

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

Partial Mitigation Project
 48.93 acres → Mitigation } Total = 60.12 acres
 11.19 acres → Restoration }

Application for Water Right

Transfer

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." As you 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/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one	
<input type="checkbox"/> Permanent Transfer	<input checked="" type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer (1 to 5 yrs.)	<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: Deschutes River Conservancy & Central Oregon Irrigation District.
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: _____ **RECEIVED**
First Last

Address: _____ **DEC 20 2007**
City State Zip **WATER RESOURCES DEPT SALEM, OREGON**

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.

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 → 83571
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (Description of Proposed Change(s) to a Water Right) for **each** water right listed above.

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

- Place of Use Point of Diversion (POD) Additional Point of Diversion
- Character of Use Point of Appropriation (POA, or well) Additional POA
- Instream Transfer Surface Water POD to Ground Water POA
- Substitution of Supplemental Groundwater right for Primary Surface water right
- Historic POD change Other

- 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.

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- 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

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

- 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., Suite 100
Boise, ID 83706

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8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

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

9. 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 (for Permanent Transfers see Section 12(c)):

Names of Current Landowner(s): See Quitclaim Pockets
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

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- 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.)

10. Other Remarks (optional)

Exactly 11.19 acres do not require mitigation credits - They are Restoration acres for NFWF. These acres' instream reach extends to the mouth of Deschutes R. (R.M. 0). See Exhibit D
All other acres (48.93 ac) are for mitigation - The reach for mitigation acres ends at Lake Billy Chinook (~ R.M. 120).

11. ATTACHMENTS

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

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- 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), and
- The Evidence of Use Affidavit **must** be accompanied by **supporting documentation**.

Map

Water Right Transfer

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.

Temporary Transfer or Historical POD Change

A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- 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.
- 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.
- N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information For Proposed Changes:

~~For Instream Transfers:~~

- Notice of the intent to file an instream transfer application has been provided to each affected local government along the proposed reach, and copies of the notices are enclosed. (*For instream transfers a Land Use Information Form is not required.*)

For All Other Transfers:

- Land Use Information Form is enclosed; *or*
- All of the following criteria are met, therefore a Land Use Information Form is not required:
- ❶ In EFU zone or irrigation district,
 - ❷ Change in place of use only,
 - ❸ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ❹ Irrigation only.

Fees:

- Amount enclosed: \$ 500 (400 + 400 + 200 ÷ 2)
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- 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.

Affidavit of Consent:

- 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.

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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.

12. SIGNATURES

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

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.

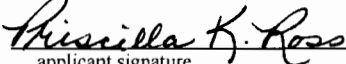

I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized to pursue the transfer. I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.

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 this is a temporary transfer and a copy of the deed for the "from" land (and affidavits of consent from any other landowners, if applicable) is enclosed.

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

 applicant signature	PRISCILLA K. ROSS BUSINESS MGR. 12/12/2007 name and title if applicable (print) date
 applicant signature	Zachary Tillman - ORC xfers Mgr 12/12/07 name and title if applicable (print) 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 → 83571

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 <u>instead of</u> 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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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 → 83571</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? See Exhibit E
*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 → 83571

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)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Deschutes R. 10/31 / 1900 12/2 / 1907	17 S.	12 E.	WM	29	SENE		850 Ft. N. & 630 Ft. W. of E. Corner of Sec. 29
	" "	18 S.	11 E.	WM	13	SWNE		1520 Ft. S. & 1535 Ft. W. of NE Corner of Sec. 13

PBC
col

- 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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▪ Certificate Number or other identifying number: 76358 → 83571

Will the ENTIRE water right be affected by this transfer? Yes No

If "Yes", the remainder of this page does not need to be completed. Go on to the next page.

If "No", the following information **must be provided** only for those places of use that are involved in the transfer (i.e., **list only the portion of the water right to be affected by the change.**) 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 Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
See Exh. A							

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▪ Certificate Number or other identifying number: 76358 & 83571

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	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- 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)	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 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 → 83571	10/31/1900	Deschutes R. Upper Reach	4/1 → 11/1	0.008	2.73
		Middle Reach		1.03	330.41 327.68
		Lower Reach		0.047	20.14
Total Volume:					See Exhibits B, C, D

* 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: Lower reach corresponds to 11.19 ac (Restoration acres) for which there is no mitigation. (1.8 of /acre)

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): See Exhibits B, C, & D

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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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 water rights

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.)

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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Exhibit A

Place of Use info, Delivery Systems & Purpose (Mitigation or Restoration)

Name	Location(s)			T/L	Acres	Delivery System	Purpose	
	T	S	R				QQ	Restoration
Central Oregon Canal (COC) POD #1								
Leroy Bennett	18	12	3	SENE	1400	0.5	C-9-0	0.5
Pilot Butte Canal (PBC) POD#11								
Redmond Communities LLC	15	13	18	NESW	200	5.3	C-1-13	5.3
EMP Majestic Ridge LLC	15	13	19	NESE	200	4.3	C-5-8	4.3
James & Connie Tittle	15	13	8	SWSW	804	0.9	C-5-9	0.9
KEB Antler Investment LLC	15	13	8	SWSW	700	4.0	C-5-8	3.81
KEB Antler Investment LLC	15	13	8	SWSW	803	1.0	C-5-8	1.0
KEB Antler Investment LLC	15	13	8	SWSW	900	4.0	C-14	4.0
Creative Water Solutions LLC	15	13	17	NESW	2900	7.1	C-14	7.1
Creative Water Solutions LLC	15	13	17	SESW	2900	5.1	C-5-8	5.1
Kim Goin	15	13	8	SWSW	801	0.77	C-2-2	0.8
Gene Hoskin	15	13	20	NWSE	3300	0.5	C-6-6	0.5
Connie Graves	15	13	16	NWNW	1100	2.5	C-19	2.5
Tri-County Investors Ltd. Partnership IV	15	13	8	NESW	800	0.3	C-19	0.3
Tri-County Investors Ltd. Partnership IV	15	13	8	NWSW	800	0.5	C-16-1	0.5
Rise Up, Inc.	15	13	8	SESW	600	0.8	C-19	0.8
Kevin & Nancy Connolly	15	13	8	NESW	600	1.4	PBC 21-1	1.4
Sam Blackwell	15	13	21	SWNW	2800	0.35	C-9-3-2	0.4
Sun Coast Development LLC	15	13	5	SWSW	1004	8.5	C-5-7	8.5
Albert Payton	15	12	1	SWSE	1200	0.25	B-24-2	0.3
Albert Payton	15	13	17	NENW	500	2.0	E-14-0	2.0
High Desert Redmond LLC	15	13	10	NENW	105	9.8	PBC 21-1	9.8
Lou Shive	15	13	21	SWNW	2900	0.25	A-2-1	0.3
						60.12		11.19
								48.93

