

# Application for 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

Complete Part 1 through 4 and include the required attachments Fill in or check boxes as indicated. (N/A= Not Applicable)	OWRD # <u>11-1975</u>
	Fee- _____

Pursuant to ORS 537.348(2) and OAR 690-077

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

Yes **Part 1 – Completed Minimum Requirements Checklist and Application Fee**

<b>Fees</b>	<input type="checkbox"/> \$610.00 for a lease involving <b>four or more landowners or four or more water rights</b>	<input checked="" type="checkbox"/> \$410.00 for all other leases
	<input type="checkbox"/> Check enclosed <u>or</u> <input checked="" type="checkbox"/> Fee Charged to customer account <u>Deschutes River Conservancy</u> (account name)	

Yes **Part 2 – Completed Instream Lease Application Map Checklist.**

Yes **Part 3 – Completed Water Right and Instream Use Information**  
 Include a separate **Part 3** for each **water right**

Yes **Part 4 – Completed Instream Lease Provisions and Signatures**

Yes **How many water rights are leased? 1 List them here: 95746**  
 Include a separate **Part 3** for each **water right**.

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: \_\_\_\_\_)?

**Attachments:**

Yes  N/A **Map:** Instream Lease map requirements (see Part 2 of this application)

Yes  N/A **Tax Lot Map:** If a portion of the water right *not included in the lease* is appurtenant to lands owned by others, a tax lot map must be included with the lease application. The tax lot map should clearly show the property involved in the lease.

Yes  N/A Supporting documentation describing why a right (or portion thereof) is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years. This information only needs to be provided if the checkbox has been checked to identify that the water right has not been used in the last five years and is not subject to forfeiture (See Part 4 of 4).

Yes  N/A If the Lessor (water right holder) is not the deeded landowner - provide one of the following.

- A notarized statement from the landowner 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 which provides authority to pursue the lease absent consent of the landowner.

Received by OWRD

MAY 19 2023

Salem, OR

## Part 2 of 4 – Instream Lease Application Map Checklist

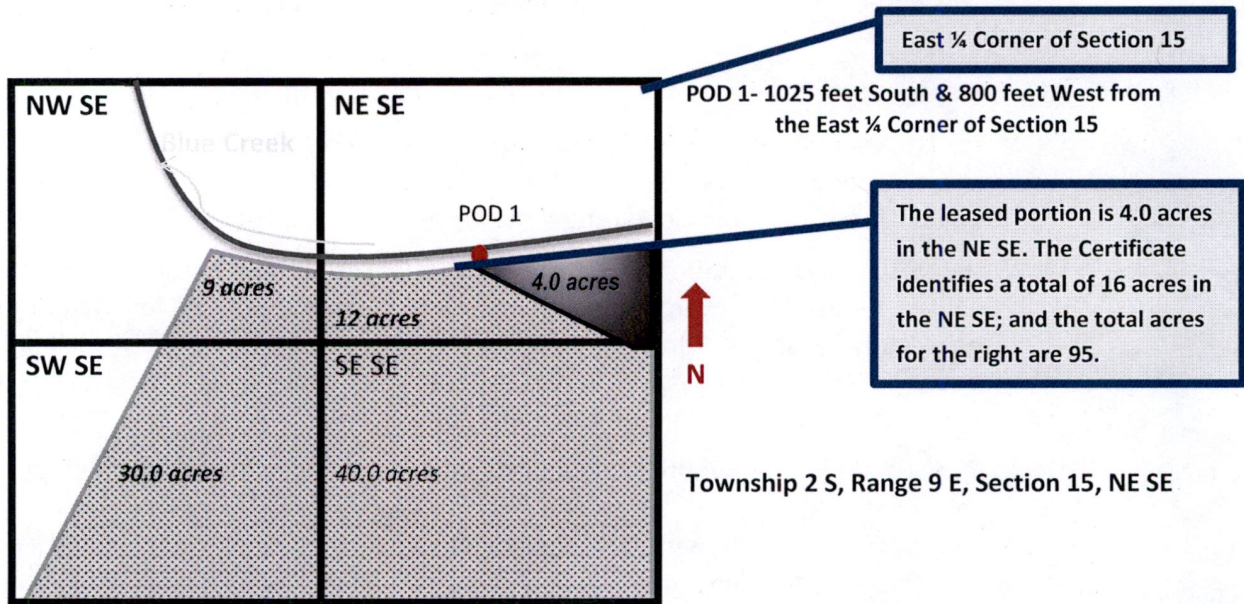
A Map is generally required for each water right not leased in its entirety

The application map (if required) should include all the items listed below and match the existing water right(s) of record. Check all boxes that apply.

