

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) <b>Complete Parts 1 through 4 and any required attachments</b>	OWRD #	IL-2037/MP-321
	District #	TSID1-24

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 (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.)
- 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? 4** (# of rights)  
List each water right to be leased instream here: 95971 (supersedes 74135), 93689, 93690, 93692
- Yes  N/A **Other water rights**, if any, appurtenant to the lands involved in the lease application and not proposed to be leased instream.  
List those other water rights here: \_\_\_\_\_
- Yes  No Conservation Reserve Enhancement Program **CREP** – Are some or all of the lands to be leased part of CREP or another Federal program (list here: \_\_\_\_\_)?

**MITIGATION PROJECT(MP)**  
 - only 1895 IR to be in MP.

**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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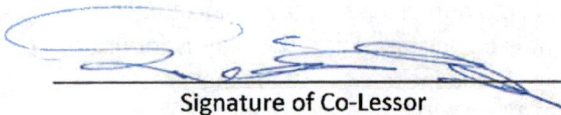


**Part 2 of 4 – District and other party Signature**

<b>Term of the Lease:</b> The lease is requested to begin in: <b>month</b> <u>May</u> <b>year</b> <u>2024</u> and end: <b>month</b> <u>August</u> <b>year</b> <u>2024</u> .	
<b>Public use:</b> Check the public use(s) this lease will serve (as defined by ORS 537.332): <input checked="" type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input type="checkbox"/> Recreation <input checked="" type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	<b>Termination provision (for multiyear leases):</b> <b>The parties to the lease request (choose one):</b> <input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
<b>Additive/Replacing Relationship to other instream water rights:</b> Instream leases are generally additive to other existing instream water rights created as a result of instream leases and transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights.  If you would like this lease to relate to other instream water rights differently than described above, please check this box. <input type="checkbox"/> And attach an explanation of your intent.	
<b>Precedent:</b> If a right which has been leased is later proposed to be leased again or later transferred or become part of an allocation of conserved water project, a new injury review shall be required. An instream lease shall not set a precedent on a future transaction.	
<b>Validity of the rights to be leased:</b> <input checked="" type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or <input type="checkbox"/> The water right(s) <b>have not been used</b> for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right is not subject to forfeiture has been provided.	

**SIGNATURES**

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

 Date: 5/6/2024

Signature of Co-Lessor

Printed name (and title): Emilia Ellington, Financial-Administrative Manager

Business/Organization name: Three Sisters Irrigation District

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

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

\_\_\_\_\_  
 Signature of Co-Lessor      Date: \_\_\_\_\_

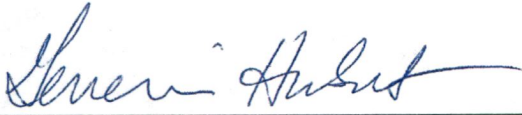
Printed name (and title): \_\_\_\_\_  
 Business/organization name: \_\_\_\_\_  
 Mailing Address (with state and zip): \_\_\_\_\_  
 Phone number (include area code): \_\_\_\_\_      \*\*E-mail address: \_\_\_\_\_

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See next page for additional signatures.



Date: 05/06/2024

Signature of Lessee

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

Business/organization name: Deschutes River Conservancy

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

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

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

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Landowner	Acres	Certificate	Priority	Prior Lease / Transfer
Kerith Springs	41.6	95971 (74135)	1895	IL-1968
Circle of Trees/Gardner	0	95971 (74135)	1895	
Wayne Cornick	7.2	95971 (74135)	1895	IL-1969
Mary Burdick	5.0	95971 (74135)	1895	IL-1969
Mary Burdick	5.2	95971 (74135)	1899	IL-1969
Circle of Trees/Gardner	63	95971 (74135)	1903	IL-1968
David Helm	22.4	95971 (74135)	1903	IL-1968
David Helm	23.7	93690	1908	IL-1968
David Helm	14.9	93692	1912	IL-1968
Janet Herring	37	95971 (74135)	1904	IL-1968
Bill Willits	5	93689	1908	IL-1968

95971 supersedes 74135

Certificate	Priority	Acres	Instream Rate	Instream Acre-Feet	Instream Dates
95971 (74135)	1895	53.8	0.83	161.4	5/1 through 8/4
95971 (74135)	1899	5.2	0.082	15.6	5/1 through 8/4
95971 (74135)	1903	85.4	1.345	256.2	5/1 through 8/4
95971 (74135)	1904	37	0.583	111.0	5/1 through 8/4
93689	1908	5	0.078	15.0	5/1 through 8/4
93690	1908	23.7	0.37	71.1	5/1 through 8/4
93692	1912	14.9	0.148	44.7	5/1 through 8/4
	Totals	244.8 ac	3.766 cfs	734.4 AF	

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

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

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

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

**Table 1**

**Irrigation District or other Water Purveyor Name:** Three Sisters Irrigation District

Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.

If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.  
Any attached table should include reference to the Lessor.

Water Right #	Priority Date	POD #	Twp		Rng		Sec	Q-Q		Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
95971 (74135)	1895	Main	15	S	10	E	24	nw	nw	200		32	IR	10	1968
95971 (74135)	1895	Main	15	S	10	E	24	sw	nw	200		9.6	IR	10	1968

**Any additional information about the right:** T-9621 moved acres off/on in the SWNW, SENW and NWSW. No change in the NWNW. Leased instream in 2023.

**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.

Eric B. Weber  
Signature of Lessor

Date: 3/4/24

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

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\_\_\_\_\_  
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: \_\_\_\_\_







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

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

Table 1

Irrigation District or other Water Purveyor Name: Three Sisters Irrigation District

Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.

If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach. Any attached table should include reference to the Lessor.

