



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Jan 2007

Application for Instream Lease Pooled Lease Form

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.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: IL-2009-16

Lease Application Number (assigned by WRD): IL-1007

This Lease is between:

Lessor #2: Irrigation District or Other Water Purveyor

Name Central Oregon Irrigation District
 Mailing address 1055 SW Lake Ct
 City, State, Zip Code Redmond, OR 97756
 Telephone number 541-504-7577
 Email address lauraw@coid.org

The water right to be leased is located in Deschutes County.

Lessee (if different than Oregon Water Resources Department):

Name Deschutes River Conservancy
 Mailing address PO Box 1560
 City, State, Zip Code Bend, OR 97709
 Telephone number 541-382-5186
 Email address gen@deschutesriver.org

Trustee:

Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, OR 97301-1266
 (503) 986-0900

~I~ Water Right Holder and Water Right Information

1.2 Lessor #2 is the (Check one):

- Official representative of Central Oregon Irrigation District, the irrigation district, which conveys water to the subject water rights.
- Another party with an interest in the subject water rights representing _____.
- Not applicable.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 83571 & 76714

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Pooled Lease Form / 1

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1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 **Water Rights Proposed to be Leased Instream.**

The first right to be leased identified in Section 1.3 is further described as follows:

Certificate No.: 83571

Priority date: October 31, 1900 & December 2, 1907 Type of use: Irrig/Pond

Legal Season of Use: April 1 to November 1

If an irrigation right, total number of acres to be leased: 47.94 ac. Irrig / 3.70 ac. Pond

Total acre-feet of storage to be leased, if applicable: 0

Maximum rate associated with subject water rights (cfs) being leased:

Irrigation - POD #1 (2.63 ac.): Priority 10/31/1900: Season 1: 0.033, Season 2: 0.044, Season 3: 0.058, Priority 12/02/1907: Season 3: 0.023

Irrigation - POD #11 (45.31 ac.): Priority 10/31/1900: Season 1: 0.565, Season 2: 0.753, Season 3: 0.996, Priority 12/02/1907: Season 3: 0.399

Pond - POD #1: Priority 10/31/1900: Season 1: 0.046, Season 2: 0.061, Season 3: 0.081, Priority 12/02/1907: Season 3: 0.033

If there is more than one rate associated with a water right, describe below:

Season 1 (cfs) _____ Time period: _____

Season 2 (cfs) _____ Time period: _____

Season 3 (cfs) _____ Time period: _____

Maximum duty associated with subject water rights (ac-ft): POD # 1 - Irrig: 25.95, POD # 11 - Irrig: 447.88, POD # 1 - Pond: 36.51

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the additional water rights form.

~II~ Instream Water Right Information

2.1 **Public use.** This lease will increase streamflows that will benefit:

- Conservation, maintenance and enhancement of aquatic and fish life, wildlife, and fish and wildlife habitat
- Pollution abatement
- Recreation and scenic attraction

2.2 **Instream use created by lease.** The instream use to be created is described as follows:

Deschutes River

Tributary to Columbia River in the Deschutes Basin.

Describe the point of diversion (POD) and any associated reach(es) of the instream use being created. If possible list the reach by river mile. If no reach is identified, and there is only one POD listed on the certificate, the lease will be processed to be protected at the POD. (If more than one POD is listed on the certificate, then the POD and any associated reach(es) must be identified): POD # 1 & 11 to Lake Billy Chinook

Maximum volume in acre-feet: POD #1 - Irrig: Priority 10/31/1900: 14.33

POD # 1 - Irrig: Priority 10/31/1900: 261.29, POD #1 - Pond: Priority 10/31/1900: 20.17

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Rate in cfs: POD # 1 - Irrig (2.63 ac.): Priority 10/31/1900: Season 1: 0.018, Season 2: 0.024, Season 3: 0.045

POD # 11 - Irrig (45.31 ac.): Priority 10/31/1900: Season 1: 0.330, Season 2: 0.439, Season 3: 0.814

POD # 1 - Pond (3.70 ac.): Priority 10/31/1900: Season 1: 0.025, Season 2: 0.034, Season 3: 0.063

(If more than one rate, describe the rate associated within each time period or instream reach.)

Rate in cfs: _____

Rate in cfs: _____

(Use the section below to indicate a more restrictive period of use than allowed by the water right.)

Conditions to prevent injury, if any:

None

The instream flow will be allocated on a daily average basis up to the described rate from _____ through _____.

Other (describe): _____

2.3 Term of lease. This lease shall terminate on October 26, 2009.

2.4 Flow protection. The Trustee will regulate use of water from the source, subject to prior appropriation and the agency enforcement guidance, to assure the water is delivered to the point of diversion, and through the reach past junior downstream users, so long as flow is sufficient to meet the demand under priority date of the new instream use (see Section 2.2). As part of regulation activities the watermaster or a designee has access to the point of diversion and place of use for the water rights involved in this lease. No party is required to continuously measure the flow of the waterway described in Section 2.2.

~III~ Other Information

3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

3.2 Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.

3.4 Suspension of original use. During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

3.5 Termination provision.

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- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
- Written notice to the Department with original signatures;
 - Consent by all parties to the lease; and/or
 - Written notice to the Watermaster's office.
- For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

3.6 Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

3.7 Fees. Pursuant to ORS 536.050, the following fee is included:

- \$200 for an application with four or more landowners or four or more water rights.
 \$100 for all other applications.

Lessor #2 Laura S. Williams Date: 06-09-09
Central Oregon Irrigation District

Lessee: Genevieve Hubert Date: 06-10-09
Deschutes River Conservancy

Other Attachments as Needed:

Attachment 1: Tax Lot Map. (See instructions.)

Attachment 2: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. (See instructions.)

Attachment 3: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 is checked).

Attachment 4: Split Season Instream Use Form

Attachment 5: Pooled Lease Water Right Holder Form

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Pooled Lease Form / 4

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 Water Resources Department
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Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: 2205
 Lease Application Number (assigned by WRD): IL-1007

This Lease is with:

Lessor #1 (Water Right Holder):
 Name Audia Kemp Development LLC
 Mailing address 66593 E. Cascade Way
 City, State, Zip Code Bend, OR 97701
 Telephone number 541-383-4201
 Email address _____

If additional water right holders, enter water right holder information below

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 83571 & 76714

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 **Water Right(s) Proposed to be Leased Instream.** Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:
 [This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4 1/4, tax lot number, map orientation and scale.]

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Pooled Water Right Holder Form / 1

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T	R	Sect	1/4	1/2	1/4	Acres	Type of Use	Certificate #	Priority #	Priority	
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)											
1.	15 S	13 E	18	NW	SE	2101	4.80	IRRIG	83571	26	10/31/1900
2.											
3.											
4.											
5.											

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 4.80 acres

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

1.6 Validity of rights. Lessor(s) attests (mark one) that:

- The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
- The water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

~II~ Instream Water Right Information

- 2.3 Term of lease.** This lease shall terminate on October 26, 2009. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~III~ Other Information

- 3.1 Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 3.3 Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review

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shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.

3.4 **Suspension of original use.** During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

3.5 **Termination provision.**

For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:

- Written notice to the Department with original signatures;
- Consent by all parties to the lease; and/or
- Written notice to the Watermaster's office.

For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

3.6 **Modification to prevent injury.** Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

Lessor #1: Bruce Kemp Member Date: 5/20/09
Audia Kemp Development, LLC

For additional Lessors, type in space for signature and date

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
- Exhibit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

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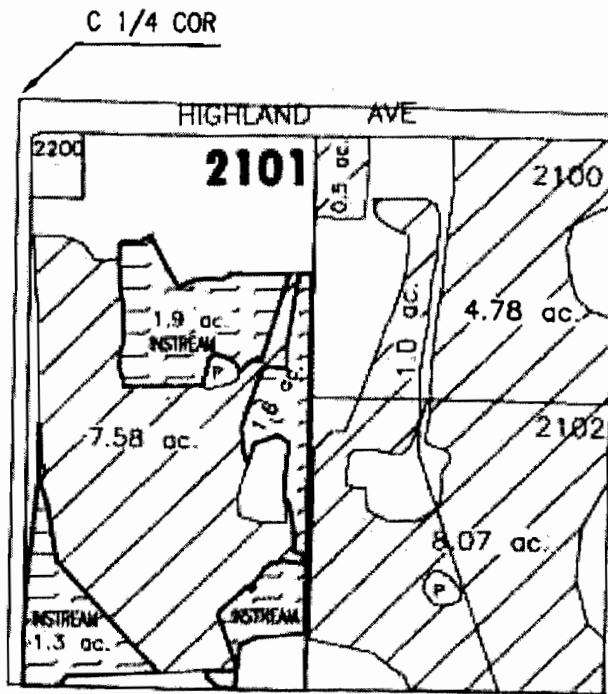
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**DESCHUTES COUNTY
SEC. 18 T15S. R13E. W.M.**

SCALE - 1" = 400'





NW 1/4 OF THE SE 1/4



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WATER RESOURCES DEPT
SALEM, OREGON

	'INSTREAM' LANDS
	EXISTING WATER RIGHTS

CENTRAL OREGON



IRRIGATION DISTRICT

APPLICATION FOR 1 YR INSTREAM LEASE
NAME: AUDIA-KEMP DEVELOPMENT, LLC

TAXLOT #: 2101

4.8 ACRES INSTREAM

DATE: 06-02-09

FILE NO. 06-02-09-000001-000001-000001-000001-000001-000001-000001-000001-000001-000001



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
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Jan 2007

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: 3272

Lease Application Number (assigned by WRD): IL-1007

This Lease is with:

Lessor #1 (Water Right Holder):

Name CE Phillips Family Limited Partnership

Mailing address 1567 SW Chandler Ave Ste 101

City, State, Zip Code Bend, OR 97702

Telephone number _____

Email address _____

If additional water right holders, enter water right holder information below

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 83571 & 76714

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 **Water Right(s) Proposed to be Leased Instream.** Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:
 [This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and ¼ ¼, tax lot number, map orientation and scale.]

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	10	Sec	3rd 1/4	Acres	Type of Use	Certificate	Priority	Priority		
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	16 S	12 E	35	NW SW	700	10 00	Irrigation	83571	38	10-11-1900
2.	16 S	12 E	35	NW SW	700	15 00	Irrigation	83571	38	10-11-1900
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 25.60 acres

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

1.6 **Validity of rights.** Lessor(s) attests (mark one) that:

- The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
- The water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

~II~ Instream Water Right Information

2.3 **Term of lease.** This lease shall terminate on October 26, 2009. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~III~ Other Information

3.1 **Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

3.2 **Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

3.3 **Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review

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shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.

3.4 Suspension of original use. During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

3.5 Termination provision.

- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
- Written notice to the Department with original signatures;
 - Consent by all parties to the lease; and/or
 - Written notice to the Watermaster's office.
- For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

3.6 Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

Lessor #1:  Date: 5/5/09

CE Phillips Family Limited Partnership

For additional Lessors, type in space for signature and date

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
- Exhibit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

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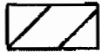
WATER RESOURCES DEPT
SALEM, OREGON

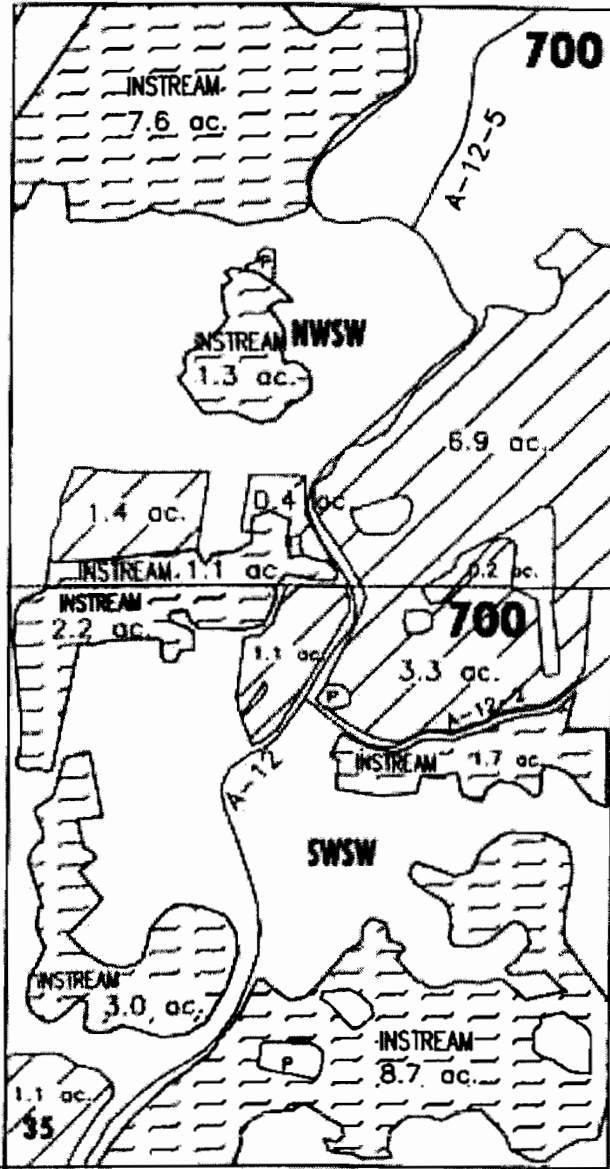
**DESCHUTES COUNTY
SEC.35 T16S. R12E. W.M.**

SCALE - 1" = 400'



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

 'INSTREAM' LANDS
 EXISTING WATER RIGHTS



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WATER RESOURCES DEPT
SALEM, OREGON

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03 02

CENTRAL OREGON



IRRIGATION DISTRICT

APPLICATION FOR 1 YR INSTREAM LEASE

NAME: CE PHILLIPS FAMILY LIMITED PARTNERSHIP

TAXLOT #: 700

25.6 ACRES INSTREAM

DATE: 05-06-09

FILE NO: 01/000000/000000/000000/000000/000000



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Jan 2007

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: 901099

Lease Application Number (assigned by WRD): IL-1007

This Lease is with:

Lessor #1 (Water Right Holder):

Name Terry & Victoria Dodson
 Mailing address 61994 Rawhide Dr
 City, State, Zip Code Bend, OR 97701
 Telephone number 541-617-0014
 Email address _____

If additional water right holders, enter water right holder information below

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1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 83571 & 76714

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 **Water Right(s) Proposed to be Leased Instream.** Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:
 [This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4, tax lot number, map orientation and scale.]

