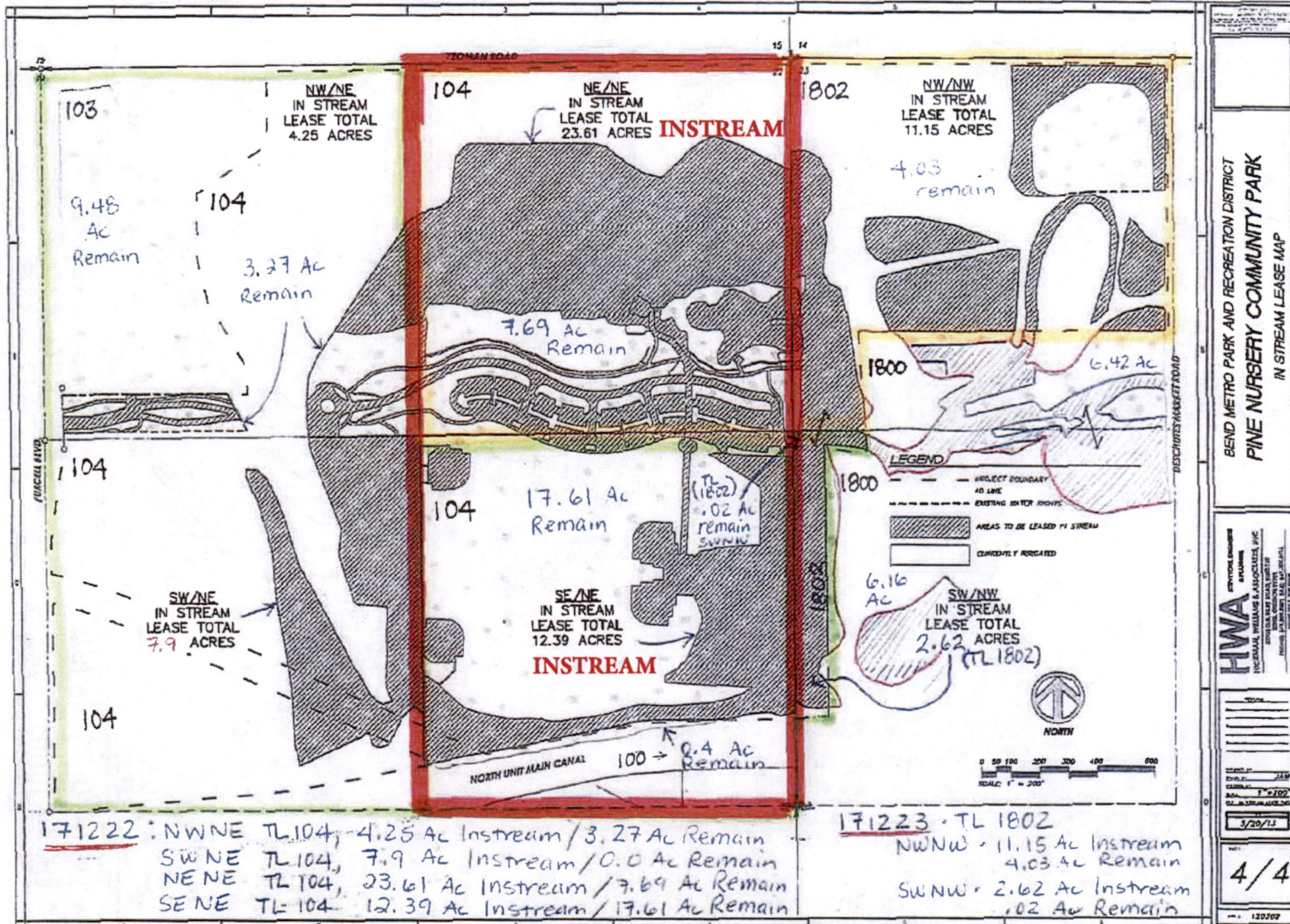
MAY 11 2023

Salem, OR

2013

Bend Metro Parks & Rec Dist

34.76 = 61.92 ac
27.16



BEND METRO PARK AND RECREATION DISTRICT
 PINE NURSERY COMMUNITY PARK
 IN STREAM LEASE MAP

HWA
 HERRING WATKINS ASSOCIATES, INC.
 1000 NE 10TH AVENUE, SUITE 200
 BEND, OREGON 97701
 PHONE: 503.325.2222
 WWW.HWA.COM

DATE: 5/20/13

4/4

120709

171222 : NWNE TL104, 4.25 Ac Instream / 3.27 Ac Remain
 SWNE TL104, 7.9 Ac Instream / 0.0 Ac Remain
 NENE TL104, 23.61 Ac Instream / 7.69 Ac Remain
 SENE TL104, 12.39 Ac Instream / 17.61 Ac Remain

171223 : TL 1802
 NWNW - 11.15 Ac Instream
 4.03 Ac Remain
 SWNW - 2.62 Ac Instream
 .02 Ac Remain

▨ Instream □ Remain * ((See USFS Map in same lease for 171223 - TL 1800))

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: Swalley 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	Range	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
74145	9-1-1899	3 & 15	17	12	23	SW NW	01800		9.01	NUR	23	IL-1677
74145	9-1-1899	3 & 15	17	12	23	NW NW	01800		1.09	IRR	23	IL-1677

Any additional information about the right: 10.10

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.

JEWKES

JEWKES
Date: 2023.04.27
10:42:37 -07'00'

Date: _____

Signature of Lessor

Printed name (and title): Holly Jewkes, Forest Supervisor

Business name, if applicable: Dutchman *US Forest Service*

Mailing Address (with state and zip): 97701

Phone number (include area code): 5413835300

**E-mail address: _____

HOLLY JEWKES

Digitally signed by HOLLY JEWKES
Date: 2023.04.27 10:42:59 -07'00'