Water Right #	Priority Date	POD #	TWP	RM	Sec	DLC	Acres	gov't lot/DLC #	Acres	Use	Page #	Previous Lease #
95971	1895	Main	14 S	11 E	23	SW SE	1100		5.0	IR	5	IL-1968
95971	1899	Main	14 S	11 E	23	SW SE	1100		5.2	IR	5	IL-1968

Any additional information about the right:

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

The undersigned declare:

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- I/We certify are the lessor(s) (water right interest holder) of the water right(s) in Table 1. If not the deeded land owner, I/we have obtained consent from the deeded land owner and/or have provided documentation of authorization to pursue the instream lease; and
- I/We affirm that the information in this application is true and accurate.

M. Cantu-Burdick  
Signature of Lessor

Date: 05/06/24

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

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

Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: 541-4087741

Signature of Lessor Date: burdick.mary5@g.mazl.c

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

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

**Table 1**

**Irrigation District or other Water Purveyor Name: Three Sisters Irrigation District**

Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease.  
If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach.  
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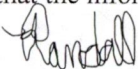
Water Right #	Priority Date	POD #	Twp		Rng		Sec	Q-Q		Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
95971	1903	Main	15	s	10	e	11	nw	se	1400		1.0	IR	8	1968
95971	1903	Main	15	s	10	e	11	sw	se	1400		28.7	IR	8	1968
95971	1903	Main	15	s	10	e	11	se	se	1400		17.9	IR	9	1968
95971	1903	Main	15	s	10	e	14	nw	ne	1800		15.1	IR	10	1968
95971	1903	Main	15	s	10	e	14	ne	ne	1800		0.3	IR	10	1968
				s		e									

**Any additional information about the right: 63 ac 1903, 74135 superseded by 95971.**

**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: 1/15/24

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

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

Date: 4/25/24

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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**

<b>Irrigation District or other Water Purveyor Name: Three Sisters Irrigation District</b>															
Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, certificate page number, and any previous lease. If not enough room below, you may add rows (see instructions) or create a spreadsheet/table (matching Table 1) and attach. Any attached table should include reference to the Lessor.															
Water Right #	Priority Date	POD #	Twp		Rng		Sec	Q-Q		Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
95971	1904	Main	15	S	10	E	24	sw	se	501		26	IR	11	1968
95971	1904	Main	15	S	10	E	24	se	se	501		9	IR	11	1968
95971	1904	Main	15	S	10	E	24	se	se	501		2	IR	11	1968
95971	1895	Main											IR		
<b>Any additional information about the right: POD is Main Canal, 37 acres irrigation - NOT for mitigation credit. 95971 (74135)</b>															
<b>Farm Deferral Tax Status:</b> Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local county assessor. You should contact your County for any weed ordinance and management requirements.															

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

Janet Herring Date: 5-6-24  
Signature of Lessor

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

Janet Herring Date: 5-6-24  
Signature of Lessor

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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: \_\_\_\_\_



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

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

Table 1

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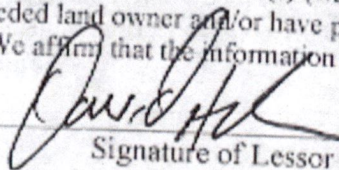
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
93692	1912	Main	15 s 10 e 11	sw	ne	1200			10.8	IR		1968
93692	1912	Main	15 s 10 e 11	se	ne	1200			4.1	IR		1968
93690	1908	Main	15 s 10 e 11	sw	ne	1200			5.6	IR		1968
93690	1908	Main	15 s 10 e 11	se	ne	1200			5.5	IR		1968
93690	1908	Main	15 s 10 e 11	ne	se	1200			12.4	IR		1968
95971	1903	Main	15 s 10 e 11	se	se	1200			0.2	IR		1968
95971	1903	Main	15 s 10 e 11	sw	ne	1200			4.6	IR	8	T-10907/IL 1968
95971	1903	Main	15 s 10 e 11	nw	se	1200			15.3	IR	8	T-10907/IL 1968
						1200			2.5	IR	8	T-10907/IL 1968

Any additional information about the right: 22.4 ac 1903, 23.7 ac 1908, 14.9 ac 1912, 61 ac total. Transfers and lot changes. 95971(74135).

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

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

  
Signature of Lessor

Date: 4/3/24

Printed name (and title): David Helm

Business name, if applicable:

Mailing Address (with state and zip): P.O. Box 1000, Sisters, OR 97759 Phone number (include area code):

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\*\*E-mail address:



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

**Complete Table 1 Identify water right(s) proposed to be leased instream  
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**Table 1**

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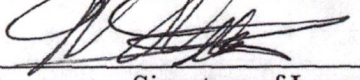
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC #	Acres	Use	Page #	Previous Lease #
93689	1908	Main	15 S	10 E	10	sw nw	800		1.3	IR		1968
93689	1908	Main	15 S	10 E	10	nw sw	800		3.7	IR		1968

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

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

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

  
 \_\_\_\_\_ Date: 4/9/2024  
 Signature of Lessor *WILLITS*

Printed name (and title): Bill Willits Business name, if applicable: Willits LLC  
 Mailing Address (with state and zip): 16488 Wilt Road, Sisters, OR 97759 *68624 E HIGHWAY 20 SISTERS 97759*  
 Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_ *541.815.4462 BW@FIVEPINELODGE.COM*

\_\_\_\_\_  
 Signature of Lessor Date: \_\_\_\_\_

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

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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

<b>Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4)</b>							<b>Water Right # 95971 (supersedes 74135)</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 rows (see instructions) or create a spreadsheet (matching Table 2 and clearly labeled) and attach. (cfs = cubic feet per second and af = acre-feet)							
Priority Date	POD #	Use	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)	
1895	Main	IR	53.8	Max rate of 0.0154 cfs/acre (pre conservation), no max acre-feet	0.83	N/A	
1899	Main	IR	5.2	Max rate of 0.0187 cfs/acre (pre conservation), no max acre-feet	0.097	N/A	
1903	Main	IR	85.4	Max rate of 0.0185 cfs/acre (pre conservation), no max acre-feet	1.581	N/A	
1904	Main	IR	37.0	Max rate of 0.0180 cfs/acre (pre conservation), no max acre-feet	0.666	N/A	
Total af from storage, if applicable: _____ AF or <input checked="" type="checkbox"/> N/A							
If the POD is not described on the certificate or, if there is more than one POD listed on the certificate, then the specific POD must be described:							

