

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 #	11-1986/MP-308
	District #	OID Crk

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

Fee in the amount of:

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

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.)

Mitigation Project

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: 82247 (primary)

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: 82247 - supplemental

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

Required Attachments:

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

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

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

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

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

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Part 2 of 4 – District and other party Signature

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

SIGNATURES

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


 Signature of Co-Lessor Date: 5/17/2023

Printed name (and title): Bruce Scanlon, Manager

Business/Organization name: Ochoco Irrigation District

Mailing Address (with state and zip): 1001 NW Deer Street, Prineville, OR 97754

Phone number (include area code): 541-447-6449

**E-mail address: ochocoid@crestviewcable.com

JENNIFER CARRINGTON
Digitally signed by JENNIFER CARRINGTON
Date: 2023.05.31 21:53:36 -06'00'
 Signature of Co-Lessor Date: _____

Printed name (and title): Jennifer J Carrington, Regional Director, CPN Region

Business/organization name: Bureau of Reclamation

Mailing Address (with state and zip): 1150 N Curtis Rd, Boise, ID 83706

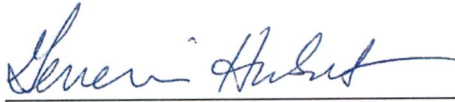
Phone number (include area code): 208-378-5306

**E-mail address: _____

See next page for additional signatures.

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Date: 05/17/2023

Signature of Lessee

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

Business/organization name: Deschutes River Conservancy

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

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

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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: Ochoco 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 #
82247	4/8/1914	2	14	S	15	E	26	SW	NE	601		24.1	IR	8	
82247	4/8/1914	2	14	S	15	E	26	SE	NE	601		6.5	IR	8	
82247	4/8/1914	2	14	S	15	E	26	SE	NW	601		2.8	IR	8	
82247	4/8/1914	2	14	S	15	E	26	NE	SW	601		8.2	IR	8	
82247	4/8/1914	2	14	S	15	E	26	NE	SE	601		30.7	IR	9	
82247	4/8/1914	2 & 32	14	S	15	E	26	NE	SE	601		0.8	IR	9	
82247	4/8/1914	2	14	S	15	E	26	NW	SE	601		33.8	IR	9	
82247	4/8/1914	2	14	S	15	E	26	SW	SE	601		3.3	IR	9	
82247	4/8/1914	2	14	S	15	E	26	SE	SE	601		4.1	IR	9	
82247	4/8/1914	2 & 32	14	S	15	E	26	SE	SE	601		12.6	IR	9	
Any additional information about the right: T-12813 moved acres from 141526 NENW and SENW. 126.9 ac leased instream (13.4 ac from POD 2&32 and 113.5 ac from POD 2															
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 page follows -

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


Signature of Lessor

Date: 4/4/23

Printed name (and title): Bruce Scanlon, District Manager Business name, if applicable: Ochoco Irrigation District
Mailing Address (with state and zip): 1001 NW Deer Street, Prineville, OR 97754
Phone number (include area code): 541-447-6449 **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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Deschutes Land Trust QC to OID

