

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 2026 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:

Alex Ehrens or Gen Hubert, on behalf of Deschutes River Conservancy, via e-mail at:
alex@deschutesriver.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

Received by OWRD
May 29, 2026
Salem, OR

CTWS Low-Risk Transfer Checklist Requirements

Patron Name/Applicant Name :

Meets Requirements:

Transfer Type:

Does Not Meet Requirements:

Transfer #:

Review Date:

Checklist Completed By:

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			
On/Off Lands Within Five (5) Miles			
No Increase in Diversion Amount			
No Change in Type of use			
No Change in Point of Diversion or Appropriation			
On/Off Lands Served by Same Canal			
NOT a Multi-Step Transfer			
NOT a Mitigation Credit			

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

Summary of Transfer:

Received by OWRD
May 29, 2026
Salem, OR

Application for District Instream Lease



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

<p>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</p>	OWRD #	IL_2164 / MP-345
	District #	OID Pooled

District Instream Lease Application Part 1 of 4 – Minimum Requirements Checklist

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

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Salem, OR

Fee: Application fee required by ORS 536.050
Fee Schedule is located at this link: https://www.oregon.gov/owrd/WRDFormsPDF/fee_schedule.pdf

Check enclosed or
 Fee Charged to customer account **Deschutes River Conservancy (Account name)**

7 landowners - pooled rate applies (\$915)

- Yes N/A **Pooled Lease**-a lease with more than one **Lessor** (Landowner/water right interest holder)
- Yes N/A **Mitigation Project** – (Project creating mitigation credits within the Deschutes Basin Groundwater Mitigation Program) Mitigation for 133.1 acres, remaining 103.4 acres leased for restoration only
- Part 1 – Completed Minimum Requirements Checklist**
- Part 2 – Completed District Signature Page & Authorization Statement**
- Part 3 – Completed Place of Use (from/off lands)**
- Part 4 – Completed Water Right and Instream Use Information** (separate **Part 4** needed for each Water Right.)
- How many Water Rights are included in the lease application?** 1 (# of rights)
List each water right to be leased instream here: 82246 (primary)
- Yes N/A **Other water rights**, if any, appurtenant to the **lands** involved in the lease application and not proposed to be leased instream. **List those other water rights here:** 82249 - supplemental
- Yes No Conservation Reserve Enhancement Program **CREP** – Are some or all of the lands to be leased part of CREP or another Federal program (list here: _____)?


Required Attachments:

- Yes N/A Instream lease application map(s).
 - 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;
 - A north directional symbol, a legend, a map scale, and township, range, section and quarter-quarter (QQ), including tax lots, donation land claims and government lots, if appropriate;
 - If an irrigation right, nursery use, or other similar uses, the number of acres to be leased or transferred in each quarter-quarter must be clearly labeled and hachured to differentiate between the acres being leased or transferred and any remaining acreage must be identified;
 - If the place of use on the water right is broken down by more than one priority date, or source stream, and/or diversion the map must identify each with separate hachuring and clearly label what is being changed;
 - Provide a statement describing the proposed instream reach or point;
 - If **more than three** water rights are involved, separate maps are needed for each water right; and
 - The map need not be prepared by a certified water right examiner.
 - **NOTE:** An existing water right map that meets the requirements of OAR 690-077-0071 may be used, if approved by the Department prior to submittal of the application.
- 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.


**District Instream Lease Application
Part 2 of 4 – District Signature & Authorization Statement**

Term of Lease, Termination Provision, Validity of Water Right, Public Use	
Term of the Lease:	The lease is requested to BEGIN in: month April year 2026 and END in: month October year 2026 .
Termination provision (for multiyear leases) - The parties to the lease request (choose one):	<input type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to the 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)
Validity of the right(s) 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) has 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). <i>Documentation describing why the water right is not subject to forfeiture must be submitted with application.</i>
Public use: Check the public use(s) this lease will serve (as defined by ORS 537.332):	<input checked="" type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values. <input type="checkbox"/> Recreation <input checked="" type="checkbox"/> Pollution abatement <input type="checkbox"/> Navigation
District Authorization Declaration	
District Agreement (per OAR 690-077-0076(4))	By signing this application, I am affirming that each district water user involved in the lease application has provided written authorizations for the lease and that such authorization is on file with the district and is available to the Department and the public upon request.

Co-Lessor Information

DISTRICT NAME Ochoco Irrigation District		CONTACT NAME Bruce Scanlon	PHONE NO. 541-447-6449
ADDRESS 1001 NW Deer St			
CITY Prineville	STATE OR	ZIP 97754	E-MAIL bruce@ochocoid.org
DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE. HOWEVER, ANY FINAL ORDER WILL BE SENT BY STANDARD MAIL.			
→ Co-Lessor Signature 		Date 5/29/2026	

Lessee Information

BUSINESS NAME Deschutes River Conservancy		CONTACT NAME Alex Ehrens	PHONE NO. 541-382-4077
ADDRESS 805 SW Industrial Way, Ste 5			
CITY Bend	STATE OR	ZIP 97702	E-MAIL alex@deschutesriver.org
DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE. HOWEVER, ANY FINAL ORDER WILL BE SENT STANDARD MAIL.			
→ Lessee Signature 		Date 5/29/2026	

**District Instream Lease Application
Part 3 of 4 – Place of Use – Lessor Information**

Table 1

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

Irrigation District or other Water Purveyor Name: Ochoco Irrigation District

Specify Water Right, Priority Date, point of diversion(s) (POD), place of use, tax lot, gov't lot/DLC, acres to be leased, original use type, water right holder (Lessor/District Water User), 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	District Water User	Previous Lease #

Any additional information about the right: 236.50 acres total - 133.10 leased for mitigation and 103.40 acres leased for restoration only. Please see attached POU table.

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.