This should be a simple map. (See example below). A copy of a final proof survey map with the portion to be leased shaded or hachured in will also suffice.

- N/A A map is required for each water right not leased in its entirety. More than one QQ and property may be included on each map. A map is not required, if leasing the entire right or if the right to be leased is for municipal or quasi-municipal water use.
- The map should be of sufficient quality to be reproducible. Please do not use highlighters to mark items on the map as highlighters do not always copy.
- A North arrow and map scale (no smaller than 1" = 1320').
- Township, Range, Section, quarter quarter (QQ), and a clearly labeled survey corner.
- For irrigation or other similar use, the number of acres to be leased in each quarter-quarter clearly labeled and hachured to differentiate between the acres being leased and any remaining. If the place of use is broken down by more than one priority date, or source stream, and/or point of diversion you must identify each with separate hachuring and clearly label.
- If available, identify the existing point(s) of diversion.

**EXAMPLE MAP (the darker shaded portion representing the portion leased instream)**



Received by OWRD

MAY 19 2023

Salem, OR

**Part 3 of 4 – Water Right and Instream Use Information**

**Use a separate Part 3 for each water right to be leased instream**

**Water Right Information**

**Water right # 95746**

**Table 1**

Water Right Information: Provide a description of the originating water right to be leased. Also include your tax lot number(s). Fill in all applicable information. For example, if your water right has multiple points of diversion (POD) but they're not numbered, you do not need to include a number. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 1). Please clearly label any attachments.

<input type="checkbox"/> <b>If only leasing a portion of the right</b> - complete Table 1 as indicated						<input type="checkbox"/> <b>Entirety</b> - If the entire water right is to be leased, skip to Table 3.				
Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC	Acres	USE	Previous Lease # (if any)
<b>EXAMPLE</b>										
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
1897	Main	22-S	10-E	34	NW-NE	2803		16.9	IR	IL-1874
"		22-S	10-E	34	NE-NW	2803		10.5	IR	IL-1874
"		22-S	10-E	34	SE-NW	2803		16.7	IR	IL-1874
"		22-S	10-E	34	SE-NW	2803		5.9	IR	IL-1874
		-	-		-					

**Total Acres: 50.0**

**Table 2**

<b>To illustrate the totals for the water right proposed to be leased instream</b>						
Total rate and volume by priority date, POD, use and acreage as appropriate considering the right to be leased. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 2). Please clearly label any attachments. (cfs = cubic feet per second and af = acre-feet)						
Priority Date	POD #	Use	Total Acres	Other Information (such as conditions/limitations on the right)	Total Rate (cfs)	Total Volume (af)
1897	Main	IR	50.0	0.025 cfs per acre 5/23 - 8/20	1.25	200 AF
1897	Main	IR		0.0125 cfs per ac 4/1-5/23 & 8/20-11/1	0.625	
Total af from storage, if applicable: _____ AF or <input checked="" type="checkbox"/> N/A						
Any additional information about the right: <u>Duty limited 4AF/Ac</u>						

**Table 3**

<b>Point of Diversion (POD) description:</b> If the POD is not described on the certificate or if there is more than one POD listed on the certificate, then <b>the specific POD(s)</b> involved in the lease must be described. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 3). Please clearly label any attachments.						
POD #	Twp	Rng	Sec	Q-Q	DLC/ Gov't lot	Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")
0	23-S	9-E	34	SW-SW		550 FEET NORTH AND 1150 FEET EAST FROM THE SW CORNER OF SECTION 34
	-	-		-		
<input type="checkbox"/> Please check this box if you don't know the location of the POD(s) and want the Department to identify the location of the POD(s) for the purpose of the instream lease. <span style="float: right; color: blue; font-weight: bold;">Received by OWRD</span>						