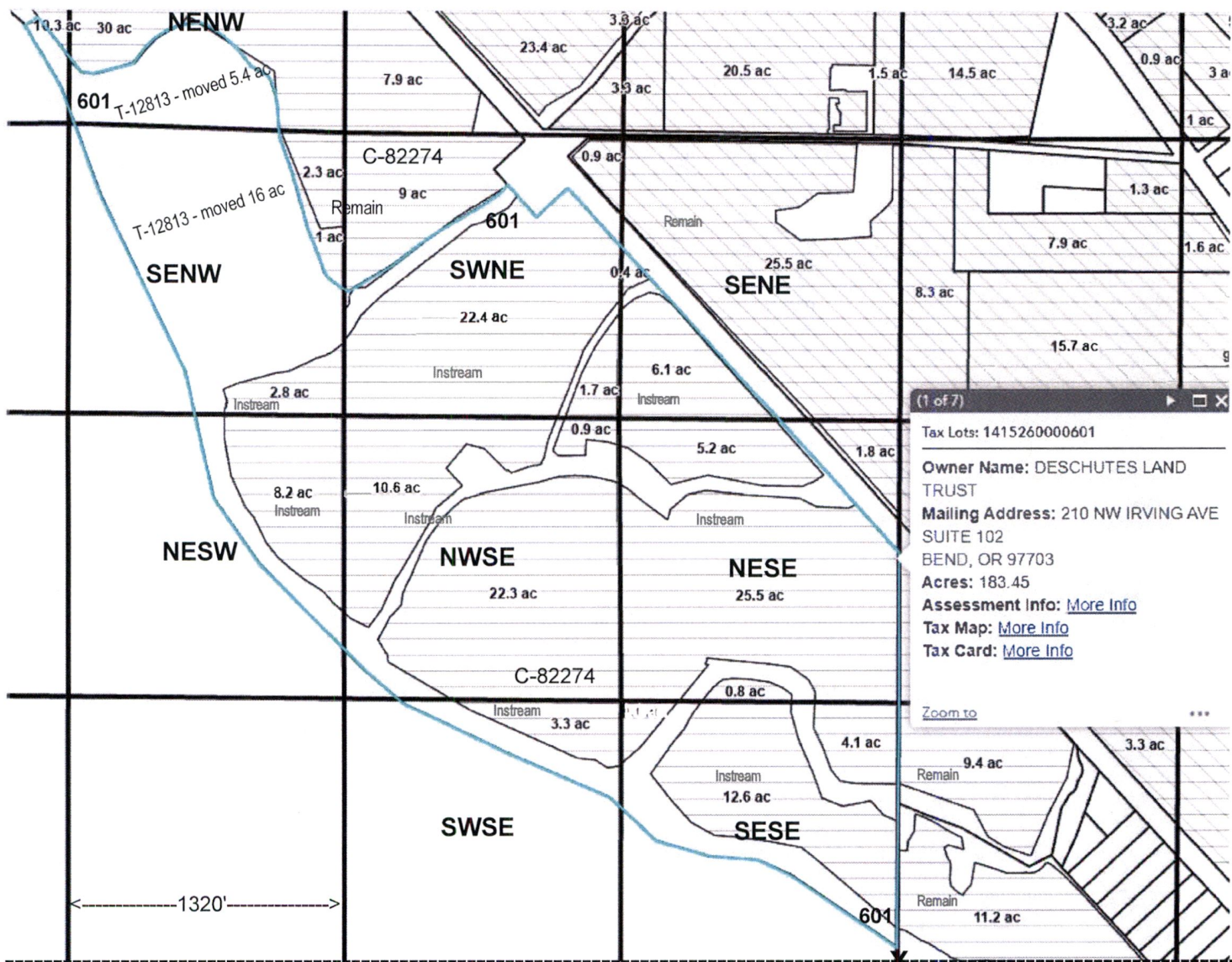
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T 14 S, R 15 E, Section 26

JUN 07 2023

Tax Lot 601
Crook County

Salem, OR



C-82247

- SENW - 2.8 ac instream (3.3 ac remain) - T-12813 moved 16 ac
- SWNE - 24.1 ac instream (9 ac remain)
- SENE - 6.5 ac instream
- NESW - 8.2 ac instream
- NWSE - 33.8 ac instream
- NESE - 31.5 ac instream
- SWSE - 3.3 ac instream
- SESE - 20.8 ac instream

— tax lot 601 boundary



Crook County Official Records
DEED-D
Pgs=4
\$20.00 \$11.00 \$61.00 \$2.00
\$5.00 \$10.00

2023-320506

01/04/23 03:15 PM

Total:\$109.00

AFTER RECORDING RETURN TO:
Deschutes Land Trust
210 NW Irving Street, Suite 102
Bend, OR 97703



I, Cheryl Seely, County Clerk for Crook County,
Oregon, certify that the instrument identified
herein was recorded in the Clerk records.