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: _____

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Salem, OR

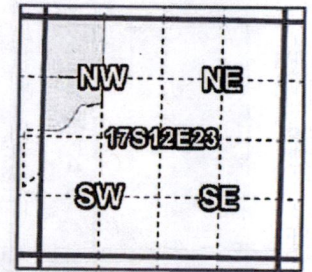
Swalley Irrigation District

2023 Application for Instream Lease

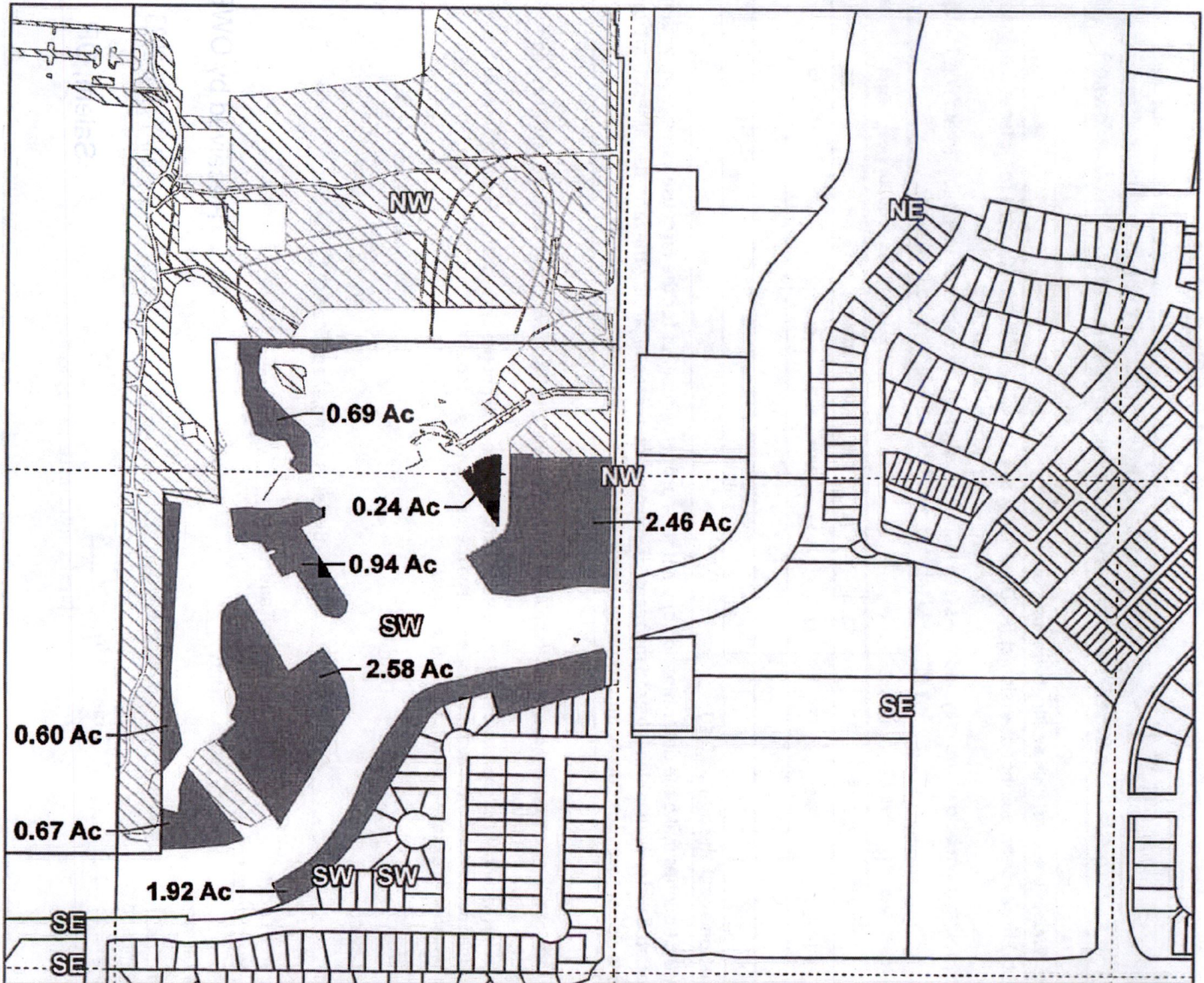
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Salem, OR



Certificates: 74145
for US Forest Service



Taxlot 1712230001800, 17-12-23-SW/NW-01800: 10.10 Acres Leased, 2.48 Acres Remaining

- Pipelines and Canals
- Lease
- ▨ Primary Water Right
- Taxlots

1 inch = 400 feet

Prepared by Swalley Irrigation District | April 2023

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: Swalley 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 #		
74145	9-1-1899	3 & 15	17	S	12	E	07	SW SE	00106		.33	IRR	15	IL-1766
74145	9-1-1899	3 & 15	17	S	12	E	22	NW NE	00103		7.66	NUR	23	IL-1766

Any additional information about the right: IRR 3.62 acres - NUR 7.66 acres

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

The undersigned declare:

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

Signature of Lessor:  Date: 4/19/23

Printed name (and title): _____ Business name, if applicable: Swalley Irrigation District
 Mailing Address (with state and zip): 64672 Cook Ave, Ste 1 Bend, OR 97703
 Phone number (include area code): _____ **E-mail address: Kathy@swalley.com

Signature of Lessor: _____ Date: _____

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

Received by OWRD

re:   01325598202000559250020023
 10/22/2020 08:16 AM
 D-D Cnt=1 Str=4 SRB
 \$10.00 \$11.00 \$61.00 \$10.00 \$6.00 \$98.00

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97703

**QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantors, **Henry & Caron Arnold**, releases and quitclaims to **Swalley Irrigation District (SID)** all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for a total of **.33 acres** of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application **Henry & Caron Arnold** shall no longer be liable for any District assessment or charges pertaining to the total of **.33 acres** of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T17S-R12E,WM-SEC07-SW/SE-00106- .33 acres

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.

Consideration for this Quitclaim is **0.00**

Grantor: *Henry Arnold* Date 9-30-2020
Henry Arnold

Received by OWRD

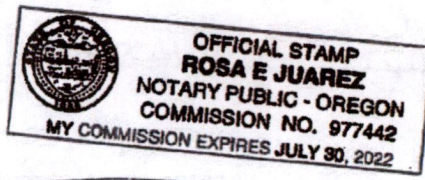
Grantor: *Caron Arnold* Date 9/30/2020
Caron Arnold

MAY 11 2023

Salem, OR

State of Oregon SS.
County of Deschutes

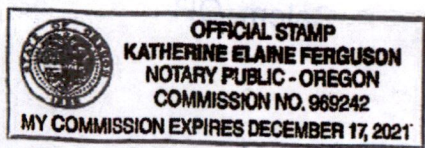
Personally appeared *Henry and Caron Arnold* and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Rosa E Juarez
My commission expires July 30, 2022

Swalley Irrigation District:
[Signature] Date 10/10/2020
Jer Camarata, General Manager

State of Oregon SS. County of Deschutes
Personally appeared, Jer Camarata, as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Katherine Elaine Ferguson
My commission expires 12-17-2021

Tax statement: No change.

EXHIBIT A

Account # AR2717

Henry & Caron Arnold
63695 Northern Estates Lane
Bend, OR 97703

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC07-SW/SE-00106	171207D000106	276138	.33

Lot 6 of Pacific Cascade Heights, recorded October 20, 2017, filed in Cabinet 1 Page(s) 443, records of Deschutes County, Oregon

We are requesting the .33 acre of water rights on our property at 63695 Northern Estates Lane be quitclaimed back to Swalley Irrigation District.

As of this date we are the legal owners of this property.

Henry Arnold

9-30-2020

Henry Arnold

Date

Caron Arnold

9/30/2020

Caron Arnold

Date

Received by OWRD

MAY 11 2023

Salem, OR



THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

Henry P Arnold and Caron B Arnold

2324 Magnolia Blvd W

Seattle, WA 98199

Until a change is requested all tax statements shall be sent to the following address:

Henry P Arnold and Caron B Arnold

2324 Magnolia Blvd W

Seattle, WA 98199

File No. 208589AM

Deschutes County Official Records **2018-000575**

D-D

01/05/2018 11:50:00 AM

Stn=1 BN

\$10.00 \$11.00 \$10.00 \$21.00 \$6.00

\$58.00

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

Nancy Blankenship - County Clerk

STATUTORY WARRANTY DEED

Bend View Holdings 429 LLC, a Washington Limited Liability Company,

Grantor(s), hereby convey and warrant to

Henry P Arnold and Caron B Arnold, as Tenants by the Entirety,

Grantee(s), the following described real property in the County of Deschutes and State of Oregon free of encumbrances except as specifically set forth herein:

Lot 6 of Pacific Cascade Heights, recorded October 20, 2017, filed in Cabinet I Page(s) 443, records of Deschutes County, Oregon.

The true and actual consideration for this conveyance is \$550,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:



Received by OWRD

MAY 11 2023

Salem, OR

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 3RD day of JANUARY, 2018.

Received by OWRD

Bend View Holdings 429, LLC., A Washington Limited Liability Company
By: Harvest Management Services Corp.,
a Washington corporation
Its: Manager

MAY 11 2023

Salem, OR

By: [Signature]
Name: Susan L. Haider
Its: Treasurer



State of _____ OR} ss
County of _____ Marion Deschutes

On this 27 day of December, in the year 2017 before me, Tiffany Erickson, a Notary Public in and for said state, personally appeared Susan Haider known or identified to me to be the Treasurer in the Limited Liability Company known as ~~Bend View Holdings 429~~ Harvest Mgt Services Corp, who executed the foregoing instrument, and acknowledged to me that ~~he/she~~ executed the same in said LLC name. Manager of Bend View Holdings LLC.