**Instream Use Information**

**Table 4**

Instream Use Created by the Lease						
<b>River/ Stream Name:</b> <u>Little Deschutes River</u> , tributary to <u>Deschutes River</u>				<b>River Basin:</b> <u>Deschutes</u>		
<p><b>Instream Portion:</b> Use Table 4 to illustrate the instream rate, volume and instream period by priority date, POD (if more than one), Use (if more than one), and acreage as appropriate considering the right to be leased.</p> <p>If not enough room below, you may add additional rows (see instructions) or attach a spreadsheet (matching the below portion of Table 4). Please clearly label any attachments.</p>						
Priority date	POD #	Use	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
1897	Main	IR	50.0	5/23-8/20	0.545	97.48
1897	Main	IR		4/15-5/22&8/21-10/15	0.545	101.82
<p>Note: If not certain of the instream rate, volume and/or instream period, see the instructions and/or contact Department Staff for assistance. The instream rate and volume may be up to the maximum rate and duty/volume allowed by the right, as described in Table 2 or on your Certificate if leasing the entire right. The proposed instream period may be no longer than the irrigation season or the authorized period of allowed use.</p>						
<p><b>OR</b> <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.</p>						
Instream Reach						
<p><b>Proposed Instream Reach:</b></p> <p><input checked="" type="checkbox"/> A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream: From the POD to <u>Mouth of the Deschutes River</u></p>				<p><b>Or Proposed Instream Point:</b></p> <p><input type="checkbox"/> Instream use protected at the POD</p>		
<p><b>OR</b> <input type="checkbox"/> Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. (If no reach is identified or the above box is not checked, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.)</p>						
Additional Instream Information						
<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A <b>Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:</b> list here <u>Instream rates and dates (4/15-10/15) adjusted to not exceed per acre duty limit</u></p> <p>Note: The Department may identify additional conditions to prevent injury and/or enlargement.</p>						
<p><b>Any additional information about the proposed instream use:</b> _____</p>						

Received by OWRD

MAY 19 2023

Salem, OR

**Part 4 of 4 – Lease Provisions and Party Signatures**


<p><b>Term of the Lease (may be from 1 year up to 5 years):</b>                  The lease is requested to begin in: month <u>Apr</u> year <u>2023</u> and end: month <u>Oct</u> year <u>2023</u>                  Note: The begin month is generally the first month of the irrigation season and the end month is the last month in the irrigation season. If not an irrigation right, this would be the first and last month of your authorized period of allowed use.</p>	
<p><b>Public use:</b> Check the public use(s) this lease will serve (as defined by ORS 537.332):</p> <p><input checked="" type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values.</p> <p><input checked="" type="checkbox"/> Recreation</p> <p><input type="checkbox"/> Pollution abatement</p> <p><input type="checkbox"/> Navigation</p>	<p><b>Termination provision (for multiyear leases):</b>  <b>The parties to the lease request (choose one):</b></p> <p><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.</p> <p><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.</p> <p><input type="checkbox"/> c. The parties would not like to include a Termination Provision.</p> <p>(See instructions for limitations to this provision)</p>
<p><b>Additive/Replacing Relationship to other instream water rights:</b> Instream leases are generally additive to other existing instream water rights created as a result of instream leases, 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.</p> <p>If you would like this lease to relate to other instream water rights differently, please check this box. <input type="checkbox"/>                  And attach an explanation of your intent.</p>	
<p><b>Validity of the Right(s) to be leased (check the appropriate box):</b></p> <p><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</p> <p><input type="checkbox"/> The water right(s) have not been used for the last five years according to the terms and conditions of the right(s). However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right(s) is not subject to forfeiture is provided.</p>	

Received by OWRD  
 MAY 19 2023  
 Salem, OR

**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.

**The undersigned declare:**

1. The Lessor(s) agree during the term of this lease, to suspend use of water allowed under the subject water right(s) and under any appurtenant primary or supplemental water right(s) not involved in the lease application; and
2. The Lessor(s) certify that I/we are the water right holder(s) of the right(s) described in this instream lease application. If not the deeded landowner, I/we have provided documentation with the lease application that I/we have authorization to pursue the lease application and/or have obtained consent from the deeded landowner; and
3. All parties affirm that information provided in this lease application is true and accurate.

  
 \_\_\_\_\_ Date: 5/17/2023  
 Signature of Lessor

Printed name (and title): Kameron DeLashmutt (Managing Member) Business name, if applicable:  
Pinnacle Utilities, LLC & Central Land and Cattle Company, LLC  
 Mailing Address (with state and zip): 2447 NW Canyon Dr, Redmond, OR 97756  
 Phone number (include area code): 541-526-1235 \*\*E-mail address: kameron@bendcable.com

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

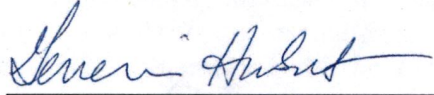
Date: \_\_\_\_\_

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

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

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

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



Date: 05/19/2023

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 97703

Phone number (include area code): 541-382-4077 \*\*E-mail address: james@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.**

Received by OWRD

MAY 19 2023

Salem, OR



# DESCHUTES COUNTY, OR T22S R10E, WM

	POU PER QQ NO CHANGE
	POU PER QQ INSTREAM LEASE
	Section
	Tax Lot
	Quarter Quarter