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Pooled Water Right Holder Form / 1

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 SALEM, OREGON

	Tract	Section	Range	Meridian	Acres	Year	Use of Water	Certificate	Pages	Priority
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	18 S	12 E	31	NW NE	1.200	0.19	Irrigation	83571	47	10/31/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 0.19 acres

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

1.6 **Validity of rights.** Lessor(s) attests (mark one) that:

- The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
- The water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

~II~ Instream Water Right Information

2.3 **Term of lease.** This lease shall terminate on October 26, 2009. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~III~ Other Information

3.1 **Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

3.2 **Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

3.3 **Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review

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shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.

3.4 Suspension of original use. During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

3.5 Termination provision.

For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:

- Written notice to the Department with original signatures;
- Consent by all parties to the lease; and/or
- Written notice to the Watermaster's office.

For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

3.6 Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

Lessor #1: Terry Dodson Date: 4/28/09
Terry Dodson
Victoria B. Dodson Date: 4/28/09
Victoria Dodson

For additional Lessors, type in space for signature and date

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
Exhibit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
Exhibit 5-D: Split Season Instream Use Form

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Pooled Water Right Holder Form / 3

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WATER RESOURCES DEPT
SALEM, OREGON



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: 305600
Lease Application Number (assigned by WRD): IL-1007

This Lease is with:

Lessor #1 (Water Right Holder):

Name Raymond & Marie Hayes
Mailing address PO Box 1116
City, State, Zip Code Redmond, OR 97756
Telephone number 541-548-1613
Email address _____

If additional water right holders, enter water right holder information below

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 83571 & 76714

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 **Water Right(s) Proposed to be Leased Instream.** Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:
[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and ¼ ¼, tax lot number, map orientation and scale.]

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Pooled Water Right Holder Form / 1

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	1	2	3	4	5	6	7	8	9	10
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	14 S	13 E	32	SW SW	903	3 90	Irrigation	83571	17	10/31/190 0
2.	14 S	13 E	32	SE SW	903	0 90	Irrigation	83571	17	10/31/190 0
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 4.80 acres

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

1.6 **Validity of rights.** Lessor(s) attests (mark one) that:

- The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
- The water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

~II~ Instream Water Right Information

2.3 **Term of lease.** This lease shall terminate on October 26, 2009. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~III~ Other Information

3.1 **Accuracy.** The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

3.2 **Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

3.3 **Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review

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shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.

3.4 **Suspension of original use.** During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

3.5 **Termination provision.**

- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
- Written notice to the Department with original signatures;
 - Consent by all parties to the lease; and/or
 - Written notice to the Watermaster's office.
- For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

3.6 **Modification to prevent injury.** Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

Lessor #1: Raymond Hayes
Raymond Hayes

Date: 4/27/09

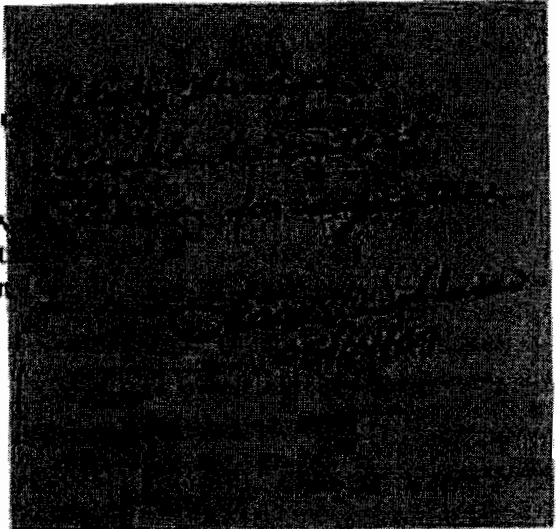
Date: _____

Marie Hayes

For additional Lessors, type in space for signature and date

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
Exhibit 5-B: Detailed map illustrating lands under part of a right is being leased instream. into a single map. (See instructions.)
Exhibit 5-C: Supporting documentation indicating forfeiture even though the right has not consecutive years (required if the second checked)
Exhibit 5-D: Split Season Instream Use Form



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Pooled Water Right Holder Form / 3

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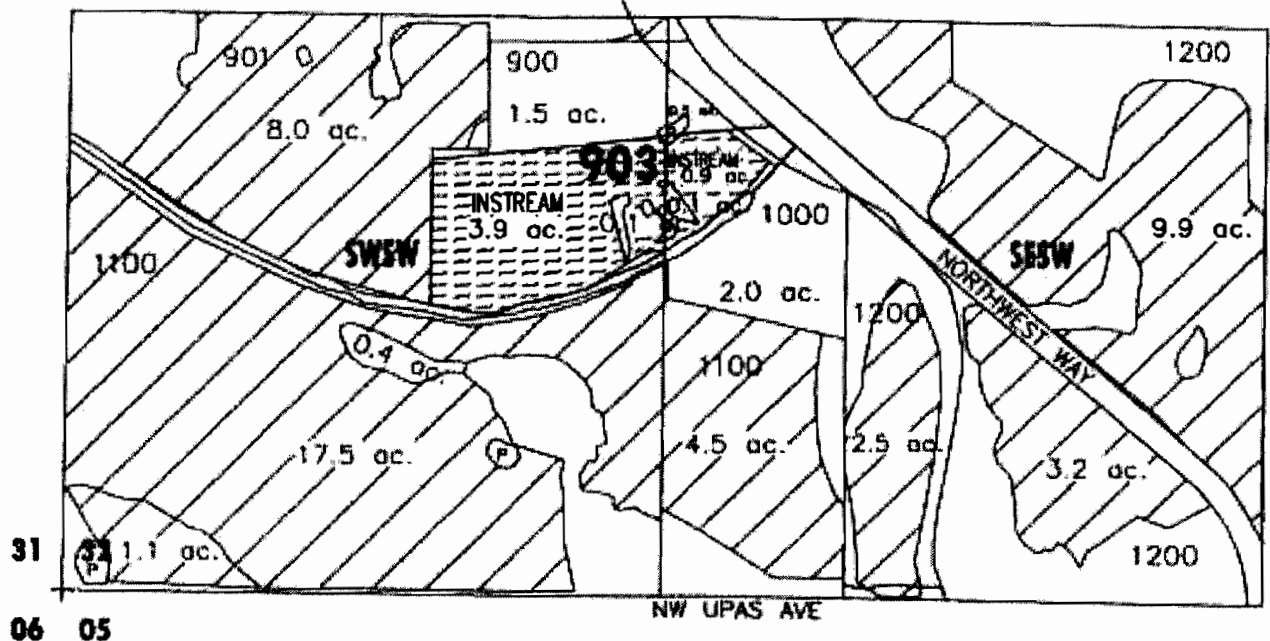
WATER RESOURCES DEPT
SALEM, OREGON

**DESCHUTES COUNTY
SEC. 32 T14S. R13E. W.M.**

SCALE - 1" = 400'



SW 1/4 OF THE SW 1/4, SE 1/4 OF THE SW 1/4



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WATER RESOURCES DEPT
SALEM, OREGON

	'INSTREAM' LANDS
	EXISTING WATER RIGHTS
	ac. PARCELS W/ WATER RIGHTS



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: RAYMOND & MARIE HAYES

TAXLOT #: 903

4.8 ACRES INSTREAM

DATE: 04-13-09

FILE NO: E:\INSTRM\INSTREMA\INSTREMA\178\141332_SW



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: 1350
Lease Application Number (assigned by WRD): IL-1007

This Lease is with:

Lessor #1 (Water Right Holder):

Name Jeffery Johnson
Mailing address 61825 Dobbin Rd
City, State, Zip Code Bend, OR 97702
Telephone number 541-480-5610
Email address _____

If additional water right holders, enter water right holder information below

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 83571 & 76714

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 **Water Right(s) Proposed to be Leased Instream.** Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:
[This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and 1/4 1/4, tax lot number, map orientation and scale.]

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	Section	Range	County	Acres	Type of Use	Certificate	Priority			
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)										
1.	17 S	14 E	27	SW NW	1201	1.44	Irrigation	83571	52	10/31/1900
2.										
3.										
4.										
5.										

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 1.44 acres (Since HB 3111 there has been a lot split creating 2 tax lots in the SW NW 1/4 1/4 with 34.30 total acres water rights on TL 1201 and 0.00 acres on TL 1202.)

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

1.6 Validity of rights. Lessor(s) attests (mark one) that:

- The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
- The water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 26, 2009. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~III~ Other Information

3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

3.2 Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

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Pooled Water Right Holder Form 12

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SALEM, OREGON

- 3.3 **Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.
- 3.4 **Suspension of original use.** During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.
- 3.5 **Termination provision.**
- For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
 - Written notice to the Department with original signatures;
 - Consent by all parties to the lease; and/or
 - Written notice to the Watermaster's office.
 - For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.
- 3.6 **Modification to prevent injury.** Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

Lessor #1: Jeffery Johnson
Jeffery Johnson

Date: 5-1-09

For additional Lessors, type in space for signature and date

Other Attachments As Needed:

- Exhibit 5-A: Tax Lot Map. (See instructions.)
- Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)
- Exhibit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)
- Exhibit 5-D: Split Season Instream Use Form

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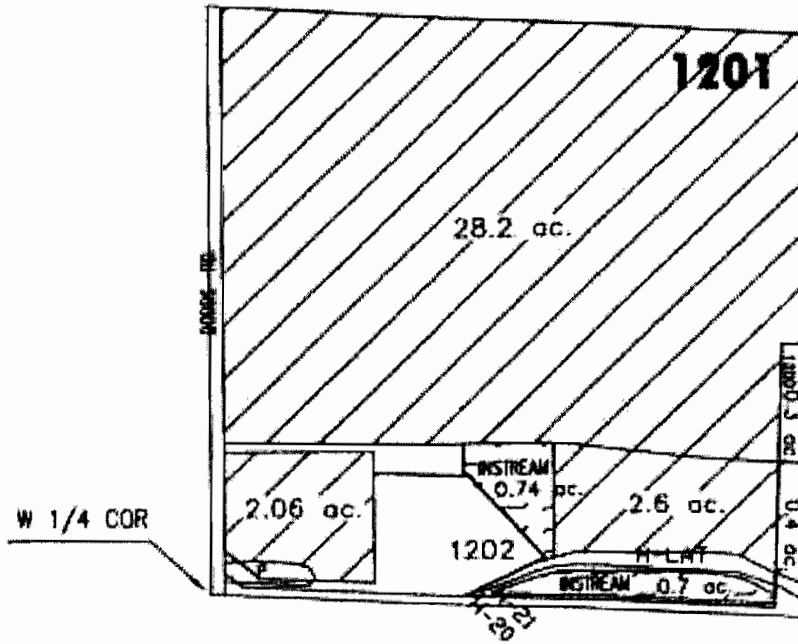
WATER RESOURCES DEPT
 SALEM, OREGON

**DESCHUTES COUNTY
SEC.27 T17S. R14E. W.M.**

SCALE - 1" = 400'





SW 1/4 OF THE NW 1/4



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WATER RESOURCES DEPT
SALEM, OREGON

	'INSTREAM' LANDS
	EXISTING WATER RIGHTS



APPLICATION FOR 1 YR INSTREAM LEASE
NAME: JEFFERY JOHNSON

TAXLOT #: 1201

1.44 ACRES INSTREAM

DATE: 04-28-09

FILE NO: C:\WORK\2009\DESCHUTES\171422_0000



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Jan 2007

Application for Instream Lease

Attachment 5: Pooled Water Right Holder Form

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.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: 2024
 Lease Application Number (assigned by WRD): IL-1007

This Lease is with:

Lessor #1 (Water Right Holder):

Name Central Oregon Irrigation District
 Mailing address 1055 SW Lake Ct
 City, State, Zip Code Redmond, OR 97756
 Telephone number 541-504-7577
 Email address lauraw@coid.org

If additional water right holders, enter water right holder information below

Note: The section numbering associated with this form corresponds to that found on the "Standard Instream Lease Application" form. The "Pooled Lease" form and "Pooled Water Right Holder" form(s) are used to provide the same information as the "Standard Instream Lease Application" form. Consequently, the numbering on this form is not always sequential.