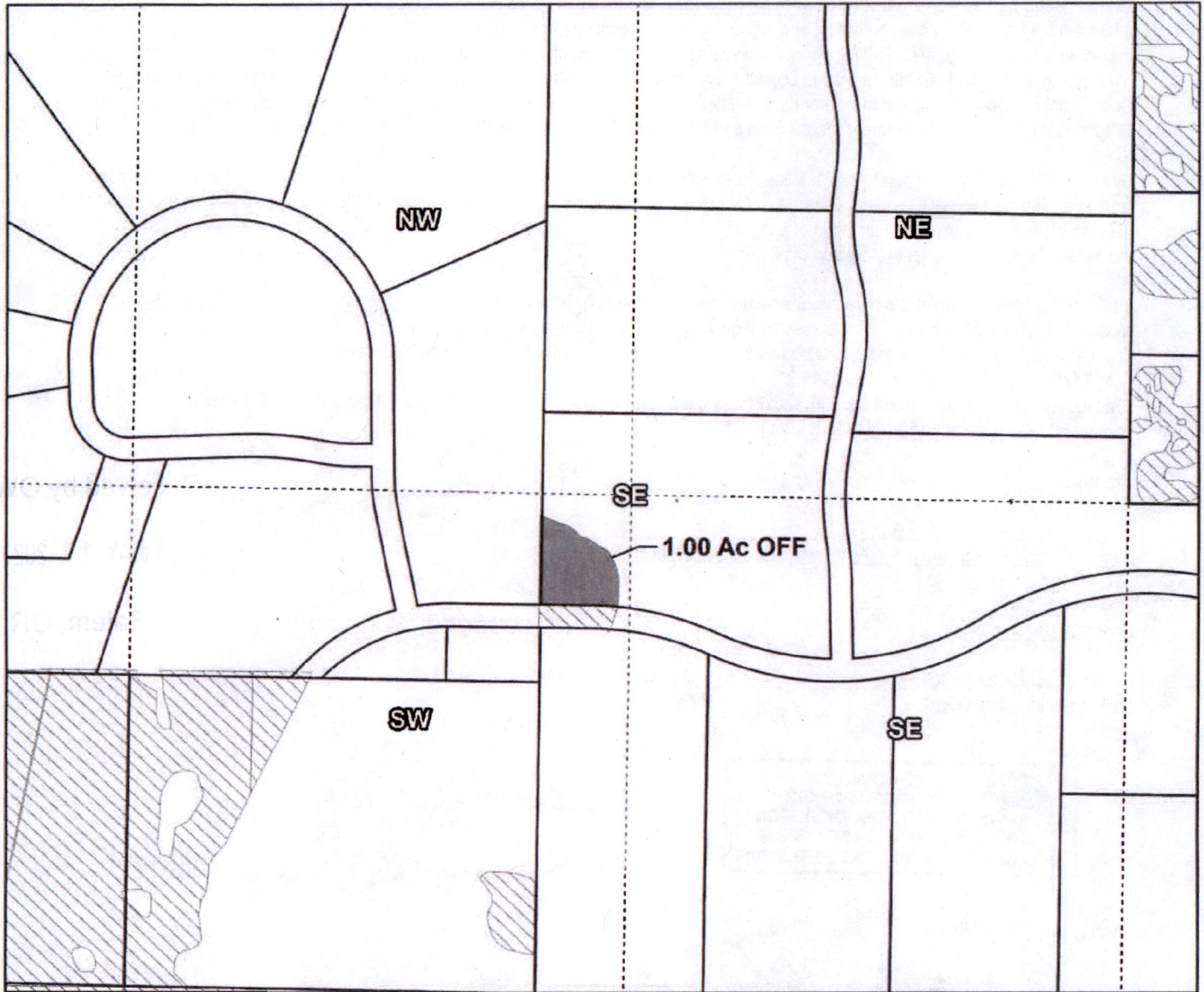
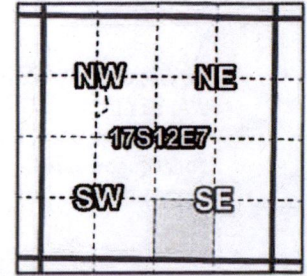
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public for the State of Oregon
Residing at: 601 S. 7th Place
Commission Expires: 3/2/18

Swalley Irrigation District

2022 District Instream Lease

Certificates: 74145
for Swalley Irrigation District



Taxlot 171207D000106, 17-12-07-SW/SE-00106: 0.33 Acres Off, 0 Acres Remaining

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots

Received by OWRD

MAY 11 2023

Salem, OR



1 inch = 400 feet

Prepared by Swalley Irrigation District | December 2022

DESCUTES COUNTY CLERK
NANCY BLANKENSHIP, COUNTY CLERK

2013-43014



\$53.00

11/01/2013 01:40:42 PM

D-D Cnt=1 Str=2 JS
\$10.00 \$11.00 \$16.00 \$10.00 \$8.00

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Bend LaPine Administrative School District No. 1, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for 9.48 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Bend LaPine Administrative School District No. 1 shall no longer be liable for any district assessment or charges pertaining to the 9.48 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T17S-R12E WM-SEC22-NW/NE-00103

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is \$0.

Grantor:

Date 8-28-2013

Received by OWRD

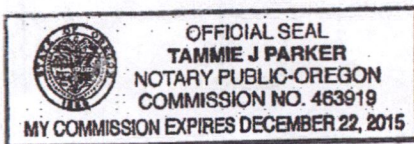
Authorized Signer for Bend LaPine Administrative School District No. 1

MAY 11 2023

State of Oregon SS.
County of Deschutes

Salem, OR

Personally appeared Authorized Signer for Bend LaPine Administrative School District No. 1, acknowledged the forgoing instrument to be his / her voluntary act and deed.



My commission expires December 22, 2015

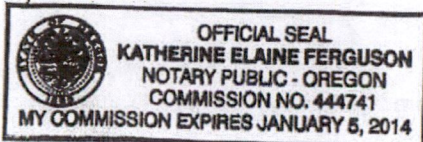
Swalley Irrigation District:

Date 9-10-2013

Suzanne Butterfield, Manager

State of Oregon SS.
County of Deschutes

Personally appeared, Suzanne Butterfield as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



My commission expires 1-5-2014

Acct: # 2269

EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC22-NW/NE-00103	171222AB0 103	260311	9.48

Received by OWRD

MAY 11 2023

Salem, OR

**LEGAL DESCRIPTION
BEND - LAPINE SCHOOL DISTRICT
PINE NURSERY ELEMETARY SCHOOL SITE**

A portion of property lying in the northeast one-quarter of Section 22, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, being more particularly describes as follows:

Parcel 2, Partition Plat No. 2007- 74, recorded November 27, 2007 in the Deschutes County Official Records.



11/27/2007 02:21:04 PM

D-D Cnt=1 Str=23 CLERK
\$15.00 \$11.00 \$10.00 \$5.00

Recording requested by and when
recorded return to:

Sharon R. Smith
Bryant, Lovlien & Jarvis, PC
PO Box 880
Bend, OR 97709-1151

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

Bend-La Pine Schools
520 NW Wall Street
Bend, Oregon 97701

Received by OWRD

MAY 11 2023

Salem, OR

BARGAIN AND SALE DEED

The true consideration for this transfer is other than money.

BEND METRO PARK & RECREATION DISTRICT, an Oregon special district,
Grantor, conveys to BEND-LA PINE ADMINISTRATIVE SCHOOL DISTRICT NO. 1,
Grantee, the following described real property:

SEE ATTACHED EXHIBIT "A"

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

DATED this 16 day of November, 2007.

GRANTOR:

BEND METRO PARK &
RECREATION DISTRICT

BY: DON HORTON
ITS: EXECUTIVE DIRECTOR

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 15th day of November 2007, by Don Horton, who stated that he is the Executive Director of the Bend Metro Park & Recreation District, an Oregon special district and that he is authorized to execute the foregoing instrument on behalf of said entity.



Blanche I Taber
Notary Public for Oregon
My Commission Expires: 12/11/2010

Received by OWRD

MAY 11 2023

Salem, OR

**LEGAL DESCRIPTION
BEND – LAPINE SCHOOL DISTRICT
PINE NURSERY ELEMETARY SCHOOL SITE**

A portion of property lying in the northeast one-quarter of Section 22, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, being more particularly describes as follows:

Parcel 2, Partition Plat No. 2007- 74 , recorded November 27, 2007 in the Deschutes County Official Records.