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DEC 20 2007

WATER RESOURCES DEPT
SALEM OREGON

Exhibit B - Reach 1

From: Central Oregon Canal (POD #1) to North Canal Dam (POD#11)

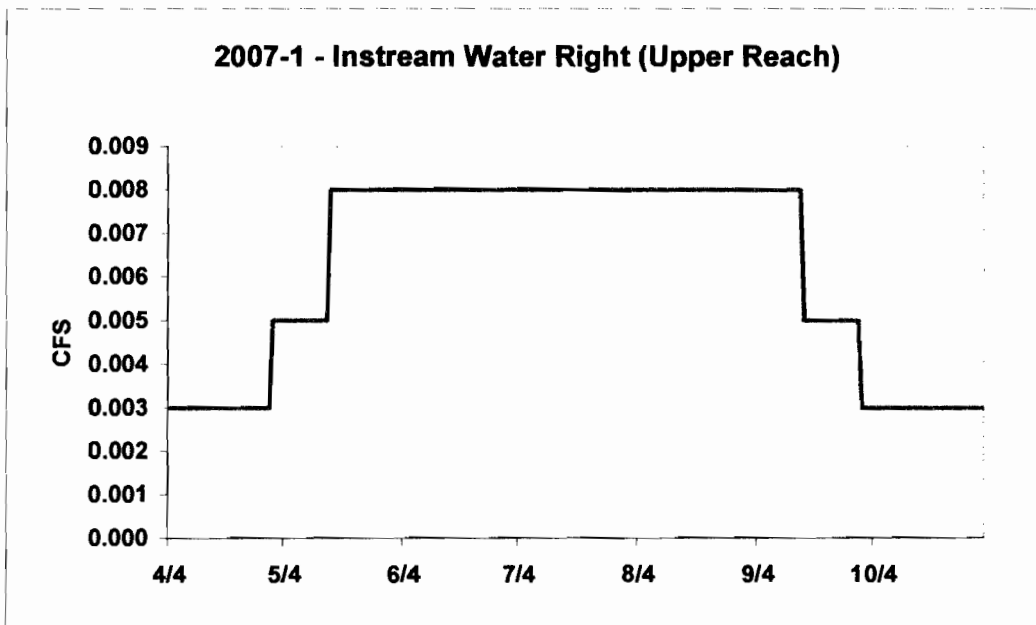
Instream Water Right

COWBank Allocation: 2007-1

Instream Rates	1900
Season 1	0.003 CFS
Season 2	0.005 CFS
Season 3	0.008 CFS

Instream Duty 2.73 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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WATER RESOURCES DEPT
SALEM, OREGON

Exhibit C - Middle Reach

From: North Canal Dam (POD#11) to Lake Billy Chinook (RM 120)

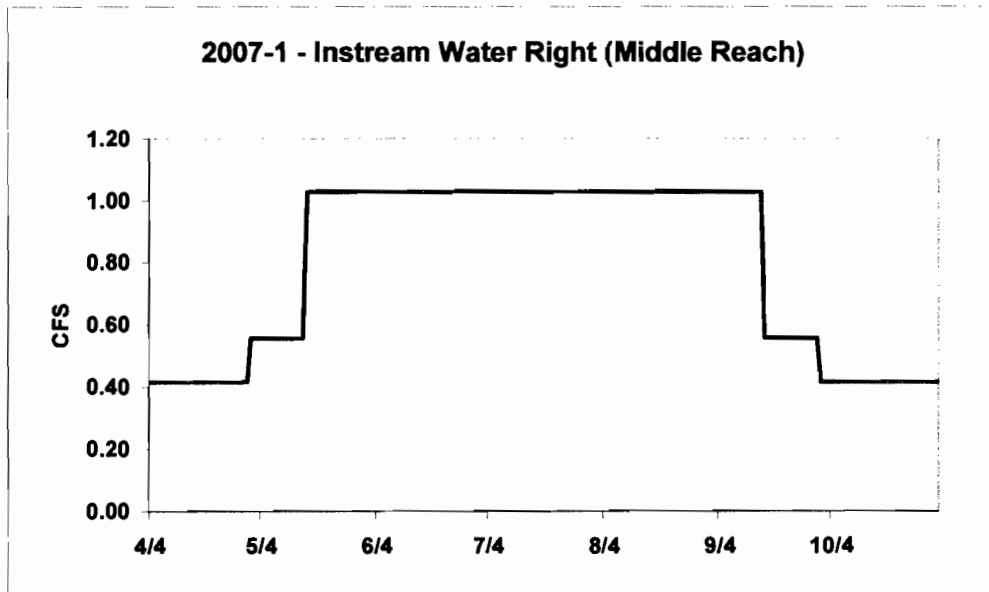
Instream Water Right

COWBank Allocation: 2007-1

Instream Rates	1900
Season 1	0.416 CFS
Season 2	0.556 CFS
Season 3	1.029 CFS

Instream Duty 330.41 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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WATER RESOURCES DEPT
SALEM OREGON

Exhibit D - Lower Reach

From: Lake Billy Chinook (RM 120) to the Mouth (RM 0)

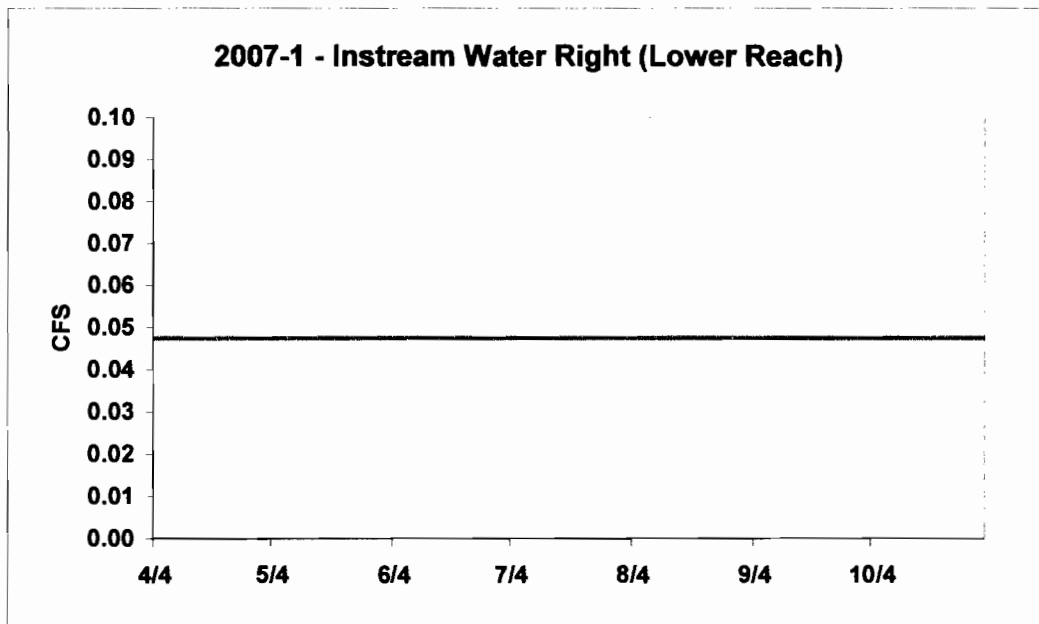
Instream Water Right

COWBank Allocation: 2007-1

Instream Rates	1900
Season 1	0.047 CFS
Season 2	0.047 CFS
Season 3	0.047 CFS

Instream Duty 20.14 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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WATER RESOURCES DEPT
SALEM OREGON

