

February 11, 2015

Honorable Judge Cameron F. Wogan
c/o Beth Dunaway
Klamath County Circuit Court
316 Main Street
Klamath Falls, OR 97601

Re: *In re: Waters of the Klamath River Basin*, Case No. WA1300001
Attorney Committee Recommendations for Structure and Processing of Future
Proceedings

Dear Judge Wogan:

We write on behalf of the Case Management Committee (Committee). Pursuant to the Court's Case Management Order # 7, the Committee submits the following proposal as its recommendation on the structure and processing of future proceedings.

INTRODUCTION

The Court's charge in this proceeding is to review exceptions that have been filed to the Oregon Water Resources Department ("OWRD") Amended and Corrected Findings of Fact and Order of Determination ("ACFFOD") in the Klamath Basin General Stream Adjudication, and based on that review, to remand, affirm or modify the ACFFOD and issue a judgment to that effect.

The ACFFOD includes a section of general findings of fact and conclusions of law (KBA_ACFFOD_1 through 47), as well as multiple partial orders of determination (KBA_ACFFOD_47 through 6416) pertaining to particular water right claims. Most of the partial orders incorporate other documents, including proposed orders of the administrative law judge and settlement agreements. This letter will refer to the general findings of fact and conclusions of law portion of the ACFFOD as the "GENFOD", and the partial orders as "PFODs."

The Court's review may involve certain issues that are common across all claims and PFODs, certain issues that are specific to a group of claims and PFODs (as described below), and certain issues that are specific to a particular claim and PFOD. In order to efficiently and fairly process these various issues, the Committee proposes a multi-phase process for this litigation. As described more fully below, these phases would include:

Phase 1: Legal or procedural issues appropriate for early resolution such as jurisdictional issues, threshold issues or cross-cutting issues. This phase may be broken up into several steps, starting with identification of the issues.

Phase 2: Exceptions to purely typographical or other undisputed errors.

Phase 3: Substantive exceptions not addressed in Phase 1. This phase would involve a number of steps including first grouping the exceptions to claims by claim type and addressing issues common to the group, followed by resolving remaining issues specific to exceptions to individual claims, and summary affirmance of portions of the ACFFOD that were not subject to exceptions and not affected by the determinations in Phase 1.

Phase 4: Final Judgment.

Phase 5: Post-judgment activity.

The Committee recognizes that it is difficult to fully predict how litigation will unfold. The proposal thus contemplates that the Court would use periodic scheduling conferences and case management orders to trigger each phase of the litigation and to more fully define the schedule, substance, and process for each litigation phase as it commences.

The Committee's proposal also contemplates that in some cases the Court may request that a party or OWRD prepare a proposed order for the Court's review and approval, in order to assist the Court with memorializing its rulings, particularly with respect to highly technical claim descriptions or other matters.

With respect to participating in Phase 3 hearings on exceptions, OWRD may participate in all exceptions hearings; and the claimant of a claim that is the subject of an exception to a PFOD may participate in a hearing on such exception. In addition, any party that properly filed an exception or a request to be heard regarding a particular PFOD may participate in a hearing on such PFOD.

Each proposed phase of litigation is described in greater detail below.

OUTLINE OF FURTHER PROCEEDINGS

Phase 1: Resolution of Jurisdictional, Procedural and Other Cross-cutting or Threshold Legal Issues

The Committee proposes providing an opportunity to raise and resolve appropriate issues early on in the process. The Committee recognizes that questions of subject matter jurisdiction may be raised at any time, but anticipates that early resolution of appropriate issues will encourage efficiency and avoid repetitive litigation, and potentially limit or narrow litigation of substantive issues. Phase 1 issues would include matters that would otherwise arise repeatedly in subsequent phases and claim proceedings which may each involve differing subsets of the parties. These Phase 1 issues would be decided once, up front, and the resolution would be applicable to all subsequent proceedings. Given the number of issues that may be generally applicable, the

Committee recommends dividing the briefing of these broad legal issues into issue groups for argument and resolution.

The Committee identified the following non-exclusive list of generally applicable issues that may be appropriate for resolution in Phase 1:

Threshold issues:

1. Jurisdiction, *e.g.*, questions of standing, ripeness or mootness
2. Exceptions challenging OWRD's authority to issue the ACFFOD, including *e.g.*, questions of notice or other issues of compliance with applicable law
3. Exceptions concerning the rights of parties to pursue exceptions or requests to be heard
4. Such other exceptions addressing threshold issues as may be identified by the parties for resolution in Phase 1

Procedural issues:

1. Standard of review applied to the factual and legal decisions of OWRD below
2. Applicability of Oregon Rules of Civil Procedure
3. Availability and timing of discovery
4. Introduction of non-record evidence
5. Burden of production
6. Burden of proof
7. Such other procedural issues as may be identified by the parties for resolution in Phase 1

Cross-cutting Substantive Issues Applicable to Multiple Exceptions and Claims Across Groups

The Committee anticipates there may be other substantive issues to be litigated up front (*i.e.* in Phase 1) and members of the Committee and other parties may make recommendations prior to or at the Case Management Conference set for March 18/19, 2015. (The Committee notes that, under Case Management Order #7, written responses to these recommendations of the Committee may be submitted by March 3, 2015.)