Cheryl Seely - County Clerk

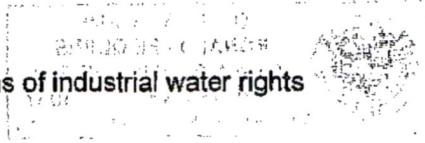


QUITCLAIM DEED

DESCHUTES LAND TRUST, Grantor, releases and quitclaims to OCHOCO IRRIGATION DISTRICT, Grantee, all right, title and interest in 126.9 acres of Ochoco Irrigation District water rights that are appurtenant to the following described real property (Property) located in Crook County, to wit:

See Exhibit A

The true consideration for this conveyance is 12,690,000 gallons of industrial water rights valued at \$.0005/gallon.



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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTION 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 ORS 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 SECTION 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 16th day of October, 2022.

Signatures on following page.

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Salem, OR

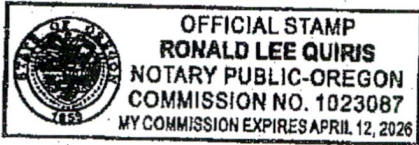
DESCHUTES LAND TRUST

[Signature]
Rika Ayotte, Executive Director

10/6/2022
Date

STATE OF OREGON, County of Deschutes

On this 6th day of October, 2022, personally appeared Rika Ayotte
and acknowledged the foregoing instrument to be their voluntary act and deed. FIB DOWNTOWN



Before me: [Signature]
NOTARY PUBLIC FOR OREGON
My commission expires: APRIL 12, 2020

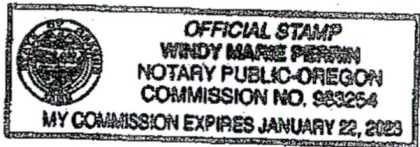
OCHOCO IRRIGATION DISTRICT

[Signature]
Bruce Scanlon, Manager

10/7/2022
Date

STATE OF OREGON, County of Crook

On this 7 day of October, 2022, personally appeared Bruce Scanlon
and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me: [Signature]
NOTARY PUBLIC FOR OREGON
My commission expires: January 22, 2023

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Salem, OR

JUN 07 2023

EXHIBIT A

Salem, OR

Located in Crook County, Oregon:

A parcel of land lying in Section 26, Township 14 South, Range 15 East of the Willamette Meridian, Crook County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of said Section 26, thence North $0^{\circ}17'12''$ East along the East line of said Section 26 a distance of 170.42 feet to a point on the approximate center line of the Crooked River and the True Point of Beginning of this description; thence Northwesterly along the following courses following the approximate centerline of the Crooked River, North $55^{\circ}52'46''$ West 610.47 feet; thence North $65^{\circ}37'24''$ West 172.22 feet; thence North $85^{\circ}59'28''$ West 221.73 feet; thence North $73^{\circ}40'12''$ West 264.31 feet; thence North $46^{\circ}57'10''$ West 295.48 feet; thence North $66^{\circ}58'24''$ West 547.11 feet; thence North $64^{\circ}36'03''$ West 519.88 feet; thence North $49^{\circ}43'57''$ West 244.76 feet; thence North $44^{\circ}46'27''$ West 700.51 feet; thence North $35^{\circ}29'31''$ West 373.60 feet; thence North $12^{\circ}52'49''$ West a distance of 609.64 feet to the intersection with the approximate centerline of McKay Creek; thence Easterly, Southeasterly and Northeasterly along the following courses following the approximate centerline of McKay Creek, North $66^{\circ}19'59''$ East 219.96 feet; thence South $78^{\circ}28'29''$ East 318.01 feet; thence North $71^{\circ}52'19''$ East 156.31 feet; thence North $37^{\circ}18'46''$ East 259.17 feet; thence North $51^{\circ}19'41''$ East 328.99 feet; thence North $49^{\circ}52'49''$ East 289.21 feet; thence North $81^{\circ}51'46''$ East 101.80 feet; thence North $56^{\circ}15'22''$ East 155.97 feet; thence North $47^{\circ}22'00''$ East a distance of 55.01 feet, more or less, to intersection with the Southerly right of way line of the Madras-Prineville Highway as conveyed to the State of Oregon by and through its State Highway Commission, by deed recorded in Book 52 on page 113, Records of Crook County, Oregon; thence South $42^{\circ}38'00''$ East along said Southerly line a distance of 133.59 feet; thence North $47^{\circ}22'00''$ East along said Southerly line a distance of 200.00 feet; thence South $42^{\circ}38'00''$ East along said Southerly line a distance of 840.64 feet to a point on said Southerly right of way line, said point being 50.00 feet distant from (when measured at right angles to) the centerline of said highway at Engineer's Station 1402+40.64 and the point of beginning of a parcel of land conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded in Book 52 on page 463, Records of Crook County, Oregon; thence