0 1,320 Feet  
1" = 1320'

Received by OWRD

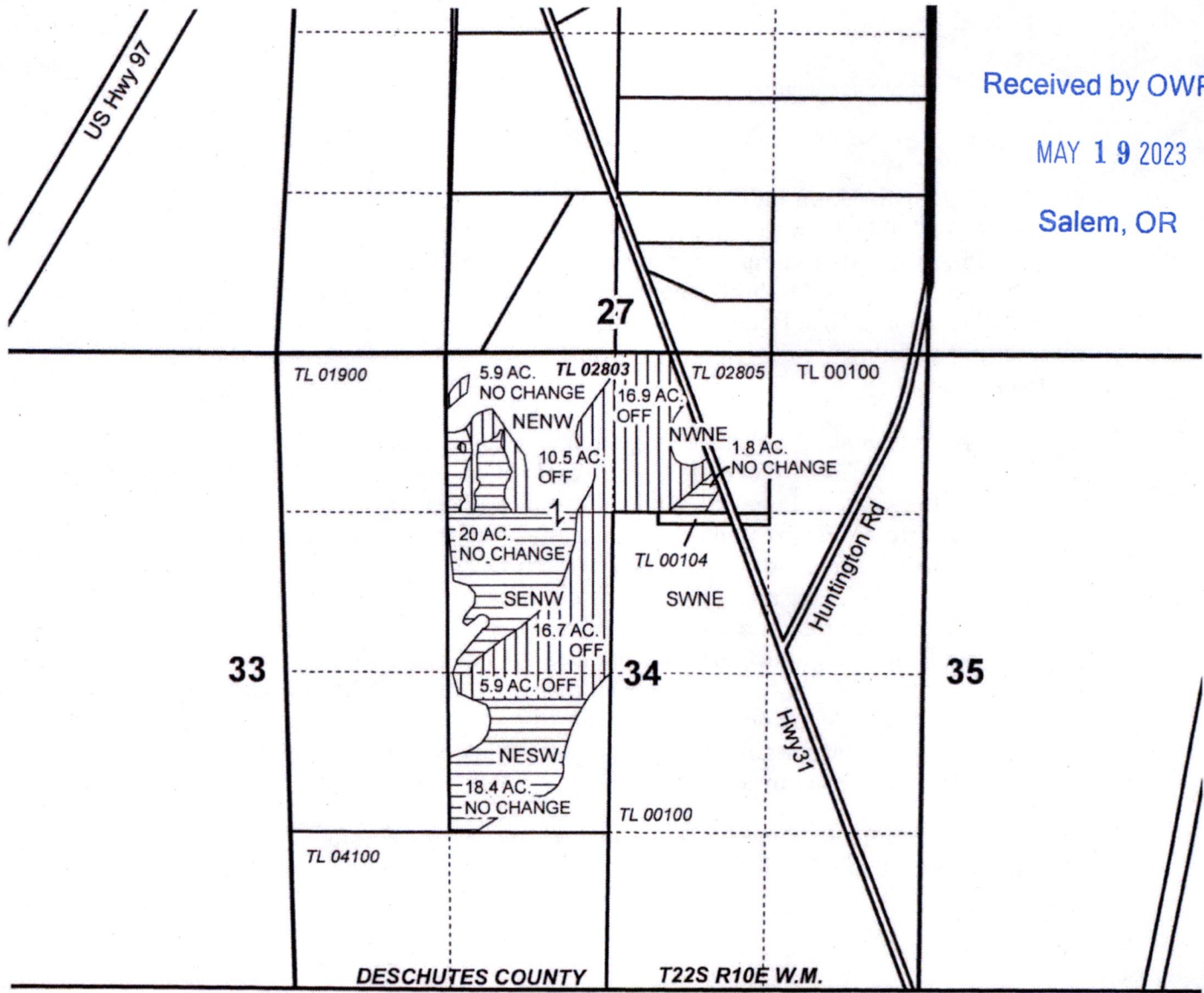
JUN 04 2021

Salem, OR

Received by OWRD

MAY 19 2023

Salem, OR



DESCHUTES COUNTY T22S R10E W.M.  
KLAMATH COUNTY T23S R10E W.M.

## INSTREAM LEASE MAP Pinnacle Utilities, LLC

This map is not intended to provide legal dimensions or locations of property ownership lines.

## WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

WWW.OREGONWATER.US 541-389-2837

johnshort@usa.com CCB # 197121

Deschutes County Official Records **2021-21099**  
D-D  
Stn=1 BN **04/02/2021 03:14 PM**  
\$30.00 \$11.00 \$10.00 \$61.00 \$6.00 **\$118.00**

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

**AFTER RECORDING RETURN TO:**

Kameron DeLashmutt

Pinnacle Utilities, LLC and Central Land & Cattle Co., LLC

2447 NW Canyon Drive

Redmond, OR 97756

Received by OWRD

MAY 19 2023

Salem, OR

*This space is reserved for recorder's use.*

**STATUTORY BARGAIN AND SALE DEED**

MICHAEL LEBEAU, an individual, whose address is 2838 N Jackson Street, Denver, CO 80205 ("Grantor"), conveys jointly to PINNACLE UTILITIES, LLC, an Oregon limited liability company, and CENTRAL LAND & CATTLE COMPANY, LLC, an Oregon limited liability company, (together "Grantee"), whose address is 2447 NW Canyon Drive, Redmond, OR 97756, all of Grantor's right, title, and interest in the following described real property, situated in Deschutes County, State of Oregon:

A portion of that certain Oregon Water Right described within the Order Record of the Oregon Water Resources Director in Volume 16, at Page 185, and reflected in Oregon Water Resources Department Certificate 90239 (a true and correct copy of which certificate is attached hereto and incorporated herein as *Exhibit A*) or any superseding certificate; said portion consisting of 50 acres and 1.25 cubic feet per second of the water and water right appurtenant to Tax Lot 101 in Section 22 and Tax Lot 2803 in Section 34, both in Township 22 South, Range 10 East, WM, as depicted in *Exhibit B*, attached hereto and incorporated herein; and said portion constituting an annual maximum amount of 200 acre feet of water.

The true consideration for this conveyance is Three Hundred Thirty Five Thousand and 00/100 Dollars (\$335,000.00) and other good and valuable consideration.

**[CONTINUES ON FOLLOWING PAGE]**

PAGE 1 - STATUTORY BARGAIN AND SALE DEED

**Return To:  
Deschutes County  
Title Company**

DE13676

**THIS DOCUMENT FILED FOR RECORD BY  
DESCHUTES COUNTY TITLE COMPANY AS AN  
ACCOMMODATION ONLY. IT HAS NOT  
BEEN EXAMINED AS TO ITS EXECUTION OR  
AS TO ITS EFFECT UPON THE TITLE.**



Received by OWRD

Received by OWRD

SSOS

MAY 19 2023

DATED this 31 day of March, 2021.

Salem, OR

OR

MICHAEL LEBEAU

Michael Lebeau

STATE OF Colorado )  
County of Denver ) ss.

This instrument was acknowledged before me on this 31 day of March, 2021, by Michael LeBeau.

Jonathan D Pool  
NOTARY PUBLIC FOR Colorado

My Commission Expires: July 29, 2024

JONATHAN D POOL  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20204026061  
MY COMMISSION EXPIRES JULY 29, 2024

035992\00001\12176761v1

Exhibit A

STATE OF OREGON

COUNTY OF DESCHUTES AND KLAMATH

CERTIFICATE OF WATER RIGHT

Received by OWRD

MAY 19 2023

Salem, OR

THIS CERTIFICATE ISSUED TO

LA PINE COOPERATIVE WATER ASSOCIATION  
PO BOX 97  
LA PINE, OR 97739

confirms the right to use the waters of the LITTLE DESCHUTES RIVER, a tributary to the DESCHUTES RIVER, for IRRIGATION of 1074.95 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 16, at Page 185. The date of priority is 1897 for 699.9 acres, 1900 for 48.9 acres, and APRIL 30, 1902, for 326.15 acres.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, FROM MAY 23 TO AUGUST 20, AND ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, FROM APRIL 1 TO MAY 23 AND FROM AUGUST 20 TO NOVEMBER 1, and shall be further limited to a diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

The amount of water to which this right is entitled is limited to an amount actually used beneficially measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	9 E	WM	34	SW SW	550 FEET NORTH AND 1150 FEET EAST FROM THE SW CORNER OF SECTION 34

