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November 19, 2024

VIA E-MAIL: JBAILEY@NORTHUNITID.COM

Josh Bailey
 General Manager - North Unit Irrigation District
 2024 NW Beech Street
 Madras, Oregon 97741

Re: 2025 NUID Water Transfer Applications

Dear Mr. Bailey:

We represent the Confederated Tribes of the Warm Springs Reservation of Oregon (“Tribe”). North Unit Irrigation District (“NUID”) has provided the Tribe with certain information concerning 2025 water transfer applications identified in Appendix A hereto (the “Applications”).

The Tribe has reviewed the information about the Applications provided by NUID. The Tribe is relying in good faith upon the information provided by NUID. Based on that information, the Tribe does not object to the Department of Water Resources (“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 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
 for BEST BEST & KRIEGER LLP

AKT

cc: Robert A. Brunoe
 Austin Smith, Jr.
 Brad Houslet
 David Filippi, Esq.
 Josh Newton, Esq.
 Jeremy Giffin, Oregon Water Resources Department
 Ann Reece, Oregon Water Resources Department

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