Received by OWRD

MAY 11 2023

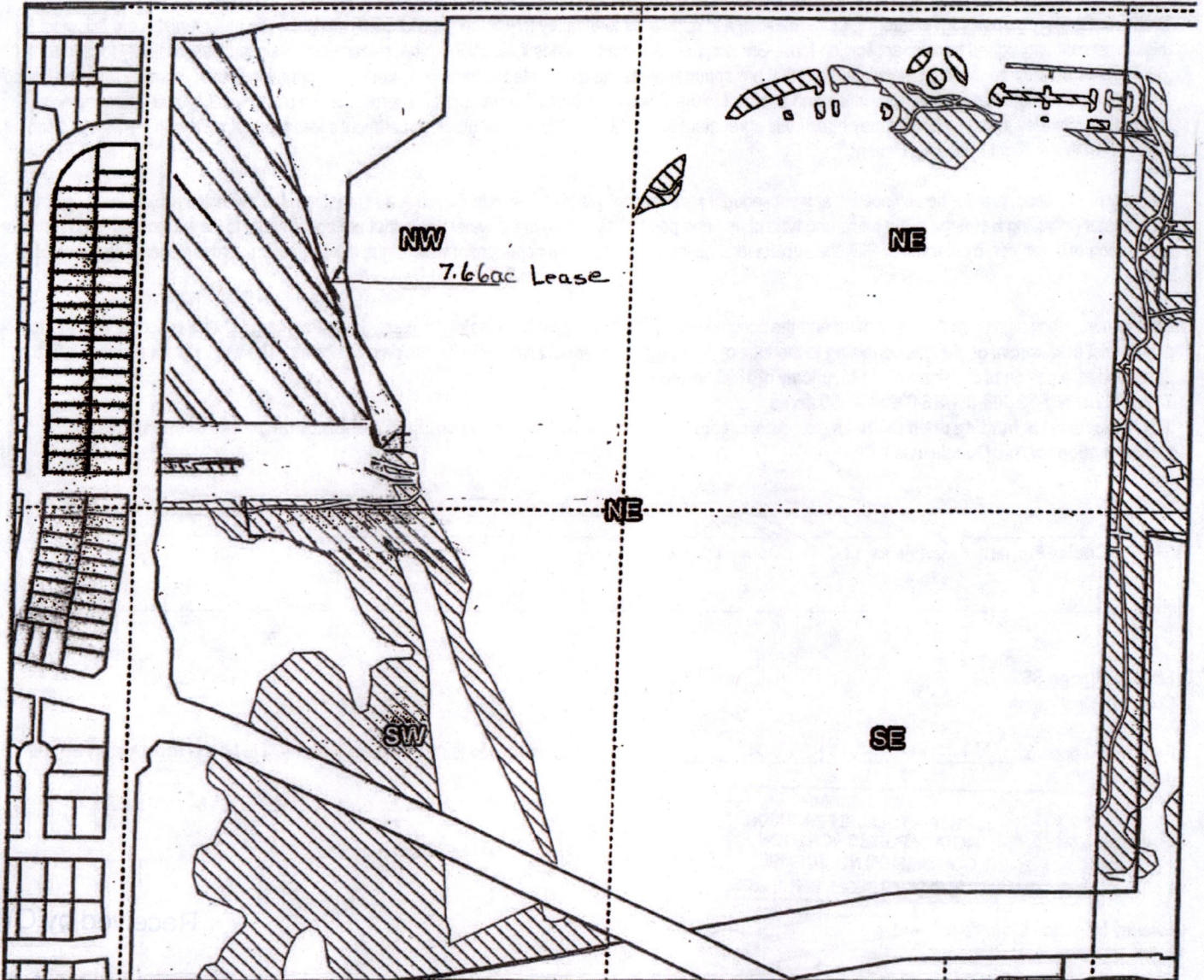
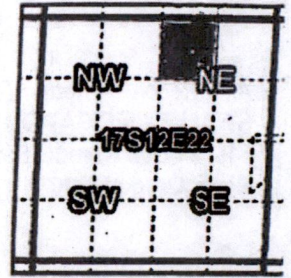
Salem, OR

Swalley Irrigation District

2023 District Instream Lease

Certificates: 74145

For Bend LaPine School District #1



Taxlot 1712220000104, 17-12-22-NW/NE-00103: Lease - 7.66 NUR Acres
 0.40 IR Acres Remaining

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots

Received by OWRD

MAY 11 2023

Salem, OR

Prepared by Swalley Irrigation District |



1 inch = 400 feet



01478661202300094120020025

D-D Cnt=1 Pgs=2 Str=6 \$10.00 \$11.00 \$61.00 \$10.00 \$6.00

04/24/2023 11:49 AM \$98.00

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97703

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantors, Cooley Property Investments, LLC, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for a total of .50 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Cooley Property Investments, LLC shall no longer be liable for any District assessment or charges pertaining to the total of .50 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T17S-R12E, WM-SEC08-SW/SE-00900 - .50 acres

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

Grantors:

[Signature]
Cooley Property Investments, LLC - Authorized Signer

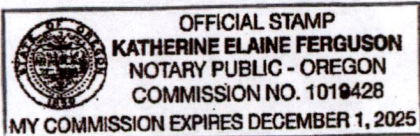
Date Apr-18-2023

Date

State of Oregon SS.
County of Deschutes

Personally appeared Yishup Kim

and acknowledged the forgoing instrument to be his/her voluntary act and deed.



[Signature]

My commission expires 12-1-2025

Swalley Irrigation District:

[Signature]

Date 4/19/23

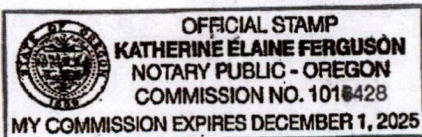
Jer Camarata, General Manager

Received by OWRD

MAY 11 2023

State of Oregon SS. County of Deschutes

Personally appeared, Jer Camarata, as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



[Signature]

My commission expires 12-1-2025

Salem, OR

Tax statement: No change.

EXHIBIT A

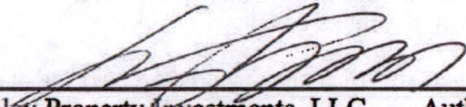
Account # CO2826

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC08-SW/SE-00900	171208D000900	11304	.50

Property located at 63661 Scenic Dr. in Deschutes County, Bend Oregon –
A tract of land lying in the West half of the Southeast quarter of Section 8, Township 17 South,
Range 12 East of the Willamette Meridian, Deschutes County, Oregon.

We are requesting the water rights on our property at 63661 Scenic Dr,
Bend, OR 97703 be quitclaimed back to Swalley Irrigation District.

As of this date we are the legal owners of this property.

	<i>Apr - 18 - 2023</i>
Cooley Property Investments, LLC - Authorized Signer	Date

Received by OWRD

MAY 11 2023

Salem, OR

RECORDING REQUESTED BY:



360 SW Bond Street, Suite 100
Bend, OR 97702

AFTER RECORDING RETURN TO:

Order No.: WT0215284-DI
Yi Shup Kim
Cooley Property Investments, LLC
63455 N Hwy 97, Ste 35
Bend, OR 97703

Received by OWRD

MAY 11 2023

Salem, OR

SEND TAX STATEMENTS TO:

Cooley Property Investments, LLC
63455 N Hwy 97, Ste 35
Bend, OR 97703

APN: 113094
Map: 171208D000900
63661 Scenic Drive, Bend, OR 97703

Deschutes County Official Records	2021-42064
D-D	07/15/2021 03:28 PM
Stn=1 BN	\$15.00 \$11.00 \$10.00 \$61.00 \$6.00
	\$103.00
I, Nancy Blankenship, County Clerk for Deschutes County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Nancy Blankenship - County Clerk	

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Garth E. Ellefson and Lisa V. Ellefson, Grantor, conveys and warrants to **Cooley Property Investments, LLC**, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Deschutes, State of Oregon:

A tract of land lying in the West half of the Southeast quarter of Section 8, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at the Quarter Section corner between Sections 8 and 17; thence along the South line of said Section 8, South 89°43' East, 1028.8 feet to a point; thence North 25°08' West, 33.17 feet to the North line of Cooley Road; thence North 25°08' West along the East line of the Tumalo Bend State Highway, 462.01 feet to the True Point of Beginning; thence continue North 25°08' West along said Highway line 370.00 feet to an iron rod; thence North 68°51' East, 643.70 feet to an iron rod; thence North 68°22' East, 64.48 feet to an iron rod; thence South 00°10'30" East along the East line of the West half of the Southeast quarter of said Section 8, a distance of 378.05 feet to an iron rod; thence South 67°07' West 546.98 feet to the True Point of Beginning.