The Court may wish to establish a process to identify the substantive issues that the Court may determine are appropriate for resolution in Phase 1. For example, some parties believe that the entitlement to attorney's fees is an issue that should be raised in this phase, while others feel it is not yet ripe and should be litigated, if necessary, in supplemental judgment proceedings.

Because these issues apply across multiple claims, the Committee anticipates that the Court may direct parties to serve most motions and briefing on the Court's then-current service list.

The Court would issue an order or orders resolving the Phase 1 issues, which would apply to litigation of all exceptions, unless later modified by the Court.

In terms of scheduling this phase of litigation, the following is proposed:

- The Court would issue a *Proposed* Scheduling Order for Phase 1, listing proposed deadlines for motions/opening briefs, responses and, if applicable, replies based on the Court's list of approved issues for Phase 1. The Committee will assist in formulating the proposed order if the Court directs.
- The *Proposed* Scheduling Order for Phase 1 would include
 - A deadline for comments or proposed additions or modifications to the *Proposed* Scheduling Order for Phase 1, including any additional issues proposed to be briefed in a Phase 1 issues group.
 - A date for a scheduling conference by telephone, during which parties could provide further input on the *Proposed* Scheduling Order for Phase 1 and any comments that have been served.
- The Court issues its final Scheduling Order for Phase 1, identifying the issues and schedule and the appropriate list of persons and counsel to be served.

Phase 2: Resolution of undisputed exceptions

Certain exceptions are in the nature of typographical or other minor corrections which have not been disputed and with which OWRD agrees. Examples include certain exceptions to claims 74, 83, 129, 185, 276, 471, 472, 483, 484, 496, 497, 500, 619, 620, 621, 622, and 623.¹ The Committee recommends that the Court summarily resolve such exceptions. The Committee believes that it may be possible to proceed with this process without awaiting the conclusion of Phase 1. No exceptor would be required to participate in this process.

The Committee recommends a process whereby:

- OWRD and the exceptor will confer with all parties to any typographical or other minor corrections which have not been disputed and with which OWRD agrees including claimants and parties who filed a request to be heard. If all parties agree the exception is unopposed:
 - The exceptor submits a motion seeking summary affirmance of the exception, including certification that the motion is unopposed based on conferral.
 - The moving party should also include a proposed order, with the corrected version of the relevant PFOD attached to the proposed order as Exhibit A.

¹ Note that the Committee members do not take a position in this document as to whether these are, indeed, minor exceptions such as typographical errors that would be appropriate for resolution in this phase. This list is provided for illustrative purposes only, and is based on OWRD's review of the characterizations on the face of the exceptions.

- Service must be made on counsel for OWRD, the claimant, any exceptor to the corresponding claim, and any party who has filed a request to be heard with respect to that claim.
- Any party opposing the correction submits its opposition within 14 days of service.
- The Court summarily resolves all unopposed motions without further briefing or proceedings.
- If any motion is opposed, the Court would not attempt to resolve the issue in this phase, but would instead simply issue an order directing that the exception be litigated together with the substantive exceptions to the PFOD during Phase 3.

Phase 3: Litigation of substantive exceptions

There are nearly 200 filed Statements of Exceptions identifying thousands of individual exceptions to the ACFFOD. The vast majority of the exceptions are directed to particular PFODs. Resolution of exceptions will require resolution of certain issues that are common to multiple PFODs, and certain issues specific to a particular PFOD. The Committee believes that the most appropriate way to resolve these exceptions, in most cases, is by dividing the PFODs and associated exceptions into groups and sub-groups based on the type of the underlying water right claims. However, to the extent there are common issues not resolved in Phase 1 that cross claim groups or sub-groups, consolidation on an interim basis may be appropriate to resolve such cross-cutting substantive legal issues.

The Court's rulings on cross-cutting issues resolved in Phase 1 will apply in Phase 3. Litigation of substantive exceptions in Phase 3, in groups and subgroups, will involve only the relevant claimants, exceptors, parties who filed requests to be heard and OWRD at its discretion.

