



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

September 1, 2009

# Application for Instream Lease

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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

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

Optional Identification by Lessor/Lessee: \_\_\_\_\_  
 Lease Application Number (assigned by WRD): \_\_\_\_\_

This Lease is between:

**Lessor #1:**

Name COTD IV, LLC attn: A.J. Kitt  
 Mailing address 202 Oak Ave, #550  
 City, State, Zip Code Hood River, OR 97031  
 Telephone number 541-400-0008  
 Email address \_\_\_\_\_

**Lessor #2, 3, etc.**

Swalley Irrigation District  
64672 Cook Ave. Suite #1  
Bend, OR 97701 541-388-0658 / kathy@swalley.com

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 700 NW Hill Street  
 City, State, Zip Code Bend, OR 97701  
 Telephone number 541-382-4077  
 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**

- 1.1 Lessor #1 is the water right holder, or authorized agent for water right holder of the property located at: Township 17 S, Range 12 E, Section 20 and Tax Lot number 100. 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.

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WATER RESOURCES DIVISION  
SALEM, OREGON

1.2 Lessor #2 is the (Check one):

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

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. 74145

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.: 74145

Priority date: Sept. 1, 1899 Type of use: IRR

Legal Season of Use: April 1-October 31

Is the entire water right certificate being leased?  Yes  No

If no, list the acres of the subject water right by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 2) showing the lands which will not receive water.

Place of use: T 17 S, R 12 E, Section 20, nw1/4 nw1/4 - 1.96 acres to be leased  
Enter additional places of use here, using format above:

Note: Tax lot 100 was originally part of tax lot 200 (at 10 ac IRR) on the SID certificate. Tax lot 200 has been cancelled and divided (see attached tax lot record and tax lot map). Tax lot 100 is now 5.15 acres with 3.5 acres of water right appurtenant.

Tax lot 100 = 1.68 ac IS, 1.82 ac remain  
Tax lot 129 = .28 ac IS  
Page 22 (Identify page number of certificate, if certificate is greater than 10 pages.)

Total  
Ac. IS  
= 1.96 ac

Number of acres being leased, if for irrigation: 1.96

Acre-feet of storage, if applicable: n/a

Maximum rate associated with the right to be leased (cfs): Season 1: 0.015

Season 2: 0.020

Season 3: 0.038

(Use additional lines if there is more than one rate associated with the water right.)

Maximum duty associated with the right to be leased (ac-ft): 12.96 ac-ft

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any: \_\_\_\_\_

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

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

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- 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).

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## ~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 Columbia 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 may 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): Swalley main canal: SE1/4 NE1/4, Section 29, T 17 S, R 12 E, W.M.; 985 feet North and 617 feet West from the East 1/4 corner of Section 29 to Lake Billy Chinook and on to the mouth of the Deschutes at RM 0.

Maximum volume in acre-feet: 10.69 ac-ft

Rate in cfs:

Season 1: 0.013

Season 2: 0.018

Season 3: 0.033

(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 April 1 through October 25.
- Other (describe): \_\_\_\_\_

If you need to enter more instream uses, please use the additional water rights form.

2.3 **Term of lease.** This lease shall terminate on October 31, 2010.

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 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.
- 3.7 Fees.** Pursuant to ORS 536.050, the following fee is included:
- \$400 for an application with four or more landowners or four or more water rights.
  - \$250 for all other applications.

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WATER RESOURCES DEPARTMENT  
SALE PROMOTION

Lessor #1: *AJ Kitt* Digitally signed by AJ Kitt  
COTD IV, LLC / A.J. Kitt Date: 2010.06.29 16:55:23  
-07'00' Date: \_\_\_\_\_

For additional Lessors, type in space for signature and date

Lessor #2: *Talky Ferguson* Date: *6-28-2010*  
Swalley Irrigation District

Lessee: *Genevieve Hubert* Date: *6/28/2010*  
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.)