Except the East 60 feet for roadway purposes.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SEVEN HUNDRED NINETY-NINE THOUSAND AND NO/100 DOLLARS (**\$799,000.00**). (See ORS 93.030).

Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR

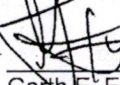
STATUTORY WARRANTY DEED

(continued)

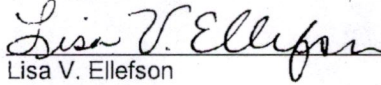
LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 7/8/21



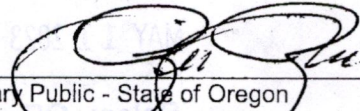
Garth E. Ellefson



Lisa V. Ellefson

State of OREGON
County of DESCHUTES

This instrument was acknowledged before me on 7/8/21 - by Garth E. Ellefson and Lisa V. Ellefson.



Notary Public - State of Oregon

My Commission Expires: _____



Received by OWRD

MAY 11 2023

Salem, OR

EXHIBIT "A"
Exceptions

Subject to:

Regulations, including levies, liens, assessments, water and irrigation rights and easements for ditches and canals of the Swalley Irrigation District.

Rights of the public over any portion of the herein described property lying within the limits of roads and highways.

Limited access to and from the Land as set forth in Deed shown below, which provides that there shall be no right of easement or right of access to, from or across the State Highway other than as expressly provided for in said Deed:

Grantor: L.A. Swagert and Stella M. Swagert
Grantee: State of Oregon by and through its State Highway Commission
Recording Date: May 25, 1951
Recording No.: 97-357

Road Maintenance Agreement

Recording Date: October 16, 1989
Recording No.: 194-1122

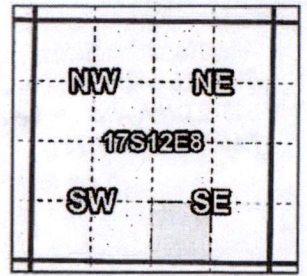
Received by OWRD

MAY 11 2023

Salem, OR

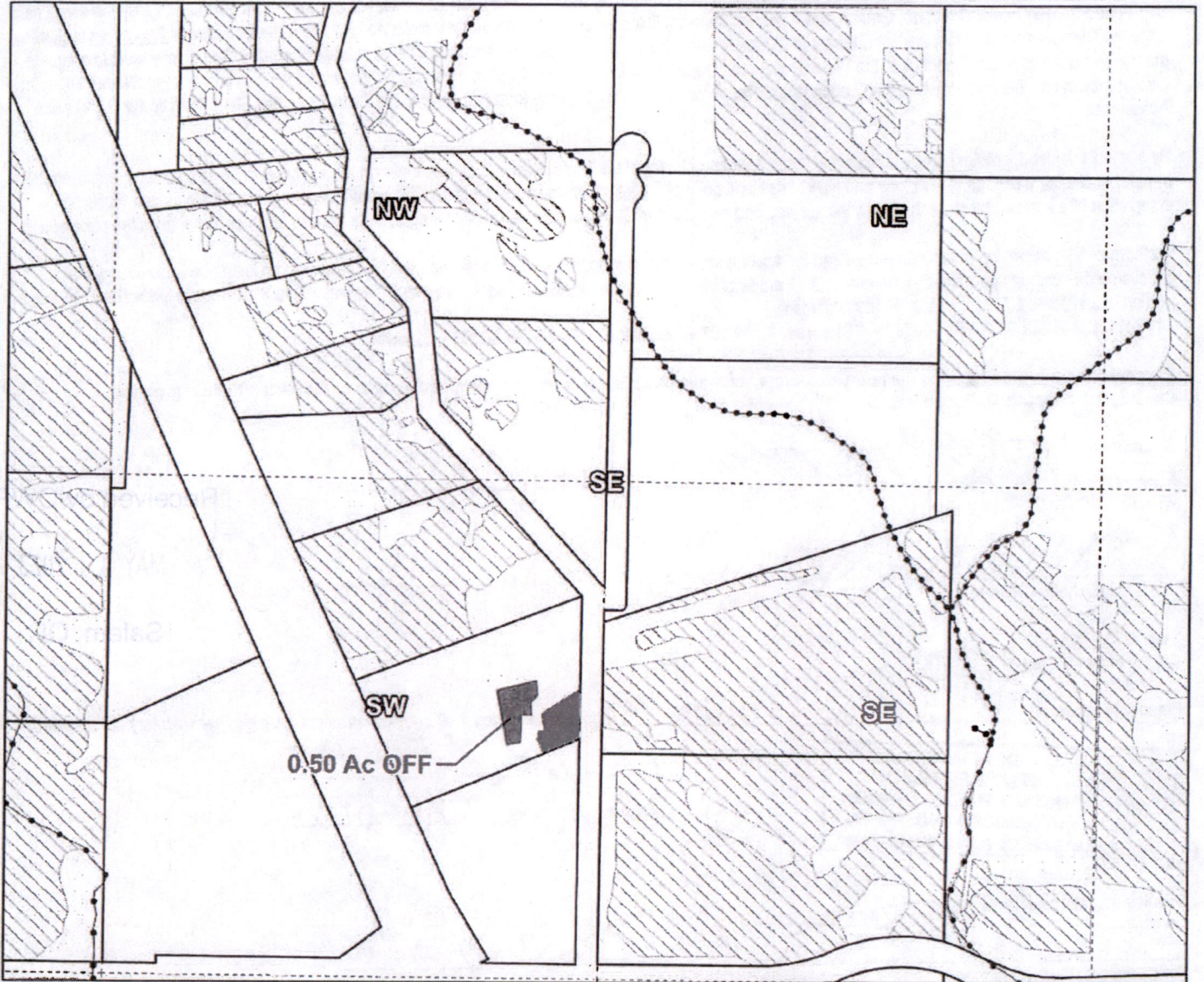
Swalley Irrigation District

2023 District Instream Lease



Certificates: 74145

for Swalley Irrigation District



Taxlot 171208D000900, 17-12-08-SW/NE-00900: 0.50 Acres Off, 0 Acres Remaining

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots

Received by OWRD

MAY 11 2023

Salem, OR



1 Inch = 400 feet

Prepared by Swalley Irrigation District | April 2023



01092390201600517600030037

12/13/2016 03:25:02 PM

D-D Cnt=1 Stn=25 CLERK
\$15.00 \$11.00 \$21.00 \$10.00 \$6.00

**QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

Grantor, Leo and Michelle Gellings, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for a total of 2.14 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Leo and Michelle Gellings shall no longer be liable for any District assessment or charges pertaining to the total of 2.14 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T16S-R12E,WM-SEC29-SW/NE-00300 - 1.61 acres, T16S-R12E,WM-SEC29-SW/NE-00303 - .53 acres

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.
Consideration for this Quitclaim is 0.00

Grantor: [Signature] Date 12-1-16
Leo Gellings

Received by OWRD

Grantor: [Signature] Date 12-1-16
Michelle Gellings

MAY 11 2023

Salem, OR

State of Oregon SS.
County of Deschutes

Personally appeared [Signature] and acknowledged the forgoing instrument to be his / her voluntary act and deed.

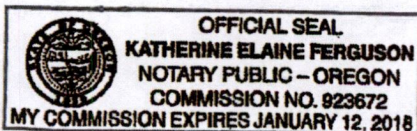


[Signature]
My commission expires 3-31-2020

Swalley Irrigation District:
[Signature] Date 12/9/16
Jer Camarata, General Manager

State of Oregon SS.
County of Deschutes

Personally appeared, Jer Camarata, as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



[Signature]
My commission expires 1-12-2018

Tax statement: No change.

