

**WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

House Bill 2551(2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: (check one):

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Transfer Application	1 10300
<input type="checkbox"/>	Certificate Request	
<input type="checkbox"/>	Extension of Time Request	

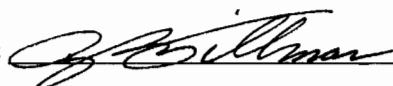
<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	Central Oregon Irrigation District and Deschutes River Conservancy	Zachary Tillman - DRC
Address:	700 NW Hill St. Bend, OR 97701	
Phone:	541- 382 382-4077 x.21	
Fax	541-382-4078	
E-Mail Address:	zach@deschutesriver.org	

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

OWRD – Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1266.

I certify that I am the (check one) Applicant Applicant's Representative Other (Please specify) _____

Signature: 

Name: Zachary Tillman

OWRD USE ONLY

Contractor Assigned:	Total Amount Paid: \$
OWRD Approval:	

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JAN 29 2007

Revised: 6/21/2004

**WATER RESOURCES DEPT
SALEM, OREGON**



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

MITIGATION PROJECT

Application for Water Right

Transfer / MP-95

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable". If you are unable to complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBLICATIONS

1. TYPE OF TRANSFER APPLICATION

Please check one

<input type="checkbox"/> Permanent Transfer	<input checked="" type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer	<input checked="" type="checkbox"/> Permanent
• total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

2. APPLICANT INFORMATION

Name: Central Oregon Irrigation District & Deschutes River Conservancy
First Last

Address: 700 NW Hill St.
Bend, OR 97701
City State Zip

Phone: 541-382-4077 x.21
Home Work Other

Fax: 541-382-4078 E-Mail address: zach@deschutesriver.org

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: _____
First Last

Address: _____

City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: _____

- If an agent is listed above, please check one of the following:
 - Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
 - Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

1 10300

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4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.			76358
2.			
3.			
4.			
5.			
6.			

- Check **all** proposed change(s) included in this transfer application:

- Place of Use Point of Diversion Additional Point of Diversion
- Character of Use Point of Appropriation Additional Point of Appropriation
- Instream Transfer Surface Water source to Ground Water source

- Reason(s) for change(s): Permanent instream transfer & mitigation project

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

See Exhibit A

- System capacity: _____ cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

See Exhibit A

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6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? Yes No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? Yes No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? Yes No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

Bureau of Reclamation
1150 N. Curtis Rd., Ste. 100
Boise, ID 83706

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

<u>Deschutes County (Planning Dept)</u>	<u>City of Redmond (Planning Dept)</u>
<u>117 NW Lafayette Ave.</u>	<u>P.O. Box. # 97010 726</u>
<u>Bend, OR 97701</u>	<u>Redmond, OR 97756-0100</u>

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8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? Yes No

*If "No", provide the following information. For Temporary Transfers, also include a **notarized statement granting consent** to the transfer from **each** of the landowners:*

Names of Current Landowner(s): See Exhibits (Quitclaim Packets)
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?
 Yes No N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:
 - The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
 - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.
 - N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

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9. ATTACHMENTS

*Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.*

<p>Supplemental Form A – Description of Proposed Change(s) to a Water Right</p> <p><input checked="" type="checkbox"/> A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer.</p> <p>Supplemental Form B – Evidence of Use Affidavit(s)</p> <p><input checked="" type="checkbox"/> At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), <u>and</u></p> <p><input checked="" type="checkbox"/> The Evidence of Use Affidavit must be accompanied by supporting documentation.</p> <p>Map</p> <p><input checked="" type="checkbox"/> <i>Water Right Transfer</i> The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.</p> <p><input type="checkbox"/> <i>Temporary Transfer or Historical POD Change</i> A map meeting the requirements of OAR 690-380-3100 must be included but need <u>not</u> be prepared by a Certified Water Right Examiner.</p> <p>Water Well Report(s)/Well Log(s):</p> <p><input type="checkbox"/> The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.</p> <p><input type="checkbox"/> Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.</p> <p><input type="checkbox"/> N/A. The application does <u>not</u> involve a change in point of appropriation or a change from surface water to ground water, so water well reports are <u>not</u> required.)</p>	<p>Land Use Information Form:</p> <p><input checked="" type="checkbox"/> Enclosed; <i>or</i></p> <p><input type="checkbox"/> Not Required if <u>all</u> of the following are met:</p> <ol style="list-style-type: none"> ① In EFU zone or irrigation district, ② Change in place of use only, ③ No structural changes needed, including diversion works, delivery facilities, other structures, <u>and</u> ④ Irrigation only. <p>Fees:</p> <p><input checked="" type="checkbox"/> Amount enclosed: \$ <u>350.00</u> + \$ <u>125.00</u> = \$ <u>475.00</u> See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.</p> <p><u><i>Instream Water Right Transfers, also include:</i></u></p> <p>Supplemental Form C – Instream Water Right Transfer</p> <p><input checked="" type="checkbox"/> Complete this form to describe the desired nature and attributes for the proposed instream water right.</p> <p><u><i>Temporary Transfers, also include:</i></u></p> <p>Recorded Deed:</p> <p><input type="checkbox"/> The applicant must submit a copy of the current deed of record for the land from which the authorized place of use or point of diversion/appropriation is being moved.</p> <p>Affidavit of Consent:</p> <p><input type="checkbox"/> If the applicant is NOT the owner of record for the land from which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.</p> <p style="text-align: center;">RECEIVED JAN 29 2007</p> <p style="text-align: center;">WATER RESOURCES DEPT SALEM, OREGON</p>
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Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for **all** named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