Table 3

<b>Instream Use created by the lease</b>	River Basin: <u>Deschutes</u>	River/Stream Name: <u>Whychus Creek, tributary to Deschutes River</u>				
<b>Proposed Instream Reach:</b> <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>TSID Main</u> to <u>Mouth of Deschutes, (1895 to Lake B.C.)</u>		<b>Or Proposed Instream Point:</b> <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.)						
<b>Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)</b>						
Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
1895	Main	IR	53.8	0.016/ac, Instream 5/1 through 8/4 for MITIGATION (to Madras gage)	0.83	161.4
1899	Main	IR	5.2	0.016/Ac Instream 5/1 through 8/4 NOT MP, to Mouth of Deschutes	0.082	15.6
1903	Main	IR	85.4	0.016/Ac Instream 5/1 through 8/4 NOT MP, to Mouth of Deschutes	1.345	256.2
1904	Main	IR	37	0.016/Ac Instream 5/1 through 8/4 NOT MP, to Mouth of Deschutes	0.583	111.00
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A <b>Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:</b> list here <u>Instream from 5/1-8/4, limited to 3 AF per acre to account for general on-farm deliveries, only 1895 is protected for Mitigation Project. OWRD calculator used which has been adjusted for past conserved water.</u> Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
<b>Any additional information about the proposed instream use:</b> <u>1895 instream for mitigation (53.8 acres, 1895 priority only)</u>						

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

updated 1/26/2023

**Primary Irrigation - updated to include all acreage**

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

Source = Whychus Creek

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

Enter Total Number of Acres to be Leased Instream Here by Priority Date	
pri date	acres instream
1869	
1885	
1887	
1889	
1893	
1895	53.80
1899	5.20
1901	
1903	85.40
1904	37.00
<b>total acres</b>	<b>181.40</b>

Rate (CFS) associated with leased rights from the Lease Application Form				
Enter Rates and Duty on Lease Form by Priority Date	Rate/acre (CFS)	Max Rate (CFS)	Duty/acre (AF)	Max Duty (AF)
1869	0.0200	0.000	3.0	0.00
1885	0.0200	0.000	3.0	0.00
1887	0.0200	0.000	3.0	0.00
1889	0.0196	0.000	3.0	0.00
1893	0.0200	0.000	3.0	0.00
1895	0.0154	0.830	3.0	161.40
1899	0.0187	0.097	3.0	15.60
1901	0.0202	0.000	3.0	0.00
1903	0.0185	1.581	3.0	256.20
1904	0.0180	0.666	3.0	111.00
<b>Totals</b>		<b>3.175</b>		<b>544.20</b>

**Notes**

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

Rate (CFS) leased instream for the Instream Section of the Lease Application Form			
Enter Instream Rates and Volumes by Priority Date on Lease Form	Instream Rate (CFS) over full Irrigation Season	Instream Volume (AF)	Period Instream
1869	0.000	0.00	April 1 - Oct 31
1885	0.000	0.00	April 1 - Oct 31
1887	0.000	0.00	April 1 - Oct 31
1889	0.000	0.00	April 1 - Oct 31
1893	0.000	0.00	April 1 - Oct 31
1895	0.380	161.40	April 1 - Oct 31
1899	0.037	15.60	April 1 - Oct 31
1901	0.000	0.00	April 1 - Oct 31
1903	0.604	256.20	April 1 - Oct 31
1904	0.262	111.00	April 1 - Oct 31
<b>Totals</b>	<b>1.282</b>	<b>544.20</b>	

OR

Optional - for alternative instream periods including the full irrigation season			
Enter Proposed begin and end dates (must fall within Irrigation Season)			
begin date	5/1/2024	Number of Days	
end date	8/4/2024	96	Days
Rate (CFS) leased instream for Section 2.2 of the Lease Application Form			
Enter Instream Rates and Volumes by Priority Date on Lease Form	# Day's Instream	Instream Rate (CFS) over full Irrigation Season	Instream Volume (AF)
1869	96	0.000	0.00
1885	96	0.000	0.00
1887	96	0.000	0.00
1889	96	0.000	0.00
1893	96	0.000	0.00
1895	96	0.848	161.40
1899	96	0.082	15.60
1901	96	0.000	0.00
1903	96	1.345	256.20
1904	96	0.583	111.00
<b>Totals</b>		<b>2.858</b>	<b>544.20</b>

**Notes**

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

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**NOTE - Calculations for Additional Certificates 93689, 93690, 93692 (not 95971): DRC used calculations approved by OWRD for the same acres and same time frame as used in prior lease IL-1968 from 2023.**



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**

<b>Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4)      Water Right # <u>93689</u></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 rows (see instructions) or create a spreadsheet (matching Table 2 and clearly labeled) and attach. (cfs = cubic feet per second and af = acre-feet)						
Priority Date	POD #	Use	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)
1908	Main	IR	5	Rate limited to 0.0156/acre	.078	N/A
					0	
					0	
Total af from storage, if applicable: _____ AF or <input checked="" type="checkbox"/> N/A						
If the POD is not described on the certificate or, if there is more than one POD listed on the certificate, then the specific POD must be described:						

**Table 3**

<b>Instream Use created by the lease</b>	River Basin: <u>Deschutes</u>	River/Stream Name: <u>Whychus, tributary to Deschutes</u>				
<b>Proposed Instream Reach:</b> <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>TSID Main</u> to <u>Mouth of Deschutes</u>		<b>Or Proposed Instream Point:</b> <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.)						
<b>Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)</b>						
Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
1908	Main	IR	5	Instream 5/1 through 8/4, max rate of 0.0156, about 3 AF/Ac	0.078	15.0
				NOT for mitigation	0	
					0	
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A <b>Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:</b> list here <u>Instream from 5/1-8/4 at 3 AF/Ac to match average on farm delivery</u>						
Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
Any additional information about the proposed instream use: _____					<b>Received by OWRD</b>	