South 34°49'00" West along the Westerly line of said parcel a distance of 854.45 feet; thence South 55°11'00" East along the Southerly line of said parcel a distance of 40.00 feet; thence North 34°49'00" East along the Easterly line of said parcel a distance of 845.55 feet to said Southerly right of way line of the Madras-Prineville Highway; thence South 42°38'00" East along said Southerly line a distance of 1426.15 feet to intersection with the East line of said Section 26; thence South 0°17'12" West along said East line a distance of 1845.10 feet to the True Point of Beginning

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RECORDING COVER SHEET

ORS 205.234

Any error in this cover sheet DOES NOT affect the transaction(s) contained in the instrument itself.

Reference: 161393AM

Please print or type information.

1. AFTER RECORDING RETURN TO –

Required by ORS 205.180(4) & 205.238:

Name: Deschutes Land Trust

Address: 210 NW Irving Avenue, Suite 102

City, ST Zip: Bend, OR 97703

2. TITLE(S) OF THE TRANSACTION(S) – Required by ORS 205.234(1)(a)

Note: "Transaction" means any action required or permitted by law to be recorded, including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property. Enter descriptive title for the instrument:

Document Title(s): Statutory Warranty Deed

3. DIRECT PARTY / GRANTOR Names and Addresses – Required by ORS 205.234(1)(b)

for Conveyances list Seller; for Mortgages/Liens list Borrower/Debtor

Grantor Name (s): Jerry L. George and Geri L. George

4. INDIRECT PARTY / GRANTEE Names and Addresses – Required by ORS 205.234(1)(b)

for Conveyances list Buyer; for Mortgages/Liens list Beneficiary/Lender/Creditor

Grantee Name (s): Deschutes Land Trust

5. For an instrument conveying or contracting to convey fee title, the information required by ORS 93.260:

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:

Same as Above

6. TRUE AND ACTUAL CONSIDERATION – Required by ORS 93.030 for an instrument conveying or contracting to convey fee title or any memorandum of such instrument:


\$ 975,000.00

7. TAX ACCOUNT NUMBER OF THE PROPERTY if the instrument creates a lien or other interest that could be subject to tax foreclosure. – Required by ORS 312.125(4)(b)(B)

Tax Acct. No.: N/A

Crook County Official Records **2017-280396**
 DEED-D **05/16/2017 04:06:00 PM**
 Pgs=6
 \$30.00 \$2.00 \$11.00 \$10.00 \$21.00
 \$5.00 **\$79.00**

I, Cheryl Seely, County Clerk for Crook County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
 Cheryl Seely - County Clerk




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Salem, OR

AFTER RECORDING, RETURN TO:

Deschutes Land Trust
210 NW Irving Avenue, Suite 102
Bend, OR 97703

161393AM
SEND TAX STATEMENTS TO:

Deschutes Land Trust
210 NW Irving Avenue, Suite 102
Bend, OR 97703

STATUTORY WARRANTY DEED

(ORS 93.850)

Jerry L. George and Geri L. George, as Tenants by the Entirety, with an address of 3041 NW Madras Highway, Prineville, Oregon 97754 ("Grantors"), convey and warrant to Deschutes Land Trust, whose address is 210 NW Irving Avenue, Suite 102, Bend, Oregon 97703 ("Grantee"), the following described real property (the "Property") free of encumbrances, except as specifically set forth herein:

Land in Crook County, Oregon, described more particularly on the attached Exhibit A.

