

INSTRUCTIONS:

This checklist is intended to facilitate the Department of Water Resources' ("Department") processing of water rights transfer applications within the Deschutes Basin for the 2025 calendar year. The Confederated Tribes of the Warm Springs Reservation of Oregon ("Tribe") has reviewed this checklist. The Tribe does not object to the Department's processing of any water rights transfer applications that meets a "Yes" of all applicable checklist items, and therefore satisfies the "Meets Requirements" category at the top of this checklist. When the checklist is so satisfied, the Department may process the application in accordance with applicable law, and the Department's customary practice.

Water rights transfer applications that meet all of the checklist criteria appear to present a low risk of injury to the Tribal Reserved Water Right as defined in the Confederated Tribes of the Warm Springs Reservation Water Rights Settlement Agreement, dated November 17, 1997, as amended. The Tribe does not waive its right to dispute or challenge any transfer application, whether or not they satisfy this checklist, on the basis that the transfer injures the Tribal Reserved Water Right or other federally-reserved water right held by the Tribe. The Tribe expressly reserves, and does not waive, all rights, claims, and defenses that it may possess in connection with the application, including, but not limited to, whether the application violates the Treaty of June 25, 1855, with the Tribes of Middle Oregon, 12 Stat. 963, or the Confederated Tribes of the Warm Springs Reservation Water Rights Settlement Agreement, dated November 17, 1997, as amended.

The Tribe further reserves the right to conduct additional analysis on any transfer that is submitted to the Department with a completed checklist. The Tribe reserves the right to consider, among other things, the risk of localized impacts, cumulative impacts, water quality, return flows, groundwater recharge, Habitat Conservation Plan flow augmentation agreements, water bank transactions, and additional analyses received from the Tribe's staff, Department, applicant, or third party.

A "temporary instream lease" is any instream lease lasting five (5) years or less.

This checklist applies to surface water transfers only. This checklist does not apply to groundwater transfers.

If you have any questions about this checklist, please contact:

Margaret Towfiq on behalf of Tumalo Irrigation District, or Gen Hubert with Deschutes River Conservancy - via e-mail at:

margaret@tumalo.org

gen@deschutesriver.org

Alison K. Toivola or Josh Newton of Best Best & Krieger, LLP, on behalf of the Tribe, via e-mail at:

Alison.Toivola@bbklaw.com

Josh.Newton@bbklaw.com

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APR 14 2025

Salem, OR

CTWS Low-Risk Transfer Checklist Requirements

Patron Name/Applicant Name : Tumalo Irrigation District

Meets Requirements: ☒

Transfer Type: 1-yr instream lease

Does Not Meet Requirements: ☐

Transfer #: TID pooled 2025-01

Review Date:

Checklist Completed By: G. Hubert

Water Right Transfer - Check Applicable Transfer Type

Own Lands Transfer ☐
Water Right Sale ☐

	YES	NO	Comments:
Transfer Within Same District Boundary	<input type="checkbox"/>	<input type="checkbox"/>	
On/Off Lands Balance	<input type="checkbox"/>	<input type="checkbox"/>	
On/Off Lands Within Five (5) Miles	<input type="checkbox"/>	<input type="checkbox"/>	
No Increase in Diversion Amount	<input type="checkbox"/>	<input type="checkbox"/>	
No Change in Type of use	<input type="checkbox"/>	<input type="checkbox"/>	
No Change in Point of Diversion or Appropriation	<input type="checkbox"/>	<input type="checkbox"/>	
On/Off Lands Served by Same Canal	<input type="checkbox"/>	<input type="checkbox"/>	Identify Canal:
NOT a Multi-Step Transfer	<input type="checkbox"/>	<input type="checkbox"/>	
NOT a Mitigation Credit	<input type="checkbox"/>	<input type="checkbox"/>	

Temporary Instream Lease	YES	NO	Comments:
Decrease in Diversion - Increased River Flows	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Transfer of Surface Water ONLY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
No Potential for Measurable Impact to Crooked River	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
No Potential for Measurable Impact to Whychus Creek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
No Potential for Measurable Impact to Deschutes River	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Summary of Transfer:

This is the submittal of a 1-year pooled instream lease for Tumalo Irrigation District (TID). The lease will run April through October 2025 only. Water is protected instream from the TID main diversion on Tumalo Creek through to the mouth of the Deschutes River. There is NO mitigation associated with this instream lease.

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Salem, OR

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 #	IL 2108
	District #	

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

Fee in the amount of:

<input checked="" type="checkbox"/> \$610.00 for a lease involving four or more landowners or four or more water rights	Or <input type="checkbox"/> \$410.00 for all other leases
<input type="checkbox"/> Check enclosed <u>or</u> <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? 2 (# of rights)

List each water right to be leased instream here: 95175, 95176

☒ 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: 95176 (IS), 95177 (IS), 95178 (IS), 74149 (IS), 76714 (IS)

☐ 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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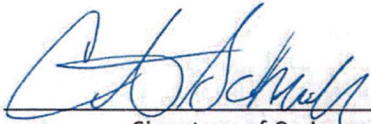
Salem, OR

Part 2 of 4 – District and other party Signature

Term of the Lease: The lease is requested to begin in: month <u>April</u> year <u>2025</u> and end: month <u>October</u> year <u>2025</u> .	
Public use: Check the public use(s) this lease will serve (as defined by ORS 537.332): <input checked="" type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input checked="" type="checkbox"/> Recreation <input checked="" type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation	Termination provision (for multiyear leases): The parties to the lease request (choose one): <input checked="" type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)
Additive/Replacing Relationship to other instream water rights: Instream leases are generally additive to other existing instream water rights created as a result of instream leases and transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights. If you would like this lease to relate to other instream water rights differently than described above, please check this box. <input type="checkbox"/> And attach an explanation of your intent.	
Precedent: If a right which has been leased is later proposed to be leased again or later transferred or become part of an allocation of conserved water project, a new injury review shall be required. An instream lease shall not set a precedent on a future transaction.	
Validity of the rights to be leased: <input checked="" type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or <input type="checkbox"/> The water right(s) have not been used for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right is not subject to forfeiture has been provided.	

SIGNATURES

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


 Date: 3/27/25
 Signature of Co-Lessor

Printed name (and title): Chris Schull, District Manager

Business/Organization name: Tumalo Irrigation District

Mailing Address (with state and zip): 64697 Cook Avenue, Bend, OR 97703

Phone number (include area code): 541-382-3053 **E-mail address: staff@tumalo.org

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_____ Date _____
 Signature of Co-Lessor

Printed name (and title): _____

Business/organization name: _____

Mailing Address (with state and zip): _____

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

See next page for additional signatures.



Date: 04/14/2025

Signature of Lessee

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

Business/organization name: Deschutes River Conservancy

Mailing Address (with state and zip): 805 SW Industrial Way, Ste 5, Bend, 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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Salem, OR

2025 TUMALO IRRIGATION DISTRICT INSTREAM LEASES:

Tumalo Creek Certificates

TID 25-01 District Pooled 1 yr

District ID	Past Lease	Name	Acres Leased	95175	95175	95175	95175	95176		
				8/05/1900	9/1/1900	5/27/1907	6/1/1907	10/29/1913	Totals	
25-01	1790	Allen Revocable Trust, William P Allen Trustee	3.10		3.10				3.10	
25-02	N/A	Fleck Revocable Trust, Jason P. & Ann J. Fleck Trustees	3.50				3.50		3.50	
25-03	1652	Bierly Living Trust, Lewis E. & Leslie A. Bierly Trustees	4.00		4.00				4.00	Odd map shift, shape matches
25-04	N/A	Briggs Residence Trust & Revocable Trust, Marsha Briggs	10.00					10.00	10.00	
25-05	1790	BOTUG, LLC - Peter J. Steiner	6.00		6.00				6.00	
25-06	1962	Cascade Academy of Central Oregon, Inc, D Hansen	7.70			0.80	4.00	2.90	7.70	
25-07	2020	C.L.R. Inc - (Jerry Curl - president)	40.20			3.40		36.80	40.20	
25-08	1652	Kyle J. & Lindsey S. Coats Trust, Trustees	4.74		4.74				4.74	
25-09	1790	Howard M. Day Jr., Trust, Trustee	2.60		2.60				2.60	Shift showing on map
25-10	1790	Matt Day, Jr., Trust, Howard M. Day Jr Trustee	2.40		2.40				2.40	Shift showing on map
25-11	1790	Deschutes River Ranch Group, LLC, Craig Morton Mngr	13.60		10.00		3.60		13.60	
25-12	1790	Everson Family Trust, Trevor Everson, POA	8.00		8.00				8.00	
25-13	1790	Charles J. & Linda B. Frick	17.00				17.00		17.00	
25-14	1790	Catherine B. Hollister Trust, Trustee	5.80		5.80				5.80	
25-15	2020	Carol M. Lemon	13.00		13.00				13.00	minor map shift
25-16	1790	Peter N. & Jacqueline K.H. McCook	3.00		3.00				3.00	
25-17	N/A	Peter A. & Dawn M. Zink	5.70				5.70		5.70	
25-18	2020	Howard Day Living Trust, Trustee	15.10		2.50		7.30	5.30	15.10	
TID 2025-01 Pooled Instream Lease Total			165.44	0.00	65.14	4.20	41.10	55.00	165.44	

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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: Tumalo 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 #
95175	09-01-1900	1P	16	S	12	E	17	NE	SE	02500		3.10	IR	15	IL-1790

Any additional information about the right: Keeping 19.40 acres on 16-12-17-NE/SE-02500

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: 3/27/25

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Salem, OR

Printed name (and title): William P. Allen, Trustee

Trust name, if applicable: Allen Revocable Trust, William P.

Mailing Address (with state and zip): 4374 Kukui Grove Street, Suite 101, Lihue, HI 96766

Phone number (include area code): 808-651-8610

**E-mail address: mrbill@aloha.net

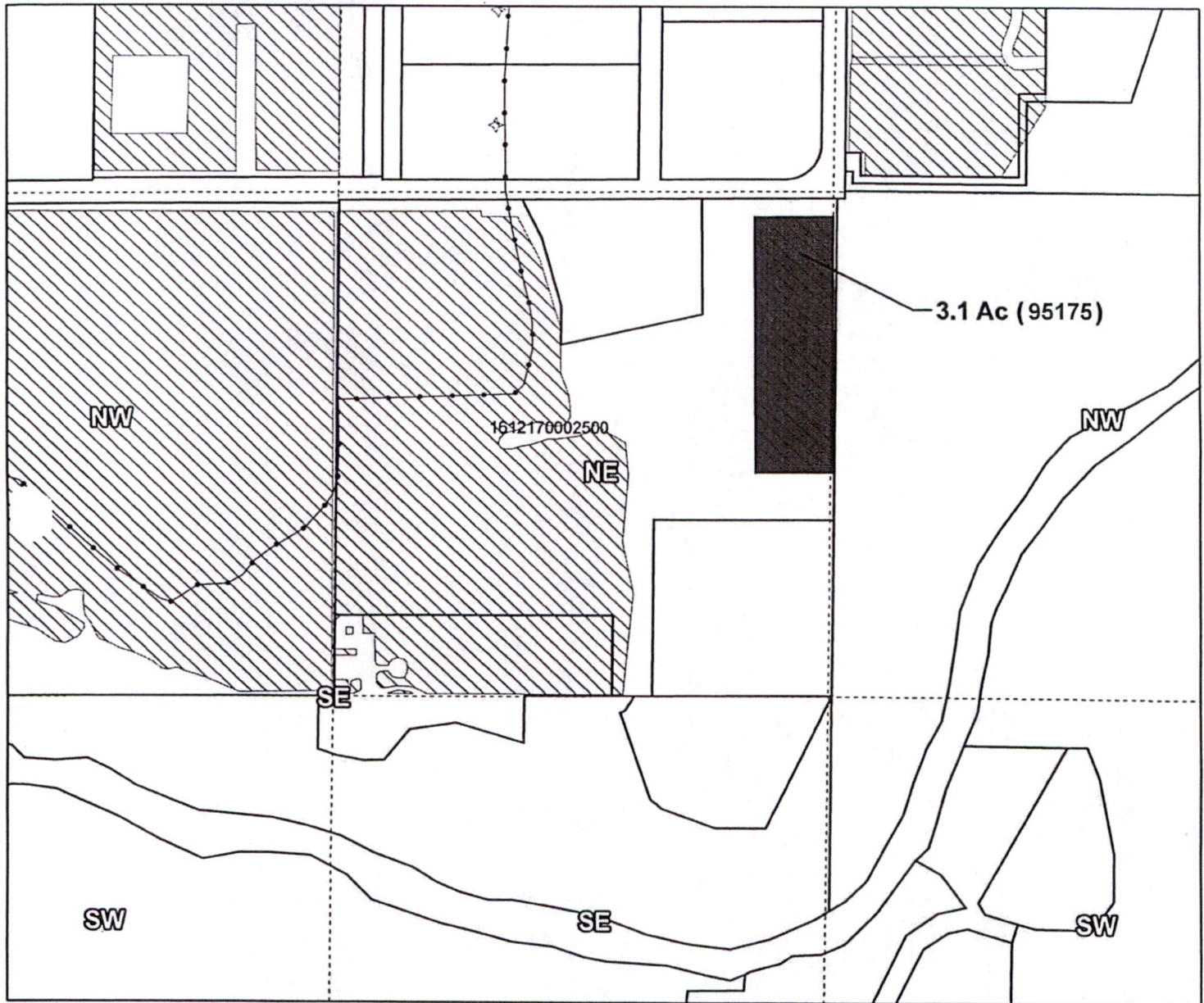
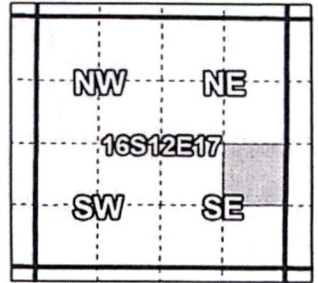
Tumalo Irrigation District

Application for Instream Lease

Cert# 95175

For: Allen Revocable Trust, Willam P.

L25.01



LEASE MAP

Taxlot 1612170002500, 16-12-17-NE/SE: 3.1 Acres Leased, CT#:95175

- Pipelines and Canals
- Taxlots
- Leases
- ▨ Place of Use



1 inch = 400 feet

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APR 14 2025

Salem, OR

Prepared by Tumalo Irrigation District |

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: TUMALO 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.

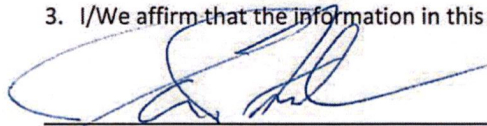
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot	Acres	Use	Page #	Previous Lease #
95175	06/01/1907	1	16 S	11 E	24	NE SE	01203	N/A	3.50	IR	6	N/A

Any additional information about the right: 0.80 Acres Remaining

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

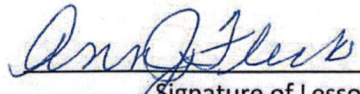
Date: 03/28/2025

Printed name (and title): Jason P. Fleck (Trustee) Trust Name: Fleck Revocable Trust
 Mailing Address (with state and zip): 3700 SW Badger Court, Redmond, Oregon 97756
 Phone number (include area code): (541) 390-6008 **E-mail address: N/A

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Salem, OR



 Signature of Lessor

Date: Mar 28, 2025

Printed name (and title): Ann J. Fleck (Trustee) Trust Name: Fleck Revocable Trust
 Mailing Address (with state and zip): 3700 SW Badger Court, Redmond, Oregon 97756
 Phone number (include area code): (541) 390-6003 **E-mail address: annfleck15@gmail.com

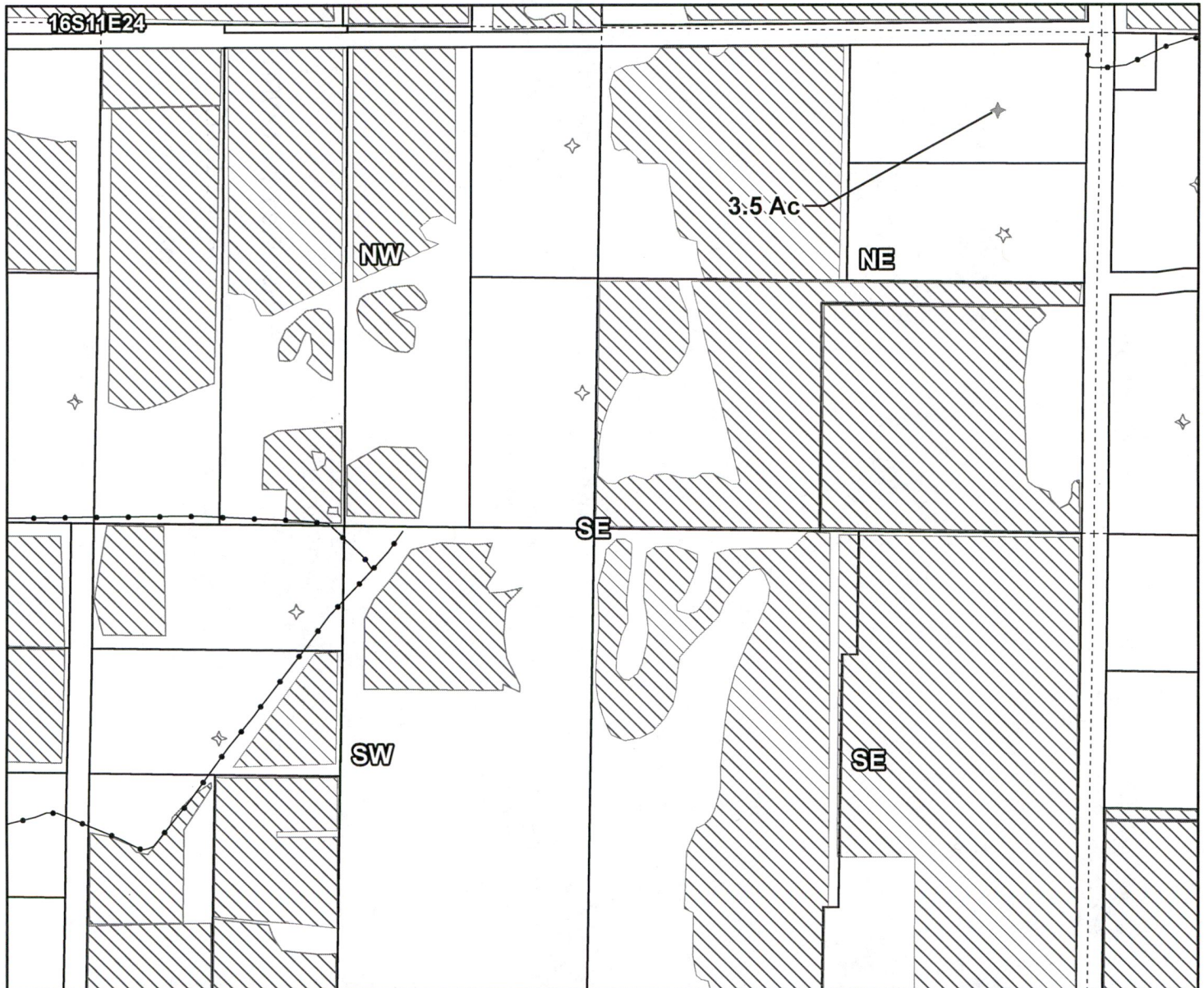
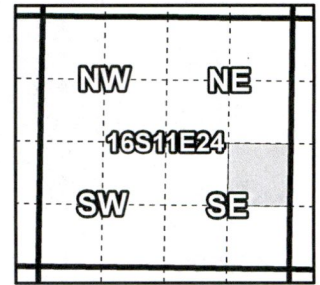
Tumalo Irrigation District