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**

<b>Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4)</b>						<b>Water Right # 93690</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 rows (see instructions) or create a spreadsheet (matching Table 2 and clearly labeled) and attach. (cfs = cubic feet per second and af = acre-feet)							
Priority Date	POD #	Use	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)	
1908	Main	IR	23.7	Instream 5/1 through 8/4, max rate of 0.0156	0.370	N/A	
					0		
					0		
Total af from storage, if applicable: _____ AF or <input checked="" type="checkbox"/> N/A							
If the POD is not described on the certificate or, if there is more than one POD listed on the certificate, then the specific POD must be described:							

**Table 3**

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

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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

<b>Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4)      Water Right # 93692</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 rows (see instructions) or create a spreadsheet (matching Table 2 and clearly labeled) and attach. (cfs = cubic feet per second and af = acre-feet)						
Priority Date	POD #	Use	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)
1912	Main	IR	14.9	5/1 through 8/4, rate limited 0.148 for 14.9 ac (0.00993/ac)	0.148	N/A
Total af from storage, if applicable: _____ AF or <input checked="" type="checkbox"/> N/A						
If the POD is not described on the certificate or, if there is more than one POD listed on the certificate, then the specific POD must be described:						

Table 3

<b>Instream Use created by the lease</b>	River Basin: <u>Deschutes</u>	River/Stream Name: <u>Whychus Cr, tributary to Deschutes R</u>				
<b>Proposed Instream Reach:</b> <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>TSID Main</u> to <u>Mouth of Deschutes</u>		<b>Or Proposed Instream Point:</b> <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.)						
<b>Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)</b>						
Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
1912	Main	IR	14.9	5/1 through 8/4, limited to 0.148 cfs	0.148	44.7
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A <b>Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:</b> list here <u>Instream from 5/1 through 8/4</u> Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
Any additional information about the proposed instream use: _____						

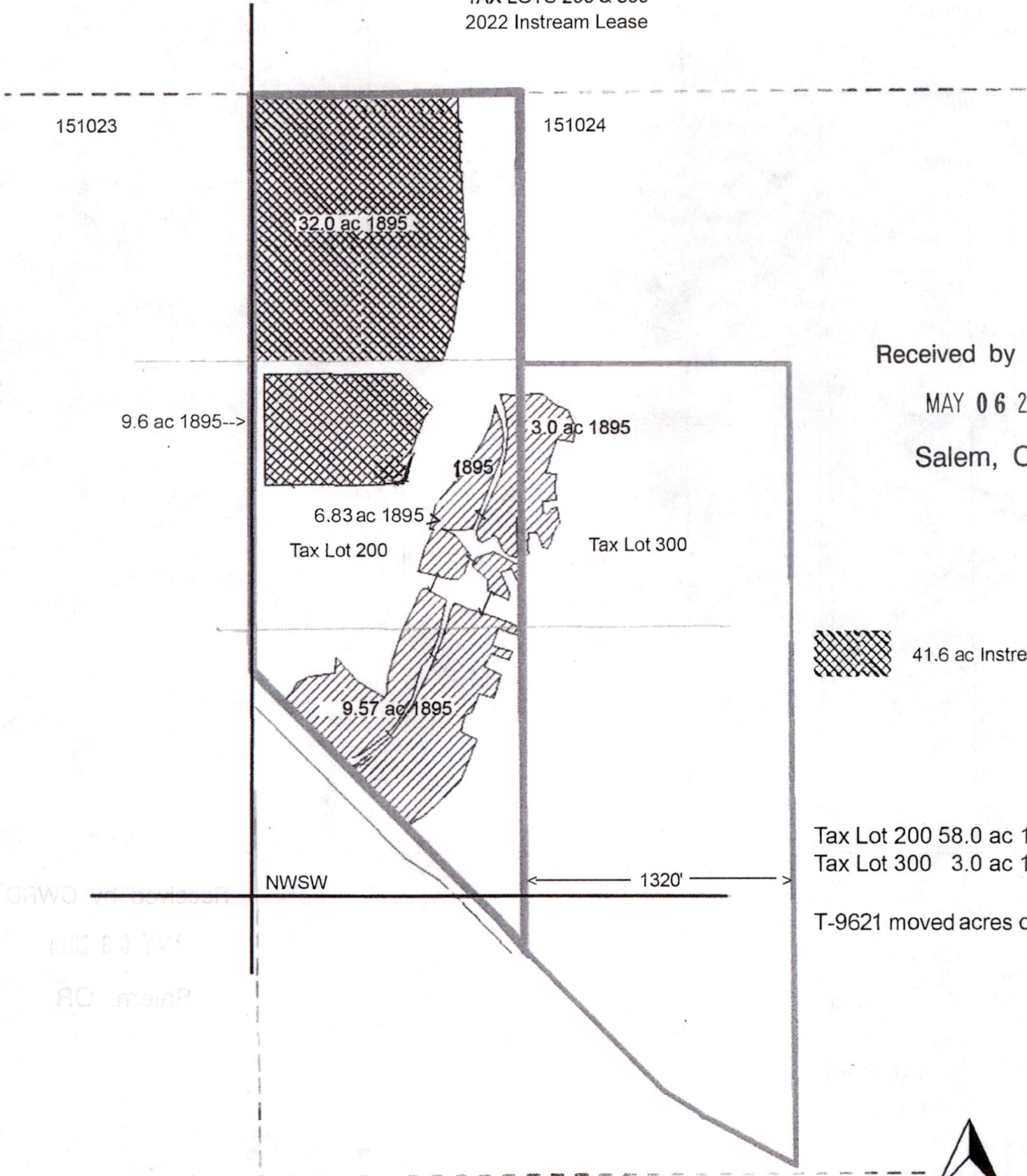
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THREE SISTERS IRRIGATION DISTRICT  
CERTIFICATE 74135- 95971 supersedes  
KERITH SPRINGS  
15S 10E SEC 24  
TAX LOTS 200 & 300  
2022 Instream Lease