Exhibit E

**Cancellation of supplemental water right (IS)
2007-1**

Modification of this supplemental water right reduces by 60.12 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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**WATER RESOURCES DEPT
SALEM, OREGON**

OREGON

advanced

data map



Water Resources Department

**Central Oregon Irrigation District
Calculator for Certificate 83571**

Revised: 12/06/2007

This calculator is primarily designed to facilitate the calculation of how much water may be protected instream though instream leases and transfers. However, the calculator can also be used to determine the rate and duty associated with other transfers and cancellations. For questions regarding its use, please contact Laura Snedaker at 503-986-0884.

Enter Total Number of Acres Involved from POD #1 (CO Canal)

Enter Total Number of Acres Involved from POD #11 (North Canal, also known as PB Canal)

Rate and duty for the acres by which the water right will be reduced by at the Point of Diversion (POD).

POD #1	October 31, 1900	December 2, 1907	Combined
Season 1 Rate (CFS)	0.006		
Season 2 Rate (CFS)	0.008		
Season 3 Rate (CFS)	0.011	0.004	0.015
Duty (AF)			4.93

POD #11	October 31, 1900	December 2, 1907	Combined
Season 1 Rate (CFS)	0.750		
Season 2 Rate (CFS)	1.000		
Season 3 Rate (CFS)	1.321	0.530	1.851
Duty (AF)			594.31

The transmission loss associated with this right is not transferable or protectable instream. The following tables show the amount of water that is protectable for Instream Leases and Instream Transfers, under the October 31, 1900 priority date. (Please contact the Department if you prefer to protect water instream under the combined October 31, 1900 and December 2, 1907 priority dates.) To prevent enlargement and injury, the instream use has been modified from the authorized season of April 1 through October 31, to April 1 through October 26.

From POD #1 to POD #11	
Season 1 Rate (CFS)	0.003
Season 2 Rate (CFS)	0.005
Season 3 Rate (CFS)	0.008
Maximum Volume (AF)	2.73

From POD #11 to Lake Billy Chinook	
Season 1 Rate (CFS)	0.416
Season 2 Rate (CFS)	0.556
Season 3 Rate (CFS)	1.029
Maximum Volume (AF)	330.41

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DEC 20 2007
WATER RESOURCES DEPT
SALEM OREGON

OREGON

esbancad

dmr.mmp



Water Resources Department

**Central Oregon Irrigation District
Calculator for Certificate 83571**

Revised: 12/06/2007

This calculator is primarily designed to facilitate the calculation of how much water may be protected instream though instream leases and transfers. However, the calculator can also be used to determine the rate and duty associated with other transfers and cancellations. For questions regarding its use, please contact Laura Snedaker at 503-986-0884.

Enter Total Number of Acres Involved from POD #1 (CO Canal)

Enter Total Number of Acres Involved from POD #11 (North Canal, also known as PB Canal)

Calculate

Rate and duty for the acres by which the water right will be reduced by at the Point of Diversion (POD).

POD #1	October 31, 1900	December 2, 1907	Combined
Season 1 Rate (CFS)	0.000		
Season 2 Rate (CFS)	0.000		
Season 3 Rate (CFS)	0.000	0.000	0.000
Duty (AF)			0.00

POD #11	October 31, 1900	December 2, 1907	Combined
Season 1 Rate (CFS)	0.750		
Season 2 Rate (CFS)	1.000		
Season 3 Rate (CFS)	1.321	0.530	1.851
Duty (AF)			594.31

The transmission loss associated with this right is not transferable or protectable instream. The following tables show the amount of water that is protectable for Instream Leases and Instream Transfers, under the October 31, 1900 priority date. (Please contact the Department if you prefer to protect water instream under the combined October 31, 1900 and December 2, 1907 priority dates.) To prevent enlargement and injury, the instream use has been modified from the authorized season of April 1 through October 31, to April 1 through October 26.

From POD #11 to Lake Billy Chinook	
Season 1 Rate (CFS)	0.413
Season 2 Rate (CFS)	0.551
Season 3 Rate (CFS)	1.021
Maximum Volume (AF)	327.68

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WATER RESOURCES DEPT
SALEM OREGON



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: ORL & COID

Water Right(s) to be transferred: C-76358 → C-83571

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.

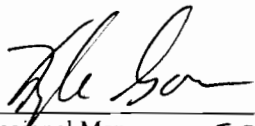
- The entirety of the right is being transferred to an instream water right and the location of the instream water right can be clearly delineated through reference to the existing point of diversion for the transferred right and other points of diversion or geographic reference points such as the mouth 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.)

RECEIVED

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: 12-17-07
OWRD Regional Manager, SCR Region

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WATER RESOURCES DEPT
SALEM OREGON

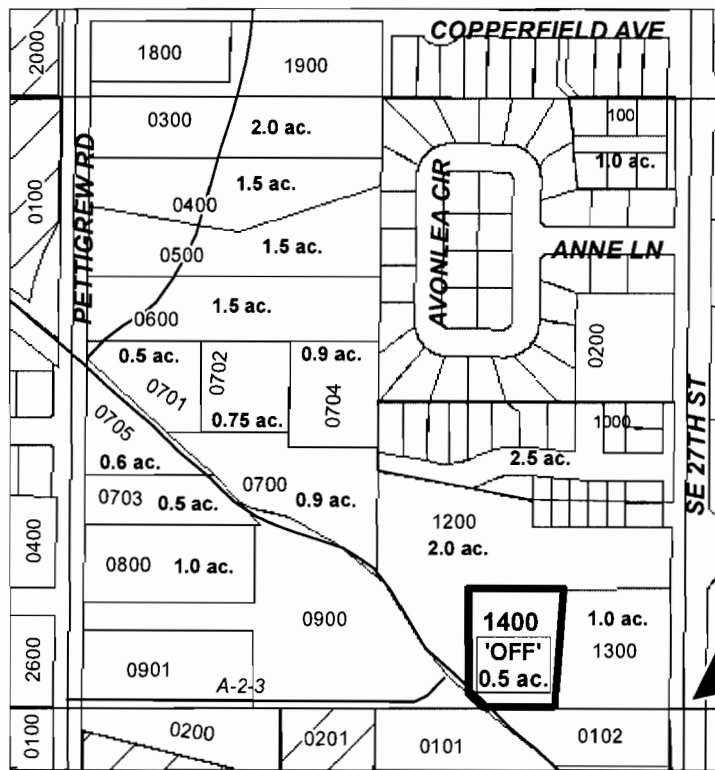
Bennett

DESCHUTES COUNTY SEC.03 T18S R12E

SCALE - 1" = 400'