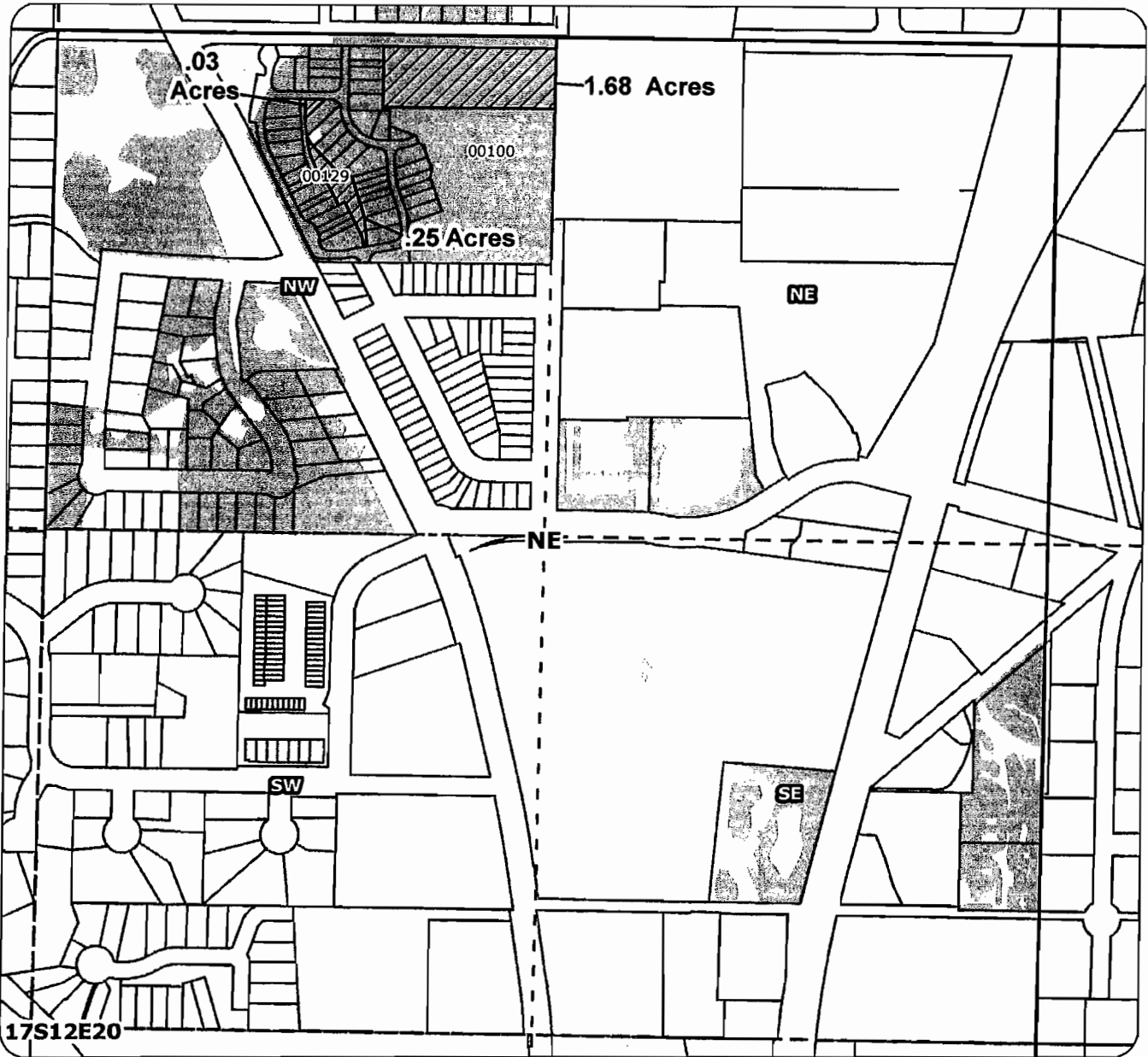
Attachment 3: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 is checked).

Attachment 4: Split Season Instream Use Form

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# 2010 Swalley Irrigation District Instream Lease Map



## Application for Instream Lease

for

COTD IV, LLC

taxlot 129 -- .28 acres

taxlot 100 -- 1.68 acres

in 171220NWNE



Total Lease of 1.96 Acres

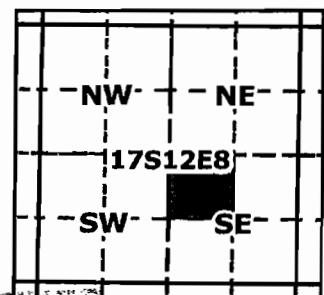
3111 Water Right

taxlot 200 had 10 acres

--8.04 acres remaining

Date Created: June 2010

-  Proposed Lease of Irrigation Rights
-  Water Rights



 **GSS**  
Geo-Spatial Solutions, Inc.  
[www.geospatialolutions.com](http://www.geospatialolutions.com)

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1 inch equals 400 feet  
SAL. EN. 02/2010

10/23/2009

This table will calculate flow rate factors and duty for Swalley Irrigation District  
Instream Leases & Transfers

|                                |
|--------------------------------|
| Start Point Accounts for CW-13 |
| T-8519                         |
| T-8154                         |
| CW-40                          |
| CW-41                          |
| CW-47                          |
| CW-43                          |
| CW-48                          |
| T-10356                        |
| CW-54 - 1st increment          |
| CW-54 - 2nd increment          |
| T-10669 - xfer to DD           |
| T-10713 - iswr                 |

|  |         |  |         |  |           |
|--|---------|--|---------|--|-----------|
| Canal Division<br>Engine (DRAINAGE)<br>Instream Leases | 360     |  |         |  |           |
| Canal Division<br>Engine (DRAINAGE)<br>Instream Leases | 10,000  |  |         |  |           |
| Starting Point<br>Instream Leases                      | 105,811 |  |         |  |           |
| Starting Point<br>Instream Leases                      | 462,575 |  |         |  |           |
| Starting Point<br>Instream Leases                      | 3,235   |  | 1,729   |  | 35,748    |
| Starting Point<br>Instream Leases                      | 35,083  |  | 1,988   |  | 45,221    |
| Starting Point<br>Instream Leases                      | 36,537  |  | 79      |  | 85,049    |
| Starting Point<br>Instream Leases                      | 297,589 |  | 575,056 |  | 2,240,275 |