2025 District Application for Instream Lease

L25.02

Cert #: 95175

For: Fleck Revocable Trust



1 YEAR INSTREAM LEASE

Taxlot: 1611240001203, 16-11-24-NE/SE-01203:
CT# 95175, 3.5 Acres Leased, 0.8 Acres Remaining

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APR 14 2025

Salem, OR

- Pipelines and Canals
- Taxlots
- Lease
- ▨ Place of Use

1 inch = 400 feet



Prepared by Tumalo Irrigation District | March 2025

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: TUMALO 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	Acres	Use	Page #	Previous Lease #	
95175	09/01/1900	1	16 S	11 E	24	SW NW	00501	N/A	4.00	IR	6	IL-1652	
Any additional information about the right: 1.00 Acres Remaining													
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: 2/14/25

Printed name (and title): Lewis E. Bierly (Trustee) Trust Name: Bierly Living Trust
 Mailing Address (with state and zip): 19266 Dayton Road, Bend, Oregon 97703
 Phone number (include area code): 503-260-7321 **E-mail address: N/A

Received by OWRD

APR 14 2025

Salem, OR


 Signature of Lessor

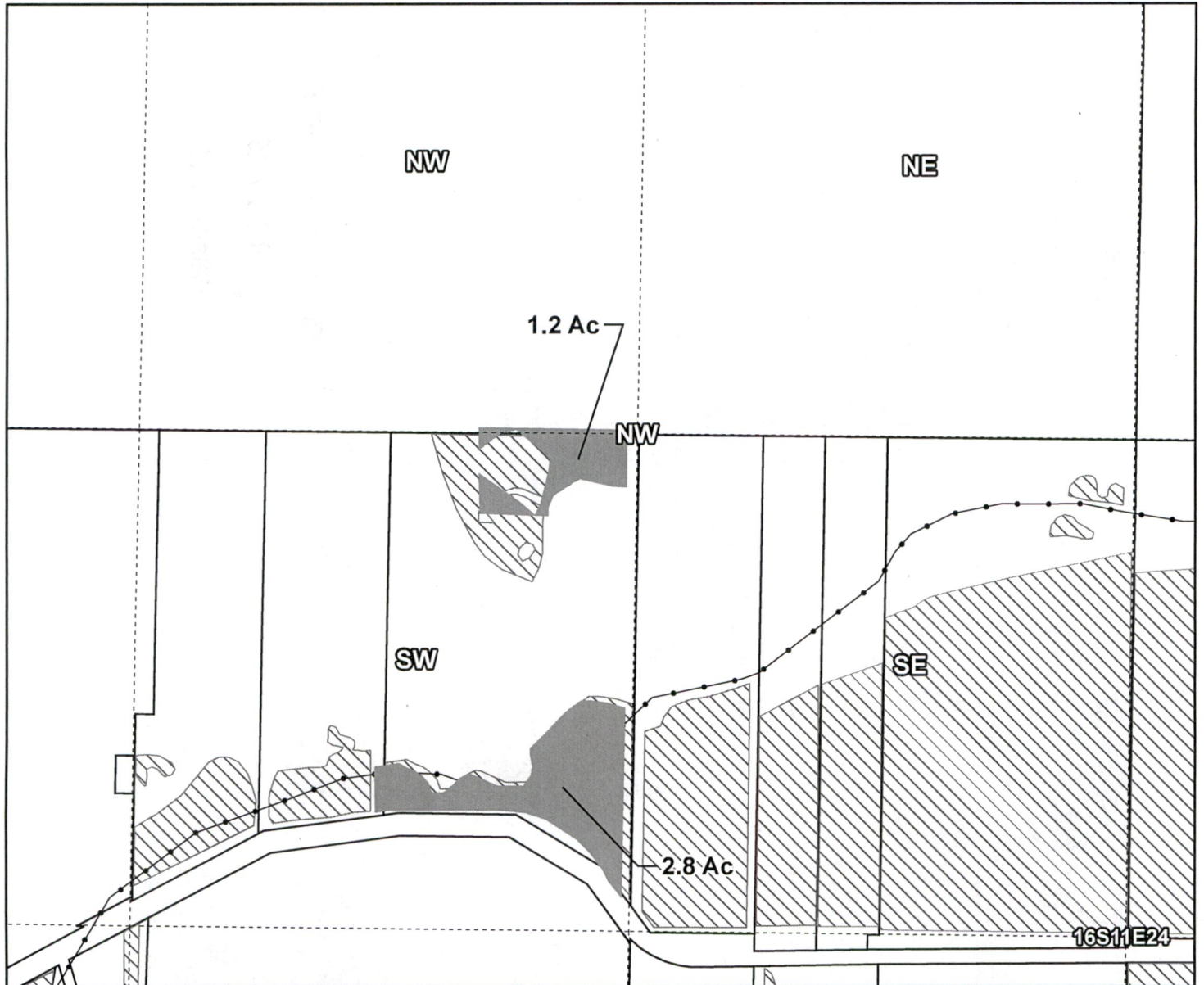
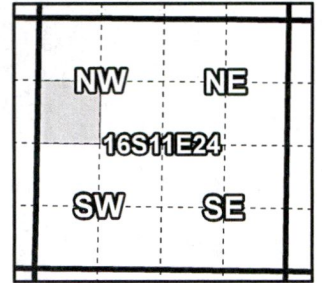
Date: 2/14/25

Printed name (and title): Leslie A. Bierly (Trustee) Trust Name: Bierly Living Trust
 Mailing Address (with state and zip): 19266 Dayton Road, Bend, Oregon 97703
 Phone number (include area code): 503-314-1954 **E-mail address: lesliebierly@gmail.com

Tumalo Irrigation District
2025 District Application for Instream Lease

L25.03

Cert #: 95175
For: Bierly Living Trust



1 YEAR INSTREAM LEASE MAP

Taxlot: 1611240000501, 16-11-24-SW/NW-00501:
CT# 95176, 4.0 Acres Leased, 1.0 Acres Remaining

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APR 14 2025

Salem, OR

- Pipelines and Canals
- Taxlots
- Leases
- ▨ Place of Use

1 inch = 400 feet



Prepared by Tumalo Irrigation District | February 2025

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: TUMALO 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	Acres	Use	Page #	Previous Lease #
95175	10/29/1913	2P	16 S	11 E	25	NW SW	00905	N/A	10.00	IR	5	N/A

Any additional information about the right: Keeping 1.0 acre

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

Marsha Briggs
 Signature of Lessor

Date: 2-27-25

Printed name (and title): Marsha Briggs, Trustee

Trust Name: Briggs Residence Trust

Mailing Address (with state and zip): PO Box 7617, Bend, Oregon 97708

Phone number (include area code): 541-815-5493 **E-mail address: marshab1@hotmail.com

Marsha Briggs
 Signature of Lessor

Date: 2-27-25

Printed name (and title): Marsha Briggs, Trustee

Trust Name: Marsha Briggs Revocable Trust

Mailing Address (with state and zip): PO Box 7617, Bend, Oregon 97708

Phone number (include area code): 541-815-5493 **E-mail address: marshab1@hotmail.com

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APR 14 2025

Salem, OR

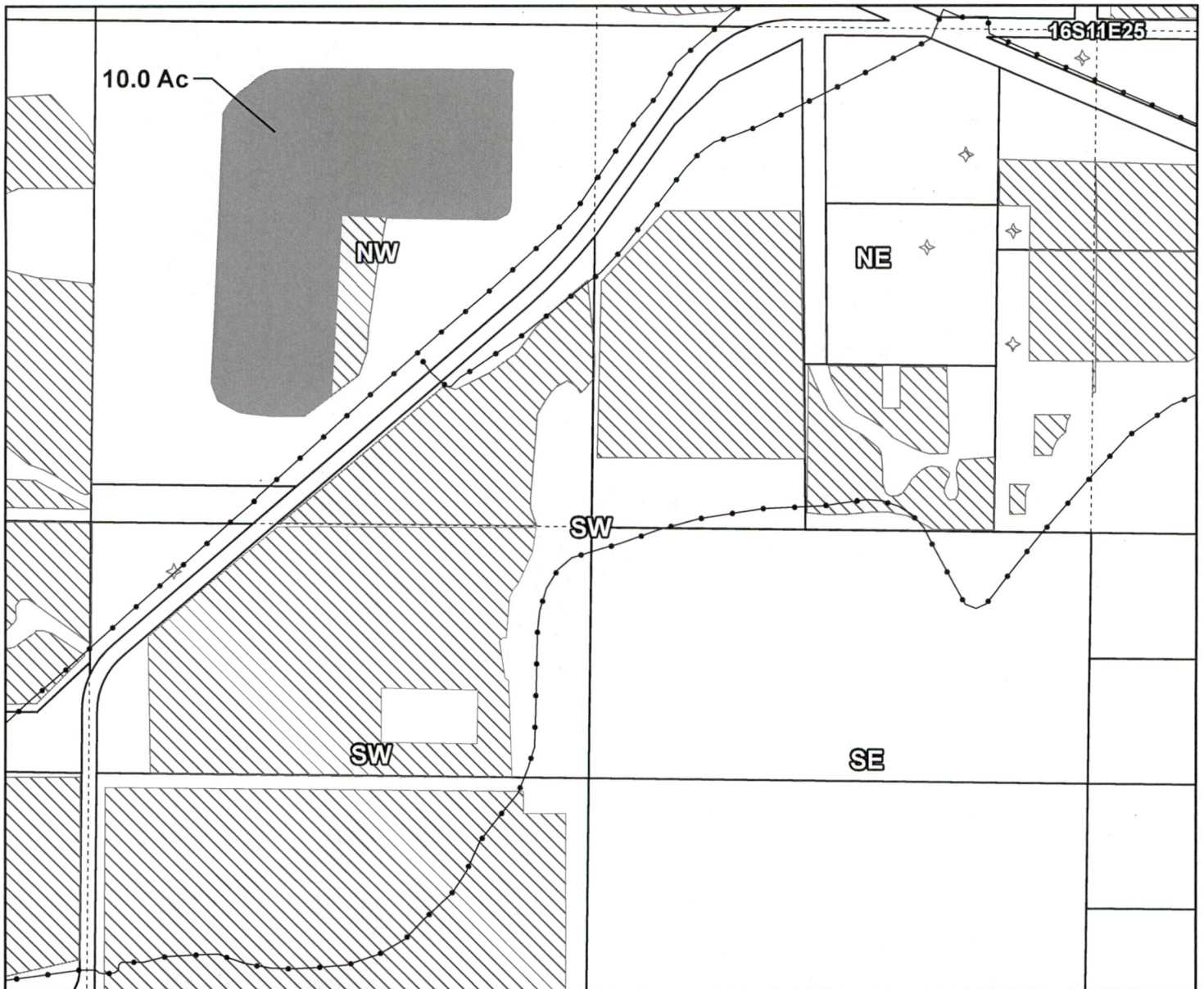
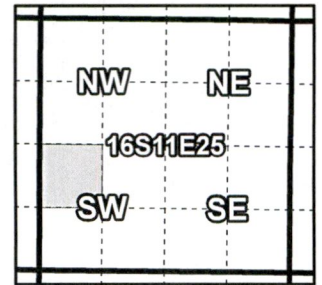
Tumalo Irrigation District

2025 District Application for Instream Lease

L25.04

Cert #: 95176

For: Briggs Residence Trust & Marsha Briggs Revocable Trust



1 YEAR INSTREAM LEASE

Taxlot: 1611250000905, 16-11-25-NW/SW-00905:
CT# 95176, 10.0 Acres Leased, 1.0 Acres Remaining

Received by OWRD

APR 14 2025

Salem, OR

- Pipelines and Canals
- Taxlots
- Lease
- ▨ Place of Use

1 inch = 400 feet



Prepared by Tumalo Irrigation District | March 2025

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: Tumalo 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 #		
95175	09-01-1900	1P	16 S	11 E	14	SW SW	00800	N/A	6.00	IR	3	IL-1790		
Any additional information about the right: N/A														
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: 2/26/25

Printed name (and title): Peter J. Steiner, Managing Member Business name, if applicable: BOTUG, LLC

Mailing Address (with state and zip): 60220 Sunset View Drive, Bend, Oregon 97702

Phone number (include area code): 808-284-3884 **E-mail address: peterjsteiner@me.com

Received by OWRD

APR 14 2025

Salem, OR

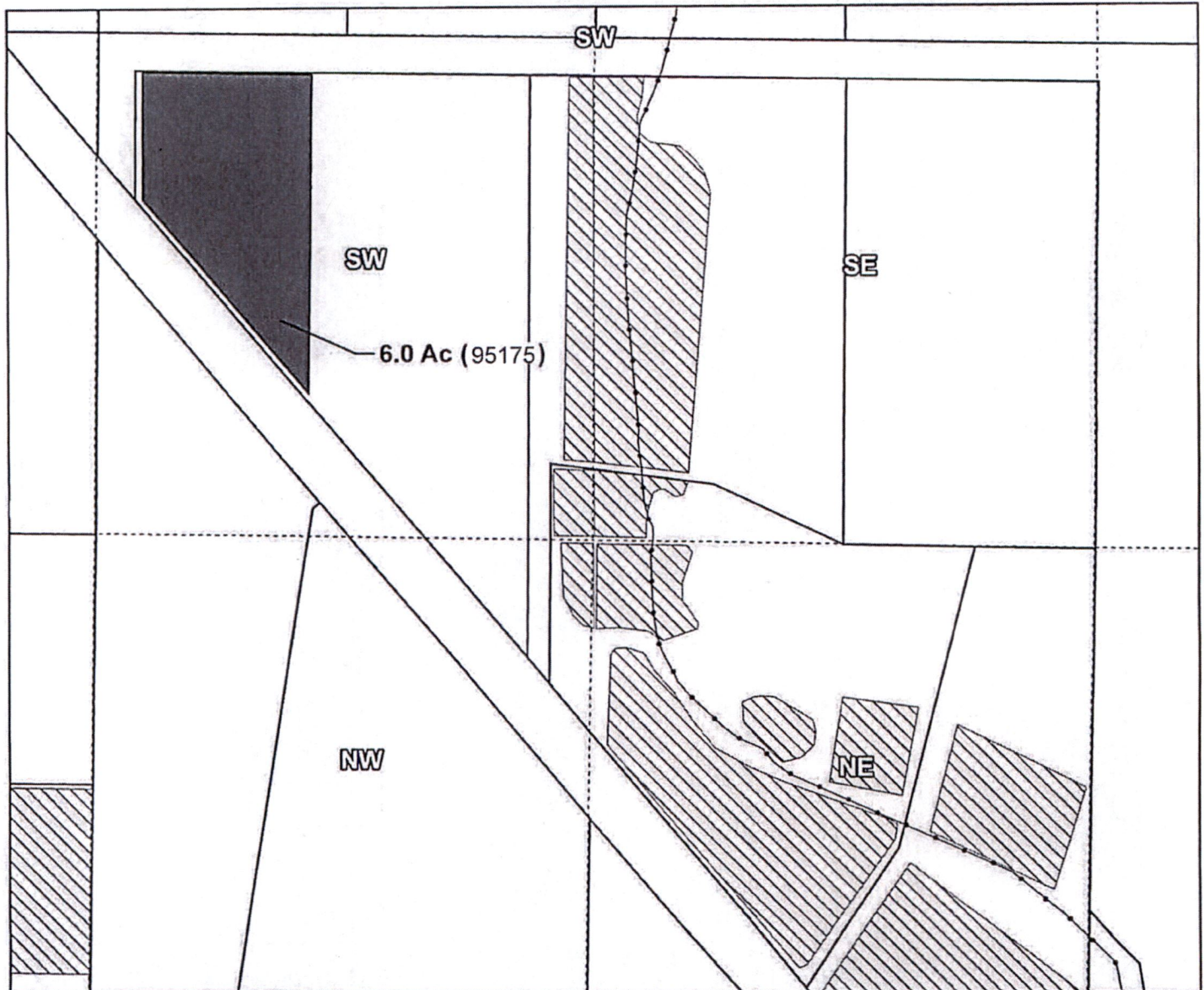
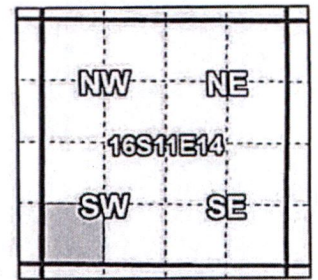
Tumalo Irrigation District

Application for Instream Lease

Cert# 95175

For: BOTUG, LLC

L25.05



LEASE MAP

Taxlot: 1611140000800, 16-11-14-SW/SW: 6.0 Acres Leased, 0.0 Acres Remaining CT# 95175

- Pipelines and Canals
- Taxlots
- Leases
- ▨ Place of Use



1 inch = 400 feet

Received by OWRD

APR 14 2025

Prepared by Tumalo Irrigation District |

Salem, OR

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

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

Irrigation District or other Water Purveyor Name: Tumalo 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.

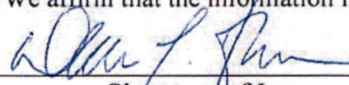
Water Right #	Priority Date	POD #	Twp		Rng		Sec	Q-Q		Tax Lot	Acres	Use	Page #	Previous Lease #
95176	10/29/1913	2P	16	S	12	E	31	SW	SE	04300	0.60	IR	9	IL-1962
95176	10/29/1913	2P	17	S	12	E	6	NW	NE	00300	1.80	IR	11	IL-1962
95176	10/29/1913	2P	17	S	12	E	6	NW	NE	00301	0.50	IR	11	IL-1962
95175	05/27/1907	1P	16	S	12	E	31	SW	SE	04300	0.80	IR	18	IL-1962
95175	06/01/1907	1P	16	S	12	E	31	SW	SE	04200	1.00	IR	18	IL-1962
95175	06/01/1907	1P	17	S	12	E	6	NW	NE	00301	3.00	IR	30	IL-1962

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:

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

2/14/25
Date

Received by OWRD

APR 14 2025

Salem, OR

Printed name (and title): Darren Hansen (Director of Business & Operations)

Business Name: Cascade Academy of Central Oregon, Inc.