10. SIGNATURES

▪ Check **one** of the following, as appropriate, and sign the application in the signature box below:

- All information is provided based upon the date of the signed water conveyance agreement (Quitclaim Deed) and is attached with this application as per discussions with OWRD.

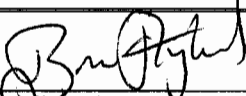
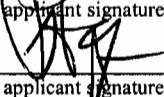
In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to **all** lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is **not** the applicant, a **notarized statement consenting to the transfer** (*attached*) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (*NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.*)

▪ I (we) affirm that the information contained in this application is true and accurate.

 applicant signature	Bruce Aylward name (print)	1/23/07 date
 applicant signature	STEVEN C JOHNSON name (print)	RECEIVED Jan. 2007 date

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Water Right Transfer Supplemental Form A
DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 76358

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input checked="" type="checkbox"/> Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will <u>not</u> be used.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input checked="" type="checkbox"/> Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certificated Right	<u>76358</u>	_____
	Certificate Number	Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____	_____
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____	_____
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____	_____
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Central Oregon Irrigation District
- County: Deschutes
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): 10/31/1900 & 12/2/1907

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: Deschutes R

Tributary to: Columbia R

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

Yes No N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? C-76714 (See Exhibit B)

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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▪ Certificate Number or other identifying number: 76358

The following information **must be provided** only for those points of diversion or appropriation that are **involved in the transfer** (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

Ground Water, OWRD Well Log No. (or Well ID Log No. L. _____)	Source and Priority Date	Township	Range	Mer	Sec	1/4, 1/2, 3/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Deschutes R 10/31/1900g 12/2/1907	17 S.	12 E.	WM	29	SENE		850 Ft. North, 630 Ft. West From E. Corner of Sec. 29

PBC

- Does the water right being transferred involve a ground water source(s)?
 Yes No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
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WATER RESOURCES DEPT SALEM, OREGON									

▪ Certificate Number or other identifying number: **76358**

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

N/A - Instream Water Right Transfer

(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Diversion	Range	Point	Point	Point	Point	Point	Point	Point

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? Yes No N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-...)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Casing depth	Well depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Well depth

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**WATER RESOURCES DEPT
SALEM, OREGON**

Water Right Transfer Supplemental Form C

INSTREAM WATER RIGHT TRANSFER

- Permanent Instream Transfer** or **Time-Limited Instream Transfer**
 Please contact the Department with any questions on filling out this form. Attach additional pages, if necessary.

1. Identify the public use for which the instream right is requested (check one).

- Conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values. Recreation
 Navigation
 Pollution Abatement

2. Instream use proposed to be created by the instream transfer:

Originating Water Right Number (as identified in the transfer application)	Priority Date	Source	Proposed Instream Period	Rate (cfs)*	Volume (ac-ft)**
C-76358	10/31/1900	Deshutes R.	4/1 → 11/1	0.67	214.76
			See Exhibit C for Details		
Total Volume:					

* To calculate rate (if other than the rate allowed by the right), divide the volume by the number of days in the period and then divide by 1.983471; or

** To calculate volume, multiply the rate by the number of days in the period and then multiply by 1.983471.

The quantity allocated during any period may not exceed the quantity that may be used under the existing right during that period. The total volume of water for the year may not exceed the total volume of water that may be used during the year under the existing right.