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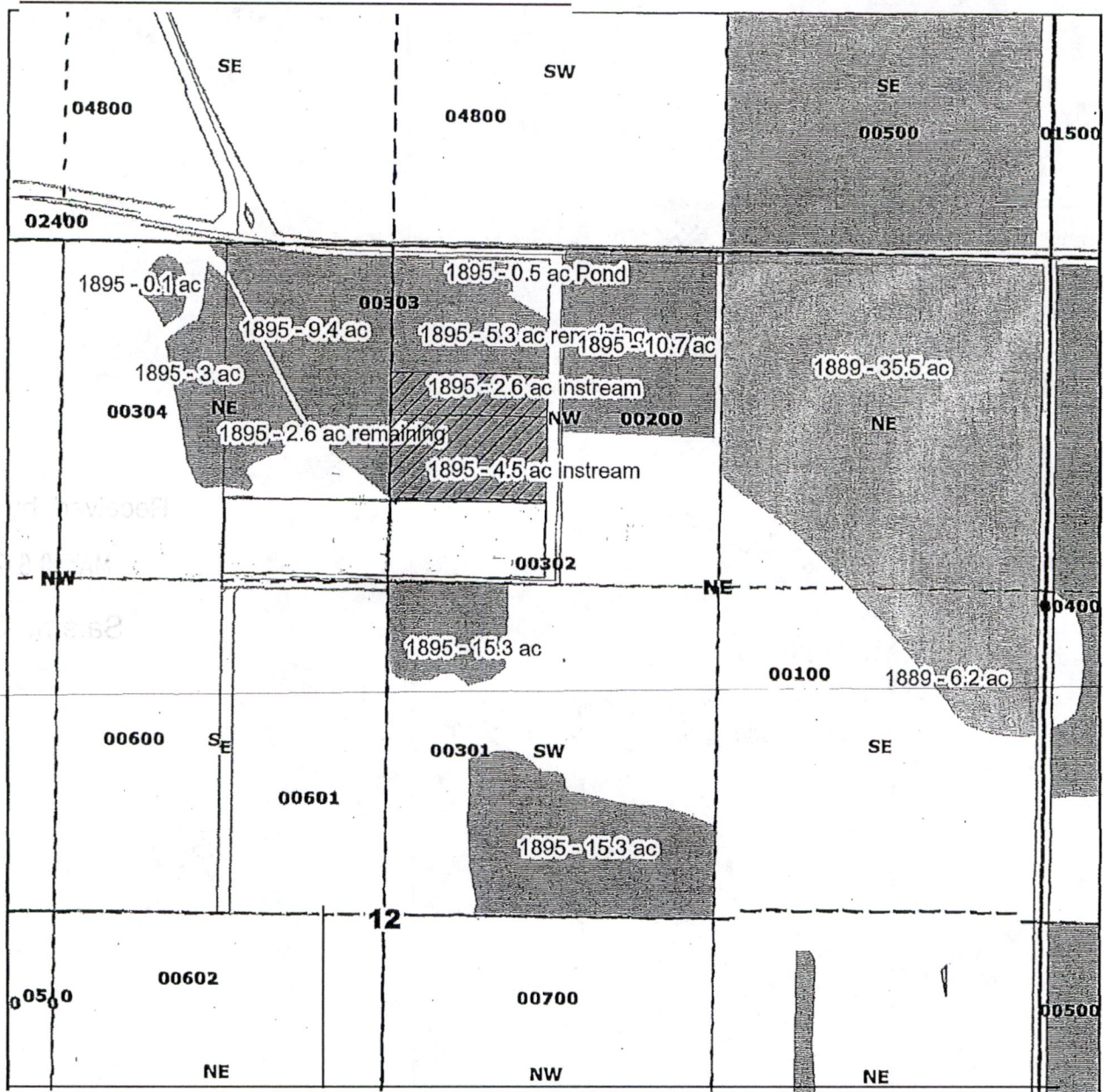
 41.6 ac Instream

Tax Lot 200 58.0 ac 1895  
Tax Lot 300 3.0 ac 1895

T-9621 moved acres off/on







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**Three Sisters Irrigation District**

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Wayne Cornick  
 7.1 acres instream - 1895  
 Certificate 74135 -superseded by 95971  
 T15S R10E Sect 12  
 Tax Lot 302 & 303  
 NWNE 7.1 acres IR instream  
 Deschutes County

Salem, OR

**Legend**

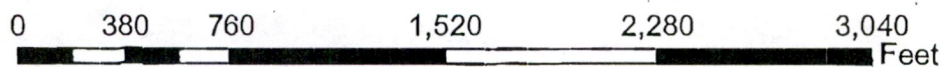
- Township Range
- Quarter Quarters
- Taxlots