\*Approximate starting point

|  |           |   |  |
|--|-----------|---|--|
| Rate (CFS) associated with leased rights for Section 1.5 of the Lease Application Form |           | Rate and duty identified in this section includes the 43% transmission loss allowed by decree |  |
| Season 1*  | Full Rate | Duty (AF) associated with leased right for Section 1.5 of the Lease Application Form          |  |
| Season 2*  |           | Duty AF/Acre* =   |  |
| Season 3*  |           | 6.61  |  |

\* Note - The rates and duty identified have been proportioned to prevent encroachment of the right and to reflect the amount at which the diversion should be reduced. (for example, S3 = starting canal rate divided by 4441.765 canal acres)

|  |           |                           |       |
|--|-----------|---------------------------|-------|
| Rate (CFS) associated with leased rights for Section 1.5 of the Lease Application Form |           | Duty (decrease) AF/Acre = |       |
| Season 1   | Full Rate | Total =                   | 5.46  |
| Season 2   |           | # of Days in each Season  | 10.70 |
| Season 3   |           |                           |       |
|  |           |                           | 1.57  |
|  |           |                           | 1.07  |
|  |           |                           | 8.05  |
|  |           |                           | 10.69 |

|                   |        |                          |                      |
|-------------------|--------|--------------------------|----------------------|
| Additional Leases |        | Water Protected Instream |                      |
| Season 1*         | # days | AF/Season                | Does not exceed duty |
| Season 2          |        |                          |                      |
| Season 3          |        |                          |                      |
| Season total =    | 208    |                          |                      |

\* Note - The number of days that water may be protected instream in Season 1 has been reduced to prevent encroachment of the right. The instream rates identified in this section are based upon the face value of the water right minus 43%.

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SALIDA, CALIF.

|         |     |     |        |        |                           |
|---------|-----|-----|--------|--------|---------------------------|
| NE¼ NW¼ | 104 | IRR | 2.500  | 3 & 15 | Elkins, Doris E.          |
| NE¼ NW¼ | 105 | IRR | 3.500  | 3 & 15 | Elkins, Doris E.          |
| SE¼ NW¼ | 104 | IRR | 0.900  | 3 & 15 | Elkins, Doris E.          |
| SE¼ NW¼ | 105 | IRR | 2.400  | 3 & 15 | Elkins, Doris E.          |
| NE¼ SW¼ | 105 | IRR | 1.200  | 3 & 15 | Elkins, Doris E.          |
| NE¼ SE¼ | 105 | IRR | 26.100 | 3 & 15 | Elkins, Doris E.          |
| NW¼ SE¼ | 105 | IRR | 27.500 | 3 & 15 | Elkins, Doris E.          |
| SW¼ SE¼ | 105 | IRR | 23.600 | 3 & 15 | Elkins, Doris E.          |
| SE¼ SE¼ | 105 | IRR | 11.200 | 3 & 15 | Elkins, Doris E.          |
| SE¼ SE¼ | 200 | IRR | 6.000  | 3 & 15 | Jeffers, Harold & Joann   |
| SE¼ SE¼ | 300 | IRR | 1.000  | 3 & 15 | Watson, Douglas & Eva Mae |

Section 18

|         |     |     |       |        |                           |
|---------|-----|-----|-------|--------|---------------------------|
| NE¼ NE¼ | 400 | IRR | 4.500 | 3 & 15 | Stewart, Renee M.         |
| NE¼ NE¼ | 401 | IRR | 0.750 | 3 & 15 | Bonnett, Charles          |
| NW¼ NE¼ | 100 | IRR | 2.140 | 3 & 15 | Jensen, David & Sue       |
| NW¼ NE¼ | 102 | IRR | 3.000 | 3 & 15 | Johnson, Louise           |
| NW¼ NE¼ | 103 | IRR | 0.800 | 3 & 15 | Boehm, Dr. Peter          |
| NW¼ NE¼ | 104 | IRR | 1.000 | 3 & 15 | Moss, Charles & Kathleen  |
| NW¼ NE¼ | 106 | IRR | 1.200 | 3 & 15 | Boehm, Dr. Peter          |
| NW¼ NE¼ | 107 | IRR | 0.500 | 3 & 15 | Hammerquist, Ardis        |
| NW¼ NE¼ | 108 | IRR | 0.700 | 3 & 15 | Johnson, Terry            |
| NW¼ NE¼ | 109 | IRR | 1.000 | 3 & 15 | Johnson, Terry            |
| NW¼ NE¼ | 110 | IRR | 1.300 | 3 & 15 | Johnson, Reece & Kimberly |