Mailing Address: 19860 Tumalo Reservoir Road, Bend, Oregon 97703 Phone: (541) 382-0699x103

E-mail address: hansen@cascadesacademy.org

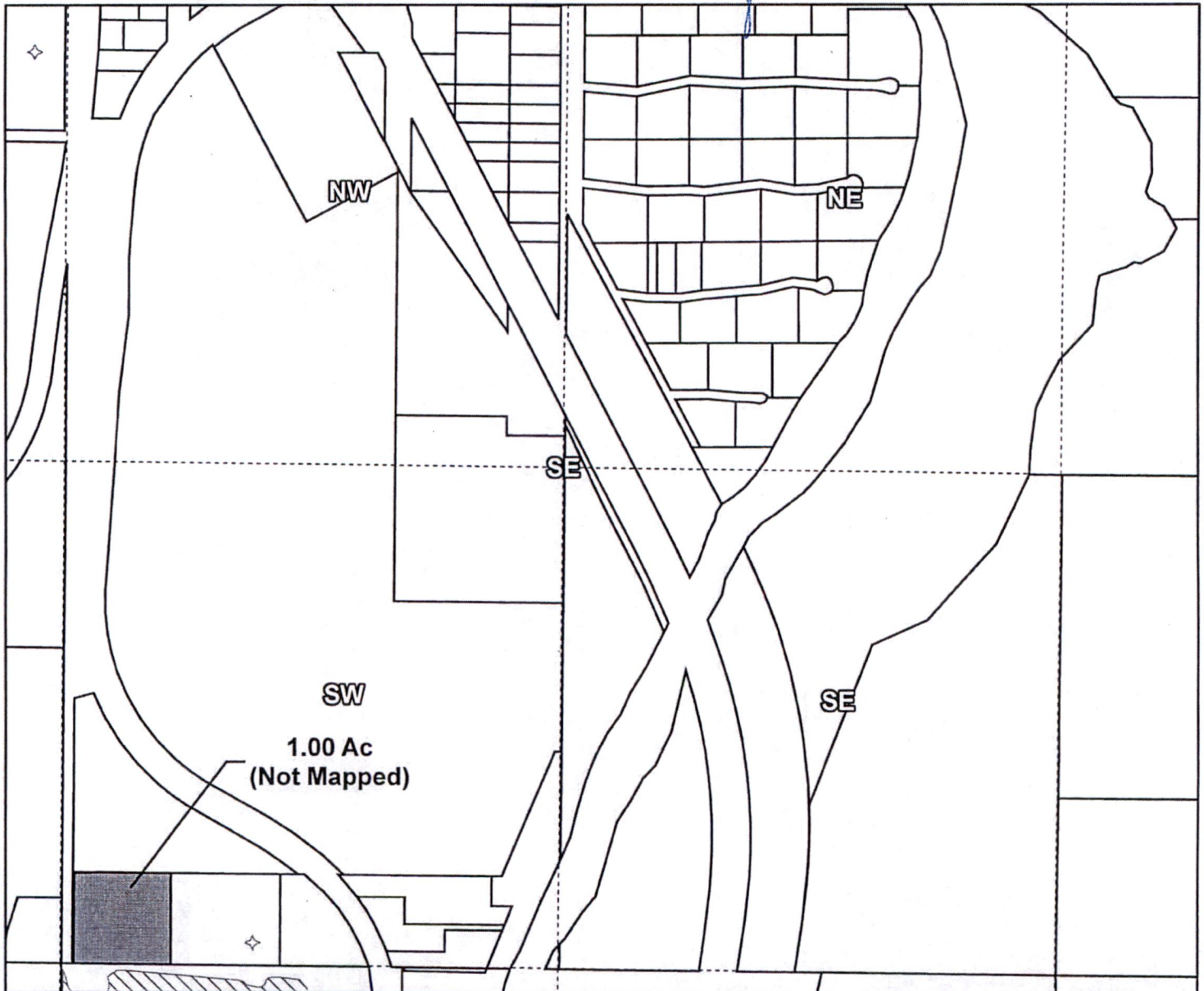
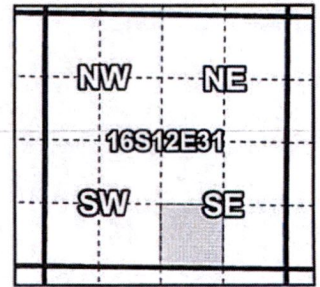
Tumalo Irrigation District

2025 District Application for Instream Lease

L25.06

Cert #: 95175

For: Cascades Academy of Central Oregon, INC



1 YEAR INSTREAM LEASE MAP

Taxlot: 161231D004200, 16-12-31-SW/SE-04200:
CT# 95175 (Date: 06/01/1907), Leasing 1.00 Acres, 0.0 Acres Remaining

- Pipelines and Canals
- Taxlots
- Leases
- ▨ Place of Use



1 inch = 400 feet

Received by OWRD

APR 14 2025

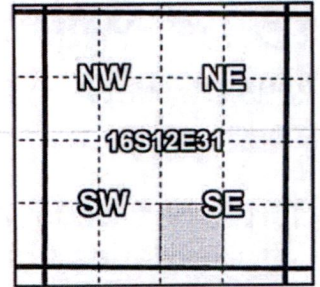
Prepared by Tumalo Irrigation District

Salem, OR

Tumalo Irrigation District

2025 District Application for Instream Lease

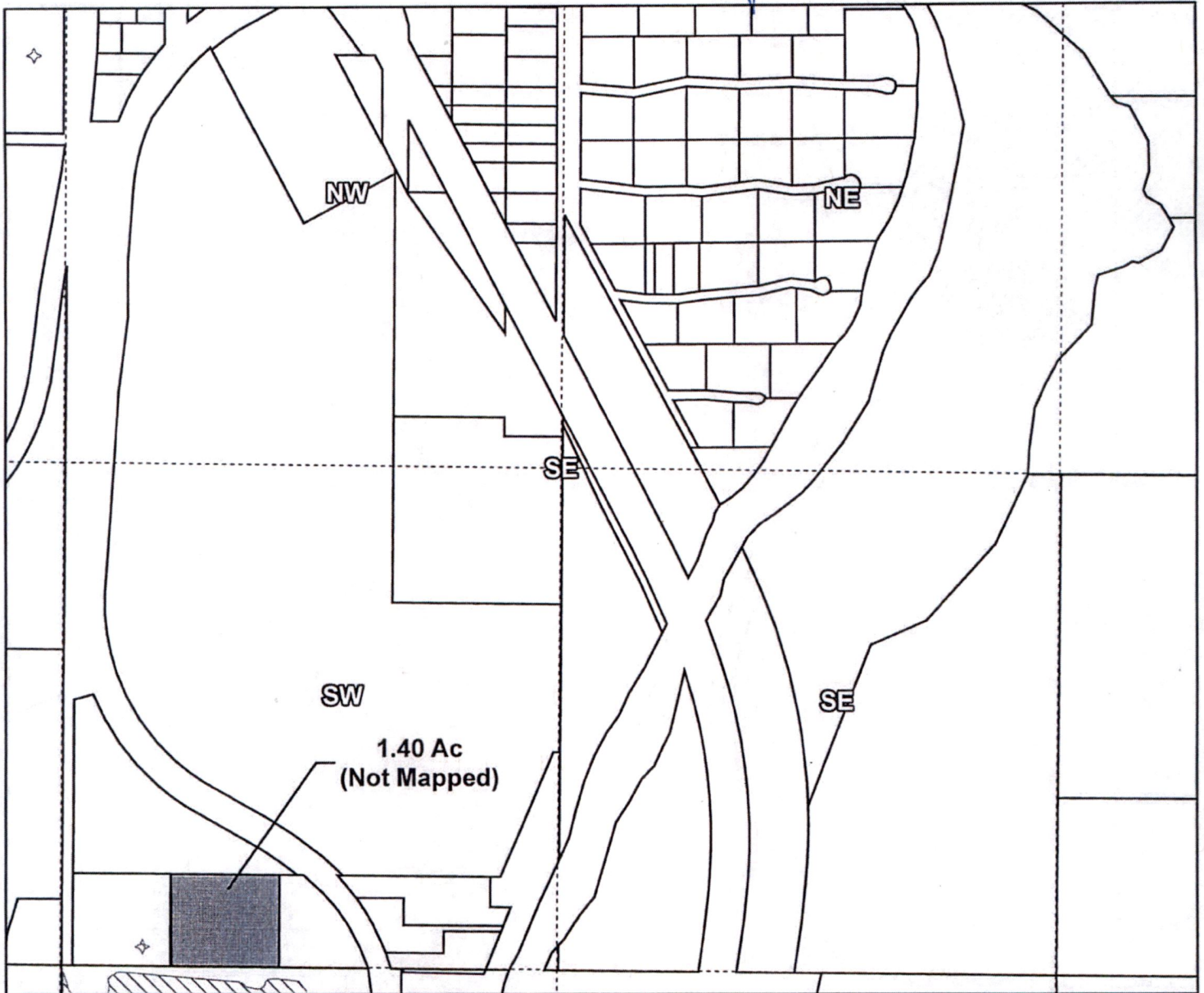
L25.06



Cert #: 95175, 95176

For: Cascades Academy of Central Oregon, INC

[Handwritten signature]



1 YEAR INSTREAM LEASE MAP

Taxlot: 161231D004300, 16-12-31-SW/SE-04300:

CT# 95175 (Date: 05/27/1907), Leasing 0.80 Acres, 0.0 Acres Remaining

Taxlot: 1712060000301, 17-12-06-NW/NE-00301:

CT# 95176 (Date: 10/29/1913), Leasing 0.60 Acres, 0.0 Acres Remaining

- Pipelines and Canals
- Taxlots
- Leases
- ▨ Place of Use



1 inch = 400 feet

Received by OWRD

Prepared by Tumalo Irrigation District

APR 14 2025

Salem, OR

Tumalo Irrigation District

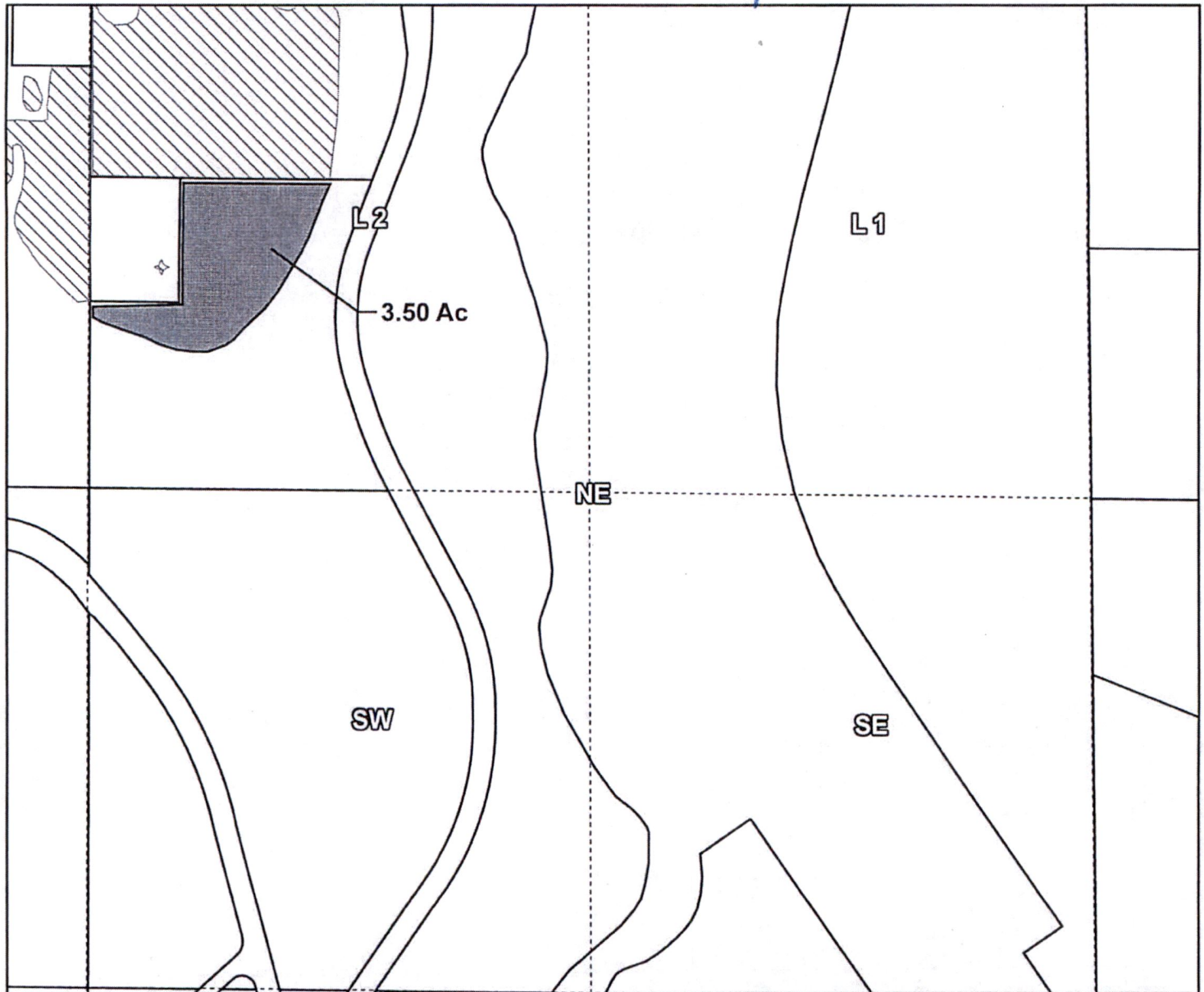
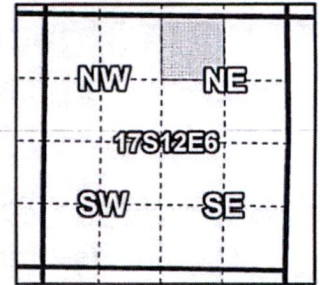
2025 District Application for Instream Lease

L25.06

Cert #: 95176, 95175

For: Cascades Academy of Central Oregon, INC

QA



1 YEAR INSTREAM LEASE MAP

Taxlot: 1712060000301, 17-12-06-NW/NE-00301:

CT# 95175 (Date: 06/01/1907), Leasing 3.00 Acres, 0.0 Acres Remaining

CT# 95176 (Date: 10/29/1913), Leasing 0.50 Acres, 0.0 Acres Remaining

Received by OWRD

APR 14 2025

Salem, OR

- Pipelines and Canals
- Taxlots
- Leases
- ▨ Place of Use



1 inch = 400 feet

Prepared by Tumalo Irrigation District

Tumalo Irrigation District

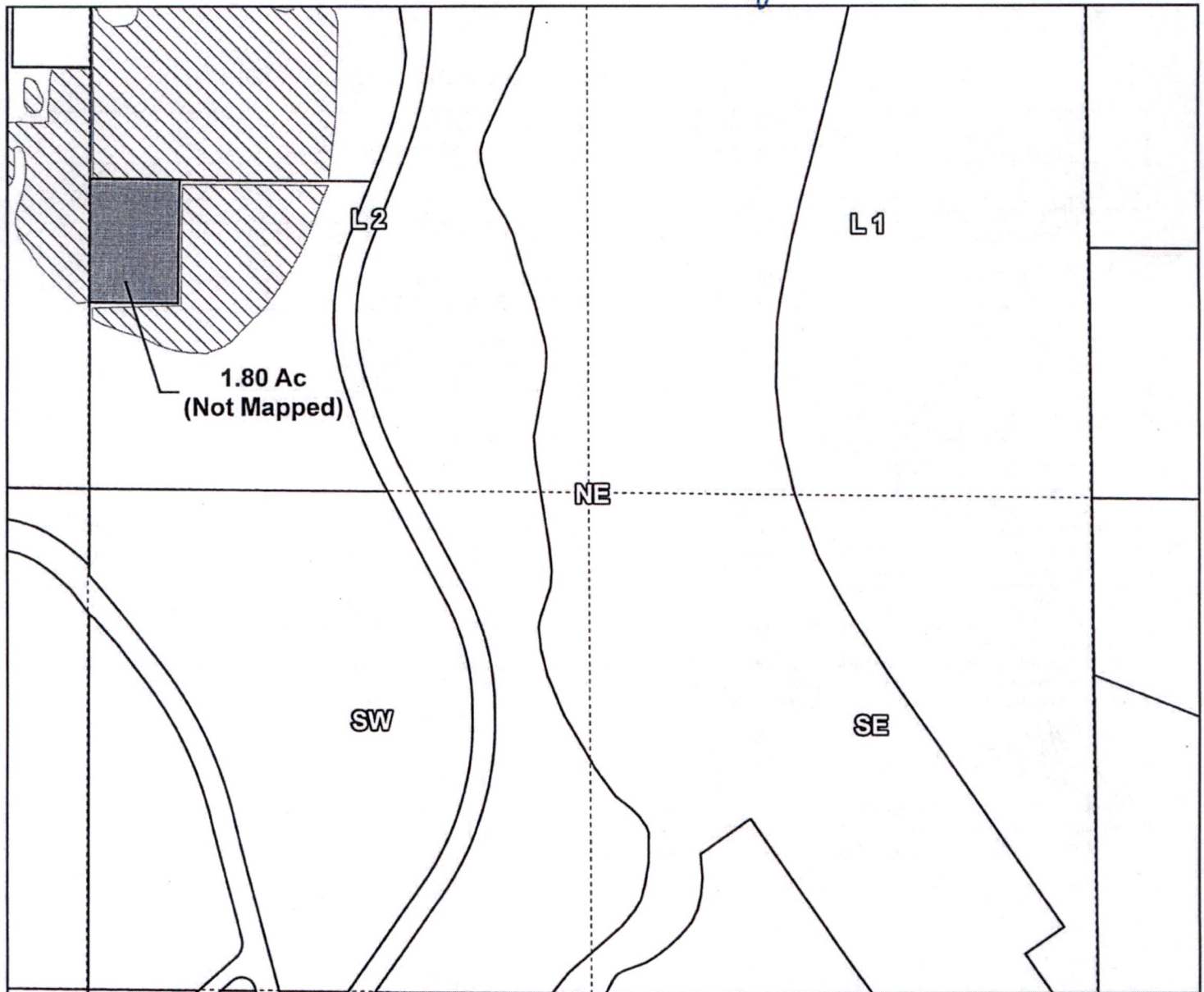
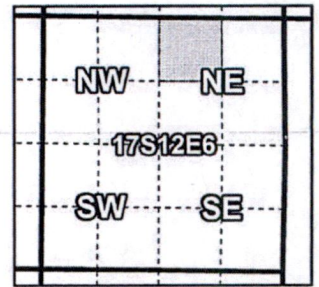
2025 District Application for Instream Lease

L25.06

Cert #: 95176

For: Cascades Academy of Central Oregon, INC

Off



1 YEAR INSTREAM LEASE MAP

Taxlot: 1712060000300, 17-12-06-NW/NE-00300:

CT# 95176 (Date: 10/29/1913), Leasing 1.80 Acres, 0.0 Acres Remaining

- Pipelines and Canals
- Taxlots
- Leases
- ▨ Place of Use



1 inch = 400 feet

Received by OWRD

APR 14 2025

Prepared by Tumalo Irrigation District

Salem, OR

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

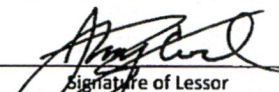
**Complete Table 1 Identify water right(s) proposed to be leased instream
Provide a separate Part 3 for each Lessor (water right interest holder/landowner)**

Table 1

Irrigation District or other Water Purveyor Name: TUMALO 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	Acres	Use	Page #	Previous Lease #		
95176	10-29-1913	2	16 S	12 E	30	NE SE	00100	N/A	16.00	IR	9	IL-2020		
95176	10-29-1913	2	16 S	12 E	30	NE SE	02000	N/A	5.00	IR	9	IL-2020		
95176	10-29-1913	2	16 S	12 E	30	NE SE	02100	N/A	1.90	IR	9	IL-2020		
95175	05-27-1907	1	16 S	12 E	30	NW SE	02100	N/A	3.40	IR	18	IL-2020		
95176	10-29-1913	2	16 S	12 E	30	NW SE	02100	N/A	0.70	IR	9	IL-2020		
95176	10-29-1913	2	16 S	12 E	30	SE NE	00100	N/A	13.20	IR	9	IL-2020		
Any additional information about the right: <u>n/a</u>														
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: 2/14/25

Printed name (and title): Jerry Curl (President)

Business Name: CLR, Inc.