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Tax Lot	Acres	Owner
<b>1897 Priority</b>								
22 S	10 E	WM	15	SE SE		2802	7.80	Barney, Joyce
22 S	10 E	WM	22	NE NE		100	3.60	Barney, Joyce
22 S	10 E	WM	22	SE NE		101	28.80	Wanek, Gordon & Henrietta
22 S	10 E	WM	22	NE SE		101	38.70	Wanek, Gordon & Henrietta
22 S	10 E	WM	22	SW SE		101	3.30	Wanek, Gordon & Henrietta
22 S	10 E	WM	22	SW SE		103	1.80	Wanek, Gordon & Henrietta
22 S	10 E	WM	22	SE SE		101	20.30	Wanek, Gordon & Henrietta
22 S	10 E	WM	22	SE SE		103	0.90	Wanek, Gordon & Henrietta
22 S	10 E	WM	23	NW SW		2400	1.00	Wanek, Gordon & Henrietta
22 S	10 E	WM	23	NW SW		2401	8.10	Wanek, Gordon & Henrietta
22 S	10 E	WM	23	SW SW		2401	4.80	Wanek, Gordon & Henrietta
22 S	10 E	WM	27	NE NE		103	15.20	Wanek, Gordon & Henrietta
22 S	10 E	WM	27	NW NE		103	36.80	Wanek, Gordon & Henrietta
22 S	10 E	WM	27	SW NE		103	12.80	Wanek, Gordon & Henrietta
22 S	10 E	WM	27	SW NE		108	26.80	Wanek, Gordon & Henrietta

MAY 19 2023

## Salem, OR

Twp	Rng	Mer	Sec	Q-Q	GLot	Tax Lot	Acres	Owner
22 S	10 E	WM	27	SE NE		103	5.90	Wanek, Gordon & Henrietta
22 S	10 E	WM	27	SE NE		108	11.10	Wanek, Gordon & Henrietta
22 S	10 E	WM	27	NE SE		108	5.70	Wanek, Gordon & Henrietta
22 S	10 E	WM	27	NW SE		108	34.20	Wanek, Gordon & Henrietta
22 S	10 E	WM	27	SW SE		100	1.80	Hunt, Rod
22 S	10 E	WM	27	SW SE		101	5.60	LeBeau, Donald & Suzanne
22 S	10 E	WM	34	NW NE		2803	18.70	LeBeau, Donald & Suzanne
22 S	10 E	WM	34	NW NE		2805	0.70	Hunt, Rod
22 S	10 E	WM	34	NE NW		2803	39.70	LeBeau, Donald & Suzanne
22 S	10 E	WM	34	SE NW		2803	36.70	LeBeau, Donald & Suzanne
22 S	10 E	WM	34	NE SW		2803	24.30	LeBeau, Donald & Suzanne
23 S	9 E	WM	11	SW NE		700	2.50	Cliff, Theresa
23 S	9 E	WM	11	SE NE		800	28.70	Cliff, Theresa
23 S	9 E	WM	11	NE SE		1300	39.20	Cliff, Theresa
23 S	9 E	WM	11	NW SE		1300	8.60	Cliff, Theresa
23 S	9 E	WM	11	SW SE		1300	24.00	Cliff, Theresa
23 S	9 E	WM	11	SE SE		1300	32.50	Cliff, Theresa
23 S	9 E	WM	14	NE NE		1500	7.70	Cliff, Theresa
23 S	9 E	WM	14	NW NE		1500	34.20	Cliff, Theresa
23 S	9 E	WM	14	SW NE		1500	29.10	Cliff, Theresa
23 S	9 E	WM	14	SE NE		1500	2.10	Cliff, Theresa
23 S	9 E	WM	14	NW SE		1500	5.40	Cliff, Theresa
23 S	9 E	WM	14	SW SE		1500	13.30	Cliff, Theresa
23 S	9 E	WM	23	NW NE		2300	8.80	Cliff, Theresa
23 S	9 E	WM	23	SW NE		2300	7.60	Cliff, Theresa
23 S	9 E	WM	23	NW SE		2300	12.40	Cliff, Theresa
23 S	9 E	WM	23	SW SE		2300	8.30	Cliff, Theresa
23 S	10 E	WM	3	NE SW		400	4.90	Wood, Joyce
23 S	10 E	WM	3	NE SW		500	3.00	Wood, Joyce
23 S	10 E	WM	3	NE SW		600	2.10	Lewis, David & Laurie
23 S	10 E	WM	3	NE SW		700	1.80	Severson, Arlene
23 S	10 E	WM	3	SE SW		800	2.50	Falconer, Neil & Pam
23 S	10 E	WM	3	SE SW		1200	2.60	Jarman, Edwin
23 S	10 E	WM	3	SE SW		1300	2.70	Strunk, Vance
23 S	10 E	WM	3	SE SW		1400	2.90	Wicks, Curtis
23 S	10 E	WM	10	NE NW		400	3.00	Wicks, Curtis
23 S	10 E	WM	10	NE NW		200	8.60	Thomas, Tom
23 S	10 E	WM	10	SE NW		500	2.10	Mickle, Christopher D. and Hollister, Janet M.
23 S	10 E	WM	10	SE NW		600	2.10	Thomas, Robert
23 S	10 E	WM	10	SE NW		700	2.10	Mort, Michael
<b>1900 Priority</b>								
23 S	10 E	WM	3	NE NW	3	400	21.00	Yager, James
23 S	10 E	WM	3	SE NW		400	27.90	Yager, James
<b>April 30, 1902 Priority</b>								
22 S	10 E	WM	22	SW NE		101	37.40	Wanek, Gordon & Henrietta
22 S	10 E	WM	22	SE NE		101	1.00	Wanek, Gordon & Henrietta
22 S	10 E	WM	22	NW SE		101	39.30	Wanek, Gordon & Henrietta
22 S	10 E	WM	22	SW SE		101	34.20	Wanek, Gordon & Henrietta
22 S	10 E	WM	28	SW NW		3400	39.40	Cliff, Theresa
22 S	10 E	WM	28	NW SW		3400	39.80	Cliff, Theresa
23 S	9 E	WM	23	SW SE		2300	1.70	Cliff, Theresa
23 S	9 E	WM	26	NW NE		200	12.50	Cliff, Theresa