→ NW¼ NE¼ 200 IRR 10.000 3 & 15 Heden, Lola → tax lot 100

|         |      |     |        |        |                                 |
|---------|------|-----|--------|--------|---------------------------------|
| NW¼ NE¼ | 300  | IRR | 7.000  | 3 & 15 | Ertle, Richard & Anita          |
| SW¼ NE¼ | 1801 | IRR | 3.000  | 5      | Baker, Lawrence A.              |
| SE¼ NE¼ | 800  | IRR | 1.300  | 3 & 15 | Arnett, John                    |
| SE¼ NE¼ | 901  | IRR | 1.200  | 3 & 15 | Arnett, John                    |
| SE¼ NE¼ | 1700 | IND | 10.660 | 3 & 15 | Oregon State Highway Dept.      |
| SE¼ NE¼ | 1701 | IRR | 1.100  | 3 & 15 | Deschutes County c/o            |
| NE¼ NW¼ | 100  | IRR | 1.400  | 7      | Ashley, Michael F.              |
| NE¼ NW¼ | 101  | IRR | 1.000  | 7      | Ashley, Michael F.              |
| NE¼ NW¼ | 102  | IRR | 1.600  | 7      | Ashley, Michael F.              |
| NE¼ NW¼ | 400  | IRR | 0.375  | 6      | Carlton, James & Michelle       |
| NE¼ NW¼ | 402  | IRR | 0.375  | 6      | Paise, Chester M. & Darlene J.  |
| NE¼ NW¼ | 600  | IRR | 1.500  | 7      | Pedersen, Phillip & Christina   |
| NE¼ NW¼ | 601  | IRR | 0.500  | 7      | Pedersen, Phillip & Christina   |
| NE¼ NW¼ | 603  | IRR | 1.400  | 7      | Downing, Rex & Marjorie         |
| NE¼ NW¼ | 702  | IRR | 0.660  | 7      | Kail, James R                   |
| NE¼ NW¼ | 703  | IRR | 0.600  | 7      | Jorgenson, Russell              |
| SE¼ NW¼ | 603  | IRR | 0.600  | 7      | Downing, Rex & Marjorie         |
| SE¼ NW¼ | 703  | IRR | 0.400  | 7      | Jorgenson, Russell              |
| NE¼ SE¼ | 700  | IRR | 0.100  | 3 & 15 | Harding, Norma                  |
| NE¼ SE¼ | 1100 | IRR | 0.100  | 3 & 15 | Dixon, Lora                     |
| NE¼ SE¼ | 1200 | IRR | 0.250  | 3 & 15 | Larson, Donald M.               |
| NE¼ SE¼ | 1300 | IRR | 0.250  | 3 & 15 | Higgins, Roger                  |
| NE¼ SE¼ | 2100 | IRR | 1.000  | 3 & 15 | Tumalo State Park, Dist. Office |
| NE¼ SE¼ | 2200 | IRR | 2.000  | 3 & 15 | Brown, Charles & Sally          |
| NE¼ SE¼ | 2300 | IRR | 1.000  | 3 & 15 | O'Day, Mel                      |
| NE¼ SE¼ | 2600 | IRR | 1.000  | 3 & 15 | Loomis, Susan C.                |
| NE¼ SE¼ | 2800 | IRR | 0.300  | 3 & 15 | Hastings, Viola                 |
| NW¼ SE¼ | 2000 | IRR | 11.000 | 4      | Bend Metro Park & Recreation    |

Section 20

|         |      |     |        |        |                       |
|---------|------|-----|--------|--------|-----------------------|
| NW¼ NE¼ | 200  | IRR | 12.000 | 3 & 15 | OCAT Inc.             |
| SW¼ NE¼ | 1400 | IRR | 9.800  | 3 & 15 | Brinson, Edna         |
| SW¼ NE¼ | 1400 | PND | 0.600  | 3 & 15 | Brinson, Edna         |
| SW¼ NE¼ | 1403 | IRR | 3.400  | 3 & 15 | Brinson, Jack & Ilene |

(Current)  
was originally  
part of taxlot  
200, which  
has been  
cancelled &  
divided.  
10 ac - 1.96 ac  
= 8.04 ac  
remaining  
East of  
OB Riley Rd.