**Primary**

**Priority\_Date**

- 1889
- 1895

*NWNE TL 303 5.3 ac IR  
 and 0.5 ac Pond Remain*





Map 14 11

# T14S, R11E, Sect 23

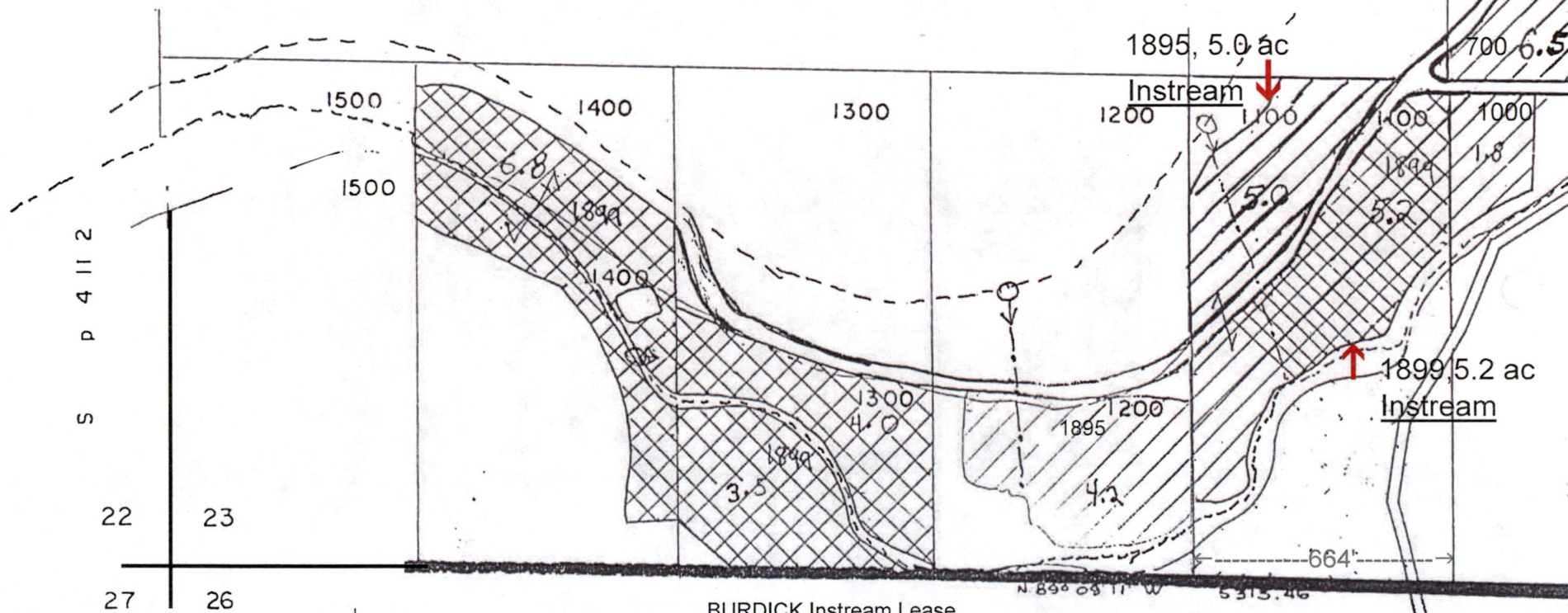
## SWSE, tax lot 1100

# 6.23

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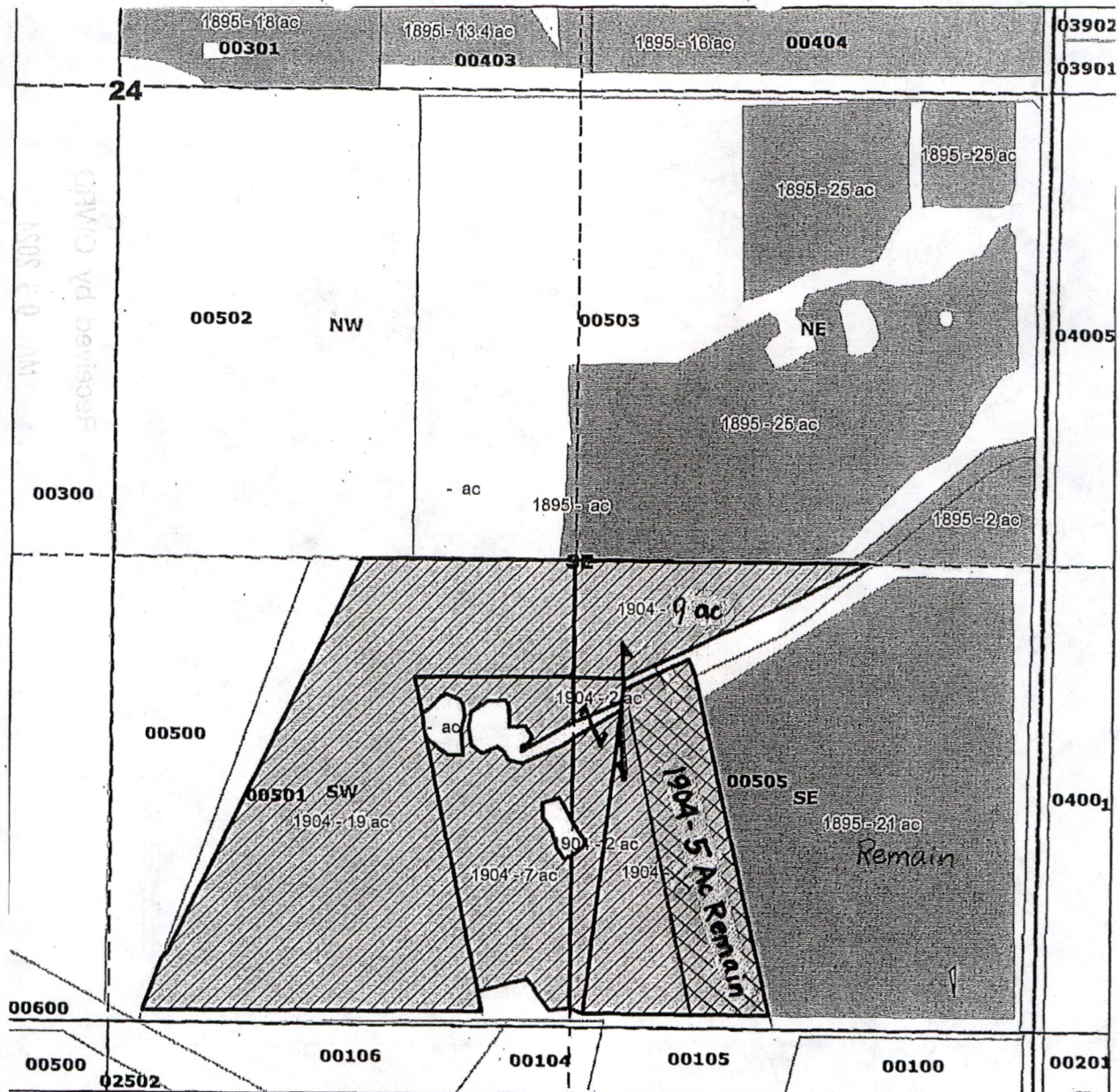
BURDICK Instream Lease  
Three Sisters Irrigation District  
Certificate 95971, 1895 and 1899