Table 1 - Identify water right(s) to be leased instream

Part 3 of 4 - Place of Use - Lessor Information

Irrigation District or other Water Purveyor Name: Ochoco Irrigation District																
Water Right #	Priority Date	POD #	Township		Range		Section	Quarter-Quarter		Tax Lot	Gov't Lot/DLC #	Acres	Use	District Water User	Previous Lease #	Map page #
82246	8/10/1917	Och Main	14	S	16	E	28	NW	SW	1600		16.30	IR	City of Prineville - IronHorse	IL-1751 / MP-252	13
82246	8/10/1917	Och Main	14	S	16	E	28	SW	SW	1600		31.20	IR	City of Prineville - IronHorse	IL-1751 / MP-252	13
82246	8/10/1917	Och Main	14	S	16	E	29	NE	SE	1600		9.00	IR	City of Prineville - IronHorse	IL-1751 / MP-252	13
82246	8/10/1917	Och Main	14	S	16	E	29	SE	SE	1600		12.80	IR	City of Prineville - IronHorse	IL-1751 / MP-252	13
82246	8/10/1917	Och Main	14	S	16	E	32	NE	NE	1600		0.50	IR	City of Prineville - IronHorse	IL-1751 / MP-252	13
82246	8/10/1917	Och Main	14	S	16	E	32	SE	NE	1600		15.80	IR	City of Prineville - IronHorse	IL-1751 / MP-252	13
82246	8/10/1917	Och Main	14	S	16	E	32	NE	SE	1600		2.60	IR	City of Prineville - IronHorse	IL-1751 / MP-252	13
82246	8/10/1917	Och Main	14	S	16	E	33	NW	NW	1600		16.40	IR	City of Prineville - IronHorse	IL-1751 / MP-252	13
82246	8/10/1917	Och Main	14	S	16	E	33	SW	NW	1600		19.70	IR	City of Prineville - IronHorse	IL-1751 / MP-252	13
Continued on next page																

82246	8/10/1917	Och Main	14	S	16	E	33	SE	NW	1600		3.80	IR	City of Prineville - IronHorse	IL-1751 / MP-252	13	
82246	8/10/1917	Och Main	14	S	16	E	33	NW	SW	1600		5.00	IR	City of Prineville - IronHorse	IL-1751 / MP-252	13	
Total Leased for Mitigation:												133.10					
82246	8/10/1917	Och Main	14	S	15	E	25	NW	SE	1200		5.00	IR	Kathleen Lieser	IL-2122	14	
82246	8/10/1917	Och Main	14	S	15	E	25	SW	SE	1200		3.40	IR	Kathleen Lieser	IL-2122	14	
82246	8/10/1917	Och Main	14	S	15	E	36	NW	NE	1600		7.10	IR	Hans Thygeson / CreationsNW	IL-2122	15	
82246	8/10/1917	Och Main	14	S	15	3	36	SW	NE	1600		1.60	IR	Hans Thygeson / CreationsNW	IL-2122	15	
82246	8/10/1917	Och Main	14	S	15	E	36	NE	NE	1700		5.80	IR	Hans Thygeson / CreationsNW	IL-2122	15	
82246	8/10/1917	Och Main	14	S	15	E	36	SE	NE	1700		1.00	IR	Hans Thygeson / CreationsNW	IL-2122	15	
82246	8/10/1917	Och Main	14	S	15	E	36	NW	NE	1700		1.90	IR	Hans Thygeson / CreationsNW	IL-2122	15	
		Continued on next page															

82246	8/10/1917	Och Main	14	S	15	E	36	SW	NE	1700		3.70	IR	Hans Thygeson / CreationsNW	IL-2122	15
82246	8/10/1917	Och Main	14	S	15	E	36	SE	NE	1800		3.10	IR	Dave Molony	IL-2122	16
82246	8/10/1917	Och Main	14	S	15	E	36	NE	NE	1900		3.10	IR	Dave Molony	IL-2122	16
82246	8/10/1917	Och Main	14	S	15	E	36	SE	NE	1900		2.40	IR	Dave Molony	IL-2122	16
82246	8/10/1917	Och Main	14	S	16	E	29	SE	NW	113		4.70	IR	David Winship	IL-2122	17
82246	8/10/1917	Och Main	15	S	16	E	4	NE	SE	2500		9.40	IR	Brian Barney / Stearns Land Co	IL-2122	18
82246	8/10/1917	Och Main	15	S	16	E	4	SE	NE	2500		5.10	IR	Brian Barney / Stearns Land Co	IL-2122	18
82246	8/10/1917	Och Main	15	S	16	E	4	NW	SE	2500		19.90	IR	Brian Barney / Stearns Land Co	IL-2122	18
82246	8/10/1917	Och Main	15	S	16	E	4	SW	NE	2500		9.60	IR	Brian Barney / Stearns Land Co	IL-2122	18
82246	8/10/1917	Och Main	15	S	16	E	4	SW	NE	2500		0.50	IR	Brian Barney / Stearns Land Co	IL-2122	18
82246	8/10/1917	Och Main	15	S	16	E	4	SW	NE	2500		1.30	IR	Brian Barney / Stearns Land Co	IL-2122	18
82246	8/10/1917	Och Main	15	S	16	E	4	SW	NE	2501		10.80	IR	Clyde Purcell (leased by Brian Barney)	IL-1269	19
		Continued on next page														

82246	8/10/1917	Och Main	15	S	16	E	4	SE	NE	2505		4.00	IR	Brian Barney / Stearns Land Co	IL-2122
								Total leased for restoration only:				103.40			
Any additional information about the right: 236.50 acres total - 133.10 for mitigation, 103.40 for restoration only															
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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 Salem, OR

**District Instream Lease Application
Part 4 of 4 – Water Right and Instream Use Information**

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

Table 2

Use Table 2 to illustrate the totals for the water right proposed to be leased instream (based on Part 3 of 4) Water Right # 82246