SE 1/4 OF THE NE 1/4



E 1/4 COR



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WATER RESOURCES DEPT
SALEM, OREGON

"OFF" MAP

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



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 1400

0.5 ACRES

DATE: 11-16-07

FILE: E:\TRANSFER\WRTRANS07\DR\181203_1400.PDF

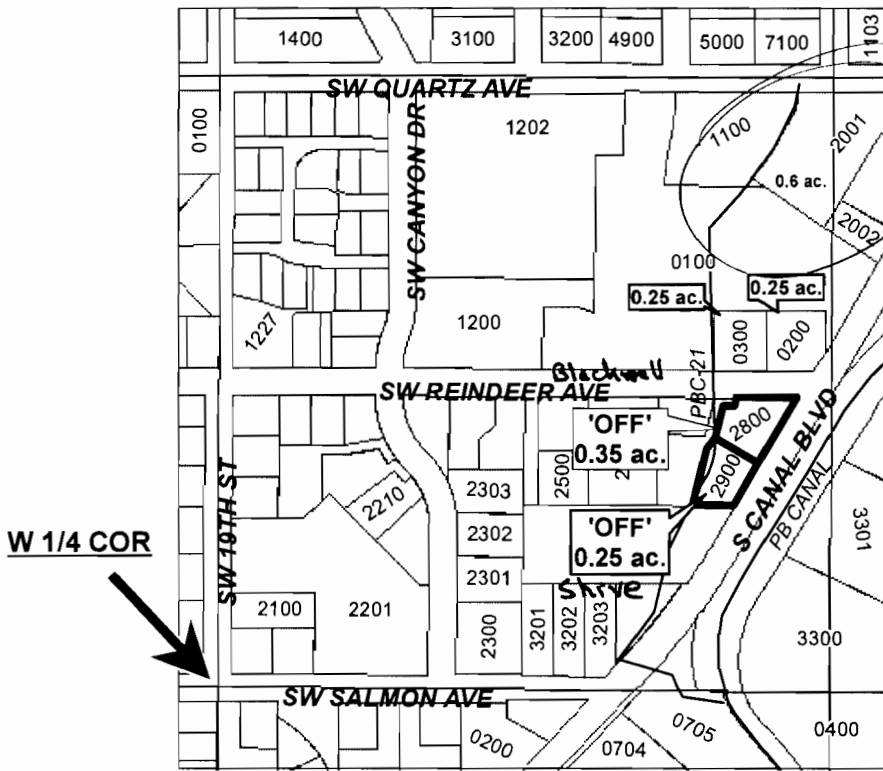
Blackwell & Shive

DESCHUTES COUNTY SEC.21 T15S R13E

SCALE - 1" = 400'



SW 1/4 OF THE NW 1/4



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DEC 20 2007

WATER RESOURCES DEPT
SALEM, OREGON

"OFF" MAP

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



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 2800, 2900

0.6 ACRES

DATE: 11-16-07

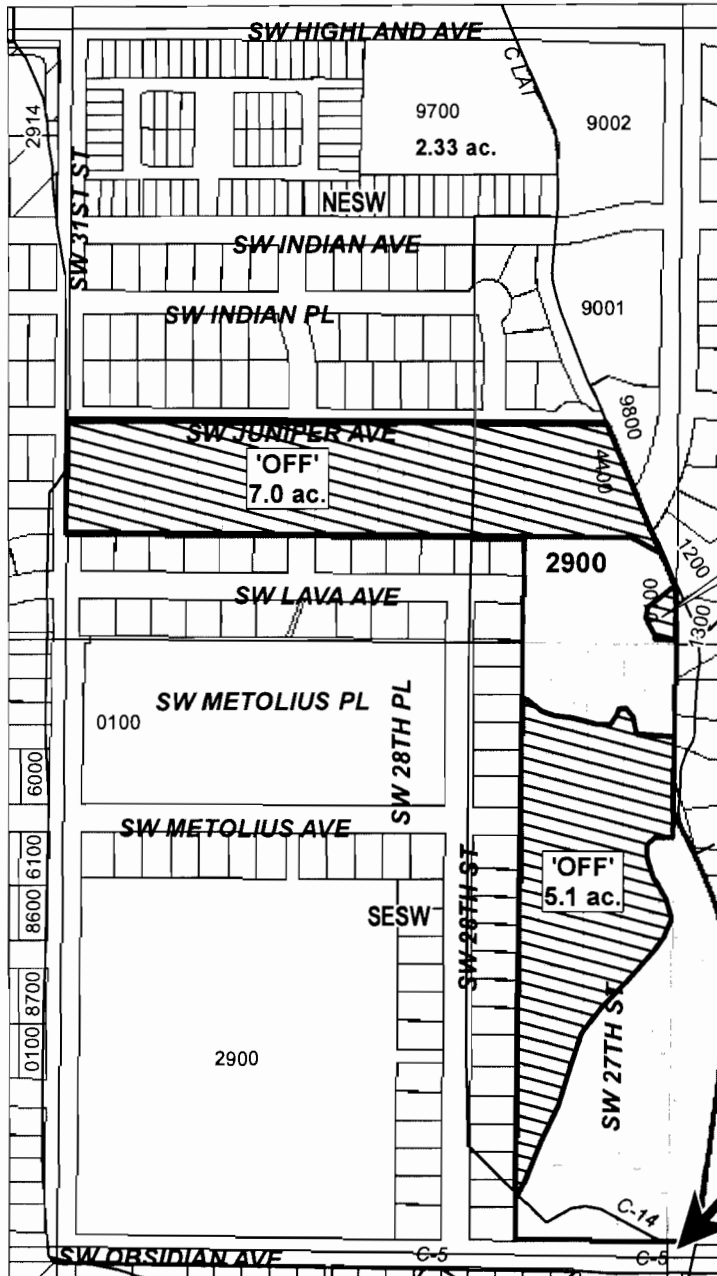
FILE: E:\TRANSFER\WRTRANS07\DRCV151321_SWNW.PDF

DESCHUTES COUNTY SEC.17 T15S R13E

SCALE - 1" = 400'



NE 1/4 OF THE SW 1/4; SE 1/4 OF THE SW 1/4



	EXISTING WATER RIGHTS
	PARCELS W/ WATER RIGHTS
	OFF LANDS

← 4400 shouldn't be there
No acres remain

'OFF' 0.1 ac.