Received by OWRD

MAY 11 2023

Salem, OR

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

**QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, Leo and Michelle Gellings, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for a total of 2.14 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Leo and Michelle Gellings shall no longer be liable for any District assessment or charges pertaining to the total of 2.14 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located: T16S-R12E,WM-SEC29-SW/NE-00300 - 1.61 acres, T16S-R12E,WM-SEC29-SW/NE-00303 - .53 acres

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

Grantor: Leo Gellings Date December 02nd 2016

Grantor: Michelle Gellings Date

State of Oregon SS.
County of ~~Deschutes~~ Washington

Personally appeared Leo Gellings and acknowledged the forgoing instrument to be his / her voluntary act and deed.

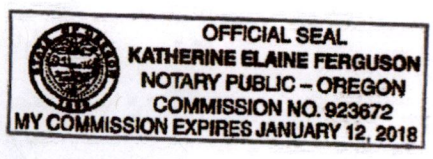


My commission expires September 03 2018

Swalley Irrigation District: [Signature] Date 12/9/16
Jer Camarata, General Manager

State of Oregon SS.
County of Deschutes

Personally appeared, Jer Camarata, as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Katherine Elaine Ferguson
My commission expires 1-12-2018

Tax statement: No change.

Leo and Michelle Gellings
65070 Swalley Rd
Bend, OR 97703

#2180
#2293

Received by OWRD

MAY 11 2023

Salem, OR

EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T16S-R12E-WM-SEC29-SW/NE-00300	161229AB00300	133309	1.61 ac.
T16S-R12E-WM-SEC29-SW/NE-00303	161229AB00303	13309	.53 ac.

LEGAL DESCRIPTION:

PARCEL I:

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4 SW1/4 NE1/4) OF SECTION 29, TOWNSHIP 16 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN SWALLEY ROAD.

PARCEL II:

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4 SW1/4 NE1/4) OF SECTION 29, TOWNSHIP 16 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN SWALLEY ROAD AND TUMALO ROAD.



41
3
3

After recording return to:
Leo G. Gellings and Michelle Gellings
65070 Swalley Rd.
Bend, OR 97701

Until a change is requested all tax statements
shall be sent to the following address:
Leo G. Gellings and Michelle Gellings
65070 Swalley Rd.
Bend, OR 97701

File No.: 7061-972497 (CS)
Date: January 23, 2007

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2007-06617



\$41.00

01/31/2007 03:50:23 PM

D-D Cnt=1 Stn=2 JS
\$15.00 \$11.00 \$10.00 \$5.00

Received by OWRD

MAY 11 2023

Salem, OR

STATUTORY SPECIAL WARRANTY DEED

Robert L. Dunn and Theresa L. Dunn, Trustees of the Dunn Family Community Property Trust, dated February 23, 2001, Grantor, conveys and specially warrants to **Leo G. Gellings and Michelle Gellings, as tenants by the entirety**, Grantee, the following described real property free of encumbrances created or suffered by the Grantor except as specifically set forth herein:

See Exhibit "A" attached hereto and incorporated herein

This Deed is being given in fulfillment of that Contract of Sale between the parties dated: October 12, 2006, recorded October 12, 2006 in Book 2006, Page 68427/or Fee # and the warranties hereof shall be construed as of the date of said contract.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

The true consideration for this conveyance is **\$2,100,000.00**.

Dated this 29 day of January, 2007.

APN:

Statutory Warranty Deed
- continued

File No.: **7061-972497 (CS)**
Date: **01/23/2007**

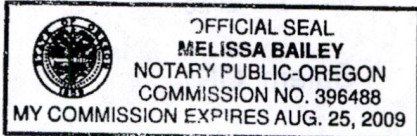
The Dunn Family Community Property Trust

[Signature]
Robert L. Dunn, Trustee

[Signature]
Theresa L. Dunn, Trustee

STATE OF Oregon)
)ss.
County of Deschutes)

This instrument was acknowledged before me on this 30th day of January, 2007
by **Robert L. Dunn, as Trustees of the Dunn Family Community Trust.**



[Signature]
Notary Public for Oregon
My commission expires: Aug. 25, 2009

STATE OF Oregon)
)ss.
County of Deschutes)

This instrument was acknowledged before me on this 29 day of January, 2007
by **Theresa L. Dunn, as Trustee of the Dunn Family Community Trust.**



[Signature]
Notary Public for Oregon
My commission expires: 8-7-2010

Received by OWRD

MAY 11 2023

Salem, OR

EXHIBIT A

LEGAL DESCRIPTION:

PARCEL I:

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4 SW1/4 NE1/4) OF SECTION 29, TOWNSHIP 16 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN SWALLEY ROAD.

PARCEL II:

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4 SW1/4 NE1/4) OF SECTION 29, TOWNSHIP 16 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN SWALLEY ROAD AND TUMALO ROAD.