~I~ Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for property described in Section 1.5. If the water right appurtenant to these lands is also appurtenant to lands owned by others who are not included in this application, then Attachment 1 (tax lot map), needs to be included.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 83571 & 76714

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 **Water Right(s) Proposed to be Leased Instream.** Water right holder proposes to lease the water rights shown on the map attached as Exhibit 5-B and described as follows:
 [This information may be included on Exhibit 5-A, or an additional map may be attached. Crosshatch the area of water rights being leased. Attached map(s) must identify water right holder, township, range, section and ¼ ¼, tax lot number, map orientation and scale.]

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	F	R	Sec	Foot	Acres	Type of Use	Certificate	Priority
*(Identify pertinent page number of certificate, if certificate is greater than 10 pages; identify priority date if there is more than one per certificate)								
1.								
2.								
3.								
4.								
5.								

Total number of acres, if for irrigation, by certificate and priority date: Cert #83571, Oct. 31, 1900 - 11.11 acres irrigation and 3.70 acres pond (See attached list.)

Conditions or other limitations, if any: None

If you need to enter another leased right, please use the Additional Water Right Form for Pooled Water Right Holder.

1.6 Validity of rights. Lessor(s) attests (mark one) that:

- The water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or
- The water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

~II~ Instream Water Right Information

2.3 Term of lease. This lease shall terminate on October 31, 2009. (If there is a conflict between the Pooled Lease Form and this form, the Pooled Lease Form will be the official term of the lease.)

~III~ Other Information

3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

3.2 Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review

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shall be required, and a prior short term lease shall not set a precedent for the amount of water to be leased or transferred instream.

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- Consent by all parties to the lease; and/or
- Written notice to the Watermaster's office.

For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

3.6 Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

Lessor #1: *Shirley L. Wollam* Date: 06-02-09
Central Oregon Irrigation District

For additional Lessors, type in space for signature and date

Other Attachments As Needed:

Exhibit 5-A: Tax Lot Map. (See instructions.)

Exhibit 5-B: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. Exhibits 5-A and 5-B may be combined into a single map. (See instructions.)

Exhibit 5-C: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 of this form is checked)

Exhibit 5-D: Split Season Instream Use Form

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WATER RESOURCES DEPT
SALEM, OREGON

Pooled Water Right Holder Form / 3

FSD

**COID QUITCLAIM WATER RIGHTS
2009 INSTREAM LEASE #2**

<u>QD #</u>	<u>TRS</u>	<u>QQ</u>	<u>TL</u>	<u># ACRES</u>	<u>TOU</u>	<u>POD</u>	<u>CERTIFICATE</u>	<u>PG #</u>
2009-16534	17-12-28	SW NE	400	1.00	IRRIG	1		45
2008-14089	17-13-20	NE SW	403	3.70	POND	1		46

<u>QD #</u>	<u>TRS</u>	<u>QQ</u>	<u>TL</u>	<u># ACRES</u>	<u>TOU</u>	<u>POD</u>	<u>CERTIFICATE</u>	<u>PG #</u>
2009-12138	14-13-16	SW SW	1502	0.46	IRRIG	11		12
Multiple	15-13-19	NW NE	100	9.65	IRRIG	11		26

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WATER RESOURCES DEPT
SALEM, OREGON

**COID OUTCLAIM INSTREAM LEASE 2009 - #2
SUPPORT DOCUMENTATION**

Certificate
26

Grantee	Grantor	Outclaim Deed #	OO Record Date	TR3	CO	TL	Use	Acres	33571 Pg #
James E. Marshall	COID for Obsidian Group	2004-64727	10/28/2004	15-13-19	NW	NE 100	IRRIG	31.00	26
COID & Obsidian Group	David & Tammy Sailors	2004-67350	11/10/2004	15-13-19	NW	NE 100	IRRIG	31.00	
David & Tammy Sailors	Arrowood Development LLC	2005-22069	4/13/2005	15-13-19	NW	NE 100	IRRIG	21.35	
David & Tammy Sailors	Creative Water Solutions LLC	2009-02072	1/20/2009	15-13-19	NW	NE 100	IRRIG	9.65	
Creative Water Solutions LLC	COID	2009-08484	2/17/2009	15-13-19	NW	NE 100	IRRIG	9.65	

ROLL

5/17/2004 Deed 1999-11685 James E. Marshall Owner

Public Record Report

5/15/2009 Deed 1999-11685 James E. Marshall Owner
 2004-64727 Marshall to COID

Lender

WA Mutual Sub-lot B-5-4-1-1 Fwd irrig w/ tarps & pump from pond to sprinklers Delivery - Crop Evidence 1-390, leased 2003 & 2004 (terminated 11/1/04)
 Pasture grass

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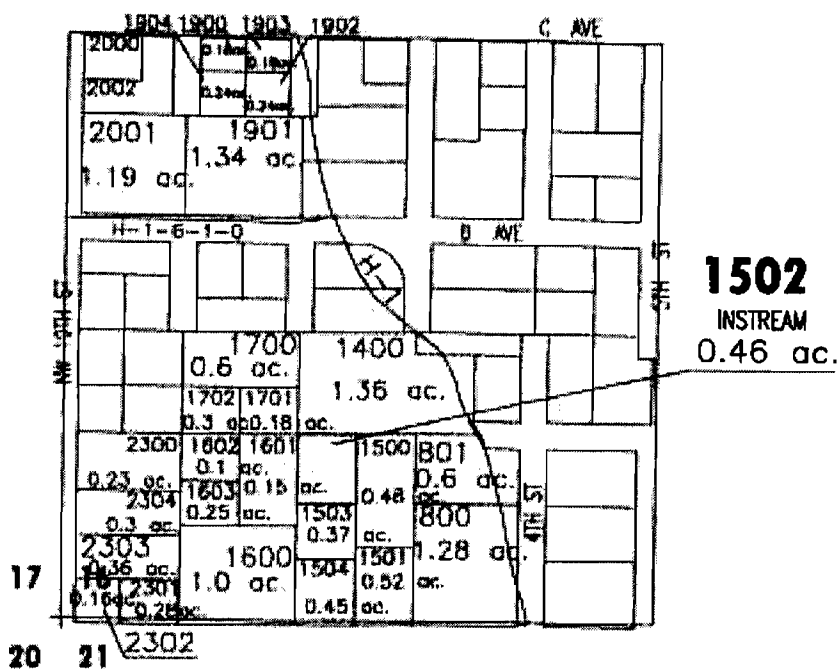
WATER RESOURCES DEPT
SALEM, OREGON

DESCHUTES COUNTY SEC. 16 T14S. R13E. W.M.

SCALE - 1" = 400'



SW 1/4 OF THE SW 1/4



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WATER RESOURCES DEPT
SALEM, OREGON

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



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 1502

0.46 ACRES INSTREAM

DATE: 06-02-09

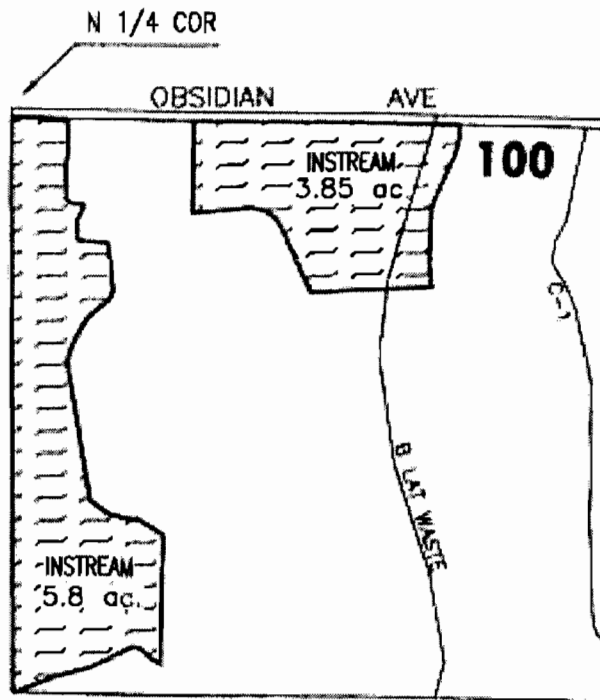
FILE NO. C:\PROGRAMS\GIS\DATA\141318_0000

**DESCHUTES COUNTY
SEC. 19 T15S. R13E. W.M.**

SCALE - 1" = 400'



NW 1/4 OF THE NE 1/4



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JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

	'INSTREAM' LANDS
	EXISTING WATER RIGHTS



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 100

9.65 ACRES INSTREAM

DATE: 06-02-09

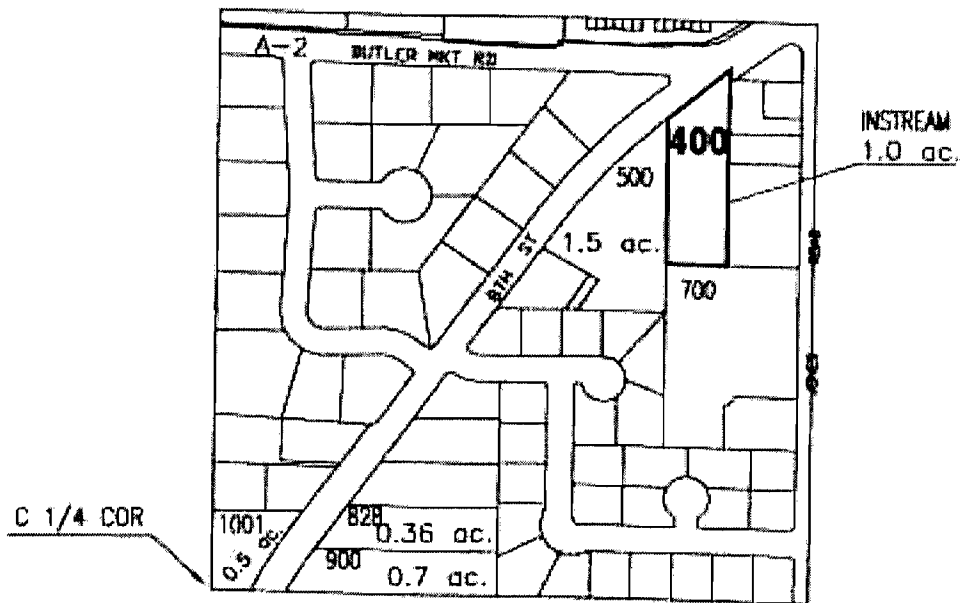
FILE NO: E:\WORK\PROJECTS\DESCHUTES\19\186478.DWG

**DESCHUTES COUNTY
SEC.28 T17S. R12E. W.M.**

SCALE - 1" = 400'



