



Josh Newton
Partner
(541) 318-9817
josh.newton@bbklaw.com

March 29, 2024

VIA E-MAIL ONLY: GEN@DESCHUTESRIVER.ORG

Genevieve Hubert
Senior Program Manager
Deschutes River Conservancy
700 NW Hill St., Suite 1
Bend, OR 97703

Re: Deschutes River Conservancy | Instream Leases

Dear Ms. Hubert:

We represent the Confederated Tribes of the Warm Springs Reservation of Oregon (“Tribe”). Deschutes River Conservancy (“DRC”) has provided the Tribe with information concerning several proposed instream leases identified in **Appendix A** hereto (“Leases”), which Leases propose to lease water for instream purposes. The Tribe has reviewed the Leases and does not object to the Department of Water Resources (“Department”) processing the Leases 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 Leases, including, but not limited to, whether the Leases violate 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,


Josh Newton
of BEST BEST & KRIEGER LLP

JN

cc: Robert A. Brunoe
Austin Smith, Jr.
Brad Houslet
Alison K. Toivola, Esq.
Jeremy Giffin, Oregon Water Resources Department
Ann Reece, Oregon Water Resources Department

2024 TUMALO IRRIGATION DISTRICT INSTREAM LEASES:

District ID	Past Lease Name	Acres Leased	Leased by Landowner	Acres Kept	Term (yrs)	Tax Lot	Mailing Address >>>Site Address	City	State	Zip	Zoning EFU Status	
24-01	1962 Brooks Resources - Jade Mayer (Cert 94956-COID)	2.00		0.00	1	17-11-24-NW/NE-0200	409 NW Franklin Ave.	Bend	OR	97703	191-Residential	
		16.00	2.00	0.00	1	16-12-30-NE/SE-00100	3955 NW Rocher Way, Bend	97703			030	
24-02	1962 C.L.R. Inc - (Jerry Curl - president)	5.00		0.00	1	16-12-30-NE/SE-02000	703 NW Stonepine Dr	Bend	OR	97703	030	
		1.90		0.00	1	16-12-30-NE/SE-02100	64905 Cline Falls Rd, Bend	97703			409-TRACT	
		3.40		0.00	1	16-12-30-NW/SE-02100	64915 Highland Rd, Bend	97703			030	
		0.70		0.00	1	16-12-30-NW/SE-02100					030	
		13.20		0.00	1	16-12-30-SE/NE-00100	64910 Highland Rd, Bend	97703			030	
24-03	1790 Estate of Bruce LaVeau (Tony DeAlcanta - Estate Attorney)	10.50		10.50	0.00	1	16-12-18-SE/SE-01700	19570 Amber Meadow Dr, Ste 140	Bend	OR	97702	551-EFU
24-04	NA Craig T Conner & Brenda Reddaway	3.20		2.30	1	16-12-19-NW/NE-00600	64682 Cook Ave #129	Bend	OR	97703	401-TRACT	
			3.20	2.30	1		65500 Kentucky Rd, Bend	97703				
24-05	NA Controlled Equities, LLC (Linda Hopmann - Managing Member)	9.50		0.00	1	16-11-23-NE/SW-00515	610 Avenida Acapulco	San Clemente	CA	92672	551-EFU	
		0.45		0.00	1	16-11-23-NW/SW-00515	65325 Hwy 20, Bend	97703				
		1.75		0.00	1	16-11-23-NW/SW-00515						
		5.30		0.00	1	16-11-23-NW/SW-00515						
24-06	1725 Howard Day Living Trust (Howard M Day - Trustee)	5.90		18.60	0.00	1	16-11-13-SE/SE-01400	PO Box 1680 (65615 Gerking Mkt, 97703)	Bend	OR	97709	551-EFU
		5.10		0.00	1	16-11-13-SW/SE-01300	65635 Gerking Mkt Rd, 97703				450-TRACT	
		4.10		0.00	1	16-11-24-NW/NE-00200	65545 Gerking Mkt Rd, 97703				451-TRACT	
			15.10	18.60	1							
24-07	1725 Barbara J Dodd Survivor's Trust (Lexia L Rahmin Trustee)	4.50		0.50	1	16-11-33-NW/SE-00805	64515 Rock Springs Rd	Bend	OR	97703	401-TRACT	
24-08	1725 ERMK, LLC - Robin L Coats (Manager)	14.50		0.00	1	17-11-13-NE/SE-00100	63285 Skyline Ranch Rd	Bend	OR	97703	401-TRACT	
		11.20		0.00	1	17-11-13-NE/SW-00504	"No Situs Address"				400-TRACT	
		8.60		0.00	1	17-11-13-NW/SE-00100	"No Situs Address"				401-TRACT	
		25.60		0.00	1	17-11-13-SE/NE-00104	"No Situs Address"				400-TRACT	
		15.70		0.00	1	17-11-13-SE/SW-00505	"No Situs Address"				400-TRACT	
		13.70		0.00	1	17-11-13-SW/NE-00103	"No Situs Address"				400-TRACT	