The Committee generally believes that dividing the PFODs and corresponding substantive exceptions into the following claim groups and sub-groups is appropriate for Phase 3:

- *Group 1:* Walton claims and Klamath Termination Act claims, which may later need to be subdivided into two sub-groups that may need additional common legal briefing
- *Group 2:* Pre-1909 claims, later to be subdivided into two sub-groups that may need additional common legal briefing:
 - *Subgroup A:* Pre-1909 claims outside the Klamath Project
 - *Subgroup B:* Klamath Project Claims, also known as "Case 003" claims
- *Group 3:* Federal reserved water right claims of the United States, Klamath Tribes, and allottees, later to be subdivided into five sub-groups that may need additional common legal briefing:
 - *Subgroup A:* U.S. Forest Service Federal reserved water right claims
 - *Subgroup B:* U.S. Fish and Wildlife Service Federal reserved water right claims
 - *Subgroup C:* Allottee Federal reserved water right claims, if there are substantive rather than solely typographical exceptions

- *Subgroup D*: Tribal consumptive use Federal reserved water right claims
- *Subgroup E*: Tribal instream Federal reserved water right claims

For each claim group or sub-group, there would be a three-step process.

- (A) First, resolution of common issues specific to a claim group or sub-group. Such issues would likely include any general legal determinations from the GENFOD that pertain specifically to that claim group or sub-group, as well as such other cross-cutting issues identified by the Court and parties through scheduling conferences and case management orders developed at the commencement of the of the litigation of that group or sub-group.

Following briefing on the legal issue(s), the Court would issue an order affirming or modifying the pertinent portions of the ACFFOD pursuant to the Court's rulings on each issue.

The orders resolving these general legal issues would apply to all exceptions and underlying PFODs and associated GENFFOD legal rulings (so long as the issue is not a matter of mixed fact and law which would require specific resolution of both) related to claims and exceptions in that claim group or sub-group.

- (B) Second, resolution of specific PFOD issues. The exception-by-exception resolution would generally proceed within each group or sub-group in numerical order by the underlying PFOD claim number. Generally, all exceptions specific to a given PFOD would be consolidated for briefing and hearing, unless there is good cause not to do so. In some cases, it may also be appropriate to consolidate several individual PFODs for hearing or briefing. Such consolidation may occur by request of the parties or on the Court's own motion.

After hearing on the matter the Court would issue an order affirming or modifying the corresponding PFODs.

- (C) Third, resolution of PFODs not subject to exception. Following resolution of substantive issues in a particular claim group or sub-group, OWRD would file a motion seeking an order resolving all PFODs pertaining to the particular claim group to which no exceptions were made, *see* ORS 539.150(3) ("If no exceptions are filed the court shall, on the day set for the hearing, enter a judgment affirming the determination of the Water Resources Director."). Such a motion would typically request the Court to summarily affirm the PFODs to which no exceptions were filed. However, to the extent that OWRD or a party believes that a PFOD or group of PFODs is necessarily affected by a ruling on a general legal issue, that question could be raised either in OWRD's motion or by another party in response. The Court would then entertain briefing regarding the appropriate process for disposition of such PFODs.

With respect to Phase 3, the following procedure is proposed for scheduling:

For initial organization and scheduling of Phase 3:

- After the conclusion of Phase 1, the Court would set a date for a scheduling conference to discuss appropriate grouping of exceptions.
- Fifteen days prior to the scheduling conference, any party could submit written comments regarding appropriate grouping, as well as comments on an appropriate list of persons and counsel to be served.
- Following the scheduling conference, the Court would issue an order with the grouping and the appropriate list of persons and counsel to be served.

With respect to each group or sub-group identified in the initial organizing and scheduling order:

- At the commencement of its consideration of each group or sub-group, the Court would solicit input regarding identification of common legal issues that the parties suggest would be appropriate for resolution for each group or sub-group and the appropriate list of persons and counsel to be served.
- The Court would hold a scheduling conference, as necessary, to discuss these matters.
- Following input from the parties, the Court would issue a scheduling order identifying the common issues to be briefed for the group or sub-group and the briefing schedule, and identifying the appropriate list of persons and counsel to be served..
- Following this briefing, the Court would issue an order or orders resolving these general legal issues, which would apply to all exceptions in the claim group or sub-group.
- Following these orders on general legal issues, the Court would issue a scheduling order regarding claim-by-claim resolution of any remaining exceptions.

Phase 4: Final Judgment

Following resolution of the various exceptions, the Court is directed by statute to issue a final judgment, sometimes referred to in the adjudication statutes as a “decree.” The judgment is to identify the portions of the ACFFOD that are affirmed or modified. For those portions that are modified, the judgment would set forth the Court’s disposition. *See also* ORS 539.150 (4) (“After final hearing the court shall enter a judgment affirming or modifying the order of the director...”). The judgment should incorporate the various substantive orders issued in the course of litigating the exceptions, as well as previous applicable findings of fact, legal conclusions and determinations from the proceedings below.

