



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

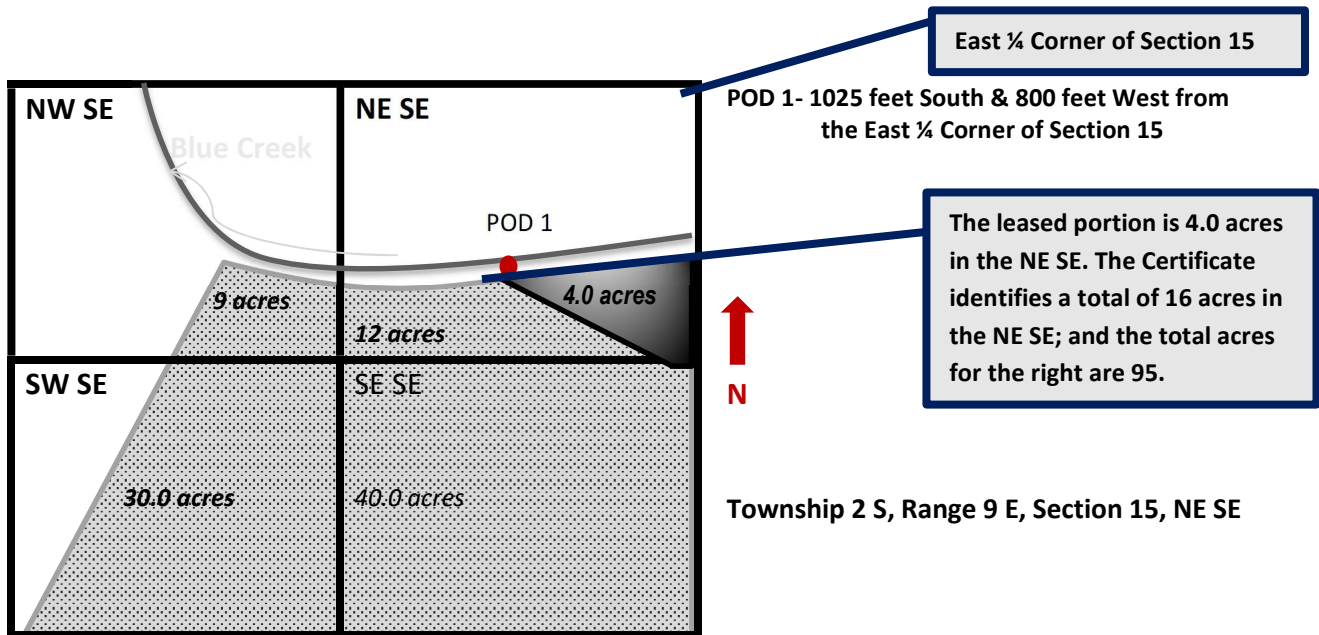
A Map is generally required for each water right not leased in its entirety

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

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

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

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



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

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

**Water Right Information**

**Water right # 91545**

**Table 1**

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

**If only leasing a portion of the right** - complete Table 1 as indicated       **Entirety** - If the entire water right is to be leased, skip to Table 3.

| Priority Date  | POD # | Twp  | Rng  | Sec | Q-Q   | Tax Lot | Gov't Lot/DLC | Acres | USE | Previous Lease # (if any) |
|----------------|-------|------|------|-----|-------|---------|---------------|-------|-----|---------------------------|
| <b>EXAMPLE</b> |       |      |      |     |       |         |               |       |     |                           |
| 12/2/1901      | 3     | 2-S  | 9-E  | 15  | NE SE | 100     | 47            | 4.0   | IR  | IL-1100                   |
| 12/31/1900     | 1     | 15-S | 10-E | 2   | NW-NE | 100     | 2             | 30.5  | IR  | None                      |
| 12/31/1900     | 1     | 15-S | 10-E | 2   | SW-NE | 100     |               | 2.8   | IR  | None                      |
| 12/31/1900     | 1     | 15-S | 10-E | 2   | SE-NE | 100     |               | 3.2   | IR  | None                      |
| 12/31/1900     | 1     | 15-S | 10-E | 2   | NE-NW | 100     | 3             | 0.3   | IR  | None                      |
| 12/31/1900     | 1     | 15-S | 10-E | 2   | NW-NW | 100     | 4             | 5.3   | IR  | None                      |
| 12/31/1900     | 1     | 15-S | 10-E | 2   | NE-SE | 100     |               | 1.2   | IR  | None                      |