Subject to and excepting:

Easement, including the terms and provisions thereof,
Recorded: September 29, 1989 Instrument No.: 92857
Between: Douglas Smith; Jerry and Geri George or assignee and Pine Products Corporation

Easement, including the terms and provisions thereof,
Recorded: March 28, 1994
Instrument No.: 114295
Between: Jerry L. George and Geri L. George, husband and wife and Pacificorp, a corporation, dba Pacific Power & Light Company

George to Deschutes Land Trust

Page 1 of 3

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Return To:
 AmeriTitle

Easement, including the terms and provisions thereof,

Recorded: May 5, 1994

Instrument No.: 114983

Between: Jerry L. George and Geri L. George, husband and wife and Pacificorp, a corporation, dba Pacific Power & Light Company

The true consideration for this conveyance is \$975,000.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 10 day of May, 2017.

Jerry L. George:

Jerry L. George

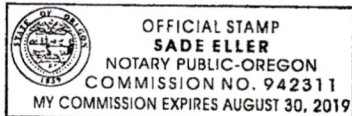
STATE OF OREGON

COUNTY OF Crook } ss.

The foregoing instrument was acknowledged before me on this 10 day of May, 2017, by Jerry L. George.

[Signature]

Printed Name: GADR. ELLER
Notary Public in and for the State of Oregon



George to Deschutes Land Trust

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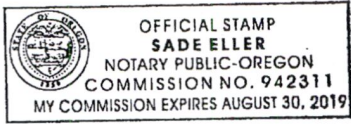
Salem, OR

Geril L. George: Geril L. George

STATE OF OREGON }
COUNTY OF Cook } ss.

The foregoing instrument was acknowledged before me on this 10 day of May, 2017,
by Geril L. George.

[Signature]
Printed Name: Sade Eller
Notary Public in and for the State of Oregon



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Salem, OR

EXHIBIT 'A'

File No. 161393AM

Located in Crook County, Oregon:

A parcel of land lying in Section 26, Township 14 South, Range 15 East of the Willamette Meridian, Crook County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of said Section 26, thence North 0°17'12" East along the East line of said Section 26 a distance of 170.42 feet to a point on the approximate center line of the Crooked River and the True Point of Beginning of this description; thence Northwesterly along the following courses following the approximate centerline of the Crooked River, North 55°52'46" West 610.47 feet; thence North 65°37'24" West 172.22 feet; thence North 85°59'28" West 221.73 feet; thence North 73°40'12" West 264.31 feet; thence North 46°57'10" West 295.48 feet; thence North 66°58'24" West 547.11 feet; thence North 64°36'03" West 519.88 feet; thence North 49°43'57" West 244.76 feet; thence North 44°46'27" West 700.51 feet; thence North 35°29'31" West 373.60 feet; thence North 12°52'49" West a distance of 609.64 feet to the intersection with the approximate centerline of McKay Creek; thence Easterly, Southeasterly and Northeasterly along the following courses following the approximate centerline of McKay Creek, North 66°19'59" East 219.96 feet; thence South 78°28'29" East 318.01 feet; thence North 71°52'19" East 156.31 feet; thence North 37°18'46" East 259.17 feet; thence North 51°19'41" East 328.99 feet; thence North 49°52'49" East 289.21 feet; thence North 81°51'46" East 101.80 feet; thence North 56°15'22" East 155.97 feet; thence North 47°22'00" East a distance of 55.01 feet, more or less, to intersection with the Southerly right of way line of the Madras-Prineville Highway as conveyed to the State of Oregon by and through its State Highway Commission, by deed recorded in Book 52 on page 113, Records of Crook County, Oregon; thence South 42°38'00" East along said Southerly line a distance of 133.59 feet; thence North 47°22'00" East along said Southerly line a distance of 200.00 feet; thence South 42°38'00" East along said Southerly line a distance of 840.64 feet to a point on said Southerly right of way line, said point being 50.00 feet distant from (when measured at right angles to) the centerline of said highway at Engineer's Station 1402+40.64 and the point of beginning of a parcel of land conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded in Book 52 on page 463, Records of Crook County, Oregon; thence