Mailing Address (with state and zip): 703 NW Stonepine Drive, Bend, Oregon 97703

Phone number (include area code): 541-389-6562

**E-mail address: debi@brickshiphouse.net

Received by OWRD

APR 14 2025

Salem, OR

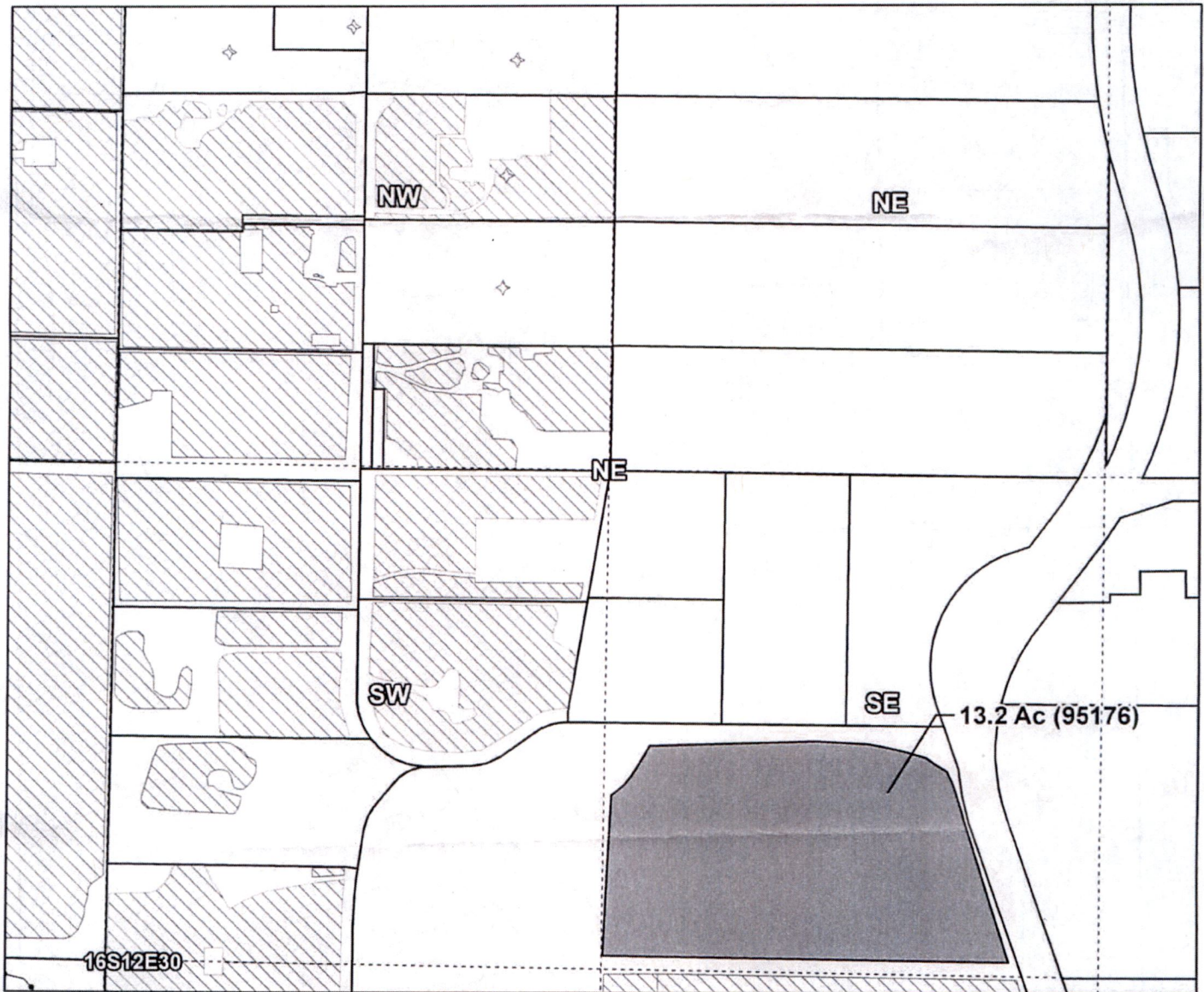
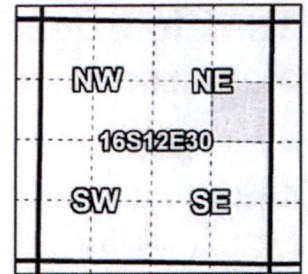
Tumalo Irrigation District

2025 District Application for Instream Lease

L25.07

Cert #: 95176

For: C.L.R. Inc



1 YEAR INSTREAM LEASE MAP

Taxlot: 1612300000100, 16-12-30-SE/NE-00100:

CT# 95176, Leasing 13.2 Acres, 0.00 Acres Remaining

ASE

- Pipelines and Canals
- Taxlots
- Leases
- ▨ Place of Use

Received by OWRD

APR 14 2025

Salem, OR

1 inch = 400 feet



Prepared by Tumalo Irrigation District | February 2025

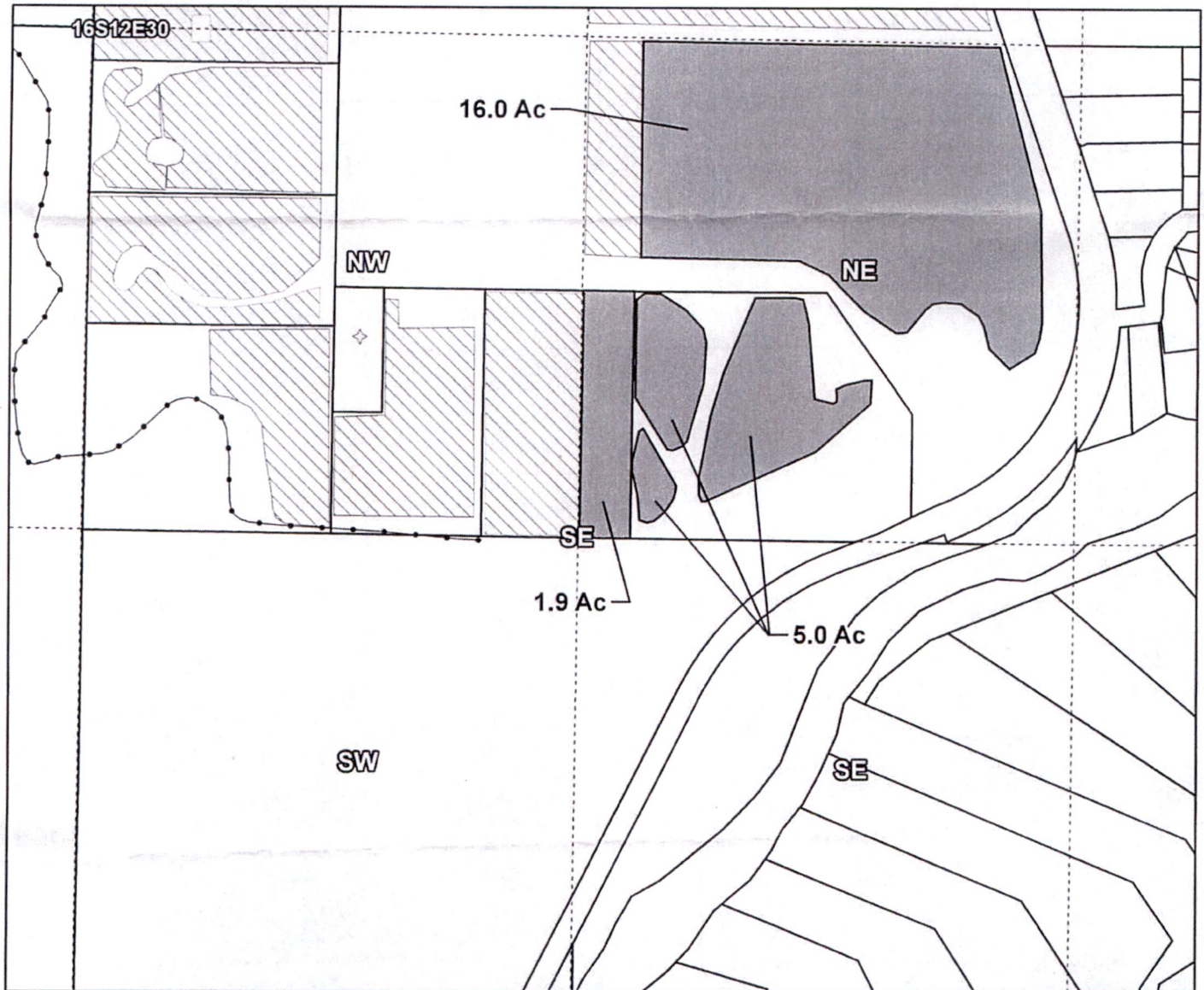
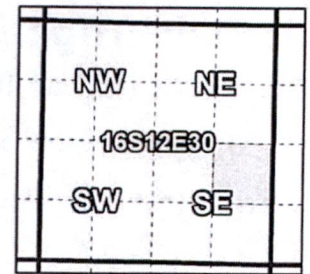
Tumalo Irrigation District

2025 District Application for Instream Lease

L25.07

Cert #: 95176

For: C.L.R. Inc



1 YEAR INSTREAM LEASE MAP

Taxlot: 1612300000100, 16-12-30-NE/SE-00100:

CT# 95176, Leasing 16.0 Acres, 0.00 Acres Remaining

Taxlot: 1612300002000, 16-12-30-NE/SE-02000:

CT# 95176, Leasing 5.0 Acres, 0.00 Acres Remaining

Taxlot: 1612300002100, 16-12-30-NE/SE-02100:

CT# 95176, Leasing 1.9 Acres, 0.00 Acres Remaining

1 inch = 400 feet



Received by OWRD

APR 14 2025

Salem, OR

Prepared by Tumalo Irrigation District | February 2025

- Pipelines and Canals
- Taxlots
- Leases
- ▨ Place of Use

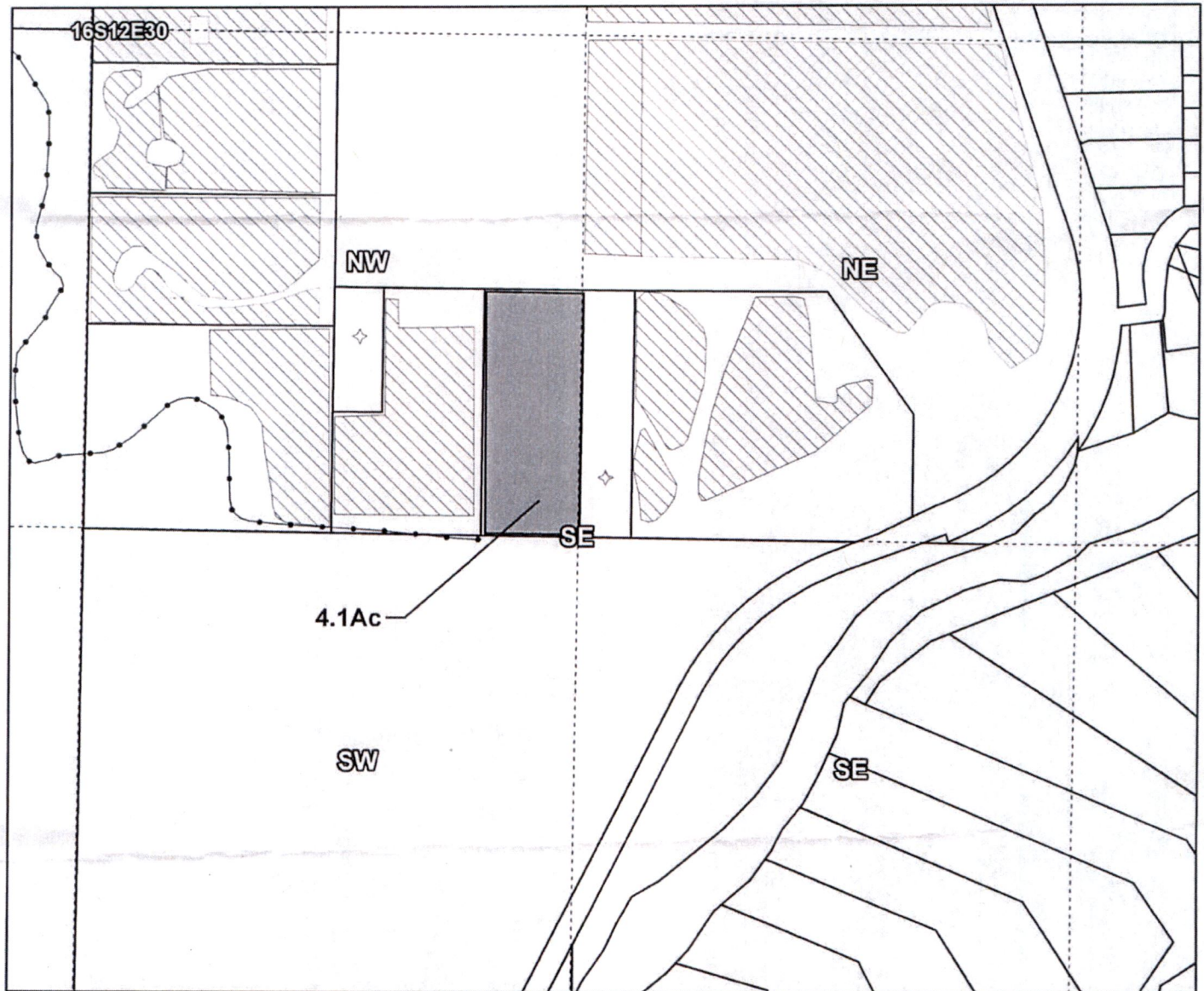
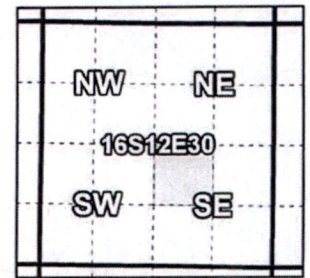
Tumalo Irrigation District

2025 District Application for Instream Lease

L25.07

Cert #: 95175, 95176

For: C.L.R. Inc



1 YEAR INSTREAM LEASE MAP

Taxlot: 1612300002100, 16-12-30-NW/SE-02100:

CT# 95175, Leasing 3.4 Acres, 0.00 Acres Remaining

Taxlot: 1612300002100, 16-12-30-NW/SE-02100:

CT# 95176, Leasing 0.7 Acres, 0.00 Acres Remaining

--- Pipelines and Canals

□ Taxlots

■ Leases

▨ Place of Use

Received by OWRD

1 inch = 400 feet



APR 14 2025

Prepared by Tumalo Irrigation District | February 2025

Salem, OR

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


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

Table 1

Irrigation District or other Water Purveyor Name: TUMALO 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	Acres	Use	Page #	Previous Lease #			
95175*	09/01/1900	3P	17	S	11	E	13	SE	SW	00500	N/A	4.74	IR	25	IL-1652
Any additional information about the right: Keeping 4.90 Acres															
Farm Deferral Tax Status: Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local county assessor. You should contact your County for any weed ordinance and management requirements.															

The undersigned declare:

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



Signature of Lessor

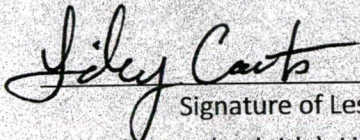
Date: 03/28/2025

Printed name (and title): Kyle J. Coats, Trustee

Trust Name: Kyle & Lindsey Coats Trust

Mailing Address (with state and zip): 1130 NW 18th Street, Bend, Oregon 97703-1481

Phone number (include area code): 541-410-8168 **E-mail address: kyle.coats@gmail.com



Signature of Lessor

Date: 03/28/2025

Printed name (and title): Lindsey S. Coats, Trustee

Trust Name: Kyle & Lindsey Coats Trust

Mailing Address (with state and zip): 1130 NW 18th Street, Bend, Oregon 97703-1481

Phone number (include area code): N/A **E-mail address: N/A

Received by OWRD

APR 14 2025

Salem, OR

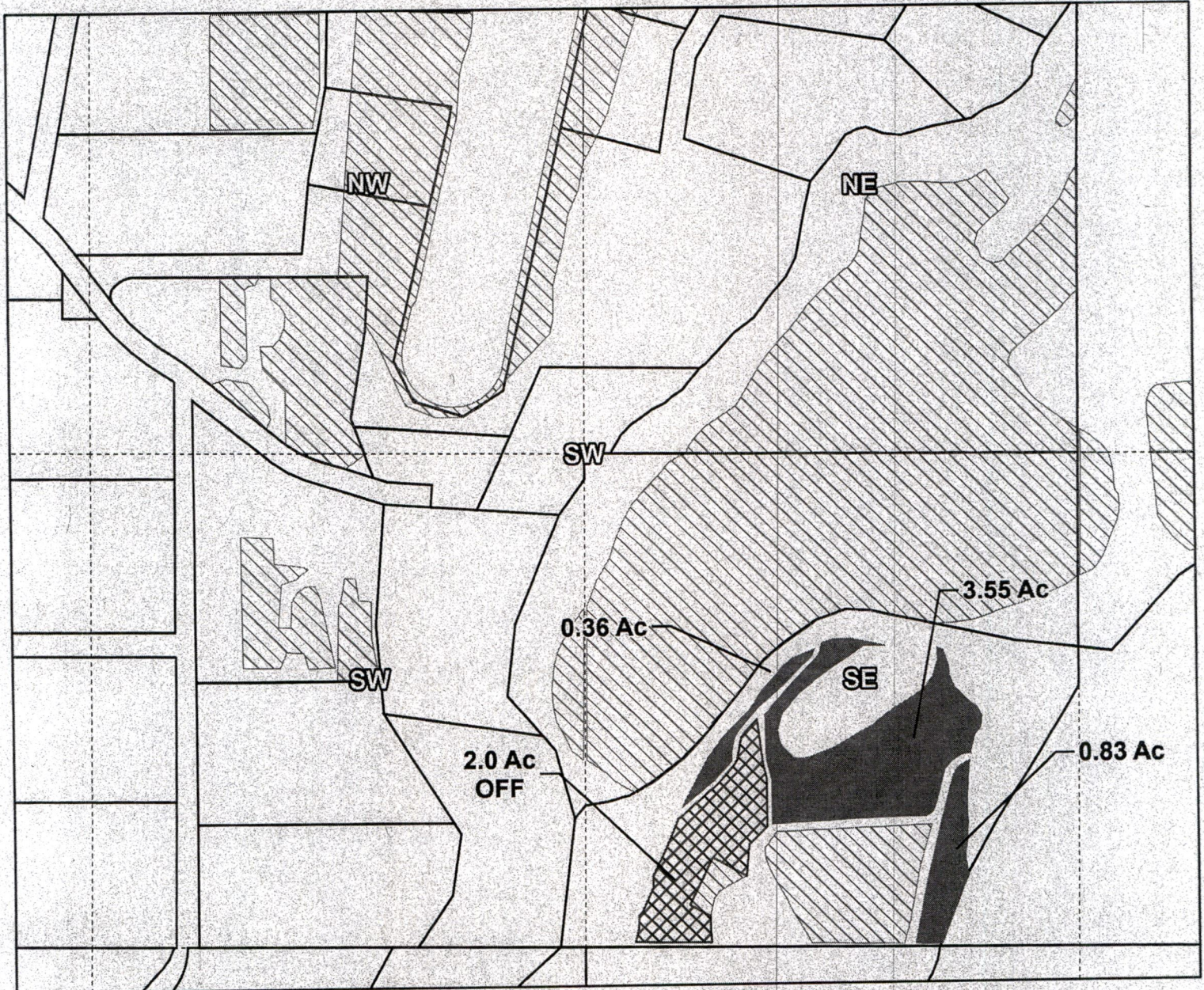
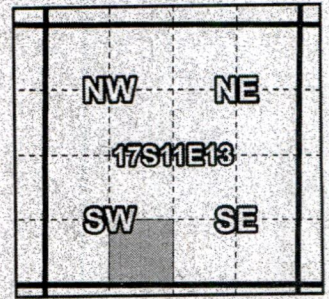
Tumalo Irrigation District

2025 District Application for Instream Lease

L25.08

Cert #: 95175*

For: Coats Trust, Kyle and Lindsey



Taxlot: 1711130000500, 17-11-13-SE/SW-00500 (Transfer #N25.001):
CT# 95175*, 2.0 Acres Off, 7.64 Acres Remaining

1 YEAR INSTREAM LEASE

Taxlot: 1711130000500, 17-11-13-SE/SW-00500:
CT# 95175*, 4.74 Acres Leased, 2.90 Acres Remaining

Received by OWRD

APR 14 2025

Salem, OR

- Pipelines and Canals
- Taxlots
- Lease
- ▨ Transfer Off
- ▨ Place of Use

1 inch = 400 feet



Prepared by Tumalo Irrigation District | March 2025

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: TUMALO 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.													
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Any attached table should include reference to the Lessor.													
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot	Acres	Use	Page #	Previous Lease #	
95175	09-01-1900	1	16 S	11 E	24	SE NW	00800	N/A	2.60	IR	6	IL-1790	
Any additional information about the right: <u>N/A</u>													
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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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: 2/18/25

Printed name (and title): Howard M. Day Jr. (Trustee) Trust Name: Day Jr. Trust, Howard M.