		7.00		0.00	1	17-11-13-SW/SE-00100	"No Situs Address"				401-TRACT	
		0.40		0.00	1	17-11-13-SW/SW-00505	"No Situs Address"				400-TRACT	
			96.70	0.00	1							
24-09	1725 Steven C Goebel Revocable Living Trust (Steven C Goebel - Trustee)	9.10		0.00	1	16-11-22-SW/SW-02200	18420 Couch Market Rd	Bend	OR	97703	451-EFU	
			9.10	0.00	1		Same					
24-10	1962 Cascade Academy of Central Oregon, Inc (Darren Hansen - Dir of Operations)	1.80		0.00	1	17-12-06-NW/NE-00300	19860 Tumalo Reservoir Rd (64345 OB Riley	Bend	OR	97703	400-TRACT	
		3.50		0.00	1	17-12-06-NW/NE-00301	64325 OB Riley Rd, 97703				400-TRACT	
		1.00		0.00	1	16-12-31-SW/SE-04200	"No Situs Address"				301-TRACT	
		1.40		0.00	1	16-12-31-SW/SE-04300	"No Situs Address"				030	
			7.70	0.00	1							
24-11	1790 Tamara Hartly	1.00		2.00	1	16-11-22-SW/SE-02504	18602 Couch Market Rd	Bend	OR	97703	451-TRACT	
			1.00	2.00	1		Same					
24-12	None None			0.00	0							
24-13	NA Koester Revocable Trust (Timothy and Meryl Koester - Trustees)	5.60		0.00	1	16-11-28-NW/SE-01100	64891 Collins Rd	Bend	OR	97703	575-Wildlife Habitat	
24-14	1725 Jeffrey Kramer & Janet Craig	1.00		0.00	1	16-12-30-NW/NW-00202	65190 Gerking Mkt Rd	Bend	OR	97703	451-TRACT	
			1.00	0.00	1		Same					
24-15	NA Landsbergen Family Trust (N Peter & Caroline D Landsbergen Trustees)	3.20		0.00	1	16-11-14-NE/SW-00502	276 Galli Drive	Los Altos	CA	94022	471-TRACT	
24-16	1725 Carol M Lemon	13.00		0.00	1	16-11-26-SW/NW-00117	65710 HWY 20, 97703	Bend	OR	97703	551-EFU	
			13.00	0.00	1		65044 Allen Road					
24-17	NA Lyster Living Trust (Theodore Lyster - Trustee)	10.00		10.00	0.00	1	17-11-11-NE/SW-01600	PO Box 28	Bend	OR	97709	461-TRACT
24-18	NA Wesley J Miller & Vonda Jiles	5.00		0.00	1	17-11-11-NE/NW-00302	14762 SW Antelope Drive	Powell Butte	OR	97753	450-EFU TRACT	
		5.00		0.00	1	17-11-11-NW/NW-00302	18840 Kuhlman Rd, 97703					
			10.00	0.00	1							
24-19	1725 John Kevin Regan Revocable Living Trust, Et Al (John K Regan and Brooke E Collins Trustees)	23.11		0.00	1	16-11-26-NE/SE-00600	19190 Pinehurst Rd	Bend	OR	97703	550-EFU	
			23.11	0.00	1		19240 Pinehurst Rd 97703					
24-20	1725 Jeffrey P Rola Revocable Trust, Et Al (Jeffrey P Rola & Susan Orday Rola Trustees)	18.80		0.00	1	16-11-27-NW/SE-00203	64975 Allen Rd	Bend	OR	97703	550-EFU	
24-21	1725 Richard and Judy Rotondi	3.00		0.00	1	17-11-03-NW/NW-00200	PO Box 6794	Bend	OR	97708	450-TRACT	
			3.00	0.00	1		18425 Tumalo Reservoir Rd, 97703					
24-22	1725 The Peak Equestrian Center, LLC (Andrew and Melissa Hood - Managing Members)	15.00		0.00	1	16-12-08-SW/NW-00403	66150 Barr Rd	Bend	OR	97703	559-EFU	
			15.00	0.00	1		66240 Black Horse LN, 97703					
24-23	Lee and Ruth Vezina - Gary Vezina POA	10.00		0.00	1	16-11-35-NE/NE-00101	18530 Pinehurst Rd	Bend	OR	97703	400-TRACT	
			10.00	0.00	1		"No Situs Address"					
24-24	1725 WW Real Estate Holdings, LLC (Wendy Krebs Mellor, Sarah Cook, Shannon Findley)	9.80		0.00	1	16-11-26-NE/NE-00101	19121 Couch Market Rd, 97703	Bend	OR	97703	551-EFU	
2024	1409 Bend Parks Lease 1409 Renewal	6.70		0.00	5	16-11-21-NE/SE-00600	799 SW Columbia St	Bend	OR	97702	991-Municipal or Other Exempt	
		10.40		0.50	5	16-11-21-NE/SW-00600	18144 Couch Market Rd, 97703					
		15.00		0.00	5	16-11-21-NW/SE-00600						
		28.20		3.50	5	16-11-21-SE/SW-00600						
		40.00		0.00	5	16-11-21-SW/SE-00600						
		4.70		2.00	5	16-11-21-SE/SE-00600						
			105.00	6.00	5							
Pooled Instream Lease Total		329.51		23.40		SUBTOTAL						
Bend Parks - IL-1409 Renewal		105.00		6.00		SUBTOTAL						
ALL TID Leases Total		434.51		29.40		TOTAL						

Lot 100 is - 64705 Mock Rd, 97703