Additional information: Instream WR based on 1900 priority date (See Exhibit C)

3. Identify the location of the proposed instream water right.

- Water is requested to be protected at a point.
 Location (i.e. the point of diversion (POD), or if the water right has more than one POD or if a POD is not described on the water right, please provide the legal description): _____

- Water is requested to be protected within a reach.
 Location of proposed reach (if an instream water right reach is requested, identify the upstream and downstream extent of the reach): From North Canal (POD #1) downstream to Lake Billy Chinook (RM 120)

4. Recommendations for conditions on the instream use to avoid taking away or impairing existing water rights.

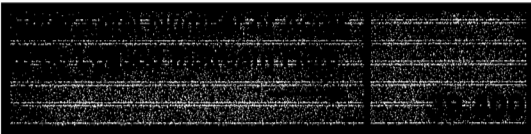
- None
 Other (such conditions may include, but are not limited to, reductions in the instream flow levels in cfs per month or total ac-ft, the effective reach(es) or lake levels of the instream flow, measuring locations and the strategy for monitoring the instream flow or lake levels): _____

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 SALEM, OREGON**

**This table will calculate flow rate factors and duty for Central Oregon Irrigation District
Instream Leases with water instream under October 31, 1900 priority date only**



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

Rate (CFS) associated with leased rights for Section 1.5 of the Lease Application Form			
Enter Rates by season and priority date on Instream Lease Form	Full Rate	October 31, 1900	December 2, 1907
Season 1	0.493	0.493	
Season 2	0.657	0.657	
Season 3	1.216	0.867	0.349
Duty (AF) associated with leased right for Section 1.5 of the Lease Application Form			
Duty (decree) AF/Acre =	9.91		
	390.45		

Enter Rates by season on Instream Lease Application Form	Full Rate if under October 31, 1900 priority date only	Enter Duty on Instream Lease Application Form	
Season 1	0.271	Duty (decree) AF/Acre = 5.45	
Season 2	0.361	Max volume =	214.75
Season 3	0.665		
	# days	AF/Season	9.91 AF Duty - 45% = 5.45
Season 1*	56	30.09	Total = 214.75
Season 2	30	21.49	
Season 3	123	163.17	
	Season total =	214.75	
Water protected instream:	April 1 through October 26		

* Note - The number of days that water may be protected instream in Season 1 has been reduced to prevent enlargement of the right.



Duty Associated with Leased Right for Section 1.5 of the Additional Water Right Form
390.45

38.25

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5. Are there any existing instream water rights at the same point or within the same requested reach(es) or lake, or on a portion thereof:

- No
Yes (identify other instream water rights): OWRD maintains a current list of instream WR's

New instream water rights generally (but not always) are additive to instream water rights established under ORS 537.348 (instream transfer application process) and ORS 537.470 (allocation of conserved water) and replace a portion of instream water rights established under ORS 537.341 (state agency application process) or ORS 537.346 (conversion of minimum perennial streamflows) with an earlier priority date.

Is it your intent to have the proposed instream water right transfer be additive to any instream water right established under ORS 537.348 and ORS 537.470 and replace a portion of any instream water right established under ORS 537.341 and ORS 537.346 with an earlier priority date?

- Yes
No. If no, please explain your intent below.

If the proposed conversion would add to the amounts of an existing instream water right(s) established under ORS 537.341 or 537.346, provide documentation demonstrating why additional instream flows are necessary. Supporting documentation should include information from the Dept. of Fish and Wildlife (ODFW) (fish life), Dept. of Environmental Quality (DEQ) (pollution abatement), and/or Parks and Recreation Dept. (recreation).

6. Is the requested instream flow intended to exceed the estimated average natural flow or level occurring from the drainage system?

- No; or
Yes (Provide supporting documentation that demonstrates why additional flows are significant for the public use requested.); or
Yes, and it is presumed that flows that exceed the estimated average natural flow or natural lake levels are significant because:
- The requested flow does not exceed the maximum amount of any instream water right application applied for under ORS 537.341 (state agency instream water right application process) for the same reach or portion thereof, and the requested public use is for the same public use as the aforementioned instream water right application; and
- For the specified time period that flows are requested to exceed the estimated average natural flow or lake level, the stream is in an ODFW flow restoration priority watershed (A copy of the priority watershed map indicating the specific watershed involved should be included with the application. Priority watershed maps may be found on the OWRD web page); or
- The stream is listed as water quality limited and DEQ has provided scientific information that demonstrates that increased flows would improve water quality. (The scientific information provided by DEQ should be included with the transfer application.)

