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August 7, 2025

VIA E-MAIL ONLY:

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

Sarah A. Henderson
Adam M. Frederick
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

Re: CTWS Approval of Five (5) Water Rights Transfer Applications

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

We represent the Confederated Tribes of the Warm Springs Reservation of Oregon (“Tribe”). The Oregon Water Resources Department (“Department”) has provided the Tribe with certain information concerning several water rights transfer applications. This letter pertains to the following:

1. T-14642, identified in **Appendix A**.
2. T-14649, identified in **Appendix B**.
3. T-14683, identified in **Appendix C**.
4. T-14692, identified in **Appendix D**.
5. T-14694, identified in **Appendix E**.

The above identified transfer applications are collectively referred to as the “Applications.” The Applications are available at the following link: <https://www.imanageshare.com/f/3JnnTpH0dw8>

The Tribe has reviewed the information about the Applications provided by the Department. The Tribe is relying in good faith upon the information provided by the Department. Based on that information, the Tribe does not object to the Department processing the Applications in accordance with applicable law, and the Department’s customary practice. The Tribe, however, expressly reserves, and does not waive, all

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rights, claims, and defenses that it may possess in connection with the Applications, including, but not limited to, whether the Applications 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,



Alison K. Toivola
of BEST BEST & KRIEGER LLP

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cc: Robert A. Brunoe
Austin Smith, Jr.
Brad Houslet
Josh Newton, Esq.