Total rate and volume by priority date, POD, use and acreage as appropriate considering the right to be leased. If not enough room below, you may add rows (see instructions) or create a spreadsheet (matching Table 2 and clearly labeled) and attach.
(cfs = cubic feet per second and af = acre-feet)

Priority Date	POD #	Use	Acres	Other Information (such as conditions/limitations on the right)	Rate (cfs)	Volume (af)
8/10/1917	Och M	IR	133.10	Max rate per acre: 0.0125 cfs/ac, max duty of 4 AF/ac - for mitigation	1.664	532.40
8/10/1917	Och M	IR	103.40	Max rate per acre: 0.0125 cfs/ac, max duty of 4 AF/ac - for restoration	1.293	413.60

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>Crooked River</u>	River/Stream Name: <u>Ochoco Creek, tributary to Crooked River</u>				
Proposed Instream Reach: <input checked="" type="checkbox"/> A reach typically begins at the POD and ends at the mouth of the source stream: From the POD <u>Ochoco Main</u> to <u>Lake Billy Chinook</u>		Or Proposed Instream Point: <input type="checkbox"/> Instream use protected at the POD				
OR <input type="checkbox"/> If no reach is identified in the above box is not checked, the lease will be processed to be protected at the POD.						
Instream Portion: May not exceed the maximum rate/volume for the right (identified in Table 2)						
Use the table 3 to illustrate the instream rate, volume and instream period by priority date, POD, Use and acreage, as appropriate. If not enough room below, you may add rows (see instructions) or create a spreadsheet (clearly labeled and matching the below portion of Table 3) and attach.						
Priority date	POD #	Use	Acres	Proposed Instream Period	Instream Rate (cfs)	Total instream volume (af)
8/10/1917	Och M	IR	133.10	0.00548 cfs/ac and 2 AF/ac (2026 on-farm delivery) - for mitigation	0.729	266.20
8/10/1917	Och M	IR	103.40	0.00548 cfs/ac and 2 AF/ac (2026 on-farm delivery) - for restoration	0.567	206.80
				Instream from April 15 through October 15		

Any additional information about the proposed instream use: 133.10 acres leased instream as mitigation project; remaining 103.40 acres leased instream for restoration only

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OID - 2026 lessors

No Transmission Losses in Certificate(s)

max duty C-82246 = 4.0 af, max duty C-82248 = 4.0 af

max rate 1/80 or 0.0125/ac (Table 2)

2026 District duty limit = 2.0 af/ac --- typically landowners are served 3 af/ac, allocation is reduced in 2026 due to drought year

1001 N Deer Street
 Prineville 97754
ochocoid@crestviewcable.com
 541-447-6449

Instream through dates:

4/15/2026	10/15/2026	184
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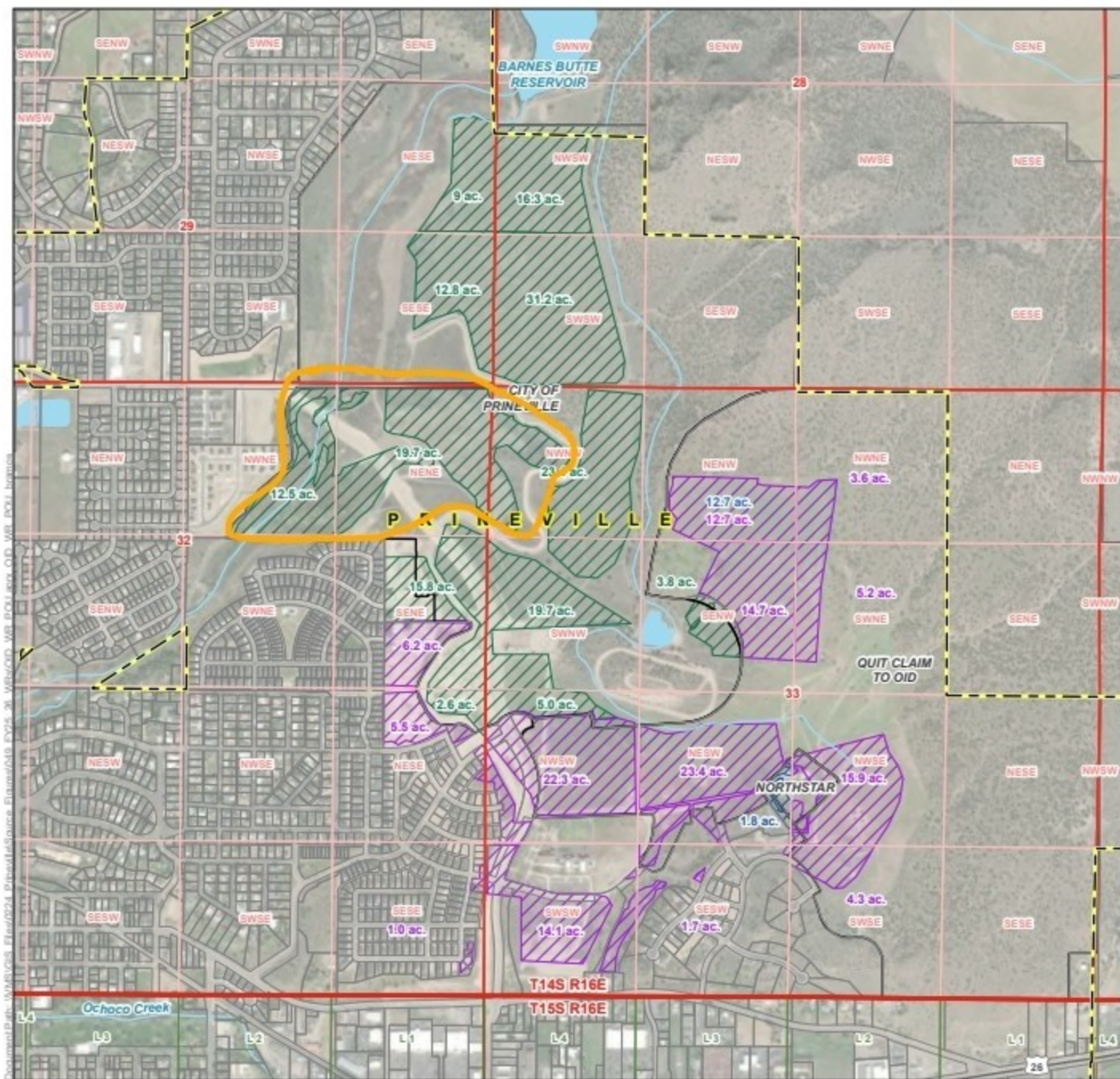
Ochoco Irrigation Instream Leases 2026