Mailing Address (with state and zip): 19330 Dayton Road, Bend, Oregon 97703

Phone number (include area code): 541-480-0377 **E-mail address: rbrduk@hotmail.com

Received by OWRD

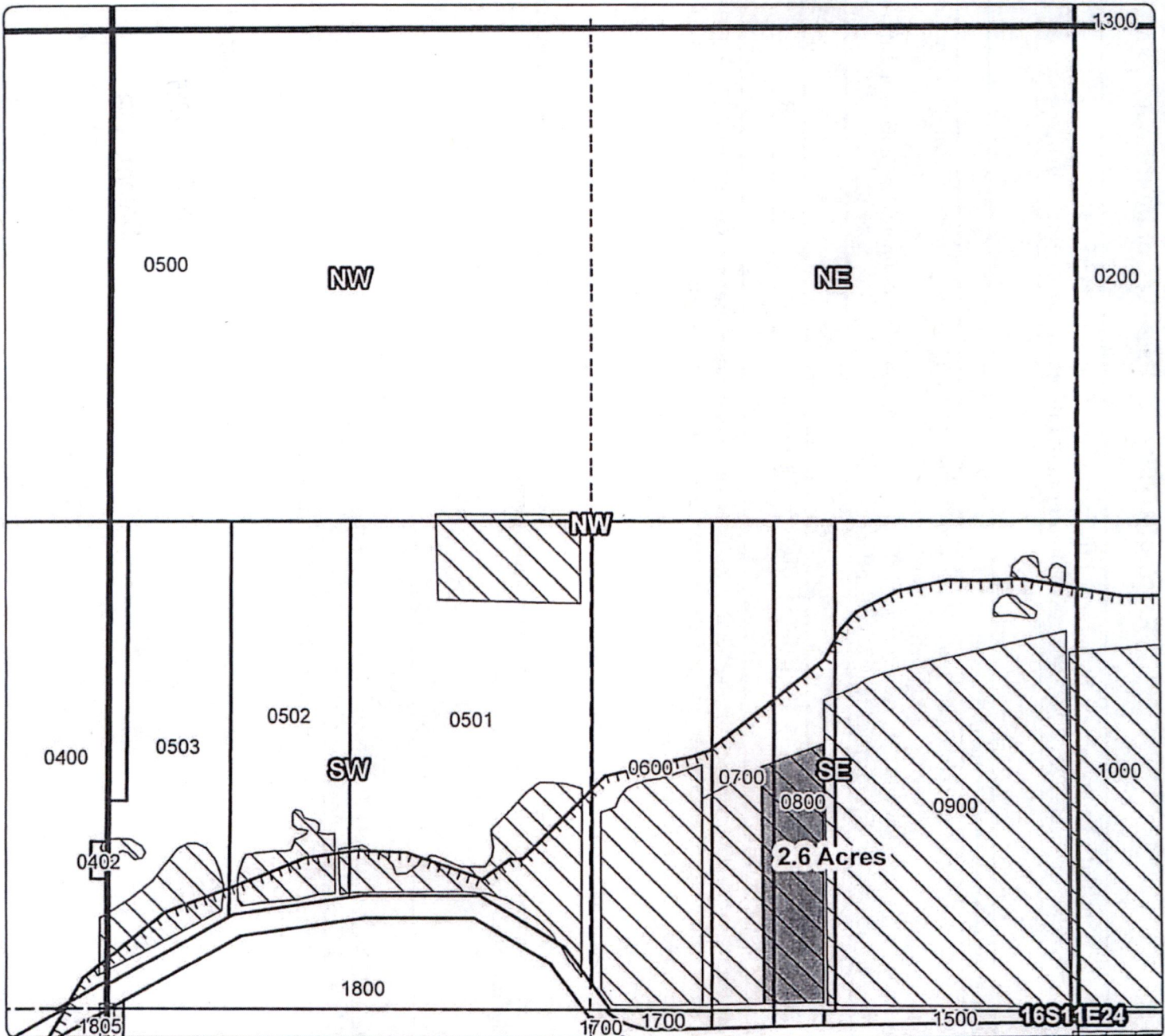
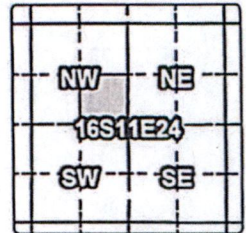
APR 14 2025

Salem, OR

Tumalo Irrigation District
Application for Instream Lease
Cert #: 95175
Howard M. Day Jr. Trust

L25.09

HMD



1 YEAR INSTREAM LEASE MAP

Taxlot 0800, 16S11E24SE: 2.6 Acres Leased (95175), 0 Acres Remaining

Received by OWRD

APR 14 2025

Salem, OR

- TTT Canals
- Taxlots
- Transfer
- Cert 95175
- Cert 95176
- All Other Certs

1 inch = 400 feet



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

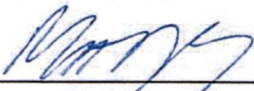
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Provide a separate Part 3 for each Lessor (water right interest holder/landowner)

Table 1

Irrigation District or other Water Purveyor Name: TUMALO IRRIGATION DISTRICT													
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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	Acres	Use	Page #	Previous Lease #	
95175	09-01-1900	1	16 S	11 E	24	SE NW	00700	N/A	2.40	IR	6	IL-1790	
Any additional information about the right: <u>N/A</u>													
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: 2/18/25

Printed name (and title): Howard M. Day Jr. (Trustee) Trust Name: Day Jr. Trust, Matt

Mailing Address (with state and zip): 19330 Dayton Road, Bend, Oregon 97703

Phone number (include area code): 541-480-0377 **E-mail address: rbrduk@hotmail.com

Received by OWRD

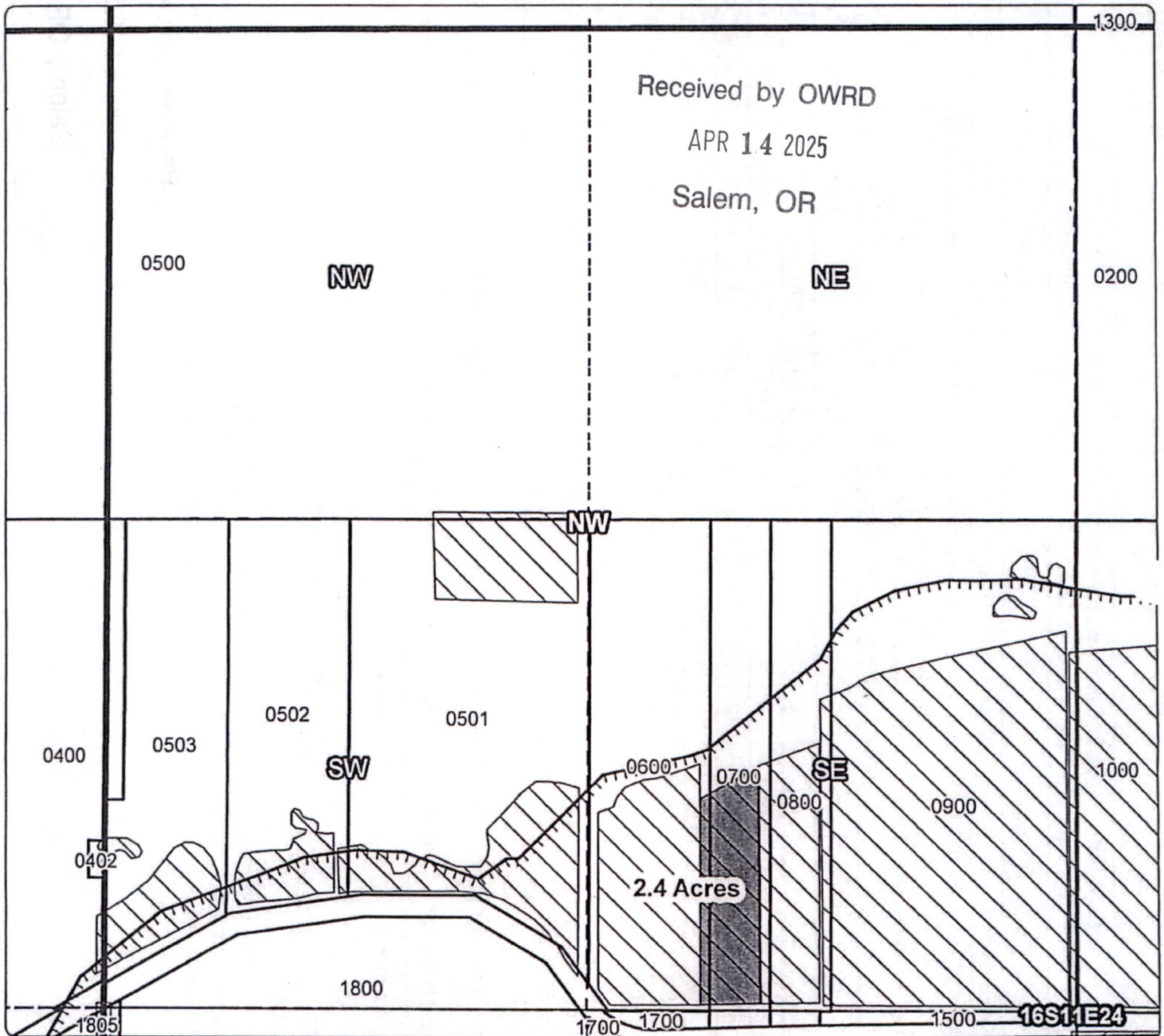
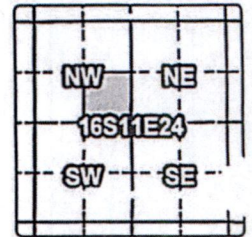
APR 14 2025

Salem, OR

Tumalo Irrigation District
Application for Instream Lease
Cert #95175
Matt Day Jr. Trust

L25.10

HMO



1 YEAR INSTREAM LEASE MAP

Taxlot 0700, 16S11E24SENE: 2.4 Acres Leased (95175), 0 Acres Remaining

- TTTT Canals
- Taxlots
- Transfer
- ▨ Cert 95175
- ▨ Cert 95176
- ▨ All Other Certs

1 inch = 400 feet



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

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

Table 1

Irrigation District or other Water Purveyor Name: TUMALO 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.

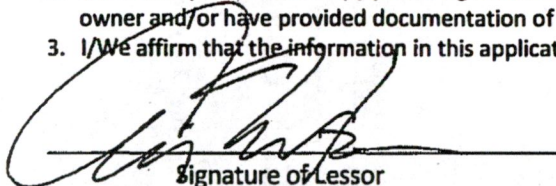
Water Right #	Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot	Acres	Use	Page #	Previous Lease #
95175	06-01-1907	1	16 S	12 E	16	NW NW	00600	N/A	1.60	IR	14	IL-1790
95175	06-01-1907	1	16 S	12 E	16	SW NW	00700	N/A	0.60	IR	14	IL-1790
95175	09-01-1900	1	16 S	12 E	16	SW NW	00700	N/A	4.52	IR	14	IL-1790
95175*	09-01-1900	3	16 S	12 E	16	SW NW	00700	N/A	5.48	IR	23	IL-1790
95175	06-01-1907	1	16 S	12 E	09	SW SW	00900	N/A	1.40	IR	14	IL-1790

Any additional information about the right: n/a

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

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


 Signature of Lessor

Date: 03.28.2025

Printed name (and title): Craig Morton (Managing Member) Business Name: Deschutes River Ranch Group, LLC

Mailing Address (with state and zip): 20210 Swalley Road, Bend, Oregon 97703

Phone number (include area code): 541-382-7240 **E-mail address: craig.morton.bend@gmail.com

Received by OWRD

APR 14 2025

Salem, OR

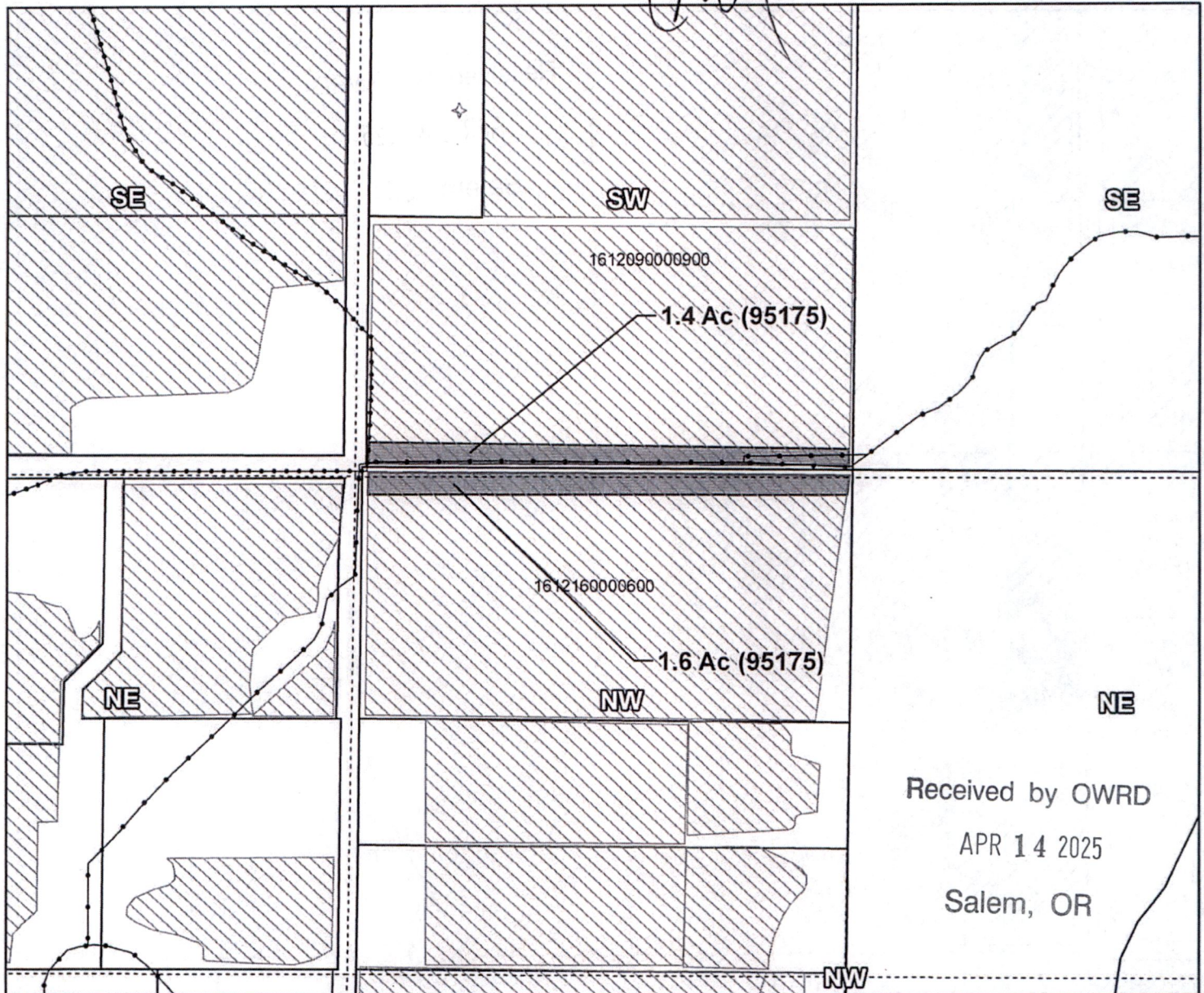
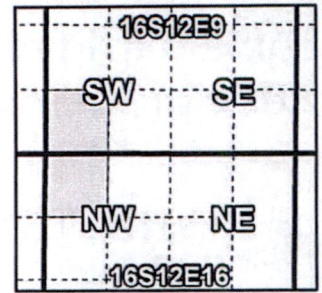
Tumalo Irrigation District

Application for Instream Lease

Cert #: 95175

For: Deschutes River Ranch Group, LLC

L25.11



Received by OWRD

APR 14 2025

Salem, OR

LEASE MAP

Taxlot 1612090000900, 16-12-09-SW/SW: 1.4 Acres Leased, CT#: 95175

Taxlot 1612160000600, 16-12-16-NW/NW: 1.6 Acres Leased, CT#: 95175

--- Pipelines and Canals

□ Taxlots

■ Leases

▨ Place of Use



1 inch = 400 feet

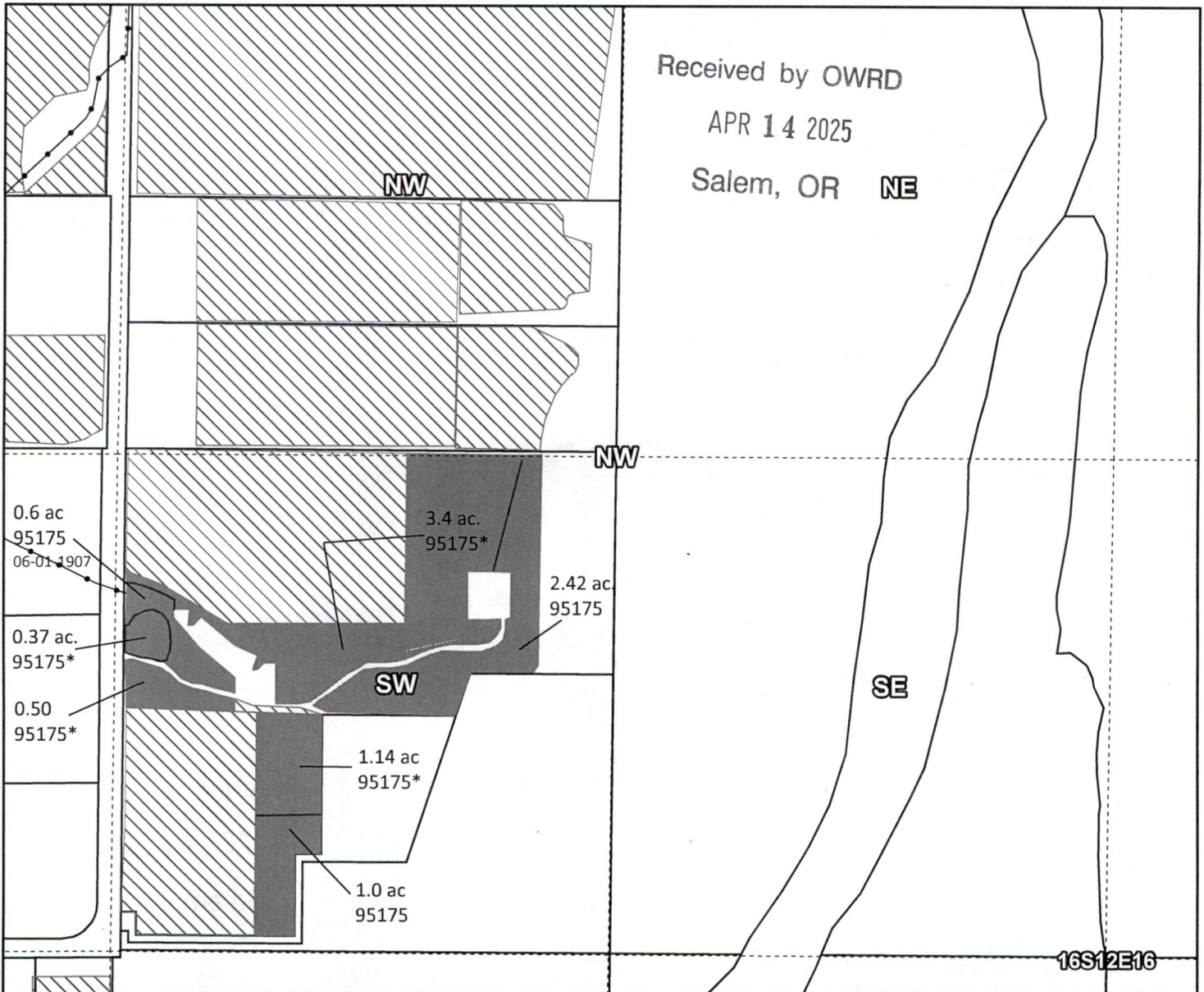
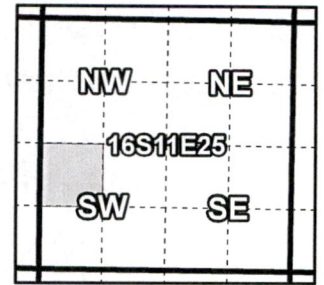
Prepared by Tumalo Irrigation District