SW 1/4 OF THE NE 1/4



RECEIVED

JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

- PARCELS W/ WATER RIGHTS
- 'INSTREAM' LAND PARCELS

CENTRAL OREGON



IRRIGATION DISTRICT

APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 400

1.0 ACRES INSTREAM

DATE: 06-02-09

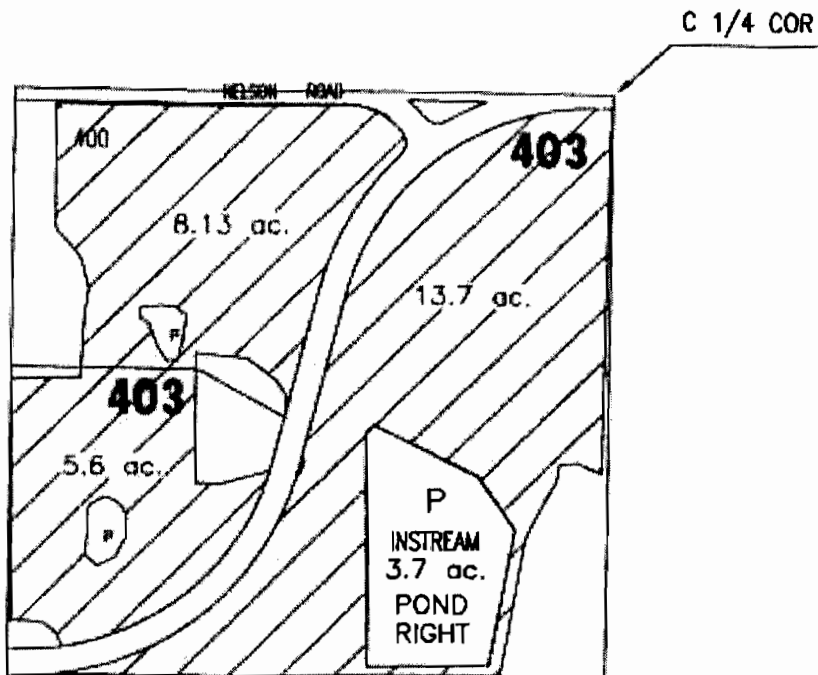
FILE NO: 01/000017/000000/000000/000000/000000/000000/000000/000000/000000/000000

**DESCHUTES COUNTY
SEC. 20 T17S. R13E. W.M.**

SCALE - 1" = 400'



NE 1/4 OF THE SW 1/4



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JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

	EXISTING WATER RIGHTS
	INSTREAM POND



APPLICATION FOR 1 YR INSTREAM LEASE

NAME: COID

TAXLOT #: 403

3.7 ACRES INSTREAM POND RIGHT

DATE: 02-04-09

FILE NO: E:\TRANSFER\INSTREAM\INSTRM09\COID\171320_NESB



DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2009-16534



\$36.00

D-D Cntnl Strml BN
\$10.00 \$11.00 \$10.00 \$5.00

04/22/2009 09:34:35 AM

After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756

MAIL TAX STATEMENT
TO: NO CHANGE

**QUITCLAIM DEED
(WATER CONVEYANCE AGREEMENT)
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, Orval Burton Carder, a protected person, the rightful owner of real property referenced herein, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in water rights appurtenant the land described as: A portion of the Southwest Quarter of the Northeast Quarter (SW ¼ NE ¼) of Section Twenty-eight (28), Township Seventeen (17) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Beginning at a point which is located due North a distance of 764.13 feet and due West a distance of 167.13 feet from the Northeast corner of Lot Nine (9), Block Two (2), of the ELLIS SUBDIVISION; thence North 88° 57' 33" West for 131.13 feet; thence North 0° 07' 52" East for 321.90 feet, more or less, to the Southeasterly boundary of the Butler Market County Road; thence Northeastly along said boundary for 167.30 feet; thence South 0° 31' 56" West for 424.00 feet, more or less to the point of beginning and more commonly known as: 17-12-28 AC 00400. Grantor further releases claim and responsibility for all of the primary and supplemental irrigation water rights appurtenant to the Subject Land, being 1.0 acres, more or less, of water rights issued on Certificates in the name of Central Oregon Irrigation District and to any other water rights that are specifically appurtenant to the Subject Land.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Land that Grantor, as owner of the Subject Land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights referenced herein that are appurtenant to the Subject Land; that the interest in the water rights appurtenant to the Subject Land may not be conveyed in subsequent real estate transactions of the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land will no longer have an appurtenant water right.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 1.0 acres of water rights.

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS AND 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Consideration for this Quitclaim: \$1,000.00

DATED this 7 day of April, 2009.

Grantor:

Orval B. Carder
Orval B. Carder, Guardian and Conservator for Orval Burton Carder

RECEIVED

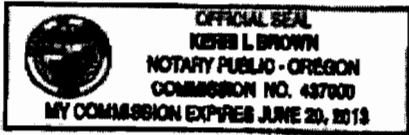
JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon)
Washita) ss.
County of Deschutes)

This instrument was acknowledged before me on April 10, 2009 by Roger B. Carder, Guardian and Conservator for Orval Burton Carder.

[Signature]
Notary Public for Oregon



Grantee:

[Signature]

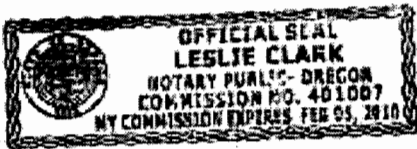
Date 4-17-2009

Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on April 17, 2009 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.

[Signature]
Notary Public for Oregon



RECEIVED

JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

© Central Oregon Irrigation District 2009

WARRANTY DEED

DONALD DEAN DODSON and BETTY LOU DODSON, husband and wife,
 of the County of Deschutes, Oregon, hereinafter called grantor
 convey unto ORVAL B. CROOK and ELIZABETH CROOK, husband and wife,
 of the County of Deschutes, Oregon, described as:

A portion of the Southeast Quarter of the Northwest Quarter (SW1/4) of Section Twenty-eight (28), Township Seventeen (17) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows: Beginning at a point which is located due North a distance of 764.13 feet and due West a distance of 167.13 feet from the Northwest corner of Block Nine (9) of the Ellis Subdivision; thence North 88° 57' 33" West for 111.13 feet; thence North 0° 07' 52" East for 121.90 feet; more or less, to the Southeast boundary of the Baxter Market County Road; thence Northwesterly along said boundary for 167.30 feet; thence South 0° 31' 56" West for 424.00 feet, more or less to the point of beginning.

and covenant that grantor is the owner of the above described property free of all encumbrances now and except Exceptions to Patents and Easements of record and 1970-71 rural property taxes, the existence of roads, irrigation ditches and canals, telegraph, telegraph and power transmission facilities and the rules, regulations, and assessments of Central Oregon Irrigation District and the terms of the assessment recorded November 19, 1964 concerning the maintenance of an underground water pipeline.

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above. The true and actual consideration for this transfer is \$25,500.00

DATED this 21st Day of October 19 70

STATE OF OREGON }
 County of Deschutes }
 October 21st 19 70

Donald Dean Dodson
 DONALD DEAN DODSON
Betty Lou Dodson
 BETTY LOU DODSON

Personally appeared the above-named DONALD DEAN DODSON and BETTY LOU DODSON, husband and wife, and acknowledged the foregoing instrument to be their voluntary act. Before me:



Thomas P. Garity
 Thomas P. Garity
 Notary Public for Oregon
 My Commission Expires: Feb 1, 1971

WARRANTY DEED
 DONALD DEAN DODSON, et al

TO
 ORVAL B. CROOK, et al

RECORD and RETURN TO
 Gray, Fancher,
 Hobbes & Hurley
 Attorneys at Law
 1004 Bond St.
 Bend, Oregon

STATE OF OREGON }
 County of Deschutes }

I certify that the within instrument was received for record on the 27 day of October 1970 at 1:11 o'clock P.M. and recorded in Book 172 on Page 813 Record of Deeds of said County. Witness my hand and seal of County official.

Helen M. Hayes
 Helen M. Hayes
 County Clerk-Deschutes
 Deputy

RECEIVED

JUN 10 2009

WATER RESOURCES DEPT
 SALEM, OREGON
 1000 P.O. BOX STREET
 BEND, OREGON



12/02/2005 03:34:19 PM

M-LISPM Criml Struc25 TRACY
\$5.00 \$11.00 \$10.00 \$5.00

After recording, return to:
Michael H. McGean, OSB #00473
FRANCIS HANSEN & MARTIN, LLP
1148 NW Hill Street
Bend, OR 97701
(541) 389-5010

NOTICE OF PENDENCY OF ACTION

Pursuant to ORS 93.740, the undersigned states:

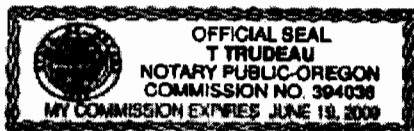
- 1) As been filed in the Circuit Court for Deschutes County, State of Oregon, in Case number 05 PC 0072 AB, a Petition for the Appointment of a Guardian and Conservator for Orval B. Carder.
- 2) The petitioner in that action is Roger B. Carder. The respondent is Orval B. Carder.
- 3) Roger B. Carder has been appointed as the temporary Guardian and Conservator for Orval B. Carder during the pendency of the proceedings.
- 4) The subject of this Notice is the Petition for Appointment of a Guardian and Conservator, the Court's Order appointing Roger Carder as Guardian and Conservator, and the Court's findings that Orval B. Carder is incapacitated and financially incapacitated as defined under Oregon law ORS Chapter 125.
- 5) Respondent Orval B. Carder is the owner of real property known as 2640 NE 8th Street, Bend, OR 97701.

DATED this 2nd day of December, 2005.

Michael H. McGean, OSB #00473
Of Attorneys for Petitioner

STATE OF OREGON)
) ss.
County of Deschutes)

The foregoing instrument was signed or acknowledged before me this 2nd day of December, 2005 by Michael H. McGean.



T Trudeau
NOTARY PUBLIC FOR OREGON
My Commission Expires: 6-19-09

NOTICE OF LIS PENDENS

RECEIVED

JUN 10 2009

Francis Hansen & Martin, LLP
1148 N.W. Hill Street • Bend, Oregon 97701-1914
(541) 389-5010



WATER RIGHTS MAP

17-13-28
SPRINE T.L. 400
CARDER - 2004



2004 AERIAL PHOTO COURTESY OF
BEND MAPPING AND BLUEPRINTING
PHOTO TAKEN: 7/22/2004
CO FLIGHT LINE #: 12-17
PHOTO NOT ORTHORECTIFIED



RECEIVED

JUN 10 2009

WATER RIGHTS REPORT



DESCHUTES COUNTY OFFICIAL RECORDS
 NANCY BLANKENSHIP, COUNTY CLERK
 2008-14089
 \$36.00
 03/31/2008 12:01:24 PM
 D-D Cntml Strml BN
 \$10.00 \$11.00 \$10.00 \$5.00

After Recording return to:
 Central Oregon Irrigation District
 1055 S.W. Lake Court
 Redmond, OR 97756

MAIL TAX STATEMENT
 TO: NO CHANGE

**QUITCLAIM DEED
 WATER CONVEYANCE AGREEMENT
 FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, Gibson Airpark, L.L.C., the rightful owner of real property referenced herein, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in water rights appurtenant the land described as: Parcel One (1) of Partition Plat 2007-23, recorded April 10, 2007, in Cabinet 3, Page 421, Deschutes County, Oregon ("Subject Land") and commonly known as: 17-13-20 NE SW 403. Grantor further releases claim and responsibility for the primary and supplemental irrigation and pond water rights appurtenant to the Subject Land, being 19.30 acres Irrigation and 3.70 acres Pond, more or less, of water rights issued on Certificates in the name of Central Oregon Irrigation District and to any other water rights that are specifically appurtenant to the Subject Land.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Land that Grantor, as owner of the Subject Land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights referenced herein that are appurtenant to the Subject Land; that the interest in the water rights appurtenant to the Subject Land may not be conveyed in subsequent real estate transactions of the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land will no longer have an appurtenant water right.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 23.0 acres of water rights.

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.

Consideration for this Quitclaim: \$46,000.00

DATED this 26th day of March, 2008.

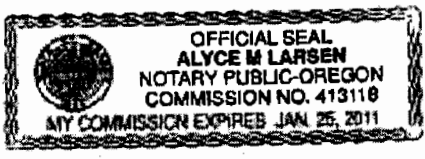
Grantor:
Patrick Gisler for Gibson Airpark, LLC
 Patrick Gisler for Gibson Airpark, LLC

Recorded by Western Title as an accommodation only. No liability accepted for condition of title or validity, sufficiency or affect of document. B

State of Oregon)
) ss.
 County of Deschutes)

This instrument was acknowledged before me on March 26, 2008 by Patrick Gisler as Manager for Gibson Airpark, LLC.

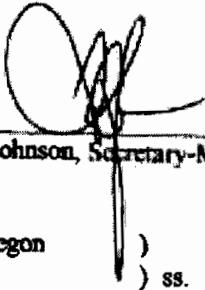
RECEIVED
 JUN 10 2009



Alyce M. Larsen
 Notary Public for Oregon

WATER RESOURCES DEPT
 SALEM, OREGON

Grantee:



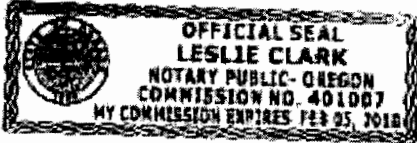
Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

Date 27 March 2008

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on March 27, 2008 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.