Priority	8/10/1917	acres*	cfs	Table 3 rate*	conv fact	*	no. days	Table 3 duty AF	Table 2 Max duty	Max duty	2026 Duty	Instream Duty limit
C-82246 pri												





Total Acres - Ochoco Creek Lease												
Mitigation	Acres											Max Rate Table 2
Mitigation	133.10	0.00548	0.729	1.983471	1.4467	184.00	266.20	4	532.4	2	266.20	1.664 acres*0.0125
Restoration	103.40	0.00548	0.567	1.983471	1.1239	184.00	206.80	4	413.6	2	206.80	1.293 acres*0.0125
List of Landowners - Pooled Ochoco Creek leas												
Mitigation	Acres											
mitigation	133.10											Prior Lease
												City of Prineville - IronHorse
Subtotal Mitigation	133.10		0.000		Table 2 rate cfs	1.66	0.01		0.0		0.00	
Restoration												
restoration	49.80											Stearns Land Co - Brian Barney
Restoration	10.80											Clyde Purcell (land leased by Brian Barney)
restoration	21.10											Creations NW - Hans Thygeson
restoration	8.40											Kathleen Lieser
restoration	8.60											Dave Molony
restoration	4.70											David Winship
Subtotal Restoration	103.40											
Total ALL	236.50		1.296				473.00		946.0		473.00	

MP credit estimate

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LEGEND

- Place of Use (POU)**
-  City of Prineville (172.3 ac.)
 -  Northstar (1.8 ac.)
 -  Ochoco Irrigation District (130.6 ac.)
- All Other Features**
-  City Boundary

City of Prineville - 133.1 of 172.3 acres leased, 39.2 remain

Northstar and OID acres not included in this lease
(included in separate renewal - IL-1810)

 = remaining acres not leased (39.2)

Iron Horse Water Rights
City of Prineville
Place of Use
Certificates 82246 and 82247
 Crook County
 Township 14 South, Range 16 East (W.M.)

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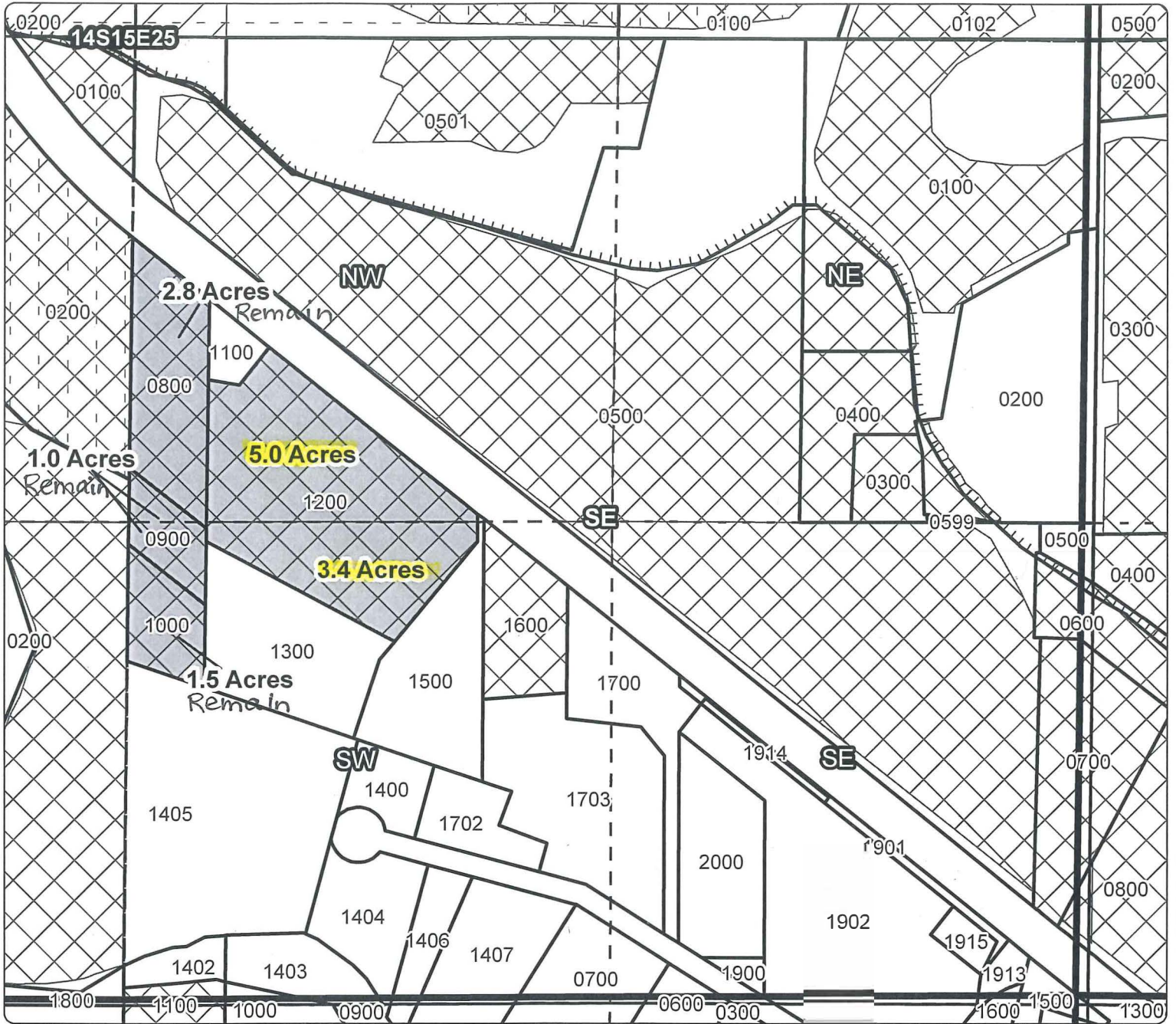
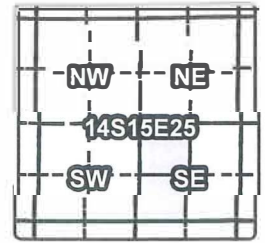
Ochoco Irrigation District

