

Instream Lease Renewal Application (Standard or District)



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

Complete the questions below and include any required attachments Fill in or check boxes as indicated. (N/A= Not Applicable)	Instream Lease <u>IL-- 1818</u> Renewal Fee included <input type="checkbox"/>
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The undersigned hereby request Instream Lease Number IL-1818/MP268 be renewed.

Fees: \$150.00 for an instream lease renewal application
 Check enclosed or Fee Charged to customer account Deschutes River Cons. (Account name)

Term of the Lease: The lease is requested to begin in month <u>April</u> year <u>2025</u> and end month <u>October</u> year <u>2029</u>	
Validity of the Right(s) (check the appropriate box): <input checked="" type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream. <input type="checkbox"/> If the water right(s) have not been used for the last five years, right(s). Documentation describing why the water right(s) is not subject to forfeiture is provided. ORS 540.610(2).	Termination provision (for multiyear leases): The parties to the lease request: <input checked="" type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. <input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease. <input type="checkbox"/> c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)

Yes No Conservation Reserve Enhancement Program **CREP** – Are some or all of the lands to be leased part of CREP or another Federal program (list here: _____)?

The undersigned declare:

- The Lessor(s) agree during the term of this lease, to suspend use of water allowed under the subject water right(s) and under any appurtenant primary or supplemental water right(s) not involved in the lease application; and
- The Lessor(s) certify that I/we are the holders of the water right(s) involved in this Instream Lease. If not the deeded land owner, I/we have provided documentation demonstrating authorization to pursue the lease application and/or consent from the deeded landowner; and
- All parties affirm that information provided in this lease application is true and accurate. Circumstances have not changed and all matters involved with or affected by the original instream lease remain as they were when the lease was previously approved. We also acknowledge that the terms and conditions of the original lease, referenced herein, are incorporated by reference in their entirety.

Virginia Bradley
Peggy Christensen POA Date: 2-18-25
 Signature of Lessor

Printed name (and title): Virginia Bradley Business name, if applicable: _____
 Mailing Address (with state and zip): 68913 Bradley Road, Sisters, OR 97759
 Phone number (include area code): 541-480-4306 **E-mail address: grizell.lee@gmail.com

 Signature of Lessor Date: _____
 Printed name (and title): _____ Business name, if applicable: _____
 Mailing Address (with state and zip): _____
 Phone number (include area code): _____ **E-mail address: _____

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 MAR 25 2025
 Salem, OR

See next page for additional signatures.

Signature of Co-Lessor Date: _____

Printed name (and title): _____
District/organization name: _____
Mailing Address (with state and zip): _____
Phone number (include area code): _____ **E-mail address: _____

Signature of Co-Lessor Date: _____

Printed name (and title): _____
Business/organization name: _____
Mailing Address (with state and zip): _____
Phone number (include area code): _____ **E-mail address: _____



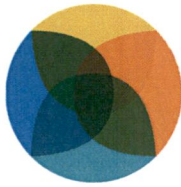
Signature of Lessee

Date: 2/24/2025

Printed name (and title): Gen Hubert (Senior Program Manager)
Business/organization name: Deschutes River Conservancy
Mailing Address (with state and zip): 805 SW Industrial Way, Ste. 5, Bend, OR 97702
Phone number (include area code): 541-382-4077 **E-mail address: gen@deschutesriver.org

**** BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED TO THE LESSOR.**

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MAR 25 2025
Salem, OR



BBK

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

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March 18, 2025

VIA E-MAIL ONLY:

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SARAH.A.HENDERSON@WATER.OREGON.GOV

Jeremy Giffin
Watermaster - District 11
Oregon Water Resources Department
231 SW Scalehouse Loop, Suite 103
Bend, OR 97702

Ann Reece
Sarah A. Henderson
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

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MAR 25 2025

Salem, OR

Re: Instream Lease Renewal Application for IL-1818/MP-268

Dear Mr. Giffin, Ms. Reece, and Ms. Henderson:

We represent the Confederated Tribes of the Warm Springs Reservation of Oregon ("Tribe"). The Deschutes River Conservancy ("DRC") has provided the Tribe with certain information concerning the Instream Lease Renewal Application for IL-1818/MP-268, which is further identified in **Appendix A** hereto ("Application").

The Tribe has reviewed the Application, along with additional information about the Application, provided by DRC. The Tribe is relying in good faith upon the information provided by DRC. Based on that information, the Tribe does not object to the Department of Water Resources ("Department") processing the Application in accordance with applicable law, and the Department's customary practice. The Tribe, however, expressly reserves, and does not waive, all rights, claims, and defenses that it may possess in connection with the Application, including, but not limited to, whether the Application violates the Treaty of June 25, 1855, with the Tribes of Middle Oregon, 12 Stat. 963, or the Confederated Tribes of the Warm Springs Reservation Water Rights Settlement Agreement, dated November 17, 1997, as amended.

Please let us know if you have any questions.

Sincerely,

Alison K. Toivola

for BEST BEST & KRIEGER LLP

Best Best & Krieger LLP | 360 SW Bond Street, Suite 400, Bend, Oregon 97702
Phone: (541) 382-3011 | Fax: (541) 388-5410 | bbklaw.com

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Jeremy Giffin
Ann Reece
Sarah A. Henderson
March 18, 2025
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cc: Robert A. Brunoe
Austin Smith, Jr.
Brad Houslet
Josh Newton, Esq.
Genevieve Hubert

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