See Map 14 11 26















**Legend**

-  Instream
-  Township Range
-  Quarter Quarters
-  Taxlots

**Primary**

**Priority\_Date**

-  1895
-  1904

*Instream Lease*

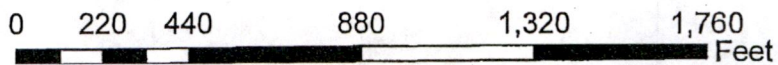
**Three Sisters Irrigation District**

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

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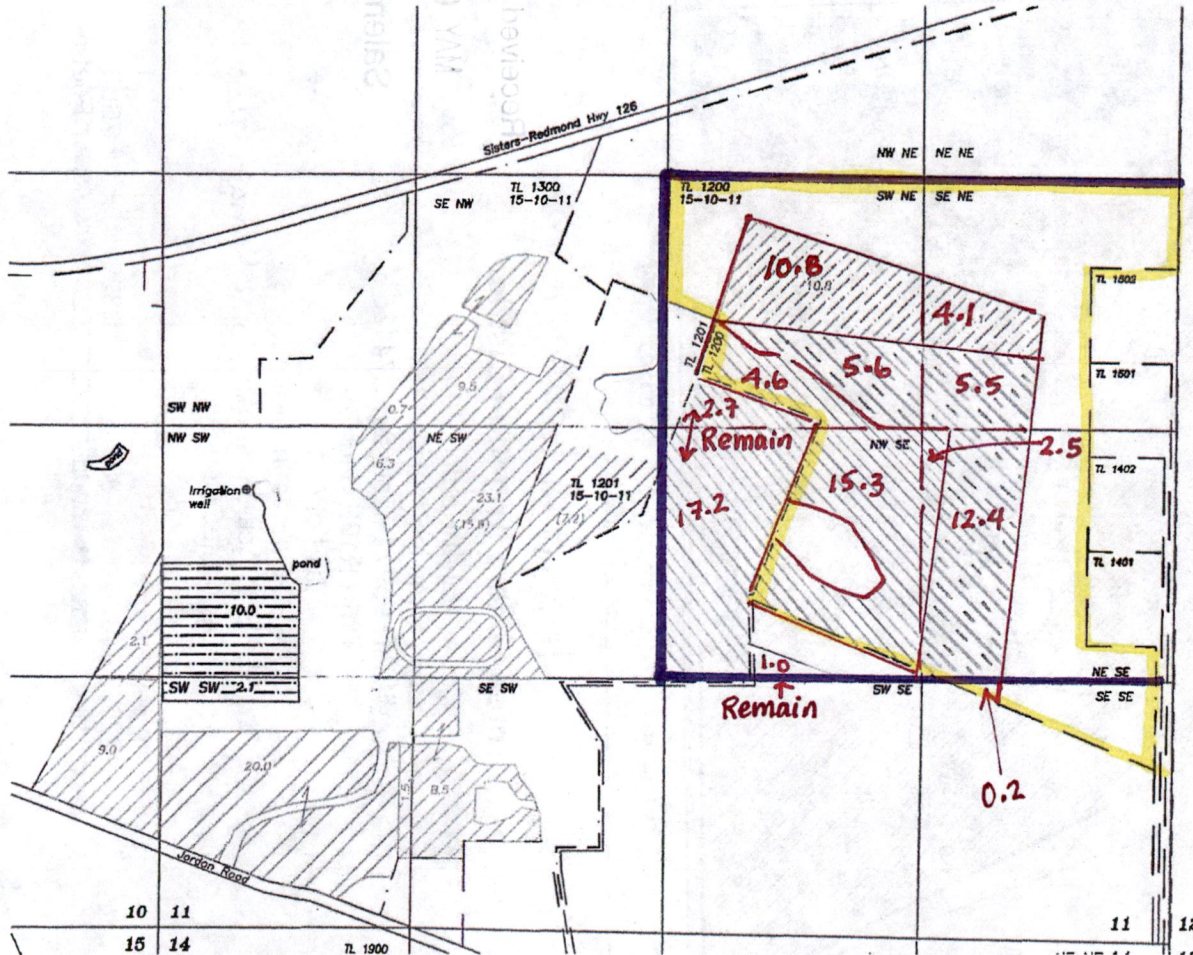
MAY 06 2024

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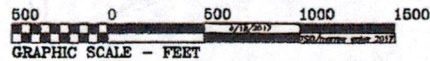
# Helm Instream Lease Tax lot 1200



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

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

T15S, R10E, W.M.  
Deschutes County Oregon



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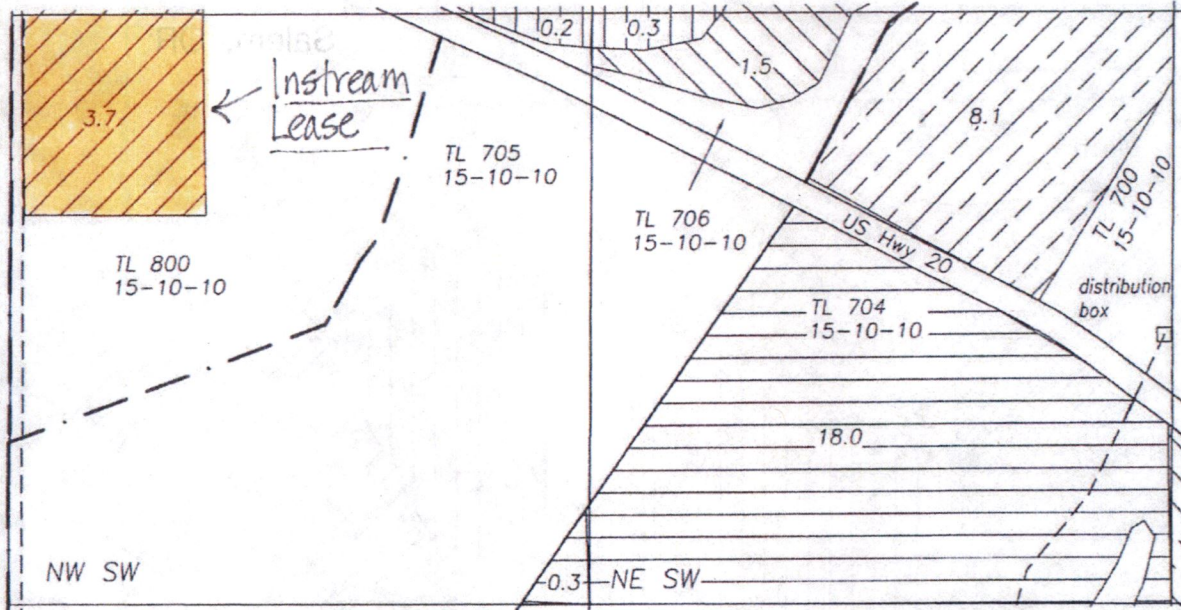