Twp	Rng	Mer	Sec	Q-Q	GLot	Tax Lot	Acres	Owner
23 S	9 E	WM	26	NE NW		200	2.05	Cliff, Theresa
23 S	9 E	WM	26	SE NW		200	12.00	Cliff, Theresa
23 S	9 E	WM	26	NE SW		200	22.80	Cliff, Theresa
23 S	9 E	WM	26	NW SW		200	1.10	Cliff, Theresa
23 S	9 E	WM	26	SW SW		200	3.20	Cliff, Theresa
23 S	9 E	WM	26	SE SW		400	13.30	Cliff, Theresa
23 S	9 E	WM	35	NE NW		3600	4.10	Cliff, Theresa
23 S	9 E	WM	35	NW NW		3600	7.20	Cliff, Theresa
23 S	10 E	WM	3	NE SW		500	0.70	Wood, Joyce
23 S	10 E	WM	3	NE SW		400	1.30	Wood, Joyce
23 S	10 E	WM	3	SE SW		1200	2.00	Jarman, Edwin
23 S	10 E	WM	6	NE NE	1	700	32.70	Havlik, Ann K.
23 S	10 E	WM	6	NW NE	2	700	5.00	Havlik, Ann K.
23 S	10 E	WM	6	SE NE		700	6.40	Havlik, Ann K.
23 S	10 E	WM	10	NE NW		200	7.00	Wicks, Curtis

This certificate describes that portion of the water right confirmed by Certificate 87048, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 04 2015, approving Transfer Application T-11365.

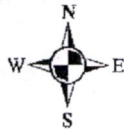
The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

This right is subject to all other terms and conditions contained in the said decree.