Notary Public for Oregon



© Central Oregon Irrigation District 2007

RECEIVED

JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

40

KNOW ALL MEN BY THESE PRESENTS, That Patrick M. Gialer and Harold David Morales, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Gibson Airpark, L.L.C. hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Deschutes, State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ NONE

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 25th day of July, 1997; if a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST GRABBERS OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Patrick M Gialer
Patrick M. Gialer

Harold David Morales
David Morales

STATE OF OREGON, County of Deschutes
This instrument was acknowledged before me on July 25, 1997,
by Patrick M. Gialer and Harold David Morales
This instrument was acknowledged before me on _____, 19____
by _____

OFFICIAL SEAL
MICHELLE COUCH
NOTARY PUBLIC-OREGON
COMMISSION NO. 048733
MY COMMISSION EXPIRES JANUARY 13, 2000

Michelle Couch

Notary Public for Oregon
My commission expires _____

Patrick M. Gialer and David Morales
Grantor's Name and Address
Gibson Airpark, L.L.C.
Grantee's Name and Address
After recording return to (Name, Address, Zip):
No Change
We'll request either/or send all tax statements to (Name, Address, Zip):
KEY-TITLE & ESCROW COMPANIES
1021 NW GREENWOOD - P.O. BOX 6176
BEND, OREGON 97708

STATE OF OREGON,
COUNTY OF DESCHUTES)
I, MARY LUE FERRISLOW, COUNTY CLERK,
DO HEREBY CERTIFY THAT THE
COUNTY, DO HEREBY CERTIFY THAT THE
INSTRUMENT WAS RECORDED THIS DAY:
97 AUG - 1 AM 11:29
BY M. Baird
NO. 97-27012
DESCHUTES COUNTY OFFICIAL RECORDS

RECEIVED

JUN 10 2009

EXHIBIT "A"

In Township 17 South, Range 13 East of the Willamette Meridian, Deschutes County, Oregon.

Section 20: The North Quarter of the Southwest Quarter: EXCEPT that portion of the above described lying within Nelson Road on the North and Powell Butte Secondary Road on the West as shown on the Assessor's plat; ALSO EXCEPT that portion of the above described as conveyed to the City of Bend in Book 319 at Page 623 of Deed Records, more particularly described as follows:

A tract of land located in the West Half (W1/2) of Section Twenty (20), Township Seventeen (17) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows: Commencing at the West Quarter Corner of said Section 20; thence easterly along the centerline of Nelson Road a distance of 738 feet, more or less, to the intersection with the southerly prolongation of the centerline of Runway 16-34 of the Bend Municipal Airport; thence southerly along said southerly prolonged centerline a distance of 36 feet to the southerly right of way line of Nelson Road, the true point of beginning; the said true point of beginning is approximately 230.00 feet South of the South end of said Runway 16-34; thence East along the said road right of way a distance of 325.00 feet; more or less, to a point on a line 325.00 feet East of and parallel with the said centerline of Runway 16-34; thence South along the said line 325.00 feet East of and parallel with the centerline of Runway 16-34 a distance of 988.00 feet; thence West, along a line parallel with the said South right of way line of Nelson Road, a distance of 550.00 feet, more or less, to a point on a line 325.00 feet West of and parallel with the said centerline of Runway 16-34; thence North along the said line 325.00 feet West of and parallel with Runway 16-34 a distance of 988.00 feet, more or less, to the South right of way line of said Nelson Road; thence East along the said road right of way line a distance of 325.00 feet, more or less, to the true point of beginning and terminus of this description.

RECEIVED

JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

REVOCABLE LIVING TRUST AGREEMENT

DATED: September 23, 1997
BETWEEN: MARJORIE HANNAH GIBSON, as Trustor,
AND: MARJORIE HANNAH GIBSON, as Trustee.

I, MARJORIE HANNAH GIBSON, as Trustor, hereby establish a trust with Trustee. All references to "Trustee" shall mean all persons serving as Trustee, including any Successor Trustee. The parties agree that the property of this trust shall be held, managed and distributed by the Trustee as hereafter provided.

**ARTICLE I
NAME OF TRUST**

This trust may be called the Marjorie Hannah Gibson Trust.

**ARTICLE II
FAMILY**

I am not married. I am the mother of: MICHAEL P. GIBSON, LINDA D. GILLILAND, MARJORIE K. SCHMIER and STEVEN J. GIBSON.

**ARTICLE III
TRUST PROPERTY**

I have transferred and delivered to the Trustee the property now or hereafter described on Schedule A as owned by the trust. Such titles and interests as the Trustee has received or may hereafter acquire in that property and such other property as may hereafter be added to the trust shall be vested in the Trustee.

REVOCABLE TRUST AGREEMENT (dcr:gibs001.001)

RECEIVED

JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

ARTICLE IX
DISTRIBUTION OF RESIDUE OF TRUST ESTATE
AFTER MY DEATH

After my death, the residue of the trust estate shall be distributed to my children in equal shares, one share for each child who survives me and one share by right of representation of the then surviving descendants of each child who predeceases me.

ARTICLE X
CONTINGENT BENEFICIARIES

If in any circumstances not provided for in this instrument there is any portion of the trust for which there is no named or described beneficiary, the portion shall be distributed to those persons then living who would be entitled to receive my estate as provided by the intestate laws of the State of Oregon then in effect other than any person who would be considered a spouse under any such laws.

ARTICLE XI
TRUSTEE PROVISIONS

A. SUCCESSOR TRUSTEE:

1. If the original Trustee of this Trust becomes unwilling or unable to continue serving as Trustee for any reason, including incapacity, I appoint LINDA GILLILAND to serve as Successor Trustee. If she is unwilling or unable to so serve, I appoint STEVEN GIBSON as Successor Trustee.

2. My incapacity to continue serving as Trustee shall be established by my physician, and a letter signed by my physician stating that I am not capable of managing my financial affairs shall be conclusive evidence of my incapacity. Any third party shall be entitled to rely upon a written statement from the Successor Trustee, accompanied by a photocopy of the letter from my physician, that I am incapacitated and that the Successor Trustee has assumed the duties and obligations of Trustee. Any third party relying in good faith upon such a statement shall be held harmless by the trust from any liability resulting from such reliance.

B. RESIGNATION OF TRUSTEE. A Trustee may resign at any time without court approval by giving written notice to the Successor Trustee, or if there is no successor, to the beneficiaries, to their legal Guardians, or to the persons having the care or custody of minor beneficiaries.

5. REVOCABLE TRUST AGREEMENT (dcr:gibs001.001)

RECEIVED

JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

97-43215

After recording return to:
DANIEL C RE
HURLEY LYNCH & RE PC
901 NW CARLON AVE SUITE 3
BEND OR 97701

ASSIGNMENT OF DEED OF TRUST BY BENEFICIARY

FOR VALUE RECEIVED, the undersigned who is the beneficiary under that certain Deed of Trust dated July 25, 1997, executed and delivered by PATRICK M. GISLER and HAROLD DAVID MORALES, Grantor, to GREGORY P. LYNCH, Trustee, in which MARJORIE GIBSON is the Beneficiary, recorded on August 1, 1997, in volume No. 457 on page 0013 of the Mortgage Records of Deschutes County, Oregon, and conveying real property in said county described as follows:

In Township 17 South, Range 13 East of the Willamette Meridian, Deschutes County, Oregon:

Section 20: The North Quarter of the Southwest Quarter: EXCEPT that portion of the above described lying within Nelson Road on the North and Powell Butte Secondary Road on the West as shown on the Assessor's plat: ALSO EXCEPT that portion of the above described as conveyed to the City of Bend in Book 319 at Page 623 of Deed Records, more particularly described as follows:

A tract of land located in the West Half (W1/2) of Section Twenty (20), Township Seventeen (17) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows: Commencing at the West Quarter Corner of said Section 20; thence easterly along the centerline of Nelson Road a distance of 729 feet, more or less, to the intersection with the southerly prolongation of the centerline of Runway 16-34 of the Bend Municipal Airport, thence southerly along said southerly prolonged centerline a distance of 30 feet to the southerly right of way line of Nelson Road, the true point of beginning; the said true point of beginning is approximately 230.00 feet South of the South end of said Runway 16-34; thence East along the said road right of way a distance of 325.00 feet; more or less, to a point on a line 325.00 feet East of and parallel with the said centerline of Runway 16-34; thence South along the said line 325.00 feet East of and parallel with the centerline of Runway 16-34 a distance of 980.00 feet; thence West, along a line parallel with the said South right of way line of Nelson Road, a distance of 650.00 feet, more or less, to a point on a line 325.00 feet West of and parallel with the said centerline of Runway 16-34; thence North along the said line 325.00 feet West of and parallel with Runway 16-34 a distance of

1 - ASSIGNMENT OF TRUST DEED

dcr\gibs001.015

RECEIVED

JUN 10 2009

REGISTRY

ORREGM

470 - 1372

980.00 feet, more or less, to the South right of way line of said Nelson Road; thence East along the said road right of way line a distance of 325 00 feet, more or less, to the true point of beginning and terminus of this description.

hereby grants, assigns, transfers and sets over to MARJORIE HANNAH GIBSON, Trustee, or the Successor Trustee, of the Marjorie Hannah Gibson Trust, dated September 23, 1997, hereinafter called assignee, and assignee's heirs, personal representatives, successors and assigns, all of the undersigned's beneficial interest in and under said trust deed, together with the notes, moneys and obligations therein described or referred to, with the interest thereon, and all rights and benefits whatsoever accrued or to accrue under said trust deed.

The undersigned hereby covenants to and with said assignee that the undersigned is a beneficiary or beneficiary's successor in interest under said trust deed and is an owner and holder of a beneficial interest therein and has the right to sell, transfer and assign the same, and the note or other obligation secured thereby.

In construing this instrument and whenever the context hereof so requires the singular includes the plural.

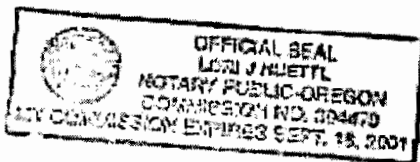
DATED: 11-18-, 1997

Marjorie Gibson
MARJORIE GIBSON

STATE OF OREGON, County of Deschutes)ss.

This instrument was acknowledged before me on 11-18, 1997, by MARJORIE GIBSON.

Lois J. Huettl
Notary Public for Oregon
My commission expires 9-18-01



RECEIVED

JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON
2 - ASSIGNMENT OF TRUST DEED

STATE OF OREGON)
COUNTY OF DESCHUTES) SS.
BY MARY SUE PERHOLLOW, COUNTY CLERK AND
RECORDED OF CONVEYANCES, IN AND FOR SAID
COUNTY. DO HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT WAS RECORDED THIS DAY:
97 NOV 19 PM 3:47
MARY SUE PERHOLLOW
COUNTY CLERK
BY *[Signature]* DEPUTY
NO 97-43215 REC 20
DESCHUTES COUNTY OFFICIAL RECORDS