17-12

SEE NEXT PAGE

C-74145



### DESCHUTES COUNTY ASSESSOR'S NAME LEDGER

Account ID 118131    Township 17    Range 12    Section 20    1/4 A    Taxlot 0    Special Interest 00200

Effective Date 15-Jan-2002 12:00 AM    Transaction ID -119157    Entry Date 15-Jan-2002    Recorded Date 15-Jan-2002    Sale Price \$0  
 Sale Date 15-Jan-2002

| Seq | Voucher ID | Tax Year | Document Source | Type | ID #1 | ID #2 | PID | Source ID | PT | Operation   | To/From Map |
|-----|------------|----------|-----------------|------|-------|-------|-----|-----------|----|-------------|-------------|
| 1   | -146979    | 2002     | CLERK - BOR     |      | 2002  | 3242  | 1   |           |    | NAME CHANGE |             |

| Size Totals | Code | Acres | Sqft | Alternate Size |
|-------------|------|-------|------|----------------|
|             |      |       |      |                |

Effective Date 15-May-2003 12:00 AM    Transaction ID -65673    Entry Date 15-May-2003    Recorded Date 15-May-2003    Sale Price \$0  
 Sale Date 15-May-2003

| Seq | Voucher ID | Tax Year | Document Source | Type | ID #1 | ID #2  | PID | Source ID                         | PT | Operation  | To/From Map |
|-----|------------|----------|-----------------|------|-------|--------|-----|-----------------------------------|----|------------|-------------|
| 1   | -65673     | 2003     | ASSESSOR'S FILE |      | 2003  | 118131 | 1   | ASSESSOR'S FILE:CONVERSION:118131 |    | CONVERSION |             |

| Name Changes | Status | Name                  | Name Type | Ownership Type   | Ownership % |
|--------------|--------|-----------------------|-----------|------------------|-------------|
| A            |        | LOLA R HEDEN TRUST    | OWNER     | TRUSTOR          |             |
| A            |        | HEDEN, LOLA R TRUSTEE | AGENT     | OWNER AS TRUSTEE |             |

| Size Changes | Code | +/- Size      | Alternate Size | Code Area Deleted | Move to Acct | Move To Code |
|--------------|------|---------------|----------------|-------------------|--------------|--------------|
|              | 1001 | 10.36 Acres * |                |                   |              |              |
| Size Totals  | Code | Acres         | Sqft           | Alternate Size    |              |              |
|              | 1001 | 10.36         |                |                   |              |              |

| Action | Subdivision | Block | Lot  | Direction | Part | Part Type |
|--------|-------------|-------|------|-----------|------|-----------|
| Add:   | NORWOOD     | 0     | PT.2 |           |      |           |

Effective Date 24-Mar-2004 12:00 AM    Transaction ID 350274    Entry Date 24-Mar-2004    Recorded Date 29-Jan-2004    Sale Price \$0  
 Sale Date 28-Jan-2004

| Seq | Voucher ID | Tax Year | Document Source | Type | ID #1 | ID #2 | PID | Source ID | PT | Operation   | To/From Map |
|-----|------------|----------|-----------------|------|-------|-------|-----|-----------|----|-------------|-------------|
| 1   | 364397     | 2004     | CLERK - BOR     | WD   | 2004  | 04764 | 1   |           |    | NAME CHANGE |             |

| Name Changes | Status | Name                             | Name Type      | Ownership Type   | Ownership % |
|--------------|--------|----------------------------------|----------------|------------------|-------------|
| D            |        | HEDEN, LOLA R TRUSTEE            | AGENT          | OWNER AS TRUSTEE |             |
| D            |        | LOLA R HEDEN TRUST               | OWNER          | TRUSTOR          |             |
| A            |        | LOLA R HEDEN TRUST               | OWNER          | OWNER            | 100.0000    |
| A            |        | HEDEN, LOLA R                    | REPRESENTATIVE |                  |             |
| A            |        | CO-TRUSTEE IN-LOLA R HEDEN TRUST | REPRESENTATIVE |                  |             |
| A            |        | HEDEN, ANNETTE Y                 | REPRESENTATIVE |                  |             |
| A            |        | CO-TRUSTEE IN-LOLA R HEDEN TRUST |                |                  |             |

Account ID 118131 Township 17 Range 12 Section 20 1/4 1/16 Taxlot A B 00100 Special Interest

Sale Price \$3,216,079  
Sale Date 30-Aug-2005

Effective Date 14-Sep-2005 4:40 PM Transaction ID 880530 Entry Date 14-Sep-2005 Recorded Date 30-Aug-2005

| Seq | Voucher ID | Tax Year | Document Source | Type | ID #1 | ID #2 | PID | Source ID | PT | Operation   | To/From Map |
|-----|------------|----------|-----------------|------|-------|-------|-----|-----------|----|-------------|-------------|
| 1   | 926262     | 2005     | CLERK - BOR     | WD   | 2005  | 58049 | 1   |           |    | NAME CHANGE |             |

| Name Changes | Status | Name                 | Name Type | Ownership Type | Ownership % |
|--------------|--------|----------------------|-----------|----------------|-------------|
| D            |        | GMC LLC              | OWNER     | OWNER          | 100.0000    |
| A            |        | TUSCANY PARTNERS LLC | OWNER     | OWNER          | 100.0000    |

| Size Totals | Code | Acres | Sqft | Alternate Size |
|-------------|------|-------|------|----------------|
|             | 1001 | 10.36 |      |                |