The Committee notes that presently Oregon law contemplates a single decree for a general stream adjudication; that is, all exceptions would need to be resolved before judgment is entered. A proposal before the 2015 Oregon Legislative Assembly has the potential to give the Court additional flexibility in this regard. If that legislative proposal is approved, the Committee reserves the right to present modified proposals to the Court (which would likely only be after Phase 1). The Committee also recognizes that in the future the parties may seek re-ordering of

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the scheduled resolution of claims or claim groups or sub-groups in order to facilitate the implementation of settlement agreements.

Phase 5: Post-Judgment Activity

Following entry of the judgment, the Court transmits a certified copy of the judgment to the Water Resources Department. ORS 539.160. The parties may appeal as provided by law. *See* ORS 539.150(4).

As discussed above, some Committee members assert that all issues regarding attorney's fees should be litigated in supplemental judgment proceedings following the issuance of the final judgment, while others assert that the issue of availability of attorney fees in this matter should be resolved at the outset of the litigation.

OTHER ISSUES AND CONCLUSIONS

The Committee notes that there are a number of unresolved questions concerning the service list. Although the implementation of e-filing has helped to reduce the number of parties requiring paper service, the Court's general service list does not yet reflect this change. Multiple members of the Committee have experienced "bounce-backs" from incorrect or outdated addresses on the service list. The Committee requests that the Court continue its efforts to update and refine the service list, and to take appropriate steps to encourage all parties to accept e-service and remove themselves from the paper service list.

The Committee also believes there would be advantage in establishing some basic briefing and/or citation conventions. The Committee volunteers to work on such.

The Committee recognizes the possibility that issues related to intermediate or interlocutory appeals could arise. The Committee does not take a position but recommends the scheduling order for Phase 1 not dictate what is or is not permissible in this regard.

The Committee appreciates the opportunity to provide the Court with this case management proposal, and looks forward to discussing these suggestions with the Court in March. If the Court has any questions regarding this proposal or would like additional information prior to the

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March case management conference, the Committee would be happy to respond to the Court's request.

Sincerely,

s/ Darsee Staley

Sarah Weston/Darsee Staley²

On behalf of the Case Management Committee

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² Ms. Staley will participate in the Committee on behalf of OWRD while Ms. Weston is on leave.

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		NATIVE AMERICAN				
		RIGHTS FUND				
DAVID L GOVER	SUSAN NOE	J R SIMPLOT SELF-	1506 BROADWAY	BOULDER	CO	80302
		DECLARATION OF				
		REVOCABLE TRUST				
RONALD N	GRAVES		PO BOX 27	BOISE	ID	83707
JAMES G	GRIMES	EILEEN GRIMES	11990 Hwy 140 E	KLAMATH FALLS	OR	97603
		UNITED STATES				
		DEPARTMENT OF JUSTICE				
ANDREW	GUARINO		999 18th STREET SOUTH	DENVER	CO	80202
LAWRENCE	HALL	ANN HALL	PO BOX 552	FORT KLAMATH	OR	97626
LLOYD LEE	HALL	BONNIE HALL	PO BOX 514	FORT KLAMATH	OR	97626
LLOYD LEE	HALL	BONNIE HALL	PO BOX 687	CHILOQUIN	OR	97624
MARILYN	HALL		7118 RUTHS COURT	KLAMATH FALLS	OR	97603
CARMELITA	HASSEVICK		2131 LOGAN WAY	SPARKS	NV	89431
DAVID	RIVARD		PO BOX 829	CHILOQUIN	OR	97624
	HATCHER-					
	MITCHELL					
KATHLEEN			PO BOX 1185	CHILOQUIN	OR	97624