Tumalo Irrigation District

2025 District Application for Instream Lease

L25.11

Cert #: 95175, 95175*
For DRRG



1 YEAR INSTREAM LEASE

Taxlot: 1612160000700, 16-12-16-SW/NW-00700:

CT#: 95175 DATE: 06-01-1907, 0.6 Acres Leased, 0 Acres Remaining

CT#: 95175 DATE: 09-01-1900, 4.52 Acres Leased, 2.88 Acres Remaining

CT#: 95175* DATE: 09-01-1900, 5.48 Acres Leased, 9.52 Acres Remaining

- Pipelines and Canals
- Taxlots
- Lease
- ▨ Place of Use

1 inch = 400 feet



Prepared by Tumalo Irrigation District | March 2025

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: TUMALO 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	Acres	Use	Page #	Previous Lease #		
95175	09/01/1900	1P	16 S	12 E	17	SW SW	02800	N/A	3.60	IR	15	IL-1790		
95175	09/01/1900	1P	16 S	12 E	17	SW SW	03001	N/A	4.40	IR	15	IL-1790		
Any additional information about the right: N/A														
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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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: 3-15-25

Printed name (and title): Trevor Everson, POA

Trust Name: Everson Family Trust

Mailing Address (with state and zip): 65674 Cline Falls Road, Bend, Oregon 97703

Phone number (include area code): 208-989-0076 **E-mail address: eversont@simplot.com

Received by OWRD

APR 14 2025

Salem, OR

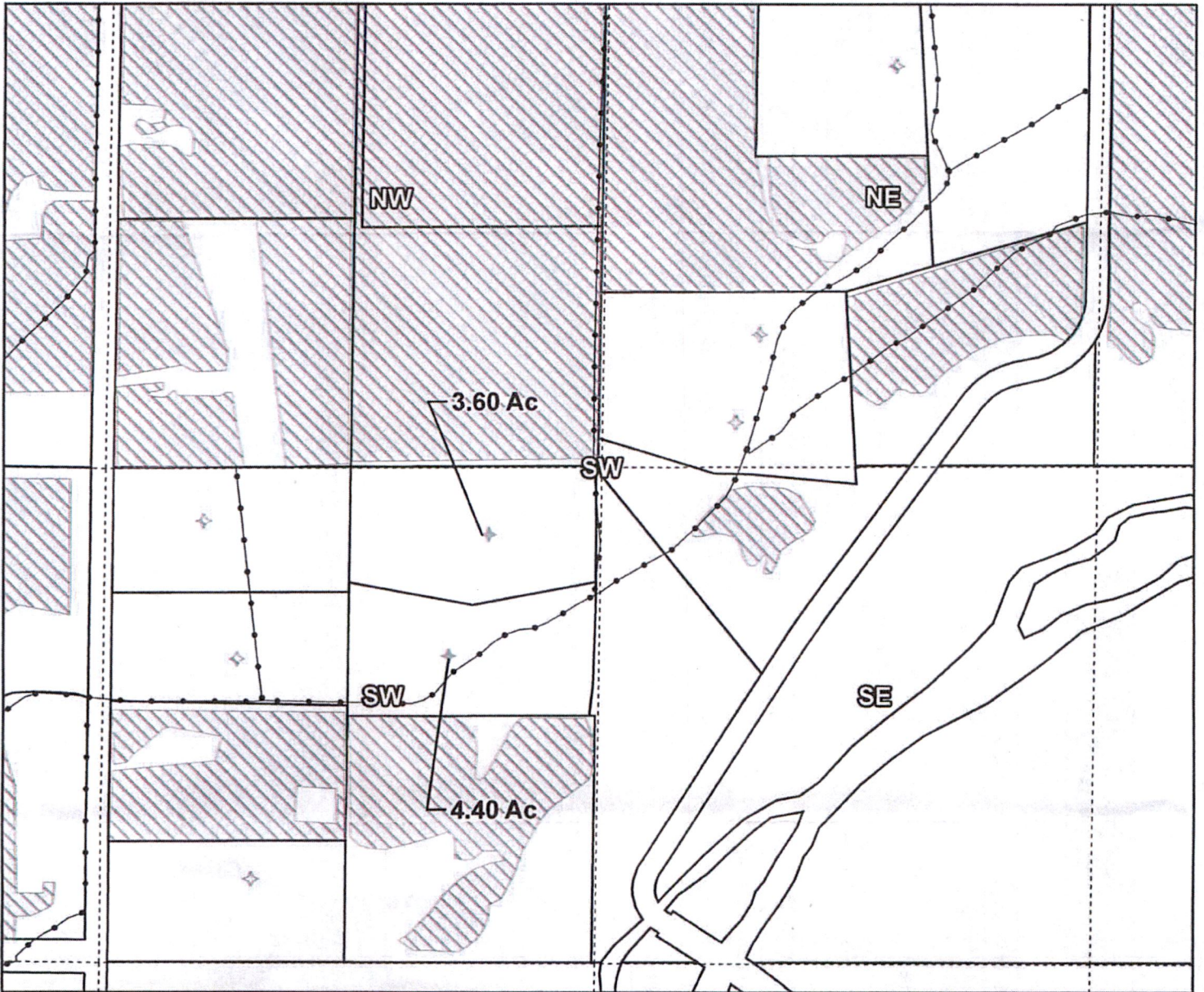
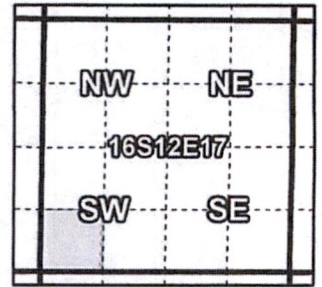
Tumalo Irrigation District

2025 District Application for Instream Lease

L25.12

Cert #: 95175

For: Everson Family Trust



1 YEAR INSTREAM LEASE

Taxlot: 1612170002800, 16-12-17-SW/SW-02800:

CT# 95175, 3.60 Acres Leased

Taxlot: 1612170003001, 16-12-17-SW/SW-03001:

CT# 95175, 4.40 Acres Leased

- Pipelines and Canals
- Taxlots
- Lease
- ▨ Place of Use

Received by OWRD

1 inch = 400 feet



APR 14 2025

Prepared by Tumalo Irrigation District | March 2025

Salem, OR

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

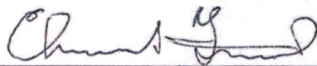
Complete Table 1 Identify water right(s) proposed to be leased instream
Provide a separate Part 3 for each Lessor (water right interest holder/landowner)

Table 1

Irrigation District or other Water Purveyor Name: TUMALO 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	Acres	Use	Page #	Previous Lease #			
95175	06-01-1907	1	16	S	11	E	26	SE	SE	00700	n/a	17.00	IR	8	IL-1790
Any additional information about the right: <u>1.0 Acre Remaining</u>															
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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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: 2/26/2025

Printed name (and title): Charles J. Frick (Owner)

Business name, if applicable: n/a

Mailing Address (with state and zip): 625 Hillendale Road, Chadds Ford, PA 19317-9364

Phone number (include area code): 610-470-8117 **E-mail address: N/A



Signature of Lessor

Date: 2/26/2025

Printed name (and title): Linda B. Frick (Owner)

Business name, if applicable: n/a

Mailing Address (with state and zip): 625 Hillendale Road, Chadds Ford, PA 19317-9364

Phone number (include area code): 610-563-4065 **E-mail address: lindafrick@live.com

Received by OWRD

APR 14 2025

Salem, OR

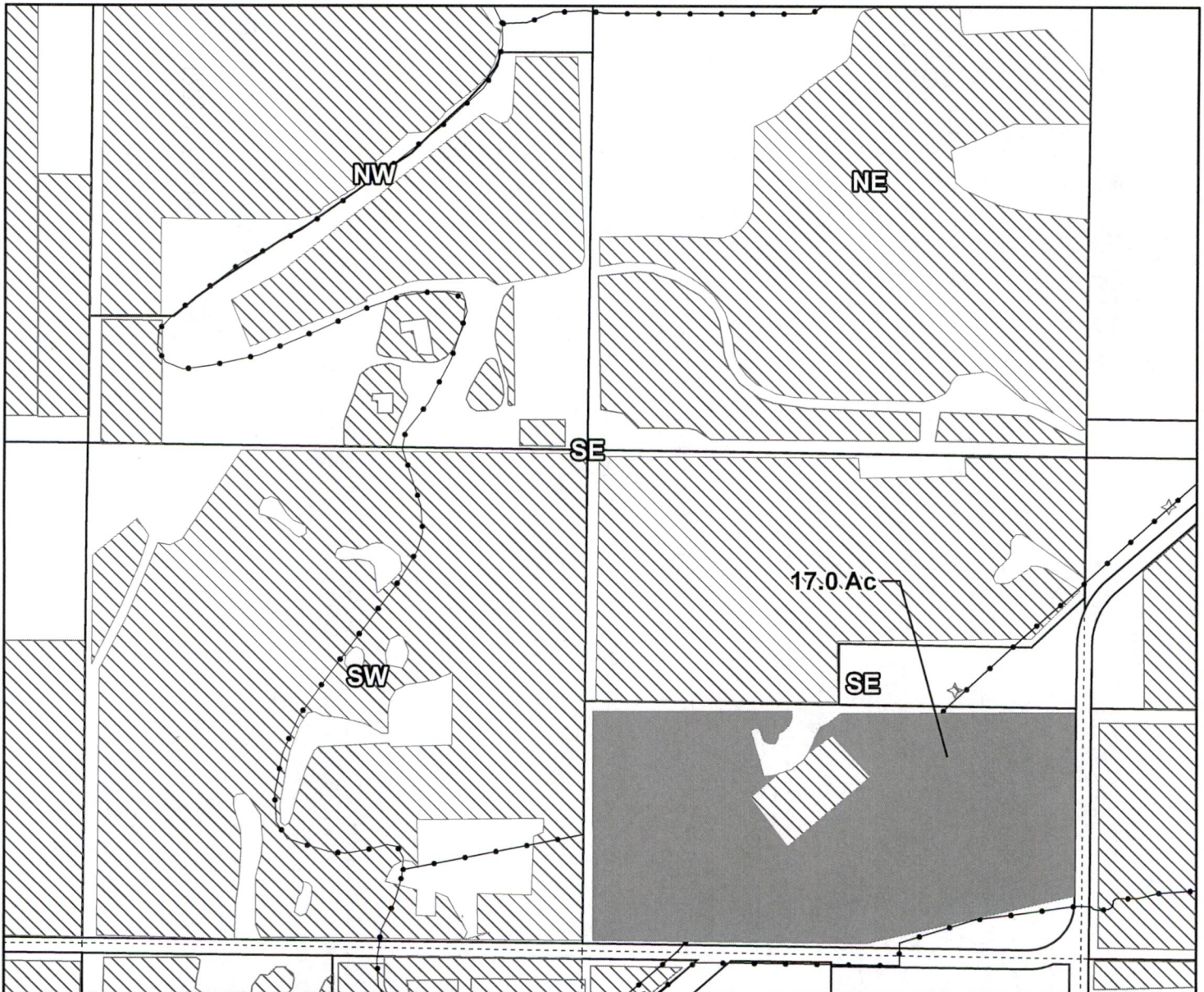
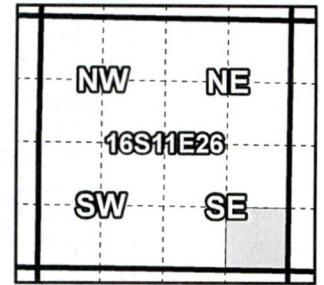
Tumalo Irrigation District

2025 District Application for Instream Lease

L25.13

Cert #: 95175

For: Charles & Linda Frick



1 YEAR INSTREAM LEASE

Taxlot: 1611260000700, 16-11-26-SE/SE-00700:

CT# 95175, 17.0 Acres Leased, 1.0 Acres Remaining

Received by OWRD

APR 14 2025

Salem, OR

--- Pipelines and Canals

□ Taxlots

■ Lease

▨ Place of Use

1 inch = 400 feet



Prepared by Tumalo Irrigation District | March 2025

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

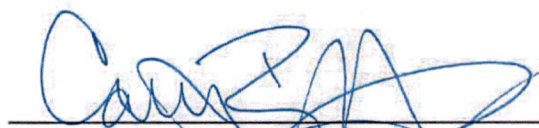
Complete Table 1 Identify water right(s) proposed to be leased instream
Provide a separate Part 3 for each Lessor (water right interest holder/landowner)

Table 1

Irrigation District or other Water Purveyor Name: Tumalo 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 #
95175	09-01-1900	1P	16 S 11 E 28	NW SE	01000				5.80	IR	10	IL-1790
Any additional information about the right: <u>Keeping 7.50 acres on 16-11-28-NW/SE-01000</u>												
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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3. I/We affirm that the information in this application is true and accurate.



 Signature of Lessor

Date: 4/14/2025

Printed name (and title): Catherine B. Hollister

Trust name, if applicable: Catherine B. Hollister Trust

Mailing Address (with state and zip): 64955 Collins Road, Bend, Oregon 97703

Phone number (include area code): 415-302-1222

**E-mail address: cate.hollister@gmail.com

Received by OWRD

APR 14 2025

Salem, OR

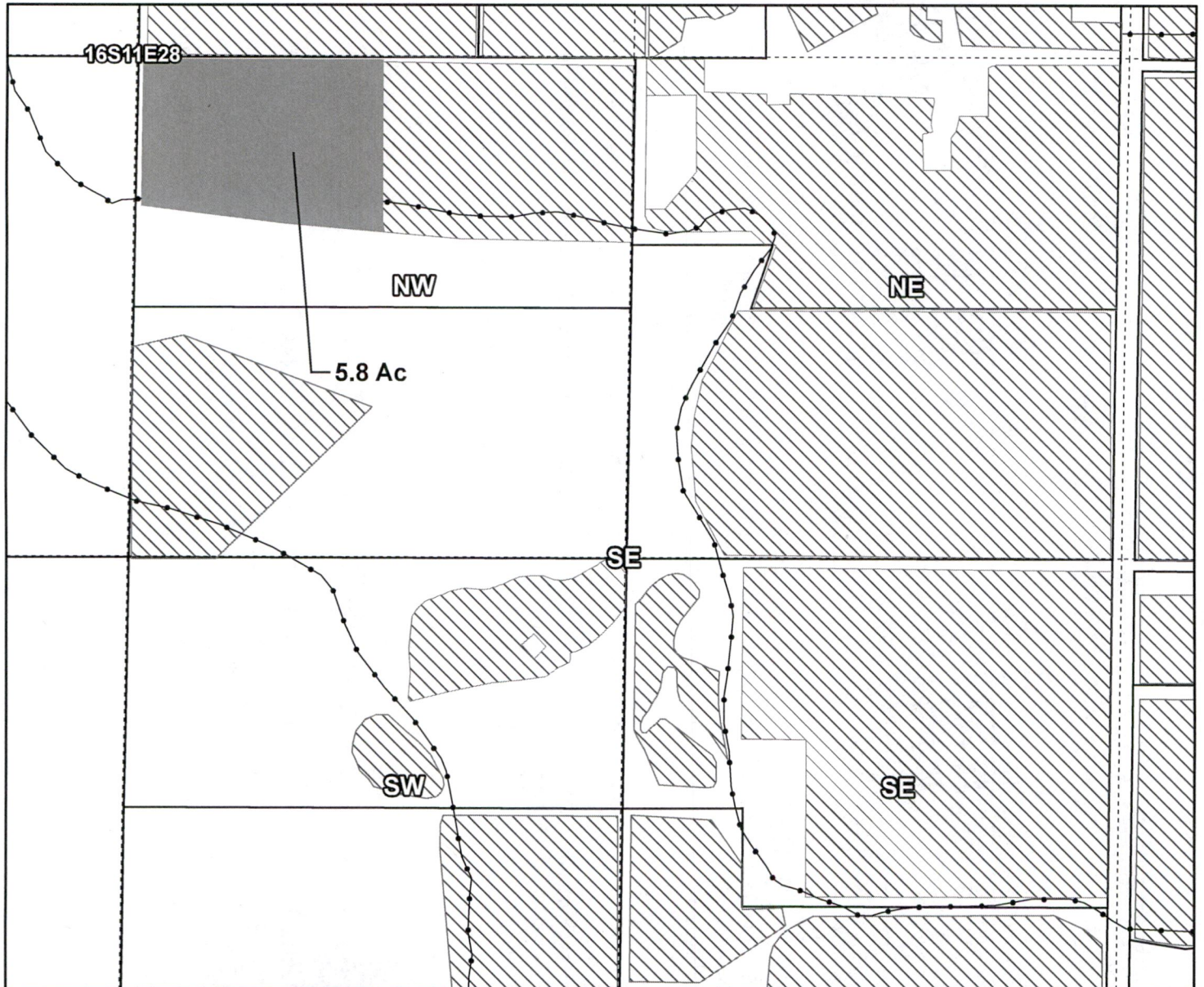
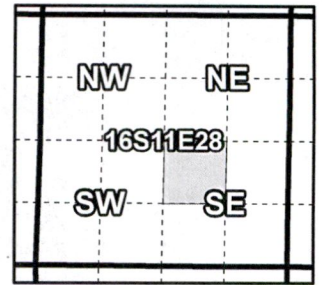
Tumalo Irrigation District

2025 District Application for Instream Lease

L25.15

Cert #: 95175

For: Catherine Hollister



1 YEAR INSTREAM LEASE MAP

Taxlot: 1611280001000, 16-11-28-NW/SE-01000:
CT# 95175, 5.80 Acres Leased, 7.5 Acres Remaining

Received by OWRD

APR 14 2025

Salem, OR

- Pipelines and Canals
- Taxlots
- Leases
- ▨ Place of Use

1 inch = 400 feet



Prepared by Tumalo Irrigation District | February 2025

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

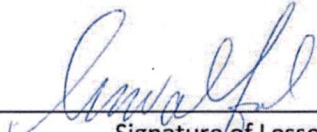
Complete Table 1 Identify water right(s) proposed to be leased instream
Provide a separate Part 3 for each Lessor (water right interest holder/landowner)

Table 1

Irrigation District or other Water Purveyor Name: TUMALO 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	Acres	Use	Page #	Previous Lease #	
95175	09-01-1900	1	16 S	11 E	26	SW NW	00117		13.0	IR	8	#IL-2020	
Any additional information about the right: <u>n/a</u>													
Farm Deferral Tax Status: Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local county assessor. You should contact your County for any weed ordinance and management requirements.													