Effective Date 02-Aug-2006 1:12 PM Transaction ID 1238079 Entry Date 02-Aug-2006 Recorded Date 01-Aug-2006 Sale Date

| Seq | Voucher ID | Tax Year | Document Source | Type | ID #1 | ID #2 | PID | Source ID | PT | Operation        | To/From Map   |
|-----|------------|----------|-----------------|------|-------|-------|-----|-----------|----|------------------|---------------|
| 2   | 131796     | 2007     | ASSESSOR        | LLA  | 2006  | 1340  | 1   | RC-06-544 |    | COMBINATION - TO | 171220AB00200 |

ALSO TAX LOT 200

| Size Changes | Code | +/- Size   | Alternate Size | Code Area Deleted | Move to Acct | Move To Code |
|--------------|------|------------|----------------|-------------------|--------------|--------------|
|              | 1001 | 0.70 Acres | 0              |                   |              |              |

| Size Totals | Code | Acres | Sqft | Alternate Size |
|-------------|------|-------|------|----------------|
|             | 1001 | 11.06 |      |                |

| Action  | Subdivision | Block | Lot  | Direction | Part | Part Type |
|---------|-------------|-------|------|-----------|------|-----------|
| Delete: | NORWOOD     | 0     | PT.2 |           |      |           |
| Add:    | NORWOOD     | 0     | 2    |           |      |           |

Sale Price \$11,400,000  
Sale Date 12-Sep-2006

Effective Date 16-Sep-2006 11:20 AM Transaction ID 1394954 Entry Date 14-Sep-2006 Recorded Date 13-Sep-2006

| Seq | Voucher ID | Tax Year | Document Source | Type | ID #1 | ID #2 | PID | Source ID | PT | Operation   | To/From Map |
|-----|------------|----------|-----------------|------|-------|-------|-----|-----------|----|-------------|-------------|
| 1   | 1492996    | 2006     | CLERK - BOR     | WD   | 2006  | 62193 | 1   |           |    | NAME CHANGE |             |

| Name Changes | Status | Name                        | Name Type | Ownership Type | Ownership % |
|--------------|--------|-----------------------------|-----------|----------------|-------------|
| D            |        | TUSCANY PARTNERS LLC        | OWNER     | OWNER          | 100.0000    |
| A            |        | BELLA TERRA INVESTMENTS INC | OWNER     | OWNER          | 100.0000    |

| Size Totals | Code | Acres | Sqft | Alternate Size |
|-------------|------|-------|------|----------------|
|             | 1001 | 11.06 |      |                |

Account ID 118131 Township 17 Range 12 Section 20 1/4 A 1/16 B Taxlot 00100 Special Interest

LESS PART TO BEND CITY ROAD (-0.31 AC)

| Size Changes | Code | + / - Size  | Alternate Size | Code Area Deleted | Move to Acct | Move To Code |
|--------------|------|-------------|----------------|-------------------|--------------|--------------|
|              | 1001 | -0.31 Acres | 0              |                   |              |              |
| Size Totals  | 1001 | 10.75       |                |                   |              |              |

2007  
-0.31

Effective Date 08-Nov-2007 8:53 AM Transaction ID 1906075 Entry Date 23-Oct-2007 Recorded Date 01-Oct-2007 Sale Date

Seq Voucher ID Tax Year Document Source Type ID #1 ID #2 PID Source ID PT Operation To/From Map

|   |         |      |  |     |      |     |   |       |  |  |                         |               |
|---|---------|------|--|-----|------|-----|---|-------|--|--|-------------------------|---------------|
| 1 | 2108219 | 2008 | CLERK                                  | S/P | 2007 | 130 | 1 | H-520 |  |  | SUBDIVISION PLAT - FROM | 171220AB00101 |
|   |         |      | LESS PT TO TAX LOTS 101-151 (-5.60 AC) |     |      |     |   |       |  |  |                         | 171220AB00102 |
|   |         |      | TUSCANY PINES PHASE I                  |     |      |     |   |       |  |  |                         | 171220AB00103 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00104 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00105 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00106 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00107 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00108 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00109 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00110 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00111 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00112 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00113 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00114 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00115 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00116 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00117 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00118 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00119 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00120 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00121 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00122 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00123 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00124 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00125 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00126 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00127 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00128 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00129 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00130 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00131 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00132 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00133 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00134 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00135 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00136 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00137 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00138 |
|   |         |      |  |     |      |     |   |       |  |  |                         | 171220AB00139 |