CERTIFICATION OF VITAL RECORD

OREGON DEPARTMENT OF HUMAN SERVICES
CENTER FOR HEALTH STATISTICS
CERTIFICATE OF DEATH

105-

WRIGHT
BLACK INK

441181

LD 54830

STATE FILE NUMBER

1. Legal Name Marjorie Hannah GIBSON		2. Date (mm/dd/yyyy) February 8, 2006	
3. Sex (part) Female	4a. Age - last birthday 80	5a. Social Security Number 542-16-2709	6. Cause of Death Ischemic
7. Birth date (mm/dd/yyyy) Jan. 5, 1926		8a. Birthplace (city/town or county) Riverton Wyoming	8b. State or Foreign Country Wyoming
9. Race (ethnicity) White		10. Was Decedent Ever in U.S. Armed Forces? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Residence (number and street name, box or rural route, city/town) 2447 NE Galvia Way		12. City/Town Bend	
13. Residence County Deschutes		14. State or Foreign Country Oregon	15. Zip Code - 4 97701
16. Marital Status at Time of Death Widowed		17. Spouse's Name (as listed on additional, plus maiden name in last name) Patrik Gibson	
18. Usual Occupation (profession or business) (include title) Owner/Operator		19. Kind of Business/Industry (do not use company name) Airport	
20. Father's Name (last, first, middle) JUDITH Wade		21. Mother's Name (last, first, middle) Annie Diantha	
22. Informant's Name Steven Gibson	23. Informant's Number 541-388-2413	24. Relationship to Decedent Son	25. Mailing Address (number & street, city/town, state, zip + 4) 22248 Nelson Road, Bend, OR 97701
26. Place of Death Decedent's Residence		27. Facility Name Bend	
28. Address of Death (if different) 2447 NE Galvia Way		29. City/Town or Location of Death Bend	30. State OR
31. Address of Declaration Bend, Oregon		32. Place of Declaration (name of cemetery, room, or other location) (if applicable) Pilot Butte Cemetery Bend, Oregon	
33. Name and Complete Address of Funeral Facility (number & street, city/town, state, zip + 4) Nirvonger-Reynolds Funeral Home, Bend, 105 NW Irving Ave., Bend, OR 97701		34. Date of Declaration (mm/dd/yyyy) Feb. 13, 2006	
35. Registrar's Signature <i>[Signature]</i>		36. Registrar's Title Registrar	37. Date (mm/dd/yyyy) February 21, 2006
38. Registrar's License Number 3612		39. Local File Number 134	
40. Was case referred to Medical Examiner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		41. Autopsy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	42. Were autopsy findings available to determine the cause of death? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
43. Enter the nature of trauma - external, internal, or combination - that directly caused the death. DO NOT ENTER TERMINAL EVENTS such as cardiac arrest, respiratory arrest or vascular fluctuation without stating the etiology. DO NOT ABBREVIATE. Myocardial infarction		44. Approximate Time of Death 7:05 AM	
45. Immediate Cause CHD		46. Approximate Time of Death 7:05 AM	
47. Other significant conditions contributing to death, but not listed as the underlying cause (give date) Myocardial Valve Disease HTN		48. Other significant conditions contributing to death, but not listed as the underlying cause (give date)	
49. Nature of Cause <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Homicide <input type="checkbox"/> Accidental <input type="checkbox"/> Suicide <input type="checkbox"/> Unknown		50. Did someone else contribute to death? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
51. Date of Injury (mm/dd/yyyy)		52. Injury (if/when)	
53. Location of Injury (number & street, city/town, state, zip + 4)		54. Describe how injury occurred	
55. Name and Address of Attending Physician (do not use Dr. + S) Derek Hamblin, M.D., 1501 NE Medical Center Drive, Bend, Oregon 97701		56. Name and Title of Attending Physician (Other than Doctor)	
57. Medical Certificate (to be filled in by physician, nurse, or other qualified person) <i>[Signature]</i>		58. License Number MD 23151	
59. Date (mm/dd/yyyy) 2/20/06		60. Registrar's Signature <i>[Signature]</i>	

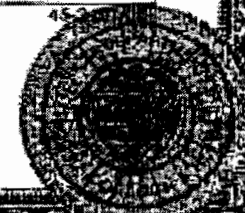
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ORIGINAL - VITAL RECORDS COPY

THIS IS A FILE AND NOT A REPRODUCTION OF THE DOCUMENT OFFICIALLY REGISTERED AT THE OFFICE OF THE DESCHUTES COUNTY REGISTRAR

WATER RESOURCES DEPT
DATE RECEIVED 2/21/06
SALEM, OREGON

[Signature]
DANIEL W. HANCOCK
COUNTY REGISTRAR
DESCHUTES COUNTY, OREGON



**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of the Proposed Short-Term)	DETERMINATION and
Lease of Existing Water Rights for Instream)	FINAL ORDER ON
Use, Certificate(s) 76358 & 76714, Deschutes)	PROPOSED INSTREAM
County, Oregon)	LEASE

FINDINGS OF FACT

1. A pooled Short-Term Lease Application, which proposed to lease all or a portion of certificates 76358 & 76714 for instream purposes was submitted to the Department by:

Lessor #1	Lessee
Central Oregon Irrigation District	Deschutes Resources Conservancy
2598 N Hwy 97	PO Box 1560
Redmond, OR 97756	Bend, OR 97709

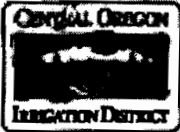
2. The instream lease application included the required fees. The Department assigned this lease agreement number L-522.
3. The lease application includes the information required under OAR 690-077-0077(3). The Department provided notice of the lease application pursuant to OAR 690-077-0077(6). No comments were received.
4. The rights to be leased, as requested by the applicant, are as follows:

Certificate: 76358
Use: Irrigation & Pond Maintenance
Acres: 37.87 acres of irrigation and 3.7 acres of pond maintenance
Priority Date: October 31, 1900 & December 2, 1907
Season of Use: April 1 through October 31, further limited as follows:
 April 1 to May 1 and October 1 to November 1 described herein as Season 1
 May 1 to May 15 and September 15 to October 1 described herein as Season 2
 May 15 to September 15 described herein as Season 3
Quantity: Season 1 (limited to 1/80th Cubic Foot per Second (CFS) per acre): 0.52 CFS, being 0.47 CFS for irrigation and 0.05 CFS for pond maintenance
 Season 2 (limited to 1/60th cfs per acre): 0.69 CFS, being 0.63 CFS for irrigation and 0.06 CFS for pond maintenance
 Season 3 (limited to 1/32.4th cfs per acre): 1.28 CFS, being 1.17 CFS for irrigation and 0.11 CFS for pond maintenance

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

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JUN 10 2009



DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2009-12138



\$36.00

03/25/2009 09:37:50 AM

0-0 Cntnl Strml 9N
\$10.00 \$11.00 \$10.00 \$5.00

After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756

MAIL TAX STATEMENT
TO: NO CHANGE

2

**QUITCLAIM DEED
(WATER CONVEYANCE AGREEMENT)
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, Kassandra M. Bucholz and Jeffrey A. Hubbard, the rightful owner of real property referenced herein, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in water rights appurtenant the land described as: Lots Twelve (12) through Sixteen (16), Block Nineteen (19), HILLMAN, recorded August 1, 1918 in Cabinet A, Page 77, Deschutes County, Oregon. TOGETHER WITH those portions of vacated "A" Avenue and Second (2nd) Street inuring thereto; and commonly known as: 14-13-16 SW SW 01502. Grantor further releases claim and responsibility for all of the primary and supplemental irrigation water rights appurtenant to the Subject Land, being 0.46 acres, more or less, of water rights issued on Certificates in the name of Central Oregon Irrigation District and to any other water rights that are specifically appurtenant to the Subject Land.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Land that Grantor, as owner of the Subject Land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights referenced herein that are appurtenant to the Subject Land; that the interest in the water rights appurtenant to the Subject Land may not be conveyed in subsequent real estate transactions of the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land will no longer have an appurtenant water right.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 0.46 acres of water rights.

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS AND 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Consideration for this Quitclaim: \$414.00

DATED this 20 day of March, 2009.

Grantor:

Kassandra M. Bucholz
Kassandra M. Bucholz

Jeffrey A. Hubbard
Jeffrey A. Hubbard

JUN 10 2009

WATER RESOURCES DEPT
CENTRAL OREGON

State of Oregon)
) ss
County of Deschutes)

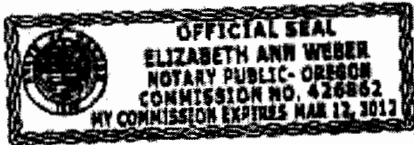
This instrument was acknowledged before me on March 20, 2009 by Kassandra M. Bucholz.



Elizabeth Ann Weber
Notary Public for Oregon

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on March 20, 2009 by Jeffrey A. Humbard.



Elizabeth Ann Weber
Notary Public for Oregon

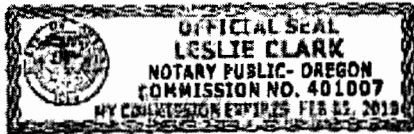
Grantee:

Date 23 March 2009

Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on March 23, 2009 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Leslie Clark
Notary Public for Oregon

© Central Oregon Irrigation District 2009

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WATER RESOURCES DEPT

RD105321CZ31

THIS DESCHUTES COUNTY OFFICIAL RECORDS 2008-11474
NANCY BLANKENSHIP, COUNTY CLERK \$31.00
03/14/2008 11:16:27 AM
D-D Onlml Strm7 TN
85.00 \$11.00 \$10.00 85.00



After recording return to:
KASSANDRA M. BUCHOLZ
1660 A AVENUE
TERREBONNE, OR 97760

Until a change is requested all tax statements shall be sent to the following address:

KASSANDRA M. BUCHOLZ
1660 A AVENUE
TERREBONNE, OR 97760

Escrow No. RD105321CZ
Title No. 105321
SWD

STATUTORY WARRANTY DEED

KASSANDRA M. BUCHOLZ and PEGGY D. BUCHOLZ, not as tenants in common, but with rights of survivorship, Grantor(s) hereby convey and warrant to KASSANDRA M. BUCHOLZ and JEFFREY A. HUMBAR, not as tenants in common, but with rights of survivorship, Grantee(s) the following described real property in the County of Deschutes and State of Oregon free of encumbrances except as specifically set forth herein:

Lots Twelve (12) through Sixteen (16), Block Nineteen (19), HILLMAN, Deschutes County, Oregon. TOGETHER WITH those portions of vacated "A" Avenue and Second (2nd) Street inuring thereto.

Acct No. 254526 141316 CC 01502

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is \$ change vesting.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007

Dated this 21 day of FEBRUARY, 2008.

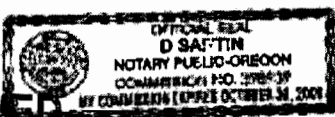
Kassandra M Bucholz
KASSANDRA M BUCHOLZ
Peggy D Bucholz
PEGGY D BUCHOLZ

State of Oregon
County of Deschutes

This instrument was acknowledged before me on FEBRUARY 21, 2008 by KASSANDRA M. BUCHOLZ and PEGGY D. BUCHOLZ.

[Signature]
(Notary Public for Oregon)

My commission expires 10.30.09



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JUN 10 2009

After recording, return to
AmeriTitle
15 OREGON AVENUE, BEND

**Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER**

REC-1122
MAY 11 2008
CO

State of Oregon)
County of Deschutes) ss

1. Allen J. Yoder, in my capacity as Owner,
mailing address: 1644 A Ave Terrebonne, OR 97760
telephone number 541-548-4493 being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; or
- The water right was leased instream at some time within the last five years. The instream lease number is as follows: or
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township	Range	Mer	Sec	1/4 Section	Gov't Lot or DLC	Acres (if applicable)
14 S	13 E	W M	16	SW SW	TL 1500	0.48
17 S	13 E	W M	16	SW SW	TL 1501	.052
17 S	13 E	W M	16	SW SW	TL 1502	0.46
17 S	13 E	W M	16	SW SW	TL 1503	0.37
17 S	13 E	W M	16	SW SW	TL 1504	0.45

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WATER RESOURCES DEPT
SALEM, OREGON

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Grass + Landscaping

5. The water delivery system used to apply water as authorized by the right is described below:

1 horse pump - 3 inch pipe - 5 sprinklers
in ground sprinkler system around house

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the 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 the location and date of the photograph,
- Dedicated power usage records or receipts,
- Instream lease number ,

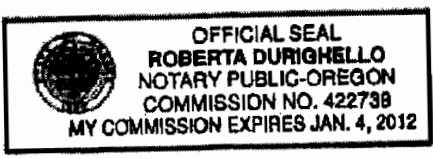
Other: I personally set the pipes and irrigated the entire property July, Aug, Sept 2007

Alexander Uvalde
Signature of Affiant

04-01-08
Date

Signed and sworn to (or affirmed) before me this 1 day of April, 2008.

Roberta Durighello
Notary Public for Oregon



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WATER RESOURCES DEPT
SALEM, OREGON

**Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER**

RECEIVED
MAY 9 2008
G.O.L.D.

State of Oregon)
County of Deschutes) SS

1. Larry Farrell, in my capacity as neighbor's father
mailing address: PO Box 36 Tenabonne OR 97760
telephone number 503 807 4948, being first duly sworn depose and say:
(cell phone)

1. I attest that:
- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; or
 - The water right was leased instream at some time within the last five years. The instream lease number is as follows: or
 - The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):
 Personal observation Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township	Range	Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
14 S	13 E	W M	16	SW SW	TL 1500	0.48
17 S	13 E	W M	16	SW SW	TL 1501	.052
17 S	13 E	W M	16	SW SW	TL 1502	0.46
17 S	13 E	W M	16	SW SW	TL 1503	0.37
17 S	13 E	W M	16	SW SW	TL 1504	0.45

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WATER RESOURCES DEPT
SALEM, OREGON

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

To establish grass/Landscaping /
ground cover - get rid of weeds

5. The water delivery system used to apply water as authorized by the right is described below:

I have pump on a 3" line with
5 sprinklers

6. One or more of the following documentation supporting the above statements is attached:

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the 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 the location and date of the photograph,
- Dedicated power usage records or receipts,
- Instream lease number
- Other: Personal statement

[Signature]
Signature of Affiant

17 April 2008
Date

Signed and sworn to (or affirmed) before me this 17th day of April, 2008.

[Signature]
Notary Public for Oregon
State of Oregon
County of Jefferson



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WATER RESOURCES DEPT
SALEM, OREGON

16 April 08

I spend quite a bit of time at my daughter's place which adjoins Allen Yoder's place on A avenue.