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



 Signature of Lessor

Date: 3/6/25

Printed name (and title): Carol M. Lemon (Owner) Business name, if applicable: n/a
 Mailing Address (with state and zip): 65044 Allen Road, Bend OR 97703
 Phone number (include area code): 541-382-7450 **E-mail address: lwalf7734@gmail.com

Received by OWRD

APR 14 2025

Salem, OR

Tumalo Irrigation District

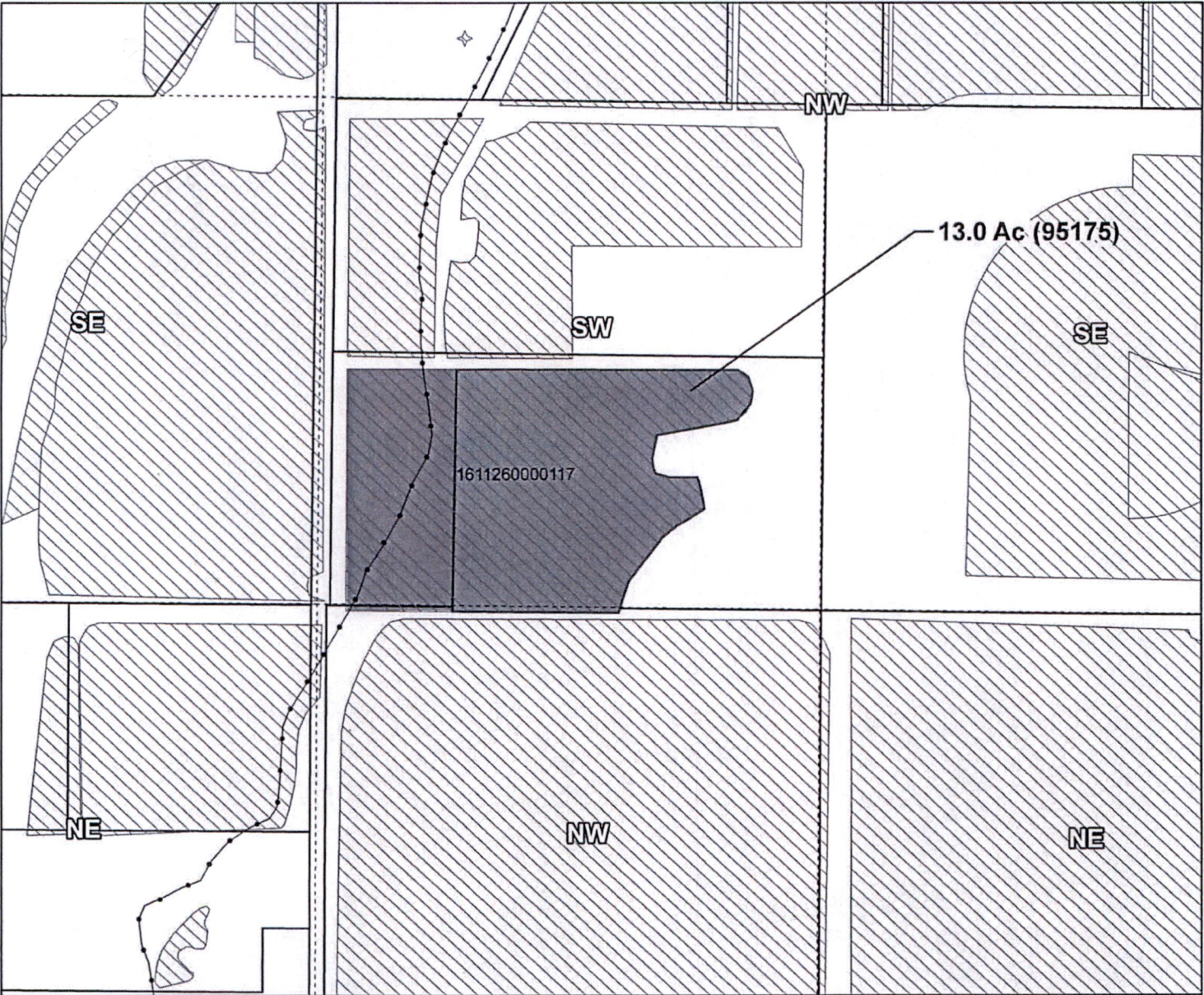
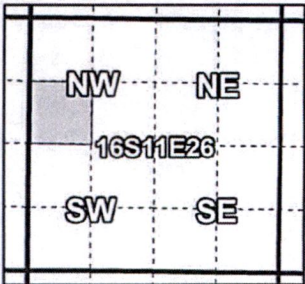
Application for Instream Lease

Cert #: 95175

For: Lemon

Handwritten signature

L25.17



LEASE MAP

Taxlot 1611260000117, 16-11-26-SW/NW: 13.0 Acres Leased, CT#: 95175

- Pipelines and Canals
- Taxlots
- Leases
- ▨ Place of Use



1 inch = 400 feet

Received by OWRD

APR 14 2025

Salem, OR

Prepared by Tumalo Irrigation District

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

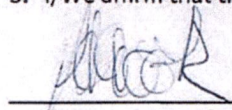
Complete Table 1 Identify water right(s) proposed to be leased instream
Provide a separate Part 3 for each Lessor (water right interest holder/landowner)

Table 1

Irrigation District or other Water Purveyor Name: TUMALO 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	Acres	Use	Page #	Previous Lease #			
95175	09/01/1900	1	17	S	11	E	11	NW	SW	01601	N/A	1.00	IR	20	IL-1790
95175*	09/01/1900	3	17	S	11	E	11	NW	SW	01601	N/A	2.00	IR	24	IL-1790
Any additional information about the right: N/A															
Farm Deferral Tax Status: Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local county assessor. You should contact your County for any weed ordinance and management requirements.															

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



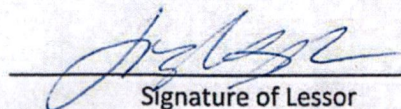
 Signature of Lessor

Date: 2-15-25

Printed name (and title): Peter N. McCook

Mailing Address (with state and zip): 18795 Kuhlman Road, Bend, Oregon 97703

Phone number (include area code): 305-972-1559 **E-mail address: peter.mccook@gmail.com



 Signature of Lessor

Date: 2/15/25

Printed name (and title): Jacqueline K. H. McCook

Mailing Address (with state and zip): 18795 Kuhlman Road, Bend, Oregon 97703

Phone number (include area code): 305-905-8858 **E-mail address: mccookmail@gmail.com

Received by OWRD

APR 14 2025

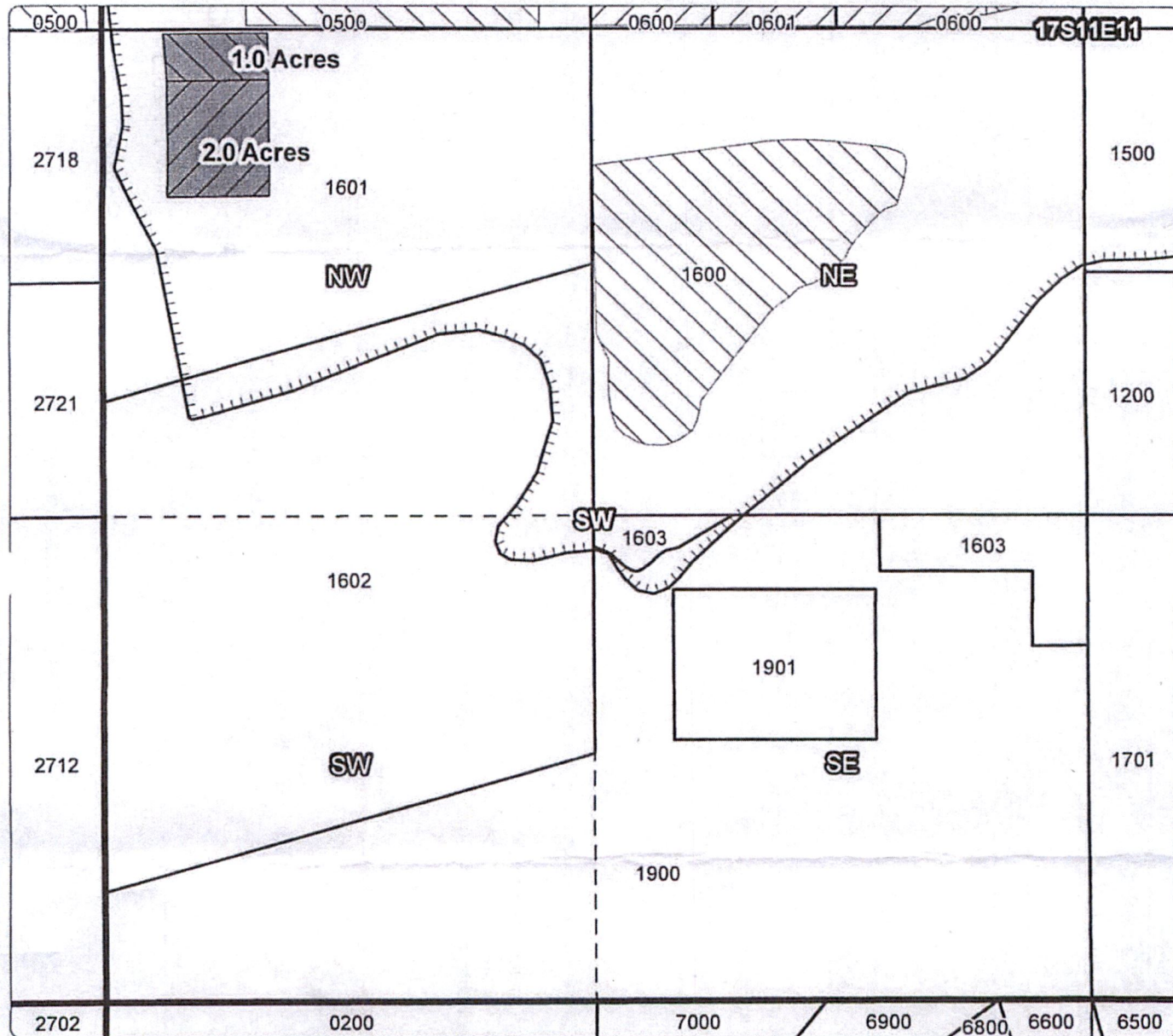
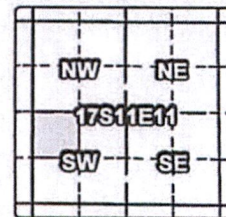
Salem, OR

Tumalo Irrigation District Application for Instream Lease

Cert #: 95175, 95175*

For: McCook, Peter & Jacqueline

L25.18



1 YEAR INSTREAM LEASE MAP

Taxlot 1601, 17S11E11NWSW: 1 Acres Leased (95175), 0 Acres Remaining

Taxlot 1601, 17S11E11NWSW: 2 Acres Leased (95175*), 0 Acres Remaining

- Canals
- Taxlots
- Transfer
- Cert 95175
- Cert 95175*
- All Other Certs

Handwritten signatures: JM and PQ

Received by OWRD

APR 14 2025

1 inch = 400 feet



Salem, OR

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

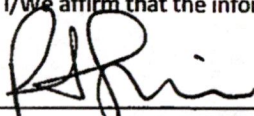
**Complete Table 1 Identify water right(s) proposed to be leased instream
Provide a separate Part 3 for each Lessor (water right interest holder/landowner)**

Table 1

Irrigation District or other Water Purveyor Name: TUMALO 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	Acres	Use	Page #	Previous Lease #
95175	06/01/1907	1P	16 S	12 E	18	NE SE	00601	N/A	5.70	IR	16	N/A
Any additional information about the right: Tax Lot #00601: 10.00 acres remaining												
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: 2/28/2025

Printed name (and title): Peter A. Zink

Mailing Address (with state and zip): 65755 Cline Falls Road, Bend, Oregon 97703

Phone number (include area code): 541-410-3771

**E-mail address: ironenvironments@yahoo.com



Signature of Lessor

Date: 2/28/25

Printed name (and title): Dawn M. Zink

Mailing Address (with state and zip): 65755 Cline Falls Road, Bend, Oregon 97703

Phone number (include area code): 541-848-9008

**E-mail address: N/A

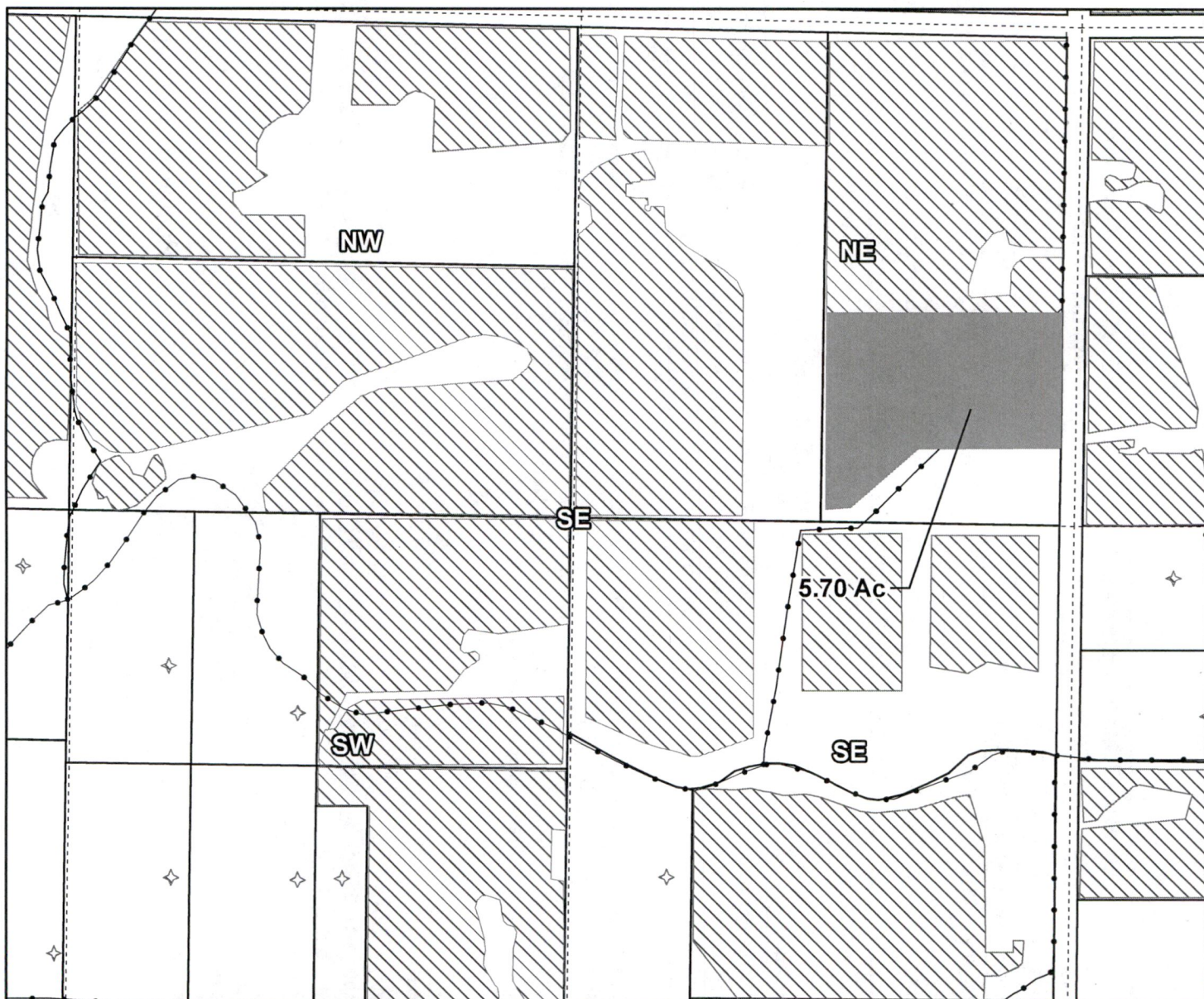
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APR 14 2025

Salem, OR

2025 District Application for Instream Lease

For: Zink, Peter & Dawn







Taxlot: 1612180000601, 16-12-18-NE/SE-00601:

CT# 95175, 5.70 Acres Leased, 10.0 Acres Remaining

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APR 14 2025

Salem, OR

-  Pipelines and Canals
-  Taxlots
-  Lease
-  Place of Use

1 inch = 400 feet



Prepared by Tumalo Irrigation District | March 2025

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

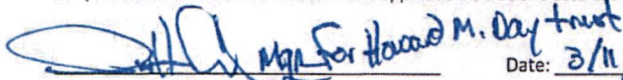
**Complete Table 1 Identify water right(s) proposed to be leased instream
Provide a separate Part 3 for each Lessor (water right interest holder/landowner)**

Table 1

Irrigation District or other Water Purveyor Name: TUMALO 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	Acres	Use	Page #	Previous Lease #	
95175	06-01-1907	1	16 S	11 E	13	SE SE	01400	N/A	1.00	IR	3	IL-2020	
95175	09-01-1900	1	16 S	11 E	13	SE SE	01400	N/A	2.50	IR	3	IL-2020	
95176	10-29-1913	2	16 S	11 E	13	SE SE	01400	N/A	2.40	IR	3	IL-2020	
95175	06-01-1907	1	16 S	11 E	24	NW NE	00200	N/A	3.70	IR	6	IL-2020	
95176	10-29-1913	2	16 S	11 E	24	NW NE	00200	N/A	0.40	IR	4	IL-2020	
95175	06-01-1907	1	16 S	11 E	13	SW SE	01300	N/A	2.60	IR	3	IL-2020	
95176	10-29-1913	2	16 S	11 E	13	SW SE	01300	N/A	2.50	IR	3	IL-2020	
Any additional information about the right: <u>Tax Lot #01400 has 18.60 acres remaining</u>													
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: 3/11/2025

Printed name (and title): Howard M. Day (Trustee) Trust Name: Howard Day Living Trust
Mailing Address (with state and zip): PO Box 1680, Bend, Oregon 97709
Phone number (include area code): 541-389-0981 **E-mail address: N/A