Application for Instream Lease

Cert #: 82246 (IR), 82247 (IS)

For: Kathleen Lieser

Tax Lot 1200



1 YEAR INSTREAM LEASE MAP

Taxlot 800, 141525NWSE: 2.8 Acres (82246/82247), Remaining
 Taxlot 1200, 141525NWSE: 5.0 Acres Leased (82246/82247), 0 Acres Remaining
 Taxlot 1200, 141525SWSE: 3.4 Acres Leased (82246/82247), 0 Acres Remaining
 Taxlot 1000, 141525SWSE: 1.5 Acres (82246/82247), Remaining
 Taxlot 900, 141525NWSE/141525SWSE: 1.0 Acres Leased (82246/82247), 0 Acres Remaining

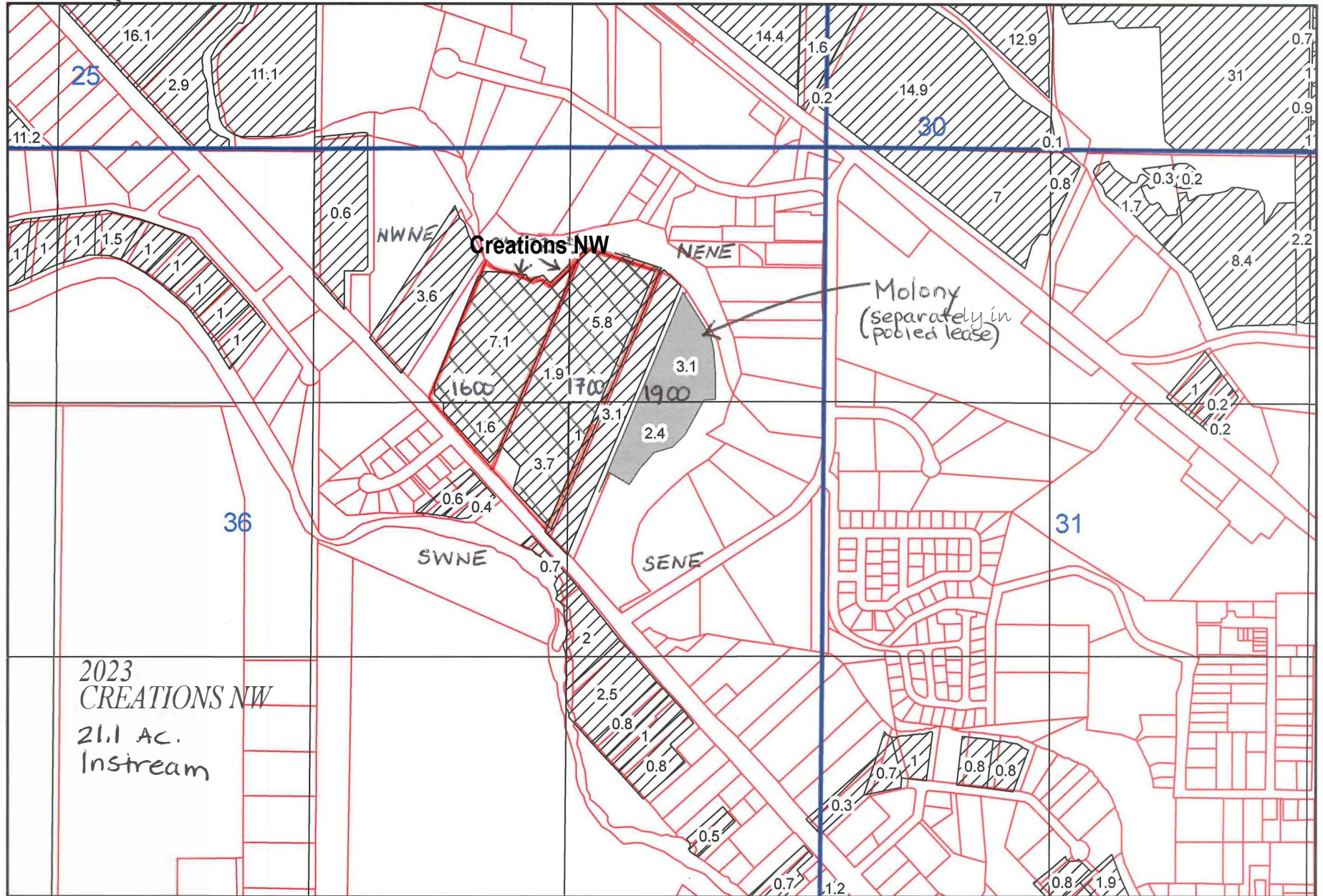
- Point of Diversion
- Canals
- Taxlots
- Transfer
- Cert 82246
- Cert 82247
- Cert 82248
- Cert 82249

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1 inch = 400 feet
 April 2015



