

**BEFORE THE DIRECTOR
OF THE WATER RESOURCES DEPARTMENT
OF THE STATE OF OREGON**

KLAMATH BASIN GENERAL STREAM ADJUDICATION

In the Matter of the Claim of)	PARTIAL ORDER OF
GREGORY B. BULKLEY;)	DETERMINATION
JACKQUELINE R. GRAHAM; LLOYD)	
POWELL; LLOYD POWELL)	
DEVELOPEMNT CO.; RODNEY)	Water Right Claim 131
MURRAY; RIVER SPRINGS RANCH CO.)	

The GENERAL FINDINGS OF FACT of the FINAL ORDER OF DETERMINATION is incorporated as if set forth fully herein.

A. FINDINGS OF FACT

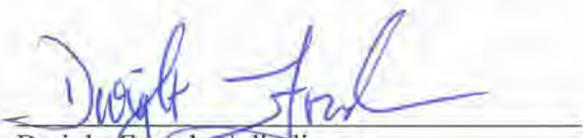
1. Claim 131 was submitted by the original claimant, BERNARD L. SIMONSEN, on February 8, 1991, eight days past the February 1, 1991 deadline for submitting claims.
2. Claim 131 (Claimants: GREGORY B. BULKLEY AND JACKQUELINE R. GRAHAM, 701 EAST BELFAST RD., SPARKS, MD 21152; LLOYD POWELL, POWELL DEVELOPEMNT CO., 737 MARKET ST. KIRKLAND, WA 98033; RODNEY MURRAY, 1945 PAINTER ST, KLAMATH FALLS, OR 97601; AND RIVER SPRINGS RANCH CO. (C/O PIERRE KERN), 2730 AVENIDA CABALLO, SANTA YNEZ, CA 93460) and its associated contests (2848, 3110, 3505, 3772, and 4160) were referred to the Office of Administrative Hearings for a contested case hearing. The Office of Administrative Hearings designated these matters as Case 238.
3. On May 6, 2003, Claim 131 was consolidated with Case 900 “for the sole purpose of determining whether [this and other] claims for rights to water from the Wood River system . . . which have been previously adjudicated, bar the Claimants from participation in this adjudication.” *See* ORDER GRANTING MOTION TO CONSOLIDATE AND SCHEDULING PREHEARING CONFERENCE (May 6, 2003) at 3.
4. On April 20, 2004, an ORDER AMENDING RULINGS ON MOTIONS FOR RULING ON LEGAL ISSUES (April 20, 2004) was issued in Case 900, and is adopted and incorporated in its entirety as if set forth fully herein.
5. On May 27, 2004, the consolidation of claims and cases in Case 900 was reversed; the law of the case in each case is set out in the ORDER AMENDING RULINGS ON MOTIONS FOR RULING ON LEGAL ISSUES (referenced in Finding 3, above). *See* ORDER VACATING ORDER TO CONSOLIDATE (May 27, 2004).

6. The Office of Administrative Hearings conducted contested case proceedings and ultimately issued an ORDER GRANTING UNITED STATES' MOTION FOR LEGAL RULING AND PROPOSED ORDER DENYING CLAIM (Proposed Order) on November 18, 2005, denying Claim 131.
7. Exceptions were filed to the Proposed Order within the exception filing deadline by claimants Gregory B. Bulkley, Jacqueline R. Graham and River Springs Ranch Co.
8. The exceptions filed to the Proposed Order along with responses to the exceptions have been reviewed and considered in conjunction with the entire record for Claim 131, and are found to be unpersuasive. Accordingly, changes were not made to the Proposed Order to accommodate any exceptions.
9. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein.

B. DETERMINATION

1. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein.
2. Based on the file and record herein, including the original claimant's failure to submit the claim on or before the required deadline, IT IS ORDERED that Claim 131 is denied and is of no force or effect.

Dated at Salem, Oregon on March 7, 2013



Dwight French, Adjudicator
Klamath Basin General Stream Adjudication