JERRY	HAWKINS	JACK OWENS RANCHES	2200 LOS VIBORAS RD	HOLLISTER	CA	95023
JEFFREY D	HERN	SCHWABE WILLIAMSON	1211 SW 5TH AVE 19TH	PORTLAND	OR	97204-
STEPHEN	HESS	AND WYATT	FLOOR	BEATTY	OR	3795
		MELISSA HESS	PO BOX 111			97621
		REPRESENTATIVE OF				
		HARRY CLARKSON				
EMMETT HICKS	LEROY HICKS	ESTATE	1836 WIARD STREET	KLAMATH FALLS	OR	97603
HILDEGARD	HICKS	ESTATE OF JAMES HICKS	PO BOX 254	CHILOQUIN	OR	97624
JESS	HOUSE		706 CONGER AVE	KLAMATH FALLS	OR	97601
		SCHWABE WILLIAMSON	1211 SW 5TH AVE 19TH			
ELIZABETH E	HOWARD	AND WYATT	FLOOR	PORTLAND	OR	97204
JEANETTE	HUMPHREY	POWER OF ATTORNEY	10363 McGUIRE	KLAMATH FALLS	OR	97603
JEFF	HUNT		PO BOX 98	SILVER LAKE	OR	97638
BECKY HATFIELD	HYDE	TAYLOR HYDE	PO BOX 894	CHILOQUIN	OR	97624
DOUG	JACKSON	CELL TECH	1360 S 6th STREET	KLAMATH FALLS	OR	97601
LEROY	JACKSON		PO BOX 777	CHILOQUIN	OR	97624
RODNEY Z	JAMES		PO BOX 373	BLY	OR	97622
LARRY ORVILLE	JAMES	GEORGIA SIEBENLIST	1564 WHITMAN	MEDFORD	OR	97501
CURTIS	JOHNSTON	CAROLYN JOHNSTON	8910 HIGHWAY 66	KLAMATH FALLS	OR	97601
		PAULINE MARY				
		KENNEALLY; CHRISTINE				
PATRICK J	KENNEALLY	MARGARET KENNEAL	PO BOX 525	FORT KLAMATH	OR	97626
FRIEDA	KIRK	ORIN KIRK	PO BOX 1079	CHILOQUIN	OR	97624
LITITIA	KIRK		PO BOX 69622	PORTLAND	OR	97201
JESS	KIRK JR		PO BOX 68	BEATTY	OR	97621
KENNETH	KNIGHT	ESTATE OF LOUIS KNIGHT	PO BOX 362	CHILOQUIN	OR	97624
DALE	LANCASTER		HC63 BOX 405	CHILOQUIN	OR	97624
	STURTEVANT,					
	MANAGING					
	DIRECTOR					
MARK	HYDRO	PACIFICORP	825 NE MULTNOMAH SUITE	PORTLAND	OR	97232
		MARLENE AND LEWIS	1700			
DONALD	LAWLESS	LAWLESS	PO BOX 1778	GRANTS PASS	OR	97528
STEVEN	LAWRENCE	JAMES B LAWRENCE	60 JENNIFER LANE	ALAMO	CA	94507
HERBERT C	LESUEUR	MARY-LOUISE LESUEUR	572 CONGER AVE	KLAMATH FALLS	OR	97601
		LINDSAY LUMBER				
ROLAND	LINDSAY	COMPANY	525 N BARNEBURG RD	MEDFORD	OR	97504
		MODOC POINT				
LOREN	LITTLE	IRRIGATION DISTRICT	28888 HWY 97 N	CHILOQUIN	OR	97624
		MARILYN GERBER				
EDWARD G	LIVINGSTON	LIVINGSTON	57250 GERBER RD	BONANZA	OR	97623
LINDA L	LONG	PETER BOURDET	PO BOX 803	CHILOQUIN	OR	97624

JAMES C THOMAS W	LYNCH MALLAMS	LYNCH AND VANDENBERG	PO BOX 351 PO BOX 249 1001 SW FIFTH AVE SUITE	LAKEVIEW BEATTY	OR OR	97630 97621
DOUGLAS W ALVIN R	MACDOUGAL MARENCO	MARTEN LAW PEGGY A MARENCO	1500 8475 MARENCO RANCH DR	PORTLAND RED BLUFF	OR CA	97204 96080
FRED TED T SCULL	MARKIN MARTIN MARTIN	ILONA TOKO COLESTIN ORGANIC FARM VELMA B MARTIN	2301 HILT ROAD 4443 AUSTIN ST 18110 KENO WARDEN RD	HORN BROOK KLAMATH FALLS KLAMATH FALLS	CA OR OR	96044 97603 97603
DAVID BJ JIM FLOYD J	MASTAGNI MATZEN McAULIFFE MCCOY	FIVE MILE RANCH LLC LAURA MCCOY UNITED STATES DEPARTMENT OF	3827 MARSHALL AVE 435 OAK AVENUE PO BOX 1038 37776 MODOC POINT RD	CARMICHAEL KLAMATH FALLS COTTONWOOD CHILOQUIN	CA OR CA OR	95608 97601 96022 97624
HOLLY	MCLEAN MELVA FYE LIFETIME TRUST	AGRICULTURE SOUTH VALLEY BANK TRUST TRUSTEE	1220 SW 3RD STREET, ROOM 310 803 MAIN STREET PO BOX 274	PORTLAND KLAMATH FALLS CHILOQUIN	OR OR OR	97204 97601 97624
ELWOOD AND RACHEL	MILLER MOATES TRUSTEES	PENTAIL COMPANY	1644 EVERGREEN DR 16087 ALGOMA RD 1945 PAINTER ST	CARSON CITY KLAMATH FALLS KLAMATH FALLS	NV OR OR	89703 97601 97601
HAROLD AND MARIA JAMES ROBERT RODNEY N	MUELLER MURRAY	UNITED STATES BUREAU OF RECLAMATION	6600 WASHBURN WAY PO BOX 491 PO BOX 455 PO BOX 456 PO BOX 417	KLAMATH FALLS FORT KLAMATH FORT KLAMATH FT KLAMATH ASHLAND	OR OR OR OR OR	97603 97626 97626 97626 97520
JEANENE M GARY DARYL L BRENT LAUREN PETER GERALD	OATMAN OREM ORTIS OWEN OWENS PAGE	CYNTHIA NORTON JACQUELINE S ORTIS REDDING FOUNDATION LMJ CATTLE COMPANY LOUISE PAGE	430 RIVERSIDE DRIVE 19980 HWY 50 PO BOX 701 PO BOX 9992483 PO BOX 1077 PO BOX 543	KLAMATH FALLS MERRILL CHILOQUIN REDDING RED BLUFF KLAMATH FALLS	OR OR OR CA CA OR	97601 97633 97624 96099 96080 97601
MARTHA PAGEL	SHONEE LANGFORD	SCHWABE WILLIAMSON AND WYATT	530 CENTER STREET NE, SUITE 400 2800 COTTAGE WAY ROOM E- 1712	SALEM SACRAMENTO	OR CA	97301 95825
STEPHEN DAVID CHERYL	PALMER PARADIS PARRISH	US DEPARTMENT OF THE INTERIOR BROPHY MILLS SCHMORE JERRY A PARRISH	PO BOX 128 6740 AIRWAY DRIVE	MEDFORD KLAMATH FALLS	OR OR OR	97501 97603