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South 34°49'00" West along the Westerly line of said parcel a distance of 854.45 feet; thence South 55°11'00" East along the Southerly line of said parcel a distance of 40.00 feet; thence North 34°49'00" East along the Easterly line of said parcel a distance of 845.55 feet to said Southerly right of way line of the Madras-Prineville Highway; thence South 42°38'00" East along said Southerly line a distance of 1426.15 feet to intersection with the East line of said Section 26; thence South 0°17'12" West along said East line a distance of 1845.10 feet to the True Point of Beginning

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Part 4 of 4 – Water Right and Instream Use Information

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

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 # 82246
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)	
4/8/1914	2&32	IR	13.4	Max rate per acre: 0.025 cfs/ac, max duty of 4 AF/Ac	0.335	53.6	
4/8/1914	2	IR	113.5	Max rate per acre: 0.025 cfs/ac, max duty of 4 AF/Ac	2.8375	454.0	
Total af from storage, if applicable: _____ AF or <input checked="" type="checkbox"/> N/A							
If the POD is not described on the certificate or, if there is more than one POD listed on the certificate, then the specific POD must be described:							

Table 3

Instream Use created by the lease	River Basin: <u>Crooked River</u>	River/Stream Name: <u>Crooked River, tributary to Crooked 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>2 & 32</u> to <u>Lake Billy Chinook</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)
4/8/1914	2&32	IR	13.4	0.008881 cfs/ac and 3 AF/ac (ave on-farm delivery)	0.119	40.21
4/8/1914	2	IR	113.5	0.008881 cfs/ac and 3 AF/ac (ave on-farm delivery)	1.008	340.56
				Instream from April 15 through October 1		
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A Conditions to avoid enlargement or injury to other water rights, if any, or other limitations: list here <u>Instream from April 15 through Oct 1. Lease to be served at same rate and duty as Ochocho Irrigation District on-farm which can be variable during the season (working with OWRD watermaster and District).</u> Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
Any additional information about the proposed instream use: <u>Instream as Mitigation Project</u>						

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United States Department of the Interior

BUREAU OF RECLAMATION
1150 North Curtis Road
Boise, ID 83706-1234



IN REPLY REFER TO:
CPN-6300
2.2.4.23

VIA ELECTRONIC MAIL ONLY

Ms. Genevieve Hubert, Senior Program Manager
Deschutes River Conservancy
700 NW Hill Street, Suite 1
Bend, OR 97702
gen@deschutesriver.org

Subject: 2023 District Instream Lease Application, Ochoco Irrigation District, Crooked River Project

Dear Ms. Hubert:

Enclosed please find the 2023 Instream Lease Application. We understand that you will be filing this on behalf of Ochoco Irrigation District and the Bureau of Reclamation and will be supplying the required fees to the Oregon Water Resources Department.

If you have questions, please contact Gail McGarry, Program Manager, Reclamation Law Administration at (208) 378-5306 or emcgarry@usbr.gov. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

Sincerely,

JENNIFER
CARRINGTON

Digitally signed by
JENNIFER CARRINGTON
Date: 2023.05.31 21:55:07
-06'00'

Jennifer J. Carrington
Regional Director

Enclosure

cc: Bruce Scanlon, Manager
Ochoco Irrigation District
1001 NW Deer Street
Prineville, OR 97754
ochocoid@crestviewcable.com

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