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7. For a time-limited instream transfer, please answer the following:

- The time-limited instream transfer is for a specific number of years:
Begin Year to End Year
The time-limited instream transfer is to terminate based upon other conditions:
Conditions:

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WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department
Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Deschutes River Conservancy
Mailing Address: 700 NW Hill St.
City: Bend State: OR Zip: 97701 Day Phone: 541-382-4077 x.21

This application is related to a Measure 37 claim. Yes No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>N/A</u>						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Deschutes County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Water-Right Transfer
- Exchange of Water
- Allocation of Conserved Water
- Limited Water Use License
- Permit Amendment or Ground Water Registration Modification

Source of water: Reservoir/Pond Ground Water Surface Water (name) Deschutes R.

Estimated quantity of water needed: 0.67 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-municipal Instream Other _____

Briefly describe: Instream transfer & mitigation project

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)
If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Paul Blikstad Title: Associate Planner
 Signature: Paul Blikstad Phone: 388-6554 Date: 1-11-07
 Government Entity: Deschutes County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

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Receipt for Request for Land Use Information

JAN 29 2007

Applicant name: _____ **WATER RESOURCES DEPT
SALEM, OREGON**

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Exhibit A

Description of WR Delivery Systems COID #5

(See Affidavits of Beneficial Use)

Daniels, 0.5 acres

- Purpose - Irrigation of landscaping, pasture grass
- System - Delivered from Sub-Lateral H-1-7. Flood irrigated w/tarps.
- Delivery System Capacity - 1.62 acres (0.05 cfs)

Kosanke, 0.5 acres

- Purpose - Irrigation of landscaping, pasture grass
- System - Delivered from Sub-Lateral C-3. Pumped w/pop up sprinklers
- Delivery System Capacity - 1.4 acres (0.043 cfs)

Ball, 8.0 acres

- Purpose - Irrigation of pasture grass
- System - Delivered from Sub-Lateral E-11-#2. Flood irrigated by ditch and tarps
- Delivery System Capacity - 66.71 acres (2.06 cfs)

Windridge Homes, 18.4 acres

- Purpose - Irrigation of pasture
- System - Delivered through Sub-Lateral E-16. Flood Irrigated
- Delivery System Capacity - 24.2 acres (0.75 cfs)

Davis, 12.0 acres

- Purpose - Irrigation of pasture
- System - Delivered through Sub-Lateral B-0-4. Flood Irrigated
- Delivery System Capacity - 12.0 acres (0.37 cfs)

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Exhibit B

**Cancellation of supplemental water right (IS)
COID #5**

Modification of this supplemental water right reduces by 39.4 acres the number of acres to which stored water may be applied for supplemental irrigation under the right evidenced by Certificate 76714; however, the maximum quantity of stored water that can be diverted for use under the right remains unchanged.

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Exhibit C

Instream Water Right

COID #5

Instream Rates	1900
Season 1	0.271 CFS
Season 2	0.361 CFS
Season 3	0.670 CFS

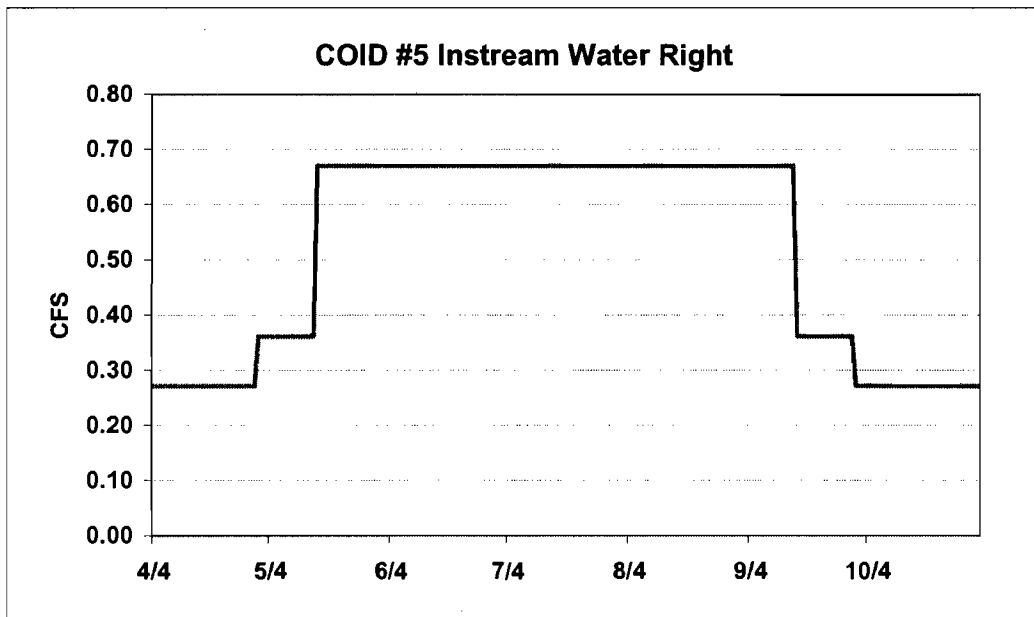
The above numbers shape the rate based upon the 1900 WR's of C-76358