GEORGE R	PEDRANTI	SHARON PEDRANTI	4111 WAKFIELD LOOP	FREMONT	CA	94535
MARTIN LESTER	PERNOLL M D		705 GREENSBURG CIRCLE	RENO	NV	89509
MARTIN LESTER	PERNOLL M D		PO BOX 35	SUMMER LAKE	OR	97640
DAVID	PETERSEN	TERESA RENNICK	36670 MODOC POINT RD	CHILOQUIN	OR	97624
T KEITH	POCOCK		14390 KENO-WORDEN RD	KLAMATH FALLS	OR	97601
ANDREW	PRATT	CYNTHIA WARZYN RICHARD EDWARD	PO BOX 3066	ASHLAND	OR	97520
LEONA BELL	PUCKETT	PUCKETT	PO BOX 1974	KLAMATH FALLS	OR	97601
JESSE	RATCLIFFE	OREGON DEPARTMENT OF JUSTICE	1162 COURT STREET	SALEM	OR	97310
NATHAN	RATLIFF	ATTORNEY AT LAW	620 MAIN ST	KLAMATH FALLS	OR	97601
KAREN	RAY	WILLIAM RAY	36789 MODOC POINT RD	CHILOQUIN	OR	97624
WILLIAM	RAY		35415 SE COUPLAND ROAD	ESTACADA	OR	97023
C O CORRINE	REED	KEENYN SUMMERS JACKSON	1400 HOOD STREET	SUSANVILLE	CA	96130
MARK G	REINECKI	BRYANT LOVLIN & JARVIS	591 SW MILL VIEW WAY	BEND	OR	97702
JAMES P	REIS	BERYL REIS	5500 MILLER AVE	KLAMATH FALLS	OR	97603
DAN	RENNE		32200 MODOC PT RD	CHILOQUIN	OR	97624
MICHAEL J	REYNOLDS	PAMELA A TRAINA	702 CONGER AVENUE	KLAMATH FALLS	OR	97601
DAVID A	RHOTEN	ATTORNEY AT LAW	494 STATE ST	SALEM	OR	97301
NANCY	RIDENOUR		29867 MODOC POINT RD	CHILOQUIN	OR	97624
EDWIN	ROEDER		5686 N. WILD WIND LANE	STRAFFORD	MO	65757 97504-
JAMES	ROOT	VALERIE ROOT	216 MARIPOSA TERRACE	MEDFORD	OR	9326
JAMES	ROSS	MARILYN ROSS; WINSTON AND LOUISE PATTERSON	20792 KENO WORDEN ROAD	KLAMATH FALLS	OR	97603
DONALD E	ROWLETT		16799 HWY 66	ASHLAND	OR	97520
ALIDA	ROYSE GULLEY		PO BOX 19902	PORTLAND	OR	97219
RICHARD	SANDFORD	JENNIFER SANDFORD	PO BOX 937	WADSWORTH	NV	89442
CECIL	SAXON		4740 MAIN ST SUITE A	SPRINGFIELD	OR	97477
DAVID J	SCHRODI	JOAN B SCHRODI	847 NISQUALLY DR	SUNNYVALE	CA	94087
WILLIAM	SCHROEDER	ATTORNEY AT LAW	PO BOX 220	VALE	OR	97918
BRIAN AND SHARON	ALLEN C/O SCHRODER LAW OFFICES		1915 NE CESAR E CHAVEZ BLVD	PORTLAND	OR	97212
BARBARA	SCOTT-BRIER	UNITED STATES DEPARTMENT OF THE INTERIOR	805 SW BROADWAY STE 600	PORTLAND	OR	97205
WALTER	SEPUT		10875 SPRAGUE RIVER ROAD	CHILOQUIN	OR	97624
JAMES M	SEVERIN		36358 MODOC POINT RD	CHILOQUIN	OR	97624
THOMAS J	SHAW	J-SPEAR RANCH CO	PO BOX 257	KLAMATH FALLS	OR	97601