**Total Acres: 43.3**

**Table 2**

| <b>To illustrate the totals for the water right proposed to be leased instream</b> |       |     |             |   |                  |                   |
|--|-------|-----|-------------|---|------------------|-------------------|
| Priority Date  | POD # | Use | Total Acres | Other Information (such as conditions/limitations on the right) | Total Rate (cfs) | Total Volume (af) |
| 12/31/1900   | 1     | IRR | 43.3        | No duty limits, max of 5.45 AF/ac used                          | 0.601            | 235.99            |
| Total af from storage, if applicable: _____ AF or <input type="checkbox"/> N/A     |       |     |             |   |                  |                   |
| Any additional information about the right: _____                                  |       |     |             |   |                  |                   |

**Table 3**

**Point of Diversion (POD) description:** 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(s)** involved in the lease must be described. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 3). Please clearly label any attachments.

| POD # | Twp  | Rng  | Sec | Q-Q   | DLC/ Gov't lot | Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown") |
|-------|------|------|-----|-------|----------------|---|
| 1     | 15-S | 10-E | 2   | NW-NW | 4              | 1127 feet South and 1388 feet West from the North 1/4 Corner of Section 2                                 |

Please check this box if you don't know the location of the POD(s) and want the Department to identify the location of the POD(s) for the purpose of the instream lease.

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**Instream Use Information**

**Table 4**

| <b>Instream Use Created by the Lease</b>   |       |     |       |   |                                      |                            |
|--|-------|-----|-------|---|--------------------------------------|----------------------------|
| <b>River/ Stream Name:</b> <u>Whychus Creek</u> , tributary to <u>Deschutes River</u>  |       |     |       |   | <b>River Basin:</b> <u>Deschutes</u> |                            |
| <p><b>Instream Portion:</b> Use Table 4 to illustrate the instream rate, volume and instream period by priority date, POD (if more than one), Use (if more than one), and acreage as appropriate considering the right to be leased.</p> <p>If not enough room below, you may add additional rows (see instructions) or attach a spreadsheet (matching the below portion of Table 4). Please clearly label any attachments.</p>                      |       |     |       |   |                                      |                            |
| Priority date  | POD # | Use | Acres | Proposed Instream Period  | Total instream rate (cfs)            | Total instream volume (af) |
| 12/31/1900   | 1     | IRR | 43.3  | April 15 - October 15   | 0.601                                | 219.48                     |
|  |       |     |       |   |                                      |                            |
| <p>Note: If not certain of the instream rate, volume and/or instream period, see the instructions and/or contact Department Staff for assistance. The instream rate and volume may be up to the maximum rate and duty/volume allowed by the right, as described in Table 2 or on your Certificate if leasing the entire right. The proposed instream period may be no longer than the irrigation season or the authorized period of allowed use.</p> |       |     |       |   |                                      |                            |
| <p><b>OR</b> <input type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.</p>  |       |     |       |   |                                      |                            |
| <b>Instream Reach</b>  |       |     |       |   |                                      |                            |
| <p><b>Proposed Instream Reach:</b><br/> <input checked="" type="checkbox"/> A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream: From the POD to <u>Lake Billy Chinook</u></p>   |       |     |       | <p><b>Or Proposed Instream Point:</b><br/> <input type="checkbox"/> Instream use protected at the POD</p> |                                      |                            |
| <p><b>OR</b> <input type="checkbox"/> Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. (If no reach is identified or the above box is not checked, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.)</p>   |       |     |       |   |                                      |                            |
| <b>Additional Instream Information</b>   |       |     |       |   |                                      |                            |
| <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <b>Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:</b> list here _____</p> <p>Note: The Department may identify additional conditions to prevent injury and/or enlargement.</p>   |       |     |       |   |                                      |                            |
| <p><b>Any additional information about the proposed instream use:</b> <u>to be used</u> for mitigation project</p>   |       |     |       |   |                                      |                            |

