

1 with the Court this week, a memorandum of law, and the Declaration of Elizabeth E. Howard in
2 Support of the Memo in Support of Petition for Partial Stay of OAH Case 003 (Claims 294, 321-
3 1, 321-4, 321-6, 321-9, KPCC 321-17/293/323-3).

4 **ORAL ARGUMENT/HEARING REQUESTED**

5 Petitioners request oral argument. Petitioners also reserve the right to request a hearing
6 to provide witness testimony and conduct cross examination, should a response to the Petition be
7 filed.

8 **CERTIFICATE OF COMPLIANCE WITH UTCR 5.010**

9 Though UTCR 5.010 does not apply to this Petition, UBC, by and through its counsel of
10 record, Elizabeth Howard, have made a good faith effort to confer with the United States,
11 Klamath Project Water Users¹, by and through their counsel, and Shasta View Irrigation District
12 prior to the filing of this Petition. Efforts to confer, where relevant contact information was
13 available, occurred via written correspondence and through direct telephonic communication.
14 Conferral efforts are continuing as of the filing of this Petition.

15 Dated this 30th day of April, 2013.

16 DUNN CARNEY ALLEN HIGGINS & TONGUE LLP

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18 _____
19 Elizabeth E. Howard, OSB No. 012951
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Attorneys for Upper Basin Contestants

21 ¹ According to a letter dated March 22, 2013, filed with the Court, Klamath Project Water Users
22 includes the Klamath Basin Improvement District, Klamath Irrigation District, Malin Irrigation
23 District, Reames Golf and Country Club, Modoc Lumber Co., Ady District Improvement
24 Company, Enterprise Irrigation District, Klamath Drainage District, Midland District
25 Improvement Company, Pine Grove Irrigation District, Poe Valley Improvement District,
Sunnyside Irrigation District, Collins Products LLC, Plevna District Improvement Company,
Van Brimmer Ditch Company, Pioneer District Improvement Company, Don Johnston & Son,
Randolph and Jane Walthall 1995 Trust, Winema Hunting Lodge Inc., Bradley S. Luscombe,
Inter-County Properties Company, and Tulelake Irrigation District.