Last summer I had several visits with Allen about weed control, irrigation and getting grass started.

I personally observed Allen Yoder irrigating and killing weeds. I am not sure about his success in getting grass started.

Larry

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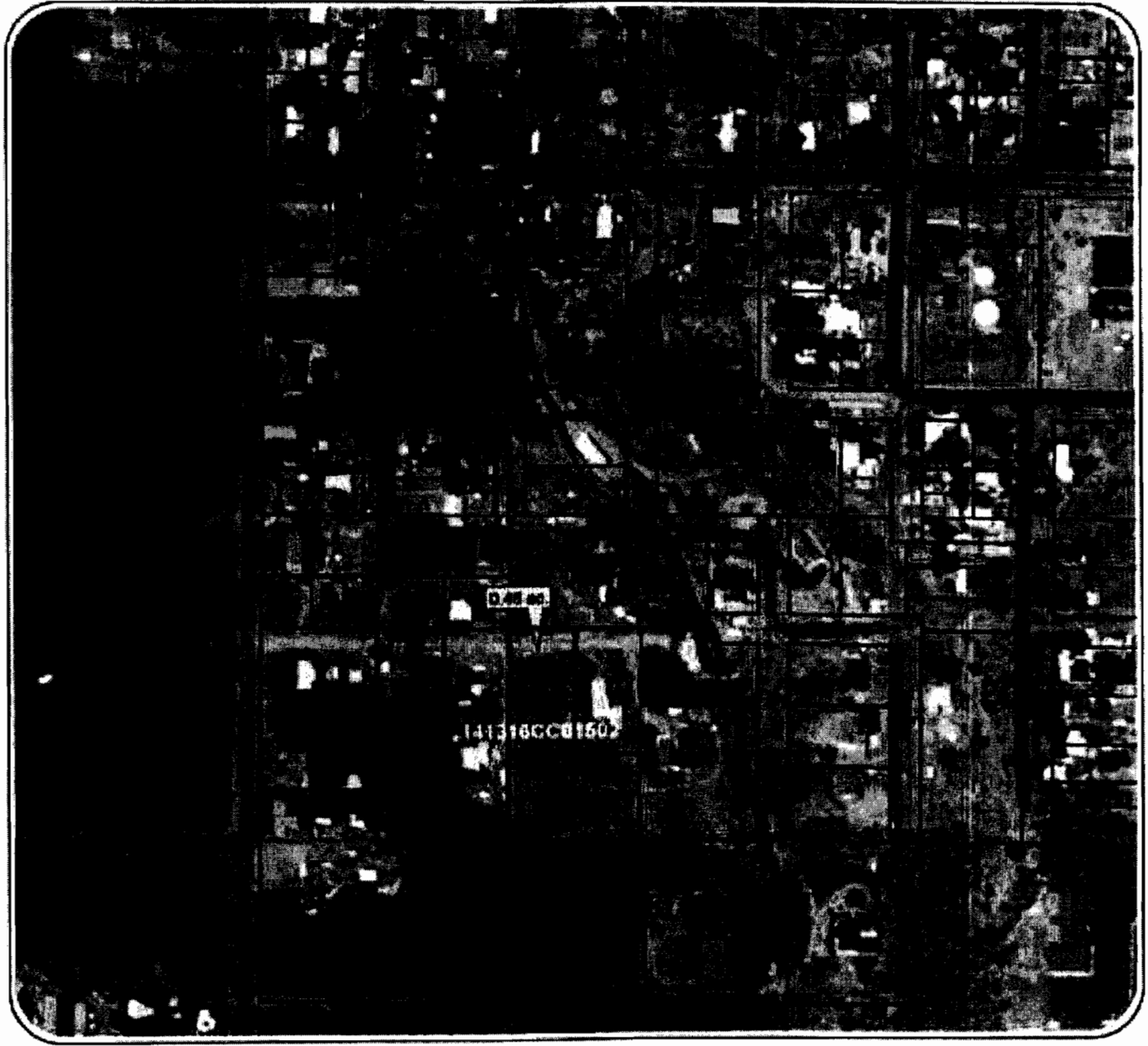
JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON



WATER RIGHTS MAP

14-13-16
SW/SW
TL: 1502



THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHTS. IT IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES

NOTICE
THIS IS NOT A CERTIFICATION OF WATER RIGHTS NOR DOES THIS WARRANT THE SAME BUT SERVES ONLY TO PROVIDE INFORMATION AVAILABLE AT THIS OFFICE AS OF THIS DATE 05-14-08 BY GW

JULY 2004 AERIAL PHOTO
BEND MAPPING & BLUEPRINTING
#15-38
NOT ORTHORECTIFIED

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WATER RESOURCES DEPT

COID QD INSTREAM LEASE 2009
SUPPORT DOCUMENTATION

Grantor	Grantor	Quitclaim Deed #	QD Record Date	TRIS QD TL	Use	Acres	Certificate #
James E. Marshall	COID for Obsidian Group	2004-64727	10/28/2004	15-13-19 NW NE 100	IRRIG	31	26
COID & Obsidian Group	David & Tammy Sailors	2004-87350	11/10/2004	15-13-19 NW NE 100	IRRIG	31	
David & Tammy Sailors	Arnmood Development LLC	2005-22089	4/13/2005	15-13-19 NW NE 100	IRRIG	21.35	
David & Tammy Sailors	Creative Water Solutions LLC	2009-02072	1/20/2009	15-13-19 NW NE 100	IRRIG	9.65	
Creative Water Solutions LLC	COID	2009-06464	2/17/2009	15-13-19 NW NE 100	IRRIG	9.65	

ROLL	Deed	Owner
5/17/2004	1989-11685	James E. Marshall
Public Record Report	Deed	Owner
5/15/2009	1989-11685	James E. Marshall
	2004-64727	Marshall to COID

Lender Delivery - Crop **Evidence**
 VVA Mutual Sub-lot B-5-4-1-1 Fnd intg w/ taps & pump from pond to sprinklers L-380; leased 2003 & 2004 (terminated 11/1/04)
 Pasture grass

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WATER RESOURCES DEPT
SALEM, OREGON

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2004-64727



\$31.00

00313114200400047270020024

10/28/2004 12:25:09 PM

D-D Cntw1 Strm23 BECKEY
05.00 011.00 010.00 05.00

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



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if document is re-recorded.
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JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

CENTRAL OREGON IRRIGATION DISTRICT
2598 North Highway 97
Redmond, OR 97756

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantors, *James E. & Debra E. Marshall*, releases and quitclaims to Central Oregon Irrigation District all rights, title and interest in the following: By this agreement and signed transfer application form, Grantors, the owner of the lands at THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) of SECTION NINETEEN (19) TOWNSHIP FIFTEEN (15) SOUTH, RANGE THIRTEEN (13) EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, release their legal title for 31.0 acres of Central Oregon Irrigation District water rights that are appurtenant to the lands listed above, to Central Oregon Irrigation District. These water rights are to be held at Central Oregon Irrigation District on behalf of Obsidian Group, LLC. Central Oregon Irrigation District and Creative Water Solutions, LLC has prepared a transfer application for some of the water rights and will submit the transfer to the Water Resources Department. Central Oregon Irrigation District will attach this agreement to the Oregon Water Resources Department's transfer and/or lease application.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed *ABOVE* that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, the subject land no longer will have an appurtenant water right for those water rights transferred. Some water rights will remain appurtenant to the land and will be used upon the land until transferred. The legal ownership of all 31 acres is being quit claimed to Obsidian Group, LLC . Upon the signing and recording of this quit claim deed, the land does not have a legal right to the water rights.

Furthermore, upon signing of this agreement and the accompanying transfer application, Obsidian Group, LLC shall be liable for any district assessment or charges pertaining to the 31.0 acres of water right incurred until the completion of the transfer of some of the water rights and for those water rights that continue to be used upon the land. The water right in question is further described as a portion of certificate # 76358, priority of 1900 and 1907, and supplemental right 76714 with a priority date of 1913 located: (15-13-19 NW NE tax lot 100) This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.

Consideration for this Quitclaim is: \$1.00

Grantors:

James E. Marshall
James E. Marshall

Date 10-15-04

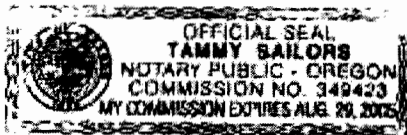
Debra E. Marshall
Debra E. Marshall

Date 10-15-04

State of Oregon

County of Deschutes

Personally appeared the above named and acknowledged the forgoing instrument to be their voluntary act and deed.



Tammy Sailors
My commission expires 8-29-2005

MAIL TAX STATEMENT TO: No Change

After Recording return to:
Central Oregon Irrigation District
2598 North Highway
Redmond, OR 97756

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JUN 10 2009

Approved by CENTRAL OREGON IRRIGATION DISTRICT

Steven C. Johnson
Steven C. Johnson Secretary-Manager

WATER RESOURCES DEPT

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2004-67350



\$36.00

00316351200400673000030037

11/10/2004 10:41:08 AM

D-D Cntcl Str=23 TRACY
\$10.00 \$11.00 \$10.00 \$5.00

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



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WATER RESOURCES DEPT
SALEM, OREGON

CENTRAL OREGON IRRIGATION DISTRICT
2598 North Highway 97
Redmond, OR 97756

QUITCLAIM DEED

FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Central Oregon Irrigation District, and Obsidian Group, LLC releases and quitclaims to David & Tammy Sailors all rights, title and interest in the following: By this agreement, Grantor, the vested owner (per quitclaim deed recorded October 28, 2004 recording #2004-64727) of the water rights appurtenant to lands described as THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) of SECTION NINETEEN (19) TOWNSHIP FIFTEEN (15) SOUTH, RANGE THIRTEEN (13) EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, and release their claim and responsibility for 31.0 acres of Central Oregon Irrigation District water rights that are appurtenant to the lands described above to David & Tammy Sailors. Central Oregon Irrigation District may elect to complete a transfer application and submit it to the Water Resources Department on behalf of David & Tammy Sailors for approval of use of the water right at a new location and/or use. Central Oregon Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

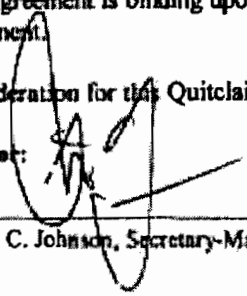
By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands described above, that grantor, as owner of the vested water right and on behalf of Obsidian Group LLC, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of COID, the subject land no longer will have an appurtenant water right.

Furthermore, upon signing of this agreement, David and Tammy Sailors shall be liable for any district assessment and charges pertaining to the 31.0 acres of water right incurred after the date of signing and subsequent completion of a transfer of water. The water right in question is further described as a portion of certificate # 76358, priority of 1900 and 1907 and Certificate # 76714, priority date of Feb. 28, 1913 located: 15-13-19 NW NE 100.

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.

Consideration for this Quitclaim: \$0.00. COID to process transfer application on behalf of David and Tammy Sailors.

Grantor:



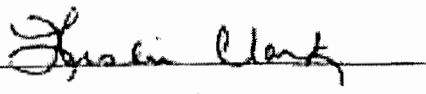
Steven C. Johnson, Secretary-Manager for Central Oregon Irrigation District

Date 11-8-04

State of Oregon
County of Deschutes

This instrument was acknowledged before me on November 8, 2004 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.




Mail Tax Statement to: No change
After recording return to:
Central Oregon Irrigation District
2598 N Hwy 97
Redmond, OR 97756

RECEIVED

JUN 10 2009

WATER RESOURCES DEPT
OREGON

[Signature]

Date 11/09/04

David Sailors for Obsidian Group, LLC

State of Oregon
County of Deschutes

This instrument was acknowledged before me on November 4, 2004 by David Sailors by resolution on behalf of Obsidian Group, LLC.



[Signature]

[Signature]

Date 11/09/04

David Sailors

State of Oregon
County of Deschutes

This instrument was acknowledged before me on November 4, 2004 by David Sailors.



[Signature]

[Signature]

Date 11-9-04

Tammy Sailors

State of Oregon
County of Deschutes

This instrument was acknowledged before me on November 4, 2004 by Tammy Sailors.

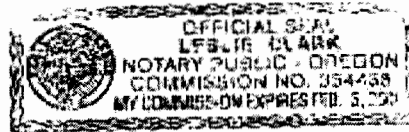
[Signature]

MAIL TAX STATEMENT
TO: NO CHANGE

After Recording return to:
Central Oregon Irrigation District
2598 Redmond, OR 97756

RECEIVED

JUN 10 2009



WATER RESOURCES DEPT
SALEM, OREGON

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2005-22069



\$41.00

D-D Crnl 8Lm25
\$15.00 \$11.00 \$10.00 \$5.00

04/13/2005 10:10:50 AM

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



This page must be included
if document is re-recorded.
Do Not remove from original document.