2008  
-5.60

Account ID 118131 Township 17 Range 12 Section 20 1/4 A 1/16 B Taxlot 00100 Special Interest

Effective Date 19-Nov-2009 11:24 AM Transaction ID 2816528 Entry Date 19-Nov-2009 Recorded Date 26-Jun-2009 Sale Price \$510,000 Sale Date 25-Jun-2009

| Seq | Voucher ID | Tax Year | Document Source | Type | ID #1 | ID #2 | PID | Source ID | PT | Operation   | To/From Map |
|-----|------------|----------|-----------------|------|-------|-------|-----|-----------|----|-------------|-------------|
| 1   | 3127642    | 2009     | CLERK - BOR     | B&S  | 2009  | 27131 | 2   |           |    | NAME CHANGE |             |

REPROCESSING DOCUMENT ON ACCOUNT ORIGINALLY MISSED

Name Changes Status Name

- D UMPQUA BANK
- A COTD IV LLC

Name Type Ownership Type Ownership %  
 OWNER OWNER  
 OWNER OWNER 100.0000

Size Totals Code 1001 Acres 5.15 Sqft Alternate Size

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Account: 118131 Map/TL: R 1-001 171220 AB 00100

\* \* \* CURRENT Ownership Information ONLY

COTD IV LLC  
C/O CASTLE ADVISERS LLC  
PO BOX 751  
HOOD RIVER OR 97031

Site Address: 63170 OB RILEY RD BEND 97701

Assessor Property Description  
NORWOOD Lot: PT 2 Block:

Prop Cls:190 MA:3 VA:38 NH 000 Vol-Page: 2009-27131  
Asmt Zone:RS CDD Zone:BEND (CITY OF BEND)

|                     |  |       |
|---------------------|--|-------|
| *** Land Values *** |  |       |
| Asmt type           |  | Acres |
| RURAL LOT           |  | 5.15  |
| SD                  |  |       |
| LA                  |  |       |
| *Total              |  | 5.15  |

\*\*\*\*\* Values shown below are as of the Assessment Date, January 1 of each year \*\*\*\*\*

| ***  | -----2009----- |              | -----2008----- |              | -----2007----- |              |
|------|----------------|--------------|----------------|--------------|----------------|--------------|
|      | Total RMV      | Taxable A.V. | Total RMV      | Taxable A.V. | Total RMV      | Taxable A.V. |
| LND: | 2,024,800      | 968,090      | 2,024,800      | 939,900      | 2,180,960      | 288,830      |

| SALES:  | --- 1 ---   | --- 2 ---  | --- 3 ---  | --- 4 ---  | --- 5 ---  | --- 6 ---  |
|---------|-------------|------------|------------|------------|------------|------------|
| Date    | 06-25-09    | 12-09-08   | 09-21-06   | 08-30-05   | 08-24-05   | 01-28-04   |
| Sale \$ | 510000*     | 0*         | 0          | 3216079.15 | 3210204.92 | 0          |
| Cndtn   | 13          | 10         | 06         | 06         | 21         | 06         |
| Class   | 190         | 190        | 191        | 191        | 191        | 191        |
| Inst #  | 2009-27131* | 2009-1917* | 2006-64163 | 2005-58049 | 2005-57879 | 2004-04764 |
| OthPcl  | 259716      | 259716     |            |            |            |            |
|         | 259717      | 259717     |            |            |            |            |
|         | 259718      | 259718     |            |            |            |            |
|         | 259719      | 259719     |            |            |            |            |

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Account: 259744 Map/TL: R 1-001 171220 AB 00129

\* \* \* CURRENT Ownership Information ONLY

COTD I LLC  
C/O CASTLE ADVISERS LLC  
PO BOX 751  
HOOD RIVER OR 97031

Assessor Property Description  
TUSCANY PINES PHASE I Lot: TRACT C Block:

Prop Cls:000 MA:5 VA:96 NH 004 Vol-Page: 2009-33378  
Asmt Zone:RS CDD Zone:BEND (CITY OF BEND)

|                     |       |
|---------------------|-------|
| *** Land Values *** |       |
| Asmt type           | Acres |
| COMMON AREA         | 0.37  |

\*\*\*\*\* Values shown below are as of the Assessment Date, January 1 of each year \*\*\*\*\*