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WATER RESOURCES DEPT
SALEM, OREGON

S 1/4 COR

"OFF" MAP



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 2900

12.2 ACRES

DATE: 11-16-07

FILE: E:\TRANSFER\WRTRANS07\DRCL15131\2900.PDF

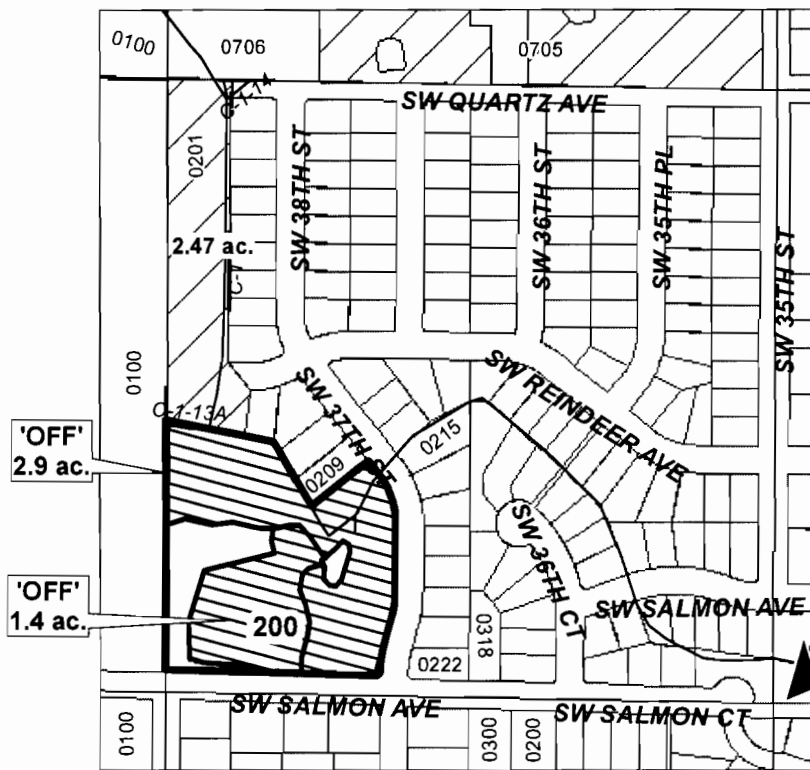
EMP Majestic Ridge

DESCHUTES COUNTY SEC.19 T15S R13E

SCALE - 1" = 400'



SE 1/4 OF THE NE 1/4



E 1/4 COR

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WATER RESOURCES DEPT
SALEM, OREGON

	EXISTING WATER RIGHTS
	OFF LANDS

"OFF" MAP



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 200

4.3 ACRES

DATE: 11-16-07

FILE: E:\TRANSFER\WRTRANS07\DR0151319_200.PDF

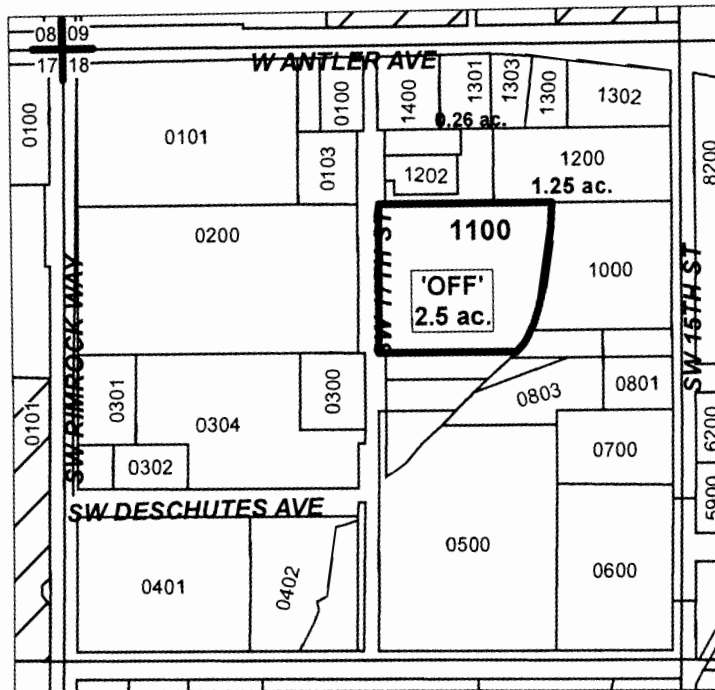
Graves

DESCHUTES COUNTY SEC.16 T15S R13E

SCALE - 1" = 400'



NW 1/4 OF THE NW 1/4



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WATER RESOUR
SALEM OR

"OFF" MAP

# ac.	'OFF' LAND PAR
# ac.	PARCELS W/ W



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 1100

2.5 ACRES

DATE: 11-16-07

FILE: E:TRANSFER\WRTRANS071

High Desert Redmond

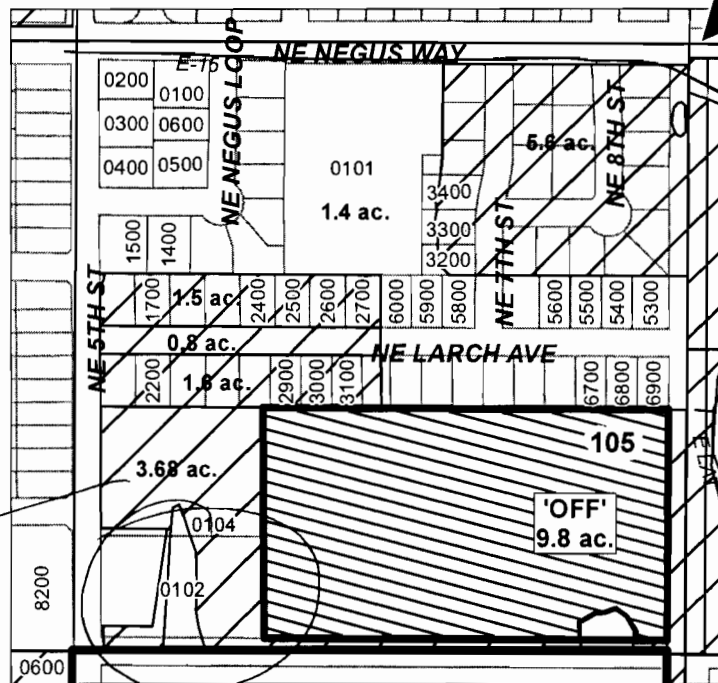
DESCHUTES COUNTY SEC.10 T15S R13E

SCALE - 1" = 400'



NE 1/4 OF THE NW 1/4

N 1/4 COR



*for
Both tax lots*

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WATER RESOURCES DEPT
SALEM OREGON

	EXISTING WATER RIGHTS
	PARCELS W/ WATER RIGHTS
	OFF LANDS

"OFF" MAP



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 105

9.8 ACRES

DATE: 11-15-07

FILE: E:\TRANSFER\WRTRANS07\DR0151310.PDF

Hoskin

DESCHUTES COUNTY SEC.20 T15S R13E

SCALE - 1" = 400'