Received by OWRD

MAY 11 2023

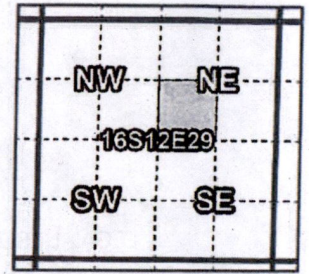
Salem, OR

Swalley Irrigation District
2023 District Instream Lease

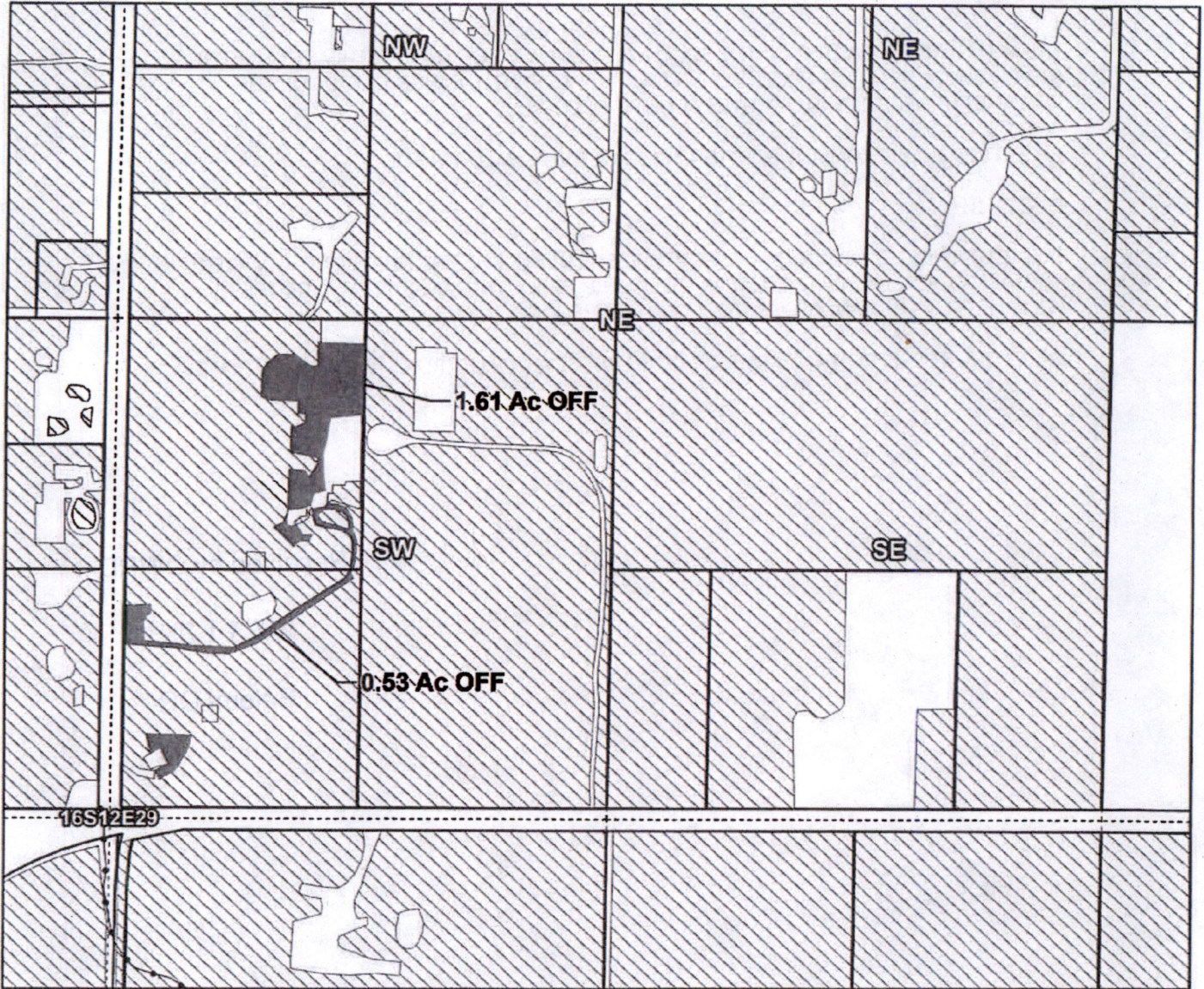
Received by OWRD

MAY 11 2023

Salem, OR



Certificates: 74145
 for *Swalley Irrigation District*



Taxlot 161229000300, 16-12-29-SW/NE-00300: 1.61 Acres Off, 14.02 Acres Remaining
 Taxlot 161229000303, 16-12-29-SW/NE-00303: 0.53 Acres Off, 16.18 Acres Remaining

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots



1 inch = 400 feet

Prepared by Swalley Irrigation District | December 2022



\$98.00

01256379201900429060020024

11/04/2019 02:58 PM

D-D Cnt=1 Str=25 AP
\$10.00 \$11.00 \$61.00 \$10.00 \$6.00

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97703

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Aaron Jones, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for 1.00 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual ShortTerm Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Aaron Jones, shall no longer be liable for any district assessment or charges pertaining to 1.00 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located: T17S-R12E, WM-SEC08-NW/SE-02100 - 1.00 acre, This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

Grantor:

Aaron Jones

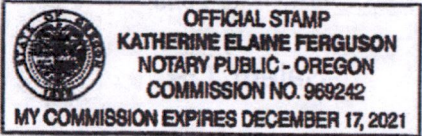
Date Oct. 30 2019

Aaron Jones

State of Oregon SS.
County of Deschutes

Personally appeared: Aaron Jones and acknowledged the forgoing instrument to be his / her voluntary act and deed.

Katherine Elaine Ferguson



My commission expires 12-17-2021

Received by OWRD

Swalley Irrigation District:

[Signature]

Date 10/30/2019

MAY 11 2023

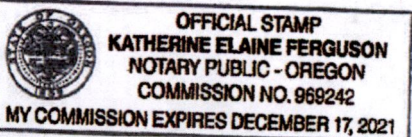
Jer Camarata, General Manager

Salem, OR

State of Oregon SS.
County of Deschutes

Personally appeared, Jer Camarata as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.

Katherine Elaine Ferguson



My commission expires 12-17-2021

Tax statement: No change.

EXHIBIT A

Account # JO1599

Aaron Jones
20203 Meadow Lane
Bend, OR 97703

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC08-NW/SE-02100	171208D002100	113123	1.00

Lot 3, Block 1, Scenic Country Estates, Deschutes County, Oregon.

(Commonly known as 20203 Meadow Lane, Bend, OR 97701)

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MAY 11 2023

Salem, OR

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MAY 11 2023

Salem, OR



\$58.00

01/13/2014 03:07:32 PM

D-D Cnt=1 Stn=2 TM
\$10.00 \$11.00 \$21.00 \$10.00 \$6.00

After recording return to:

John D. Sorlie
Bryant, Lovlien & Jarvis, P.C.
591 S.W. Mill View Way
Bend, Oregon 97702

Until a change is requested, all tax statements shall be sent to the following address:

Aaron L. Jones, Trustee
20203 Meadow Lane
Bend, Oregon 97701

Received by OWRD

MAY 11 2023

Salem, OR

BARGAIN AND SALE DEED

Other property or value was either part or the whole consideration for this conveyance.

Aaron L. Jones, a single man, Grantor, conveys to Aaron L. Jones, Trustee, or the Successor Trustee, of the Aaron L. Jones Revocable Trust UTA dated January 7, 2014, Grantee, the real property located at 20203 Meadow Lane, Bend, Oregon, being more particularly described as follows:

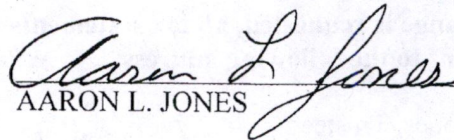
Lot 3, Block 1, SCENIC COUNTRY ESTATES, Deschutes County, Oregon.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE

ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: January 7, 2014

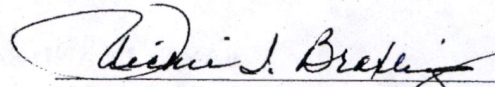
Grantor:


AARON L. JONES

STATE OF OREGON, County of Deschutes: ss.

This instrument was acknowledged before me on the 7th day of January, 2014, by AARON L. JONES to be his voluntary act and deed. Before Me:



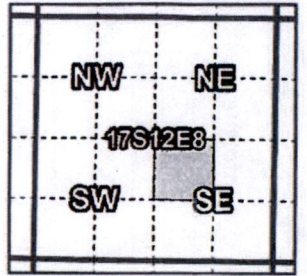

Notary Public for Oregon
My Commission Expires: 04/18/16

Received by OWRD

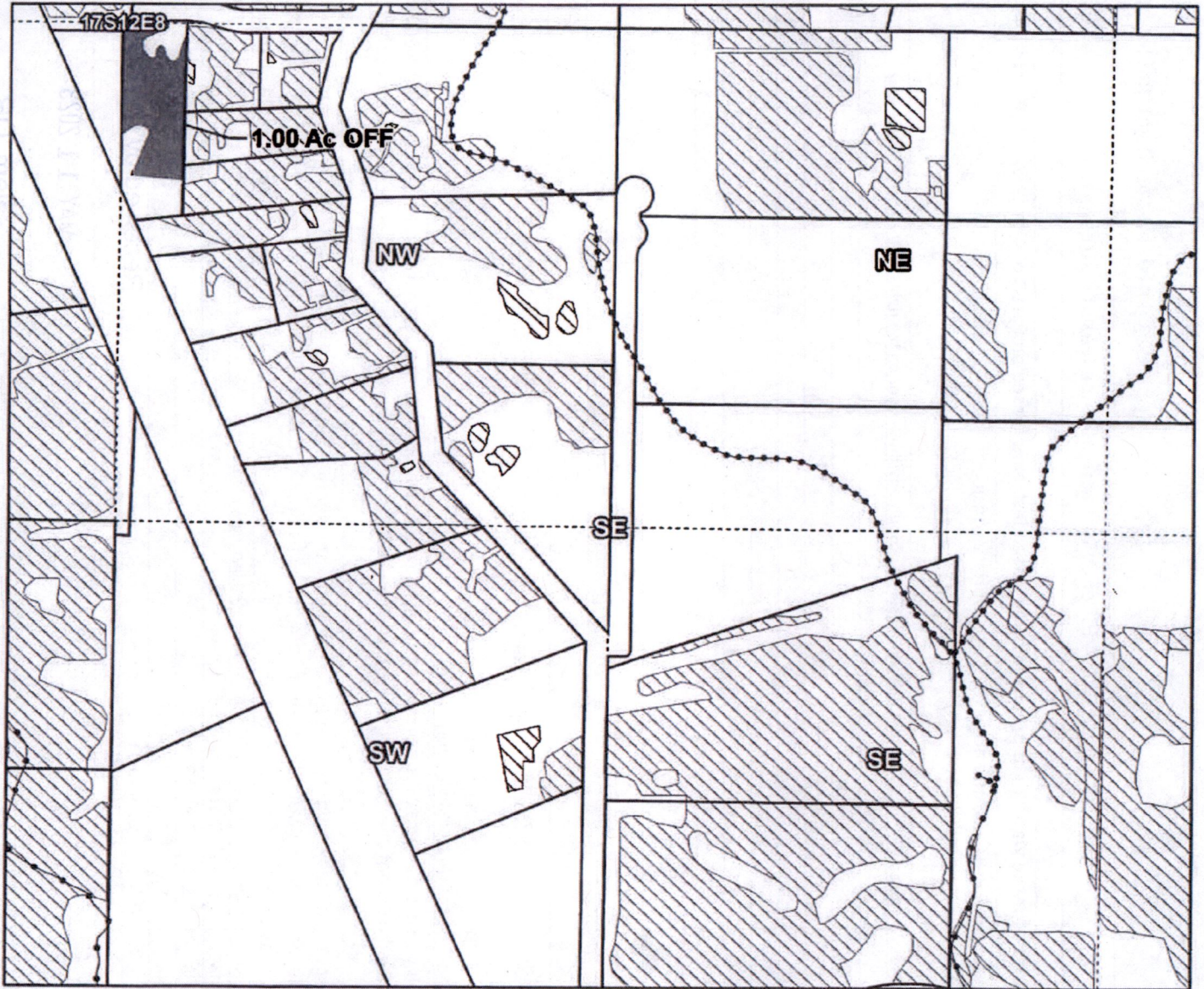
MAY 11 2023

Salem, OR

Swalley Irrigation District
 2023 District Instream Lease



Certificates: 74145
 for Swalley Irrigation District



Taxlot 171208D002100, 17-12-08-NW/SE-00106: 1.00 Acres Off, 0 Acres Remaining

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots

Received by OWRD

MAY 11 2023

Salem, OR



1 inch = 400 feet

Prepared by Swalley Irrigation District | December 2022

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>74145</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)	
9/01/1899	3	IR	55.71	Season 1 rate/Total Volume	0.419	368.22	
9/01/1899	3	IR	55.71	Season 2 rate	0.560		
9/01/1899	3	IR	55.71	Season 3 rate	1.053		
9/01/1899	3	NUR	16.67	Season 1 rate/Total Volume	0.125	110.18	
9/01/1899	3	NUR	16.67	Season 2 rate	0.168		
9/01/1899	3	NUR	16.67	Season 3 rate	0.315		
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>Deschutes River, tributary to Columbia 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>3</u> to <u>the Madras Gage (Mitigation Lease)</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)	
9/01/1899	3	IR	55.71	Season 1 rate/Total Volume	0.383	303.77	
9/01/1899	3	IR	55.71	Season 2 rate	0.512		
9/01/1899	3	IR	55.71	Season 3 rate	0.949		
				Continued Next Page	Received by OWRD		

9/01/1899	3	NUR	16.67	Season 1 rate/Total Volume	0.114	90.83
9/01/1899	3	NUR	16.67	Season 2 rate	0.153	
9/01/1899	3	NUR	16.67	Season 3 rate	0.284	

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

Yes N/A **Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:** list here instream flow allocated on daily average basis up to the described rate from April 1- October 25

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

Any additional information about the proposed instream use: Lease for Mitigation Project

Received by OWRD

MAY 11 2023

Salem, OR

**This table will calculate flow rate factors and duty for Swalley Irrigation District
Instream Leases & Transfers**

Canal Diversion - Enter Total Number of Acres to be Leased Instream Here	55.710	IR Acres	Received by OWRD MAY 11 2023 Salem, OR	
Direct Diversion - Enter Total Number of Acres to be Leased Instream Here	0.000			
Starting Point - Direct Diversion total acres	158.110			
Starting Point - Canal Diversion total acres	4192.620			
Starting Point	Full Right	Direct Diversion only	Canal Diversion only	
	Starting Point - Rate*	Starting Point - Rate	Starting Point - Rate	
Season 1	32.594	1.086	31.508	
Season 2	43.628	1.454	42.174	
Season 3	81.907	2.694	79.213	
Duty	28574.620	863.375	27,711.25	

*Approximate starting point

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

For Primary Water Right - Certificate 74145

For Canal Diversion Only

Rate (CFS) associated with leased rights for Section 1.5 of the Lease Application Form	Rate and duty identified in this section includes the 43% transmission loss allowed by decree		
	Full Rate	Duty (AF) associated with leased right for Section 1.5 of the Lease Application Form	
Season 1*	0.419	Duty AF/Acre* =	6.61
Season 2*	0.560		
Season 3*	1.053		

* Note - The rates and duty identified have been proportion to prevent enlargement of the right and to reflect the amount at which the diversion should be reduced. (for example, S3 = starting canal rate divided by 4441.765 canal acres)

Rates and volumes identified in this section do not include the 43% transmission loss	Volume (AF) leased instream for Section 2.2 of the Lease Application Form		
Rate (CFS) leased instream for Section 2.2 of the Lease Application Form	Duty (decree) AF/Acre =		5.46
	Total =		304.21
	Full Rate	# of Days in each Season	AF/ Season
Season 1	0.383	61	46.34
Season 2	0.512	30	30.47
Season 3	0.949	123	231.52
			308.33

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

	# days	AF/Season	
Season 1*	55	41.78	
Season 2	30	30.47	
Season 3	123	231.52	
Season total =	208	303.77	Does not exceed duty
Water protected instream: April 1 through October 25			

* Note - The number of days that water may be protected instream in Season 1 has been reduced on revent enlargement of the right. The instream rates identified in this section are based upon the face value of the water right minus 43%.

**This table will calculate flow rate factors and duty for Swalley Irrigation District
Instream Leases & Transfers**

Canal Diversion - Enter Total Number of Acres to be Leased Instream Here	16.670	<p>NUR Acres</p> <p>Received by OWRD</p> <p>MAY 11 2023</p> <p>Salem, OR</p>	
Direct Diversion - Enter Total Number of Acres to be Leased Instream Here	0.000		
Starting Point - Direct Diversion total acres	158.110		
Starting Point - Canal Diversion total acres	4192.620		
Starting Point	Full Right	Direct Diversion only	Canal Diversion only
	Starting Point - Rate*	Starting Point - Rate	Starting Point - Rate
Season 1	32.594	1.086	31.508
Season 2	43.628	1.454	42.174
Season 3	81.907	2.694	79.213
Duty	28574.620	863.375	27,711.25

*Approximate starting point

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

For Primary Water Right - Certificate 74145

For Canal Diversion Only

Rate (CFS) associated with leased rights for Section 1.5 of the Lease Application Form	Rate and duty identified in this section includes the 43% transmission loss allowed by decree		
	Full Rate	Duty (AF) associated with leased right for Section 1.5 of the Lease Application Form	
Season 1*	0.125	Duty AF/Acre* =	6.61
Season 2*	0.168		
Season 3*	0.315		110.18

* Note - The rates and duty identified have been proportion to prevent enlargement of the right and to reflect the amount at which the diversion should be reduced. (for example, S3 = starting canal rate divided by 4441.765 canal acres)

Rates and volumes identified in this section do not include the 43% transmission loss		Volume (AF) leased instream for Section 2.2 of the Lease Application Form	
Rate (CFS) leased instream for Section 2.2 of the Lease Application Form		Duty (decree) AF/Acre =	5.46
	Full Rate	Total =	91.03
		# of Days in each Season	AF/ Season
Season 1	0.114	61	13.79
Season 2	0.153	30	9.10
Season 3	0.284	123	69.29
			92.18

Additional Conditions to Prevent Injury for Section 2.2 of the Lease Application Form			
	# days	AF/Season	
Season 1*	55	12.44	
Season 2	30	9.10	
Season 3	123	69.29	
Season total =	208	90.83	Does not exceed duty
Water protected instream: April 1 through October 25			

* Note - The number of days that water may be protected instream in Season 1 has been reduced on revent enlargement of the right. The instream rates identified in this section are based upon the face value of the water right minus 43%.