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**Deggendorfer  
Lease Calculator**

updated 4/20/2026

Certificates Lease: 91545 - 1900 leased only; entire 1885 + 10.7 acres of 1900 remains

|                |            |            |  |  |      |
|----------------|------------|------------|--|--|------|
| certificate    | 91545      | 91545      |  |  |      |
| priority       | 12/31/1885 | 12/31/1900 |  |  |      |
| Ditch          |            |            |  |  |      |
| acres on cert  | 52         | 54         |  |  |      |
| total ls acres | 0.0        | 43.3       |  |  | 43.3 |
| max rate       | 0.76       | 0.75       |  |  |      |
| max rate/ac    | 0.015      | 0.0139     |  |  |      |
| max rate total | 0.00000    | 0.601      |  |  |      |
| max af/ac      | 5.45       | 5.45       |  |  |      |
| max af total   | 0.00       | 235.99     |  |  |      |

calculated  
Table 2, max rate  
no duty limits  
Table 2, max duty

|           |            |                   |
|-----------|------------|-------------------|
| 4/15/2026 | 10/15/2026 | 184 days instream |
|-----------|------------|-------------------|

Season for all is listed as 1/1 - 12/31  
No duty limit listed for any (using standard limit of 5.45 for districts)

**INSTREAM AMOUNT or DUTY LIMITED AMOUNT - TABLE 4, STANDARD FORM**

| Certificate | 91545      |            |        |      |           |         |
|-------------|------------|------------|--------|------|-----------|---------|
| Lease:      | 0.0 acres  |            |        |      |           |         |
| cfs/ac      | max cfs IS | conversion | af/day | days | max AF IS | AF/Ac   |
| 0.015       | 0.0000     | 1.983471   | 0      | 184  | 0.0       | #DIV/0! |

| Certificate | 91545      |            |             |      |           |       |
|-------------|------------|------------|-------------|------|-----------|-------|
| Lease:      | 43.3 acres |            |             |      |           |       |
| cfs/ac      | max cfs IS | conversion | af/day      | days | max AF IS | AF/Ac |
| 0.0139      | 0.601      | 1.983471   | 1.192837421 | 184  | 219.48    | 5.07  |

| Certificate | 0          |            |        |      |           |         |
|-------------|------------|------------|--------|------|-----------|---------|
| Lease:      | 0.0 acres  |            |        |      |           |         |
| cfs/ac      | max cfs IS | conversion | af/day | days | max AF IS | AF/Ac   |
| 0.0125      | 0.000      | 1.983471   | 0      | 184  | 0.0       | #DIV/0! |

|   |         |          |
|---|---------|----------|
| Total Instream                                  | 0.601   | 219.5    |
| Potential maximum mitigation total at 1.8 AF/ac | 43.3 Ac | 77.94 AF |

Many irrigated acres in central Oregon have water rights with an on farm duty of 5.45 AF/ac. This lease is set up to not exceed 5.45 AF/ac instream.

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**Water Right Details**

| Certificate | 91545 Deggendorfer   |      |
|-------------|--|------|
| Priority    | 12/31/1885   |      |
| Acres       | 24.8 T15, R10, Sec 02  | NENE |
|             | 27.2 T15, R10, Sec 02  | SENE |
| Total Acres | 52   |      |
| CFS         | 0.76   |      |
| CFS/Ac      | 0.0146   |      |
| Duty limit  | N/A  |      |
| Season      | none   |      |
| POD:        | 1127 feet South and 1388 feet West from the North 1/4 corner of Section 2, T15S, R10E WM |      |

| Certificate | 91545 Deggendorfer   |      |
|-------------|--|------|
| Priority    | 12/31/1900   |      |
| Acres       | 10.7 T15, R10, Sec 02  | NENE |
|             | 30.5 T15, R10, Sec 02  | NWNE |
|             | 2.8 T15, R10, Sec 02   | SWNE |
|             | 3.2 T15, R10, Sec 02   | SENE |
|             | 0.3 T15, R10, Sec 02   | NENW |
|             | 5.3 T15, R10, Sec 02   | NWNW |
|             | 1.2 T15, R10, Sec 02   | NESE |
| Total Acres | 54   |      |
| CFS         | 0.75   |      |
| CFS/Ac      | 0.0139   |      |
| Duty limit  | N/A  |      |
| Season      | none   |      |
| POD:        | 1127 feet South and 1388 feet West from the North 1/4 corner of Section 2, T15S, R10E WM |      |