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# Claim of Beneficial Use T-11318

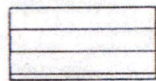
MAY 06 2024

Salem, OR

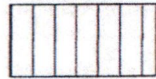


Sec 10  
T15S, R10E, W.M.  
Deschutes County  
Oregon

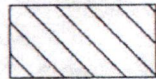
### Legend



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



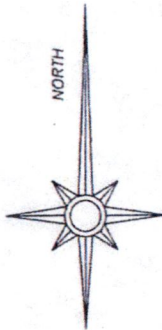
Water beneficially applied under T-11318,  
Cert. 89823, priority date 1886



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



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



Instream  
Lease

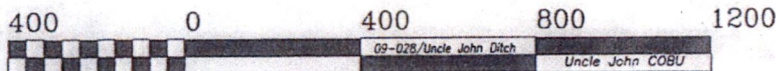


Water beneficially applied under T-11318,  
Cert. 89826, priority date 1908

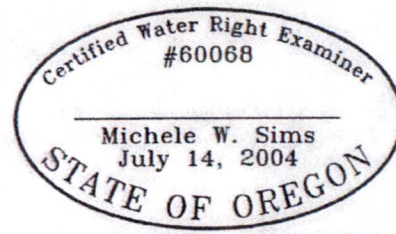
--- Property line

--- Buried pipeline

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



GRAPHIC SCALE - FEET



Renewal date: 6/30/2018

Sheet 4 of 12



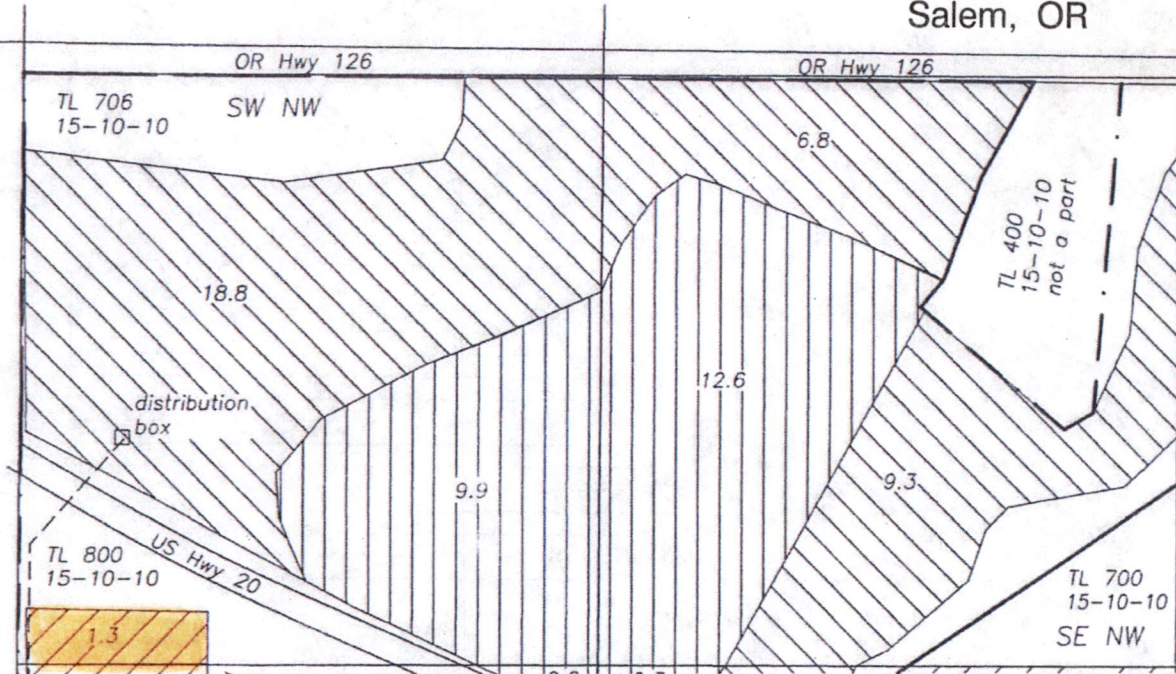
# Claim of Beneficial Use

T-11318

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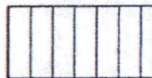
Salem, OR



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

Instream Lease

### Legend



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



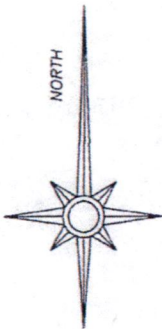
Water beneficially applied under T-11318,  
Cert. 89824, priority date 1895



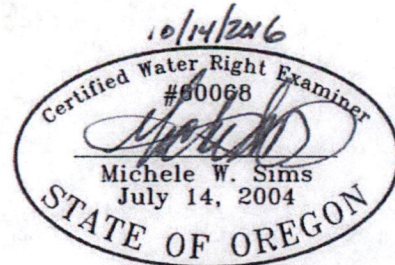
Water beneficially applied under T-11318,  
Cert. 89826, priority date 1908

--- Property line

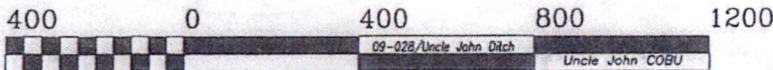
--- Buried pipeline



Instream Lease



Renewal date: 6/30/2018



GRAPHIC SCALE - FEET

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