Season 3 is taken under the 1900 priority date, as per COID decree

The 1907 WR provides for transmission loss, as per the 1933 T.E.J. Duffy Decree

Instream Duty 214.76 Acre-Feet

Seasons are as follows:	
Season 1	4-1 through 5-1 & 10-1 through 11-1
Season 2	5-1 through 5-15 & 9-15 through 10-1
Season 3	5-15 through 9-15



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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Water Right Transfer Supplemental Form Map Waiver

The Director may waive or assist a transfer applicant in satisfying the map requirement (OAR 690-380-3100) for certain transfers if the criteria described in this form are met pursuant to OAR 690-380-3410.

This form must be prepared by the transfer applicant and the appropriate Regional Manager for the Oregon Water Resources Department. To prepare the form, a copy of the complete transfer application, including a description of the water rights to be transferred, must be provided to the Regional Manager.

This map waiver form must be signed by the Regional Manager and submitted with the transfer application.

Transfer Applicant: COID & ORC

Water Right(s) to be transferred: C-76358

1. The transfer **must** be one of the following. Please check the appropriate box.

- An instream transfer application filed pursuant to ORS 537.348.
- A transfer application necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.375; or
- The transfer application is determined and endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

2. For an **instream transfer application filed pursuant to ORS 537.348**, a map waiver shall only be approved if the application meets one of the following additional criteria. Please check the appropriate box.

- The entirety of the right is being transferred to an instream water right and the location of the instream water right can be clearly delineated through reference to the existing point of diversion for the transferred right and other points of diversion or geographic reference points such as the mouth of the stream; or
- A map meeting the requirements of the transfer rules (OAR 690-380-3100) is available showing the lands not included in the transfer and the location of the instream water right can be clearly delineated through reference to the existing point of diversion for the transferred right and other points of diversion or geographic reference points such as the mouth of the stream. (Please include copy of map(s) with transfer application.)

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3. For a transfer application meeting any one of the criteria identified in #1 (including an instream transfer application), a map waiver may also be approved if other circumstances are present that make an application map unnecessary. If #2 does not apply, but circumstances are present that make an application map unnecessary, describe those circumstances below:

4. For any transfer application meeting one or more of the criteria identified in #1 that does not meet the criteria for a map waiver as described in #2 or #3, the Department may assist the applicant in development of the application map. The Department (through the regional office) may provide this assistance at the discretion of the appropriate Regional Manager. Please check the appropriate box below if the Department has provided assistance in development of the transfer application map:

- A map meeting the requirements of OAR 690-380-3100 has been prepared by Department staff and is included with the transfer application.
- The map provided with the transfer application has been developed with assistance from Department staff and meets the requirements of OAR 690-380-3100.