MARYLYN	SHEPPARD- BLAIR		PO BOX 1279 2 CENTERPOINTE DRIVE 6th FL	CHILOQUIN	OR	97624
STEVEN HAROLD W	SHROPSHIRE SIMMERS	JORDAN RAMIS PC	5925 CLIMAX ST	LAKE OSWEGO KLAMATH FALLS	OR OR	97035 97603
PAUL S BERNARD L WESLEY E ANNA MAE STERN	SIMMONS SIMONSEN SINE SISSON SKEEN	SOMACH SIMMONS AND DUNN ROCKING AC RANCH KAY M SINE	500 CAPITOL MALL STE 1000 11944 KESTREL ROAD 4860 CHILLY VALLEY LANE 11820 SW MURPHY LANE 2420 LINDLEY WAY	SACRAMENTO KLAMATH FALLS KLAMATH FALLS BEAVERTON KLAMATH FALLS	CA OR OR OR OR	95814 97603 97603 97008 97601
AARON SMITH RICHARD H	ED CASE SMITH	BETTY SKEEN ESTATE OF LAVINA LALO SMITH VICTOR S SMITH VELDA SMITH; LORRAINE SMITH	206 GAGE RD 11725 HAZEL GREEN RD NE	KLAMATH FALLS SILVERTON	OR OR	97601 97381
DELL	SMITH JR SMITH MEADOWS GARRISON		PO BOX 103	BEATTY	OR	97621
LORRAINE			1214 DIVISION STREET NO 13	OREGON CITY	OR	97045 97624-
THEODORE FRANK	SPRINGER ST CLAIR	PATRICIA SPRINGER CAROL ST CLAIR OREGON DEPART OF JUSTICE, TRAIL DIVIS.	PO BOX 1382 PO BOX 304	CHILOQUIN SPRAGUE RIVER	OR OR	1382 97639
DARSEE STALEY RALPH JOHN BENJAMIN GARY CHARLES MICHELLE GAY CECILIA ANGELINE RIDDLE STANLEY	SARAH WESTON STEARNS STEWART STOTT STRONG SWITZLER SUMMERS TAYLOR TECUMSEH TECUMSEH	STEWART FAMILY TRUST	1515 SW 5TH AVE STE 410 PO BOX 434 PO BOX 528 155 STRAWBERRY LANE PO BOX 1213 6274 CLIMAX AVE 638 M STREET PO BOX 637 502 DELTA STREET 4015 JANA DR	PORTLAND MERRILL CHILOQUIN ASHLAND KLAMATH FALLS KLAMATH FALLS SPRINGFIELD ASHLAND KLAMATH FALLS KLAMATH FALLS	OR OR OR OR OR OR OR OR OR OR	97201 97633 97624 97520 97601 97603 97477 97520 97603 97603
IRIS	TEMPLE	CODY JENE HALEY TEMPLE	3138 NW HWY 20	ALBANY HUNTINGTON	OR	97321
GILBERT L BRUCE S PAMELA A MARK	THOMPSON TOPHAM TRAINA TUNNO RACHEL TUPPER	JEAN C THOMPSON	5762 MIDDLECOFF DR 35133 SPRAGUE RIVER RD 702 CONGER AVE PO BOX 412	BEACH SPRAGUE RIVER KLAMATH FALLS FORT KLAMATH	CA OR OR OR	92647 97639 97601 97626
PHIL TUPPER		RAYSON TUPPER	PO BOX 1797	KLAMATH FALLS	OR	97601