NW 1/4 OF THE SE 1/4

C 1/4 COR



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WATER RESOURCES DEPT
SALEM, OREGON

"OFF" MAP

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



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 3300

0.5 ACRES

DATE: 11-16-07

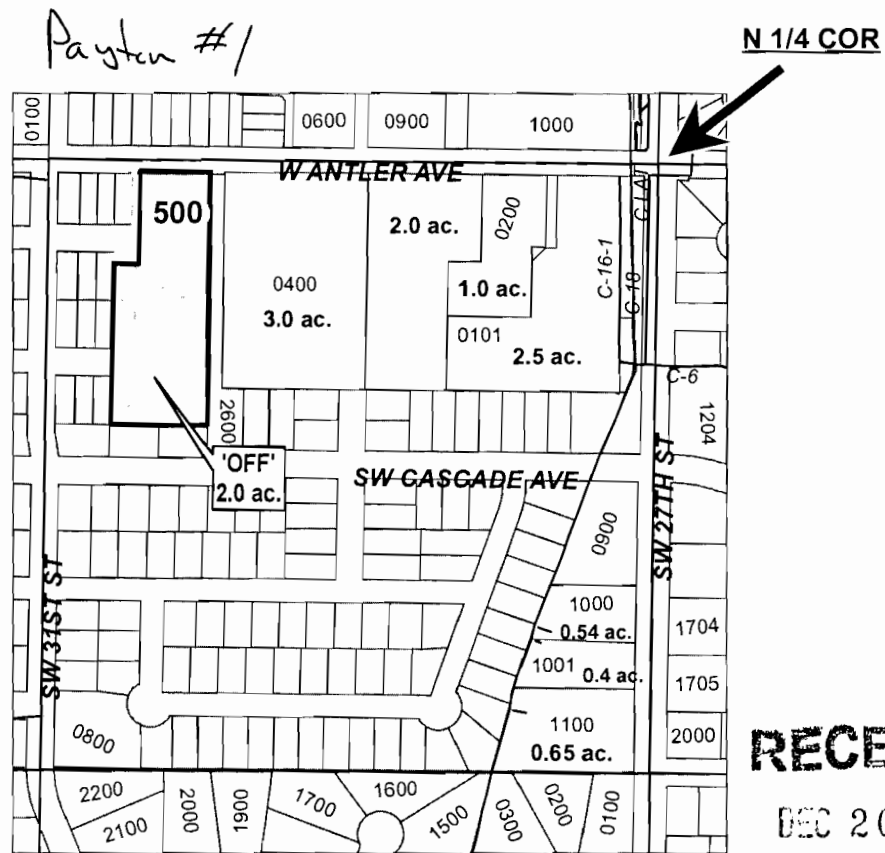
FILE: E:\TRANSFER\WRTRANS07\ DRC\151320_3300.PDF

DESCHUTES COUNTY SEC.17 T15S R13E

SCALE - 1" = 400'



NE 1/4 OF THE NW 1/4



RECEIVED

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WATER RESOURCES DEPT
SALEM OREGON

"OFF" MAP

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



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 500

2.0 ACRES

DATE: 12-17-07

FILE: E:\TRANSFER\WR\TRANS07\DR\151317_500.PDF

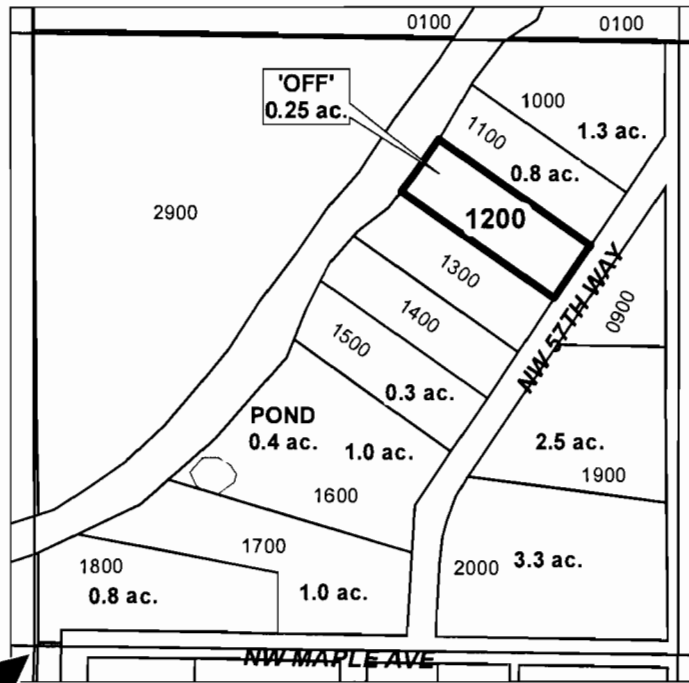
Payton #2

DESCHUTES COUNTY SEC.01 T15S R12E

SCALE - 1" = 400'



SW 1/4 OF THE SE 1/4



S 1/4 COR

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WATER RESOURCES DEPT
SALEM, OREGON