Signature:  Date: 1-22-07
OWRD Regional Manager, S. Central Region

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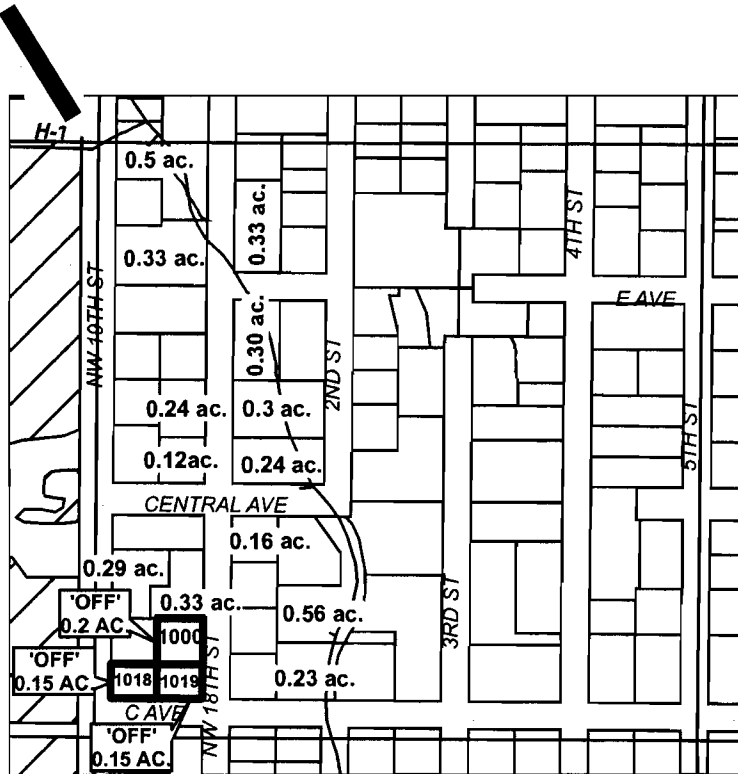
DESCHUTES COUNTY SEC.16 T14S R13E

Daniels

SCALE - 1" = 400'

NW 1/4 OF THE SW 1/4

W 1/4 COR



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TL #	'OFF' LAND PARCELS
# ac.	'OFF' LAND PARCELS

"OFF" MAP



APPLICATION FOR PERMANENT INSTREAM

NAME: CITY OF BEND

TAXLOT #: 1000, 1018, 1019

0.5 ACRES

DATE: 12-18-06

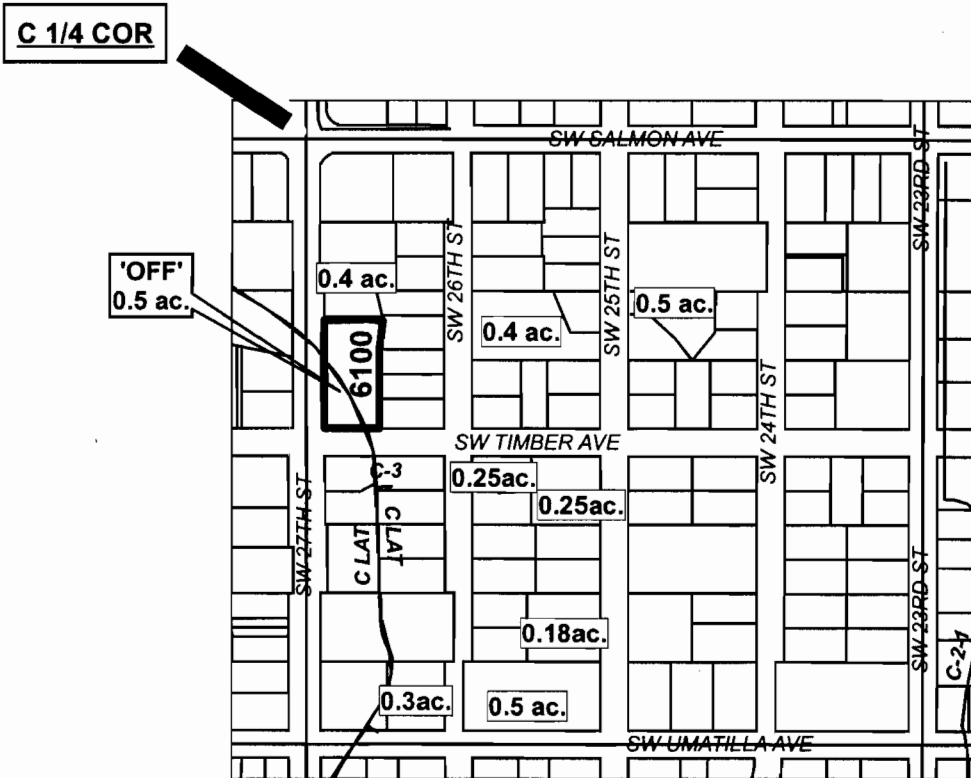
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DESCHUTES COUNTY
SEC.20 T15S R13E

SCALE - 1" = 400'

Kosanke

NW 1/4 OF THE SE 1/4



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TL #	'OFF' LAND PARCELS
# ac.	PARCELS W/ WATER RIGHTS