WITNESS the signature of the Water Resources Director, affixed MAY 4, 2015

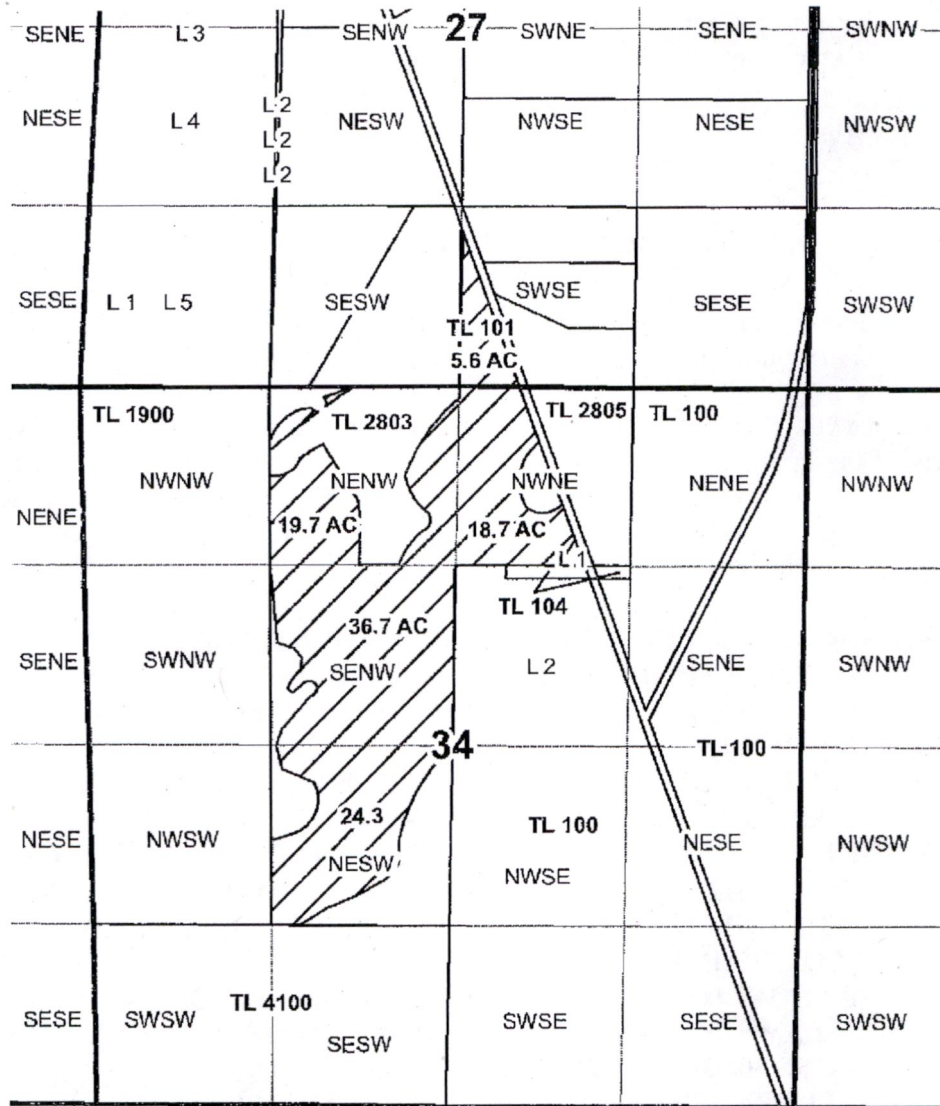
  
 Dwight French, Water Right Services Administrator, for  
 Thomas M. Byler, Director  
 Oregon Water Resources Department

Received by OWRD  
 MAY 19 2023  
 Salem, OR



**T22S R10E WM  
Deschutes County, OR**

**Exhibit B**






Received by OWRD

MAY 19 2023

Salem, OR

This map is not intended to provide legal dimensions or locations of property ownership lines.

-  Water Right
-  Sections
-  QQ

**WATER RIGHT OFF MAP for  
Pinnacle Utilities, LLC**

**WATER RIGHT SERVICES, LLC**

PO BOX 1830, BEND, OR 97709

WWW.OREGONWATER.US 541-389-2837

johnshort@usa.com

CCB # 197121

Date: 12/24/20

36  
2

**PBMS**

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2009-21515



\$36.00

00670524200900215150020027

05/22/2009 03:26:25 PM

D-D Cnt=1 Str=1 BN  
\$10.00 \$11.00 \$10.00 \$5.00

UNTIL A CHANGE IS REQUESTED ALL TAX STATEMENTS SHALL BE SENT TO, AND AFTER RECORDING RETURN TO:

Michael B. McCord  
65 NW Greeley Ave  
Bend, OR 97701

**STATUTORY BARGAIN AND SALE DEED**

LeBeau Living Trust, Grantor, and Vikki LeBeau, Grantee coveys and warrants to Michael LeBeau, Grantee, the following described real property:

That portion of the Southwest Quarter of the Southwest Quarter of Section 27 lying Westerly of the Fremont Highway, and the Northwest Quarter, and the Northwest Quarter of the Southwest Quarter of Section 34, Township 22 South, Ranger 10 East of the Willamette Meridian, Deschutes County, Oregon, together with the water rights appurtenant thereto.

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING 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. THIS INSTRUMENT WILL 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 SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OR 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.**

The property is free from all encumbrances except easements, reservations, and restrictions of record.

The true and actual consideration for this conveyance is love and affection.

Received by OWRD

MAY 19 2023

Salem, OR

DATED May 18<sup>th</sup>, 2009

[Signature]  
Vikki LeBeau, Co-Trustee

STATE OF Texas )

County of Montgomery )<sup>ss.</sup>

Personally appeared this 18<sup>th</sup> day of May, 2009, the above named Vikki LeBeau, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

[Signature]  
Notary Public for Texas  
My Commission expires: 10/23/11



Received by OWRD  
MAY 19 2023  
Salem, OR