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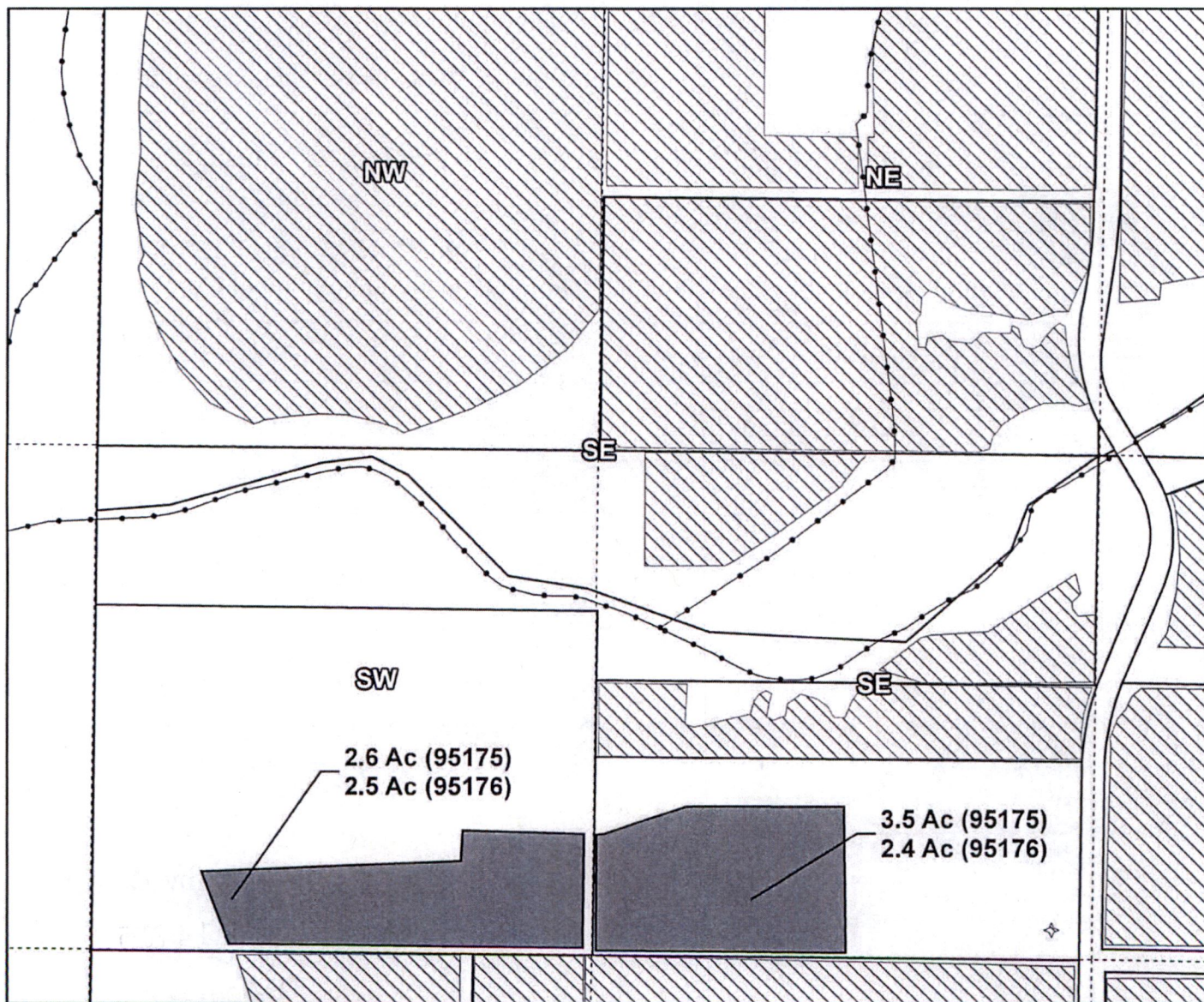
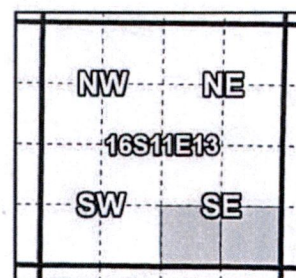
APR 14 2025

Salem, OR

2025 District Application for Instream Lease

Cert #: 95175, 95176

For: Howard Day Living Trust



Taxlot: 1611130001400, 16-11-13-SE/SE-01400: CT# 95176, Leasing 2.4 Acres

Taxlot: 1611130001400, 16-11-13-SE/SE-01400: CT# 95175, Leasing 3.5 Acres,

18.6 Acres Remaining

Taxlot: 1611130001300, 16-11-13-SW/SE-01300: CT# 95175, Leasing 2.6 Acres

Taxlot: 1611130001300, 16-11-13-SW/SE-01300: CT# 95176, Leasing 2.5 Acres,

0.00 Acres Remaining

- Pipelines and Canals
- Taxlots
- Leases
- ▨ Place of Use

1 inch = 400 feet



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Prepared by Tumalo Irrigation District | February 2025

APR 14 2025

Salem, OR



Tumalo Irrigation District 2025 Instream Leasing

Pooled lease - to be submitted - 1 yr lease				Instream Rates						
Certificates	Priority	Acres	Ac-Ft	4/1-4/14	4/15-4/30	5/1-5/14	5/15-9/14	9/15-9/30	10/1-10/15	10/16-10/25
95175	8/5/1900	0.00	0.00		0	0	0	0	0	
95175	9/1/1900	65.14	117.25		0.321	0.321	0.321	0.321	0.321	
95175	5/27/1907	4.20	7.56		0.021	0.021	0.021	0.021	0.021	
95175	6/1/1907	41.10	73.98		0.203	0.203	0.203	0.203	0.203	
95176	10/29/1913	55.00	299.03	0.378	0.378	0.504	0.934	0.504	0.378	0.378
Totals	Tumalo Cr	165.44	497.82	0.378	0.923	1.049	1.479	1.049	0.923	0.378
94956	10/31/1900	0.00	0.00	0	0	0	0	0	0	0
Totals	Deschutes R-Bend	0.00	0.00	0	0	0	0	0	0	0

COLD cert - delivered by TID

Totals	Deschutes R Blw Tumalo	165.44	497.82	0.378	0.923	1.049	1.479	1.049	0.923	0.378	Deschutes below Tumalo Confluence to the mouth of the Deschutes
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IL-2034 (1409 Lease Renewal (2024-2028)) - already in place as of 2024				Instream Rates						
Certificate	Priority	Acres	Ac-Ft	4/1-4/14	4/15-4/30	5/1-5/14	5/15-9/14	9/15-9/30	10/1-10/15	10/16-10/25
95175	9/1/1900	57.7	103.86		0.285	0.285	0.285	0.285	0.285	
95176	10/29/1913	47.3	257.16	0.325	0.325	0.434	0.803	0.434	0.325	0.325
Totals	Tumalo Cr	105	361.02	0.325	0.61	0.719	1.088	0.719	0.61	0.325

thru 10/26

Totals	Deschutes R Blw Tumalo	105	361.02	0.325	0.61	0.719	1.088	0.719	0.61	0.325	to the mouth of the Deschutes
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Both leases		Acres	Ac-Ft	4/1-4/14	4/15-4/30	5/1-5/14	5/15-9/14	9/15-9/30	10/1-10/15	10/16-10/25
Totals	Tumalo Cr	270.44	858.84	0.70	1.53	1.77	2.57	1.77	1.53	0.70
Totals	Deschutes R blw Tumalo	270.44	858.84	0.70	1.53	1.77	2.57	1.77	1.53	0.70

Tumalo Creek - TID diversion to mouth

Deschutes River - Tumalo Confluence to Mouth

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Part 4 of 4 – Water Right and Instream Use Information

Salem, OR

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

Table 2

Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4)						Water Right # <u>95175</u>	
Total rate and volume by priority date, POD, use and acreage as appropriate considering the right to be leased. If not enough room below, you may add rows (see instructions) or create a spreadsheet (matching Table 2 and clearly labeled) and attach. (cfs = cubic feet per second and af = acre-feet)							
Priority Date	POD #	Use	Acre	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)	
09/01/1900	1	IR	65.14	Max Rate and Max Ac-Feet	0.501	117.25	
05/27/1907	1	IR	4.2	Max Rate and Max Ac-Feet	0.045	7.56	
06/01/1907	1	IR	41.10	Max Rate and Max Ac-Feet	0.448	73.98	
		IR					
Total af from storage, if applicable: _____ AF or <input checked="" type="checkbox"/> N/A							
If the POD is not described on the certificate or, if there is more than one POD listed on the certificate, then the specific POD must be described:							

Table 3

Instream Use created by the lease		River Basin: <u>Deschutes</u>		River/Stream Name: <u>Tumalo Creek, tributary to Deschutes River</u>			
Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>1 (Tumalo Cr Main Canal)</u> to <u>mouth of Deschutes</u>				Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD			
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)							
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2) Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.							
Priority date	POD #	Use	Acre	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)	
09/01/1900	1	IR	65.14	April 15 - October 15	0.321	117.25	
05/27/1907	1	IR	4.20	April 15 - October 15	0.021	7.56	
06/01/1907	1	IR	41.10	April 15 - October 15	0.203	73.98	
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 flow allocated on daily average basis up to the described rate from April 15- October 15</u>							
Note: The Department may identify additional conditions to prevent injury and/or enlargement.							
Any additional information about the proposed instream use: <u>While some landowner forms list various POD's, all water is consolidated on POD 1 - TID's Tumalo Cr Main Canal</u>							

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

updated 3/12/25

Primary Irrigation - updated to include all acreage

TID CERT 95175 (was 74146) (assuming can divert full rate and duty allowed by certificate)

Source = Tumalo 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		Rate (CFS) associated with leased rights from the Lease Application Form				
priority date	acres instream	Enter Rates and Duty on Lease Form by Priority Date	Rate/acre (CFS)	Max Rate (CFS)	Duty/acre (AF)	Max Duty (AF)
August 5, 1900	0.00	August 5, 1900	0.0109	0.000	1.8	0.00
September, 1900	65.14	September, 1900	0.0077	0.501	1.8	117.25
April 28, 1905		April 28, 1905	0.0109	0.000	1.8	0.00
May 27, 1907	4.20	May 27, 1907	0.0107	0.045	1.8	7.56
June 1, 1907	41.10	June 1, 1907	0.0109	0.448	1.8	73.98
total acres	110.44	Totals		0.994		198.79

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 (1.8 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	Instream Rate (CFS) over full Irrigation Season	Instream Volume (AF)	Period Instream
August 5, 1900	0.000	0.00	April 15 - Oct 15
September, 1900	0.321	117.25	April 15 - Oct 15
April 28, 1905	0.000	0.00	April 15 - Oct 15
May 27, 1907	0.021	7.56	April 15 - Oct 15
June 1, 1907	0.203	73.98	April 15 - Oct 15
Totals	0.545	198.79	

OR

Optional - for alternative instream periods including the full irrigation season			
Enter Proposed begin and end dates (must fall within Irrigation Season)			
begin date	5/1/2025	Number of Days	
end date	10/15/2025	168	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)
August 5, 1900	168	0.000	0.00
September, 1900	168	0.352	117.25
April 28, 1905	168	0.000	0.00
May 27, 1907	168	0.023	7.56
June 1, 1907	168	0.222	73.98
Totals		0.597	198.79

*Resulting rates may not exceed the max rate identified for Section 1.5 of the Lease Application

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 15 to October 15. The instream rate then is the duty divided by the number of days in the irrigation season (184). 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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Part 4 of 4 – Water Right and Instream Use Information

Salem, OR

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 # 95176

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	Acre	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)
10/29/1913	1	IR	55.0	Season 1 Max Rate and Total Max Ac-Feet (9.74 AF/Ac)	0.688	535.70
10/29/1913	1	IR	55.0	Season 2 Max Rate	0.917	
10/29/1913	1	IR	55.0	Season 3 Max Rate	1.698	
		IR				

Total af from storage, if applicable: _____ AF or ☒ N/A

If the POD is not described on the certificate or, if there is more than one POD listed on the certificate, then the specific POD must be described:

Table 3

Instream Use created by the lease	River Basin: <u>Deschutes</u>	River/Stream Name: <u>Tumalo Creel, tributary to Deschutes River</u>				
Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>1 (Tumalo Cr Main Canal)</u> to <u>mouth of Deschutes</u>		Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD				
OR <input type="checkbox"/> Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. If no reach is identified or the above box is not checked, and there is only one POD listed on the water right, the lease may be processed to be protected at the POD.)						
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2) Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acre	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
10/29/1913	1	IR	55.0	Season 1 max rate and total AF (5.37 AF/Ac)	0.378	299.03
10/29/1913	1	IR	55.0	Season 2 max rate	0.504	
10/29/1913	1	IR	55.0	Season 3 max rate	0.934	
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 flow allocated on daily average basis up to the described rate from April 1- October 25</u> Note: The Department may identify additional conditions to prevent injury and/or enlargement.						
Any additional information about the proposed instream use: <u>While some landowner forms list various POD's, all water is consolidated on POD 1 - TID's Tumalo Cr Main Canal</u>						

**This table will calculate flow rate factors and duty for Tumalo Irrigation District
Instream Leases**

Primary Irrigation

TID CERT 95176 (was 74147) (assuming can divert full rate and duty allowed by certificate for primary)

Priority Date = October 29, 1913

Source = Tumalo Creek with any deficiencies to be made up from Crater Creek, Little Crater Creek, and

Enter Total Number of Acres to be Leased Instream Here	55.000
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Rate (CFS) associated with the right to be leased for the Lease Application Form				
Enter Rates and Duty on Lease Form by Season	Rate/acre (CFS)	Max Rate (CFS)	Duty/acre (AF)	Max Duty (AF)
Season 1	0.013	0.688	9.740	535.70
Season 2	0.017	0.917		
Season 3	0.031	1.698		

Notes

The rate identified in the green Section box was calculated based on the number of acres being leased multiplied by the rate for each season. For example Season 1 rate = # acres * 1/80th CFS per acre

The duty identified is the number of acres to be leased multiplied by the 9.76 AF per acre duty limitation. (reduced)

Amounts that may be leased to instream use for the Lease Application Form				
Enter Instream Rates and Volumes by Season on Lease Form	Instream Rate (CFS) over full Irrigation Season	Days instream	Instream Volume (AF)	Full Duty at POU (5.37 af/ac)
Season 1	0.378	55	41.25	295.35
Season 2	0.504	30	30.00	
Season 3	0.934	123	227.78	
Totals		Total Instream Vol.	299.03	
Additional Conditions to Prevent Injury for Section 2.2 of the Lease Application Form				
Water protected instream:	April 1 through October 25			

Notes

The volume identified is the sum of the rates multiplied by 1.98af/acre and then multiplied by the number of days in each season.

The number of days that water may be protected instream over the season has been reduced to prevent enlargement (exceeding the duty limit).

Notes

Amounts reflected above do not include transmission loss water. Based on review of records for this certificate, the diversion at the POD includes 45% transmission loss. Prior conversations with the Watermaster suggest that this should be removed from the quantity leased or transferred instream to avoid injury and enlargement issues.

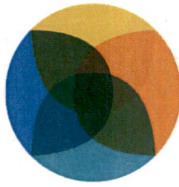
See FO for IL-1549 and review materials in lease file.

Season 1 shortened by 6 days to bring instream volume under max duty limit.

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Salem, OR



BBK
BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

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Partner
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alison.toivola@bbklaw.com

January 31, 2025

VIA E-MAIL ONLY:

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Jeremy Giffin
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231 SW Scalehouse Loop, Suite 103
Bend, OR 97702

Ann Reece
Sarah A. Henderson
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

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APR 14 2025

Salem, OR

Re: 2025 Water Rights Transfer Applications in the Deschutes Basin

Dear Mr. Giffin, Ms. Reece, and Ms. Henderson:

We represent the Confederated Tribes of the Warm Springs Reservation of Oregon ("Tribe"). We write to provide the Department of Water Resources ("Department") with an update on the process for administering water rights transfer applications for the 2025 calendar year.

As you know, the Tribe, the State of Oregon, and the United States are all parties to the Confederated Tribes of the Warm Springs Reservation Water Rights Settlement Agreement, dated November 17, 1997, as amended ("Settlement Agreement"). The Settlement Agreement requires the three sovereign parties "to meet and describe in the memorandum of understanding the process for determining injury to the Tribal Reserved Water Right." Agmt. at Art. IX, § A. The ability to determine such an injury is a prerequisite to administering water rights transfers¹ in the Deschutes Basin, as "[n]o transfer of a State water right in the Deschutes Basin shall be made *unless the State finds that no injury to the Tribal Reserved Water Right shall result.*" Agmt. at Art. V, § (B) (emphasis added). The Tribe emphasizes that the contractual obligation to make a finding of no injury resides with the State, not the Tribe.

The parties to the Settlement Agreement have not yet developed the process for determining injury to the Tribal Reserved Water Right. In the absence of the injury determination process required by the Settlement Agreement, the Tribe reviewed numerous water rights transfer applications in 2024. During this process, the Tribe expended substantial resources to review certain information concerning water rights transfer applications in the Deschutes Basin. In particular, the Tribe has received and reviewed hundreds of

¹ A "Transfer" means any change in the nature of use, place of use, or point of diversion of a water right." Agmt. at Art. III, § 25.

Jeremy Giffin
Ann Reece
Sarah A. Henderson
January 31, 2025
Page 2

applications from various irrigation districts, including the Central Oregon Irrigation District ("COID"); the Deschutes River Conservancy ("DRC"); the Department of Water Resources ("Department"); and numerous other applicants and entities.

The Tribe's review of the 2024 applications was both time- and resource-intensive. It was also informative. The Tribe has considered the information learned, and has now identified certain categories of applications that present, respectively, a low-risk, medium-risk, and high-risk of injury to Tribal Reserved Water Rights as defined in the Settlement Agreement. Certain factors have been identified as presenting a low risk of injury to the Tribal Reserved Water Right. The Tribe believes that those factors indicating a low risk of injury to the Tribal Reserved Water Right can be used in the upcoming 2025 calendar year to simplify, and expedite, the process for administering said applications.

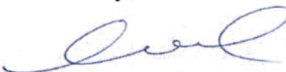
The Tribe has identified the applicable low-risk factors and believes that those factors are adequately represented in the "CTWS Low-Risk Transfer Checklist Requirements" document attached hereto as Exhibit A. In close coordination with COID, the Tribe has approved the attached checklist for use in the upcoming 2025 calendar year as a way to facilitate and expedite the processing of water rights transfer applications within the Deschutes Basin. The Tribe agrees that all transfer applications that fully satisfy this checklist may be processed by the Department without prior Tribal review. Accordingly, the Tribe does not object to the Department processing any applications that are submitted to the Department with a completed and signed checklist. The Department should process such applications in accordance with applicable law, and the Department's customary practice.

The Tribe expressly reserves, and does not waive, all rights, claims, and defenses that it may possess in connection with such applications, including, but not limited to, whether such applications violate the Treaty of June 25, 1855, with the Tribes of Middle Oregon, 12 Stat. 963 ("1855 Treaty"), or the Settlement Agreement. To be clear, this letter, and the use of the enclosed checklist, does not remove or absolve the State of Oregon from fulfilling its obligations under the 1855 Treaty and the Settlement Agreement. It is the Tribe's position that the Settlement Agreement requires that the Department affirmatively confirm that each and every water rights transfer application will not injure the Tribal Reserved Water Right or any undetermined vested water right claimed by the Tribe or the United States acting as trustee for the Tribe, including, but not limited to, instream flows necessary to maintain harvestable populations of treaty-protected fish in the Deschutes Basin. The checklist is not a replacement for that affirmative obligation and finding.

We would be happy to meet with the Department to discuss the checklist and proposed process moving forward.

Please let us know if you have any questions.

Sincerely,



Alison K. Toivola
of BEST BEST & KRIEGER LLP

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Jeremy Giffin
Ann Reece
Sarah A. Henderson
January 31, 2025
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cc: Robert A. Brunoe
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Exhibit A