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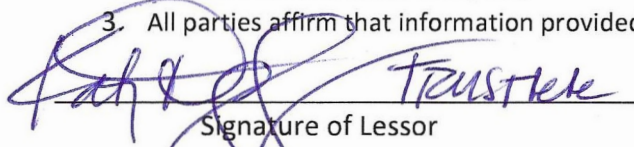
**Part 4 of 4 – Lease Provisions and Party Signatures**

|  |   |
|--|---|
| <p><b>Term of the Lease (may be from 1 year up to 5 years):</b><br/>                 The lease is requested to begin in: <b>month</b> <u>April</u> <b>year</b> <u>2026</u> and end: <b>month</b> <u>October</u> <b>year</b> <u>2026</u></p> <p>Note: The begin month is generally the first month of the irrigation season and the end month is the last month in the irrigation season. If not an irrigation right, this would be the first and last month of your authorized period of allowed use.</p>  |   |
| <p><b>Public use:</b> Check the public use(s) this lease will serve (as defined by ORS 537.332):</p> <p><input checked="" type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values.</p> <p><input type="checkbox"/> Recreation</p> <p><input checked="" type="checkbox"/> Pollution abatement</p> <p><input type="checkbox"/> Navigation</p>   | <p><b>Termination provision (for multiyear leases):</b><br/> <b>The parties to the lease request (choose one):</b></p> <p><input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee.</p> <p><input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease.</p> <p><input type="checkbox"/> c. The parties would not like to include a Termination Provision.</p> <p>(See instructions for limitations to this provision)</p> |
| <p><b>Additive/Replacing Relationship to other instream water rights:</b> Instream leases are generally additive to other existing instream water rights created as a result of instream leases, transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights.</p> <p>If you would like this lease to relate to other instream water rights differently, please check this box. <input type="checkbox"/></p> <p>And attach an explanation of your intent.</p> |   |
| <p><b>Validity of the Right(s) to be leased (check the appropriate box):</b></p> <p><input checked="" type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or</p> <p><input type="checkbox"/> The water right(s) have not been used for the last five years according to the terms and conditions of the right(s). However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right(s) is not subject to forfeiture is provided.</p>  |   |

**Precedent:** If a right which has been leased is later proposed to be leased again or later transferred or become part of an allocation of conserved water project, a new injury review shall be required. An instream lease shall not set a precedent on a future transaction.

**The undersigned declare:**

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

  
 Signature of Lessor

Date: 4.22.26


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Printed name (and title): Kathy Deggendorfer, Trustee

Business name, if applicable: Kathy Deggendorfer Trust

Mailing Address (with state and zip): PO Box 1784, Sisters, OR 97759

Phone number (include area code): 541-639-7975 \*\*E-mail address: kathy@kathydeggendorfer.com


  
Signature of Lessor

Date: 7-22-26

Printed name (and title): Frank Deggendorfer Business/organization name: \_\_\_\_\_

Mailing Address (with state and zip): PO Box 1784, Sisters, OR 97759

Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: kathy@kathydeggendorfer.com

  
Signature of Lessee

Date: 4/22/2026

Printed name (and title): Alex Ehrens

Business/organization name: Deschutes River Conservancy

Mailing Address (with state and zip): 805 SW Industrial Way, Suite 5, Bend, OR 97702

Phone number (include area code): 541-382-4077 x115 \*\*E-mail address: alex@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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**DESCHUTES COUNTY ASSESSOR  
REAL PROPERTY ACCOUNT NAMES**

**Account #** 135802  
**Map** 15100200 00100  
**Owner** KATHY DEGGENDORFER TRUST  
DEGGENDORFER, KATHY TRUSTEE  
PO BOX 1784  
SISTERS OR 97759