MOLONY 5.5 Ac, CREATIONS NW 21.1 Acres
T. 14 S., R. 15 E., W.M., SECTION 36
NE 1/4



2023
CREATIONS NW
21.1 Ac.
Instream



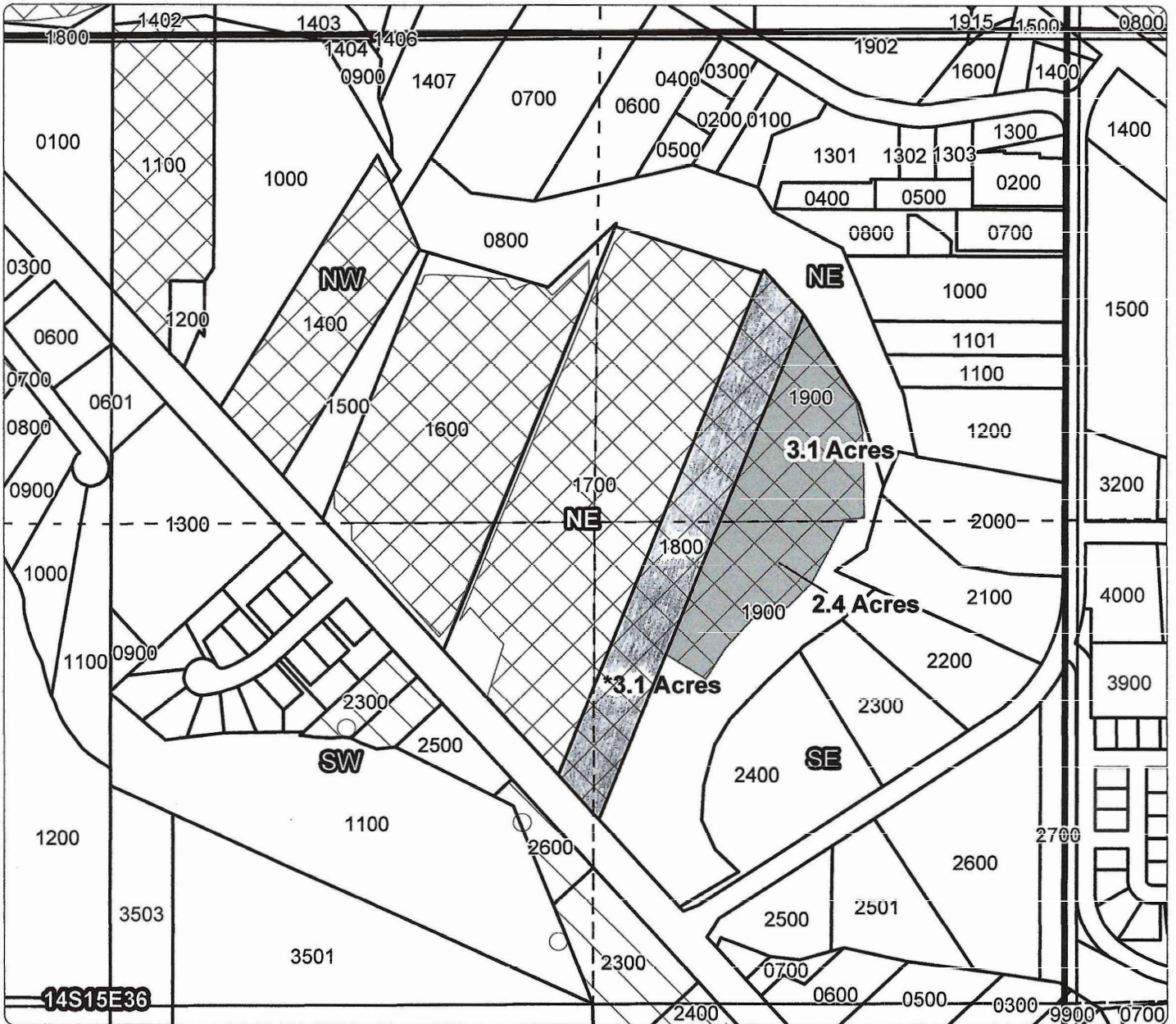
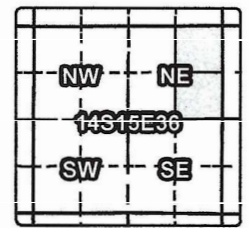
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Ochoco Irrigation District

Application for Instream Lease

Cert #: 82246 (IR), 82247 (IS)

For: Dave Molony



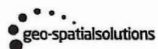
1 YEAR INSTREAM LEASE MAP

Taxlot 1900, 141536NENE: 3.1 Acres Leased (82246/82247), 0 Acres Remaining

Taxlot 1900, 141536SENE: 2.4 Acres Leased (82246/82247), 0 Acres Remaining

Taxlot 1800, 141536SENE: *3.1 Acres Leased (82246/82247), 0 Acres Remaining

*Denotes that the tax lot acres extend over more than 1 quarter-quarter.
See certificate 84426 page 2 and page 21.



- Point of Diversion
- Canals
- Taxlots
- Transfer
- Cert 82246
- Cert 82247
- Cert 82248
- Cert 82249