RECEIVED

JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on 3/29/05 by Tammy Sailors.

Christi S. Sale
Notary Public



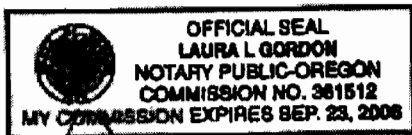
Grantee:

[Signature]
Arrowood Development LLC

Date _____

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on March 31, 2005 by John P. Lutz ^{ss}
[Signature] for Arrowood Development LLC.



[Signature]
Notary Public

APPROVED:

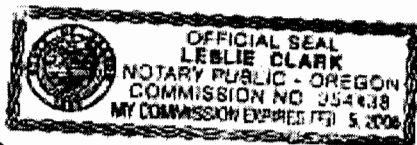
[Signature]
Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

Date 4-4-2005

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on April 4, 2005 by Steven C. Johnson as Secretary-Manager
for Central Oregon Irrigation District.

[Signature]
Notary Public



RECEIVED

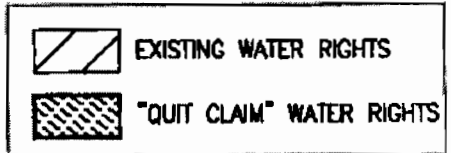
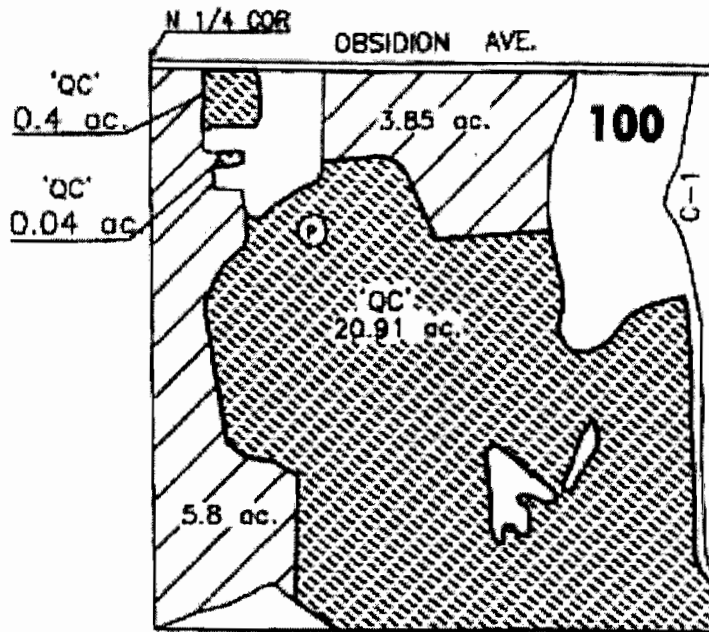
JUN 10 2009

**DESCHUTES COUNTY
SEC 19 T15S. R13E. W.M.**

SCALE - 1" = 400'



NW 1/4 OF THE NE 1/4



QUITCLAIM DEED FOR WATER RIGHTS TRANSFER
QUITCLAIM MAP
NAME: DAVID & TAMMY SAILORS TO ARROWOOD DEVELOPMENT
TAXLOT #: 100 21.35 ACRES 'QC'

DATE: 3-23-05

FILE NO: E:\TRANSFER\NTR\DAVID_SAILORS_DC

RECEIVED

JUN 10 2009

WATER RESOURCES DEPT

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2009-02072



\$41.00

01/20/2009 11:14:49 AM

D-D Crnl Strml BN
\$15.00 \$11.00 \$10.00 \$5.00

MAIL TAX STATEMENT
TO: NO CHANGE

After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756

QUITCLAIM DEED

FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, David and Tammy Sailors, releases and quitclaims to Creative Water Solutions, I.L.C, Grantee, all rights, title and interest in the following: By this agreement, Grantor, the deeded owner of water rights appurtenant to the lands described as THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) of SECTION NINETEEN (19) TOWNSHIP FIFTEEN (15) SOUTH, RANGE THIRTEEN (13) EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, release their claim and responsibility for 9.65 acres of Central Oregon Irrigation District ("COID") water rights that are appurtenant subject lands to Grantee. The water right in question is further described as a portion of Certificate # 76358, 835 71 priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913, located on land commonly known as: 15-13-19 NW NE 100.

Grantor and COID
Grantee may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water rights at a new location and/or use. Grantee or COID may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the described lands that 9.65 acres of appurtenant water right has been removed from the subject land; and that upon completion of a transfer, the subject land no longer will have appurtenant water rights.

Furthermore, upon signing of this agreement, Grantee shall be liable for any district assessment or charges pertaining to the described 9.65 acres of water rights.

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.

Consideration for this Quitclaim: A true and valuable consideration.

Grantor:

David Sailors

Date 10/31/08

Tammy Sailors (now known as Tammy Harty)

Date 10-21-08

RECEIVED

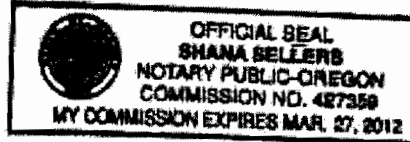
JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon, County of Deschutes:

This instrument was acknowledged before me on October 31, 2008 by David Sailors.

Shana Sellers
Notary Public



State of Oregon, County of Deschutes:

This instrument was acknowledged before me on Oct 21, 2008 by Tammy Sailors.
(Now know as Tammy Harty)

Janel M Gillihan
Notary Public



Grantee:

Tammy Harty
Tammy Harty for Creative Water Solutions, LLC

Date 10-21-08

State of Oregon, County of Deschutes:

This instrument was acknowledged before me on Oct 21, 2008 by Tammy Harty, as
Managing Member for Creative Water Solutions, LLC.

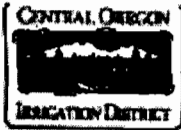
Janel M Gillihan
Notary Public



RECEIVED

JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON



DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2009-05464



\$35.00

02/17/2009 09:24:32 AM

D-D Crnl Strml BN
\$10.00 \$11.00 \$10.00 \$5.00

After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756

MAIL TAX STATEMENT
TO: NO CHANGE

**QUITCLAIM DEED
(WATER CONVEYANCE AGREEMENT)
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

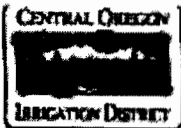
Grantor, Creative Water Solutions, LLC, the holder of water rights referenced herein, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in water rights appurtenant the land described as: The Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) of Section Nineteen (19) Township Fifteen (15) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon ("Subject Land") and commonly known as: 15-13-19 NW NE 100. Grantor further releases claim and responsibility for all of the primary and supplemental irrigation water rights appurtenant to the Subject Land, being 2.65 acres, more or less, of water rights issued on Certificates in the name of Central Oregon Irrigation District and to any other water rights that are specifically appurtenant to the Subject Land.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Land that Grantor, as owner of the Subject Land, approved the transfer (including a change in the place and type of use and ownership) of the water rights herein that are appurtenant to the Subject Land and that the water rights have been conveyed to the Grantee.

RECEIVED

JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON



DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2009-06464



\$36.00

02/17/2009 09:24:32 AM

D-D Cnt=1 Str=1 BN
\$10.00 \$11.00 \$10.00 \$5.00

After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756

MAIL TAX STATEMENT
TO: NO CHANGE

**QUITCLAIM DEED
(WATER CONVEYANCE AGREEMENT)
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, Creative Water Solutions, LLC, the holder of water rights referenced herein, releases and quitclaims to Central Oregon Irrigation District (COID), Grantee, all rights, title and interest in water rights appurtenant the land described as: The Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) of Section Nineteen (19) Township Fifteen (15) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon ("Subject Land") and commonly known as: 15-13-19 NW NE 100. Grantor further releases claim and responsibility for all of the primary and supplemental irrigation water rights appurtenant to the Subject Land, being 2.65 acres, more or less, of water rights issued on Certificates in the name of Central Oregon Irrigation District and to any other water rights that are specifically appurtenant to the Subject Land.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Subject Land that Grantor, as owner of the Subject Land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights referenced herein that are appurtenant to the Subject Land; that the interest in the water rights appurtenant to the Subject Land may not be conveyed in subsequent real estate transactions of the Subject Land; and that upon completion of a transfer, by election of COID, the Subject Land will no longer have an appurtenant water right.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessment or charges pertaining to the described 2.65 acres of water rights.

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS AND 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Consideration for this Quitclaim: \$9,650.00

DATED this 12th day of February, 2009.

Grantor:

Jammy Hartz

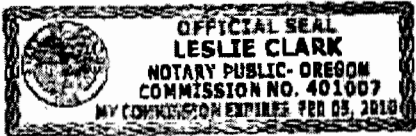
Jammy Hartz for Creative Water Solutions, LLC

RECEIVED

JUN 10 2009

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on February 12, 2009 by Tammy Harty as Managing Member for Creative Water Solutions, LLC.



Leslie Clark
Notary Public for Oregon

Grantee:

A handwritten signature in black ink, appearing to be "Steven C. Johnson".

Date 12 Feb. 2009

Steven C. Johnson, Secretary-Manager Central Oregon Irrigation District

State of Oregon)
) ss.
County of Deschutes)

This instrument was acknowledged before me on February 12, 2009 by Steven C. Johnson as Secretary-Manager for Central Oregon Irrigation District.



Leslie Clark
Notary Public for Oregon

© Central Oregon Irrigation District 2009

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JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON



MAIL TAX STATEMENT
TO: NO CHANGE

After Recording return to:
Central Oregon Irrigation District
1055 S.W. Lake Court
Redmond, OR 97756

QUITCLAIM DEED

FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, David and Tammy Sailors, releases and quitclaims to Creative Water Solutions, LLC, Grantee, all rights, title and interest in the following: By this agreement, Grantor, the deeded owner of water rights appurtenant to the lands described as THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) of SECTION NINETEEN (19) TOWNSHIP FIFTEEN (15) SOUTH, RANGE THIRTEEN (13) EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, release their claim and responsibility for 9.65 acres of Central Oregon Irrigation District ("COID") water rights that are appurtenant subject lands to Grantee. The water right in question is further described as a portion of Certificate # 76358; 935 71 priority date of Oct. 31, 1900 and Dec. 2, 1907 and Certificate # 76714, priority date of Feb. 28, 1913, located on land commonly known as: 15-13-19 NW NE 100.

Grantee ^{and COID} may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water rights at a new location and/or use. Grantee or COID may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the described lands that 9.65 acres of appurtenant water right has been removed from the subject land; and that upon completion of a transfer, the subject land no longer will have appurtenant water rights.

Furthermore, upon signing of this agreement, Grantee shall be liable for any district assessment or charges pertaining to the described 9.65 acres of water rights.

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.

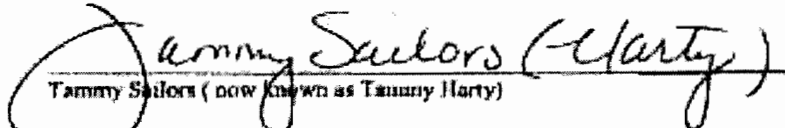
Consideration for this Quitclaim: A true and valuable consideration.

Grantor:



David Sailors

Date 10/3/08



Tammy Sailors (now known as Tammy Hartz)

Date 10-21-08

RECEIVED

JUN 10 2009

State of Oregon, County of Deschutes:

This instrument was acknowledged before me on October 31, 2008 by David Sailors.

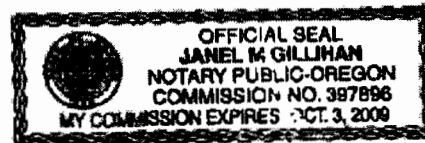
Shana Bellers
Notary Public



State of Oregon, County of Deschutes:

This instrument was acknowledged before me on Oct 21, 2008 by Tammy Sailors.
(Now know as Tammy Harty)

Janel M Gillihan
Notary Public



Grantee:

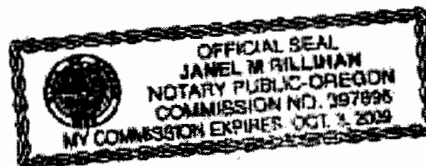
Tammy Harty
Tammy Harty for Creative Water Solutions, LLC

Date 10-21-08

State of Oregon, County of Deschutes:

This instrument was acknowledged before me on Oct 21, 2008 by Tammy Harty as
Managing Member for Creative Water Solutions, LLC.

Janel M Gillihan
Notary Public



RECEIVED

JUN 10 2009

WATER RESOURCES DEPT
SALEM, OREGON