KENNETH L	TUTTLE	KAREN L TUTTLE dba DOUBLE K RANCH	1696 COVE POINT RD	KLAMATH FALLS	OR	97601
JAMES R CARL	UERLINGS ULLMAN	BOIVIN UERLINGS AND DILACONI	803 MAIN ST STE 201	KLAMATH FALLS	OR	97601
		THE KLAMATH TRIBES	5162 WEST SHORE RD	ANACORTES	WA	98221
SYDNEY E	VIDRICKSEN	RUSSEL GMIRKIN; VASIA (TOM) GMIRKIN	5818 MARYLAND AVE	KLAMATH FALLS	OR	97603
DONALD	VINCENT	PHYLLIS VINCENT	5540 VILLA DR	KLAMATH FALLS	OR	97603
DONALD	WAGNER	BETTY WAGNER	PO BOX 34	KENO	OR	97627
TERREL J	WAGSTAFF		640 CONGER AVENUE	KLAMATH FALLS	OR	97601
MARVIN DEAN	WALKER		PO BOX 190	BEATTY	OR	97621
			650 CALIFORNIA ST 20TH FLOOR	SAN FRANCISCO	CA	94108
KATHLEEN D	WALT	JENNIFER J WALT	PO BOX 285	CHILOQUIN	OR	97624
ROBERT M	WAMPLER					
DANIEL	WARREN	MARY LEZOTTE	1519 COWPER COURT	SAN JOSE	CA	95120
LORENTINO	WEISER	BONNIE WEISER	PO BOX 268	BEATTY	OR	97621
MARLIN	WILSON		PO BOX 311	SPRAGUE RIVER	OR	97639
MYRON E	YADON		519 FULTON ST	KLAMATH FALLS	OR	97601
OSKIE	YASANA	RICHARD DEAN YASANA	62185 CROWN POINT ROAD	COOS BAY	OR	97420
RONALD S	YOCKIM	ATTORNEY AT LAW	PO BOX 2456	ROSEBURG	OR	97470
GREGORY	YOUNG		22050 REGNART RD	CUPERTINO	CA	95014
JOHN	YOUNG TRUSTEE	YOUNG FAMILY TRUST	26 ARASTRADERO ROAD	PORTOLA VALLEY	CA	94028
		CALEDONIA PROPERTIES LLC	1691 CROSS ROAD	KLAMATH FALLS	OR	97601
						97601-
		CITY OF KLAMATH FALLS	PO BOX 237	KLAMATH FALLS	OR	0361
		CURRENT RESIDENT	120 RIVERSIDE DR	KLAMATH FALLS	OR	97601
		CURRENT RESIDENT	238 RIVERSIDE DR	KLAMATH FALLS	OR	97601
		CURRENT RESIDENT	300 RIVERSIDE DR	KLAMATH FALLS	OR	97601
		CURRENT RESIDENT	318 RIVERSIDE DR	KLAMATH FALLS	OR	97601
		CURRENT RESIDENT	616 CONGER AVENUE	KLAMATH FALLS	OR	97301
		GEARY BROS CALEDONIA RANCH	12981 HWY 140W	KLAMATH FALLS	OR	97601-
		LA PALOMA ENTERPRISES LP	7634 LA PALOMA ROAD	HORNITOS	CA	95325
		LELAND WOODS TRUST	14121 MATNEY ROAD	KLAMATH FALLS	OR	97601
		LH RANCH	PO BOX 39	SUMMER LAKE	OR	97640
		MCMANUS FAMILY TRUST	23561 E COYOTE SPRINGS DR	DIAMOND BAR	CA	91765
DOROTHY NICHOLSON TRUST	LLOYD NICHOLSON TRUST	NBCC LLC	PO BOX 458	FORT KLAMATH	OR	97626

	PACHECO PASS PROPERTIES LP	PO BOX 485	SNELLING	CA	95369
	POE VALLEY IRRIGATION DISTRICT	25400 POE VALLEY RD	KLAMATH FALLS	OR	97603
	REDDING FOUNDATION RLF RUNNING Y RANCH LLC	PO BOX 990160	REDDING	CA	96099
	RUSSELL J CENTANNI TRUST	1530 16TH STREET, SUITE 300	DENVER	CO	80202
	SCHERL FAMILY TRUST	9481 SIERRA AVE	FONTANA	CA	92335
	SEVENMILE CREEK RANCH LLC	11215 POCHE PT	SAN DIEGO	CA	92131
	SOUTHERN OREGON UNIVERSITY FOUNDATION	920 SW SIXTH AVENUE SUITE 1400	PORTLAND	OR	97204- 1241
		1250 SISKIYOU BLVD	ASHLAND	OR	97520- 5034
STONE HOUSE RANCH, LLC	C/O STOEL RIVES LLP	900 SW 5TH AVE STE 2600	PORTLAND	OR	97204
	THE MORGANA HUNTER LOVING TRUST	PO BOX 1907	NEWPORT	OR	97365
	THOMAS FAMILY LIMITED PARTNERSHIP	5800 GEORGIA DR	BAKERSFIELD	CA	93308
	WATERWATCH OF OREGON INC	213 SW ASH STREET STE 208	PORTLAND	OR	97204
	WHISKEY CREEK RANCH	35825 SPRAGUE RIVER ROAD	SPRAGUE RIVER	OR	97639
	WOKSAM VIEW LLC	1972 11th AVE	SAN FRANCISCO	CA	94116
	FAMOSO CATTLE CO., INC	PO BOX 487	CHILOQUIN	OR	97624