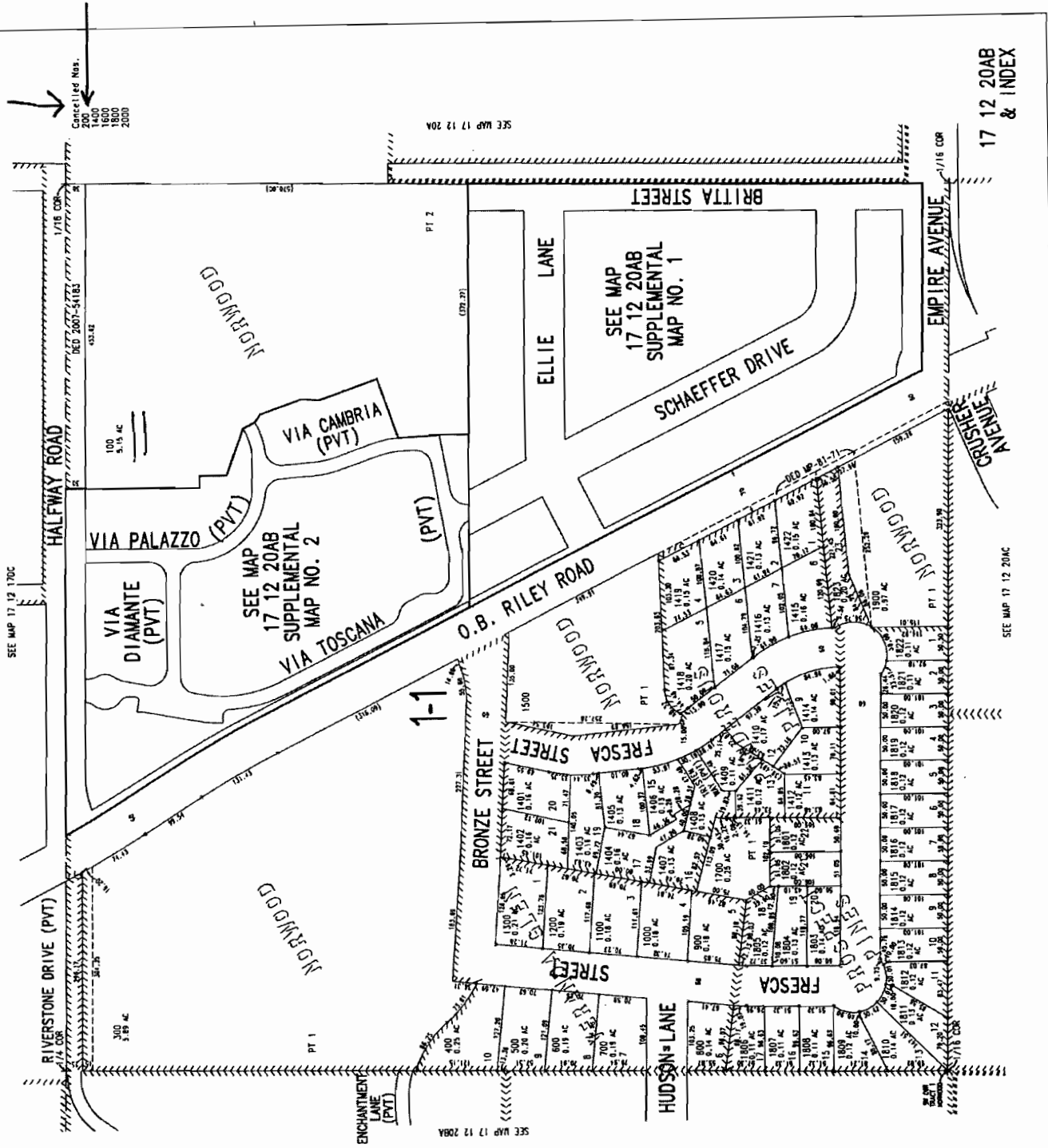
| *** | -----2009----- |         | -----2008----- |         | -----2007----- |         |
|-----|----------------|---------|----------------|---------|----------------|---------|
|     | Total          | Taxable | Total          | Taxable | Total          | Taxable |
|     | RMV            | A.V.    | RMV            | A.V.    | RMV            | A.V.    |

| SALES: --- 1 ---   | --- 2 ---   | --- 3 ---  |
|--------------------|-------------|------------|
| Date               |             |            |
| Sale \$ 0*         | 1640000*    | 0*         |
| Cndtn 06           | 13          | 10         |
| Class 000          | 000         | 000        |
| Inst # 2009-33378* | 2009-27129* | 2009-1917* |
| OthPcl 259723      | 259723      | 118131     |
| 259730             | 259730      | 259716     |
| 259749             | 259745      | 259717     |
| 259765             | 259746      | 259718     |
| 259766             | 259747      | 259719     |
|                    | 259748      | 259720     |
|                    | 259749      | 259721     |
|                    | 259750      | 259722     |
|                    | 259751      | 259723     |
|                    | 259765      | 259724     |

1" = 100'

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY.

REVISED: 10/29/2007



SEE MAP 17 12 20C