1 inch = 400 feet
April 2015

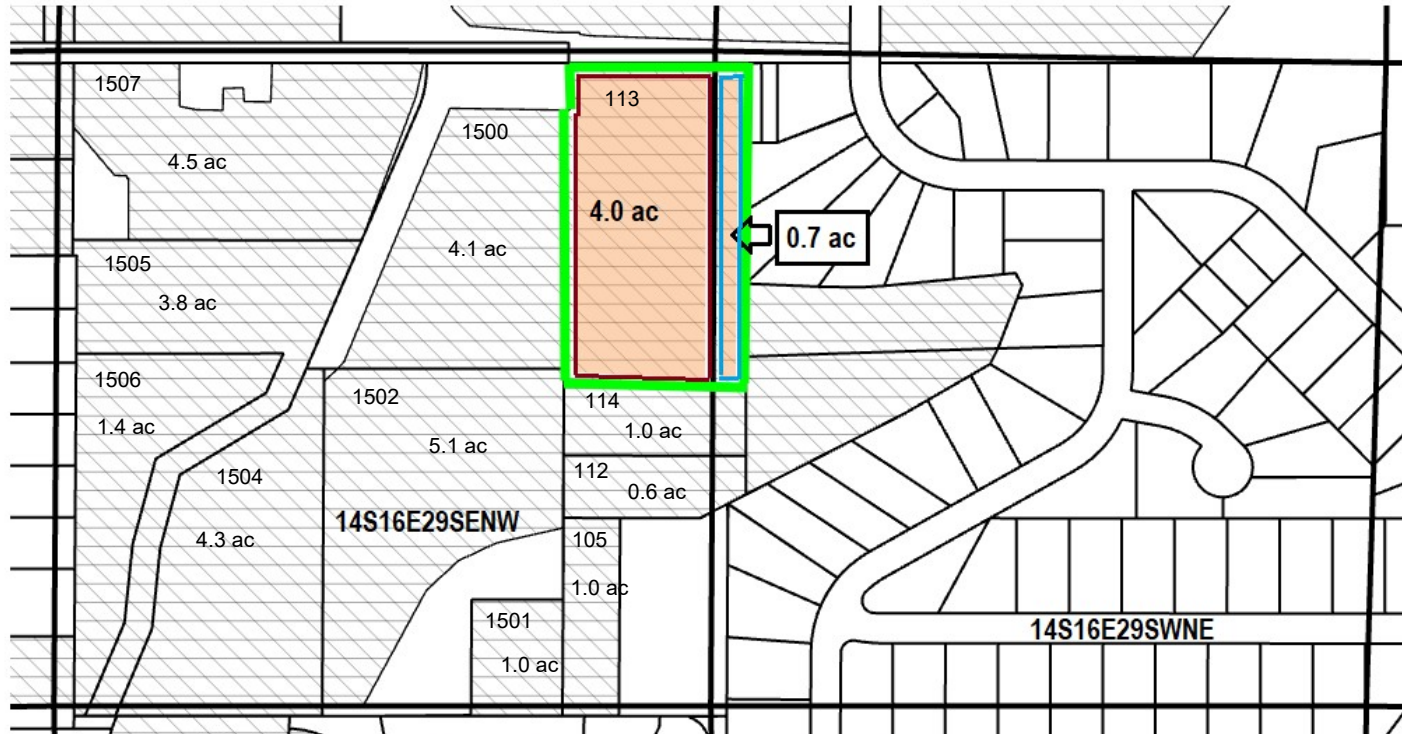


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**Instream Lease
Map**



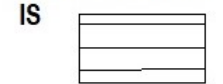
For: Winship, David



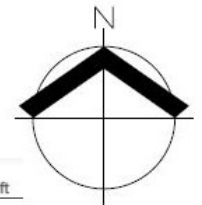
Certificate 82246



Certificate 82247



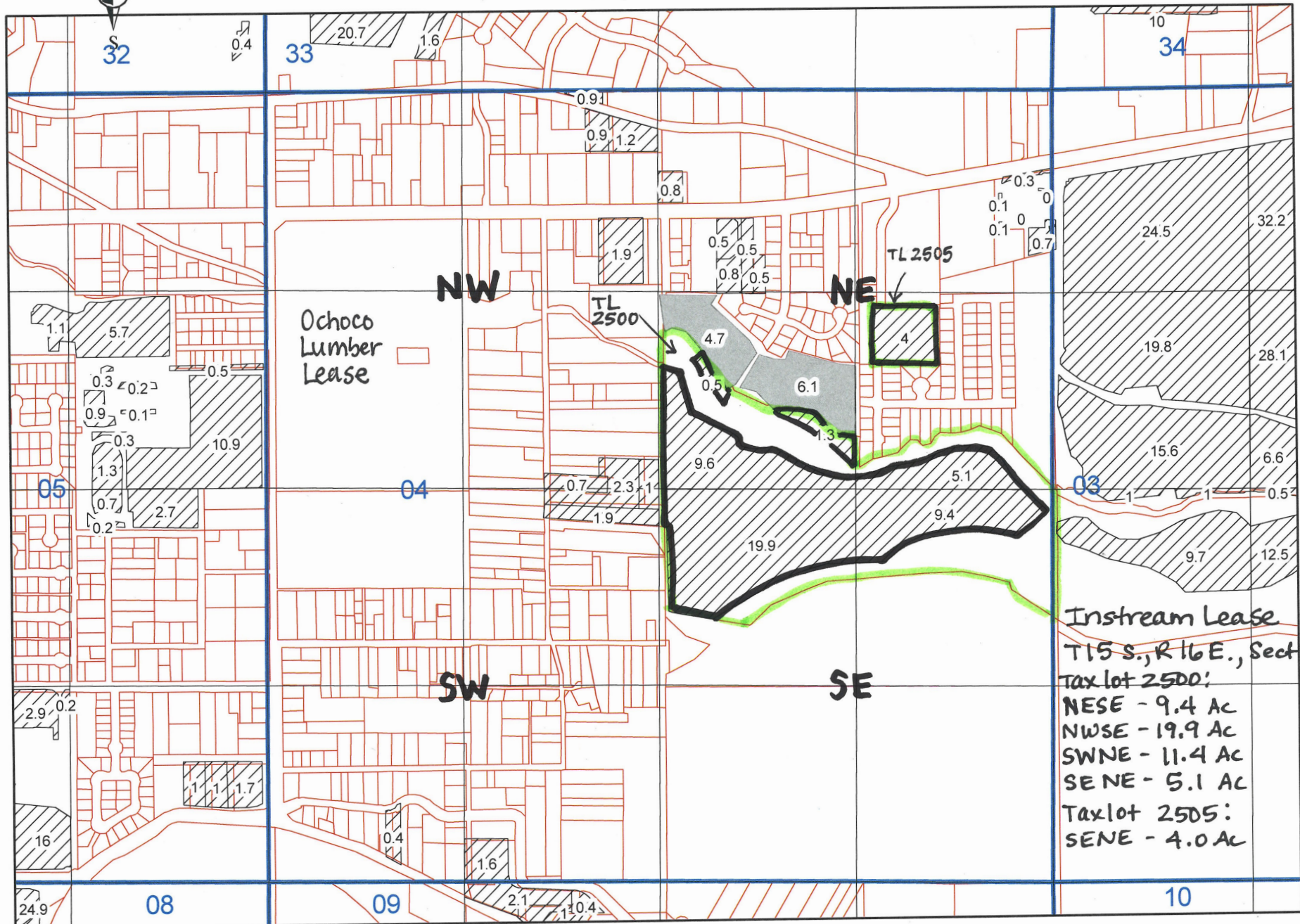
Tax Lot 1416290000113 4.7 ac Total Lease 4.0 ac in NW 0.7 ac in NE