"OFF" MAP

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



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 1200

0.25 ACRES

DATE: 11-14-07

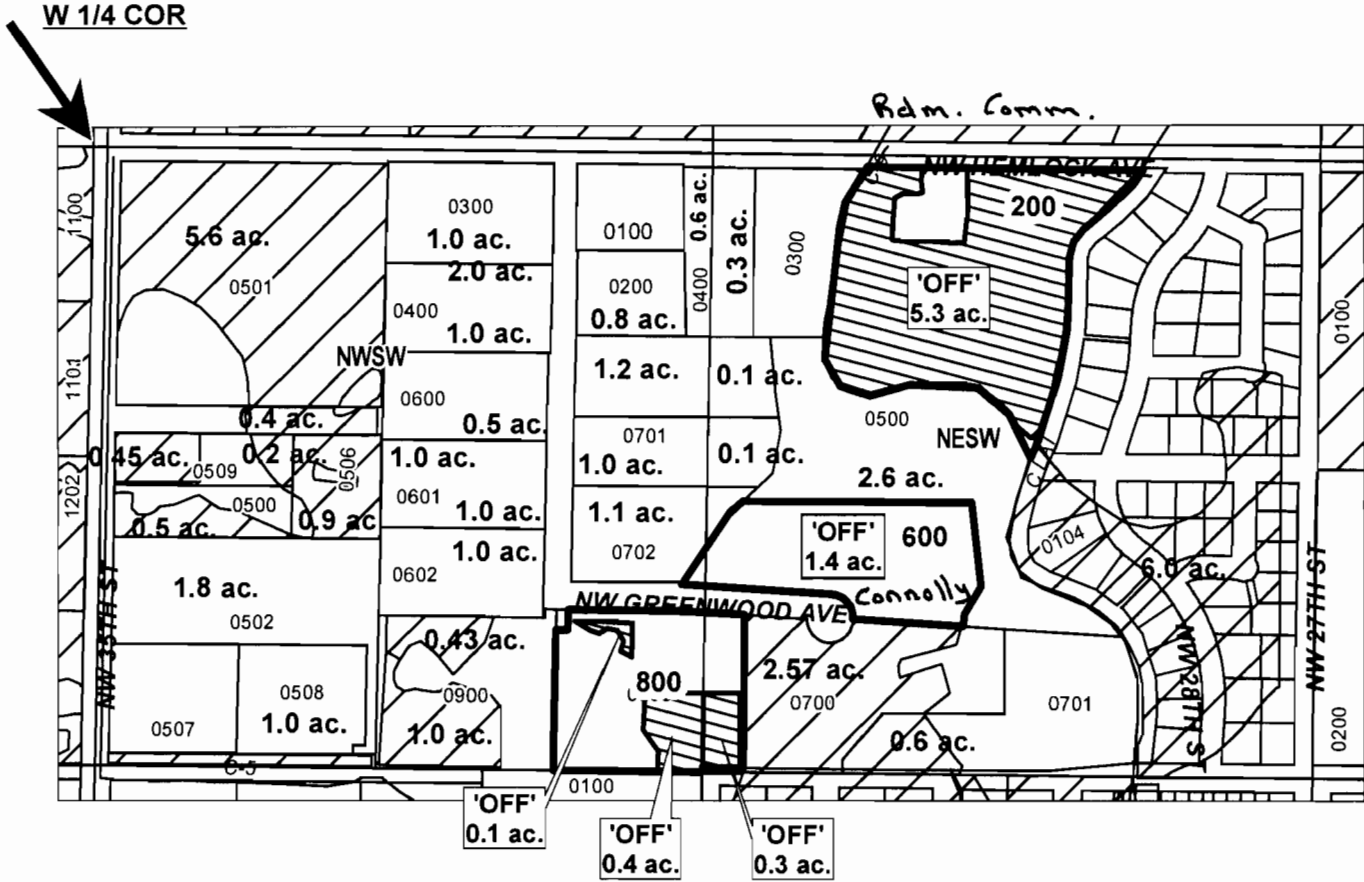
FILE: E:\TRANSFER\WRTRANS07\ DRC\151201_1200.PDF

DESCHUTES COUNTY SEC.08 T15S R13E

SCALE - 1" = 400'



NW 1/4 OF THE SW 1/4; NE 1/4 OF THE SW 1/4



Tri-County

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WATER RESOURCES DEPT
SALEM, OREGON

	EXISTING WATER RIGHTS
	PARCELS W/ WATER RIGHTS
	OFF LANDS
	'OFF' LAND PARCELS

"OFF" MAP



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 200, 600, 800

7.5 ACRES

DATE: 11-14-07

FILE: E:\TRANSFER\WRTRANS07\DR0151208_SW.PDF

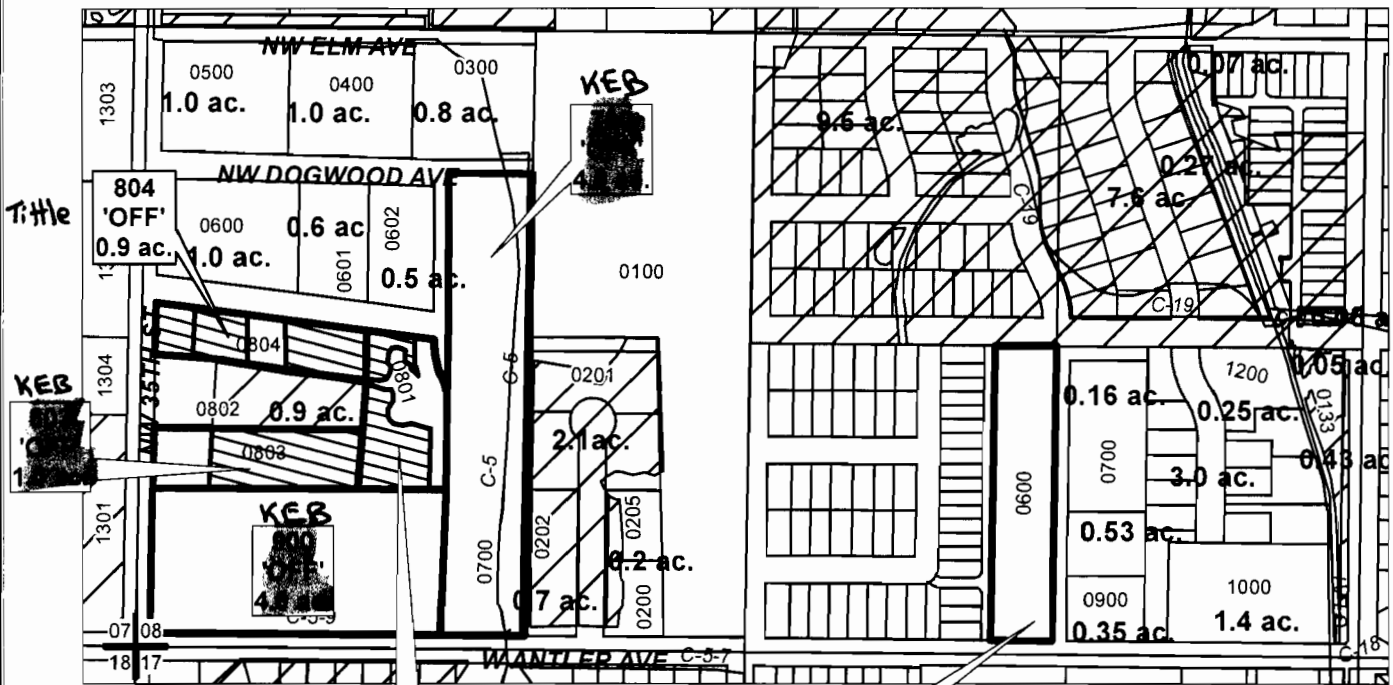
Rise Up, Gain, Tittle, KEB

DESCHUTES COUNTY SEC.08 T15S R13E

SCALE - 1" = 400'



SW 1/4 OF THE SW 1/4; SE 1/4 OF THE SW 1/4



801
'OFF'
0.77 ac.
Gain

600
'OFF'
0.8 ac.
Rise Up

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WATER RESOURCES DEPT
SALEM, OREGON

	EXISTING WATER RIGHTS
	PARCELS W/ WATER RIGHTS
	OFF LANDS
	'OFF' LAND PARCELS

"OFF" MAP



APPLICATION FOR PERMANENT INSTREAM TRANSFER NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 600, 700, 801, 803, 804, 900