"OFF" MAP



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: CITY OF BEND

TAXLOT #: 6100

0.5 ACRES

DATE: 12-08-06

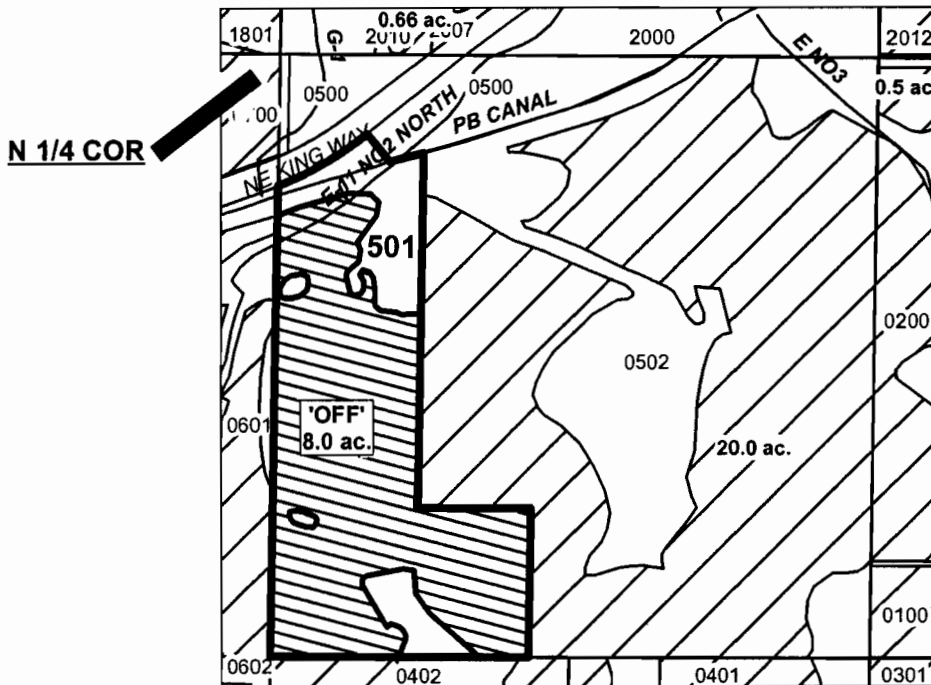
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**DESCHUTES COUNTY
SEC.03 T15S R13E**

Ball

SCALE - 1" = 400'

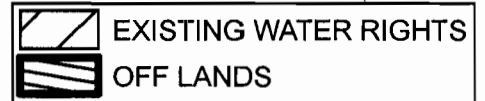
NW 1/4 OF THE NE 1/4



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SALEM, OREGON



"OFF" MAP



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: CITY OF BEND

TAXLOT #: 501

8.0 ACRES

DATE: 12-19-06

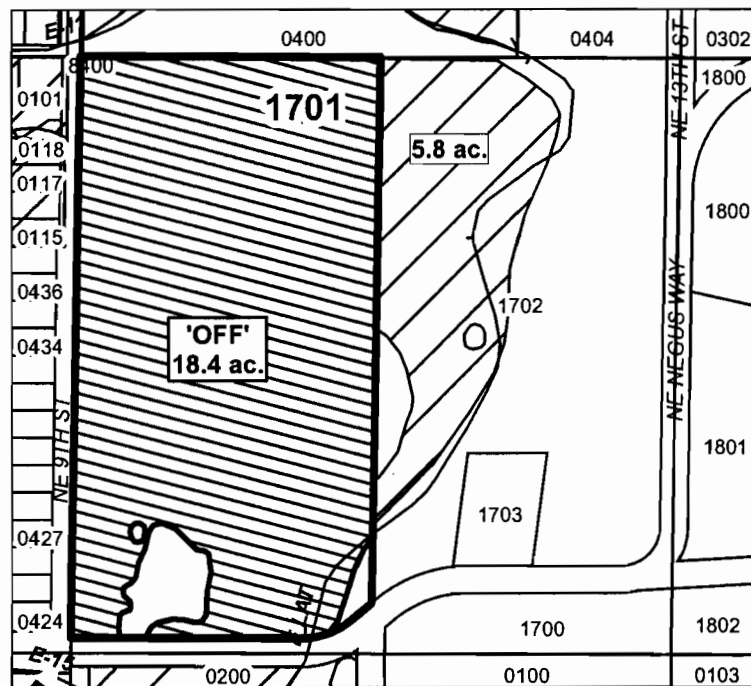
FILE: E:\TRANSFER\WRTRANS06\CITY OF BEND\151313_501.PDF

DESCHUTES COUNTY
SEC.03 T15S R13E

SCALE - 1" = 400'