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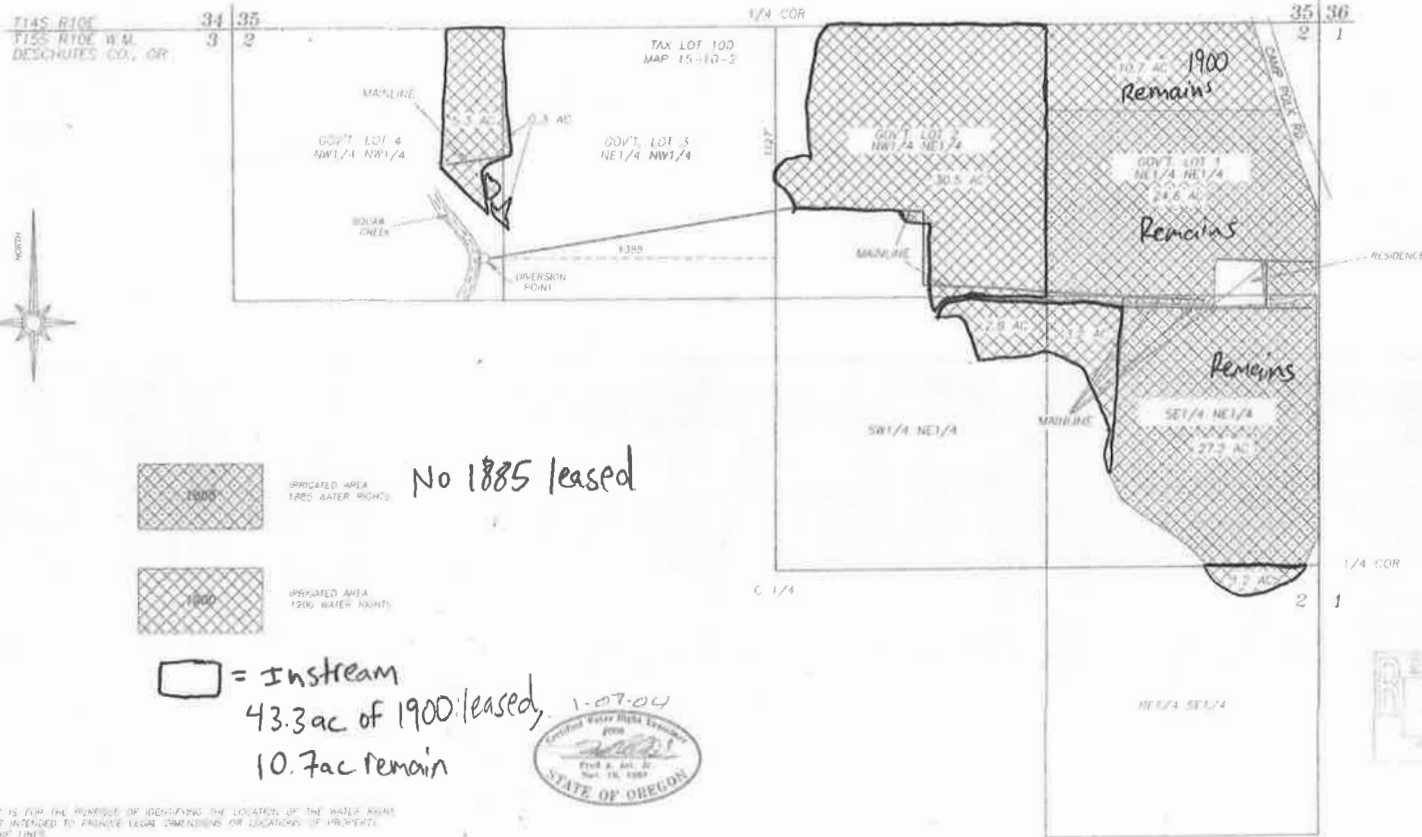
| <b>Name<br/>Type</b> | <b>Name</b>  | <b>Ownership<br/>Type</b> | <b>Own<br/>Pct</b> |
|----------------------|--|---------------------------|--------------------|
| OWNER                | KATHY DEGGENDORFER TRUST                                   | OWNER                     | 100.00             |
| REPRESENTATIVE       | DEGGENDORFER, KATHY<br>TRUSTEE IN~KATHY DEGGENDORFER TRUST |                           |                    |

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# FINAL PROOF SURVEY CLAIM OF BENEFICIAL USE

TRANSFER NO. T-8743

IN THE NAME OF KATHLEEN DEGGENDORFER AND GERTRUDE BOYLE



THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATERS FROM WHICH IT IS INTENDED TO TAKE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Fred A. Ast, Jr. and Associates

250 West Cascade

P.O. Box 751

Sisters, Oregon 97759

541-549-7851

**COBU MAP # 0122**

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0122