11.47 ACRES

DATE: 11-15-07

FILE: E:\TRANSFER\WRTRANS07\DRCY151208_SW2.PDF

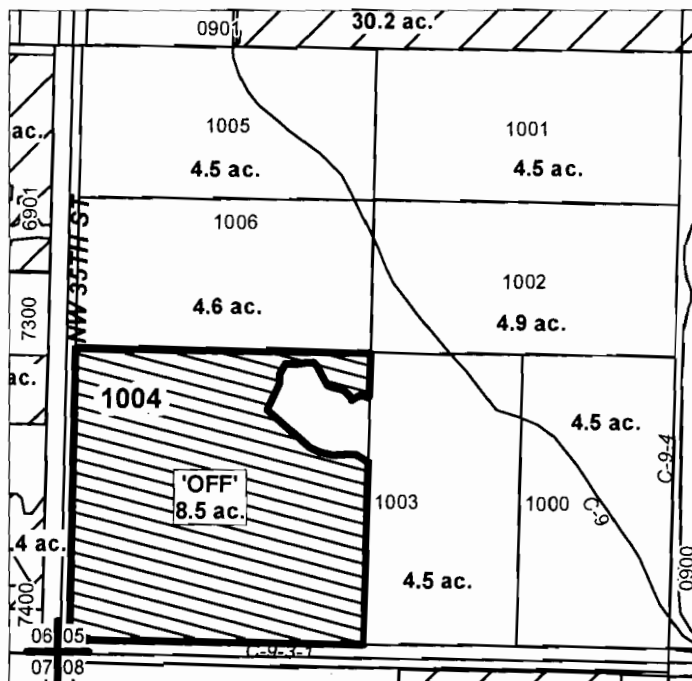
Sun Coast Development

DESCHUTES COUNTY SEC.05 T15S R13E

SCALE - 1" = 400'



SW 1/4 OF THE SW 1/4



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DEC 20 2007

WATER RESOURCES DEPT
SALEM OREGON

"OFF" MAP

	EXISTING WATER RIGHTS
	OFF LANDS
	PARCELS W/ WATER RIGHTS



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 1004

8.5 ACRES

DATE: 11-14-07

FILE: E:\TRANSFER\WRTRANS07A\DR0151205_1004.PDF

QC	Grantor Last	Acres	T/L	POU	Current Owner	QC			WR Map			Proof of Beneficial Use				
						QC Sign.	Auth	Deed	Report	Map Waiver	Cert. Pg. #	Affadavit	Aerial	Year	Lease	Year
1	Redmond Communities	5.3	1	1	COID	Y	Y	Y	Y	Y	NA	Y	Y	2005		
1	EMP Majestic Ridge	4.3	1	1	COID	Y	Y	Y	Y	Y	NA	Y	Y	2005		
1	James Title	0.9	1	1	COID	Y	NA	Y	Y	Y	NA	Y	Y	2005		
1	KEB Antler Invest	9	3	3	COID	Y	Y	Y	Y	Y	NA	Y	Y	2005		807
1	Creative Water Solutions	12.2	2	2	COID	Y	Y	Y	Y	Y	NA	Y	Y			633 & 754
1	Kim Goin	0.77	1	1	COID	Y	NA	Y	Y	Y	NA	Y	Y			807
1	Gene W. Hoskin	0.5	1	1	COID	Y	NA	Y	Y	Y	NA	Y	Y			371
1	Connie Graves	2.5	1	1	COID	Y	NA	Y	Y	Y	NA	Y	Y			761
1	Leroy Bennett	0.5	1	1	COID	Y	NA	Y	Y	Y	NA	Y	Y			882
1	Tri-County Investors LPV	0.8	3	4	COID	Y	Y	Y	Y	Y	NA	Y	Y	2005		
1	Rise Up, Inc	0.8	1	1	COID	Y	Y	Y	Y	Y	NA	Y	Y	2005		
1	Kevin & Nancy Connolly	1.4	1	1	COID	Y	NA	Y	Y	Y	NA	Y	Y	2005		
1	Samuel E. Blackwell Jr	0.35	1	1	COID	Y	NA	Y	Y	Y	NA	Y	Y	2005		
1	Sun Coast Development	8.5	1	1	COID	Y	Y	Y	Y	Y	NA	Y	Y	2005		
1	Albert Payton	2	1	1	COID	Y	NA	Y	Y	Y	NA	Y	Y			758
1	Albert Payton	0.25	1	1	COID	Y	NA	Y	Y	Y	NA	Y	Y	2005		758
1	High Desert Redmond LLC	9.8	1	1	COID	Y	Y	Y	Y	Y	NA	Y	Y			706
1	Lou C. Shive	0.25	1	1	COID	Y	NA	Y	Y	Y	NA	Y	Y	2005		

60.12 23 24

18

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 DEC 20 2007
 WATER RESOURCES DEPT
 SALEM OREGON

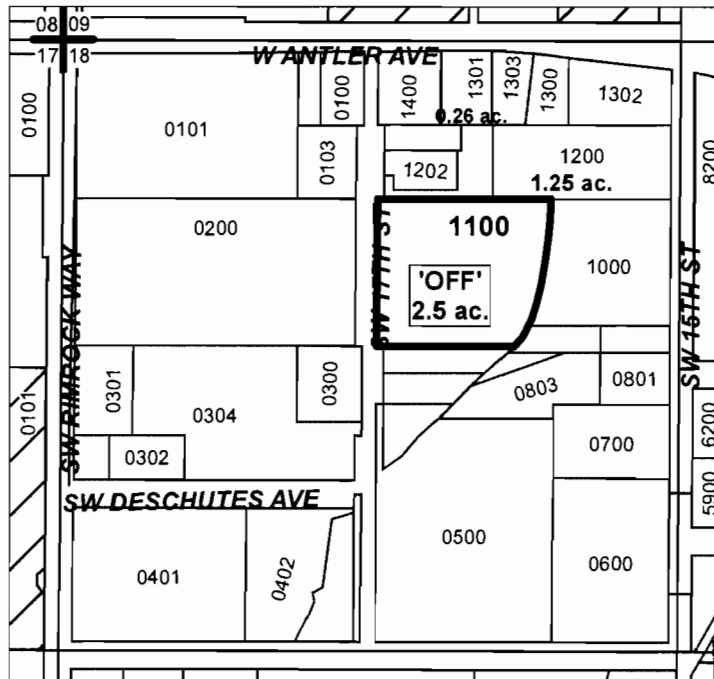
Graves

DESCHUTES COUNTY SEC.16 T15S R13E

SCALE - 1" = 400'



NW 1/4 OF THE NW 1/4



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WATER RESOURCES DEPT
SALEM, OREGON

"OFF" MAP

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



APPLICATION FOR PERMANENT INSTREAM TRANSFER

NAME: DESCHUTES RIVER CONSERVANCY

TAXLOT #: 1100

2.5 ACRES

DATE: 11-16-07

FILE: E:\TRANSFER\WRTRANS07\DR0151316_1100.PDF