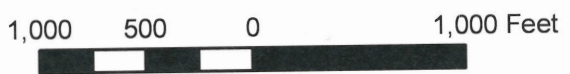
See attached tax map - which includes full acres for tax lot 113 in 141629 SENW.
Certificate 82246, pg 35, also includes full irrigation acres for tax lot 113 in SENW.

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STEARNS LAND - LEASE LANDS
T. 15 S., R. 16 E., SECTION 4, W.M..

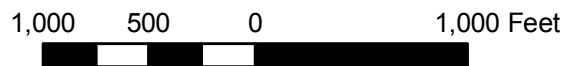
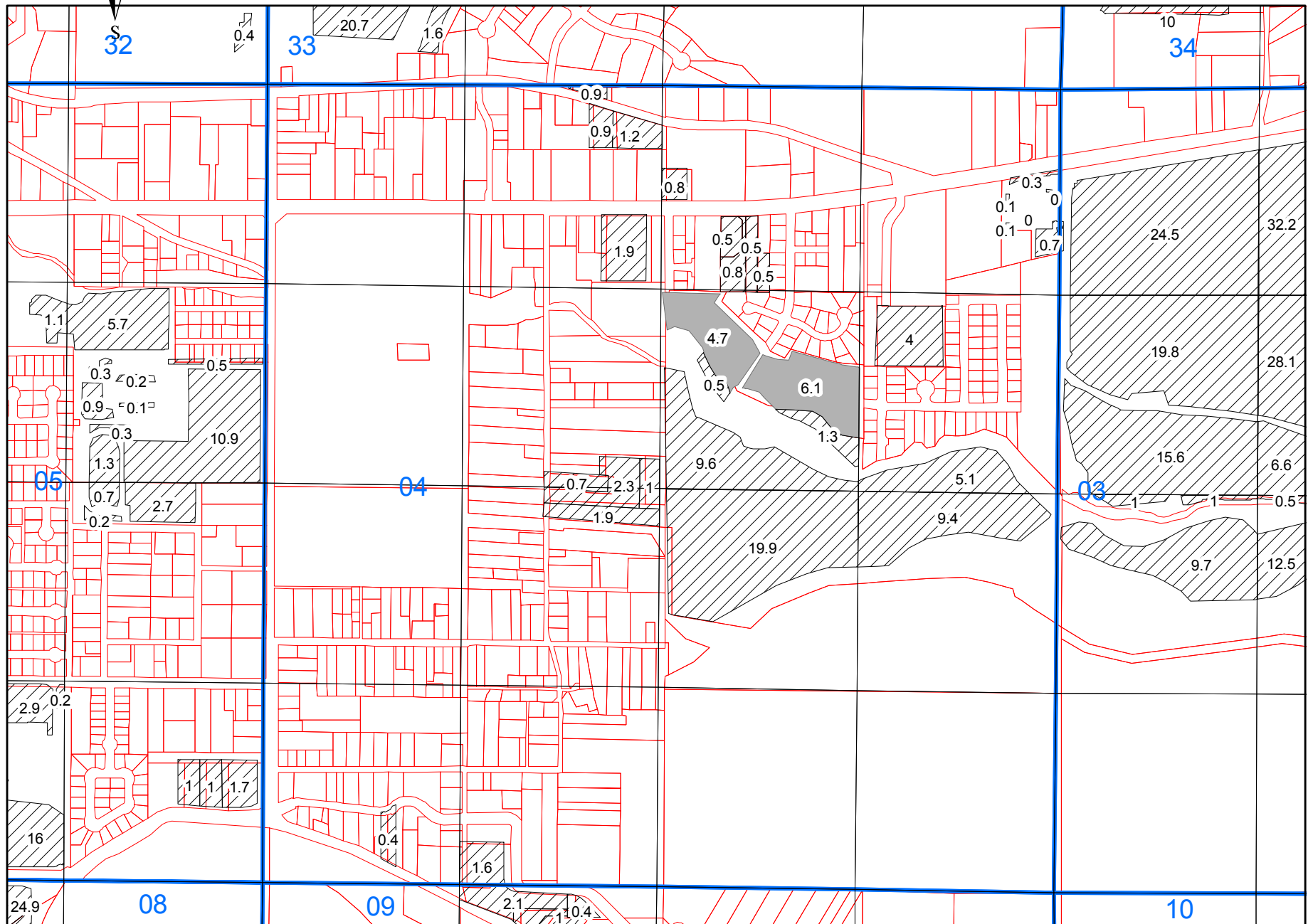
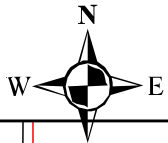


Instream Lease
T. 15 S., R. 16 E., Sect 4
Tax lot 2500:
NESE - 9.4 Ac
NWSE - 19.9 Ac
SWNE - 11.4 Ac
SENE - 5.1 Ac
Tax lot 2505:
SENE - 4.0 Ac



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PURCELL LEASE LANDS T. 15 S., R. 16 E., SECTION 4, W.M..



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