Windridge

SW 1/4 OF THE SE 1/4





S 1/4 COR

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	EXISTING WATER RIGHTS
	OFF LANDS

"OFF" MAP



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: CITY OF BEND

TAXLOT #: 1701

18.4 ACRES

DATE: 12-08-06

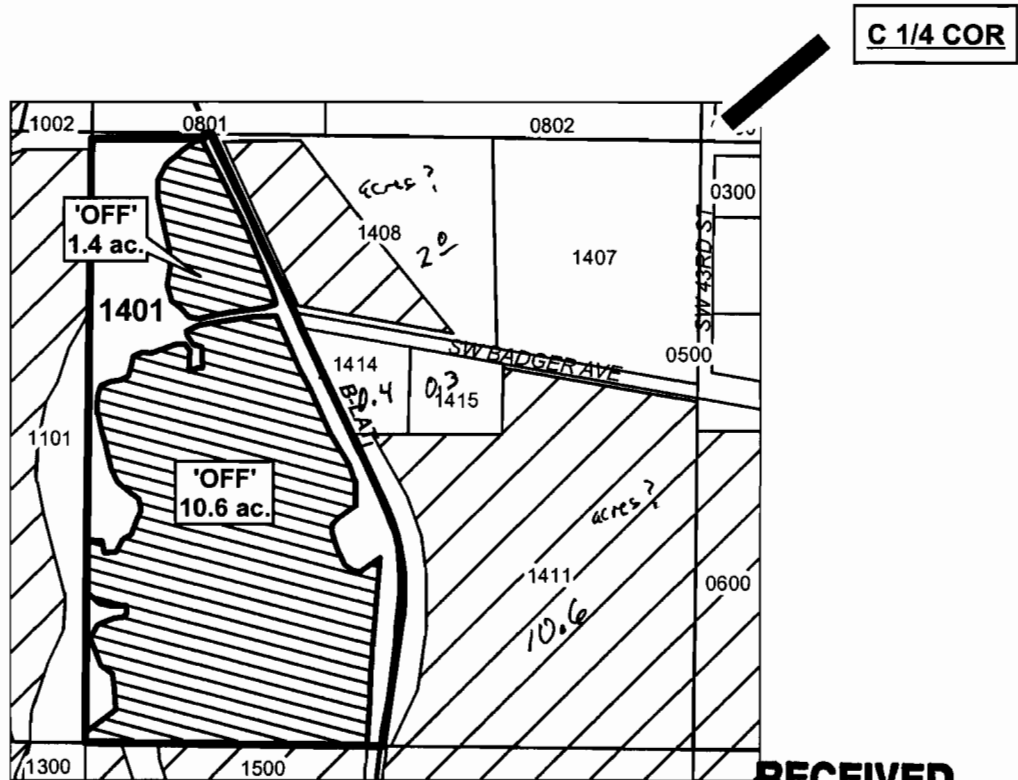
FILE: E:\TRANSFER\WRTRANS06\CITY OF BEND\151303_1701.PDF

DESCHUTES COUNTY
SEC.30 T15S R13E

SCALE - 1" = 400'

Davis

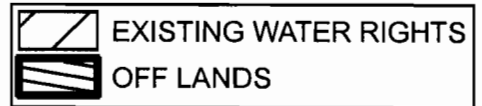
NE 1/4 OF THE SW 1/4



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"OFF" MAP



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: CITY OF BEND

TAXLOT #: 1401

12.0 ACRES

DATE: 12-08-06

FILE: E:\TRANSFER\WRTRANS06\CITY OF BEND\151330_1401.PDF

City. File #	Grantor Last	Acres	WR Map		Ownership		Proof of Use					
			Map	Waiver	QC	Report	Affidavit	Aerial	Year	Lease	Year	
1 2006-47264	Daniels	0.50	Y	Y	Y	Y	Y	Y	Y	2004		
1 2006-45847	Kosanke	0.50	Y	Y	Y	Y	Y	Y	Y	2004		
1 2006-49106	Ball	8.00	Y	Y	Y	Y	Y	Y	Y	2005		
1 2006-19813	Windridge Homes Inc.	18.40	Y	Y	Y	Y	Y	Y	Y	2004		
1 2006-21200	Davis	12.00	Y	Y	Y	Y	Y	Y	Y	2005		

39.40

5

1 10300

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